

LEG. FINANCE - BILLS 1983 - 1984 2102  
SB 371 cont. - SB 375 2102

COMMITTEE REPORT  
SENATE

FURTHER: FINANCE

1/24/84

Date: 2-22-84

Mr. President:

The Committee on RESOURCES has had SB 371

relating to mining; efd

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 SB 371 (Res)  same title  new title
- and recommends \_\_\_\_\_
- [ ] AND attaches a "Letter of Intent" [ ] New Fiscal Note
- [ ] reports it back without recommendation
- [ ] referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

1 Zwick  
Arthur Stimpelman  
Paul Frick  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

2 Bob Murphy  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1 Lettye Vehrenkamp Do Pass  
CHAIRMAN

COMMITTEE REPORT  
SENATE

FURTHER:

Date 5/3/84

Mr. President

The Committee on FINANCE considered SB 373

*establishing an asbestos health hazard program*

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

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for SB 373 (Fin)
- new title
- same title and recommends Do Pass
- and attached a "LETTER OF INTENT"  NEW FISCAL NOTE  
ET
- reports it back without recommendation
- recommends referral to \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS

\_\_\_\_\_

\_\_\_\_\_

*[Handwritten signatures]*

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\_\_\_\_\_ Chairman

\_\_\_\_\_ Chairman recommendation

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: 5/3/84

<p><u>REQUEST</u>                  Bill/Resolution No.: <u>CSSB 373 (Fin)</u>                  Title: <u>Establishing asbestos health hazard abatement program</u>                  Sponsor: <u>Josephson</u>                  Requestor: <u>Senate Finance</u>                  Date of Request: _____</p>	<p><u>FISCAL DETAIL</u>                  Agency Affected: <u>Labor</u>                  Program Category Affected: _____                  BRU, Program or Subprogram(s) Affected: _____</p>
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EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
<b>OPERATING</b>						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>		-0-	-0-	-0-	-0-	-0-
<b>CAPITAL</b>						
<b>REVENUE</b>						

FUNDING: (Thousands of Dollars)

GENERAL FUND		-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

POSITIONS:

FULL-TIME		-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: John C. Sackett Phone: 465-3753  
 Division: Co-chairman Senate Finance Comm. Date: 5/3/84

Approved by Commissioner: \_\_\_\_\_ Date: \_\_\_\_\_  
 Agency: \_\_\_\_\_

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

Offered: 2/28/84  
Referred: Finance

Original sponsors: Josephson, Rodey,  
V.Fischer, et al

IN THE SENATE

BY THE FINANCE COMMITTEE

CS FOR SENATE BILL NO. 373 (Finance)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTEENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act establishing an asbestos health hazard abatement program; and providing for an effective date."

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

\* Section 1. FINDINGS AND PURPOSE. (a) The legislature finds that

(1) medical studies indicate that individuals who are exposed to asbestos fibers have a significantly increased incidence of cancer and other severe or fatal diseases, as compared with individuals who are not exposed;

(2) medical evidence suggests that children may be particularly vulnerable to cancer induced by exposure to asbestos fibers;

(3) medical science has not established a minimum level of exposure to asbestos fibers that is considered to be safe;

(4) substantial amounts of asbestos have been installed in school buildings in the state;

(5) the presence of asbestos in school buildings creates an unwarranted health hazard to school children, employees, and other individuals who are exposed to the material;

(6) the present federal and state programs to identify and abate asbestos health hazards in school buildings are severely inadequate.

(b) It is the purpose of this Act to

(1) provide for testing and analysis of asbestos materials in school buildings in the state;

(2) provide for the dissemination of information relating to the health hazards caused by exposure to asbestos fibers;

(3) ensure abatement of identified health hazards from asbestos materials in school buildings.

\* Sec. 2. AS 18 is amended by adding a new chapter to read:

CHAPTER 28. ASBESTOS HEALTH HAZARD ABATEMENT PROGRAM.

Sec. 18.28.010. PROGRAM ESTABLISHED. The asbestos health hazard abatement program is established in the Department of Labor to coordinate efforts of state departments and agencies to eliminate asbestos health hazards in schools in the state. The program applies to all work involving

(1) demolition, removal, encapsulation, salvage, transportation, disposal, storage, and containment of asbestos products;

(2) construction, alteration, repair, maintenance, or renovation conducted in environments that contain asbestos.

Sec. 18.28.020. DUTIES OF THE DEPARTMENT OF LABOR. In order to eliminate asbestos health hazards from schools in the state, the Department of Labor shall

(1) survey school buildings to inspect and sample material for the presence of asbestos;

(2) distribute, retrieve, and store training materials concerning inspection and sampling for asbestos;

(3) answer inquiries concerning sampling and ensure quality control of sampling;

(4) establish guidelines for abating the asbestos hazard, for inspecting and collecting samples of suspected asbestos, and for analyzing the samples;

(5) evaluate analysis results and distribute the results to affected schools;

(6) coordinate efforts by state departments and agencies and by school personnel to identify and eliminate asbestos health

hazards;

(7) cooperate with the Department of Education to administer state money appropriated for the asbestos health hazard abatement program;

(8) review and approve all asbestos health hazard abatement programs relating to respirator use and employee training, including training materials;

(9) oversee an employee certification program;

(10) establish guidelines and procedures to prevent damage to asbestos products in daily operations;

(11) whenever the department is informed of scheduled work to abate a health hazard that is asbestos-related, inform the contractors and others concerned of the potential health hazards of asbestos; and

(12) adopt regulations necessary to implement the provisions of this chapter.

