

BILLS 1981 - 1982 1412
CSHB 28 cont. - CSHB 31 1412

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

* Sec. 3. AS 41.20.420(3) is amended to read:

(3) cooperate and consult with national or international organizations established for the purpose of establishing or regulating youth hostel facilities and follow, where appropriate, the specific guidelines established by [THE] American Youth Hostels, Inc. [HOSTEL ASSOCIATION] and the International Youth Hostel Association and in effect on the effective date of this Act.

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

Original sponsor: Miller

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 28 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

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

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

9 * Section 1. AS 45 is amended by adding a new chapter to read:

10 CHAPTER 91. YOUTH HOSTEL REVOLVING LOAN FUND.

11 Sec. 45.91.010. FUND ESTABLISHED. There is established in the
12 Department of Commerce and Economic Development the youth hostel re-
13 volving loan fund to finance purchase, construction, and remodeling of
14 youth hostels and the refurbishing of existing buildings for use as
15 youth hostels. Only an applicant proposing a youth hostel that meets
16 the 1981 guidelines that have been established by American Youth
17 Hostels, Inc. may receive a loan from the fund.

18 Sec. 45.91.020. RESPONSIBILITIES OF DEPARTMENT. (a) The depart-
19 ment may make loans for the purchase, construction, or remodeling of
20 youth hostels and the refurbishing of existing buildings for use as
21 youth hostels. Loans may be made only on approval of the coordinator
22 of the Alaska youth hostel program appointed under AS 41.20.450.

23 (b) The department in consultation with the coordinator of the
24 Alaska youth hostel program appointed under AS 41.20.450 shall develop
25 eligibility standards for loans under this chapter.

26 (c) The department may adopt regulations necessary to carry out
27 the provisions of this chapter.

28 Sec. 45.91.030. LOAN TERMS. (a) A loan for the construction of
29 a youth hostel under this chapter may not exceed \$200,000.

1 (b) A loan made under this chapter may be used to finance no more
2 than 90 percent of the total cost of construction of a youth hostel.
3 For the purposes of this section, the value of real estate to be used
4 directly in conjunction with the loan in the construction of a youth
5 hostel, or value of other in-kind contribution, may be counted in
6 calculating the total cost of construction of a youth hostel.

7 (c) The principal of a loan made under this chapter shall be
8 repaid into the youth hostel revolving loan fund in monthly or other
9 installments established by the commissioner. The repayments shall be
10 premised on the rate of \$2 a bed for each night that a bed in the youth
11 hostel financed by the loan is occupied based on the projected income
12 statement of the youth hostel. A night spent in the youth hostel by a
13 supervised school group does not count as a night a bed is occupied
14 under this subsection.

15 (d) A loan made under this chapter is interest free.

16 Sec. 45.91.040. DEFINITIONS. In this chapter

17 (1) "commissioner" means the commissioner of commerce and
18 economic development;

19 (2) "department" means the Department of Commerce and Econo-
20 mic Development.

21 * Sec. 2. AS 18.35.090(1) is amended to read:

22 (1) "tourist accommodations"

23 (A) means a place maintained, or held out to the public
24 for purposes of abode whether occupied by transient or permanent
25 guests whether equipped with tents, tent houses, cottages, auto-
26 mobile trailers, coaches, motor courts, or motels, regardless of
27 whether benefit accrues to the owner or operator;

28 (B) does not mean a youth hostel chartered by American
29 Youth Hostels, Inc.;

1 * Sec. 3. AS 41.20.420(3) is amended to read:

2 (3) cooperate and consult with national or international
3 organizations established for the purpose of establishing or regulating
4 youth hostel facilities and follow, where appropriate, the specific
5 guidelines established by [THE] American Youth Hostels, Inc. [HOSTEL
6 ASSOCIATION] and the International Youth Hostel Association and in
7 effect on the effective date of this Act.

8 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
9 070(c).

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CSHB 28
 Title An Act Relating to Youth Hostels
 Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Department of Commerce & Economic Development
 Program Category Affected Development
 BRU, Program, or Subprogram(s) Affected Division of Business Loans
 (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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		37.7	41.5	45.7	50.3	55.3
200 TRAVEL		2.4	2.6	2.9	3.2	3.5
300 CONTRACTUAL		8.1	8.9	9.8	10.8	11.9
400 COMMODITIES		.3	.3	.4	.4	.5
500 EQUIPMENT		1.6	-0-			
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		50.1	53.3	58.8	64.7	71.2

FUNDING (Thousands of Dollars)

GENERAL FUND		50.1	53.3	58.8	64.7	71.2
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		1	1	1	1	1
PART TIME						
TEMPORARY						

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

Fiscal note detail is attached.

Sharon Traylor

IV. DATE March 2, 1981 PREPARED BY Sharon Traylor, Director
 AGENCY Department of Commerce & Economic Development
 PHONE 465-2510 Division of Business Loans
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

FISCAL NOTE DETAIL

CSHB 28 YOUTH HOSTELS

100	1 Loan Examiner I/II (Flex) @ \$2,455/mos.		29.5
	TOTAL WAGES		29.5
	Standard Benefits (Wages x .1555)		4.6
	Supplemental Benefits (Wages x .0613)		1.8
	Health Insurance (Man Months x 150)		<u>1.8</u>
	TOTAL PERSONAL SERVICES		37.7
200	Trips to Inspect Collateral & Close Loans		
	4 Trips @ \$473	1.9	
	8 Days Per Diem @ \$65	<u>.5</u>	2.4
300	Telephone, Postage, Printing	5.5	
	Additional Office Space @ \$200/mo.	<u>2.6</u>	8.1
400	Office Supplies		<u>.3</u>
	TWELVE MONTHS OPERATIONAL COSTS		48.5
500	1 Desk @ \$330		
	1 Credenza @ \$455		
	1 Executive Chair @ \$150		
	1 Side Chair @ \$100		
	1 File Cabinet @ \$325		
	1 Calculator @ \$200		<u>1.6</u>
	TOTAL		<u>50.1</u>
	10% INFLATION FOR SUCCEEDING YEARS		

HB 28

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 28
 Title An Act Relating to Youth Hostels
 Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Department of Commerce & Economic Development
 Program Category Affected Development
 BRU, Program, or Subprogram(s) Affected Division of Business Loans
 (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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		37.7	41.5	45.7	50.3	55.3
200 TRAVEL		2.4	2.6	2.9	3.2	3.5
300 CONTRACTUAL		8.1	8.9	9.8	10.8	11.9
400 COMMODITIES		.3	.3	.4	.4	.5
500 EQUIPMENT		1.6	-0-			
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		50.1	53.3	58.8	64.7	71.2

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND		50.1	53.3	58.8	64.7	71.2
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME		1				
PART TIME						
TEMPORARY						

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

Fiscal note detail is attached.

10% inflation after FY '82.

IV. DATE Amended February 20, 1981 PREPARED BY Sharon Traylor, Director
 AGENCY Department of Commerce & Economic Development
 PHONE 465-2510 Division of Business Loans

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

FISCAL NOTE DETAIL

HB 28 YOUTH HOSTELS

100	1 Loan Examiner I/II (Flex) @ \$2,455/mos.		29.5
	TOTAL WAGES		29.5
	Standard Benefits (Wages x .1555)		4.6
	Supplemental Benefits (Wages x .0613)		1.8
	Health Insurance (Man Months x 150)		<u>1.8</u>
	TOTAL PERSONAL SERVICES		37.7
200	Trips to Inspect Collateral & Close Loans		
	4 Trips @ \$473	1.9	
	8 Days Per Diem @ \$65	<u>.5</u>	2.4
300	Telephone, Postage, Printing	5.5	
	Additional Office Space @ \$200/mo.	<u>2.6</u>	8.1
400	Office Supplies		<u>.3</u>
	TWELVE MONTHS OPERATIONAL COSTS		48.5
500	1 Desk @ \$330		
	1 Credenza @ \$455		
	1 Executive Chair @ \$150		
	1 Side Chair @ \$100		
	1 File Cabinet @ \$325		
	1 Calculator @ \$200		<u>1.6</u>
	TOTAL		<u>50.1</u>
	10% INFLATION FOR SUCCEEDING YEARS		

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

HB 28

I. REQUEST

Bill/Resolution No. HB 28
 Title An Act Relating to Youth Hostels
 Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Department of Commerce & Economic Development
 Program Category Affected Development
 BRU, Program, or Subprogram(s) Affected Division of Business Loans
 (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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		65.2				
200 TRAVEL		12.1				
300 CONTRACTUAL		13.6				
400 COMMODITIES		.6				
500 EQUIPMENT		3.2				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		94.7				

FUNDING (Thousands of Dollars)

GENERAL FUND		94.7				
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		2				
PART TIME						
TEMPORARY						

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

Fiscal note detail is attached.

10% inflation after FY '82.

IV. DATE 1-27-81

PREPARED BY Sharon Traylor, Director
 AGENCY Div. of Business Loans/Dept. of Com. & Econ. Dev.
 PHONE 465-2510

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

FISCAL NOTE DETAIL

HB 28 YOUTH HOSTELS

100	1 Loan Examiner I/II (flex) @ \$2,455/mo.		29.5
	1 Loan Closer II @ \$1,761/mo.		<u>21.1</u>
	TOTAL WAGES		50.6
	Standard Benefits (Wages x .1555)		7.9
	Supplemental Benefits (Wages x .0613)		3.1
	Health Insurance (Man Months x 150)		<u>3.6</u>
	TOTAL PERSONAL SERVICES		65.2
200	Trips to Inspect Collateral & Close Loans		
	20 Trips @ \$473	9.5	
	40 Days Per Diem @ \$65	<u>2.6</u>	12.1
300	Telephone, Postage, Printing	11.0	
	Additional Office Space @ \$200/mo.	<u>2.6</u>	13.6
400	Office Supplies		<u>.6</u>
	TWELVE MONTHS OPERATIONAL COSTS		91.5
500	2 Desks @ \$330		
	1 Credenza @ \$455		
	1 Typist's Extension @ \$470		
	1 Executive Chair @ \$150		
	1 Secretarial Chair @ \$190		
	2 Side Chairs @ \$100		
	2 File Cabinets @ \$325		
	2 Calculators @ \$200		
	1 Typewriter @ \$1,000		<u>3.2</u>
	TOTAL		<u>94.7</u>
	10% INFLATION FOR SUCCEEDING YEARS		

Original sponsor: Miller

Funding Information	
General Fund	\$825,000
Other Funds	-0-
	<u>\$825,000</u>

1 IN THE HOUSE . BY THE FINANCE COMMITTEE
2 SENATE CS FOR HOUSE BILL NO. 29 (Finance)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 TWELFTH LEGISLATURE - SECOND SESSION
5 A BILL

6 For an Act entitled: "An Act making a supplemental appropriation to the
7 Department of Transportation and Public Facilities to
8 restore partial year funding for the fiscal year ending
9 June 30, 1982; and providing for an effective date."

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

11 * Section 1. (a) The sum of \$825,000 is appropriated from the general
12 fund to the Department of Transportation and Public Facilities to restore
13 partial year funding for operating budgets for the fiscal year ending June 30,
14 1982, to be allocated as set out in (b), (c), and (d) of this section.

15 (b) Section 28, ch. 82, SLA 1981, page 89, lines 16 - 17, is amended to
16 read:

	ALLOCATIONS	APPROPRIATION ITEMS	GENERAL FUND
Right of Way		<u>1,314,700</u>	<u>1,314,700</u>
		[1,139,700]	[1,139,700]
Operations	<u>757,700</u>		
	[582,700]		

23 (c) Section 28, ch. 82, SLA 1981, page 90, line 22, is amended to read:

	APPROPRIATION ITEMS	GENERAL FUND
Planning and Programming	<u>9,689,200</u>	<u>9,689,200</u>
	[9,039,200]	[9,039,200]

28 (d) Section 28, ch. 82, SLA 1981, page 92, lines 14 - 23, is amended
29 to read:

ALLOCATIONS

1		
2	Central Region Transportation Planning	<u>1,859,800</u> [1,759,800]
3	Central Region Facilities Planning	<u>821,800</u> [721,800]
4	Interior Region Transportation Planning	<u>1,372,600</u> [1,122,600]
5	Interior Region Facilities Planning	<u>447,500</u> [347,500]
6	Interior Region Research and Development	<u>1,057,800</u> [957,800]

7 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-

8 070(c).

Funding Information

Introduced: 4/1/82

General Fund	\$ 825,000
Other Funds	<u>-0-</u>
	\$ 825,000

IN THE ~~SENATE~~ ^{House}

BY THE FINANCE COMMITTEE

SENATE CS FOR HOUSE BILL NO. 29 (*Finance*)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWELFTH LEGISLATURE - SECOND SESSION

A BILL

For An Act entitled: "An Act making a supplemental appropriation to the Department of Transportation and Public Facilities to restore partial year funding; and providing for an effective date."

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

* Section 1. The sum of \$ 825,000 is appropriated from the general fund to the Department of Transportation and Public Facilities to restore partial year funding for FY 82 operating budgets;

(a) Chapter 82, SLA 81, Section 28, page 89, lines 16-17, is amended to read:

	Allocation	Appropriation	General Fund
Right of Way		<u>1,314,700</u> [1,139,700]	<u>1,314,700</u> [1,139,700]
Operations	<u>757,700</u> [582,700]		

(b) Chapter 82, SLA 81, Section 28, page 90, lines 22-23 is amended to read:

	Allocation	Appropriation	General Fund
Planning and Programming		<u>9,689,200</u> [9,039,200]	<u>9,689,200</u> [9,039,200]

(c) Chapter 82, SLA 81, Section 28, Page 92, line 14 through page 93, line 7, is amended to read:

	Allocation	
Central Region Transportation Planning	<u>1,859,800</u>	[1,759,800]
Central Region Facilities Planning	<u>821,800</u>	[721,800]
Interior Region Transportation Planning	<u>1,372,600</u>	[1,122,600]
Interior Region Facilities Planning	<u>447,500</u>	[347,500]
Interior Region Research & Development	<u>1,057,800</u>	[957,800]

* Sec. 2. This Act takes effect immediately in accordance with AS 01.10.070(c).

Funding Information
General Fund \$300,000
Other Funds -0-
\$300,000

Introduced: 2/4/81
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY MILLER

2 HOUSE BILL NO. 29 (efd failed)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
7 ment of Commerce and Economic Development for the
8 youth hostel revolving loan fund."

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

10 * Section 1. The sum of \$300,000 is appropriated from the general fund
11 to the Department of Commerce and Economic Development for the youth hostel
12 revolving loan fund.

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

COMMITTEE REPORT

HOUSE

2/20/81

FURTHER:

(11)

Date: 2-1-81

Mr. Speaker:

The Committee on FINANCE has had HB 29

"An Act making a special appropriation to the Department of Commerce and Economic Development for the youth hostel revolving loan 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 ^{individual} recommendation
- referred to the _____ Committee

**MEMBERS SIGNING
DO PASS**

Jan G. T.
Freeman
H. M. L.
B. Reg.

