

LEG. FINANCE - BILLS 1977 - 1978 990

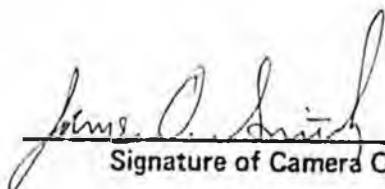
SB 560 thru CSSB 562 am 990



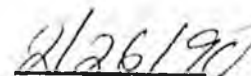
RECORDS CERTIFICATION



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

Introduced: 3/21/78
Referred: Commerce and
Finance

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 SENATE BILL NO. 560

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 the
7 Department of Commerce and Economic Development; and
8 providing for an effective date."

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

10 * Section 1. The sum of \$84,100 is appropriated from the general fund to
11 the Department of Commerce and Economic Development, division of business
12 loans, for processing of loan applications during the fiscal year ending
13 June 30, 1978.

14 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
15 070(c).

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THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. SB 560
 Title _____
 Requested by _____ Date _____

II. FISCAL DETAIL
 Agency Affected Commerce & Economic Development
 Program Category Affected Development
 Budget Request Unit(s) Affected Business Loans

EXPENDITURES (Thousands of Dollars)
 (April, May, June)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES		51.1	204.3			
200 TRAVEL		12.2	49.0			
300 CONTRACTUAL		8.0	31.9			
400 COMMODITIES		0.7	2.7			
500 EQUIPMENT		12.1				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		84.1	287.9			

FUNDING (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
GENERAL FUND		84.1	287.9			
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
FULL TIME		9	9			
PART TIME						
TEMPORARY						

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

IV. DATE March 15, 1978 PREPARED BY [Signature]
 AGENCY Division of Business Loans
 Original: Legislative Finance PHONE 465-2510
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

PERSONAL SERVICES

<u>SQ FT</u>	<u>BUREAU</u>	<u>RG</u>	<u>MONTHLY</u>	<u>YEARLY</u>
126	*Loan Closer II	12	\$1,358	\$ 16,296.00
126	Accountant I	12	1,358	16,296.00
<u>60</u>	*Document Clerk III	10	1,194	14,328.00
312				
<u>ANCHORAGE</u>				
126	Loan Examiner III	19	2,243	26,916.00
126	Loan Examiner I	15	1,668	20,016.00
126	*Loan Closer I	10	1,194	14,328.00
47	*Clerk Typist III	8	1,055	12,660.00
**189				
614				
<u>FAIRBANKS</u>				
126	Loan Examiner I	15	1,934	23,208.00
47	*Clerk Typist III	8	1,194	14,328.00
**125				\$158,376.00
298				
			Benefits	27,319.86
			FICA	9,708.45
			Health	8,875.44
			TOTAL	<u>\$204,279.75</u>

* Typewriter
** Reception Area

EQUIPMENT

1. Typewriter, correcting Selectric II, dual pitch 2 Juneau, 2 Anchorage, 1 Fairbanks	(5)	\$792	\$ 3,960
2. Calculator, desk, printing and display (12 digit) 3 Juneau, 4 Anchorage	(3) (4)	200 220	1,480
3. Storage cabinet, 37 x 18 x 78 Anchorage and Fairbanks	(2)	141	282
4. File cabinet, 5 drawer legal with lock Anchorage and Fairbanks	(6)	214	1,284
5. Desk	(9)	268	2,412
6. Chairs	(9)	129	1,161
7. Side Chairs	(16)	89	1,424
8. Wastebaskets	(9)	15	<u>135</u>
			\$12,138

TRAVEL

Loan Examiners and Loan Closers (5)

4 days per month, \$54 per diem - $\$216 \times 5 \times 12 = \$12,960$
3 trips per month, \$200 each - $\$600 \times 5 \times 12 = 36,000$

48,960

CONTRACTUAL

Rents

312 sq. ft., JUNEAU - assumption is made that space will be available in JSOB and no additional funding will be required.

614 sq. ft., ANCHORAGE - $\$1.25/\text{sq. ft.} - 768 \times 12 = \$ 9,210$

298 sq. ft., FAIRBANKS - $\$1.40/\text{sq. ft.} - 417.2 \times 12 = \underline{5,006}$

\$14,216

Communications - Postage, phone, and telegrams

10,000

Printing of manuals, forms, documents, and applications (50¢/each in Central Duplicating)

5,000

29,216

COMMODITIES

Miscellaneous

2,700

\$31,916

COMMITTEE REPORT
SENATE

4/5/78

FURTHER: _____

Date: _____

Mr. President:

The Committee on FINANCE has had SB 560
supplemental appropriation to Dept. of Commerce & Economic Development

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

COMMITTEE REPORT

SENATE

FURTHER Finance

3/21/78

Date: April 4, 1978

Mr. President:

The Committee on COMMERCE has had SB 560 supplemental appropriation to Dept. of Commerce & Economic Development

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:

Bill Sumner
Gene Hackney
Ray Toland

Max A. Bradley
 Chairman
 Do Pass

Introduced: 3/21/78
Referred: Commerce and
Finance

1 IN THE SENATE BY THE FINANCE COMMITTEE

2 SENATE BILL NO. 560

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 the
7 Department of Commerce and Economic Development; and
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10 * Section 1. The sum of \$84,100 is appropriated from the general fund to
11 the Department of Commerce and Economic Development, division of business
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15 070(c).

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THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. SB 560
 Title _____
 Requested by _____ Date _____

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 Agency Affected Commerce & Economic Development
 Program Category Affected Development
 Budget Request Unit(s) Affected Business Loans

EXPENDITURES (Thousands of Dollars)
 (April, May, June)

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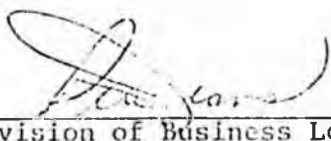
FUNDING (Thousands of Dollars)

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GENERAL FUND		84.1	287.9			
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

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FULL TIME		9	9			
PART TIME						
TEMPORARY						

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

IV. DATE March 15, 1978 PREPARED BY 
 AGENCY Division of Business Loans
 Original: Legislative Finance PHONE 465-2510
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

PERSONAL SERVICES

<u>SQ FT</u>	<u>JUNEAU</u>	<u>RG</u>	<u>MONTHLY</u>	<u>YEARLY</u>
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			FICA	9,708.45
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298 sq. ft., FAIRBANKS - $\$1.40/\text{sq. ft.} - 417.2 \times 12 = \underline{5,006}$

\$14,216

Communications - Postage, phone, and telegrams 10,000

Printing of manuals, forms, documents, and applications (50c/each in Central Duplicating) 5,000

29,216

COMMODITIES

Miscellaneous

2,700

\$31,916

ALASKA STATE LEGISLATURE

TENTH Legislature SECOND Session

SENATE BILL NO 560

By THE FINANCE COMMITTEE

"An Act making a supplemental appropriation to the Department of Commerce and Economic Development; and providing for an effective date."

supplemental appro./Dept. of Commerce

Introduced in the Senate 3/21/76, 19...76

HISTORY IN THE SENATE

19 78

31 21

4 5

Read first time and referred to Committee on Commerce and Finance

Reported back with *Commerce* recommendation that *4 do pass, to Finance*

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by President
Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by Speaker
Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Received from House

Reported correctly enrolled

Sent to Governor

..... By Governor

Filed with Lt. Governor

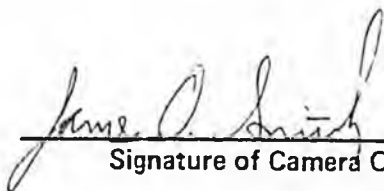
Chapter No.



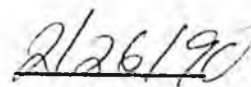
RECORDS CERTIFICATION



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



Signature of Camera Operator



Date

COMMITTEE REPORT
SENATE

FURTHER: FINANCE

3/22/78

Date: April 11, 1978

Mr. President:

The Committee on STATE AFFAIRS has had SB 561

North Slope Road

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

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

() reports it back without ^{individual} recommendation

() and recommends it be referred to the _____ Committee

MEMBERS SIGNING DO PASS:

OTHER RECOMMENDATIONS:

<u>2</u>	<u>J. Kufner</u>	<u>but send to Finance</u>
<u>1</u>	<u>Ed Miller - No Rec</u>	
<u>1</u>	<u>John Jones DO PASS</u>	
<u>2</u>	<u>Bill Ray NO REC</u>	

1 J. Kufner
Chairman do pass that man
to Finance

950056

SUGGESTED AMENDMENTS

TO

~~HOUSE BILL NO. 902~~
SENATE BILL NO. 561

SECTION 1. AS 19.10.105 (c)

Delete and substitute:

(c) The department shall maintain the highway year round.

SECTION 2. AS 38.05.035

Line 28 delete "temporary"

Line 29 delete and substitute:

"more than a ten year period, with subsequent renewals
for ten year terms."

0056

SUGGESTED AMENDMENTS

TO

~~HOUSE BILL NO. 902~~
SENATE BILL NO. 561

SECTION 1. AS 19.10.105 (c)

Delete and substitute:

(c) The department shall maintain the highway year round.

SECTION 2. AS 38.05.035

Line 28 delete "temporary"

Line 29 delete and substitute:

"more than a ten year period, with subsequent renewals
for ten year terms."

Introduced: 3/22/78
Referred: State Affairs

BY THE RULES COMMITTEE BY REQUEST
(for the North Slope Haul Road
Committee)

1 IN THE SENATE

2 SENATE BILL NO. 561

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 the North Slope Road."