Sec. 18.28.030. CERTIFICATION PROGRAMS. (a) The Department of Labor shall

(1) establish guidelines for employee training certification programs, including respiratory and competency tests to be completed successfully, to ensure that a person who is employed to abate asbestos health hazards in this state is trained to do the work safely and is informed about the danger of working with asbestos;

(2) review certification programs proposed by contractors, labor organizations, and others for persons who will be employed to abate asbestos health hazards in this state;

(3) approve proposed certification programs that meet the department's guidelines under this subsection.

(b) Before a contractor can undertake to abate an asbestos-

related health hazard in this state, the contractor shall

(1) propose to the Department of Labor a plan for the certification of its employees as adequately trained to handle asbestos in a safe and knowledgeable way;

(2) receive approval from the department of that plan; and

(3) certify that each person who will work on the abatement of an asbestos health hazard in this state is adequately trained to handle asbestos in a safe and knowledgeable way.

(c) A person may not work to abate an asbestos health hazard in this state unless that person has been certified in a program approved by the Department of Labor under (a) of this section.

(d) A contractor who violates (b) or (c) of this section is subject to a civil penalty not to exceed \$1,000, as determined by the commissioner of labor.

(e) A contractor who violates (b) of this section is guilty of a class A misdemeanor.

(f) A contractor who violates (c) of this section is guilty of a class B misdemeanor.

Sec. 18.28.040. DUTIES OF THE DEPARTMENT OF EDUCATION. To assist in implementing the asbestos health hazard program, the Department of Education shall

(1) cooperate with the Department of Labor, school districts, and regional educational attendance areas to ensure inspection of schools in the state for asbestos health hazards and to ensure that identified asbestos health hazards are abated;

(2) maintain records, files, and reports on asbestos health hazards in city and borough schools and regional educational attendance area schools;

(3) administer state money appropriated to finance

renovation contracts under AS 18.28.050(5);

(4) distribute available money as necessary to abate asbestos health hazards in schools in the state, including reimbursement of school districts and regional educational attendance areas for asbestos hazard abatement work already undertaken;

(5) inform the Department of Labor when renovation contracts are awarded under AS 18.28.050(5), to enable the Department of Labor to advise contractors and others concerned of asbestos health hazards that may be encountered in the renovation project.

Sec. 18.28.050. DUTIES OF SCHOOL OFFICIALS. To assist in implementing the asbestos health hazard abatement program, each city or borough school district and each regional educational attendance area shall

(1) maintain records of all inspections, including sample dates, location, condition, and analysis of materials;

(2) notify school personnel of the location of asbestos materials and ways to reduce exposure;

(3) notify the parents of students about the results of asbestos inspections in their children's schools;

(4) provide for the inspection of their respective school buildings and the taking of samples as needed, following guidelines established by the Department of Labor for determining the existence of asbestos health hazards;

(5) contract for renovating school buildings to abate asbestos health hazards, and supervise and monitor the renovation contracts, applying the standards in AS 18.60.075 to protect the health of the persons who renovate the school buildings.

Sec. 18.28.090. DEFINITIONS. In this chapter

(1) "asbestos" means chrysotile, amosite, crocidolite,

fibrous tremolite, fibrous anthophyllite, and fibrous actinolite;

(2) "asbestos health hazard" means the presence of asbestos material that could result in the dispersal of asbestos fibers into a school building or public facility;

(3) "asbestos product" means any product that produces airborne asbestos.

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

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: 5/3/84

REQUEST  
Bill/Resolution No. CSSB 373 (Fin)  
Title: Establishing asbestos health hazard abatement program  
Sponsor: Josephson  
Requestor: Senate Finance  
Date of Request: \_\_\_\_\_

FISCAL DETAIL  
Agency Affected: Labor  
Program Category Affected: \_\_\_\_\_  
BRU, Program or Subprogram(s) Affected: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: John C. Sackett Phone: 465-3753  
Division: Co-chairman Senate Finance Comm. Date: 5/3/84

Approved by Commissioner: \_\_\_\_\_ Date: \_\_\_\_\_  
Agency: \_\_\_\_\_

Distribution (by Agency preparing fiscal note):

Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)

12/1/83

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

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

REQUEST

Bill/Resolution No.: CS SB 373  
Title: "An act establishing an  
asbestos health hazard abatement"  
Sponsor: Josephson  
Requestor: Senate HESS  
Date of Request: 2/27/84

FISCAL DETAIL

Agency Affected: Labor  
Program Category Affected: Public Protection  
BRU, Program or Subprogram(s) Affected: Occupational Safety & Health

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
100 PERSONAL SERVICES		158.4	83.1			
200 TRAVEL		32.4	7.6			
300 CONTRACTUAL		80.4	25.9			
400 SUPPLIES		8.5	1.6			
500 EQUIPMENT		16.4	-0-			
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	296.1	118.2	-0-	-0-	-0-

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	296.1	118.2	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME	-0-	2	2	-0-	-0-	-0-
PART-TIME		2				
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Robert J. Bacolas Phone: 465-4870

Division: Labor Standards & Safety Date: \_\_\_\_\_

Approved by Commissioner: Jim Robinson Date: 2/29/84

Agency: Department of Labor

LEG:B:6

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

FISCAL NOTE

THE LEGISLATURE OF THE STATE OF ALASKA  
THIRTEENTH LEGISLATURE

BILL/RESOLUTION NO: CS SB 373

TITLE: "An Act relating to establishing asbestos health hazard abatement"

AGENCY AFFECTED: Department of Labor

Page 2

The appropriation bill, CS SB 374, to this legislation, lapses funds after two years (6/30/86). It is important that the survey of school buildings be completed within one year to allow all school districts time to request the monies needed to abate the asbestos health hazards in their school buildings.