**MEMBERS HAVING
OTHER RECOMMENDATIONS:**

Shelley - loan fund

Montgomery - V. not pass

Jan G. T.
CHAIRMAN

Funding Information

General Fund \$300,000
Other Funds -0-
\$300,000

Introduced: 2/4/81
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY MILLER

2 HOUSE BILL NO. 29

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
7 ment of Commerce and Economic Development for the
8 youth hostel revolving loan fund; and providing for an
9 effective date."

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

11 * Section 1. The sum of \$300,000 is appropriated from the general fund
12 to the Department of Commerce and Economic Development for the youth hostel
13 revolving loan fund.

14 * Sec. 2. This Act takes effect on the effective date of a version of an
15 Act entitled "An Act relating to youth hostels; and providing for an effec-
16 tive date."

17

18

19

20

21

22

23

24

25

26

27

28

29

COMMITTEE REPORT
SENATE

FURTHER: None

5/22/81

Date: 6/22/81

Mr. President:

The Committee on FINANCE has had CSHB 31 (Fisc) on

management of state land

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 FINANCE same title
 new title
- and recommends CSHB 31
- 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:

CHAIRMAN

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

passed
w/bill 6/22/89

FISCAL NOTE

I. REQUEST

REVISED *

Bill/Resolution No. SCS for MCS for HR 31 (Finance) am
Title An Act relating to the management, disposal and use of state/mun land
Requested by Senator Bennett Date 6/22/81

II. FISCAL DETAIL

Agency Affected Department of Natural Resources
Program Category Affected NRMEC
BRU, Program, or Subprogram(s) Affected Land Management
(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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		501.2				
200 TRAVEL		33.5				
300 CONTRACTUAL		428.5				
400 COMMODITIES		11.0				
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		600.0 *				
CAPITAL		13084.8				
TOTAL		14659.0				

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND		14659.0				
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME						
PART TIME						
TEMPORARY						

* The \$600.0 figure was added by the Senate Finance Committee to provide the funding required for conversion of leases provided for in Section 44 of SCS CSHB 31 (Finance).

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

1. Classification of all land within two years.
2. Assessment of statewide/local demand.
3. Lotteries in locality; personal attendance
4. Advance appraisals on remote parcels.
5. Conversion of existing leases; appraisals; additional staking
6. Field inspections.
7. Supervision of grant program to municipalities
8. Director of Division of Forestry.
9. Supervision of local disposals, brochures, qualifications.
10. Initial grant funds pool for municipalities (CAPITAL)
11. Cadastral land survey. (CAPITAL)

Positions: FLWM: Appraiser, Div. Director, (5) LMO II, LMO I
DR&D: Info. Officer, LMO II.
DA&M: Acct. Tech. II, Acct. Tech. I, CT III. D/Agr: LMO II.

IV. DATE 6/22/81 PREPARED BY Jeff Haynes
AGENCY Deputy Commissioner DNR
PHONE 465-2400

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

SCS for HCS for HB 31 (Finance)

PERSONAL SERVICES

<u>Function</u>	<u>Positions</u>	<u>Cost</u>
Additional staking, conversion of existing leases to new terms, supervision of range appraisals	LMO II/FLWM Northcentral	35,436
	LMO II/FLWM Southcentral	35,436
	LMO II/FLWM Southeast	35,436
Supervision of local disposals, supervision of grant programs to municipalities, field assistance and inspections, conducting of lotteries in locality	LMO II/FLWM Northcentral	35,436
	LMO II/FLWM Southcentral	35,436
	LMO I/FLWM Southeast	31,091
Classification of all state land outside municipalities within 2 years	LMO II/Agr.	35,436
	LMO II/DR&D	35,436
Appraisals on converted leases	Appraiser II/FLWM	40,560
Supervision of individual land sale brochures for all localities; distribution of information on all sales and attendance at all local lotteries for information and qualification	Info. Officer I/ FLWM	33,047
Receipt and handling of funds at all local lotteries; administration of funding for grants to municipalities	Acct. Tech. II/DA&M	31,091
	Acct. Tech. I/DA&M	27,655
	CT III/DA&M	
Creation of Division of Forestry	Div. Director	66,326
		<u>501,278</u>

TRAVEL

<u>Function</u>	<u>Cost</u>
Conducting lotteries in locality; receipt of funds; qualification of applicants; distribution of information;	2,500 (DR&D)
	2,500 (DA&M)
	14,000 (FLWM)
	2,500 (AGR.)
Administration of grant program to municipalities	2,500 (DA&M)
	2,000 (FLWM)
Classification of land within 2 years - field review; travel to municipalities for assessment of demand	5,000 (FLWM)
	2,500 (DR&D)
	<u>33,500</u>

CONTRACTUAL

Land disposal brochures for local disposals	
12 brochures @ \$10,000 each	120,000
12 flyers @ \$2,000 each	24,000
12 sets of applications @ \$800 each	9,600
	<u>153,600</u>
Conversion of existing remote parcel leases to new terms; revision of contracts to allow for additional staking; entry into computer revenue and billing system	225,000
Land demand assessment; data processing for land classification within two years	50,000
	<u>428,600</u>

COMMODITIES

Office equipment, supplies for 14 positions	11,000
	<u>11,000</u>

EQUIPMENT

None

CAPITAL

Initial grant pool for municipalities	2,000,000
Cadastral land survey (see backup for Governor's capital budget)	11,084,800
	<u>13,084,800</u>

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

*passed
w/bill 6/22/89*

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SCS for HCS for HB 31 (Finance) am
Title An Act relating to the management, disposal and use of state/mun. land
Requested by Senator Bennett Date 6/22/81

II. FISCAL DETAIL

Agency Affected Department of Natural Resources

Program Category Affected NRMEC

BRU, Program, or Subprogram(s) Affected Land Management

(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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		501.2				
200 TRAVEL		33.5				
300 CONTRACTUAL		428.5				
400 COMMODITIES		11.0				
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		600.0				
CAPITAL		13084.8				
TOTAL		14659.0				

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND		14659.0				
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME						
PART TIME						
TEMPORARY						

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

1. Classification of all land within two years.
2. Assessment of statewide/local demand.
3. Lotteries in locality; personal attendance
4. Advance appraisals on remote parcels.
5. Conversion of existing leases; appraisals; additional staking
6. Field inspections.
7. Supervision of grant program to municipalities
8. Director of Division of Forestry.
9. Supervision of local disposals, brochures, qualifications.
10. Initial grant funds pool for municipalities (CAPITAL)
11. Cadastral land survey. (CAPITAL)

Positions: FLWM: Appraiser, Div. Director, (5) LMO II, LMO I
DR&D: Info. Officer, LMO II.
DA&M: Acct. Tech. II, Acct. Tech. I, CT III. D/Agri: LMO II.

IV. DATE 6/22/81 PREPARED BY Jeff Haynes

AGENCY Deputy Commissioner DNR
PHONE 465-2400

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

SCS for HCS for HB 31 (Finance)

PERSONAL SERVICES

<u>Function</u>	<u>Positions</u>	<u>Cost</u>
Additional staking, conversion of existing leases to new terms, supervision of range appraisals	LMO II/FLWM Northcentral	35,436
	LMO II/FLWM Southcentral	35,436
	LMO II/FLWM Southeast	35,436
Supervision of local disposals, supervision of grant programs to municipalities, field assistance and inspections, conducting of lotteries in locality	LMO II/FLWM Northcentral	35,436
	LMO II/FLWM Southcentral	35,436
	LMO I/FLWM Southeast	31,091
Classification of all state land outside municipalities within 2 years	LMO II/Agr.	35,436
	LMO II/DR&D	35,436
Appraisals on converted leases	Appraiser II/FLWM	40,560
Supervision of individual land sale brochures for all localities; distribution of information on all sales and attendance at all local lotteries for information and qualification	Info. Officer I/ FLWM	33,047
Receipt and handling of funds at all local lotteries; administration of funding for grants to municipalities	Acct. Tech. II/DA&M	31,091
	Acct. Tech. I/DA&M	27,555
	CT III/DA&M	
Creation of Division of Forestry	Div. Director	66,326
		<u>501,278</u>

TRAVEL

<u>Function</u>	<u>Cost</u>
Conducting lotteries in locality; receipt of funds; qualification of applicants; distribution of information;	2,500 (DR&D)
	2,500 (DA&M)
	14,000 (FLWM)
	2,500 (AGR.)
Administration of grant program to municipalities	2,500 (DA&M)
	2,000 (FLWM)
Classification of land within 2 years - field review; travel to municipalities for assessment of demand	5,000 (FLWM)
	2,500 (DR&D)
	<u>33,500</u>

CONTRACTUAL

Land disposal brochures for local disposals	
12 brochures @ \$10,000 each	120,000
12 flyers @ \$2,000 each	24,000
12 sets of applications @ \$800 each	9,600
	<u>153,600</u>
Conversion of existing remote parcel leases to new terms; revision of contracts to allow for additional staking; entry into computer revenue and billing system	225,000
Land demand assessment; data processing for land classification within two years	50,000
	<u>428,600</u>

COMMODITIES

Office equipment, supplies for 14 positions	11,000
	<u>11,000</u>

EQUIPMENT

None

CAPITAL

Initial grant pool for municipalities	2,000,000
Cadastral land survey (see backup for Governor's capital budget)	11,084,800
	<u>13,084,800</u>

Project Title Cadastral Land Surveying			Location(s) Statewide		Election Districts Served Statewide		Start Date FY 82		Completion Date FY 83	
AGENCY REQUEST			Operational Cost & No. Personnel Increase -- (Decrease)		First Operating Year	Ultimate Annual Year	GOVERNOR'S REQUEST			
							Approved <input checked="" type="checkbox"/>	Deferred <input type="checkbox"/>	Disapproved <input type="checkbox"/>	
1002	Federal Receipts		Funding Source	Federal Receipts			1002	Federal Receipts		
1003	G/F Match			General Fund			1003	G/F Match		
1004	General Fund	10,484.8					1004	General Fund		10,484.8
1005	I/A Receipts						1005	I/A Receipts		
	G.O. Bonds							G.O. Bonds		
			Total Annual Operational Cost		--no change--					
			Position (FTE)							
			Previous Year-Priority		Agency Priority		Governor's Priority			
Total			10,484.8		82-1		82-1		Total 10,484.8	

PROJECT DESCRIPTION

Chapter 85, SLA 1979, created a land disposal bank. As part of the process the Department is required to make available 100,000 acres of land for disposal in each fiscal year. This is broken into approximately 75,000 acres for remote parcels and 25,000 acres of small tract parcels which range from 1 to 5 acres in size. The public is obtaining lands that have been identified, monumented, platted, and recorded, creating a firm land title document for the passing of State land title. The State is lowering the cost to the consumer in obtaining a parcel of land by having the surveys performed in groups which decreases the cost of survey field work. Each project for subdivision goes through six phases in order to complete the project area; this includes the site evaluation, photography and mapping, feasibility plan, master plan, preliminary platting, and final plat. The site evaluation is researching for lands that are suitable for the intended purpose, investigation of the environmental concerns, and office investigation for access (both legal and physical) to the area to be surveyed, and meeting with other Department personnel and agencies. The photography and mapping include horizontal and vertical control for the photography, contour mapping, ground truthing for the preliminary soils work, and then a final discussion with the Division of Technical Services personnel to see if the project is still feasible. The next phase, the feasibility plan, review all the data of phases 1 and 2 and has an overall master plan and general concept showing the soils, the determination of usable and unusable lands and a brief overview of wastewater disposal. This is discussed with other interested parties and Department personnel. The master plans include a general lot layout, including approximate sizes in general configuration based upon the data gathered to date. Ideally this includes two or three plans that can be refined and adjusted for a final master plan. The preliminary platting process is submitting it to the Borough and other agencies as applicable. The final plat is the final survey staking of the approved master and preliminary plans. These phases are established so that if for policy or technical reasons a project should be deleted, adjusted, or be delayed, a decision can be made that minimizes the cost of that project at that stage.

Presently, there is approximately two percent of State lands that have densified monumentation. The Federal Government, in passing title to the State, surveys the exterior of a township approximately every two miles, and a township is a six mile

CATEGORY NRMEC

AGENCY Dept. of Natural Resources

PROGRAM DNR Mgmt. & Admin.

Page 1 of 2
Revised Date

FY 82

00010

35a PROJECT DESCRIPTION -
PROPOSED CAPITAL
PROJECT

by six mile block. Therefore, the interior monumentation required for remote parcels or a subdivision is what this project accomplishes in addition to that previously stated.

These projects are statewide from areas drawn from the land disposal bank, and in subdivision areas are generally close to existing transportation corridors. The projects are identified through the Land Availability Determination Schedule (L.A.D.S.).

Cadastral Land Surveying

**CONTINUATION
FROM:**

35 A

CATEGORY NRMEC

AGENCY Dept. of Natural Resources

PROGRAM DNR Mamt. & Admin.

Page 2 of 2
Revised Date

FY 82

00011

Capital Project Expenditures (Cash Flow)	Total	Budget Year	Budget Year Plus 1	Budget Year Plus 2	Budget Year Plus 3	Budget Year Plus 4	Remaining Cost
Planning and Engineering (300)	8,694.0	8,694.0					0
Land							0
Construction							0
Equipment (500)	5.0	5.0					0
Administration and Other (100, 200, 400)	1,785.8	1,785.8					0
Total Annual Expenditure (Capital Cost)	10,484.8	10,484.8					0

Project Justification Project Need Statement: AS 38.04.045 requires that lands to be conveyed by the State must be surveyed prior to alienation. Further that where land is located within a Municipality with platting and zoning powers plats for State subdivisions shall comply with local ordinances and regulations. Chapter 85, SLA 1979, requires the Department to dispose of 100,000 acres of land each year. This is broken into approximately 75,000 acres for remote parcels and 25,000 acres of small tract parcels. A minimum amount of monumentation is performed in the remote parcel areas, but is necessary in order to be used as points of reference for the measurement of distances within an area. AS 38.05.047 requires that if land is suitable for residential use the Department shall survey and subdivide the land in a survey district.

A part of the land disposal process requires that daily recording of State land activity on Status Plat and Serial Pages. Therefore, this project request is including personnel to accomplish this increase in work load during this project.

The Cadastral Land Surveying project is developed to survey in the year prior to disposal because of the seasonal/weather restrictions for field surveying. Therefore, this Capital Project Request is for FY 83 disposal areas and should not be construed as requesting funds for those fiscal years, but that we are requesting funds for surveying for disposal of lands to be made available in FY 83.