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

8 * Section 1. AS 19.10 is amended by adding a new section to read:

9 Sec. 19.10.105. NORTH SLOPE ROAD. (a) The North Slope Road is
10 designated part of the state highway system, effective on the date of
11 transfer to the state under terms of the contract between the Alyeska
12 Pipeline Service Company and the state.

13 (b) The department may not give preferential access to the North
14 Slope Road to any group of users. Whenever the highway is open, it
15 shall be open to the general public in the same manner as any other
16 state highway.

17 (c) As a minimum the department shall maintain the highway for use
18 by the general public from May 16 to September 15 of each year. The
19 department may enter into agreements with users of the highway for its
20 maintenance for the period from September 16 to May 15 but these agree-
21 ments may not limit use of the highway by the general public.

22 (d) In the event of conflict between this section and other por-
23 tions of this title, the provisions of this section shall govern.

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

25 (15) classify and make available for disposition under state
26 law land of the scate along the North Slope Road which may, in the
27 director's judgment, be necessary to serve the traveling public; pending
28 classification, the director shall issue temporary-use permits for no
29 more than a five-year period, with one renewal for a five year term, to

1 applicants who agree to provide necessary services for the traveling
2 public; the director, with the approval of the commissioner, shall
3 determine the land to be made available under this paragraph and the
4 limitations, conditions, and terms of the permit; the permits shall be
5 offered at public auction to the highest bidder; after classification,
6 a permit holder has the rights granted under the permit and the right
7 to meet the highest bid offered at the first disposal of the land
8 subject to the permit after the expiration of the permit.

9 * Sec. 3. AS 44.33.020 is amended by adding a new paragraph to read:

10 (22) assist persons wishing to provide services to travelers
11 on the North Slope Road in obtaining the use of existing facilities and
12 the creation of new facilities.
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THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 561
 Title North Slope Haul Road May 16 to Sept. 15 (FY 79 only)
 Requested by J.H. Hogan Date May 10, 1978

II. FISCAL DETAIL

Agency Affected Department of Transportation and Public Facilities
 Program Category Affected Transportation and General Government
 Budget Request Unit(s) Affected Maintenance and Operations Interior Region
Highways, Buildings and Communications

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES			1893.6			
200 TRAVEL			731.5			
300 CONTRACTUAL			1692.7			
400 COMMODITIES			679.1			
500 EQUIPMENT			348.4			
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL			5345.3			

FUNDING (Thousands of Dollars)

GENERAL FUND			5345.3			
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME			3			
PART TIME						
TEMPORARY						

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

1. This note does not include the working capital fund Fish and Game, environmental conservation and Public Safety.
2. This note is per Governor Hammonds budget amendment # 16 to Senator Sackett of March 21, 1978.

IV. DATE May 10, 1978 PREPARED BY James F. O'Sullivan
 AGENCY Department of Transportation & Public Facilities
 PHONE 465-3910
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

RECEIVED

MAY 17 1978

BUDGET & MANAGEMENT

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. SB 561
 Title North Slope Haul Road
 Requested by Budget & Management Date 5/16/78

II. FISCAL DETAIL
 Agency Affected Department of Public Safety
 Program Category Affected Administration of Justice
 Budget Request Unit(s) Affected Detachments & CIB

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES			92.4	130.6	138.4	146.7
200 TRAVEL			39.1	55.2	58.5	62.0
300 CONTRACTUAL			11.3	16.0	17.0	18.0
400 COMMODITIES			23.5	33.2	35.2	37.3
500 EQUIPMENT			108.4	- 0 -	- 0 -	- 0 -
600 LAND & STRUCTURES			*150.0	- 0 -	- 0 -	- 0 -
700 GRANTS, CLAIMS, ETC.			0.6	0.6	0.7	0.7
TOTAL			425.3	235.6	249.8	264.7

FUNDING (Thousands of Dollars)

GENERAL FUND			425.3	235.6	249.8	264.7
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME			3	3	3	3
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)
 To provide patrol and other enforcement capability along the North Slope Haul Road, 3 new troopers and related costs are requested by the Department. The detailed operating budget which also contains the assumptions on the fiscal details is attached.

Housing facilities for the troopers in these remote locations along the Haul Road were requested as part of the Capital Improvement Projects, FY 78. The cost of \$150.0 in FY 79 (indicated by asterisk) is for the purchase of four (4) 2-bedroom house trailers. A copy of the capital budget prepared is also attached as separate back-up. The operating costs for the trailers are included in the operating budget.

For the same level of service in the succeeding years, 6% inflation is computed. Since FY 79 operating budget costs are only for 9 months (beginning October 1, 1978), FY 80, FY 81, and FY 82 budget costs are adjusted for 12 months of operation. One-time equipment costs are not projected beyond FY 79.

IV. DATE 5/16/78 PREPARED BY Trygve R. Hermann, Administrative Director
 AGENCY Public Safety
 PHONE 465-4322
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

24 Capital Budget Summary

FUNDING SOURCE, YEAR, RANK	PROJECT TITLE (Group Projects by State Funding Source)	PROJECT TYPE				LOCATION(S)	ULTIMATE ANNUAL OPERATING COST	AGENCY Appropriation REQUEST	GOVERNORS BUDGET	LEGISLATIVE ALLOWANCE
		CONST	IMPR	EQUIP	LAND					
GF 78-1	State Trooper Housing for North Slope Haul Road	X				5 Mile Coldfoot Deadhorse Happy Valley	12.0	150.0		
TOTAL										

FUNDING SOURCE	FEDERAL RECEIPTS			
	REQUIRED GENERAL FUND			
	OTHER GENERAL FUND	12.0	150.0	
	INTER-AGENCY TRANSFER			
	OTHER (Specify)			
G. O. BONDS				

CATEGORY Administration of Justice AGENCY Public Safety PROGRAM Patrol, Detection & Apprehension

24 CAPITAL BUDGET SUMMARY

Form 26 MUST BE COMPLETED AND ATTACHED WITH EACH PROPOSED PROJECT REQUEST

PROJECT TITLE State Trooper Housing for North Slope Haul Road OPERATING BUDGET BRU(S) Detachments & CIB NAMES NUMBERS 06-62-01-01-01

PRIORITY GF 78-1 PROJECT STARTING DATE Summer 78 ESTIMATED DATE FACILITY IN USE BY: October, 78 TOTAL PROJECT COST \$150,000
 LOCATION(S) Five Mile, Coldfoot, Deadhorse, Happy Valley AREA SERVED North Slope Haul Road ELECTION DISTRICT 19.21
 SOURCE OF COST ESTIMATE L. Soden DOTPF, FBX DATE OF ESTIMATE 1/13/78

DESCRIPTION Purchase FOB Fairbanks, furnish, transport and set-up four 2 bedroom 14 X 60 house trailers at DOTPF North Slope Haul Road maintenance camps: DOTPF to provide pad, sewer, water, electricity, heating fuel facilities with share of ongoing expense @ \$250/month per trailer to be paid to DOTPF by Public Safety.

PROJECT TYPE		
BUILDING CONSTRUCTION	X	EQUIPMENT
OTHER IMPROVEMENT		LAND

PROJECT PURPOSE (Check all that apply)	
Major Maintenance (Rehab)	<input type="checkbox"/>
Improvement of Services	<input type="checkbox"/>
Accommodation of Increased Demand	<input type="checkbox"/>
New Program or Service Accommodation	<input type="checkbox"/>
Supplement Previously Authorized Funds	<input type="checkbox"/>
Preliminary Feasibility or Cost Studies	<input type="checkbox"/>
Other	<input type="checkbox"/>

PROJECT EXPENDITURES	TOTAL	BUDGET YEAR	BUDGET YEAR PLUS 1	BUDGET YEAR PLUS 2	REMAINING COST
TOTAL ANNUAL EXPENDITURE (Cap. & Cost)	150.0	-	-	-	-
PLANNING AND ENGINEERING					
LAND					
CONSTRUCTION	150.0				
EQUIPMENT					
ADMINISTRATION AND OTHER					

APPROPRIATION REQUEST	
Federal Receipts	
Required General Fund Matching	
Other General Fund	150.0
G. O. Bonds	
ASHA Bonds	
Inter-Agency Transfers	
Other	
TOTAL	150.0

OPERATIONAL COST AND NO. PERSONNEL INCREASE / DECREASE		ULTIMATE ANNUAL	BUDGET YEAR	BUDGET YEAR PLUS 1	BUDGET YEAR PLUS 2
FUNDING SOURCE	OTHER SOURCES				
	GENERAL FUND	3.0	-	2.3	3.0
TOTAL ANNUAL OPERATIONAL COST		3.0	-	2.3	3.0
POSITIONS	FULL-TIME EQUIVALENTS				

AGENCY Public Safety PROGRAM Patrol, Detection & Apprehension PRIORITY NO. GF 78-1

25 CAPITAL BUDGET PROPOSED PROJECT

TO PROVIDE HOUSING FOR STATE TROOPERS WHO WILL PATROL THE NORTH SLOPE HAUL ROAD

OBJECTIVE:

Justify the project using the four headings below in the order they appear. Expand upon each section as required. Repeat heading when commencing response. Submit justification for each project listed in first column of Form 27. Attach feasibility studies, reports, or other documentation available. Use Form 23 as continuation sheet.

- I. DOCUMENTATION OF NEED (Cite quantitative and measurable need.)
- III. DOCUMENTATION OF ESTIMATED CAPITAL COST (Discuss degree of reliability.)
- II. ANALYSIS OF IMPACT ON OPERATIONAL EXPENSE (Estimate and justify.)
- IV. IDENTIFICATION OF ALTERNATIVES CONSIDERED (State why rejected.)

I No State facilities are available to house State Troopers along the North Slope Haul Road. To provide patrol, housing is needed; DOTPF cost estimates included housing for State Troopers, but actual budget submission will be made by Public Safety. Three trailers are for new positions in North Slope Haul Road operating budget, one trailer is for an existing position now in pipeline facilities.