It is assumed that the responsibility for training and certification outlined in AS 18.28.030 of CS SB 373 will mainly be with the employer and that the department will only be responsible for establishing guidelines for certification programs.

According to a survey conducted by the U.S. Environmental Protection Agency, approximately 50 percent of the Alaska school districts have surveyed their buildings for asbestos. The respondents include most of the larger school districts. There are approximately 550 school buildings in Alaska. We know that the Juneau, Anchorage, and Fairbanks school districts have surveyed their buildings. These school districts have approximately 115 buildings, therefore, we are estimating that [550-115] divided by 2, or 220 buildings have yet to be surveyed.

Four positions will be needed, three Industrial Hygienists and one Clerk Typist III. In order to assure that the program can be implemented without delay, we plan to hire an Industrial Hygienist on July 1, 1984. We estimate that it will take two months to set up the schedule for surveying schools and for developing the guidelines for the certification program. An industrial hygienist is required to perform this task as this position requires a person who has an educational background and experience in industrial health evaluation. During the two months it takes to set up the program, we will recruit two other industrial hygienists and bring them on board by September 1, 1984. This will assure us three technical field staff who can recognize asbestos problems and properly sample and survey for this hazard and recommend methods to abate the hazard. One clerk typist will provide the necessary clerical support required to keep track of samples collected and sent for analysis, and to set up a system to inform school districts of the sample results and the department's recommendations for abatement of the asbestos hazard. In the first year of operation the special costs includes:

-One set of sampling pumps for all 3 Industrial Hygienists	\$6,000.00
-Training Films	4,000.00
-Protective clothing and respirators	6,000.00
-Contract to analyze the bulk asbestos samples (5 per build.)	38,500.00
-Rent	14,400.00
-Indirect	14,700.00
-Equipment (one-time item)	16,400.00

1	Position title Industrial Hygienist I				Range/Step 19A	Barg. Unit GGU	Form 12 Page/Line	GOV.	APPROV.	DISAPP.
2	Type of Position PFT	Staff Months 12	RP Number	PCN Number	BRU Priority	Location Anch.	Election District	LEG.		
3	CONTINUATION LEVEL		ADDITION			<b>JUSTIFICATION</b> As lead position of the Asbestos Health Hazard Abatement Program this position will set up the scheduling system for surveying approximately 220 buildings and develop guidelines for the certification program. This position will survey approximately 70 buildings the 1st year and 10 buildings the 2nd year. In the second year this position would be maintained to monitor and evaluate the certification program; provide information and training to contractors, their workers, and other interested parties of the potential health hazards of asbestos.				
4	Type of Expenditure		Amount							
	1	2	3							
	PERSONAL SERVICES									
5	Salary	38,124								
6	Benefits	6,367								
7	Supplemental Benefits	2,337								
8	Fixed Benefits	2,724								
9	TOTAL PERSONAL SERVICES	01	49,552							
10	Travel	02	10,800							
11	Contractual	03	10,175							
12	Commodities	04	2,500							
13	Equipment	05	1,600							
14	Other									
15	TOTAL COST		74,627							
	RECEIPT CODE	FUNDING SOURCE								
16		Federal Receipts	1002							
17		G.F. Match	1003							
18	100	General Funds	1004	74,627						
19		I-A Receipts	1005							
20		Program Receipts	1028							
21		Other								
For M&B Use Only 4A Key Number _____										

13 REQUEST FOR NEW POSITION

AGENCY Labor

PROGRAM Public Protection

BRU Occupational Safety & Health

COMPONENT Occupational Safety & Health

FY 85

Page 1 of 4

Revised Date

LEG:F:20

1	Position Title Industrial Hygienist I				Range/Step 19A	Barg Unit GGU	Form 1? Page/Line	GCV.	APPROV.	DISAPP.
2	Type of Position SEAS	Staff Months 10	RP Number	PCN Number	BRU Priority	Location Anch.	Election District	LEG.		
3	CONTINUATION LEVEL		ADDITION		<b>JUSTIFICATION</b> This is a one year position responsible for surveying approximately 70 school buildings to determine if there are any asbestos materials present in the buildings and will take samples of such materials. This position will assure the integrity of the samples and will analyze the sample results. The industrial hygienist will prepare a report to the school district based on this analysis recommend methods to control or remove the asbestos materials. This position will also provide information to contractors and school officials on the proper methods and safeguards that must be used to encapsulate or remove the asbestos material. Other duties include assisting the lead industrial hygienist monitor and evaluate the employer certification program.					
4	Type of Expenditure		Amount							
	1	2	3							
	PERSONAL SERVICES									
5	Salary	31,770								
6	Benefits	5,306								
7	Supplemental Benefits	1,948								
8	Fixed Benefits	2,270								
9	TOTAL PERSONAL SERVICES	01	41,294							
10	Travel	02	10,800							
11	Contractual	03	9,412							
12	Commodities	04	2,500							
13	Equipment	05	1,600							
14	Other									
15	TOTAL COST		65,606							
	RECEIPT CODE	FUNDING SOURCE								
16		Federal Receipts	1002							
17		G.F. Match	1003							
18	100	General Funds	1004	65,606						
19		I-A Receipts	1005							
20		Program Receipts	1028							
21		Other								