Documentation of Estimated Capital Costs: Costs for this project were estimated by Division of Technical Services professional personnel based on current experience, and inflated at a rate according to the FY 82 policy budget figures except for contractual services which are based on current contract experience which is inflated at 15% over this years rates. (The contractual estimated costs utilizes professional assumptions made on the past awards of survey contracts in FY 81). Professional Contract Services cost estimate for FY 82 is: \$328 ac./subd. (small tract)
\$6.67 ac./remote parcel (large tract)

Project Type

- Building Construction (C)
- Other Improvement (I)
- Equipment (E)
- Land (L)
- Professional Services (P)
- Other (O)

Project Characteristics

- Totally New Facility
- Addition to Existing Facility
- Renovation of Existing Facility
- Major Maintenance or Repair
- Supplement Previously Authorized
- Funds to Enable Completion
- One of Several Phases
- Major External Funding Source
- Other

Site Features

NO YES

- Site Currently Owned?
- All Utilities Available?
- Access Already Available?

PROJECT TITLE Cadastral Land Surveying

CATEGORY NRMEC

PROJECT JUSTIFICATION
35b PROPOSED CAPITAL PROJECT

AGENCY Dept. of Natural Resources

PROGRAM DNR Mgmt. & Admin.

Page 1 of 2
Revised Date

FY 82

00012

Analysis of Estimated Operational Expense: This project is designed and planned to function with its own administrative costs for personnel, travel, contractual, commodities, and equipment. However, there is some overlap with operating personnel work during the life of the project, but it is a minimal and not a continual situation.

Identification of Alternatives Considered:

- 1) The Operating Budget level of funding necessary for the large scale disposal actions, does not allow this level of funding in order to accomplish the mandated disposals.
- 2) In lieu of having numerous full time field survey technicians, it is beneficial to contract for the actual field survey work to be performed. An ample number of firms are located throughout the State and in communities generally where projects are located. This ease of operations with a minimum survey staff offsets numerous personnel, field equipment, and logistics problems, and allows us expeditious operations in several locations at once.
- 3) Allowing land to be appropriated and surveyed by private individuals presents problems. The administrative costs are not recoverable by the sale of the land. The administrative costs are to insure that lands are properly and legally identified according to the Division of Technical Services survey criteria before being alienated.
- 4) Requesting other agencies, either State or Federal, was rejected. Unique handling of local platting, platting and zoning authorities is a consideration when involving the Federal agencies such as the BLM with the exception of townsite programs by the BLM, the majority of their contracts are large Cadastral Survey projects. BLM is not in the position to program for densifying their monumentation for State purposes in order to quickly pass title.

Cadastral Land Surveying

CONTINUATION
FROM: 35 B

CATEGORY NRMEC
AGENCY Dept. of Natural Resources
PROGRAM DNR Mgmt. & Admin.

Page 2 of 2
Revised Date

FY 82

00013

Project Title FY '82 Cadastral Land Surveying			Location (s) statewide		Election Districts Served statewide		Start Date FY 82		Completion Date FY 82	
AGENCY REQUEST			Operational Cost & No. Personnel Increase -- (Decrease)		First Operating Year _____	Ultimate Annual Year _____	GOVERNOR'S REQUEST			
							Approved <input checked="" type="checkbox"/>	Deferred <input type="checkbox"/>	Disapproved <input type="checkbox"/>	
1002	Federal Receipts		Funding	Federal Receipts			1002	Federal Receipts		
1003	G/F Match			General Fund			1003	G/F Match		
1004	General Fund	600.0	Source				1004	General Fund	600.0	
1005	I/A Receipts						1005	I/A Receipts		
G.O. Bonds			Total Annual Operational Cost		----no charge----		G.O. Bonds			
			Position (FTE)							
			Previous Year-Priority		Agency Priority		Governor's Priority			
					82-1		82-1			
Total		600.0					Total		600.0	

PROJECT DESCRIPTION

Line 9, Page 76, Chp. 120, SLA 1980, appropriated \$5,500,000 to the Department of Natural Resources for Cadastral Land Surveying in FY '82. This appropriation was to survey 100,000 acres of land for disposal in FY '82. This is broken into approximately 75,000 acres for remote parcels and 25,000 acres of small tract parcels that have to be identified, monumented, platted and recorded for land disposals. On October 6, 1980 the Governor's office issued a memo to the Commissioner of Natural Resources concerning the survey of the Delta Agricultural Project Expansion. The Governor requested that this Department undertake the survey of the Delta Agricultural Project Expansion as soon as possible for a cost of \$600,000 in order to have substantial cost savings by commencement of the surveys this fall. A question arose as to the respective Houses of the Legislature as to whether a portion of these survey funds were to be committed for survey of the Delta expansion. As a result, it was determined that it would not be inconsistent with legislative intent to use a portion of the said survey funds for the Delta Agricultural Project Expansion provided a sufficient amount was included in the Governor's FY '82 Capital Budget request to insure that the annual 100,000 acre land disposal quota for FY '82 can be satisfied. This Capital Improvement Project request is to replace the \$600,000 used for the Delta Agricultural Project Expansion and to complete the 100,000 acre disposal quota for FY '82 land disposals.

CATEGORY NRMEC

AGENCY Dept. of Natural Resources

PROGRAM DNR Management & Administration

Page 1 of 1
Revised Date 11/14/80

FY 82

00011

35a PROJECT DESCRIPTION -
PROPOSED CAPITAL
PROJECT

Capital Project Expenditures (Cash Flow)	Total	Budget Year	Budget Year Plus 1	Budget Year Plus 2	Budget Year Plus 3	Budget Year Plus 4	Remaining Cost
Planning and Engineering (300)	600.0	600.0					
Land							
Construction							
Equipment							
Administration and Other							
Total Annual Expenditure (Capital Cost)	600.0	600.0					

Project Justification

This project was justified in the FY 81 Capital Improvement Project submission and funds were appropriated by the Legislature. This \$600,000 request is to replace the monies necessary to complete the FY 82 land surveys which have contracts awarded, but are waiting this additional funding in order to complete the final portion of the surveys for subdividing of state land for FY 82 land disposals

Documentation of estimated Capital costs:

This \$600,000 is for professional survey contract services only and the costs have been negotiated and finalized to complete the FY 82 surveys.

Analysis of estimated operational expense:

These funds are for professional contractual services only.

Identification of alternatives considered:

The FY 81 Capital Improvement Project request identified alternatives for this Project. Without these funds this Capital Improvement Project cannot be completed and the mandated 100,000 acre disposal cannot be met.

Project Type

- Building Construction (C)
- Other Improvement (I)
- Equipment (E)
- Land (L)
- Professional Services (P)
- Other (O)

Project Characteristics

- Totally New Facility
- Addition to Existing Facility
- Renovation of Existing Facility
- Major Maintenance or Repair
- Supplement Previously Authorized
- Funds to Enable Completion
- One of Several Phases
- Major External Funding Source
- Other

Site Features

NO YES

- Site Currently Owned?
- All Utilities Available?
- Access Already Available?

PROJECT TITLE FY 82 Cadastral Land Surveying CATEGORY NRMEC

35b PROJECT JUSTIFICATION
PROPOSED CAPITAL PROJECT

AGENCY Dept. of Natural Resources
PROGRAM DNR Management & Administration

Page 1 of 1
Revised Date 11/14/80

FY 82
00015

CH.NO., SLA NO. or RP NO.	Project Title and Location	Amount Authorized	Estimated Total Expenditures Through June 1980	Planned Expenditures Through Completion	Est. Comp. Date.	Status
Ch 113/78	Cadastral Land Surveying Statewide	2,027.4	2,027.4	2,027.4	6/80	COMPLETED
Ch 80/79	Cadastral Land Surveying Statewide	6,480.0	6,480.0	6,480.0	12/80	The administration of the project is being completed.
Ch 50/80	FY 81 Cadastral Land Surveying - Statewide	6,903.1	6,903.1	6,903.1	6/81	in progress
Ch 120/80	FY 82 Cadastral Land Surveying - Statewide	5,500.0	5,500.0	5,500.0	6/82	in progress
Ch 120/80	Offshore/Marine Boundary Survey - Statewide	1,126.5	1,126.5	1,126.5	6/82	in progress
Ch 120/80	General Grant Selection - Statewide	161.3	161.3	161.3	6/81	in progress

38 STATUS OF CURRENTLY
APPROVED CAPITAL
PROJECTS

01-1140(8/00)

CATEGORY NRMEC
AGENCY Dept. of Natural Resources
PROGRAM DNR Mgmt. & Admin.

Page 1 of 1
Revised Date

FY82
00016

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF TECHNICAL SERVICES
CADASTRAL SURVEY SECTION
703 West Northern Lights Blvd.
Anchorage, Alaska 99503

41009

Date: August 22, 1980

SUBDIVISION SURVEY PHASES

PHASE I. Site Evaluation

A. Office Investigation

- 1) Determine and Document Legal Access
- 2) Research and Accumulate Available Soils Data
- 3) Determine Natural Hazard
 - a. Floodplain
 - b. Avalanche
 - c. Wind
 - d. Etc.
- 4) Research and Accumulate Existing Survey and Land Status Data
- 5) Research and Accumulate Environmentally Oriented Planning Concerns and Reports
- 6) Research and Accumulate Mining Claim Information.

B. Meetings with Division of Technical Services and Division of Forest, Land, and Water Management District Personnel under the Auspices of the Division of Technical Services.

C. Prepare a Site Evaluation Report Based on the Accumulated Data

PHASE II.

Low Level) Aerial Photography and Mapping (All or part of this phase may be complete, note the specific subdivision data sheet.)

00018

A. Control and Photography

- 1) Discussion with Division of Technical Services Personnel
- 2) Horizontal and Vertical Control for Photography
- 3) Photograph project area
- 4) Prepare Control Diagram and Coordinate Listing

B. Prepare Contour Map per Division of Technical Services Specifications.

PHASE III. Feasibility Study

A. Preliminary Feasibility

- 1) Preliminary soils work, i.e., site reconnaissance, superficial soils investigation, etc.
- 2) Preliminarily determine suitability of lands for subdivisions
- 3) Prepare preliminary Feasibility Study
- 4) Review and discuss with Department of Natural Resources personnel

B. Final Feasibility Study

1. Review all data generated in Phases I, II and III.A.
2. Perform detailed subsurface soils investigation to Division of Technical Services specifications, if required
3. Determine suitability of lands for subdivision and on-site sewage disposal systems
4. Obtain Department of Environmental Conservation and Municipal (when applicable) general overview
5. Prepare general cost estimates for development of roadways and utilities
6. Review and discuss with Department of Natural Resources personnel

PHASE IV. Master Plan

- A. Prepare Three Alternative Subdivision Layouts (Preliminary Master Plans) General Design Criteria will be Based on Data Gathered in Phases I, II, and III
- B. Prepare Narrative Describing Alternative Layouts and Methodology used in their Design - Include Recommendations
- C. Review and Discussion with Department of Natural Resources Personnel
- D. Prepare Final Master Plan per Division of Technical Services Specifications and request ASLS numbers.
- E. Transmit Final Master Plan to Department of Environmental Conservation for Approval per 18 AAC 72.065 after approval by the Division of Technical Services
- F. Initiate Vacations of Existing Lots, Blocks, Tracts, Roadways, and/or Easements which Conflict with the Approved Master Plan and Prepare Vacation Plats.
- G. Coordinate street names with Division of Technical Services and Municipality (if applicable)

PHASE V. Preliminary Platting

- A. Prepare Preliminary Plat per Division of Technical Services and Municipal Specifications
- E. Verify Legal Access to Subdivision
- C. Transmit Department of Environmental Conservation Approval to Division of Technical Services
- D. After Division of Technical Services Approval of Preliminary Plat, Transmit to Appropriate Agencies, i.e., Municipalities for Approval.
- E. Obtain Approval of Preliminary Plat from Municipality (if applicable)

PHASE VI. Final Platting

- A. Deliver Proposed Monumentation Diagram for Division of Technical Services' Approval
- B. Prepare Plat per Division of Technical Services' and Municipal Specifications
- C. Stake Subdivision to Division of Technical Services' and Municipal Specifications.
- D. Transmit Plat with Fieldbooks, Computations, and Completed Checklist to Division of Technical Services for Approval
- E. After Division of Technical Services Approval, Transmit Plat to Municipality for Final Plat Approval
- F. Finalize Vacations Initiated in Phase IV
- G. After Municipality Approval, Transmit Final plat Materials to Division of Technical Services.

PHASE VII. Development (When Applicable and specified by the Division of Technical Services.)

- A. Preparation of Road and Utility Design and Bid Documents
- E. Construction Staking
- C. Construction Monitoring
- D. AsEuilt Construction

Original sponsors: Freeman, Gardiner,
and Halford

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 31 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

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

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

10 * Section 1. AS 29.18.204(c) is amended to read:

11 (c) Land may be selected or nominated for selection by a municipi-
12 pality to satisfy a general grant land entitlement under AS 29.18.201
13 and 29.18.202 at any time before October 1, 1980. However, if a muni-
14 cipal selection or nomination or a part of a municipal selection or
15 nomination is rejected by the director, the municipality may, not later
16 than 90 days after receipt of the director's rejection, select addi-
17 tional state land as necessary to satisfy its entitlement.

18 * Sec. 2. AS 29.33.150(b) is amended to read:

19 (b) The regulations adopted under (a) of this section apply to
20 subdivision plats of undeveloped state land for disposal under AS 38.05
21 or AS 38.08 filed with the platting board. The [, EXCEPT THAT THE]
22 platting board may not disapprove the subdivision plat on the basis of
23 [OR ADOPT] regulations which require [THE STATE TO CONSTRUCT ACCESS
24 ROADS OR] capital improvements on or to state land included in the
25 subdivision plat. Regulations adopted after the platting board is
26 notified by the commissioner of natural resources of a proposed sale
27 of subdivided state land under AS 38.05 or AS 38.08 do not apply to the
28 state land in the proposed sale.

29 * Sec. 3. AS 29.33.150 is amended by adding new subsections to read:

1 (c) The platting board must approve and sign the subdivision plat
2 within 60 days of its receipt from the commissioner of natural resources
3 unless the platting board

4 (1) determines that the plat does not comply with subdivision
5 regulations other than those requiring capital improvements to state
6 land; and

7 (2) notifies the commissioner of each determination of non-
8 compliance within the 60-day period established in this subsection.

9 (d) The commissioner of natural resources may withdraw the sub-
10 division plat and amend it in response to the determination of non-
11 compliance by the platting board under (c) of this section. The
12 platting board shall respond within 30 days to the amendment or response
13 from the commissioner of natural resources.

14 (e) Notwithstanding any other provision of law, the provisions of
15 (b) - (f) of this section apply to all disposals of land under AS 38.05
16 and AS 38.08.

17 (f) Nothing in this section relieves the Department of Natural
18 Resources of its obligation to provide legal access to the subdivision.