II It is assumed that DOTPF will provide trailer pad, electricity, water, sewer, heating fuel, and garbage disposal. Recurring costs would be shared and are estimated to be \$250 per month for each of the four trailers which are planned for October 1, 1978 installation.

III Capital cost includes: \$30,000 estimate per 14 X 60 unfurnished 2 bedroom trailer FOB Fairbanks, \$5,000 for transportation/set-up cost, and \$2,500 to furnish the trailer; total \$37,500 X 4 = \$150,000. No inflation is included based upon purchase during summer of 1978. Estimate for unfurnished trailer FOB Fairbanks and average of \$5,000 transportation/set-up cost taken from Larry Soden's (DOTPF) North Slope Haul Road cost estimates. Furnishing cost estimated by Public Safety.

IV No alternatives considered because of immediacy of need.

AGENCY Public Safety PROGRAM Patrol, Detection & Apprehension PRIORITY NO. GF 78-1

Project Title: State Trooper Housing for
North Slope Haul Road

26 CAPITAL BUDGET
PROJECT JUSTIFICATION



FY 79

BUDGET REQUEST UNIT Detachments & CIB - North Slope Haul Road

COVER PROGRAM Crime Identification and Apprehension

CATEGORY: Administration of Justice

AGENCY: Public Safety DIVISION: Alaska State Troopers

Name and Position of Program Manager: Col. T. R. Anderson, Director AST Phone: 264-5644

Name and Position of Agency Contact: Trygve R. Hermann, Administrative Director Phone: 465-4322

DATE 1-18-78

Richard L. Linton
(Signature of Agency Head)

Commissions and/or Advisory Boards which have been contacted for input:

REVISED _____

BUDGET SUBMISSION

Explanation

Assumptions Used in Preparing the FY 79 Haul Road Budget

The following assumptions were provided by the Division of Policy Development & Planning, Office of the Governor:

- Item 1. State will take over control of the Haul Road on October 1, 1978.
- Item 2. Use of the Haul Road will be restricted to industrial use only until at least the end of Gas-pipeline construction. No general public access will be permitted.
- Item 3. Tour-bus operations will be allowed if provided by the private sector.
- Item 4. The State will maintain the road on a seasonal basis from May through October starting in 1979. Industrial users might provide their own maintenance in the winter.
- Item 5. Restricted-access control measures will be instituted.
- Item 6. No new permanent commercial development will be permitted initially.
- Item 7. The State will provide facilities for State employees.

Additional assumptions for budget preparation were developed with the Department of Transportation & Public Facilities:

- Item 1. DCTPF will operate the restricted access control point which will have no weigh station.
- Item 2. DCTPF will provide basic utilities for their maintenance camps and will make these utilities available to the Department of Public Safety including: Water, sewer, electricity, garbage disposal, heating fuel, and vehicle fuel. Joint cost agreements will be negotiated for ongoing utility costs.
- Item 3. DCTPF included housing for Department of Public Safety personnel in its cost estimates but the Department of Public Safety will submit its own capital budget for the housing needed (\$150,000 for 4 trailers).

BRU Detachments & CIB - Haul Road Budget AGENCY Public Safety REVISED _____

I

EXPLANATION

Explanation

The Department of Public Safety has also made assumptions about budget preparation to provide Haul Road Law Enforcement within the budgetary limit provided:

- Item 1. Any tour-bus operators would provide only packaged tours, would have their own communications ability, and would arrange for their own emergency maintenance.
- Item 2. Fairbanks salary cost is used since Troopers will be rotated every 6 weeks and will receive salary at their normal rate.

Note: Communication equipment costs of \$44,000 are the main reason why this budget total exceeds the amount on Page 190 of the North Slope Haul Road appendices.

Note: Long term per diem costs are appropriate and were added by the revised forms dated 3-14-78.

BRU Detachments & CIB - Haul Road Budget

AGENCY Public Safety

REVISED 3-14-78

I

EXPLANATION

Analysis of Change

ITEM & EXPLANATION	AMOUNT	FUNDING SOURCE	100 PERSONAL SERVICES	200 TRAVEL	300 CONTR. SERVICES	400 COMM.	500 EQUIPMENT	OTHER
Fund salary, equipment, and related costs for 3 new State Troopers for duty along the North Slope Haul Road.	275.3	GF	92.4	39.1	11.3	23.5	108.4	.6

BRU Detachments & CIE - Haul Road Budget

AGENCY Public Safety

REVISED 3-14-78

6

ANALYSIS OF CHANGE

12 Changes to Current Position Summary

CLASSIFICATION TITLE (1)	LOCATION	P R I O R I T Y (2)	PCN (3)	PAY R G E (4)	MONTHLY SALARY (5)	REVISED PROGRAM NO. (6)	TOTAL POSITION COST FROM FORM 13 (7)	BUDGET YEAR (BY)				
								NO. POS. (8)	NO. MO. (9)	ANNUAL AMOUNT		
										MAINTENANCE (10)	CHANGE (11)	GOVERNOR (12)
1 Trooper	Fairbanks		76	76	2,227		63,089	3	27		60,129	
2												
3 Overtime 25hrs/Mo.											13,872	
4 \$13.70 X 1.5 X 25 Hrs. X 9 Mos. X 3 men												
5 Salary and Overtime Sub-totals											74,001	
6 Benefits \$17.25%											12,765	
7												
8 FICA \$1.143 X 3											3,430	
9 H.I. \$739.62 X 3											2,219	
10												
11 TOTAL											92,415	
12												
13												
14												
15												
16												
17												
18												
19												
20												
21												
22												
TOTAL ANNUAL AMOUNT											92,415	
PERMANENT FULL TIME: POSITIONS & (months)										()	3 (27)	()
PERMANENT PART TIME SEASONAL: POSITIONS & (months)										()	()	()
TEMPORARY, FULL TIME EQUIVALENT: POSITIONS & (months)										()	()	()
TOTAL MONTHS											27	

BRU Detachments & CIB - Haul Road Budget

AGENCY Public Safety

REVISED

POSITION TITLE TROOPER				76 RANGE	135A SARG. UNIT	LOCATION *Fairbanks	APPROV.
TYPE OF POSITION (PFT, PPT, SEAS.)		MAN. MONTHS	NEW	RP #	MAINT.	BRU	FORM 12
PFT		9	X	PCN #	CHARGE	PRIORITY	PAGE/LINE
TYPE OF EXPENDITURE		AMOUNT	FUNDING SOURCE			DETAIL OF RELATED EXPENSES	
			GF	OTHER	RECEIPT CODE		
PERSONAL SERVICES		20805 X 3 = 92415	92.4			Salary \$20,043; OT 25Hrs/Mo \$4,624; FICA \$1,143;	
TRAVEL		2150 X 3 = 6450	[Hatched Area]			Health Ins. \$740; Benefits \$4,255; Travel \$1,700;	
CONTRACTUAL		750 X 3 = 2250				Miscellaneous Repair & Maintenance of Vehicles	
COMMODITIES		7330 X 3 = 23490				\$750; Veh. Fuel \$6,480; Uniform \$950; Prof. Sup-	
EQUIPMENT		21350 X 3 = 64050				plies \$350; Oil \$50; Shortbed 4WD Vehicles fully	
OTHER		200 X 3 = 600				equiped \$21,350; Physical exams \$200	
TOTAL		13,085 X 3 = 189,255	189.3			BRU COMPONENT	

* 3 positions to be stationed along the North Slope Haul Road.

JUSTIFICATION:

To provide patrol capability along the North Slope Haul Road, additional positions are needed. Service requests are not being met in some areas of the State because of staff shortages, and further dilution of staff is not recommended.

Tentative locations are Five Mile, Coldfoot, and Happy Valley, besides the existing position at Deadhorse.

The cost of rotating these three positions every six weeks and paying long-term per diem while stationed at the Haul Road Camps is \$32,562 and is detailed on form 14.

BRU Detachments & CIB - Haul Road Budget AGENCY Public Safety REVISED 3-14-78

13 PERSONAL SERVICES
REQUEST FOR NEW POSITION

14 Travel and Moving

CODE	TRAVEL AND MOVING CLASSIFICATION	PRIOR YEAR (PY) ACTUAL	CURRENT YEAR (CY) AUTHORIZED	BUDGET YEAR (BY)			GOVERNOR'S BUDGET
				MAINTENANCE	AGENCY		
					CHANGE	Request	
200	TOTAL TRAVEL AND MOVING				39.1	39.1	
210/220	FIELD/ADMINISTRATIVE TRAVEL						
	IN-STATE TRANSPORTATION				4.8	4.8	
	IN-STATE PER DIEM				34.3	34.3	
	OUT-OF-STATE TRANSPORTATION						
	OUT-OF-STATE PER DIEM						
230	CONVENTIONS AND MEETINGS						
240	BOARDS, COMMISSIONS & LEGISLATORS						
280	MOVING OR RELOCATION EXPENSE						
290	NON-EMPLOYEE TRAVEL						
920	INTER-AGENCY TRANSFERS (Non AGJ)						

EXPLANATION:

Troopers will be rotated every six weeks; the travel costs cover their transportation and per diem during transit. (Long term per diem will be paid to the Troopers stationed at any of the Haul Road Camps.)