For M&B Use Only  
4A Key Number \_\_\_\_\_

13 REQUEST FOR NEW POSITION

AGENCY Labor  
 PROGRAM Public Protection  
 BRU Occupational Safety & Health  
 COMPONENT Occupational Safety & Health

FY 85

Page 2 of 4  
 Revised Date \_\_\_\_\_

LEG:F:21

Position Title				Range/Step	Barg. Unit	Form 12 Page/Line	GOV.	APPROV.	DISAPP.
1 Industrial Hygienist I				19A	GGU				
Type of Position	Staff Months	RP Number	PCN Number	BRU Priority	Location Anch.	Election District	LEG.		
2 SEAS	10								
3 CONTINUATION LEVEL		4 ADDITION			<b>JUSTIFICATION</b> This is a one year position responsible for surveying approximately 70 school buildings to determine if there are any asbestos materials present in the buildings and will take samples of such materials. This position will assure the integrity of the samples and will analyze the sample results. The industrial hygienist will prepare a report to the school district based on this analysis recommend methods to control or remove the asbestos materials. This position will also provide information to contractors and school officials on the proper methods and safeguards that must be used to encapsulate or remove the asbestos material. Other duties include assisting the lead industrial hygienist monitor and evaluate the employer certification program.				
4 Type of Expenditure		Amount							
1		2		3					
PERSONAL SERVICES									
5 Salary	31,770								
6 Benefits	5,306								
7 Supplemental Benefits	1,948								
8 Fixed Benefits	2,270								
9 TOTAL PERSONAL SERVICES	01		41,294						
10 Travel	02		10,800						
11 Contractual	03		9,412						
12 Commodities	04		2,500						
13 Equipment	05		1,600						
14 Other									
15 TOTAL COST			65,606						
RECEIPT CODE		FUNDING SOURCE							
16		Federal Receipts	1002						
17		G.F. Match	1003						
18	100	General Funds	1004	65,606					
19		I-A Receipts	1005						
20		Program Receipts	1028						
21		Other							
For M&B Use Only									
4A Key Number									

13 REQUEST FOR NEW POSITION

AGENCY Labor

PROGRAM Public Protection

BRU Occupational Safety & Health

COMPONENT Occupational Safety & Health

FY 85

Page 3 of 4

Revised Date

LEG:F:22

1	Position title Clerk Typsit III			Range/Step 8B	Barg. Unit GGU	Form 12 Page/Line	GOV.	APPROV.	DISAPP.
2	Type of Position PFT	Staff Months 12	RP Number	PCN Number	BRU Priority	Location Anch.	Election District	LEG.	
3	CONTINUATION LEVEL		ADDITION		<b>JUSTIFICATION</b> This position will keep track of the asbestos samples taken by the industrial hygienists and will assure that these samples are mailed to and returned from the contract laboratory. The clerk typist will take, type, and process the reports and correspondence about the asbestos program to the school districts, contractors, and Department of Education personnel who are required to be informed of the program. This position will also provide the clerical support necessary for the monitoring and evaluation of employer and employee training certification programs.				
4	Type of Expenditure		Amount						
	1	2	3						
	PERSONAL SERVICES								
5	Salary	19,176							
6	Benefits	3,202							
7	Supplemental Benefits	1,175							
8	Fixed Benefits	2,724							
9	TOTAL PERSONAL SERVICES	01	26,277						
10	Travel	02	-0-						
11	Contractual	03	12,901						
12	Commodities	04	1,000						
13	Equipment	05	1,600						
14	Other								
15	TOTAL COST		41,778						
	RECEIPT CODE	FUNDING SOURCE							
16		Federal Receipts	1002						
17		G.F. Match	1003						
18	100	General Funds	1004	41,778					
19		I-A Receipts	1005						
20		Program Receipts	1028						
21		Other							
For M&B Use Only									
4A Key Number _____									

13 REQUEST FOR NEW POSITION

AGENCY Labor

PROGRAM Public Protection

BRU Occupational Safety & Health

COMPONENT Occupational Safety & Health

FY 85

Page 4 of 4

Revised Date \_\_\_\_\_

LEG:F:23

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

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

REQUEST

Bill/Resolution No.: CS SB 373  
Title: "An act establishing an  
asbestos health hazard abatement"  
Sponsor: Josephson  
Requestor: Senate HESS  
Date of Request: 2/27/84

FISCAL DETAIL

Agency Affected: Labor  
Program Category Affected: Public Protection  
BRU, Program or Subprogram(s) Affected: Occupational Safety & Health

