

LEG. FINANCE - BILLS 1979 - 1980 1032

HB 65 thru SSHB 74

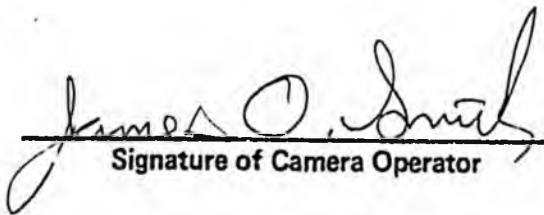
1032

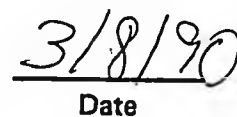


# RECORDS CERTIFICATION



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:

February 6, 1979

Date: 3/09/79

Mr. Speaker:

The Committee on FINANCE has had HB 65

"An Act making a special appropriation to the Department of Law; eff. date"

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for HB 65 (Finance)  same title  
 new title
- and recommends that it do pass
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

**MEMBERS SIGNING  
DO PASS**

Freeman

Hanger

J. Moore

Smith

Rogers

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**MEMBERS HAVING  
OTHER RECOMMENDATIONS:**

McKee - do not pass

Montgomery - do not pass

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

McKee

CHAIRMAN

6006  
Wasson

Original sponsor: Parr, Anderson,  
Barnes, et al

<u>Funding Information</u>	
General Fund	\$500,000
Other Funds	-0-
	<u>\$500,000</u>

1 IN THE HOUSE BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 65 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-  
7 ment of Law; and providing for an effective date."

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

9 \* Section 1. (a) The legislature finds that the President of the United  
10 States has acted arbitrarily and beyond the intent of law by using the Anti-  
11 quities Act to close some 56,000,000 acres of Alaska land to public use. As  
12 a result of the President's action many trappers, hunters, miners, and others  
13 have had their livelihood destroyed, a destruction not justified by a compel-  
14 ling public interest. The legislature, as representatives of a free people,  
15 finds such action intolerable and intends to seek redress through both the  
16 courts and the Congress.

17 (b) The average citizen lacks the resources to oppose the massive power  
18 of the federal government. The legislature finds it appropriate to assist  
19 Alaskan citizens in resisting arbitrary action by the federal executive by  
20 paying for legal assistance to those whose livelihoods have been taken away.

21 \* Sec. 2. The sum of \$500,000 is appropriated from the general fund to  
22 the Department of Law for the purpose of paying reasonable legal defense fees  
23 for trial and appellate level legal representation for persons who

24 (1) for at least three years before December 1, 1978,

25 (A) have earned at least one-half of their annual income as a  
26 direct result of activities conducted on lands declared to be national  
27 monuments by Presidential proclamations 4611 - 4627, issued December 1,  
28 1978, under authority of 16 U.S.C. sec. 431, or have required access  
29 through the lands to conduct the activities; or

1 (B) have subsisted through subsistence hunting or fishing  
2 entirely or partly on lands declared to be national monuments by Presi-  
3 dential proclamations 4611 - 4627, issued December 1, 1978, under autho-  
4 rity of 16 U.S.C. sec. 431, or have required access through the lands to  
5 conduct the activities;

6 (2) are detained under a charge of, formally charged with, or  
7 convicted of a crime under 16 U.S.C. secs. 431 - 433 or a rule or regulation  
8 issued under 16 U.S.C. secs. 431 - 433 on lands declared to be national  
9 monuments by Presidential proclamations 4611 - 4627, issued December 1, 1978,  
10 under authority of 16 U.S.C. sec. 431, as a result of the continuation of  
11 those activities described in (1) of this section;

12 (3) are not charged with any offense against the state of Alaska  
13 alleged to have arisen from the same event or facts which gave rise to the  
14 alleged federal violation;

15 (4) are not eligible for any other state or federal assistance  
16 which would pay for the legal fees; and

17 (5) make a written request to the department for the payment of  
18 reasonable legal fees incurred in defending against the charge or in appeal-  
19 ing the conviction, or both; the department may establish a schedule of  
20 reasonable legal fees for the defense or appeal.

21 \* Sec. 3. The unexpended and unobligated portion of this appropriation  
22 lapses into the general fund June 30, 1980.

23 \* Sec. 4. If any part of this Act is held unconstitutional, the entire  
24 Act is void, and the unexpended portion of the funds appropriated by this Act  
25 lapses into the general fund.

26 \* Sec. 5. This Act takes effect immediately in accordance with AS 01.10.-  
27 070(c).  
28  
29

# MEMORANDUM

## State of Alaska

TO: Legislative Affairs

DEPT. \_\_\_\_\_  
DIV. \_\_\_\_\_  
SEC. \_\_\_\_\_

DATE March 10, 1979

FROM: Becky Fritz  
House Finance  
Room 411  
465-3795

SUBJECT: Finance CSHB 65

Attached please find the Finance CS for HE 65, adding subsection (5) to Section 2. Also Section 3 is to have a nonseverability clause added. The Legislative Attorney was in the Committee meeting at the time this new section was discussed, and said he would draft the language.

Original sponsor: Parr, Anderson,  
Barnes, et al

Offered: 2/6/79  
Referred: Finance

Funding Information  
General Fund \$500,000  
Other Funds -0-  
\$500,000

*Finance*

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 65

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

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12 a result of the President's action many trappers, hunters, miners, and others  
13 have had their livelihood destroyed, a destruction not justified by a compel-  
14 ling public interest. The legislature, as representatives of a free people,  
15 finds such action intolerable and intends to seek redress through both the  
16 courts and the Congress.

17 (b) The average citizen lacks the resources to oppose the massive power  
18 of the federal government. The legislature finds it appropriate to assist  
19 Alaskan citizens in resisting arbitrary action by the federal executive by  
20 paying for legal assistance to those whose livelihoods have been taken away.

21 \* Sec. 2. The sum of \$500,000 is appropriated from the general fund to  
22 the Department of Law for the purpose of paying reasonable legal defense fees  
23 for trial and appellate level legal representation for persons who

24 (1) for at least three years before December 1, 1978,

25 (A) have earned at least one-half of their annual income as a  
26 direct result of activities conducted on lands declared to be national  
27 monuments by Presidential proclamations 4611 - 4627, issued December 1,  
28 1978, under authority of 16 U.S.C. sec. 431, or have required access  
29 through the lands to conduct the activities; or

1 (B) have subsisted through subsistence hunting or fishing  
2 entirely or partly on lands declared to be national monuments by Presi-  
3 dential proclamations 4611 - 4627, issued December 1, 1978, under autho-  
4 rity of 16 U.S.C. sec. 431, or have required access through the lands to  
5 conduct the activities;

6 (2) are detained under a charge of, formally charged with, or  
7 convicted of a crime under 16 U.S.C. secs. 431 - 433 or a rule or regulation  
8 issued under 16 U.S.C. secs. 431 - 433 on lands declared to be national  
9 monuments by Presidential proclamations 4611 - 4627, issued December 1, 1978,  
10 under authority of 16 U.S.C. sec. 431, as a result of the continuation of  
11 those activities described in (1) of this section;

12 (3) are not charged with any offense against the state of Alaska  
13 alleged to have arisen from the same event or facts which gave rise to the  
14 alleged federal violation; and<sup>2</sup>

15 (4) make a written request to the department for the payment of  
16 reasonable legal fees incurred in defending against the charge or in appeal-  
17 ing the conviction, or both. The department may establish a schedule of  
18 reasonable legal fees for the defense or appeal; (add new subsection 5)

19 \* Sec. 3. The unexpended and unobligated portion of this appropriation  
20 lapses into the general fund June 30, 1980.