19 (g) As used in this section, "capital improvements" includes but
20 is not limited to access roads, other physical improvements, and their
21 design and engineering.

22 * Sec. 4. AS 29.48.260 is amended by adding a new subsection to read:

23 (g) A municipality may lease municipal land for a term of not
24 more than 55 years to a nonprofit corporation, association, club or
25 society organized and operated exclusively for charitable, scientific,
26 or educational purposes, or for the promotion of social welfare.
27 Municipal land leased under this subsection may not be used for commer-
28 cial development. Before municipal land may be leased under this
29 subsection, the proposed lessee shall demonstrate to the satisfaction

1 of the borough assembly or city council that it is exempt from federal
2 income taxation, that all of the land requested is to be used for an
3 established or proposed project, and that the applicant is financially
4 able to carry out the project. A lease may not be granted under this
5 subsection unless the project for which the municipal land is leased is
6 open for use by the public. The provisions of (c) of this section do
7 not apply to a lease under this subsection.

8 * Sec. 5. AS 38.04.020 is repealed and reenacted to read:

9 Sec. 38.04.020. LAND DISPOSAL BANK. (a) The commissioner shall
10 establish a land disposal bank containing state land classified for
11 disposal into private ownership.

12 (b) The land disposal bank does not include

13 (1) land nominated for selection or selected by a municipi-
14 pality to satisfy a general grant land entitlement under AS 29.18.201 -
15 29.18.213;

16 (2) land retained in state ownership for multiple-use manage-
17 ment;

18 (3) land where less than a fee simple title has been con-
19 veyed;

20 (4) land retained in state ownership under an enactment of
21 the legislature or by the governor or a state agency under authority of
22 law.

23 (c) Land to be retained in state ownership may be classified by
24 the commissioner into multiple-use management categories under AS 38.-
25 05.300. Land within a municipality retained in state ownership consists
26 of land classified for retention in state ownership as of December 31,
27 1980. Land outside a municipality to be retained in state ownership
28 consists of land classified for retention in state ownership by the
29 commissioner by July 1, 1983. Land conveyed to the state by the federal

1 government that is to be retained in state ownership consists of land
2 classified by the commissioner within two years of receipt of tentative
3 approval or patent, whichever occurs first. State land not classified
4 for retention in state ownership or selected by the municipality under
5 this section shall be classified and included in the land disposal
6 bank. The commissioner shall ensure that the bank includes at least
7 500,000 acres.

8 (d) On January 15 of each year, the commissioner shall report to
9 the legislature on the status of land in the land disposal bank under
10 the following categories:

- 11 (1) land suitable for remote parcel disposal;
- 12 (2) land suitable for subdivision disposal;
- 13 (3) land suitable for agricultural, commercial, or industrial
14 disposal; and
- 15 (4) land suitable for other purposes.

16 (e) The commissioner shall annually submit to the governor an
17 appropriation request necessary for the disposal of state land in the
18 land disposal bank that shall be included in the budget submitted to
19 the legislature by the governor. For each fiscal year, the request
20 shall include an estimate of the amount necessary

21 (1) for survey and disposal of land proposed to be made
22 available for remote parcel staking, with the general location of the
23 land;

24 (2) for survey and disposal of land to be offered as agri-
25 cultural, commercial, industrial, or other uses under AS 38.05.055 or
26 38.05.057, with the general location of the land;

27 (3) for the survey and disposal of land proposed to be
28 offered as subdivisions, with the general location of the land;

29 (4) for preliminary feasibility studies, engineering design

1 work, and construction of access roads and capital improvements required
2 by municipal subdivision ordinance or regulation of the platting board
3 under AS 29.33.150; if an accurate determination of the amounts neces-
4 sary for access roads or capital improvements cannot be made at the
5 time the estimate is submitted, a schedule for obtaining the estimates,
6 constructing the access roads or capital improvements, and disposing of
7 the land shall be submitted;

8 (5) for identification of land that will be proposed for
9 disposal under this subsection in future fiscal years.

10 (f) The request of the commissioner under (e) of this section
11 shall be based on an annual written assessment by the commissioner of
12 the market for state land in the different regions of the state. If
13 the state land is in or adjacent to municipalities or unincorporated
14 communities, the assessment shall be developed in consultation with the
15 municipalities or unincorporated communities. The assessment must
16 include a survey of the supply of privately owned land offered for
17 sale, municipal land for which a disposal plan has been completed, and
18 federal land available for sale, lease, or permit for specific activi-
19 ties. The assessment of the market for state land shall be based on an
20 analysis of the amount of private, municipal, and federal land avail-
21 able for disposal on terms equivalent to those used in comparable state
22 land disposal programs and shall include the length of time land remains
23 on the market before it is sold. The assessment must include findings
24 regarding the amount and general location of state land, in addition to
25 land offered by private landowners or available from a municipal govern-
26 ment or the federal government, that is necessary to meet the statewide
27 demand for at least five fiscal years immediately after the year in
28 which the assessment is made. The assessment must also state the
29 general location of land proposed for disposal in the next fiscal year

1 and recommendations for the method of disposal under which the land
2 will be offered to the public.

3 (g) After July 1 of each year, the commissioner shall direct
4 the expenditure of money appropriated for the disposal of land in
5 response to requests made under (f) of this section for the follow-
6 ing:

7 (1) Land designated as suitable for remote parcel disposal
8 shall be classified and surveyed under this chapter and AS 38.05 and
9 made available for staking and lease under AS 38.05.077.

10 (2) Land designated as suitable for subdivision disposal
11 shall be surveyed, subdivided, classified, and disposed of as fol-
12 lows:

13 (A) up to 80 percent of the parcels shall be sold under
14 the lottery sale procedures established in AS 38.05.057 and 38.05.-
15 065;

16 (B) at least 10 percent of the parcels shall be dis-
17 posed of as homesites under AS 38.08; and

18 (C) at least an additional 10 percent of the parcels
19 shall be disposed of as homesites under AS 38.08 except that,
20 notwithstanding AS 38.08.040(b), parcels offered under this sub-
21 paragraph shall be offered by lottery under AS 38.05.057.

22 (3) Land designated agricultural, commercial, industrial, or
23 suitable for other disposal shall be sold under AS 38.05.055 or 38.05.-
24 057.

25 (h) Individual parcels disposed of in subdivisions may not exceed
26 five acres unless the commissioner determines that a larger size is
27 necessary to comply with zoning ordinances or to permit the design of a
28 viable subdivision because of topographical features, soil conditions,
29 on-site sewage disposal requirements, or water drainage or supply

1 considerations that are unique to the subdivision.

2 (i) Nothing in this section prevents the disposal of other land
3 by the commissioner in accordance with AS 38.05.055, 38.05.057, 38.05.-
4 070, the issuance of remote cabin permits under AS 38.05.079, AS 38.08,
5 or other law.

6 (j) A person or an agency of the state may nominate land retained
7 in state ownership for inclusion in the land disposal bank or may
8 nominate land in the land disposal bank for retention in state owner-
9 ship. The commissioner shall hold public hearings semiannually to take
10 nominations under this subsection. A transfer of land from retention
11 in state ownership to the land disposal bank or from the land disposal
12 bank to retention in state ownership shall be accomplished through a
13 classification order under AS 38.05.300 and notice under AS 38.05.345.
14 The commissioner shall make a written determination within six months
15 after receipt of a nomination if he determines that land nominated will
16 not be classified or reclassified as requested.

17 (k) The commissioner may withdraw from the land disposal bank
18 state land that has been offered for disposal but not conveyed within
19 five years after inclusion in the land disposal bank. State land
20 withdrawn from the land disposal bank under this section must be re-
21 classified under AS 38.04.065.

22 * Sec. 6. AS 38.04 is amended by adding a new section to read:

23 Sec. 38.04.021. DISPOSAL OF MUNICIPAL GRANT LAND ENTITLEMENTS.

24 (a) A municipality may apply for financial assistance for the execution
25 of a land disposal program of general grant land entitlements received
26 from the state under AS 29.18.201 - 29.18.213 by submitting a request
27 to the commissioner for inclusion in the estimate submitted to the
28 legislature under AS 38.04.020(e). A municipality may request financial
29 assistance for expenses of surveying land, designing subdivision plats,

1 installing improvements required by municipal ordinance or regulation
2 of the local platting board, and other reasonable direct costs of land
3 disposal.

4 (b) A request by a municipality under this section must be accom-
5 panied by

6 (1) a schedule for the disposal of municipal land for the
7 next five years; the schedule shall be based on an assessment of the
8 demand for private land within the municipality and included in the
9 assessment submitted under AS 38.04.020(f);

10 (2) an estimate of the number of acres of municipal land
11 that the municipality plans to dispose of during each fiscal year of
12 the five-year period;

13 (3) a description of the methods to be used for the disposal
14 of municipal land and the terms under which it will be offered to the
15 public; and

16 (4) a description of the municipal land that the municipal-
17 ity plans to dispose of each fiscal year during the five-year period.

18 (c) The commissioner shall determine that a request by a munici-
19 pality meets the requirements of this section before it is submitted to
20 the legislature. The commissioner shall administer money appropriated
21 by the legislature for financial assistance to a municipality under
22 this section. Money spent under this section constitutes a grant
23 unless otherwise provided by the legislature.

24 (d) A grant made under this section may not exceed five times the
25 amount of money appropriated by a first class city, a borough, or a
26 municipality unified under AS 29.68.220 - 29.68.440 for the disposal of
27 municipal land in the current fiscal year unless the commissioner
28 exempts the municipality from this subsection.

29 (e) A grant made under this section may not exceed seven times

1 the amount of money appropriated in the current fiscal year for disposal
2 of municipal land by

3 (1) a second class city; or

4 (2) a first class city, a borough, or a municipality unified
5 under AS 29.68.220 - 29.68.440 which is exempted by the commissioner
6 under (d) of this section.

7 * Sec. 7. AS 38.04.040 is amended to read:

8 Sec. 38.04.040. AVAILABILITY OF [SCHOOL LAND AND] UNIVERSITY
9 LAND. University [SCHOOL LAND AND UNIVERSITY] land may be made avail-
10 able at fair market value for private use under the purposes of this
11 chapter; however, any action to do so shall be in accordance with
12 statutes pertaining to these lands and the authority of [THE BOARD OF
13 EDUCATION AND] the Board of Regents of the University of Alaska.

14 * Sec. 8. AS 38.04.055 is amended to read:

15 Sec. 38.04.055. ACCESS THROUGH PRIVATE USE AREAS. The director
16 shall reserve easements and rights-of-way on and across land which is
17 made available for private use as necessary to reach or use public
18 water and public and private land. An easement or right-of-way re-
19 reserved under this section may include established trails traditionally
20 used for commerce, recreation, or transportation.

21 * Sec. 9. AS 38.04.065(d) is amended to read:

22 (d) Official regional or area plans and subsequent amendments
23 adopted by the commissioner after public and local governmental partici-
24 pation shall be signed and dated by the commissioner. After adoption
25 of an official regional or area plan, land [LAND] classifications shall
26 be made in accordance with these official plans.

27 * Sec. 10. AS 38.05.035(a)(14) is amended to read:

28 (14) when he makes a written finding that the interests of
29 the state will be best served, he may, with the consent of the commis-

1 sioner, approve contracts for the sale, lease, or other disposal of
2 available lands, resources, property or interests in them, and, in ad-
3 dition to the conditions and limitations imposed by law, he may impose
4 additional conditions or limitations in the contracts as he, with the
5 consent of the commissioner, determines will best serve the interests
6 of the state; and no contract for the sale, lease, or other disposal of
7 available lands or interests in them, is legally binding on the state
8 until the commissioner formally records his consent to the contract;
9 but if the appraised value is not greater than \$50,000 [\$10,000] in the
10 case of the sale of land or an interest in land, or \$5,000 [\$1,000] in
11 the case of the annual rental of land or interest in land, the director
12 may approve and issue the contract without the consent or approval of
13 the commissioner; the [. THE] written finding shall be available to
14 the public upon request; before [. BEFORE] a public hearing, if held,
15 or in any case no less than 21 days before the sale, lease, or other
16 disposal of available land, property, resources, or interests in them,
17 the director shall make available to the public a written decision in
18 which he sets out the facts and applicable law upon which he based his
19 determination that the sale, lease, or other disposal will best serve
20 the interests of the state; a written finding is not required before
21 the approval of

22 (A) a contract for a negotiated sale authorized by

23 AS 38.05.115;

24 (B) the lease of land for a shore fishery site under

25 AS 38.05.082;

26 (C) a permit or other authorization revocable by the

27 department.

28 * Sec. 11. AS 38.05.035(b)(3) is amended to read:

29 (3) grant a preference right to a claimant who shows bona

1 fide improvement of state land, or federal land subsequently acquired
2 by the state, and who has in good faith sought to obtain title to the
3 land but who, through error or omission of others, has been denied
4 title to it; upon a showing satisfactory to the commissioner, the
5 claimant may lease or purchase the land at the price set on the date of
6 original entry on the land or, if a price was not set at that time at a
7 price determined by the division to fairly represent the value of
8 unimproved land at the time the claim was established, but in no event
9 less than the cost of administration including survey; the error or
10 omission of a predecessor in interest or an agent, administrator, or
11 executor which has clearly prejudiced the claimant may be the basis for
12 granting a preference right;

13 * Sec. 12. AS 38.05.035(b)(5) is amended to read:

14 (5) when he determines it is in the best interest of the
15 state and will avoid injustice to a person or his heirs or devisees,
16 dispose of land, by direct negotiation to that person who presently
17 uses and who used and made improvements to that land before January 3,
18 1959 or his heirs or devisees; the amount paid for the land shall be
19 its fair market value on the date that the person first entered the
20 land [AS OF THAT DATE], as determined by the director; a parcel of land
21 disposed of under this paragraph shall be of a size consistent with the
22 person's prior use, but may not exceed five acres;

23 * Sec. 13. AS 38.05.035(b) is amended by adding new paragraphs to read:

24 (7) dispose to an adjoining landowner a parcel of land
25 created by a highway right-of-way alignment or realignment, or a parcel
26 created by the vacation of a state-owned right-of-way if

27 (A) he determines that it is in the best interests of
28 the state;

29 (B) the parcel does not exceed the minimum lot size

1 under an applicable zoning code; and

2 (C) the director and the platting authority having land
3 use planning jurisdiction agree that conveyance of the parcel to
4 the adjoining land owner will result in boundaries that are con-
5 venient for the use of the land by the landowner and compatible
6 with municipal land use plans;

7 (8) for good cause extend for up to 90 days the time for
8 rental or installment payments by a lessee or purchaser of state land
9 under this chapter if reasonable penalties and interest set by the
10 director are paid.

11 * Sec. 14. AS 38.05.035 is amended by adding new subsections to read:

12 (c) A parcel of land may be conveyed under (b) of this section
13 without classification or reclassification under AS 38.05.300.