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		158.4	83.1			
200 TRAVEL		32.4	7.6			
300 CONTRACTUAL		80.4	25.9			
400 SUPPLIES		8.5	1.6			
500 EQUIPMENT		16.4	-0-			
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	296.1	118.2	-0-	-0-	-0-

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	296.1	118.2	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME	-0-	2	2	-0-	-0-	-0-
PART-TIME		2				
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Robert J. Bacolas Phone: 465-4870

Division: Labor Standards & Safety Date: \_\_\_\_\_

Approved by Commissioner: Jim Robinson Date: 2/29/84

Agency: Department of Labor

LEG:B:6

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

## FISCAL NOTE

THE LEGISLATURE OF THE STATE OF ALASKA  
THIRTEENTH LEGISLATURE  
BILL/RESOLUTION NO: CS SB 373  
TITLE: "An Act relating to establishing asbestos health hazard abatement"  
AGENCY AFFECTED: Department of Labor  
Page 2

The appropriation bill, CS SB 374, to this legislation, lapses funds after two years (6/30/86). It is important that the survey of school buildings be completed within one year to allow all school districts time to request the monies needed to abate the asbestos health hazards in their school buildings.

It is assumed that the responsibility for training and certification outlined in AS 18.28.030 of CS SB 373 will mainly be with the employer and that the department will only be responsible for establishing guidelines for certification programs.

According to a survey conducted by the U.S. Environmental Protection Agency, approximately 50 percent of the Alaska school districts have surveyed their buildings for asbestos. The respondents include most of the larger school districts. There are approximately 550 school buildings in Alaska. We know that the Juneau, Anchorage, and Fairbanks school districts have surveyed their buildings. These school districts have approximately 115 buildings, therefore, we are estimating that  $[550-115]$  divided by 2, or 220 buildings have yet to be surveyed.

Four positions will be needed, three Industrial Hygienists and one Clerk Typist III. In order to assure that the program can be implemented without delay, we plan to hire an Industrial Hygienist on July 1, 1984. We estimate that it will take two months to set up the schedule for surveying schools and for developing the guidelines for the certification program. An industrial hygienist is required to perform this task as this position requires a person who has an educational background and experience in industrial health evaluation. During the two months it takes to set up the program, we will recruit two other industrial hygienists and bring them on board by September 1, 1984. This will assure us three technical field staff who can recognize asbestos problems and properly sample and survey for this hazard and recommend methods to abate the hazard. One clerk typist will provide the necessary clerical support required to keep track of samples collected and sent for analysis, and to set up a system to inform school districts of the sample results and the department's recommendations for abatement of the asbestos hazard. In the first year of operation the special costs includes:

-One set of sampling pumps for all 3 Industrial Hygienists	\$6,000.00
-Training Films	4,000.00
-Protective clothing and respirators	6,000.00
-Contract to analyze the bulk asbestos samples (5 per build.)	38,500.00
-Rent	14,400.00
-Indirect	14,700.00
-Equipment (one-time item)	16,400.00

Position Title				Range/Step	Barg. Unit	Form 12 Page/Line	GOV.	APPROV.	DISAPP.	
1 Industrial Hygienist I				19A	GGU					
Type of Position	Staff Months	RP Number	PCN Number	BRU Priority	Location Anch.	Election District	LEG.			
2 PFT	12									
3 CONTINUATION LEVEL		ADDITION			JUSTIFICATION As lead position of the Asbestos Health Hazard Abatement Program this position will set up the scheduling system for surveying approximately 220 buildings and develop guidelines for the certification program. This position will survey approximately 70 buildings the 1st year and 10 buildings the 2nd year. In the second year this position would be maintained to monitor and evaluate the certification program; provide information and training to contractors, their workers, and other interested parties of the potential health hazards of asbestos.					
4 Type of Expenditure		Amount								
1		2 3								
PERSONAL SERVICES										
5 Salary		38,124								
6 Benefits		6,367								
7 Supplemental Benefits		2,337								
8 Fixed Benefits		2,724								
9 TOTAL PERSONAL SERVICES		01 49,552								
10 Travel		02 10,800								
11 Contractual		03 10,175								
12 Commodities		04 2,500								
13 Equipment		05 1,600								
14 Other										
15 TOTAL COST		74,627								
RECEIPT CODE				FUNDING SOURCE						
16				Federal Receipts 1002						
17				G.F. Match 1003						
18 100				General Funds 1004		74,627				
19				I-A Receipts 1005						
20				Program Receipts 1028						
21				Other						
For M&B Use Only 4A Key Number _____										

13 REQUEST FOR NEW POSITION

AGENCY Labor  
PROGRAM Public Protection  
BRU Occupational Safety & Health  
COMPONENT Occupational Safety & Health