21 \* Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-  
22 070(c).

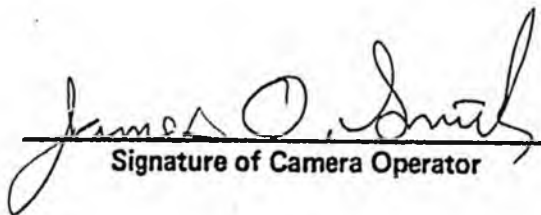
23 (5) are not eligible for any other state  
24 or federal programs which would  
25 cover the legal expenses.  
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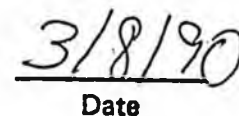


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Signature of Camera Operator

  
Date

(11)

# COMMITTEE REPORT HOUSE

FURTHER:

February 14, 1979

Date: 2-23-79

Mr. Speaker:

The Committee on FINANCE has had HB 66

"An Act providing an exemption for senior citizens from payment for land leased from the state."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for HB 66  same title  
 new title
- and recommends it "do pass"
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

Meekins

Freeman

Montgomery

Hester

DeLoach

Rosen

Duncan

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

\_\_\_\_\_

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Meekins

CHAIRMAN

Original sponsors: Chatterton, Malone  
and Phillips

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 66

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing an exemption for senior citizens from  
7 payment for land leased from the state."

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

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

10 Sec. 38.05.098. SENIOR CITIZENS EXEMPTION. (a) The real property  
11 occupied as a permanent place of abode by a resident 65 years of age or  
12 over and leased by that resident from the state in accordance with AS  
13 38.05.070 - 38.05.105 is exempt from the payment of an annual lease  
14 rent. Only one exemption may be granted with respect to the same pro-  
15 perty and, if two or more persons are eligible for an exemption with  
16 respect to the same property, the parties shall decide between or among  
17 themselves which shall receive the benefit of the exemption. No exemp-  
18 tion may be granted for any portion of the lease which is used by the  
19 leaseholder for any purpose other than his permanent place of abode.

20 (b) No exemption may be granted except upon written application  
21 for the exemption on a form provided by the commissioner. The lease-  
22 holder must file the application not later than 60 days before the  
23 anniversary date of the lease, and shall file a separate application for  
24 each lease year for which the exemption is sought. If an application is  
25 filed within the required time and is approved by the commissioner, he  
26 shall allow a rental exemption for the lease year commencing on the  
27 anniversary date in accordance with the provisions of this section. The  
28 commissioner may at any time require proof in the form he considers  
29 necessary of the right to an exemption claimed under this section.

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(c) The legislature shall annually appropriate from the general fund to a trust fund the amount necessary to reimburse the trust fund for revenue lost to it by the operation of (a) of this section.

THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 66  
 Title Exemption for senior citizens from payment for leases land  
 Requested by Legislative Finance Date 2/15/79

II. FISCAL DETAIL

Agency Affected Department of Natural Resources  
 Program Category Affected NRMEC  
 Budget Request Unit(s) Affected Div. of Forest, Land & Water - Operations

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	.-0-					

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

No additional costs would result for this legislation; there will be a slight loss in revenues to the state, but the amounts involved are indeterminable as the Department does not maintain the type of information necessary to ascertain the number of individuals eligible for exemption nor the amounts presently paid in lease payments by them.

IV. DATE 2/15/79

PREPARED BY Patrick W. Conheady  
 AGENCY Department of Natural Resources  
 PHONE 465-2400

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

MEMORANDUM

DATE: February 6, 1980

TO: Honorable Russ Meekins, Chairman  
House Finance Committee

FROM: Robert L. Grogan, Fiscal Analyst *RLG*  
Legislative Finance Division

SUBJ: HB 66 Funding Status

The FY 80 appropriations bill funded HB 66 at \$1,950,000 (66% of the \$3,000,000 total thought to be required). The Department of Natural Resources has spent \$996,000 as of January 31, 1980. This expenditure leaves a balance of \$954,000. The Department presently estimates spending \$310,000 per month for the last five months of the fiscal year -- a total of \$1,550,000. After using their balance of \$954,000 they will require, according to their estimate, a supplemental in the amount of \$596,000.

The following graph illustrates this situation.

\$1,950,000	HB 66 (FY 80 Appropriation (Shortfunded at 66% of \$3,000,000))
- 996,000	Amount spent by DNR as of 1/31/80
\$ 954,000	Balance

\$1,550,000	Department's Estimate on amount required before July 1
- 954,000	Balance
\$ 596,000	Amount required in Supplemental

RLG:bf

# A M E N D M E N T

OFFERED IN THE HOUSE:

By: House HESS

To: \_\_\_\_\_ HOUSE BILL No. HB-66

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

PAGE: 1

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

Page 1, Line 18:

Delete "if the lease" and insert "for any portion of the lease which"

Page 1, Line 21 & 22:

Delete "director of land and water management" and insert "Commissioner".

Page 1, Line 26:

Delete "director" and insert "commissioner"

Page 1, Line 28:

Delete "director" and insert "commissioner."

Original sponsors: Chatterton, Malone  
and Phillips

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2

CS FOR HOUSE BILL NO. 66

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

ELEVENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act providing an exemption for senior citizens from  
7 payment for land leased from the state."

7

8

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

9

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

10

Sec. 38.05.098. SENIOR CITIZENS EXEMPTION. (a) The real property  
11 occupied as a permanent place of abode by a resident 65 years of age or  
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15 perty and, if two or more persons are eligible for an exemption with  
16 respect to the same property, the parties shall decide between or among  
17 themselves which shall receive the benefit of the exemption. No exemp-  
18 tion may be granted for any portion of the lease which is used by the  
19 leaseholder for any purpose other than his permanent place of abode.

20

(b) No exemption may be granted except upon written application  
21 for the exemption on a form provided by the commissioner. The lease-  
22 holder must file the application not later than 60 days before the  
23 anniversary date of the lease, and shall file a separate application for  
24 each lease year for which the exemption is sought. If an application is  
25 filed within the required time and is approved by the commissioner, he  
26 shall allow a rental exemption for the lease year commencing on the  
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28 commissioner may at any time require proof in the form he considers  
29 necessary of the right to an exemption claimed under this section.

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(c) The legislature shall annually appropriate from the general fund to a trust fund the amount necessary to reimburse the trust fund for revenue lost to it by the operation of (a) of this section.

# MEMORANDUM

## State of Alaska

DEPT. \_\_\_\_\_

DIV. \_\_\_\_\_

SEC. \_\_\_\_\_

TO:

Legislative Affairs

DATE : February 23, 1979

FROM: Vicki Wilson  
Legislative Finance  
Phone: 3795/3796  
Room 411

SUBJECT: HB 66

Please prepare a House Finance Committee Substitute for HB 66, incorporating the attached amendments. Please return to me as soon as possible.

Thanks.

# AMENDMENT

OFFERED IN THE HOUSE:

By: House HESS

To: \_\_\_\_\_ HOUSE BILL No. HB-66

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

PAGE: 1

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

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Page 1, Line 26:

Delete "director" and insert "commissioner"

Page 1, Line 28:

Delete "director" and insert "commissioner."