Transportation	\$88 X 18 times X 3 men	\$4,752	
Per Diem, (Transit)		1,688	
Per Diem, (Long term)			
	\$49.20/day X 270 days X 3 Troopers	<u>32,562</u>	
			\$34,250

BRU Detachments & C15 - Haul Road Budget AGENCY Public Safety REVISED 3-14-78

14 Travel and Moving

Contractual Services

CODE	CONTRACTUAL SERVICES CLASSIFICATION	PRIOR YEAR (PY) ACTUAL	CURRENT YEAR (CY) AUTHORIZED	BUDGET YEAR (BY)			GOVERNOR'S BUDGET
				AGENCY			
				MAINTENANCE	CHANGE	REQUEST	
300	TOTAL CONTRACTUAL				11.3	11.3	
310	COMMUNICATIONS						
320	PRINTING AND ADVERTISING						
330	SPACE EXPENSE AND FEES				9.0	9.0	
340	REPAIR AND MAINTENANCE				2.3	2.3	
350	UTILITIES OTHER THAN SPACE						
360	EQUIPMENT RENTAL - OTHER THAN HWCF AND WP						
364	EQUIPMENT RENTAL - WORD PROCESSING						
368	EQUIPMENT RENTAL - HIGHWAY WORKING CAPITAL FUND						
370	JUDICIAL EXPENSE						
376	PROFESSIONAL FEES AND SERVICES						
380	OTHER FEES OR EXPENSE				0.9	0.9	
990	INTER-AGENCY TRANSFERS (IND. - ADD)						

EXPLANATION:

330	Heating the trailers @ \$200/Mo X 9 Mos. X 4 Trailers	7,200	
	Miscellaneous other utilities (pro-rated with the camp facilities) \$50 X 9 X 4	<u>1,800</u>	\$ 9,000
340	3 Crew Cabs Repair Costs , Winterization, Maintenance costs \$750 X 3		2,250

BRU Detachments & CIS - Haul Road Budget

AGENCY Public Safety

REVISED 3-14-78

15 CONTRACTUAL SERVICES

CODE	COMMODITIES CLASSIFICATION	PRIOR YEAR (PY) ACTUAL	CURRENT YEAR (CY) AUTHORIZED	BUDGET YEAR (BY)			GOVERNOR'S BUDGET
				AGENCY			
				MAINTENANCE	CHANGE	REQUEST	
400	TOTAL COMMODITIES				23.5	23.5	
410	AGRICULTURAL SUPPLIES						
420	HOUSEHOLD AND INSTITUTIONAL SUPPLIES				2.9	2.9	
450	STRUCTURAL MATERIALS AND SUPPLIES						
460	EQUIPMENT PARTS AND SUPPLIES				19.6	19.6	
470	PROFESSIONAL AND SCIENTIFIC SUPPLIES				1.0	1.0	
480	OFFICE AND LIBRARY SUPPLIES						
490	OTHER OPERATING SUPPLIES						
940	INTER AGENCY TRANSFERS (Non-Ad.)						

EXPLANATION:

420	Uniforms	\$805				
	Snow Pants	<u>145</u>	950 X 3			\$ 2,850
460	Crew Cabs gasoline & oil					
	2000 miles/Mo. @ 5mpg					
	400 Gals/Mo. X \$1.80 per gal. X 9 Mos. X 3 Vehicles			\$19,440		
	Oil			<u>150</u>		
				\$19,590		
470	Miscellaneous Supplies	\$350 X 3			<u>1,050</u>	\$23,490

BRU Detachments & CIB - Haul Road Budget AGENCY Public Safety REVISED

16 COMMODITIES

17 Equipment and Machinery

CODE	EQUIPMENT AND MACHINERY CLASSIFICATION	PRIOR YEAR (PY) ACTUAL	CURRENT YEAR (CY) AUTHORIZED	BUDGET YEAR (BY)			GOVERNOR'S BUDGET
				MAINTENANCE	AGENCY CHANGE	REQUEST	
500	TOTAL EQUIPMENT AND MACHINERY				108.4	108.4	
510	AUTOMOTIVE				64.0	64.0	
520	COMMUNICATIVE				44.0	44.0	
530	LABORATORY AND SCIENTIFIC						
540	SHOP, PLANT AND INDUSTRIAL						
550	OFFICE AND HOUSEHOLD						
560	SPECIAL EQUIPMENT				0.4	0.4	
590	OTHER EQUIPMENT						
910	INTER-AGENCY TRANSFERS (NON-ADD)						

EXPLANATION:

ITEM NO.	DESCRIPTION OF ITEMS REQUESTED	EQUIP. CODE	NO. OF UNITS	UNIT COST	REPLACEMENT	NEW
1	Vehicle: Shortbed 4 wheel drive crew cab with all attachments (Arctic Package) including \$4,000 for single side band radio and \$2,000 for VHF low band each and canopy \$650 and Propane Heater \$500 for each.	510	3	21,350		64,050
2	SSB Base Station Fairbanks	520	1	12,000		12,000
3	SSB Channel Control (1 for each camp)	520	4	8,000		32,000
4	Revolver	560	3	125		375
						108,425

BRU Detachments & CIB - Haul Road Budget

AGENCY

Public Safety

REVISED

17 EQUIPMENT & MACHINERY

CODE	EXPENDITURE CLASSIFICATION	PRIOR YEAR (PY) ACTUAL	CURRENT YEAR (CY) AUTHORIZED	BUDGET YEAR (BY)			GOVERNOR'S BUDGET
				AGENCY			
				MAINTENANCE	CHANGE	REQUEST	
600	LAND BUILDING NON-STRUCTURAL IMPROVEMENTS						
600	LAND, BUILDING ETC. (EXCLUDING ASHA PAY.)						
633	ASHA PAYMENT						
050	INTER-AGENCY TRANSFERS (NON-ADD)						
700	ASSISTANCE GRANTS AND BENEFITS				0.6	0.6	
720	LOCAL ASSISTANCE STATE SOURCES						
733	BENEFITS TO INDIVIDUALS Employee Physicals				0.6	0.6	
740	GRANTS AND AWARDS TO INDIVIDUALS						
750	GRANTS OTHER AGENCIES						
970	INTER-AGENCY TRANSFERS (Non-Add)						
800	MISCELLANEOUS						
810	DEBT SERVICE						

EXPLANATION:

BRU Detachments & CIB - Haul Road Budget AGENCY Public Safety REVISED

COMMITTEE REPORT
SENATE

FURTHER: _____

4/11/78

Date: _____

Mr. President:

The Committee on FINANCE has had SB 561
North Slope Road

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

COMMITTEE REPORT

SENATE

FURTHER: FINANCE

3/22/78

Date: April 11, 1978

Mr. President:

The Committee on STATE AFFAIRS has had SB 561

North Slope Road

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 ^{individual} recommendation

() and recommends it be referred to the _____ Committee

MEMBERS SIGNING DO PASS:

OTHER RECOMMENDATIONS:

J. Kufel _____ *but send to finance*

2 *J. Kufel* - No Rec _____

1 *John Harper* DO PASS _____

2 *Bill Ray* NO REC _____

1 *J. Kufel* _____
 Co-Chairman *do pass but send to finance*

Introduced: 3/22/78
Referred: State Affairs

BY THE RULES COMMITTEE BY REQUEST
(for the North Slope Haul Road
Committee)

1 IN THE SENATE

2 SENATE BILL NO. 561

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 the North Slope Road."

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

8 * Section 1. AS 19.10 is amended by adding a new section to read:

9 Sec. 19.10.105. NORTH SLOPE ROAD. (a) The North Slope Road is
10 designated part of the state highway system, effective on the date of
11 transfer to the state under terms of the contract between the Alyeska
12 Pipeline Service Company and the state.

13 (b) The department may not give preferential access to the North
14 Slope Road to any group of users. Whenever the highway is open, it
15 shall be open to the general public in the same manner as any other
16 state highway.

17 (c) As a minimum the department shall maintain the highway for use
18 by the general public from May 16 to September 15 of each year. The
19 department may enter into agreements with users of the highway for its
20 maintenance for the period from September 16 to May 15 but these agree-
21 ments may not limit use of the highway by the general public.

22 (d) In the event of conflict between this section and other por-
23 tions of this title, the provisions of this section shall govern.

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

25 (15) classify and make available for disposition under state
26 law land of the state along the North Slope Road which may, in the
27 director's judgment, be necessary to serve the traveling public; pending
28 classification, the director shall issue temporary-use permits for no
29 more than a five-year period, with one renewal for a five year term, to

1 applicants who agree to provide necessary services for the traveling
2 public; the director, with the approval of the commissioner, shall
3 determine the land to be made available under this paragraph and the
4 limitations, conditions, and terms of the permit; the permits shall be
5 offered at public auction to the highest bidder; after classification,
6 a permit holder has the rights granted under the permit and the right
7 to meet the highest bid offered at the first disposal of the land
8 subject to the permit after the expiration of the permit.

9 * Sec. 3. AS 44.33.020 is amended by adding a new paragraph to read:

10 (22) assist persons wishing to provide services to travelers
11 on the North Slope Road in obtaining the use of existing facilities and
12 the creation of new facilities.
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ALASKA STATE LEGISLATURE

TENTH Legislature SECOND Session

SENATE BILL NO. 561

By THE RULES COMMITTEE BY REQUEST (FOR THE NORTH Slope Haul Road Committee)

"An Act relating to the North Slope Road."

North Slope Road

Introduced in the Senate 3/22/79, 1979

HISTORY IN THE SENATE

19 78

Read first time and referred to Committee on

3 22 State Affairs and Finance

4 11 Reported back with recommendation that *S.D. Defer to House*

Read second time and

Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reconsideration

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reported correctly engrossed
Signed by President
Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reconsideration

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reported correctly engrossed
Signed by Speaker
Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Received from House

Reported correctly enrolled

Sent to Governor

..... By Governor

Filed with Lt. Governor


Chapter No.