FY 85

Page 1 of 4  
Revised Date \_\_\_\_\_

LEG:F:20

1	Position Title Industrial Hygienist I			Range/Step 19A	Barg. Unit GGU	Form 12 Page/Line	GOV.	APPROV.	DISAPP.
2	Type of Position SEAS	Staff Months 10	RP Number	PCN Number	BRU Priority	Location Anch.	Election District	LEG.	
3	CONTINUATION LEVEL		ADDITION		<b>JUSTIFICATION</b> This is a one year position responsible for surveying approximately 70 school buildings to determine if there are any asbestos materials present in the buildings and will take samples of such materials. This position will assure the integrity of the samples and will analyze the sample results. The industrial hygienist will prepare a report to the school district based on this analysis recommend methods to control or remove the asbestos materials. This position will also provide information to contractors and school officials on the proper methods and safeguards that must be used to encapsulate or remove the asbestos material. Other duties include assisting the lead industrial hygienist monitor and evaluate the employer certification program.				
4	Type of Expenditure		Amount						
	1	2	3						
	PERSONAL SERVICES								
5	Salary	31,770							
6	Benefits	5,306							
7	Supplemental Benefits	1,948							
8	Fixed Benefits	2,270							
9	TOTAL PERSONAL SERVICES	01	41,294						
10	Travel	02	10,800						
11	Contractual	03	9,412						
12	Commodities	04	2,500						
13	Equipment	05	1,600						
14	Other								
15	TOTAL COST		65,606						
	RECEIPT CODE	FUNDING SOURCE							
16		Federal Receipts	1002						
17		G.F. Match	1003						
18	100	General Funds	1004	65,606					
19		I-A Receipts	1005						
20		Program Receipts	1028						
21		Other							
For M&B Use Only 4A Key Number _____									

13 REQUEST FOR NEW POSITION

AGENCY Labor  
 PROGRAM Public Protection  
 BRU Occupational Safety & Health  
 COMPONENT Occupational Safety & Health

FY 85

Page 2 of 4  
 Revised Date

LEG:F:21

Position title 1 Industrial Hygienist I				Range/Step 19A	Barg. Unit GGU	Form 12 Page/Line	GOV.	APPROV.	DISAPP.
Type of Position 2 SEAS	Staff Months 10	RP Number	PCN Number	BRU Priority	Location Anch.	Election District	LEG.		
3 CONTINUATION LEVEL		4 ADDITION			JUSTIFICATION This is a one year position responsible for surveying approximately 70 school buildings to determine if there are any asbestos materials present in the buildings and will take samples of such materials. This position will assure the integrity of the samples and will analyze the sample results. The industrial hygienist will prepare a report to the school district based on this analysis recommend methods to control or remove the asbestos materials. This position will also provide information to contractors and school officials on the proper methods and safeguards that must be used to encapsulate or remove the asbestos material. Other duties include assisting the lead industrial hygienist monitor and evaluate the employer certification program.				
4 Type of Expenditure		Amount							
1		2		3					
PERSONAL SERVICES									
5 Salary		31,770							
6 Benefits		5,306							
7 Supplemental Benefits		1,948							
8 Fixed Benefits		2,270							
9 TOTAL PERSONAL SERVICES		01		41,294					
10 Travel		02		10,800					
11 Contractual		03		9,412					
12 Commodities		04		2,500					
13 Equipment		05		1,600					
14 Other									
15 TOTAL COST				65,606					
RECEIPT CODE		FUNDING SOURCE							
16		Federal Receipts	1002						
17		G.F. Match	1003						
18	100	General Funds	1004	65,606					
19		I-A Receipts	1005						
20		Program Receipts	1028						
21		Other							
For M&B Use Only 4A Key Number _____									

13 REQUEST FOR NEW POSITION

AGENCY Labor  
PROGRAM Public Protection  
BRU Occupational Safety & Health  
COMPONENT Occupational Safety & Health

FY 85

Page 3 of 4  
Revised Date

LEG:F:22

1	Position Title Clerk Typsit III			Range/Step 8B	Barg. Unit GGU	Form 12 Page/Line	GOV.	APPROV.	DISAPP.																														
2	Type of Position PFT	Staff Months 12	RP Number	PCN Number	BRU Priority	Location Anch.	Election District	LEG.																															
3	CONTINUATION LEVEL		ADDITION		<b>JUSTIFICATION</b> This position will keep track of the asbestos samples taken by the industrial hygienists and will assure that these samples are mailed to and returned from the contract laboratory. The clerk typist will take, type, and process the reports and correspondence about the asbestos program to the school districts, contractors, and Department of Education personnel who are required to be informed of the program. This position will also provide the clerical support necessary for the monitoring and evaluation of employer and employee training certification programs.																																		
4	Type of Expenditure		Amount																																				
	1	2	3																																				
PERSONAL SERVICES																																							
5	Salary		19,176																																				
6	Benefits		3,202																																				
7	Supplemental Benefits		1,175																																				
8	Fixed Benefits		2,724																																				
9	TOTAL PERSONAL SERVICES	01		26,277																																			
10	Travel	02		-0-																																			
11	Contractual	03		12,901																																			
12	Commodities	04		1,000																																			
13	Equipment	05		1,600																																			
14	Other																																						
15	TOTAL COST			41,778																																			
<table border="1"> <thead> <tr> <th></th> <th>RECEIPT CODE</th> <th>FUNDING SOURCE</th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td>16</td> <td></td> <td>Federal Receipts</td> <td>1002</td> <td></td> </tr> <tr> <td>17</td> <td></td> <td>G.F. Match</td> <td>1903</td> <td></td> </tr> <tr> <td>18</td> <td>100</td> <td>General Funds</td> <td>1004</td> <td>41,778</td> </tr> <tr> <td>19</td> <td></td> <td>I-A Receipts</td> <td>1005</td> <td></td> </tr> <tr> <td>20</td> <td></td> <td>Program Receipts</td> <td>1028</td> <td></td> </tr> <tr> <td>21</td> <td></td> <td>Other</td> <td></td> <td></td> </tr> </tbody> </table>						RECEIPT CODE	FUNDING SOURCE			16		Federal Receipts	1002		17		G.F. Match	1903		18	100	General Funds	1004	41,778	19		I-A Receipts	1005		20		Program Receipts	1028		21		Other		
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For M&B Use Only 4A Key Number _____																																							