14 (d) A parcel described in (b)(7) of this section must be sold at
15 its fair market value as determined by the director on the basis of an
16 appraisal completed as provided in AS 38.05.310. Nothing in this
17 subsection prevents the sale of land under AS 38.05.055 or 38.05.057 to
18 a person not qualifying as an adjoining landowner if the adjoining
19 landowner declines to purchase the land.

20 * Sec. 15. AS 38.05.050 is repealed and reenacted to read:

21 Sec. 38.05.050. DETERMINATIONS BEFORE DISPOSAL OF LAND FOR
22 PRIVATE OWNERSHIP. The commissioner, upon the recommendation of the
23 director, shall determine the land to be disposed of for private use.
24 The director shall determine the time and place of disposal. An
25 auction sale, a lottery sale, or a disposal of land for homesites under
26 AS 38.04.020(g)(2)(C) must be held in the municipality that is closest
27 to the land to be sold or disposed of and in which regular sessions of
28 a court of the state are held.

29 * Sec. 16. AS 38.05.055 is amended to read:

1 Sec. 38.05.055. AUCTION SALE PROCEDURES. Unless another method
2 of sale is required under this chapter, under AS 38.07, or under
3 [EXCEPT AS PROVIDED IN AS 38.05.057, 38.05.315(d), AND] AS 38.08, the
4 sale of state land shall be made at public auction to the highest
5 qualified bidder as determined by the director. A bidder must appear
6 in person at the auction unless medical reasons, attendance at school,
7 or military service outside the state prevent attendance. A bidder
8 may be represented by an attorney or agent at the auction if the land
9 offered for disposal is commercial, industrial, or agricultural land.
10 An aggrieved bidder may appeal to the commissioner within five days
11 after the sale for a review of the director's determination. The sale
12 shall be conducted by the director or his representative, and at the
13 time of sale the successful bidder shall deposit an amount equal to
14 five percent [ONE-TENTH] of the purchase price, or if the purchaser
15 elects to use land discounts granted under AS 38.05.058, five percent
16 of the amount bid after deduction of the discount. The director or his
17 representative shall immediately issue a receipt containing a descrip-
18 tion of the land or property purchased, the price bid, the amount
19 deposited, and the amount of any discount allowed [TERMS OF SALE],
20 which receipt shall be acknowledged in writing by the bidder. [A
21 CONTRACT OF SALE ON A FORM APPROVED BY THE ATTORNEY GENERAL SHALL BE
22 SIGNED BY THE PURCHASER AND, AFTER APPROVAL OF THE COMMISSIONER, THE
23 CONTRACT SHALL ALSO BE SIGNED BY THE DIRECTOR ON BEHALF OF THE STATE.]

24 * Sec. 17. AS 38.05.057(a) is amended to read:

25 (a) The commissioner may dispose of land, including land limited
26 to use for agricultural purposes, by lottery. The purchase price of
27 land sold by lottery shall be the fair market value of the land as
28 determined by the commissioner [BUT MAY NOT BE LESS THAN \$400 PER ACRE,
29 OR, IF THE LAND IS LIMITED TO USE FOR AGRICULTURAL PURPOSES, THE PUR-

1 CHASE PRICE MAY NOT BE LESS THAN \$100 PER ACRE]. The commissioner may
2 sell land by lottery for less than the fair market value of the land if
3 he determines that scarcity of land for private use in the area of the
4 land to be sold has resulted in unrealistic land values. Before the
5 commissioner determines the purchase price for land which is located in
6 a municipality and which is to be sold under this section, he shall
7 consult with the assessor of the municipality. The lottery shall be
8 conducted in public by the commissioner or his representative and an
9 applicant may not be selected to purchase land unless he is present on
10 the date and at the place that the lottery is conducted unless medical
11 reasons, attendance at school, or military service outside the state
12 prevent attendance. An applicant may be represented by an agent on the
13 day of the lottery if the land offered for sale is commercial, in-
14 dustrial, or agricultural land. On [, AND AT] the day of the lottery
15 [TIME OF SIGNING A CONTRACT OF SALE] a purchaser selected by lot shall
16 deposit an amount equal to five percent of the purchase price, or if
17 the purchaser elects to use land discounts granted under AS 38.05.058,
18 five percent of the [DISCOUNT] purchase price after deduction of the
19 discount.

20 * Sec. 18. AS 38.05.065(a) is amended to read:

21 (a) The contract of sale for land sold at public auction under
22 AS 38.05.055 shall require the remainder of the purchase price, to be
23 paid in monthly, quarterly or annual installments over a period of 20
24 [10] years, with interest at the prevailing rate for real estate
25 mortgage loans made by the federal land bank for the farm credit
26 district for Alaska at the time the contract is signed. Installment
27 payments plus interest shall be set on the level-payment basis.

28 * Sec. 19. AS 38.05.065(b) is amended to read:

29 (b) The contract of sale for land sold under [THE PROCEDURES

1 SPECIFIED IN] AS 38.05.057 [(LOTTERY DISPOSALS)] and under AS 38.05.078
2 shall require the remainder of the purchase price to be paid in monthly,
3 quarterly, or annual installments over a period of not more than 20
4 years. Installment payments plus interest shall be set on the level-
5 payment basis. The interest rate to be charged on installment payments
6 is the prevailing rate for real estate mortgage loans made by the
7 federal land bank for the farm credit district for Alaska at the time
8 the contract is signed.

9 * Sec. 20. AS 38.05.067(d) is repealed and reenacted to read:

10 (d) In this section "veteran" means a person with 90 days or more
11 of active service in the armed forces of the United States who has been
12 honorably discharged.

13 * Sec. 21. AS 38.05.067(e) is amended to read:

14 (e) This section does not apply to the sale of state land under
15 AS 38.04.020(g)(2) [AS 38.05.047(f)], AS 38.05.077, and 38.05.078.

16 * Sec. 22. AS 38.05.070(b) is amended to read:

17 (b) The director, with the approval of the commissioner, shall
18 determine the land to be leased and the limitations, conditions and
19 terms of the lease. If the appraised value of the transaction is \$250
20 a year or less the director may negotiate a lease without advertisement
21 for a period not to exceed five years, and on the limitations, con-
22 ditions and terms which he considered are in the best interests of the
23 state. A lease negotiated under this subsection is not eligible for a
24 preference under AS 38.05.102.

25 * Sec. 23. AS 38.05.077(a) is repealed and reenacted to read:

26 (a) The commissioner shall designate remote parcel selection
27 areas and shall dispose of remote parcels in accordance with AS 38.04.-
28 020. The commissioner may set the number of remote parcels that may be
29 selected in each remote parcel selection area. A remote parcel may not

1 exceed 40 acres.

2 * Sec. 24. AS 38.05.077(c) is amended to read:

3 (c) A person who qualifies under (g) of this section may apply
4 [UNDER THE PROCEDURES SET OUT IN AS 38.05.057] to lease a remote parcel
5 in a parcel selection area designated by the commissioner under (a) of
6 this section if he has staked the exterior boundaries of the remote
7 parcel in accordance with the parcel selection procedures established
8 under (b) of this section during an entry period established by the
9 commissioner. A [EACH] person [WHO IS ENTITLED TO SELECT A REMOTE
10 PARCEL] may enter a remote parcel selection [THE] area [FOR WHICH HE
11 APPLIED] to stake the boundaries of a remote parcel. A person shall
12 stake a remote parcel in person and may not be represented by an
13 attorney or agent.

14 * Sec. 25. AS 38.05.077(d) is amended to read:

15 (d) Not later than 15 days after [SELECTION AND] staking the
16 exterior boundaries of a remote parcel, the person who staked [SELECTED]
17 the parcel shall file a sketch plat with the department which shows the
18 location of the remote parcel [AND THE LOCATION OF THE LAND IN THE
19 PARCEL THAT HE INTENDS TO USE FOR RESIDENTIAL PURPOSES]. At the time
20 of filing the sketch plat, the person who staked [SELECTED] the parcel
21 shall apply to lease the land. An application to lease the land shall
22 be on a standard form prepared by the department. The annual rental
23 payment for the first year of the lease shall be submitted to the
24 department with the application. After the application to lease a
25 remote parcel is approved, the commissioner shall offer to lease the
26 land to the person who staked [SELECTED] the remote parcel. A lease
27 granted under this section shall contain the following terms:

28 (1) a remote parcel may be leased for five years;

29 (2) a remote parcel lease may be renewed at the option of

1 the lessee for a second five-year period under the same terms as pro-
2 vided for the first five-year period of the remote parcel lease; [AND]

3 (3) a rental payment shall be paid annually and shall be
4 \$10 for each acre; [\$150 A YEAR FOR FIVE ACRES OR LESS PLUS \$50 FOR
5 EACH ACRE BY WHICH THE REMOTE PARCEL EXCEEDS FIVE ACRES.]

6 (4) unless the land is surveyed, the lessee shall, within
7 one year of approval of the lease application and continuously for the
8 lease period, physically delineate the boundaries of the parcel by
9 brushing a line so that they are readily visible from the ground.

10 * Sec. 26. AS 38.05.077 is amended by adding a new subsection to read:

11 (g) To qualify to lease a remote parcel under this section, a
12 person shall

13 (1) at the time of application be 18 years of age or older;

14 (2) submit proof as required by regulation that he has been
15 a resident of the state for not less than one year immediately preced-
16 ing the date his application was submitted; and

17 (3) certify that he has not previously leased a remote
18 parcel from the state within eight years immediately preceding the date
19 of staking a remote parcel.

20 * Sec. 27. AS 38.05.078(a) is repealed and reenacted to read:

21 (a) A lessee of a remote parcel may purchase the land if, before
22 expiration of the lease or a renewal of the lease, he surveys the land.

23 * Sec. 28. AS 38.05.078(c) is repealed and reenacted to read:

24 (c) Upon payment to the commissioner of an amount equal to five
25 percent of the fair market value, a lessee of a remote parcel may
26 purchase land in a remote parcel area under the terms specified in
27 AS 38.05.065. The purchase price shall be the fair market value of the
28 remote parcel as determined by the commissioner at the time of lease.

29 * Sec. 29. AS 38.05.078 is amended by adding new subsections to read:

1 (g) If a person stakes a remote parcel in good faith but includes
2 land in his parcel that was previously claimed by another person eli-
3 gible to stake a remote parcel, the director shall approve that part of
4 the later staking that does not conflict with the earlier staking and
5 allow the person to stake additional land in the remote parcel staking
6 area.

7 (h) If a person stakes a remote parcel in good faith but includes
8 land in his parcel that is outside the remote parcel staking area, the
9 director shall either disapprove the staking of land outside the remote
10 parcel staking area and allow the person to stake additional land in
11 the remote parcel staking area or he may approve the staking of the
12 land outside the remote parcel staking area.

13 * Sec. 30. AS 38.05.095(b) is amended to read:

14 (b) A nonprofit organization that is exempted from paying rent on
15 state land under AS 38.05.315 [AS 38.05.097] may not sublease or assign
16 the land or a portion of it on which it has a lease.

17 * Sec. 31. AS 38.05.097(a) is amended to read:

18 (a) A nonprofit organization using state land leased by it under
19 AS 38.05.070 - 38.05.105 and 38.05.315 for a youth encampment or similar
20 recreational purpose is exempt from lease rental payments on that land.
21 The nonprofit organization shall meet all other terms and conditions of
22 the lease specified under AS 38.05.070 - 38.05.105 and 38.05.315.

23 * Sec. 32. AS 38.05.102 is amended to read:

24 Sec. 38.05.102. LESSEE PREFERENCE. If land within a leasehold
25 created under AS 38.05.070 - 38.05.100 is offered for sale or long-term
26 lease at the termination of the existing leasehold, the director may,
27 if he finds that it is in the best interest of the state, allow the
28 holder in good standing of that leasehold to purchase or lease the land
29 for its appraised fair market value at the time of the sale or long-term

1 lease [THE AMOUNT OF THE HIGH BID RECEIVED AT PUBLIC AUCTION].

2 * Sec. 33. AS 38.05.127 is amended by adding a new subsection to read:

3 (d) Upon application by a municipality or an affected owner of
4 land, the department may vacate, release, modify, or relocate an ease-
5 ment and right-of-way for public access to or along navigable or public
6 waters reserved by the department in a patent issued under AS 29.18 if
7 the commissioner determines the action is consistent with the public
8 interest.

9 * Sec. 34. AS 38.05.305 is repealed and reenacted to read:

10 Sec. 38.05.305. LAND DISPOSAL IN THE UNORGANIZED BOROUGH. Before
11 a sale, lease under AS 38.05.070 - 38.05.105, or other disposal of
12 state land in the unorganized borough, the commissioner shall consider
13 the effect that the sale, lease, or other disposal may be expected to
14 have on the density of the population in the vicinity of the land, and
15 any potential for conflicts with the traditional uses of the land that
16 could result from the sale, lease or disposal. If he finds it neces-
17 sary, the commissioner shall develop a plan to resolve or mitigate the
18 conflicts in a manner consistent with the public interest and the
19 provisions of this chapter.

20 * Sec. 35. AS 38.05.315(b) is amended to read:

21 (b) Notwithstanding AS 38.05.070 - 38.05.080 and [,] 38.05.095,
22 [AND AS 38.05.100] the director, upon application filed by an applicant
23 eligible under (b) - (d) of this section, may, by negotiation and
24 without public auction in the manner prescribed in (b) - (d) of this
25 section, lease state land for a term of not more than 55 years. Before
26 leasing, the director shall prepare a land use plan and a land classi-
27 fication to insure that the proposed use is compatible with area utili-
28 zation. Before the land may be leased under (b) - (d) of this section,
29 it must be shown to the satisfaction of the director that the land is

1 to be used for an established or definitely proposed project, and that
2 the eligible applicant has the financial ability to carry out the
3 project. The commissioner may establish limitations on the acreage
4 which may be leased under (b) - (d) of this section to an applicant.

5 * Sec. 36. AS 38.05.315(d) is amended to read:

6 (d) The director may lease the land to an eligible applicant at a
7 reasonable annual rental, taking into consideration the purposes for
8 which the land is to be used and the financial resources of the appli-
9 cant. The [, BUT IN NO CASE MAY THE] rental may not be less than one
10 percent of the fair market value on lands acquired primarily for devel-
11 opment, or less than five percent of the fair market value on [SCHOOL,]
12 university [, MENTAL HEALTH,] or acquired lands. Rent may not be
13 charged for state land leased for a youth encampment. For the purposes
14 of this subsection, "youth encampment" shall be defined by the commis-
15 sioner by regulation. Renewal leases may be issued at the discretion
16 of the director upon the expiration of a primary or renewal term. Each
17 lease shall contain a provision for its termination as to all or part
18 of the lands upon a finding by the director that the land or a part of
19 it has not been used by the lessee for the purpose specified in the
20 lease for a period of two years. No lease may be assigned or subleased
21 except with the consent of the director, and in any case may only be
22 transferred to an applicant eligible under (b) - (d) of this section.
23 A lessee may not change the use specified in the lease to another or
24 additional use except with the consent of the director. If, at any
25 time after the land is leased, the lessee attempts to assign the lease
26 or transfer control over the land to another, or if the land is devoted
27 to a use other than that for which the land was leased without the
28 consent of the director, the lease automatically terminates.