RECORDS CERTIFICATION



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



Signature of Camera Operator



Date

COMMITTEE REPORT

HOUSE

FURTHER: _____

Date: 6/2/78

Mr. Speaker:

The Committee on Finance has had CS SB 562 am
"An Act relating to Alaska land policy; effective 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)

(X) recommends it be replaced with ^{House} CS for SB 562

and that it do pass (X) new title () same title

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

() reports it back without recommendation

() and recommends it be referred to the _____ Committee

MEMBERS SIGNING DO PASS:

[Signature]

IBuchholz
[Signature]
[Signature]

OTHER RECOMMENDATIONS:

[Signature]
Thompson no rec
[Signature]

[Signature]
Chairman

THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HCS SB 562
Title Relating to Ak. land policy & creating Wood-Tikchik State Park.
Requested by _____ Date 6/08/78

II. FISCAL DETAIL

Agency Affected Department of Natural Resources
Program Category Affected NRMEC
Budget Request Unit(s) Affected Park Development

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES						
200 TRAVEL			\$15.0			
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

FUNDING (Thousands of Dollars)

GENERAL FUND			\$15.0			
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

\$15.0 amount to provide for travel and per diem for members of the Wood-Tikchik State Park Management Council.



Steve Cowper, Chairman, House
Finance Committee

IV. DATE 6/08/78 PREPARED BY Robert L. Grogan, Fiscal Analyst
AGENCY Legislative Finance Division
Original: Legislative Finance PHONE 465-3795
cc: Budget and Management
Prime Sponsor (First Legislator Named)

Original sponsor: Resources Committee

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 HOUSE CS FOR CS* FOR SENATE BILL NO. 562

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 Alaska land policy and creating the
7 Wood-Tikchik State Park; and providing for an effective
8 date."

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

10 * Section 1. PURPOSE. Alaska's Constitution directs that the state
11 "encourage the settlement of its land and the development of its resources by
12 making them available for maximum use consistent with the public interest"
13 (art. VIII, sec. 1), and to "provide for the utilization, development, and
14 conservation of all natural resources belonging to the State, including land
15 and waters, for the maximum benefit of its people" (art. VIII, sec. 2). The
16 constitution also directs that "Fish, forests, wildlife, grasslands, and all
17 other replenishable resources belonging to the State shall be utilized,
18 developed, and maintained on the sustained yield principle, subject to pre-
19 ferences among beneficial uses" (art. VIII, sec. 4). The purpose of this Act
20 is to implement these broad constitutional goals through establishment of
21 policies for use of state land surface and to express these policies in
22 sufficient detail to guide the administrative decisions which govern the use
23 and management of state-owned land.

24 * Sec. 2. AS 38 is amended by adding a new chapter to read:

25 CHAPTER 4. POLICY FOR USE AND CLASSIFICATION

26 OF STATE LAND SURFACE.

27 ARTICLE I. PUBLIC AND PRIVATE LAND USE.

28 Sec. 38.04.005. POLICY. (a) In order to provide for maximum use
29 of state land consistent with the public interest, it is the policy of

1 the State of Alaska to plan and manage state-owned land to establish a
2 balanced combination of land available for both public and private
3 purposes. The choice of land best suited for public and private use
4 shall be determined through the inventory, planning, and classification
5 processes set out in secs. 60 and 70 of this chapter.

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

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

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

24 (e) The allocation of state land for private use and public re-
25 tention shall be made with due regard to the right of municipalities to
26 receive land entitlements under existing law. The allocation of land
27 for use may not jeopardize these entitlements. The involvement of
28 municipalities, through local elected officials and planning commis-
29 sions, and local residents is essential to the decision-making process.

1 which leads to making state land available for municipal and private
2 use.

3 Sec. 38.04.010. PUBLIC INTEREST IN MAKING LAND AVAILABLE FOR
4 PRIVATE USE. The primary public interest in conveying rights to state
5 land surface to private parties is to make them available to individual
6 and other persons for direct use in areas classified as suitable for
7 these purposes.

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

11 (1) to make them available on a sustained-yield basis for a
12 variety of beneficial uses including subsistence energy development,
13 aquaculture, forestry, grazing, sport hunting and fishing, hiking,
14 snowmobiling, skiing, and other activities of a type which can generally
15 be made available to more people and conducted more successfully if the
16 land is in public rather than private ownership;

17 (2) to facilitate mining and mineral leasing by managing
18 appropriate public land for surface uses which are compatible with
19 subsurface uses;

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

22 (4) to restrict development in hazardous locations such as
23 flood plains and avalanche zones; and

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

26 ARTICLE 2. LAND AVAILABILITY FOR PRIVATE USE.

27 Sec. 38.04.020. VARIETY OF USES. In making state land available
28 for private use, the director shall endeavor to accommodate persons with
29 a current need and anticipated use for the land. To this end, the

1 director shall assess the nature of the supply and demand for state land
2 in different regions and locations of the state, taking into account the
3 supply of available land under other ownership, and shall make land
4 available in locations and under programs suited to the differing needs
5 of prospective users throughout the state.

6 Sec. 38.04.025. LAND AVAILABILITY PROGRAMS. Programs which may be
7 used by the director to make the state's land surface available for
8 private use under this section include sale of whole or partial rights
9 to the fee simple estate, including conveyance of agricultural use
10 rights; leasing; open-to-entry; homesiting; homesteading; permitting for
11 construction and occupation of cabins in isolated locations on land
12 retained in state ownership; and other methods as provided by law.

13 Sec. 38.04.030. CRITERIA FOR PROGRAM SELECTION. In determining
14 which land availability program is appropriate for state lands in dif-
15 ferent locations, the director shall be guided by the following cri-
16 teria:

17 (1) To cover public costs associated with private land use
18 and to provide the public with a fair return for publicly owned pro-
19 perty, conveyance of state land to private parties should be at fair
20 market value except where otherwise authorized by statute, or by an
21 administrative regulation the adoption of which is specifically per-
22 mitted by statute.

23 (2) Sale or lease programs should be used where land is
24 readily accessible to a major community center or where, because of a
25 prime location on waterfront or a transportation route or some other
26 location characteristic, land has relatively high real estate value.
27 The department shall make adequate reservation for public rights-of-way
28 before sale or lease programs are utilized.

29 (3) Sale programs are preferred except lease programs should

1 be used

2 (A) where special land use controls are required and
3 there is a high public interest in having certain types of land
4 used for particular purposes;

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

6 (C) in commercial or industrial situations when a lease-
7 hold can provide cash flow advantages to the lessee; and

8 (D) when a unique location with special public values is
9 involved, as in a deep water port, hydroelectric site or aquacul-
10 ture facility.

11 (4) For enabling isolated cabin development in remote loca-
12 tions where survey and conveyance is impractical, a system for cabin
13 permits on public land may be used.

14 (5) Limited or conditional title may be granted when the
15 state's best interest so dictates. Among other things, title limita-
16 tions may include grants of agricultural interest only, retention of
17 development rights, and retention of scenic or other easements. A
18 conditional title may be tied to a development schedule or other stan-
19 dards of performance.

20 Sec. 38.04.035. SURVEY AND SUBDIVISION. (a) State land to be
21 conveyed in fee simple or less than fee simple estate shall be sub-
22 divided so that lots and tracts are of a size which fits the require-
23 ments of individual users and reflects the physical characteristics of
24 the land, except that in locations where there is an inadequate margin
25 between the demand for and the supply of vacant land, the state may make
26 land available for private acquisition in parcels that are larger than
27 required for individual use.

28 (b) Before the conveyance of surface rights to state land, an
29 official cadastral survey shall be accomplished, unless a comparable,

1 acceptable survey exists that has been conducted by the Federal Bureau
2 of Land Management. The rectangular survey section corner positions
3 shall be monumented and shown on a cadastral survey plat approved by the
4 state. However, for those areas where the state may wish to convey
5 surface estate outside of an Official Cadastral Survey grid, the direc-
6 tor may waive monumentation of all individual section corner positions
7 and substitute an official control survey with control points being
8 monumented at approximately two-mile intervals and shown on control
9 survey plats approved by the state. No portion of land to be conveyed
10 may be located more than two miles from such a survey control monument.
11 The lots and tracts in state subdivisions shall be monumented and the
12 cadastral survey and plats for the subdivision shall be approved by the
13 state. Where land is located within a municipality with planning,
14 platting, and zoning powers, plats for state subdivisions shall comply
15 with local ordinances and regulations in the same manner and to the same
16 extent as plats for subdivisions by other landowners, except as other-
17 wise provided by law. State subdivisions shall be filed in the district
18 recorder's office. The requirements of this section do not apply to
19 land made available through a cabin permit system, material sales, or
20 short-term leases; however, for short term leases the lessee must comply
21 with local subdivision ordinances unless waived by the municipality
22 under procedures specified by ordinance.

23 Sec. 38.04.040. ACCESS TO PRIVATE USE AREAS. Wherever state land
24 is surveyed for purposes of private use, adequate rights-of-way and
25 easements shall be reserved as necessary for access and, where appro-
26 priate, for power and telephone service to each parcel of land. Where
27 necessary and appropriate for the use intended, the director shall
28 arrange for the development of surface access as part of the land avail-
29 ability program. The direct cost of local access development shall be

1 borne by the recipient of the land unless otherwise provided by state
2 statutes or regulations.

3 Sec. 38.04.045. ACCESS THROUGH PRIVATE USE AREAS. The director
4 shall reserve easements and rights-of-way on and across land which is
5 made available for private use as necessary to reach or use public water
6 and public and private land.

7 ARTICLE 3. INVENTORY, PLANNING, AND CLASSIFICATION.

8 Sec. 38.04.050. INVENTORY. (a) The commissioner shall prepare
9 and maintain on a continuing basis an inventory of all state land and
10 water and their resource and other values, giving priority to areas of
11 potential settlement and of critical environmental concern. This in-
12 ventory shall be kept current so as to reflect changes in conditions and
13 to identify new and emerging resource and other values.