13 REQUEST FOR NEW POSITION

AGENCY Labor  
 PROGRAM Public Protection  
 BRU Occupational Safety & Health  
 COMPONENT Occupational Safety & Health

FY 85

Page 4 of 4  
 Revised Date \_\_\_\_\_

LEG:F:23

Offered: 2/28/84  
Referred: Finance

Original sponsors: Josephson, Rodey,  
V.Fischer, et al

IN THE SENATE

BY THE FINANCE COMMITTEE

CS FOR SENATE BILL NO. 373 (Finance)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTEENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act establishing an asbestos health hazard abatement program; and providing for an effective date."

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

\* Section 1. FINDINGS AND PURPOSE. (a) The legislature finds that

(1) medical studies indicate that individuals who are exposed to asbestos fibers have a significantly increased incidence of cancer and other severe or fatal diseases, as compared with individuals who are not exposed;

(2) medical evidence suggests that children may be particularly vulnerable to cancer induced by exposure to asbestos fibers;

(3) medical science has not established a minimum level of exposure to asbestos fibers that is considered to be safe;

(4) substantial amounts of asbestos have been installed in school buildings in the state;

(5) the presence of asbestos in school buildings creates an unwarranted health hazard to school children, employees, and other individuals who are exposed to the material;

(6) the present federal and state programs to identify and abate asbestos health hazards in school buildings are severely inadequate.

(b) It is the purpose of this Act to

(1) provide for testing and analysis of asbestos materials in school buildings in the state;

(2) provide for the dissemination of information relating to the health hazards caused by exposure to asbestos fibers;

(3) ensure abatement of identified health hazards from asbestos materials in school buildings.

\* Sec. 2. AS 18 is amended by adding a new chapter to read:

CHAPTER 28. ASBESTOS HEALTH HAZARD ABATEMENT PROGRAM.

Sec. 18.28.010. PROGRAM ESTABLISHED. The asbestos health hazard abatement program is established in the Department of Labor to coordinate efforts of state departments and agencies to eliminate asbestos health hazards in schools in the state. The program applies to all work involving

(1) demolition, removal, encapsulation, salvage, transportation, disposal, storage, and containment of asbestos products;

(2) construction, alteration, repair, maintenance, or renovation conducted in environments that contain asbestos.

Sec. 18.28.020. DUTIES OF THE DEPARTMENT OF LABOR. In order to eliminate asbestos health hazards from schools in the state, the Department of Labor shall

(1) survey school buildings to inspect and sample material for the presence of asbestos;

(2) distribute, retrieve, and store training materials concerning inspection and sampling for asbestos;

(3) answer inquiries concerning sampling and ensure quality control of sampling;

(4) establish guidelines for abating the asbestos hazard, for inspecting and collecting samples of suspected asbestos, and for analyzing the samples;

(5) evaluate analysis results and distribute the results to affected schools;

(6) coordinate efforts by state departments and agencies and by school personnel to identify and eliminate asbestos health

hazards;

(7) cooperate with the Department of Education to administer state money appropriated for the asbestos health hazard abatement program;

(8) review and approve all asbestos health hazard abatement programs relating to respirator use and employee training, including training materials;

(9) oversee an employee certification program;

(10) establish guidelines and procedures to prevent damage to asbestos products in daily operations;

(11) whenever the department is informed of scheduled work to abate a health hazard that is asbestos-related, inform the contractors and others concerned of the potential health hazards of asbestos; and

(12) adopt regulations necessary to implement the provisions of this chapter.

Sec. 18.28.030. CERTIFICATION PROGRAMS. (a) The Department of Labor shall

(1) establish guidelines for employee training certification programs, including respiratory and competency tests to be completed successfully, to ensure that a person who is employed to abate asbestos health hazards in this state is trained to do the work safely and is informed about the danger of working with asbestos;

(2) review certification programs proposed by contractors, labor organizations, and others for persons who will be employed to abate asbestos health hazards in this state;

(3) approve proposed certification programs that meet the department's guidelines under this subsection.

(b) Before a contractor can undertake to abate an asbestos-

related health hazard in this state, the contractor shall

(1) propose to the Department of Labor a plan for the certification of its employees as adequately trained to handle asbestos in a safe and knowledgeable way;

(2) receive approval from the department of that plan; and

(3) certify that each person who will work on the abatement of an asbestos health hazard in this state is adequately trained to handle asbestos in a safe and knowledgeable way.

(c) A person may not work to abate an asbestos health hazard in this state unless that person has been certified in a program approved by the Department of Labor under (a) of this section.

(d) A contractor who violates (b) or (c) of this section is subject to a civil penalty not to exceed \$1,000, as determined by the commissioner of labor.

(e) A contractor who violates (b) of this section is guilty of a class A misdemeanor.

(f) A contractor who violates (c) of this section is guilty of a class B misdemeanor.