29 * Sec. 37. AS 38.05.345 is repealed and reenacted to read:

1 Sec. 38.05.345. NOTICE. (a) This section establishes the re-
2 requirements for notice given by the department for the following actions:

3 (1) classification or reclassification of state land under
4 AS 38.05.300 and the closing of land to mineral leasing or entry under
5 AS 38.05.185;

6 (2) zoning of land under applicable law;

7 (3) a decision under AS 38.05.035(a)(14) regarding the sale,
8 lease, or other disposal of an interest in state land or resources; and

9 (4) a competitive disposal of an interest in state land or
10 resources after final decision under AS 38.05.035(a)(14).

11 (b) Notice of one or more actions described in (a) of this section
12 shall be given at least 30 days before the action by (1) publication in
13 newspapers of statewide circulation and in a newspaper of general
14 circulation in the vicinity of the proposed action, (2) publication
15 through public service announcements on the electronic media serving
16 the area affected by the action, (3) posting in a conspicuous location
17 in the vicinity of the action, (4) notification of parties known or
18 likely to be affected by the action, or (5) another method calculated
19 to reach affected persons. A notice shall contain sufficient informa-
20 tion to inform the public of the nature of the action and the opportu-
21 nity of the public to comment on the action.

22 (c) Notice at least 30 days before action under (a) of this
23 section shall also be given to the following:

24 (1) to a municipality if the land is within the boundaries
25 of the municipality;

26 (2) to a regional corporation if the boundaries of the
27 corporation as established by sec. 7(a) of the Alaska Native Claims
28 Settlement Act encompass the land and the land is outside a municipal-
29 ity;

1 (3) to a village corporation organized under sec. 8(a) of
2 the Alaska Native Claims Settlement Act if the land is within six miles
3 of the village for which the corporation was established and the land
4 is located outside a municipality;

5 (4) to the postmaster of a permanent settlement of more than
6 25 persons located within six miles of the land if the land is located
7 outside a municipality, with a request that the notice be posted in a
8 conspicuous location.

9 (d) A municipality or a corporation entitled to receive notice
10 under (c) of this section may hold a hearing within 30 days after
11 receipt of the notice. If a hearing is held, the commissioner shall
12 attend the hearing. The commissioner may hold a public hearing at his
13 own discretion.

14 (e) For purposes of this section an "interest in state land or
15 resources" does not include

16 (1) a permit or other authorization revocable by the depart-
17 ment; or

18 (2) negotiated sales under AS 38.05.115.

19 * Sec. 38. AS 38.08.010(b) is amended to read:

20 (b) Land classified as homesite entry land shall be divided into
21 parcels not exceeding five acres in reasonably compact form, with
22 boundaries conforming as nearly as practicable to natural geologic and
23 topographic features. A parcel may exceed five acres if the director
24 determines that a larger parcel is necessary to

25 (1) comply with local zoning ordinances; or

26 (2) permit the design of a subdivision because of topographi-
27 cal features, soil conditions, on-site sewage disposal requirements, or
28 water drainage or supply considerations unique to the subdivision.

29 * Sec. 39. AS 38.08.040(b) is amended to read:

1 (b) If the number of applicants qualified for homesite entry
2 exceeds the number of available homesites offered, or if several appli-
3 cants apply and qualify for the same homesite, priority in award of an
4 entry permit shall be accorded to that applicant showing proof of the
5 longest residency in the state. An applicant shall present his proof
6 of residency to the department in a manner designated by the director.

7 * Sec. 40. AS 38.95.080(c)(1) is amended to read:

8 (1) permits shall be issued for a period of not more than 10
9 [FIVE] years, with succeeding 10-year [FIVE-YEAR] renewal options, if
10 continued use and occupancy is established, and the qualifications of
11 (a) of this section continue to be met;

12 * Sec. 41. AS 40.15.190(2) is amended to read:

13 (2) "subdivision"

14 (A) means the division of a tract or parcel of land
15 into two or more lots, sites, or other divisions for the purpose,
16 whether immediate or future, of sale or building development, and
17 includes resubdivision and, when appropriate to the context,
18 relates to the process of subdividing or to the land or areas
19 subdivided;

20 (B) does not include cadastral plats, cadastral control
21 plats, open-to-entry plats, or remote parcel plats created by or
22 on behalf of the state regardless of whether these plats include
23 easements or other public dedications.

24 * Sec. 42. AS 41.17.020(a) is amended to read:

25 (a) The governor may [SHALL] establish, within the Department of
26 Natural Resources, a division of forestry [FOREST, LAND, AND WATER
27 MANAGEMENT] to carry out this chapter and other appropriate duties
28 designated by the governor. The division shall be headed by a director
29 who shall be the state forester, appointed to the partially exempt

1 service in accordance with law by the commissioner, from a list of two
2 or more candidates submitted by the board. The commissioner may reject
3 all candidates, in which case the board shall submit a new list. The
4 state forester shall be a natural resources land manager with generally
5 accepted educational credentials, familiar and experienced with the
6 renewable and nonrenewable resources and values of forest land and the
7 products, benefits, and services obtained from them.

8 * Sec. 43. Section 26, ch. 182, SLA 1978, is amended to read:

9 Sec. 26. A right of repurchase created by former AS 34.10.220 and
10 existing on the effective date of this section may be exercised only if
11 it is exercised under that statute before July 19, 1983 [WITHIN THREE
12 YEARS FOLLOWING THE EFFECTIVE DATE OF THIS SECTION]. The Department
13 of Natural Resources [DIVISION OF LANDS] shall publish notice of the
14 expiration of [ALL] such repurchase rights in the manner provided by
15 AS 38.05.345 before [JANUARY 1, 1979 AND AGAIN BEFORE JANUARY 1, 1980
16 AND BEFORE JANUARY 1, 1981] January 1, 1982 and before January 1, 1983
17 for repurchase rights on properties that were foreclosed upon and
18 deeded to the Territory or State of Alaska under former AS 34.10.010 -
19 34.10.240 or predecessor territorial acts.

20 * Sec. 44. Section 12, ch. 138, SLA 1977, as amended by sec. 21, ch. 182,
21 SLA 1978, is amended to read:

22 Sec. 12. CONVERSION OF LEASES. The provisions of secs. 9 - 11 of
23 this Act are applicable to state leases which are in existence on or
24 before the effective date of this Act if a lessee under a lease elects,
25 in writing, to be bound by this Act. When a lessee elects to be bound
26 by the provisions of this Act, the state shall enter into an amended
27 lease with the lessee for a term equal to the remaining period of the
28 original lease which is being converted, and that amended lease shall
29 be consistent with the provisions of this Act but shall not otherwise

1 alter the terms of the original lease. However, for purposes of deter-
2 mining the annual rent by the state, the fair market value of the
3 property which is used to establish the fixed base annual rent for the
4 initial period of the lease may not exceed the fair market value as it
5 was last appraised on or before July 1, 1974 [JANUARY 1, 1975], brought
6 forward to the date of the first day of the quarter following the date
7 of a request for conversion at the rate of 10 percent a year, or, if
8 the lease was entered into after July 1, 1974 [JANUARY 1, 1975], the
9 fair market value used to establish the annual rent for the initial
10 period of the new lease is the fair market value of the last appraisal
11 brought forward to the date of conversion at the rate of 10 percent per
12 year.

13 * Sec. 45. AS 38.05.047, 38.05.077(b)(2), and 38.05.078(b) are repealed.

14 * Sec. 46. A person who selected a remote parcel or acquired a right to
15 select a remote parcel before July 1, 1981, is entitled to convert his
16 remote parcel lease agreement to a new lease agreement that contains terms
17 and conditions consistent with AS 38.05.077(a) and (d), 38.05.078(a) and (c)
18 and the repeal of AS 38.05.078(b) enacted in secs. 23, 25, 27, 28, and 45 of
19 this Act. The director of the division of lands, Department of Natural
20 Resources, shall prepare and distribute new lease forms to persons described
21 in this section. The director shall apply rent paid in excess of the rental
22 established in AS 38.05.077(d)(3) enacted in sec. 25 of this Act to rental
23 payments coming due after July 1, 1981, or to the purchase of a remote
24 parcel after July 1, 1981.

25 * Sec. 47. A person who was granted a homesite entry permit before
26 July 1, 1979, is entitled to a patent to the land if the person satisfies
27 the conditions imposed

28 (1) in the homesite entry permit; or

29 (2) by AS 38.08.060(a).

1 * Sec. 48. Land disposals conducted by the commissioner of natural
2 resources for fiscal year 1982 shall be accomplished within appropriations
3 to the Department of Natural Resources for that purpose.

4 * Sec. 49. The commissioner of natural resources may disallow a municipal
5 selection of mental health lands allowed under sec. 1(b), ch. 181, SLA 1978
6 if the commissioner determines that the municipality is not complying with
7 land disposal requirements in ch. 181, SLA 1978.

8 * Sec. 50. Section 44 of this Act is retroactive to July 18, 1978.

9 * Sec. 51. Section 43 of this Act is retroactive to July 19, 1978.

10 * Sec. 52. This Act takes effect July 1, 1981.

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

This is the
original June
8 fiscal note
submitted by
DNIR

Haynes
31

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. SCS for HCS for HB 31 (Finance) am
 Title An Act relating to the management, disposal and use of state/mun. land
 Requested by Senator Bennett Date 6/8/81

II. FISCAL DETAIL
 Agency Affected Department of Natural Resources
 Program Category Affected NRMEC
 BRU, Program, or Subprogram(s) Affected Land Management
 (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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		591.2				
200 TRAVEL		33.5				
300 CONTRACTUAL		428.5				
400 COMMODITIES		11.0				
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		600.0	(See attachment)			
CAPITAL		13084.8				
TOTAL		14149.0				
		14749.0				

FUNDING (Thousands of Dollars)

	14749.0				
GENERAL FUND	14149.0				
FEDERAL FUNDS					
OTHER (Specify Fund Source)					

POSITIONS

FULL TIME	14				
PART TIME					
TEMPORARY					

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)
 1. Classification of all land within two years.
 2. Assessment of statewide/local demand.
 3. Lotteries in locality; personal attendance.
 4. Advance appraisals on remote parcels.
 5. Conversion of existing leases; appraisals; additional staking
 6. Field inspections.
 7. Supervision of grant program to municipalities
 8. Director of Division of Forestry.
 9. Supervision of local disposals, brochures, qualifications.
 10. Initial grant funds pool for municipalities (CAPITAL)
 11. Cadastral land survey. (CAPITAL)

Positions: FLWM: Appraiser, Div. Director, (5) LMO II, LMO I
 DR&D: Info. Officer, LMO II.
 DA&M: Acct. Tech. II, Acct. Tech. I, CT III. D/Agr; LMO II.

IV. DATE 6/8/81 PREPARED BY Jeff Haynes
Deputy Commissioner, DNR
 PHONE 465-2400

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

Project Title 1 Leaseholders Conversion Payments		Location (s) 2		Election Districts Served 3 All		Start Date 4 July 1, 81		Completion Date 5	
6 AGENCY REQUEST			7 Operational Cost & No. Personnel Increase -- (Decrease)		First Operating Year _____	Ultimate Annual Year _____	GOVERNOR'S REQUEST		
							Approved <input type="text"/>	Deferred <input type="text"/>	Disapproved <input type="text"/>
1002	Federal Receipts		Funding Source	Federal Receipts			1002	Federal Receipts	
1003	G/F Match			General Fund			1003	G/F Match	
1004	General Fund	600.0					1004	General Fund	
1005	I/A Receipts						1005	I/A Receipts	
	G.O. Bonds							G.O. Bonds	
			Total Annual Operational Cost						
			Position (FTE)						
			Previous Year-Priority		Agency Priority	Governor's Priority			
Total							Total		

PROJECT DESCRIPTION **8**

The Department of Natural Resources, pursuant to Sec. 12, Chapter 138 SLA, 1977 and Section 21, Chapter 182, SLA 1978, shall reimburse municipalities in accordance with amendments to the above mentioned statute made by the 1981 legislature. (Amendment alters Sec. 12, Ch. 138, SLA, 1977 to change appraisals made on/before January 1, 1975, to appraisals made on/before January 1, 1974. Amendments adopted in 1981 land distribution legislation.)

LEGISLATIVE MEMBER'S SIGNATURE:

CATEGORY **9** RESOURCES _____

AGENCY Division of Lands _____

PROGRAM _____

Page _____ of _____
Revised Date _____

FY 82

35 LEGISLATIVE REQUEST
PROPOSED CAPITAL PROJECT

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

Haynes
31

FISCAL NOTE

I. REQUEST
Bill/Resolution No. SCS for HCS for HB 31 (Finance) am
Title An Act relating to the management, disposal and use of state/mun. land
Requested by Senator Bennett Date 6/8/81

II. FISCAL DETAIL
Agency Affected Department of Natural Resources
Program Category Affected NRMEC
BRU, Program, or Subprogram(s) Affected Land Management
(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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		591.2				
200 TRAVEL		33.5				
300 CONTRACTUAL		428.5				
400 COMMODITIES		11.0				
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		600.0	(See attachment)			
CAPITAL		13084.8				
TOTAL		14149.0				
		14749.0				

FUNDING (Thousands of Dollars)

	14749.0				
GENERAL FUND	14149.0				
FEDERAL FUNDS					
OTHER (Specify Fund Source)					

POSITIONS

FULL TIME	14				
PART TIME					
TEMPORARY					

- III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)
1. Classification of all land within two years.
 2. Assessment of statewide/local demand.
 3. Lotteries in locality; personal attendance.
 4. Advance appraisals on remote parcels.
 5. Conversion of existing leases; appraisals; additional staking
 6. Field inspections.
 7. Supervision of grant program to municipalities
 8. Director of Division of Forestry.
 9. Supervision of local disposals, brochures, qualifications.
 10. Initial grant funds pool for municipalities (CAPITAL)
 11. Cadastral land survey. (CAPITAL)

Positions: FLWM: Appraiser, Div. Director, (5) LMO II, LMO I
DR&D: Info. Officer, LMO II.
DA&M: Acct. Tech. II, Acct. Tech. I, CT III. D/Agr; LMO II.