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

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

24 Sec. 38.04.055. LAND USE PLANNING AND CLASSIFICATION. (a) The
25 commissioner shall, with local governmental and public involvement in
26 accordance with AS 38.05.305, develop, maintain and, when appropriate,
27 revise land use plans which provide, by regions or areas, for the use of
28 the state-owned land.

29 (b) In the development and revision of land use plans, the commis-

1 sioner shall

2 (1) use and observe the principles of multiple use and sus-
3 tained yield;

4 (2) consider physical, economic, and social factors affecting
5 the region or area and involve other agencies and the public in
6 achieving a systematic interdisciplinary approach;

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

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

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

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

14 (7) plan for compatible surface and mineral land use classi-
15 fications; and

16 (8) provide for meaningful participation in the planning
17 process by affected local governments, state and federal agencies,
18 adjacent landowners, and the general public.

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

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

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

1 (d) Official regional or area plans and subsequent amendments
2 adopted by the commissioner after public and local governmental parti-
3 cipation shall be signed and dated by the commissioner. Land classifi-
4 cations shall be made in accordance with these official plans.

5 (e) Land shall be classified as provided in AS 38.05.300.

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

9 (g) Land use plans adopted by the commissioner under this section
10 shall be consistent with local governmental land use and comprehensive
11 plans.

12 Sec. 38.04.060. MANAGEMENT CATEGORIES. (a) State land classifica-
13 for uses and purposes involving retention in public ownership may be
14 included in the following management categories:

15 (1) State Public Reserve Land: 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 category 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 Parks: areas with special recreational, scenic,
22 cultural, historical, wilderness, or similar values, to be managed
23 primarily for the public use and enjoyment of these values;

24 (3) State Public Domain: land within areas designated on
25 regional plans as settlement and settlement impact which are not part of
26 the management categories listed in (1) and (2) of this subsection;
27 through classification, this land may be made available for private use
28 settlement, and development as well as for public uses associated with
29 settlement and development.

1 (b) State land classified in accordance with sec. 55 of this
2 chapter may be included in the State Public Reserve Land by proclamation
3 of the governor.

4 ARTICLE 4. GENERAL PROVISIONS.

5 Sec. 38.04.900. REGULATIONS. (a) The commissioner may adopt
6 under the Administrative Procedure Act (AS 44.62) regulations he be-
7 lieves are necessary to carry out the purposes of this chapter. Within
8 120 days after the effective date of this Act, the director shall submit
9 to the commissioner draft regulations implementing this chapter and
10 revising regulations in effect on the effective date of this Act per-
11 taining to planning, classification, management, and disposal of the
12 state's surface estate in land. New and revised regulations shall be
13 integrated in a single comprehensive draft compatible with the structure
14 of the Alaska Administrative Code. In preparing this draft, the
15 director shall seek to simplify and clarify regulations governing land
16 planning, classification, management, and disposal.

17 (b) A municipality has standing to petition the commissioner for
18 the adoption, amendment or repeal of a regulation adopted by the commis-
19 sioner under (a) of this section or of the decision of the commissioner
20 with respect to classification, management, or disposal of land made
21 under authority of a regulation adopted under (a) of this section with
22 respect to state land outside the corporate boundaries of the munic-
23 ipality to protect any interest which the municipality is authorized to
24 regulate outside its boundaries under AS 29.48.037.

25 (c) If the regulations adopted by the commissioner under (a) of
26 this section fail to provide for a process by which decisions of the
27 commissioner may be appealed, an interested person may petition for re-
28 consideration of a decision. The petition shall contain the information
29 required to be submitted by AS 44.02.220 and shall be acted upon by the

1 commissioner in the manner provided in AS 44.62.230. For purposes of
2 this section, a municipality is an interested person with respect to its
3 interests in land defined in (b) of this section.

4 Sec. 38.04.916. DEFINITIONS. In this chapter, unless the context
5 otherwise requires,

6 (1) "commissioner" means the commissioner of the Department
7 of Natural Resources;

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

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

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

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

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

27 (5) "official cadastral survey" means a United States public
28 land survey or a survey executed under survey instructions issued by the
29 division for the purpose of preparing a cadastral survey plat, and

1 approved and accepted by the division for the state's official records;

2 (6) "official control survey" means a position marked on the
3 ground by triangulation or traverse stations established in conformity
4 with standards adopted by United States Coastal and Geodetic Survey for
5 first, second and third order work, whose geodetic positions have been
6 rigidly adjusted on the North American datum of 1927 and approved by the
7 division;

8 (7) "short-term lease" means a lease for a term of five years
9 or less;

10 (8) "state park" means an area of state land designated by
11 law to be managed for public use and enjoyment of recreational, scenic,
12 cultural, historical, wilderness, and similar values, including but not
13 limited to areas designated under

14 (A) AS 41.20.050 - 41.20.060, roadside rests and recrea-
15 tional beaches;

16 (B) AS 41.20.130 - 41.20.160, 41.20.330 - 41.20.345, ch.
17 61 SLA 1966, and ch. 26 SLA 1967, state recreation areas;

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

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

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

24 * See. 3. AS 41.20 is amended by adding new sections to read:

25 ARTICLE 3. WOOD-TIKCHIE STATE PARK.

26 Sec. 41.20.460. DECLARATION OF PURPOSES. The purpose of secs.
27 460 - 499 of this chapter is to establish the state-owned land and water
28 areas described in sec. 470 of this chapter as the Wood-Tikchik State
29 Park. The primary purposes in creating the Wood-Tikchik State Park are

1 to protect the area's fish and wildlife breeding and support systems and
2 to preserve the continued use of the area for subsistence activities.
3 The state park is also created to protect the area's recreational and
4 scenic resources. Sections 460 - 490 of this chapter are intended to
5 close the described land and water to multiple-purpose use in conformity
6 with AS 38.05.300 and to dedicate the land and water as a special pur-
7 pose site in accordance with art. VII, sec. 7 of the Constitution of the
8 State of Alaska.

9 Sec. 41.20.470. DESIGNATED STATE LAND AND WATER. (a) The state-
10 owned or acquired land and water lying within the following parcel,
11 containing approximately 1,428,320 acres, is designated as the Wood-
12 Tikchik State Park: beginning at the SE corner of T7S, R54W, S.M.,
13 which is the true point of beginning; thence westerly to the NE corner
14 of T8S, R58W, S.M.; thence southerly to the SE corner of T8S, R58W,
15 S.M.; thence westerly to the SW corner of T8S, R58W, S.M.; thence nor-
16 therly to the NW corner of T5S, R58W, S.M.; thence westerly to the SW
17 corner of Section 34, T4S, R58W, S.M.; thence northerly to the NE corner
18 of Section 4, T1S, R58W, S.M.; thence westerly to the SW corner of T1N,
19 R57W, S.M.; thence northerly to the NW corner of T2N, R57W, S.M.; thence
20 easterly to the NE corner of T2N, R57W, S.M.; thence northerly to the N
21 corner of T4N, R56W, S.M.; thence easterly to the SW corner of T5N,
22 R55W, S.M.; thence northerly to the NW corner of T5N, R55W, S.M.; thence
23 easterly to the NE corner of T5N, R55W, S.M.; thence southerly to the SE
24 corner of T5N, R55W, S.M.; thence easterly to the NE corner of T4N,
25 R54W, S.M.; thence southerly to the SE corner of T4N, R54W, S.M.; thence
26 easterly to the NE corner of T3N, R53W, S.M.; thence southerly to the SE
27 corner of T3N, R53W, S.M.; thence easterly to the NE corner of T2N,
28 R52W, S.M.; thence southerly to the SW corner of T1N, R51W, S.M.; thence
29 easterly to the SE corner of T1S, R52W, S.M.; thence southerly to the SE

1 corner of T2S, R52W, S.M.; thence easterly to the NE corner of T3S,
2 R51W, S.M.; thence southerly to the SE corner of T3S, R51W, S.M.; thence
3 westerly to the NE corner of T4S, R53W, S.M.; thence southerly to the S
4 corner of T4S, R53W, S.M.; thence westerly to the NE corner of T5S,
5 R53W, S.M.; thence southerly to the SE corner of T7S, R54W, S.M., which
6 point is the true point of beginning.

7 (b) All or part of the state-owned or acquired land and water
8 within the following adjacent parcel, containing approximately 126,720
9 acres may be added to the Wood-Tikehik State Park by designation of the
10 governor: beginning at the SE corner of T7S, R54W, S.M., which point is
11 the true point of beginning; thence southerly to the SE corner of T8S,
12 R54W, S.M.; thence westerly to the NE corner of T9S, R55W, S.M.; thence
13 southerly to the SE corner of the NE quarter of T9S, R55W, S.M.; thence
14 westerly to the SW corner of the NW quarter of T9S, R57W, S.M.; thence
15 northerly to the NW corner of T9S, R57W, S.M.; thence westerly to the S
16 corner of T8S, R58W, S.M.; thence northerly to the NE corner of T8S,
17 R58W, S.M.; thence easterly to the SE corner of T7S, R54W, S.M., which
18 point is the true point of beginning.

19 (c) Land lying within the parcels described in (a) or (b) of this
20 section, upon which there are valid entries, or which is withdrawn for
21 or selected by Native village or regional corporations under secs. 11,
22 12, and 14 of the Alaska Native Claims Settlement Act (P.L. 92-203; 85
23 Stat. 688; 43 U.S.C. 1601 et. seq.), is excepted from (a) and (b) of
24 this section; however, if any land excepted under this subsection is
25 subsequently relinquished to the state, it shall be included as part of
26 the Wood-Tikehik State Park.