Introduced: 1/24/79  
Referred: Health, Education &  
Social Services and Finance

*FINANCE COMMITTEE*  
~~BY CHATTERTON, MALONE AND  
PHILLIPS~~

1 IN THE HOUSE

2 CS FOR HOUSE BILL NO. 66

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing an exemption for senior citizens from  
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16 respect to the same property, the parties shall decide between or among  
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24 application for each lease year for which the exemption is sought. If  
25 an application is filed within the required time and is approved by the  
26 director, he shall allow a rental exemption for the lease year com-  
27 mencing on the anniversary date in accordance with the provisions of  
28 this section. The director may at any time require proof in the form he  
29 considers necessary of the right to an exemption claimed under this

1 section.

2 (c) The legislature shall annually appropriate from the general  
3 fund to any trust fund the sums necessary to reimburse the trust fund  
4 for amounts lost to it by the operation of (a) of this section.  
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THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. FCC CSHB 66

Title Relating to management and disposal of public land

Requested by Free Conference Committee

Date 4/29/79

II. FISCAL DETAIL

Agency Affected Natural Resources

Program Category Affected NRMEC

BRU, Program, or Subprogram(s) Affected Lands

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES		714.0				
200 TRAVEL						
300 CONTRACTUAL		250.0				
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>		<b>964.0</b>				

FUNDING (Thousands of Dollars)

GENERAL FUND		964.0				
FEDERAL FUNDS						
OTHER (Specify Fund Source)						


POSITIONS

FULL TIME		19.0				
PART TIME		1.0				
TEMPORARY						

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

SEE ATTACHED

IV. DATE 4/29

PREPARED BY   
AGENCY Division of Lands  
PHONE \_\_\_\_\_

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

FISCAL NOTE

(Operating)

ACTION MANDATED BY FCCSHB 66

ACCELERATE BORROW SELECTION (Sec. 19A)

Write survey instructions, issuance of patent, status check on ind to make sure it's recent & unappropriated. Survey instructions must provide essentials for public workshops. Present personnel involved in processing current applications, + other business.

3 people, one in each district, for status check.

2 surveyors for survey instructions, + administrative engineering work

Records personnel to file records in public records daily and transactions.

252.0

CLASSIFY 100,000 ACRES BY NOV. 1, 1979. (Sec. 14) 20,000 already classified. Identification of land; public notice required under AS 36.05. 305; writing of classification order, which is transferred to status plots.

9 people (2 in each district to prepare reports, field review, etc. Also will require 3 in central office to conduct hearings)

324.0 = 36.0 @ 9

SEE ALSO VIII

III. CLASSIFY 500,000 ACRES BY JAN. 1, 1981

(No added expense.)

15

IV. SEMIANNUAL NOMINATION HEARINGS PROCESS (Sec. 14)  
Travel, public notice, solicitation of nominations,  
analysis & written findings.

$\frac{1}{2}$  Equivalent of half-time employee (18.0), travel  
(7.0), cost of notices (2.0) = 27.0

V. CLASSIFICATION OF BOROUGH LAND (Sec. 17)  
See II.

Also:

1 CARTOGRAPHER @

36.0

VI. ESTABLISH SURVEY DISTRICTS (Sec. 17)  
Public hearings, conferences with  
municipal planning officials. (S.V.)  
(No added expense)

VII. CLASSIFICATION OF NEW LAND WITHIN  
2 YEARS (Sec. 17)  
Sec. II.

VIII. IDENTIFICATION OF UNSUITABLE LAND  
IN MUNICIPALITIES (Sec. 17)  
Aerial photographs, some on-site  
investigation.  
Aerial photos (will also help with classification  
in municipalities) 250.0

III. ADOPTION OF NEW REGULATIONS

(No added expense)

IX. CLASSIFY REMOTE PARCELS (Sec. 35)

Investigate present use of land to avoid conflicts;

<u>2 people</u>	@	72.0
Travel		3.0
		<u>75.0</u>

TOTAL

I. BOROUGH SELECTION ACCELERATION	252.0
II, V, VII. CLASSIFICATION (324.0 + 36.0)	360.0
IV. SEMIANNUAL HEARINGS	27.0
VIII. IDENTIFICATION OF UNSUITABLE LAND	250.0
X. CLASSIFY REMOTE PARCELS	75.0

TOTAL 964.0

Pers Serv  
Contractual  
Positions

714.0
<u>250.0</u>
964.0
19.5

Gen Fund

By: [Signature]  
For Div. of Lands, DNR

THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. FCC CSHB 66

Title Relating to management and disposal of public land

Requested by Free Conference Committee

Date 4/29/79

II. FISCAL DETAIL

Agency Affected Natural Resources

Program Category Affected NRMEC

BRU, Program, or Subprogram(s) Affected Lands

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES		714.0				
200 TRAVEL						
300 CONTRACTUAL		250.0				
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>		<b>964.0</b>				

FUNDING (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
GENERAL FUND		964.0				
FEDERAL FUNDS						
OTHER (Specify Fund Source)						


POSITIONS

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
FULL TIME		19.0				
PART TIME		1.0				
TEMPORARY						

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

SEE ATTACHED

IV. DATE 4/29

PREPARED BY   
AGENCY Division of Lands  
PHONE \_\_\_\_\_

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

# FISCAL NOTE

(Operating)

ACTION MANDATED BY FCCCSHB 66

## ACCELERATE BOROUGH SELECTION (Sec. 174)

Write survey instructions, issuance of patent, status check on land to make sure it's vacant & unappropriated. Survey instructions must provide easements for public waterways. Present personnel involved in processing current applications, & other business.

3 people, one in each district, for status check.

2 surveyors for survey instructions, & administrative engineering work

2 Records personnel to file & record in public records duty land transactions.

② 36.0  
252.0

## CLASSIFY 100,000 ACRES BY NOV. 1, 1979 (Sec. 14)

20,000 already classified. Identification of land; public notice required under AS 36.05.305; writing of classification order, which is transferred to status plots.

9 people (2 in each district to prepare reports, field review, etc. Also will require 3 in central office to conduct hearings)

9 ② 36.0 =

324.0

SEE ALSO VIII

III. CLASSIFY 500,000 ACRES BY JAN. 1, 1981

(No added expense.)

15 ✓

IV. SEMI-ANNUAL NOMINATION HEARINGS PROCESS (Sec. 14)  
Travel, public notice, solicitation of nominations,  
analysis & written findings.

$\frac{1}{2}$  Equivalent of half-time employee (18.0), travel  
(7.0), cost of notices (2.0) = 27.0

V. CLASSIFICATION OF BOROUGH LAND (Sec. 17)  
Sec II.

Also:

1 CARTOGRAPHER @

36.0

VI. ESTABLISH SURVEY DISTRICTS (Sec. 17)

Public hearings, conferences with  
municipal planning officials. 15 v

(No added expense)

VII. CLASSIFICATION OF NEW LAND WITHIN

2 YEARS (Sec. 17)

Sec II.

VIII. IDENTIFICATION OF UNSUITABLE LAND  
IN MUNICIPALITIES (Sec. 17)

Aerial photographs, some on-site  
investigation.