IV. DATE 6/8/81 PREPARED BY Jeff Haynes
AGENCY Deputy Commissioner, DNR
PHONE 465-2400

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

CORRECTION

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

Project Title ① Leaseholders Conversion Payments		Location (s) ②		Election Districts Served ③ All		Start Date ④ July 1, 81		Completion Date ⑤	
⑥ AGENCY REQUEST			⑦ Operational Cost & No. Personnel Increase -- (Decrease)		First Operating Year _____	Ultimate Annual Year _____	GOVERNOR'S REQUEST Approved <input type="text"/> Deferred <input type="text"/> Disapproved <input type="text"/>		
1002	Federal Receipts		Funding Source	Federal Receipts			1002	Federal Receipts	
1003	G/F Match			General Fund			1003	G/F Match	
1004	General Fund	600.0					1004	General Fund	
1005	I/A Receipts						1005	I/A Receipts	
	G.O. Bonds							G.O. Bonds	
			Total Annual Operational Cost						
			Position (FTE)						
			Previous Year-Priority		Agency Priority	Governor's Priority			
Total							Total		

PROJECT DESCRIPTION ⑧

The Department of Natural Resources, pursuant to Sec. 12, Chapter 138 SLA, 1977 and Section 21, Chapter 182, SLA 1978, shall reimburse municipalities in accordance with amendments to the above mentioned statute made by the 1981 legislature. (Amendment alters Sec. 12, Ch. 138, SLA, 1977 to change appraisals made on/before January 1, 1975, to appraisals made on/before January 1, 1974. Amendments adopted in 1981 land distribution legislation.)

LEGISLATIVE MEMBER'S SIGNATURE:

CATEGORY ⑨ RESOURCES
 AGENCY Division of Lands
 PROGRAM

Page _____ of _____
Revised Date _____

FY 82

35 LEGISLATIVE REQUEST
PROPOSED CAPITAL PROJECT

FORM 35 - LEGISLATIVE REQUEST - PROPOSED CAPITAL PROJECT

INSTRUCTIONS:

1. Project Title - Use the same project title on all correspondence when referring to this project.
2. Location(s) - Enter the name of the location on this project. A "statewide" indicator should be used for projects having statewide impact.
3. Election District(s) - Enter the number of the election district in which this project is located. For Anchorage districts, unless the project is specifically for the benefit of one Anchorage district (such as a road project) as opposed to benefiting all Anchorage districts (such as an airport or campus improvement) you should enter "7-12".
4. Start Date - Enter the month and year that the first major expenditure on this project should be made.
5. Completion Date - Enter the date the activities associated with this capital appropriation should be completed.
6. Agency Request - This table is used to display the funding source(s) for the proposed project. Enter the dollar amount (in thousands) on the applicable line. Entries should be in inflated dollars appropriate to the fiscal year of the funding request. (Contact the Life Cycle Cost office of the Department of Transportation and Public Facilities for the current inflation rate.) Entries on unlabelled lines should indicate the name of the funding source. Where the project is one phase of a multi-phase project the total should show the cost of this phase only.
7. Operational Cost and No. Personnel - Two columns of numbers are requested in this area of the form. The "First Operating" column denotes the first year that the project will have an effect on the operating budget. The "Ultimate Annual" column denotes the steady state condition which is expected to repeat itself from year to year. Before filling in the row entries for these columns be sure to fill in the fiscal years in which these conditions are expected to occur.
8. Project Description - This narrative should tell the reader what the request (including state and federal dollars) is buying in terms of the physical product and operational activities related to the project. Describe the project clearly and completely, as if to someone with no knowledge of what you propose to do. The description should include a discussion of Project Characteristics and, if appropriate, Site Features or other physical factors affecting the general planning and siting of facilities. Where applicable, submit a map showing where the requested project, i.e., power facility, hatchery, is located.

If this project is one phase of a multiphase project, the other phases should be described briefly. If a second or third phase of a project is being requested, submit a history of prior appropriations, project status, and any changes to original project. Likewise, indicate any future projects which are dependent on this project and any prior projects which gave rise to this project. If this is a joint project with some external entity, briefly describe the entire project.

In your description of the project include a discussion of the major factors which will influence project scheduling. The lead time required to obtain reviews and approvals of plans and studies, the time required for coordination of the projects with other governmental bodies, and the target date by which the project must be fully functional are examples of these factors.

If possible, try to limit your project description to the space provided.

9. Enter the appropriate category, agency, and program name.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

Haynes
31

FISCAL NOTE

I. REQUEST
Bill/Resolution No. SCS for HCS for HB 31 (Finance) am
Title An Act relating to the management, disposal and use of state/mun. land
Requested by Senator Bennett Date 6/8/81

II. FISCAL DETAIL
Agency Affected Department of Natural Resources
Program Category Affected NRMEC
BRU, Program, or Subprogram(s) Affected Land Management
(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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		591.2				
200 TRAVEL		33.5				
300 CONTRACTUAL		428.5				
400 COMMODITIES		11.0				
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		600.0	(See attachment)			
CAPITAL		13084.8				
TOTAL		14149.0 14749.0				

FUNDING (Thousands of Dollars) 14749.0

GENERAL FUND		14149.0				
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		14				
PART TIME						
TEMPORARY						

- III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)
1. Classification of all land within two years.
 2. Assessment of statewide/local demand.
 3. Lotteries in locality; personal attendance.
 4. Advance appraisals on remote parcels.
 5. Conversion of existing leases; appraisals; additional staking
 6. Field inspections.
 7. Supervision of grant program to municipalities
 8. Director of Division of Forestry.
 9. Supervision of local disposals, brochures, qualifications.
 10. Initial grant funds pool for municipalities (CAPITAL)
 11. Cadastral land survey. (CAPITAL)

Positions: FLWM: Appraiser, Div. Director, (5) LMO II, LMO I
DR&D: Info. Officer, LMO II.
DA&M: Acct. Tech. II, Acct. Tech. I, CT III. D/Agr; LMO II.

IV. DATE 6/8/81 PREPARED BY Jeff Haynes
AGENCY Deputy Commissioner, DNR
PHONE 465-2400

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

① Project Title Leaseholders Conversion Payments		② Location(s)		③ Election Districts Served All		④ Start Date July 1, 81		⑤ Completion Date	
⑥ AGENCY REQUEST			⑦ Operational Cost & No. Personnel Increase -- (Decrease)		First Operating Year	Ultimate Annual Year	GOVERNOR'S REQUEST		
							Approved	Deferred	Disapproved
1002	Federal Receipts		Funding Source	Federal Receipts			1002	Federal Receipts	
1003	G/F Match			General Fund			1003	G/F Match	
1004	General Fund	600.0					1004	General Fund	
1005	I/A Receipts						1005	I/A Receipts	
	G.O. Bonds							G.O. Bonds	
			Total Annual Operational Cost						
			Position (FTE)						
			Previous Year Priority	Agency Priority		Governor's Priority			
Total							Total		

PROJECT DESCRIPTION ⑧

The Department of Natural Resources, pursuant to Sec. 12, Chapter 138 SLA, 1977 and Section 21, Chapter 182, SLA 1978, shall reimburse municipalities in accordance with amendments to the above mentioned statute made by the 1981 legislature. (Amendment alters Sec. 12, Ch. 138, SLA, 1977 to change appraisals made on/before January 1, 1975, to appraisals made on/before January 1, 1974. Amendments adopted in 1981 land distribution legislation.)

LEGISLATIVE MEMBER'S SIGNATURE:

CATEGORY ⑨ RESOURCES

AGENCY Division of Lands

PROGRAM

Page	of
Revised Date	

FY 82

35. LEGISLATIVE REQUEST
PROPOSED CAPITAL
PROJECT

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. OSHB 31 (Finance)
 Title relating to management of state land
 Requested by _____ Date 4/9/81

II. FISCAL DETAIL

Agency Affected Department of Natural Resources
 Program Category Affected NAMES
 BRU, Program, or Subprogram(s) Affected Land Management/Land Disposals Fee Title
 (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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		346.2				
200 TRAVEL		31.5				
300 CONTRACTUAL		352.3				
400 COMMODITIES		10.0				
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
CAPITAL		2,000.0				
TOTAL		2,740.0				

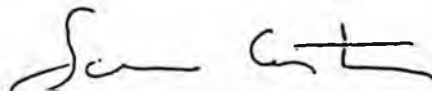
FUNDING (Thousands of Dollars)

GENERAL FUND		2,740.0				
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		9				
PART TIME						
TEMPORARY						

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



Sam Cotten, Chairman
House Finance Committee

IV. DATE 4/9/81 PREPARED BY _____

AGENCY _____
PHONE 465-3795

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

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
Bill/Resolution No. CS HB 31
Title _____
Requested by House Finance Date 4/9/81

II. FISCAL DETAIL
Agency Affected DNR
Program Category Affected NRMEC
BRU, Program, or Subprogram(s) Affected Land Management/Land Disposals Fee Title
(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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		346.2	346.2	346.2	346.2	346.2
200 TRAVEL		31.5	25.0	25.0	25.0	25.0
300 CONTRACTUAL		352.4	152.4	152.4	152.4	152.4
400 COMMODITIES		10.0	10.0	10.0	10.0	10.0
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL CAPITAL		12400.0				

FUNDING (Thousands of Dollars) **13140.1**

GENERAL FUND		13140.1				
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		9	9	9	9	9
PART TIME						
TEMPORARY						

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

Negotiation with boroughs on 20% retained for land bank.
Division of Forestry creation.
Field inspection/remote parcels.
Appriaisals/remote parcels.
Conversion of existing remote parcel leases to new terms.
Conducting lotteries in local areas.

Survey municipal entitlements (CAPITAL)

IV. DATE 4/9/81 PREPARED BY Jeff Haynes
AGENCY DNR
PHONE 465-2400

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

Bradley

Original sponsors: Freeman, Gardiner,
and Ralford

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 31 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

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

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

10 * Section 1. AS 29.18.204(c) is amended to read:

11 (c) Land may be selected or nominated for selection by a municipi-
12 pality to satisfy a general grant land entitlement under AS 29.18.201
13 and 29.18.202 at any time before October 1, 1980. However, if a muni-
14 cipal selection or nomination or a part of a municipal selection or
15 nomination is rejected by the director, the municipality may, not later
16 than 90 days after receipt of the director's rejection, select addi-
17 tional state land as necessary to satisfy its entitlement.

18 * Sec. 2. AS 29.33.150(b) is amended to read:

19 (b) The regulations adopted under (a) of this section apply to
20 subdivision plats of undeveloped state land for disposal under AS 38.05
21 or AS 38.08 filed with the platting board. The [, EXCEPT THAT THE]
22 platting board may not disapprove the subdivision plat on the basis of
23 [OR ADOPT] regulations which require [THE STATE TO CONSTRUCT ACCESS
24 ROADS OR] capital improvements on or to state land included in the
25 subdivision plat. Regulations adopted after the platting board is
26 notified by the commissioner of natural resources of a proposed sale
27 of subdivided state land under AS 38.05 or AS 38.08 do not apply to the
28 state land in the proposed sale.

29 * Sec. 3. AS 29.33.150 is amended by adding new subsections to read:

1 (c) The platting board must approve and sign the subdivision plat
2 within 60 days of its receipt from the commissioner of natural resources
3 unless the platting board

4 (1) determines that the plat does not comply with subdivision
5 regulations other than those requiring capital improvements to state
6 land; and

7 (2) notifies the commissioner of each determination of non-
8 compliance within the 60-day period established in this subsection.

9 (d) The commissioner of natural resources may withdraw the sub-
10 division plat and amend it in response to the determination of non-
11 compliance by the platting board under (c) of this section. The
12 platting board shall respond within 30 days to the amendment or response
13 from the commissioner of natural resources.

14 (e) Notwithstanding any other provision of law, the provisions of
15 (b) - (f) of this section apply to all disposals of land under AS 38.05
16 and AS 38.08.

17 (f) As used in this section, "capital improvements" includes but
18 is not limited to access roads and other physical improvements together
19 with the design and engineering thereof but does not include provisions for legal access.
* Sec. 4. AS 29.48.260 is amended by adding a new subsection to read:

20 (g) A municipality may lease municipal land for a term of not
21 more than 55 years to a nonprofit corporation, association, club or
22 society organized and operated exclusively for charitable, ~~religious,~~ ^{delete}
23 scientific, or educational purposes, or for the promotion of social
24 welfare. Municipal land leased under this subsection may not be used
25 for commercial development. Before municipal land may be leased under
26 this subsection, the proposed lessee shall demonstrate to the satisfac-
27 tion of the borough assembly or city council that it is exempt from
28 federal income taxation, that all of the land requested is to be used
29 for an established or proposed project, and that the applicant is

1 financially able to carry out the project. A lease may not be granted
2 under this subsection unless the project for which the municipal land
3 is leased is open for use by the public. The provisions of (c) of this
4 section do not apply to a lease under this subsection.

5 * Sec. 5. AS 38.04.020 is repealed and reenacted to read:

6 Sec. 38.04.020. LAND DISPOSAL BANK. (a) The commissioner shall
7 establish a land disposal bank containing state land classified for
8 disposal into private ownership.

9 (b) The land disposal bank does not include

10 (1) land nominated for selection or selected by a municipi-
11 pality to satisfy a general grant land entitlement under AS 29.13.201 -
12 29.13.213;

13 (2) land retained in state ownership for multiple-use manage-
14 ment;

15 (3) land where less than a fee simple title has been con-
16 veyed;

17 (4) land retained in state ownership under an enactment of
18 the legislature or by the governor or a state agency under authority of
19 law.

20 (c) Land to be retained in state ownership may be classified by
21 the commissioner into multiple-use management categories under AS 38.-
22 05.300. Land within a municipality retained in state ownership consists
23 of land classified for retention in state ownership as of December 31,
24 1980. Land outside a municipality to be retained in state ownership
25 consists of land classified for retention in state ownership by the
26 commissioner by July 1, 1983. Land conveyed to the state by the federal
27 government that is to be retained in state ownership consists of land
28 classified by the commissioner within two years of receipt of tentative
29 approval or patent, whichever occurs first. State land not classified

1 for retention in state ownership or selected by the municipality under
2 this section shall be classified and included in the land disposal
3 bank. The commissioner shall ensure that the bank includes at least
4 500,000 acres.

5 (d) On January 15 of each year, the commissioner shall report to
6 the legislature on the status of land in the land disposal bank under
7 the following categories:

- 8 (1) land suitable for remote parcel disposal;
9 (2) land suitable for subdivision disposal;
10 (3) land suitable for agricultural, commercial, or industrial
11 disposal; and
12 (4) land suitable for other purposes.