27 Sec. 41.20.480. DESIGNATION OF MANAGEMENT RESPONSIBILITY AND
28 CRITERIA. (a) The land and water described in sec. 470 of this chapter
29 is assigned to the Department of Natural Resources for control, main-

SUGGESTED AMENDMENT #1

SENATE BILL NO. 562 - ALASKA LAND POLICY

Page 2, lines 23-25: Delete language of (e) and insert in place:

(e) The allocation of state land for private use and public retention shall be made with due regard to the right of municipalities to receive land entitlements under sec.6 of the Statehood Act and AS 29.18.190-29.18.200. The allocation of land for use may not jeopardize these entitlements. The involvement of municipalities, through local elected officials and planning commissions, and local residents is essential to the decisionmaking process which leads to making state land available for municipal and private use.

SUGGESTED AMENDMENT #2

SENATE BILL NO. 562 - ALASKA LAND POLICY

Sec. 38.04.065 Land Use Planning and Classification.

Page 8, lines 14-18: Delete material in (a) and insert:

(a) The commissioner shall develop, maintain and, when appropriate, revise land use plans which provide, by regions or areas, for the use of state-owned land. No plan developed, implemented or revised by the commissioner shall become effective unless the commissioner has first provided notice to the entities described in (b)(9) of this section and to the general public, conducted a public hearing within the municipality or area affected, provided reasonable opportunity for receipt of written comments and, as to comments received from municipalities, provided a specific response to each substantive comment, objection or suggestion received.

SUGGESTED AMENDMENT #3

SENATE BILL NO. 562 - ALASKA LAND POLICY

Sec. 38.04.045 Survey and Subdivision.

Page 7, lines 10 - 12: After the semicolon in line 10, delete material and insert:

However, for short-term leases and material sales,
the lessee must
compliance with local subdivision ordinances is required
unless waived by the municipality in the manner required by
its ordinances.

SUGGESTED AMENDMENT #4

SENATE BILL NO. 562 - ALASKA LAND POLICY

Sec. 38.04.065 (g) - regional land use plans:

Page 10, lines 1-4: ALTERNATIVE AMENDMENT

(g) In a land use plan prepared by the commissioner under this section including land which lies within the corporate boundaries of a municipality,

(1) if the municipality has adopted a comprehensive plan in the manner provided by AS 29.33.085(b) and zoning regulations to implement the comprehensive plan, the land use plan developed by the commissioner shall be prepared and implemented in a manner that is consistent with the municipality's comprehensive plan:

(2) if the municipality has adopted a comprehensive plan in the manner provided by AS 29.33.085(b) but has not adopted zoning regulations, the land use plan developed by the commissioner shall be consistent with the comprehensive land use plan to the maximum extent consistent with the state interests in the land that is the subject of the plan;

(3) if the municipality has not adopted a comprehensive plan, the land use plan developed by the commissioner shall consider the comments received from municipal officials.

SUGGESTED AMENDMENT #4

SENATE BILL NO. 562 - ALASKA LAND POLICY

Sec. 38.04.065 (g) - regional land use plans:

Page 10, lines 1-4: ALTERNATIVE AMENDMENTS

#2 Amend (g) to read:

(g) Land use plans adopted by the commissioner under this section shall be consistent with local government land use and comprehensive plans.

SUGGESTED AMENDMENT #4

SENATE BILL NO. 562 - ALASKA LAND POLICY

Sec. 38.04.065 (g) - regional land use plans:

Page 10, lines 1-4: ALTERNATIVE AMENDMENT

#3 Amend (g) to read:

(g) Land use plans adopted by the commissioner under this section shall be consistent with local government land use plans to the maximum extent consistent with the state interests in the land that is the subject of the plan and the purposes of this chapter.

SUGGESTED AMENDMENT #5

SENATE BILL NO. 562 - ALASKA LAND POLICY

Sec. 38.04.900 Regulation - Appeal

p. 11, line 11, insert (a)

p. 11, between lines 22 and 23, insert:

(b) A municipality has standing to petition for the adoption, amendment or repeal of a regulation adopted by the commissioner under (a) of this section or of the decision of the commissioner with respect to classification, management, or disposal of land made under authority of a regulation adopted under (a) of this section with respect to state land outside the corporate boundaries of the municipality to protect any interest which the municipality is authorized to regulate outside its boundaries under AS 29.48.037.

SUGGESTED AMENDMENTS #6

SENATE BILL NO. 562 -- ALASKA LAND POLICY

sec. 38.04.900 Regulations - Appeal

p.11, --- add a (c)

(c) If the regulations adopted by the commissioner under (a) of this section fail to provide for a process by which decisions of the commissioner may be appealed, an interested person may petition for reconsideration of a decision. The petition shall contain the information required to be submitted by AS 44.62.220 and shall be acted upon by the commissioner in the manner provided in AS 44.62.230. For purposes of this section, a municipality is an interested person with respect to its interests in lands defined in (b) of this section.

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June 1, 1978

Suggested amendments to CSSB 562 am to eliminate the many objections raised by users, and prospective users, of State land in Alaska.

Page 9, Line 24-26

Delete the language in paragraph (e) and substitute the following:

(e) Land shall be classified as provided for in AS 38.05.300, and must be classified before being included in the management systems described in sec. 70 of this chapter.

Page 11, Lines 1 thru 9

Delete paragraphs (b) and (c).

Page 13, Line 1

Delete - " - proclamation of the governor or by - ".

Page 13, Line 10-11

Delete - " - by proclamation of the governor or - ".

Page 13, Line 25

Delete Sec. 3, Renumber Sec. 4 to 3.

Attached is a copy of AS 38.05.300 which satisfactorily provides the necessary classification authority.

AS 38.05.185 protects against closing areas over 640 acres in size to mining without legislative approval.

Sec. 38.05.185. Generally. (a) The acquisition and continuance of rights in and to deposits on state lands of minerals which on January 3, 1959, were subject to location under the mining laws of the United States shall be governed by §§ 185 — 280 of this chapter. Nothing in §§ 185 — 280 of this chapter affects the law pertaining to the acquisition of rights to mineral deposits owned by any other person or government. The director, with the approval of the commissioner, shall determine those lands from which mineral deposits may be mined only under lease, and, subject to the limitations of § 300 of this chapter, those lands which shall be closed to mining.

(b) The failure on the part of a mining lessee or a locator to comply strictly with §§ 185 — 280 of this chapter and regulations adopted under it does not invalidate his rights if it appears to the satisfaction of the commissioner that the locator complied as nearly as possible under the circumstances of the case, and that no conflicting rights are asserted by any other person. Unless otherwise provided, the usages and interpretations applicable to the mining laws of the United States as supplemented by state law apply to §§ 185 — 280 of this chapter. (§ 1 art IX ch 169 SLA 1959; am § 19 ch 61 SLA 1960; am § 1 ch 123 SLA 1961)

Cross reference. — As to location and development of mining claims on federal public domain, see AS 27.10.010 — 27.10.240

Am. Jur. reference. — 36 Am. Jur., Mines and Minerals. §§ 65 to 98.

Article 11. Miscellaneous Provisions.

Section	Section
300. Classification of lands	325. Homestead entry
305. Notice and review	330. Permits
310. Notice and appraisal	335. Deposits
315. Public and charitable use	340. Assignment
320. Occupied tidelands and submerged lands	345. Notices
321. Restriction on sale or lease or other disposal of agricultural land	347. [Repealed]
323. Tidelands seaward of public recreational sites	348. Grants of land after natural disaster
	349. Disposition of state land for flood control projects

Sec. 38.05.300. Classification of lands. The director shall make a preliminary classification for surface use of all lands in areas where he considers it necessary and proper for future development. The classification, together with a land use plan, shall be transmitted to the commissioner for his approval, modification, or rejection. This section does not prevent reclassification of lands where the public interest warrants reclassification, nor does it preclude multiple purpose use of lands whenever different uses are compatible. No state land, water, or land and water area shall, except by act of the state legislature, be closed to multiple purpose use, if the area involved contains more than 640 acres. (§ 1 art III ch 169 SLA 1959; am § 2 ch 31 SLA 1964)

Cross reference. — As to state land and water restricted to use as public recreation areas and state parks, see AS 41.20; ch. 26, SLA 1967, Temporary and Special Acts,

Original sponsor: Resources Committee

Offered: 4/25/78
Referred: Finance

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO. 562 am

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 Alaska land policy; and providing
7 for an effective date."

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

9 * Section 1. PURPOSE. Alaska's Constitution directs that the state
10 "encourage the settlement of its land and the development of its resources by
11 making them available for maximum use consistent with the public interest"
12 (art. VIII, sec. 1), and to "provide for the utilization, development, and
13 conservation of all natural resources belonging to the State, including land
14 and waters, for the maximum benefit of its people" (art. VIII, sec. 2). The
15 constitution also directs that "Fish, forests, wildlife, grasslands, and all
16 other replenishable resources belonging to the State shall be utilized,
17 developed, and maintained on the sustained yield principle, subject to pre-
18 ferences among beneficial uses" (art. VIII, sec. 4). The purpose of this Act
19 is to implement these broad constitutional goals through establishment of
20 policies for use of state land surface and to express these policies in
21 sufficient detail to guide the administrative decisions which govern the use
22 and management of state-owned land.

23 * Sec. 2. AS 38 is amended by adding a new chapter to read:

24 CHAPTER 4. POLICY FOR USE AND CLASSIFICATION
25 OF STATE LAND SURFACE.

26 ARTICLE 1. PUBLIC AND PRIVATE LAND USE.

27 Sec. 38.04.005. POLICY. (a) In order to provide for maximum use
28 of state land consistent with the public interest, it is the policy of
29 the State of Alaska to plan and manage state-owned land to establish a

1 suitable for these purposes. In making state land available for private
2 use, the director shall seek to guide year-round settlement to areas
3 where public services already exist, or can be extended with reasonable
4 economy, or where development of a viable economic base is probable.