Aerial photos (will also help with classification  
in municipalities) 1750.01

IX. ADOPTION OF NEW REGULATIONS

(No added expense)

X. CLASSIFY REMOTE PARCELS (Sec. 35)

Investigate present use of land to avoid conflicts;

<u>2 people</u>	@	72.0
Travel		3.0
		<u>75.0</u>

TOTAL

- I. BOROUGH SELECTION ACCELERATION 252.0
- II, V, VII. CLASSIFICATION (324.0 + 36.0) 360.0
- IV. SEMI-ANNUAL HEARINGS 27.0
- VIII. IDENTIFICATION OF UNSUITABLE LAND 250.0
- X. CLASSIFY REMOTE PARCELS 75.0

TOTAL 1964.0

pers Serv  
Contracted  
positions

714.0
<u>250.0</u>
964.0
19.5

← Funds

By: [Signature]  
for Div. of Lands, DNR

# FISCAL NOTE

(Operating)

ACTION MANDATED BY FCCCSHB 66

## I. ACCELERATE BOROUGH SELECTION (Sec. 13A)

Write survey instructions, issuance of patent, status check on land to make sure it's vacant & unappropriated. Survey instructions must provide easements for public waterways. Present personnel involved in processing current applications, & other business.

3 people, one in each district, for status check.

2 surveyors for survey instructions, & administrative engineering work

7 32 Records personnel to file & record in public  
② 36.0 records duty land transactions.

252.0

## II. CLASSIFY 100,000 ACRES BY NOV. 1, 1979 (Sec. 14)

20,000 already classified. Identification of land; public notice required under AS 38.05.305; writing of classification order, which is transferred to status plots.

9 people (2 in each district) to prepare reports, field review, etc. Also will require 3 in central office to conduct hearings.

9 @ 36.0 = 324.0

SEE ALSO VIII.

III. CLASSIFY 500,000 ACRES BY JAN. 1, 1981  
(No added expense.)

IV. SEMIANNUAL NOMINATION HEARINGS PROCESS (Sec. 14)  
Travel, public notice, solicitation of nominations,  
analysis & written findings.

$\frac{1}{2}$  Equivalent of half-time employee (18.0), travel  
(7.0), cost of notices (2.0) = 27.0

V. CLASSIFICATION OF BOROUGH LAND (Sec. 17)  
See II.

Also:

1 CARTOGRAPHER @

36.0

VI. ESTABLISH SURVEY DISTRICTS (Sec. 17)  
Public hearings, conferences with  
municipal planning officials. 15  
(No added expense)

VII. CLASSIFICATION OF NEW LAND WITHIN  
2 YEARS (Sec. 17)  
Sec II.

VIII. IDENTIFICATION OF UNSUITABLE LAND  
IN MUNICIPALITIES (Sec. 17)  
Aerial photographs, some on-site  
investigation.

Aerial photos (will also help with classification  
in municipalities) 250.0

III. ADOPTION OF NEW REGULATIONS

(No added expense)

4.5

X. CLASSIFY REMOTE PARCELS (Sec. 35)

Investigate present use of land to avoid conflicts;

<u>2 people</u>	@	72.0
Travel		3.0
		<u>75.0</u>

TOTAL

- I. BOROUGH SELECTION ACCELERATION 252.0
- II, V, VII. CLASSIFICATION (324.0 + 36.0) 360.0
- IV. SEMIANNUAL HEARINGS 27.0
- VIII. IDENTIFICATION OF UNSUITABLE LAND 250.0
- X. CLASSIFY REMOTE PARCELS 75.0

TOTAL 1964.0

Pers Serv  
Contractual

714.0
<u>250.0</u>
964.0

Gen Fund

Positions

19.5

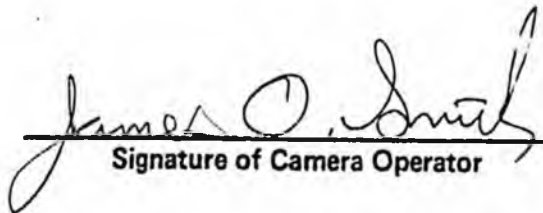
By: [Signature]  
For Div. of Lands, DNR

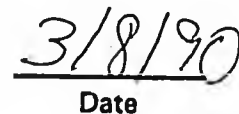


# RECORDS CERTIFICATION



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

CSHB 66

SENATE FINANCE COMMITTEE  
BILL CHECKLIST

1. Committee Copy-Current Bill
  2. History Cover Form
  3. Printed Copies:
    - Original Bill
    - Committee Substitutes or Amendments
  4. SFC Committee Report Form
  5. Fiscal Information:
    - Note in File
    - Note Requested \_\_\_\_\_ Date \_\_\_\_\_
    - Other Financial Backup \_\_\_\_\_  
(See Below) \_\_\_\_\_
- Backup:
- Handouts \_\_\_\_\_
  - Letter from Governor \_\_\_\_\_
  - Letter from Sponsor \_\_\_\_\_
  - Completed Committee Reports \_\_\_\_\_
  - Committee HESS
  - Other \_\_\_\_\_



AMENDMENT

OFFERED IN THE SENATE:

BY: Finance Committee

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

Committee Substitute for HOUSE BILL No. 66

PAGE: 2

LINE: 1 through 3

Delete Subsection (c).

Original sponsors: Chatterton, Malone  
and Phillips

Offered: 2/26/79  
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 66

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing an exemption for senior citizens from  
7 payment for land leased from the state."

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

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

10 Sec. 38.05.098. SENIOR CITIZENS EXEMPTION. (a) The real property  
11 occupied as a permanent place of abode by a resident 65 years of age or  
12 over and leased by that resident from the state in accordance with AS  
13 38.05.070 - 39.05.105 is exempt from the payment of an annual lease  
14 rent. Only one exemption may be granted with respect to the same pro-  
15 perty and, if two or more persons are eligible for an exemption with  
16 respect to the same property, the parties shall decide between or among  
17 themselves which shall receive the benefit of the exemption. No exemp-  
18 tion may be granted for any portion of the lease which is used by the  
19 leaseholder for any purpose other than his permanent place of abode.

20 (b) No exemption may be granted except upon written application  
21 for the exemption on a form provided by the commissioner. The lease-  
22 holder must file the application not later than 60 days before the  
23 anniversary date of the lease, and shall file a separate application for  
24 each lease year for which the exemption is sought. If an application is  
25 filed within the required time and is approved by the commissioner, he  
26 shall allow a rental exemption for the lease year commencing on the  
27 anniversary date in accordance with the provisions of this section. The  
28 commissioner may at any time require proof in the form he considers  
29 necessary of the right to an exemption claimed under this section.

1 (c) The legislature shall annually appropriate from the general  
2 fund to a trust fund the amount necessary to reimburse the trust fund  
3 for revenue lost to it by the operation of (a) of this section.  
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Clare — 12:00  
5/1

John would  
like this filed  
with the bill  
so that he  
can get at it  
when Tidion  
calls.

Thanks,

Paul

MEMORANDUM TO MEMBERS OF THE FREE CONFERENCE COMMITTEE ON HB 66

From: Steve Cowper, Special Counsel, DNR 

May 1, 1979

Clearly, the Free Conference Committee on HB 66, which establishes what most observers seem to think is a rational land disposal plan for Alaska, has reached an impasse over the question of how much control the rural villages are to have over disposal in the unorganized borough. Some legislators want the village councils to have a veto power over state land disposals within 25 miles of a village; others believe this is an unwarranted restraint on the state's power to convey land to its citizens. Compromise language suggested to both sides has been rejected. It appears that the matter cannot be resolved unless one side or the other has a change of heart.

Under the circumstances, I believe that my services are no longer useful with respect to this bill, which reflects many days of hard work by legislators, members of the administration, and particularly the Free Conference Committee.