13 (e) The commissioner shall annually submit to the governor an
14 appropriation request necessary for the disposal of state land in the
15 land disposal bank that shall be included in the budget submitted to
16 the legislature by the governor. For each fiscal year, the request
17 shall include an estimate of the amount necessary

18 (1) for survey and disposal of land proposed to be made
19 available for remote parcel staking, with the general location of the
20 land;

21 (2) for survey and disposal of land to be offered as agri-
22 cultural, commercial, industrial, or other uses under AS 38.05.055 or
23 38.05.057, with the general location of the land;

24 (3) for the survey and disposal of land proposed to be
25 offered as subdivisions, with the general location of the land;

26 (4) for preliminary feasibility studies, engineering design
27 work, and construction of access roads and capital improvements required
28 by municipal subdivision ordinance or regulation of the platting board
29 under AS 29.33.150; if an accurate determination of the amounts neces-

1 sary for access roads or capital improvements cannot be made at the
2 time the estimate is submitted, a schedule for obtaining the estimates,
3 constructing the access roads or capital improvements, and disposing of
4 the land shall be submitted:

5 (5) for identification of land that will be proposed for
6 disposal under this subsection in future fiscal years.

7 (f) The request of the commissioner under (e) of this section
8 shall be based on an annual written assessment by the commissioner of
9 the market for state land in the different regions of the state. If
10 the state land is in or adjacent to municipalities or unincorporated
11 communities, the assessment shall be developed in consultation with the
12 municipalities or unincorporated communities. The assessment must
13 include a survey of the supply of privately owned land offered for
14 sale, municipal land for which a disposal plan has been completed, and
15 federal land available for sale, lease, or permit for specific activi-
16 ties. The assessment of the market for state land shall be based on an
17 analysis of the amount of private, municipal, and federal land avail-
18 able for disposal on terms equivalent to those used in comparable state
19 land disposal programs and shall include the length of time land remains
20 on the market before it is sold. The assessment must include findings
21 regarding the amount and general location of state land, in addition to
22 land offered by private landowners or available from a municipal govern-
23 ment or the federal government, that is necessary to meet the statewide
24 demand for at least five fiscal years immediately after the year in
25 which the assessment is made. The assessment must also state the
26 general location of land proposed for disposal in the next fiscal year
27 and recommendations for the method of disposal under which the land
28 will be offered to the public.

29 (g) After July 1 of each year, the commissioner shall direct

1 the expenditure of money appropriated for the disposal of land in
2 response to requests made under (f) of this section for the follow-
3 ing:

4 (1) Land designated as suitable for remote parcel disposal
5 shall be classified and surveyed under this chapter and AS 38.05 and
6 made available for staking and lease under AS 38.05.077.

7 (2) Land designated as suitable for subdivision disposal
8 shall be surveyed, subdivided, classified, and disposed of as fol-
9 lows:

10 (A) up to 80 percent of the parcels shall be sold under
11 the lottery sale procedures established in AS 38.05.057 and 38.05.-
12 065;

13 (B) at least 10 percent of the parcels shall be dis-
14 posed of as homesites under AS 38.08; and

15 (C) at least an additional 10 percent of the parcels
16 shall be disposed of as homesites under AS 38.08 except that,
17 notwithstanding AS 38.08.040(b), parcels offered under this sub-
18 paragraph shall be offered by lottery under AS 38.05.057.

19 (3) Land designated agricultural, commercial, industrial, or
20 suitable for other disposal shall be sold under AS 38.05.055 or 38.05.-
21 057.

22 (h) Individual parcels disposed of in subdivisions may not exceed
23 five acres unless the commissioner determines that a larger size is
24 necessary to comply with zoning ordinances or to permit the design of a
25 viable subdivision because of topographical features, soil conditions,
26 on-site sewage disposal requirements, or water drainage or supply
27 considerations that are unique to the subdivision.

28 (i) Nothing in this section prevents the disposal of other land
29 by the commissioner in accordance with AS 38.05.055, 38.05.057, 38.05.-

1 070, the issuance of remote cabin permits under AS 38.05.079, AS 38.08,
2 or other law.

3 (j) A person or an agency of the state may nominate land retained
4 in state ownership for inclusion in the land disposal bank or may
5 nominate land in the land disposal bank for retention in state owner-
6 ship. The commissioner shall hold public hearings semiannually to take
7 nominations under this subsection. A transfer of land from retention
8 in state ownership to the land disposal bank or from the land disposal
9 bank to retention in state ownership shall be accomplished through a
10 classification order under AS 38.05.300 and notice under AS 38.05.345.
11 The commissioner shall make a written determination within six months
12 after receipt of a nomination if he determines that land nominated will
13 not be classified or reclassified as requested.

14 (k) The commissioner may withdraw from the land disposal bank
15 state land that has been offered for disposal but not conveyed within
16 five years after inclusion in the land disposal bank. State land
17 withdrawn from the land disposal bank under this section must be re-
18 classified under AS 38.04.065.

19 * Sec. 6. AS 38.04 is amended by adding a new section to read:

20 Sec. 38.04.021. DISPOSAL OF MUNICIPAL GRANT LAND ENTITLEMENTS.

21 (a) A municipality may apply for financial assistance for the execution
22 of a land disposal program of general grant land entitlements received
23 from the state under AS 29.18.201 - 29.18.213 by submitting a request
24 to the commissioner for inclusion in the estimate submitted to the
25 legislature under AS 38.04.020(e). A municipality may request financial
26 assistance for expenses of, surveying land, designing subdivision plats,
27 installing improvements required by municipal ordinance or regulation
28 of the local platting board, and other reasonable direct costs of land
29 disposal.

1 (b) A request by a municipality under this section must be accom-
2 panied by

3 (1) a schedule for the disposal of municipal land for the
4 next five years; the schedule shall be based on an assessment of the
5 demand for private land within the municipality and included in the
6 assessment submitted under AS 38.04.020(f);

7 (2) an estimate of the number of acres of municipal land
8 that the municipality plans to dispose of during each fiscal year of
9 the five-year period;

10 (3) a description of the methods to be used for the disposal
11 of municipal land and the terms under which it will be offered to the
12 public; and

13 (4) a description of the municipal land that the municipali-
14 ty plans to dispose of each fiscal year during the five-year period.

15 (c) The commissioner shall determine that a request by a municipi-
16 tality meets the requirements of this section before it is submitted to
17 the legislature. The commissioner shall administer money appropriated
18 by the legislature for financial assistance to a municipality under
19 this section. Money spent under this section constitutes a grant
20 unless otherwise provided by the legislature.

21 (d) A grant made under this section may not exceed five times the
22 amount of money appropriated by a first class city, a borough, or a
23 municipality unified under AS 29.68.220 - 29.68.440 for the disposal of
24 municipal land in the current fiscal year unless the commissioner
25 exempts the municipality from this subsection.

26 (e) A grant made under this section may not exceed seven times
27 the amount of money appropriated in the current fiscal year for disposal
28 of municipal land by

29 (1) a second class city; or

1 (2) a first class city, a borough, or a municipality unified
2 under AS 29.68.220 - 29.68.440 which is exempted by the commissioner
3 under (d) of this section.

4 * Sec. 7. AS 38.04.040 is amended to read:

5 Sec. 38.04.040. AVAILABILITY OF [SCHOOL LAND AND] UNIVERSITY
6 LAND. University [SCHOOL LAND AND UNIVERSITY] land may be made avail-
7 able at fair market value for private use under the purposes of this
8 chapter; however, any action to do so shall be in accordance with
9 statutes pertaining to these lands and the authority of [THE BOARD OF
10 EDUCATION AND] the Board of Regents of the University of Alaska.

11 * Sec. 8. AS 38.04.055 is amended to read:

12 Sec. 38.04.055. ACCESS THROUGH PRIVATE USE AREAS. The director
13 shall reserve easements and rights-of-way on and across land which is
14 made available for private use as necessary to reach or use public
15 water and public and private land. An easement or right-of-way re-
16 served under this section may include established trails traditionally
17 used for commerce, recreation, or transportation.

18 * Sec. 9. AS 38.05.035(a)(14) is amended to read:

19 (14) when he makes a written finding that the interests of
20 the state will be best served, he may, with the consent of the commis-
21 sioner, approve contracts for the sale, lease, or other disposal of
22 available lands, resources, property or interests in them, and, in ad-
23 dition to the conditions and limitations imposed by law, he may impose
24 additional conditions or limitations in the contracts as he, with the
25 consent of the commissioner, determines will best serve the interests
26 of the state; and no contract for the sale, lease, or other disposal of
27 available lands or interests in them, is legally binding on the state
28 until the commissioner formally records his consent to the contract;
29 but if the appraised value is not greater than \$50,000 [\$10,000] in the

1 case of the sale of land or an interest in land, or \$5,000 [\$1,000] in
2 the case of the annual rental of land or interest in land, the director
3 may approve and issue the contract without the consent or approval of
4 the commissioner; the [. THE] written finding shall be available to
5 the public upon request; before [. BEFORE] a public hearing, if held,
6 or in any case no less than 21 days before the sale, lease, or other
7 disposal of available land, property, resources, or interests in them,
8 the director shall make available to the public a written decision in
9 which he sets out the facts and applicable law upon which he based his
10 determination that the sale, lease, or other disposal will best serve
11 the interests of the state; a written finding is not required before
12 the approval of

13 (A) a contract for a negotiated sale authorized by
14 AS 36.05.115;

15 (B) the lease of land for a shore fishery site under
16 AS 38.05.022;

17 (C) a permit or other authorization revocable by the
18 department.

19 * Sec. 10. AS 38.05.035(b)(3) is amended to read:

20 (3) grant a preference right to a claimant who shows bona
21 fide improvement of state land, or federal land subsequently acquired
22 by the state, and who has in good faith sought to obtain title to the
23 land but who, through error or omission of others, has been denied
24 title to it; upon a showing satisfactory to the commissioner, the
25 claimant may lease or purchase the land at the price set on the date of
26 original entry on the land or, if a price was not set at that time at a
27 price determined by the division to fairly represent the value of
28 unimproved land at the time the claim was established, but in no event
29 less than the cost of administration including survey; the error or

1 omission of a predecessor in interest or an agent, administrator, or
2 executor which has clearly prejudiced the claimant may be the basis for
3 granting a preference right;

4 * Sec. 11. AS 38.05.035(b)(5) is amended to read;

5 (5) when he determines it is in the best interest of the
6 state and will avoid injustice to a person or his heirs or devisees,
7 dispose of land, by direct negotiation to that person who presently
8 uses and who used and made improvements to that land before January 3,
9 1959 or his heirs or devisees; the amount paid for the land shall be
10 its fair market value on the date that the person first entered the
11 land [AS OF THAT DATE], as determined by the director; a parcel of land
12 disposed of under this paragraph shall be of a size consistent with the
13 person's prior use, but may not exceed five acres;

14 * Sec. 12. AS 38.05.035(b) is amended by adding new paragraphs to read:

15 (7) dispose to an adjoining landowner a parcel of land
16 created by a highway right-of-way alignment or realignment, or a parcel
17 created by the vacation of a state-owned right-of-way if

18 (A) he determines that it is in the best interests of
19 the state;

20 (B) the parcel does not exceed the minimum lot size
21 under an applicable zoning code; and

22 (C) the director and the platting authority having land
23 use planning jurisdiction agree that conveyance of the parcel to
24 the adjoining land owner will result in boundaries that are con-
25 venient for the use of the land by the landowner and compatible
26 with municipal land use plans;

27 (8) for good cause extend for up to 90 days the time for
28 rental or installment payments by a lessee or purchaser of state land
29 under this chapter if reasonable penalties and interest set by the

director are paid.

* Sec. 13. AS 38.05.035 is amended by adding new subsections to read:

(c) A parcel of land may be conveyed under (b) of this section without classification or reclassification under AS 38.05.300.

(d) A parcel described in (b)(1) of this section must be sold at its fair market value as determined by the director on the basis of an appraisal completed as provided in AS 38.05.310. Nothing in this subsection prevents the sale of land under AS 38.05.035 or 38.05.037 to a person not qualifying as an adjoining landowner if the adjoining landowner declines to purchase the land.

* Sec. 14. AS 38.05.030 is repealed and reenacted to read:

Sec. 38.05.051. DETERMINATIONS BEFORE DISPOSAL OF LAND FOR PRIVATE OWNERSHIP. The commissioner, upon the recommendation of the director, shall determine the land to be disposed of for private use. The director shall determine the time and place of disposal. An auction sale, a lottery sale, or a disposal of land for homesites under AS 38.04.020(g)(2)(C) must be held in the municipality that is closest to the land to be sold or disposed of and in which regular sessions of a court of the state are held.

* Sec. 15. AS 38.05.055 is amended to read:

Sec. 38.05.055. AUCTION SALE PROCEDURES. Unless another method of sale is required under this chapter, under AS 38.07, or under [EXCEPT AS PROVIDED IN AS 38.05.057, 38.05.315(d), AND] AS 38.08, the sale of state land shall be made at public auction to the highest qualified bidder as determined by the director. A bidder must appear in person at the auction unless medical reasons, attendance at school, or military service outside the state prevent attendance. A bidder may be represented by an attorney or agent at the auction if the land offered for disposal is commercial, industrial, or agricultural land.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

1 An aggrieved bidder may appeal to the commissioner within five days
2 after the sale for a review of the director's determination. The sale
3 shall be conducted by the director or his representative, and at the
4 time of sale the successful bidder shall deposit an amount equal to
5 five percent [ONE-TENTH] of the purchase price, or if the purchaser
6 elects to use land discounts granted under AS 38.05.058, five percent
7 of the amount bid after deduction of the discount. The director or his
8 representative shall immediately issue a receipt containing a descrip-
9 tion of the land or property purchased, the price bid, the amount
10 deposited, and the amount of any discount allowed [TERMS OF SALE],
11 which receipt shall be acknowledged in writing by the bidder. [A
12 CONTRACT OF SALE ON A FORM APPROVED BY THE ATTORNEY GENERAL SHALL BE
13 SIGNED BY THE PURCHASER AND, AFTER APPROVAL OF THE COMMISSIONER, THE
14 CONTRACT SHALL ALSO BE SIGNED BY THE DIRECTOR ON BEHALF OF THE STATE.]

15 * Sec. 16. AS 38.05.057(a) is amended to read:

16 (a) The commissioner may dispose of land, including land limited
17 to use for agricultural purposes, by lottery. The purchase price of
18 land sold by lottery shall be the fair market value of the land as
19 determined by the commissioner [BUT MAY NOT BE LESS THAN \$400 PER ACRE,
20 OR, IF THE LAND IS LIMITED TO USE FOR AGRICULTURAL PURPOSES, THE PUR-
21 CHASE PRICE MAY NOT BE LESS THAN \$100 PER ACRE]. The commissioner may
22 sell land by lottery for less than the fair market value of the land if
23 he determines that scarcity of land for private use in the area of the
24 land to be sold has resulted in unrealistic land values. Before the
25 commissioner determines the purchase price for land which is located in
26 a municipality and which is to be sold under this section, he shall
27 consult with the assessor of the municipality. The lottery shall be
28 conducted in public by the commissioner or his representative and an
29 applicant may not be selected to purchase land unless he is present on