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

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

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

20 (2) to facilitate mining and mineral leasing by managing
21 appropriate public land for surface uses which are compatible with
22 subsurface uses;

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

25 (4) to restrict development in floodplains, avalanche zones,
26 and other hazardous locations; and *GET COOPER'S AMENDMENT*

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

29 *IGNORE*
ARTICLE 2. LAND AVAILABILITY FOR PRIVATE USE.

CORRECTION

THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY

Original sponsor: Resources Committee

Offered: 4/25/78
Referred: Finance

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO. 562 am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

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14 and waters, for the maximum benefit of its people" (art. VIII, sec. 2). The
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16 other replenishable resources belonging to the State shall be utilized,
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19 is to implement these broad constitutional goals through establishment of
20 policies for use of state land surface and to express these policies in
21 sufficient detail to guide the administrative decisions which govern the use
22 and management of state-owned land.

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24 CHAPTER 4. POLICY FOR USE AND CLASSIFICATION
25 OF STATE LAND SURFACE.

26 ARTICLE 1. PUBLIC AND PRIVATE LAND USE.

27 Sec. 38.04.005. POLICY. (a) In order to provide for maximum use
28 of state land consistent with the public interest, it is the policy of
29 the State of Alaska to plan and manage state-owned land to establish a

1 balanced combination of land available for both public and private
2 purposes. The choice of land best suited for public and private use
3 shall be determined through the inventory, planning, and classification
4 processes set out in secs. 60 and 70 of this chapter.

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

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

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

23 ~~DELETED~~ (e) Involvement of municipalities and local residents is essential
24 ^{and} in the decision-making process which leads to making state land avail-
25 ^{able} able for private use.

26 Sec. 38.04.010. PUBLIC INTEREST IN MAKING LAND AVAILABLE FOR
27 PRIVATE USE. (a) The primary public interest in conveying rights to
28 state land surface to private parties is to make them available to
29 individuals and other persons for direct use in areas classified as

1 suitable for these purposes. In making state land available for private
2 use, the director shall seek to guide year-round settlement to areas
3 where public services already exist, or can be extended with reasonable
4 economy, or where development of a viable economic base is probable.

5 (b) State land which is located beyond the range of existing
6 schools and other necessary public services, or which is located where
7 development of sources of employment is improbable, may be made avail-
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11 Sec. 38.04.015. PUBLIC INTEREST IN RETAINING STATE LAND IN PUBLIC
12 OWNERSHIP. The primary public interests in retaining areas of state
13 land surface in public ownership are:

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16 sport hunting and fishing, hiking, snowmobiling, skiing, and other
17 activities of a type which can generally be made available to more
18 people and conducted more successfully if the land is in public rather
19 than private ownership;

20 (2) to facilitate mining and mineral leasing by managing
21 appropriate public land for surface uses which are compatible with
22 subsurface uses;

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

25 (4) to restrict development in floodplains, avalanche zones,
26 and other hazardous locations; and *GET COOPER'S AMENDMENT*

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

29 ARTICLE 2. LAND AVAILABILITY FOR PRIVATE USE.

1 Sec. 38.04.020. TIMING AND AMOUNT. On a continuing or annual
2 basis, the director shall make available for private use an array of
3 state land suitable for a variety of uses. During ~~fiscal~~ fiscal year 1979, the
4 director shall make available a minimum of 50,000 acres, not more than
5 10 per cent of which may be made available for leasing. Annually
6 thereafter, the following ~~three~~ *three* options for the state land availability
7 program shall be submitted to the legislature along with the admini-
8 stration's budget: an increased-level program, a current-level program,
9 and a reduced-level program. At least one option shall include at least
10 50,000 acres.

11 Sec. 38.04.025. VARIETY OF USES. In making state land available
12 for private use, the director shall endeavor to accommodate persons with
13 a current need and anticipated use for the land. To this end, the
14 director shall assess the nature of the supply and demand for state land
15 in different regions and locations of the state, taking into account the
16 supply of available land under other ownership, and shall make land
17 available in locations and under programs suited to the differing needs
18 of prospective users throughout the state.

19 Sec. 38.04.030. LAND AVAILABILITY PROGRAMS. Programs which may be
20 used by the director to make the state's land surface available for
21 private use under this section include sale of whole or partial rights
22 to the fee simple estate, including conveyance of agricultural use
23 rights; leasing; open-to-entry; homesiting; homesteading; permitting for
24 construction and occupation of cabins in isolated locations on land
25 retained in state ownership; and other methods as provided by law.

26 Sec. 38.04.035. CRITERIA FOR PROGRAM SELECTION. In determining
27 which land availability program is appropriate for state lands in dif-
28 ferent locations, the director shall be guided by the following cri-
29 teria:

1 (1) To cover public costs associated with private land use
2 and to provide the public with a fair return for publicly owned pro-
3 perty, conveyance of state land to private parties should be at fair
4 market value except where otherwise authorized by statute, or by an
5 administrative regulation the adoption of which is specifically per-
6 mitted by statute.

7 (2) Sale or lease programs should be employed where land is
8 readily accessible to a major community center or where, because of a
9 prime location on waterfront or a transportation route or some other
10 location characteristic, land has relatively high real estate value. ; PROVIDED

11 *GRUENWIS'S AMENDMENT*
(3) Lease programs should be employed *HOWEVER..*
WEEKS'S AMENDMENT

12 (A) where special land use controls are required and
13 there is a high public interest in having certain types of land
14 used for particular purposes;

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

16 (C) in commercial or industrial situations when a lease-
17 hold can provide cash flow advantages to the lessee;

18 (D) when a unique location with special public values is
19 involved, as in a deep water port; and *Get Rude's Amendment*

20 (E) 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. *delete*
Grunden's Amendment

24 (4) For enabling isolated cabin development in remote loca-
25 tions where survey and conveyance is impractical, a system for cabin
26 permits on public land *MAY* should be used.

27 (5) Limited or conditional title may be granted when the
28 state's best interest so dictates. Among other things, title limita-
29 tions may include grants of agricultural interest only, retention of

1 development rights, and retention of scenic or other easements. A
2 conditional title may be tied to a development schedule or other stan-
3 dards of performance.

4 Sec. 38.04.040. AVAILABILITY OF MENTAL HEALTH LAND, SCHOOL LAND,
5 AND UNIVERSITY LAND. Mental health land, school land, and university
6 land may be made available at fair market value for private use under
7 the purposes of this chapter; however, any such action shall be in
8 accordance with statutes pertaining to these lands and the authority of
9 the mental health land board, the Board of Education, and the Board of
10 Regents of the University of Alaska.

11 Sec. 38.04.045. SURVEY AND SUBDIVISION. (a) State land to be
12 conveyed in fee simple or less than fee simple estate shall be sub-
13 divided so that lots and tracts are of a size which fits the require-
14 ments of individual users and reflects the physical characteristics of
15 the land, except that in locations where there is an inadequate margin
16 between the demand for and the supply of vacant land, the state may make
17 land available for private acquisition in parcels that are larger than
18 required for individual use.

19 (b) Before the conveyance of surface rights to state land, an
20 official cadastral survey shall be accomplished, unless a comparable,
21 acceptable survey exists that has been conducted by the Federal Bureau
22 of Land Management. The rectangular survey section corner positions
23 shall be monumented and shown on a cadastral survey plat approved by the
24 state. However, for those areas where the state may wish to convey
25 surface estate outside of an Official Cadastral Survey grid, the direc-
26 tor may waive monumentation of all individual section corner positions
27 and substitute an official control survey with control points being
28 monumented at approximately two-mile intervals and shown on control
29 survey plats approved by the state. No portion of land to be conveyed

1 may be located more than two miles from such a survey control monument.
2 The lots and tracts in state subdivisions shall be monumented and the
3 cadastral survey and plats for the subdivision shall be approved by the
4 state. Where land is located within a municipality with planning,
5 platting, and zoning powers, plats for state subdivisions shall comply
6 with local ordinances and regulations in the same manner and to the same
7 extent as plats for subdivisions by other landowners. ^{COWPER'S} ~~PLAT~~ ^{AMENDMENT} State subdivi-
8 sions shall be filed in the district recorder's office. The require-
9 ments of this section do not apply to land made available through a
10 cabin permit system, material sales, or short-term leases; however, for
11 short-term leases a municipality may require compliance with local
12 subdivision ordinances. ^{LISA'S #3 AMENDMENT (AS}

13 Sec. 38.04.050. ACCESS TO PRIVATE USE AREAS. Wherever state land
14 is surveyed for purposes of private use, adequate rights-of-way and
15 easements shall be reserved as necessary for access and, where appro-
16 priate, for power and telephone service to each parcel of land. Where
17 necessary and appropriate for the use intended, the director shall
18 arrange for the development of surface access as part of the land avail-
19 ability program. The direct cost of local access development shall be
20 borne by the recipient of the land unless otherwise provided by state
21 statutes or regulations.

22 Sec. 38.04.055. ACCESS THROUGH PRIVATE USE AREAS. The director
23 shall reserve easements and rights-of-way on and across land which is
24 made available for private use as necessary to reach or use public water
25 and public and private land.

26 ARTICLE 3. INVENTORY, PLANNING, AND CLASSIFICATION.

27 Sec. 38.04.060. INVENTORY. (a) The commissioner shall prepare
28 and maintain on a continuing basis an inventory of all state land and
29 water and their resource and other values, giving priority to areas of