I would like to respectfully suggest to the Free Conference Committee on HB 66 that those portions of the present draft which deal only with land disposal in the municipalities be adopted as the FCC substitute for HB 66, and that the matter of disposal policy outside the municipalities be addressed next year. At least the land identified as "most desirable" by the state's recent poll will be made available, and the classification of land within the municipalities can proceed as scheduled so that disposals may take place in 1980.

Original sponsors: Chatterton, Malone  
and Phillips

Offered: 2/26/79  
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 66

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing an exemption for senior citizens from  
7 payment for land leased from the state."

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

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

10 Sec. 38.05.098. SENIOR CITIZENS EXEMPTION. (a) The real property  
11 occupied as a permanent place of abode by a resident 65 years of age or  
12 over and leased by that resident from the state in accordance with AS  
13 38.05.070 - 38.05.105 is exempt from the payment of an annual lease  
14 rent. Only one exemption may be granted with respect to the same pro-  
15 perty and, if two or more persons are eligible for an exemption with  
16 respect to the same property, the parties shall decide between or among  
17 themselves which shall receive the benefit of the exemption. No exemp-  
18 tion may be granted for any portion of the lease which is used by the  
19 leaseholder for any purpose other than his permanent place of abode.

20 (b) No exemption may be granted except upon written application  
21 for the exemption on a form provided by the commissioner. The lease-  
22 holder must file the application not later than 60 days before the  
23 anniversary date of the lease, and shall file a separate application for  
24 each lease year for which the exemption is sought. If an application is  
25 filed within the required time and is approved by the commissioner, he  
26 shall allow a rental exemption for the lease year commencing on the  
27 anniversary date in accordance with the provisions of this section. The  
28 commissioner may at any time require proof in the form he considers  
29 necessary of the right to an exemption claimed under this section.

THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 66  
 Title Exemption for senior citizens from payment for leases land  
 Requested by Legislative Finance Date 2/15/79

II. FISCAL DETAIL

Agency Affected Department of Natural Resources  
 Program Category Affected NRMEC  
 Budget Request Unit(s) Affected Div. of Forest, Land & Water - Operations

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	.-0-					

FUNDING (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
FULL TIME						
PART TIME						
TEMPORARY						

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

No additional costs would result for this legislation; there will be a slight loss in revenues to the state, but the amounts involved are indeterminable as the Department does not maintain the type of information necessary to ascertain the number of individuals eligible for exemption nor the amounts presently paid in lease payments by them.

IV. DATE 2/15/79

PREPARED BY Patrick W. Conheady  
 AGENCY Department of Natural Resources  
 PHONE 465-2400

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

# **CORRECTION**

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

Original sponsors: Chatterton, Malone  
and Phillips

Offered: 2/26/79  
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2

CS FOR HOUSE BILL NO. 66

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

ELEVENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act providing an exemption for senior citizens from  
7 payment for land leased from the state."

7

8

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

9

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

10

Sec. 38.05.098. SENIOR CITIZENS EXEMPTION. (a) The real property

11

occupied as a permanent place of abode by a resident 65 years of age or

12

over and leased by that resident from the state in accordance with AS

13

38.05.070 - 38.05.105 is exempt from the payment of an annual lease

14

rent. Only one exemption may be granted with respect to the same pro-

15

perty and, if two or more persons are eligible for an exemption with

16

respect to the same property, the parties shall decide between or among

17

themselves which shall receive the benefit of the exemption. No exemp-

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tion may be granted for any portion of the lease which is used by the

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leaseholder for any purpose other than his permanent place of abode.

20

(b) No exemption may be granted except upon written application

21

for the exemption on a form provided by the commissioner. The lease-

22

holder must file the application not later than 60 days before the

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anniversary date of the lease, and shall file a separate application for

24

each lease year for which the exemption is sought. If an application is

25

filed within the required time and is approved by the commissioner, he

26

shall allow a rental exemption for the lease year commencing on the

27

anniversary date in accordance with the provisions of this section. The

28

commissioner may at any time require proof in the form he considers

29

necessary of the right to an exemption claimed under this section.

1           (c) The legislature shall annually appropriate from the general  
2 fund to a trust fund the amount necessary to reimburse the trust fund  
3 for revenue lost to it by the operation of (a) of this section.  
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THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 66  
 Title Exemption for senior citizens from payment for leases land  
 Requested by Legislative Finance Date 2/15/79

II. FISCAL DETAIL

Agency Affected Department of Natural Resources  
 Program Category Affected NRMEC  
 Budget Request Unit(s) Affected Div. of Forest, Land & Water - Operations

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	.-0-					

FUNDING (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
FULL TIME						
PART TIME						
TEMPORARY						

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

No additional costs would result for this legislation; there will be a slight loss in revenues to the state, but the amounts involved are indeterminable as the Department does not maintain the type of information necessary to ascertain the number of individuals eligible for exemption nor the amounts presently paid in lease payments by them.

IV. DATE 2/15/79

PREPARED BY Patrick W. Conheady  
 AGENCY Department of Natural Resources  
 PHONE 465-2400

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

COMMITTEE REPORT  
SENATE

FURTHER:

Finance

3/7/79

Date:

3/28/79

Mr. President:

HEALTH, EDUCATION AND SOCIAL

The Committee on SERVICES has had CSHB 66

providing an exemption for senior citizens from payment for land leased from the state

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for \_\_\_\_\_  same title  new title
- and recommends \_\_\_\_\_
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

*Kurtis Stenculski*  
*1. Bettye Faber-Kaney*  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
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MEMBERS HAVING  
OTHER RECOMMENDATIONS:

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

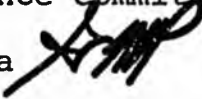
*William Hadsorn*

CHAIRMAN

DO PASS

April 16, 1979

M E M O R A N D U M

TO: Senate Finance Committee  
FROM: Garrey Peska   
SUBJECT: CSHB 66

Billy Berrier of Legislative Legal Services says that the only trust fund that would be reimbursed under (c) on page 2 of the bill is the fund established under AS 14.40.400 for income from University of Alaska land.

H.B. 66



LAWS OF ALASKA

1977

Source

CSHB 5

Chapter No.

97

AN ACT

Relating to exemption from real property taxes for senior citizens; and providing for an effective date.

*Provides for exemption from property tax for residents over 65*

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

\* Section 1. AS 29.53.020(e) is amended to read:

(e) The real property owned and occupied as a permanent place of abode by a resident 65 years of age or over is exempt from taxation of the assessed value of the real property. Only one exemption may be granted with respect to the same property and, if two or more persons are eligible for an exemption with respect to the same property, the parties shall decide between or among themselves which shall receive the benefit of the exemption. No real property may be exempted under this subsection which the assessor determines, after notice and hearing to the parties concerned, has been conveyed to the applicant primarily for the purpose of obtaining the exemption. The determination of the assessor is appealable under AS 44.62.560 - 44.62.570.

\* Sec. 2. This Act is retroactive to January 1, 1977.

\* Sec. 3. This Act takes effect immediately in accordance with AS 01.10.070(c).

Permitted to become law without signature  
Actual Effective Date: June 18, 1977, retroactive to January 1, 1977

H.B. 66

right to vote in charter commission election. — Where the Eagle River-Chugiak Borough was officially incorporated on September 12, 1974, but the act authorizing the residents of that area to vote on the question of whether or not to form a second class borough was held unconstitutional in *Abrams v. State*, Sup. Ct. Op. No. 1142 (File Nos. 2407, 2418), 534 P.2d 91 (1975) on April 15, 1975, and the Eagle River-Chugiak area was automatically reincorporated into the Greater Anchorage Area Borough, the Eagle River-Chugiak area residents were not unconstitutionally denied the right to vote in a February 11, 1975 election held in the Greater Anchorage Area Borough in which the creation of a charter commission was approved, and its members elected. *Jordan v. Reed*, Sup. Ct. Op. No. 1217 (File No. 2586), 544 P.2d 75 (1975).

Denying residents of the Eagle River-Chugiak area the right to vote on the question of who sits on the charter commission in the Greater Anchorage Area Borough was not a denial of fundamental fairness since the realignment of political

boundaries which occurred as a result of the *Abrams v. State*, Sup. Ct. Op. No. 1142 (File Nos. 2407, 2418), 534 P.2d 91 (1975) decision is functionally equivalent to an annexation, and the general rule regarding annexation is that when territory has been lawfully and finally annexed, the new area becomes, ipso facto, a part of the municipality subject to municipal jurisdiction and it may be governed as the original municipal territory was governed prior to the change. *Jordan v. Reed*, Sup. Ct. Op. No. 1217 (File No. 2586), 544 P.2d 75 (1975).

And composition of commission need not reflect them. — Where the area encompassed within the former Eagle River-Chugiak Borough had a separate status under the de facto municipal incorporation doctrine, the composition of the charter commission need not reflect a group of citizens not part of the Greater Anchorage Area Borough at the time the charter commission was formed. *Jordan v. Reed*, Sup. Ct. Op. No. 1217 (File No. 2586), 544 P.2d 75 (1975).

### Chapter 73. Miscellaneous Provisions.

#### Section

#### 60. Property tax equivalency payments

*Provides for property tax equivalency payments up to 375<sup>00</sup> per year*

*for persons over 65 who rent*

Sec. 29.73.060. Property tax equivalency payments. (a) A resident of the state 65 years of age or older who rents a permanent place of abode is eligible for tax equivalency payments from the state through the Department of Community and Regional Affairs.

(b) For purposes of determining payments to eligible persons, the department shall calculate a property tax equivalent percentage for each home rule or general law municipality, which levies a general property tax, at the rate of ½ per cent per mil. This percentage applied to the annual rent charged to the applicant or \$375, whichever is less is the property tax equivalency payment.

(c) To obtain tax equivalency payments the eligible resident must apply to the department for payment for the preceding year by January 15 of each year on forms and in the manner prescribed by the department. Each applicant shall submit with the application rental receipts or, if rental receipts are not available, other evidence satisfactory to the department for determination of the fact of payment of rent and the amount paid.

(d) If two or more persons occupy a residence as tenants, not all of whom are eligible for tax equivalency payments under this section, the assessor shall determine equitable partial payments to be made to the eligible tenants. However, tax equivalency payments to an eligible

applicant may not be reduced because the spouse is less than 65 years of age. If all occupants in a residence are eligible for tax equivalency payments under this section, the occupants shall decide between and among themselves which shall receive payment. (§ 2 ch 217 SLA 1976)

## Chapter 78. General Provisions.

### Section

#### 10. Definitions

**Sec. 29.78.010. Definitions.** In this title, unless otherwise provided, or the context otherwise requires,

(1) "borough" means a general law first, second or third class organized borough;

(18) "areawide power" means a power of an organized borough exercised throughout the borough;

(19) "nonareawide power" means a power of an organized borough exercised by the borough only in the area outside of cities.

(am § 7 ch 212 SLA 1976; am § 10 ch 93 SLA 1977)

*Effect of amendments.* — The 1976 amendment, effective June 21, 1976, added paragraphs (18) and (19).

The 1977 amendment substituted "first, second or third class" for "first or second class" in paragraph (1).

As the rest of the section was not affected by the amendments, it is not set out.

Introduced: 1/24/79  
Referred: Health, Education &  
Social Services and Finance

1 IN THE HOUSE

BY CHATTERTON, MALONE AND  
PHILLIPS

2 HOUSE BILL NO. 66

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing an exemption for senior citizens from  
7 payment for land leased from the state."

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

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

10 Sec. 38.05.098. SENIOR CITIZENS EXEMPTION. (a) The real property  
11 occupied as a permanent place of abode by a resident 65 years of age or  
12 over and leased by that resident from the state in accordance with AS  
13 38.05.070 - 38.05.105 is exempt from the payment of an annual lease  
14 rent. Only one exemption may be granted with respect to the same pro-  
15 perty and, if two or more persons are eligible for an exemption with  
16 respect to the same property, the parties shall decide between or among  
17 themselves which shall receive the benefit of the exemption. No exemp-  
18 tion may be granted if the lease is used by the leaseholder for any pur-  
19 pose other than his permanent place of abode.

20 (b) No exemption may be granted except upon written application  
21 for the exemption on a form provided by the director of land and water  
22 management. The leaseholder must file the application not later than 60  
23 days before the anniversary date of the lease, and shall file a separate  
24 application for each lease year for which the exemption is sought. If  
25 an application is filed within the required time and is approved by the  
26 director, he shall allow a rental exemption for the lease year com-  
27 mencing on the anniversary date in accordance with the provisions of  
28 this section. The director may at any time require proof in the form he  
29 considers necessary of the right to an exemption claimed under this

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section.

(c) The legislature shall annually appropriate from the general fund to any trust fund the sums necessary to reimburse the trust fund for amounts lost to it by the operation of (a) of this section.

Introduced: 1/24/79  
Referred: Community &  
Regional Affairs and Finance

Funding Information  
General Fund \$133,600  
Other Funds -0-  
\$133,600

1 IN THE HOUSE

BY FREEMAN AND GARDINER

2 HOUSE BILL NO. 70

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-  
7 ment of Community and Regional Affairs for the purchase  
8 of public safety and public works equipment for the  
9 cities of Craig and Klawock; and providing for an  
10 effective date."

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

12 \* Section 1. The sum of \$133,600 is appropriated from the general fund to  
13 the Department of Community and Regional Affairs for payment as grants to the  
14 following cities in the amounts and for the purposes set out after each:

15 (1) City of Craig:

16 crawler tractor \$ 50,000

17 (2) City of Klawock

18 fire pumper truck 50,600

19 fire alarm system 6,000

20 backhoe 27,000

21 \* Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-  
22 070(c).

# COMMITTEE REPORT

## HOUSE

FURTHER:

February 13, 1979

Date: \_\_\_\_\_

Mr. Speaker:

The Committee on FINANCE has had HB 70

"An Act making a special appropriation to the Department of Community and Regional Affairs for the purchase of public safety and public works equipment for the cities of Craig and Klawock; eff. date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for \_\_\_\_\_  same title  
 new title
- and recommends \_\_\_\_\_
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_  
CHAIRMAN



5952  
Chenoweth

Introduced: 1/24/79  
Referred: Community &  
Regional Affairs and Finance

Funding Information  
General Fund \$133,600  
Other Funds -0-  
\$133,600

1 IN THE HOUSE

BY FREEMAN AND GARDINER

2 HOUSE BILL NO. 70

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

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COMMITTEE COPY

ALASKA STATE LEGISLATURE

ELEVENTH Legislature FIRST Session

HOUSE ..... BILL ..... NO. 70.....

By . FREEMAN ... AND . GARDINER....

"An Act making a special appropriation to the Department of Community and Regional Affairs for the purchase of public safety and public workd equipment for the cities of Craig and Klawock; and providing for an effective date."

Public safety equip.

Introduced in the House ... 1-24 ... , 19..79

HISTORY IN THE HOUSE

19 79	Read first time and referred to Committee on C&RA and Finance																						
Jan. 24	Reported back with recommendation that																						
	Read second time and																						
	Read third time and																						
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> <tr> <td colspan="2">Reconsideration</td> </tr> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
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	Sent to Senate																						
CHIEF CLERK OF THE HOUSE																							

HISTORY IN THE SENATE

19	Read first time and referred to Committee on																						
	Reported back with recommendation that																						
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	Returned to House																						
SECRETARY OF THE SENATE																							

HISTORY IN THE HOUSE

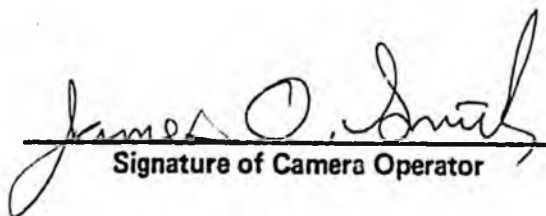
19	Received from Senate
	Concurred in Senate amendment thus adopting: VOTE
	Failed to concur in Senate amendment; asked Senate to recede VOTE
	Senate receded from amendment VOTE
	Senate failed to recede from amendment VOTE
	CC appointed by House
	CC appointed by Senate
	CC adopted by House VOTE
	CC adopted by Senate VOTE
	To enrolling Reported correctly enrolled Sent to Governor  ..... by Governor
	Filed with Lt. Governor
	Chapter No. ....

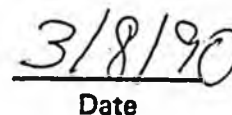


# RECORDS CERTIFICATION



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

  
Signature of Camera Operator

  
Date

Funding Information  
General Fund \$6,813,400  
Other Funds -0-  
\$6,813,400

Introduced: 1/31/80  
Referred: Finance

1 IN THE HOUSE

BY ROGERS, BROWN, MOSS,  
PARR AND SMITH

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 74

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making an appropriation to the University of  
7 Alaska working capital reserve fund; and providing for  
8 an effective date."

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

10 \* Section 1. The sum of \$6,813,400 is appropriated from the general fund  
11 to the University of Alaska to provide nonlapsing current working capital for  
12 the working capital reserve fund as provided in AS 14.40.296.

13 \* Sec. 2. This Act takes effect on the effective date of an Act entitled  
14 "An Act relating to appropriations to and management of appropriations and  
15 program receipts by the University of Alaska and establishing the University  
16 of Alaska working capital reserve fund; and providing for an effective date."

# STATE OF ALASKA

## DEPARTMENT OF ADMINISTRATION

OFFICE OF THE COMMISSIONER

POUCH C - JUNEAU 99811

*file: HB 74*

*HB 649*

*copy members' files*

JAY S. HAMMOND, GOVERNOR

March 11, 1980

Honorable Russ Meekins  
Chairman, House Finance Committee  
Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Dear Mr. Chairman:

In 1977 there was a total breakdown of the University of Alaska's accounting system and, as a consequence, the University overspent its appropriations by about \$4 million. The 1977 Legislature, therefore, directed the Commissioner of Administration to apply State fiscal procedures to operations of the University. Since then truly remarkable progress has been made in establishing this system of accounting and fiscal controls.

The best proof of this is that the University has lapsed \$6.8 million during the last two fiscal years - \$4.8 million in Fiscal 1978 and \$1.9 million in Fiscal 1979. I might add that the lapses of the last two years are something new. Never has the University returned such large sums to the State Treasury. In our system, however, a lapse in one year does not offset an over-expenditure in another. As a consequence the Fiscal 1977 over-expenditure has been a permanent drain on the resources of the University and its current surplus shows a deficit balance of \$4.2 million on the audited June 30, 1979 financial statements.

It is time to address this matter.

Two bills pertaining to the University are before the House Finance Committee. HB 74 appropriates \$6.8 million to a working capital reserve fund in the treasury of the University of Alaska. The working capital reserve fund is established by HB 649 which also contains other provisions relating to the management of University funds and appropriations.

There is no question about the need of the University of Alaska for working capital. In fact, this need is recognized in AS 37.10.088 which authorizes the advance of funds on a loan basis. Members of my staff advise me that the mechanism provided by AS 37.10.088 is not satisfactory in that:

Honorable Russ Meekins  
Chairman, House Finance Committee  
Page 2

March 11, 1980

1. It does not recognize that the need for working capital is ongoing.
2. It restricts advances to fund "verified accounts receivable."
3. It neither eliminates nor decreases the deficit on the University's balance sheet.

I view all of these matters with deep concern.

Members of my staff also advise me that the amount of working capital needed in the State's General Fund is about 8% of annual expenditure requirements. However, the State has no working capital fund as such. Instead we rely on surplus treasury balances to meet our working capital needs. It is interesting to note that if needs of the University were as high as those of the State, even a larger sum than provided by HB 74 would be necessary. \*

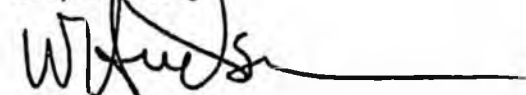
In all candor I can advise you that any sum between \$5 million and \$8 million is a reasonable estimate of permanent working capital needed by the University of Alaska at this time. It is not possible to specify a specific sum with certainty. Measuring devices are not that precise.

In addition to providing the University with adequate working capital, the deficit on its balance sheet sooner or later must be addressed. It is possible to do both. This can be accomplished by appropriating not less than \$4,241,000 to eliminate the deficit in the University's unallocated current fund balance. This would give the University \$4.2 million for working capital.

Any sum in excess of \$4.2 million may be appropriated for use as a nonlapsing capital reserve. As to other matters pertaining to the management of University funds and appropriations, I believe that no action should be taken on them at this time.

Dick Smith, my Deputy Commissioner, and Bill Mullin can meet with your committee to review these matters in detail at any time that is convenient for you.

Respectfully



W. R. Hudson  
Commissioner

WRH/mjc  
cc: Dr. Jay Barton  
Sherman Carter

# STATE OF ALASKA

## DEPARTMENT OF ADMINISTRATION

OFFICE OF THE COMMISSIONER

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*file: (HB 74)*  
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*copy members' files*  
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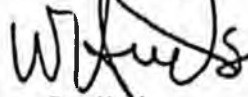
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Respectfully



W. R. Hudson  
Commissioner

WRH/mjc

cc: Dr. Jay Barton  
Sherman Carter

(11)

# COMMITTEE REPORT

## HOUSE

1/31/80

FURTHER:

Date: \_\_\_\_\_

Mr. Speaker:

The Committee on FINANCE has had SSHB 74

"An Act making an appropriation to the University of Alaska working capital reserve fund; and providing for an effective date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for \_\_\_\_\_  same title
- new title
- and recommends \_\_\_\_\_
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

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\_\_\_\_\_  
CHAIRMAN

5824  
*Request*

Funding Information  
General Fund \$6,813,400  
Other Funds -0-  
\$6,813,400

Introduced: 1/31/80  
Referred: Finance

1 IN THE HOUSE

BY ROGERS, BROWN, MOSS,  
PARR AND SMITH

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3 IN THE LEGISLATURE OF THE STATE OF ALASKA

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15 program receipts by the University of Alaska and establishing the University  
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29 COMMITTEE COPY

**ALASKA STATE LEGISLATURE**

~~ELLEVENTH~~ Legislature ~~SECOND~~ Session  
 SPONSOR SUBSTITUTE FOR  
 HOUSE ....BILL..... NO. 74....  
 By ..ROGERS.. BROWN.. MOSS.. PARR  
 AND SMITH

"An Act making an appropriation  
 to the University of Alaska  
 working capital reserve fund;  
 and providing for an effective  
 date."

Appro to U of A working capital  
 reserve fund

Introduced in the House ..1/31..., 19.80

**HISTORY IN THE HOUSE**

19 80	Read first time and referred to Committee on																				
Jan 31	<b>Finance</b>  Reported back with recommendation that  Read second time and  Read third time and																				
	<table border="0"> <tr> <td><b>PASS</b></td> <td><b>Effective Date</b></td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table> <p style="text-align: center;">Reconsideration</p> <table border="0"> <tr> <td><b>PASS</b></td> <td><b>Effective Date</b></td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table> <p>Reported correctly engrossed                  Signed by Speaker                  Sent to Senate</p>	<b>PASS</b>	<b>Effective Date</b>	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused	<b>PASS</b>	<b>Effective Date</b>	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
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CHIEF CLERK OF THE HOUSE																					

**HISTORY IN THE SENATE**

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Absent	Absent																				
Excused	Excused																				
SECRETARY OF THE SENATE																					

**HISTORY IN THE HOUSE**

19	Received from Senate  Concurred in Senate amendment thus adopting: <b>VOTE</b>  Failed to concur in Senate amend- ment; asked Senate to recede <b>VOTE</b>  Senate receded from amendment <b>VOTE</b>  Senate failed to recede from amendment <b>VOTE</b>  CC appointed by House  CC appointed by Senate  CC adopted by House <b>VOTE</b>  CC adopted by Senate <b>VOTE</b>  To enrolling Reported correctly enrolled Sent to Governor  ..... by Governor  Filed with Lt. Governor  Chapter No. ....
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1/31/80

Finance

Please return your copy of HB 74 to edith  
chief clerk's office. It has been replaced  
by a Sponsor Substitute.

edith



UNIVERSITY OF ALASKA  
Statewide System of Higher Education  
Fairbanks, Alaska 99701

January 31, 1979

Mr. Jay H. Hogan, Director  
Legislative Finance  
Fiscal Division  
Pouch WF - State Capitol  
Juneau, Alaska 99811

Dear Jay:

This is to answer your letter to me dated 26 January which I received yesterday and which asked me to submit a "fiscal note" for House Bill 74, copy attached.

The second attachment to this letter is the fiscal note filled out in compliance with your instruction dated December 15, 1978 on fiscal note preparation. Your instruction indicates that the original of the fiscal note is to be sent to you with copies to the Division of Budget & Management and to sponsors of the bill.

Please let me know if I can be of further assistance.

Sincerely,

Sherman Carter  
Vice President for Finance

SFC:kap

cc: Director, Division of Budget & Management  
Mr. Ronald B. Lind  
Sponsors of House Bill No. 74  
Representative Brian Rogers  
Representative Fred Brown  
Representative H. Pappy Moss  
Representative Charles Parr  
Representative Sarah Smith  
President, University of Alaska  
Mr. Foster F. Diebold

Attachments

Funding Information

General Fund \$4,872,600  
Other Funds -0-  
\$4,872,600

Introduced: 1/24/79  
Referred: Finance

BY ROGERS, BROWN, MOSS, PARR  
AND SMITH

1 IN THE HOUSE

2 HOUSE BILL NO. 74

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Univer-  
7 sity of Alaska; and providing for an effective date."

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

9 \* Section 1. The sum of \$4,872,600 is appropriated from the general fund  
10 to the University of Alaska to be allocated as follows:

11 (1) To eliminate unallocated fund deficit	
12 and to finance working capital requirement	\$3,711,900
13 (2) For working capital; to assist in carrying	
14 accounts receivable	1,117,300
15 (3) To establish fund balances for auxiliary	
16 enterprises	43,400

17 \* Sec. 2. The total appropriation made in sec. 1 of this Act represents  
18 the amount of the fiscal year 1977-78 University of Alaska general fund  
19 appropriation which lapsed into the general fund as of June 30, 1978.

20 \* Sec. 3. The unexpended and unobligated portion of this appropriation  
21 lapses into the general fund June 30, 1980.

22 \* Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-  
23 070(c).

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January 26, 1978

Dr. Sherman Carter, Vice President  
of Finance & Comptroller  
University of Alaska  
113 Bunnell  
Fairbanks, AK 99701

Dear Dr. Carter:

Please provide us with a fiscal note for the enclosed bill, House Bill 74, making a special appropriation to the University of Alaska. As per our general instruction memo, the standard return date on fiscal notes is generally five days and, since the Legislature frequently moves very quickly on bills, we always appreciate as prompt submission of fiscal notes as is humanly possible.

Sincerely,



J. H. Hogan, Director  
Legislative Finance

enc.

JHH:bf

Funding Information  
General Fund \$4,872,600  
Other Funds -0-  
\$4,872,600

Introduced: 1/24/79  
Referred: Finance

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**THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE**

**FISCAL NOTE**

**I. REQUEST**

Bill/Resolution No. House Bill No. 74  
 Title An Act making a special appropriation to the University of Alaska  
 Requested by Jay Hoqan, Director, Legislative Finance Date 1/26/79

**II. FISCAL DETAIL**

Agency Affected University of Alaska  
 Program Category Affected Education  
 Budget Request Unit(s) Affected University of Alaska

**EXPENDITURES** (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	4872.6	-0-	-0-	-0-	-0-	-0-

**FUNDING** (Thousands of Dollars)

GENERAL FUND	4872.6	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify)						

**POSITIONS**

FULL TIME	N/A	-0-	-0-	-0-	-0-	-0-
PART TIME						
TEMPORARY						

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

This money was appropriated by the legislature for the university for FY78 but was not spent. The university effected these savings because of its unfunded deficit. To return the money to the state would leave the university with its deficit and require that it borrow additional funds from the state for working capital, to finance grants and contracts which are paid for by the federal government on a cost-reimbursable basis. Auxiliary activities operate on a self-supporting basis by charging for their services and include student housing, food service and bookstore operations. Those activities ended FY78 "in the black", in the amount of \$43,400. Since the state appropriates not only general fund money but also income which the university itself self-generates, the \$43,400 apparently needs to be re-appropriated to the university to cause it not to revert to the state. This money was earned by the university's auxiliary activities which need to retain the money to finance their own operations.

IV. DATE 1/31/79

PREPARED BY *Sherman Carter*  
 AGENCY University of Alaska  
 PHONE 479-7711

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

THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. House Bill No. 74  
 Title An Act making a special appropriation to the University of Alaska  
 Requested by Jay Hogan, Director, Legislative Finance Date 1/26/79

II. FISCAL DETAIL  
 Agency Affected University of Alaska  
 Program Category Affected Education  
 Budget Request Unit(s) Affected University of Alaska

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	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
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<b>TOTAL</b>	4872.6	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND	4872.6	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME	N/A	-0-	-0-	-0-	-0-	-0-
PART TIME						
TEMPORARY						

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IV. DATE 1/31/79 PREPARED BY *Sherman Carter* Vice President for Finance  
 AGENCY University of Alaska  
 PHONE 479-7711

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