Sec. 18.28.040. DUTIES OF THE DEPARTMENT OF EDUCATION. To assist in implementing the asbestos health hazard program, the Department of Education shall

(1) cooperate with the Department of Labor, school districts, and regional educational attendance areas to ensure inspection of schools in the state for asbestos health hazards and to ensure that identified asbestos health hazards are abated;

(2) maintain records, files, and reports on asbestos health hazards in city and borough schools and regional educational attendance area schools;

(3) administer state money appropriated to finance

renovation contracts under AS 18.28.050(5);

(4) distribute available money as necessary to abate asbestos health hazards in schools in the state, including reimbursement of school districts and regional educational attendance areas for asbestos hazard abatement work already undertaken;

(5) inform the Department of Labor when renovation contracts are awarded under AS 18.28.050(5), to enable the Department of Labor to advise contractors and others concerned of asbestos health hazards that may be encountered in the renovation project.

Sec. 18.28.050. DUTIES OF SCHOOL OFFICIALS. To assist in implementing the asbestos health hazard abatement program, each city or borough school district and each regional educational attendance area shall

(1) maintain records of all inspections, including sample dates, location, condition, and analysis of materials;

(2) notify school personnel of the location of asbestos materials and ways to reduce exposure;

(3) notify the parents of students about the results of asbestos inspections in their children's schools;

(4) provide for the inspection of their respective school buildings and the taking of samples as needed, following guidelines established by the Department of Labor for determining the existence of asbestos health hazards;

(5) contract for renovating school buildings to abate asbestos health hazards, and supervise and monitor the renovation contracts, applying the standards in AS 18.60.075 to protect the health of the persons who renovate the school buildings.

Sec. 18.28.090. DEFINITIONS. In this chapter

(1) "asbestos" means chrysotile, amosite, crocidolite,

fibrous tremolite, fibrous anthophyllite, and fibrous actinolite;

(2) "asbestos health hazard" means the presence of asbestos material that could result in the dispersal of asbestos fibers into a school building or public facility;

(3) "asbestos product" means any product that produces airborne asbestos.

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

COMMITTEE REPORT  
SENATE

FURTHER: FINANCE

1/25/84

Date: 2/27/84

Mr. President:

The Committee on HESS has had SB 373

establishing an asbestos health hazard program; efd.

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 SB 373  same title  
 new title
- and recommends do pass
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

[Signature]  
[Signature]  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

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

[Signature]  
CHAIRMAN

Introduced: 1/25/54  
Referred: Health, Education and  
Social Services and  
Finance

BY JOSEPHSON, RODEY,  
V. FISCHER, KELLY, HALFORD  
AND STURGULEWSKI

1 IN THE SENATE

2

SENATE BILL NO. 373

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act establishing an asbestos health hazard pro-  
7 gram; and providing for an effective date."

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

9 \* Section 1. FINDINGS AND PURPOSE. (a) The legislature finds that

10 (1) medical studies indicate that individuals who are exposed to  
11 asbestos fibers have a significantly increased incidence of cancer and  
12 other severe or fatal diseases, as compared with individuals who are not  
13 exposed;

14 (2) medical evidence suggests that children may be particularly  
15 vulnerable to cancer induced by exposure to asbestos fibers;

16 (3) medical science has not established a minimum level of  
17 exposure to asbestos fibers that is considered to be safe;

18 (4) substantial amounts of asbestos have been installed in  
19 school buildings and other public facilities in the state;

20 (5) a partial survey of Alaskan schools indicates that

21 (A) in many cases materials containing asbestos fibers have  
22 become damaged or friable, causing asbestos fibers to be released into  
23 the air; and

24 (B) asbestos concentrations may be present in school build-  
25 ings containing damaged asbestos material;

26 (6) the presence in school buildings and public facilities of  
27 friable or easily damaged asbestos creates an unwarranted health hazard to  
28 school children, employees, and other individuals who are exposed to the  
29 material;

1 (7) no systematic program presently exists to identify asbestos  
2 health hazards in school buildings and public facilities or to remedy those  
3 conditions.

4 (b) It is the purpose of this Act to

5 (1) provide for testing and analysis of friable asbestos ma-  
6 terials in school buildings and other public facilities in the state;

7 (2) provide for the dissemination of information relating to the  
8 health hazards caused by exposure to friable asbestos fibers;

9 (3) ensure correction of identified health hazards from friable  
10 asbestos materials in school buildings and other public facilities.

11 \* Sec. 2. AS 18 is amended by adding a new chapter to read:

12 CHAPTER 28. ASBESTOS HEALTH HAZARD PROGRAM.

13 Sec. 18.28.010. PROGRAM ESTABLISHED. The asbestos health hazard  
14 program is established in the Department of Environmental Conservation  
15 to coordinate efforts of state departments and agencies to eliminate  
16 asbestos health hazards in schools and public facilities in the state  
17 in order to ensure state compliance with 20 U.S.C. 3601-3611 (Asbestos  
18 School Hazard Detection and Control Act of 1980).

19 Sec. 18.28.020. DUTIES OF THE DEPARTMENT OF ENVIRONMENTAL CON-  
20 SERVATION. In order to eliminate asbestos health hazards in schools  
21 and public facilities in the state, the Department of Environmental  
22 Conservation shall

23 (1) provide training materials for school personnel and  
24 custodians of public facilities to enable them to inspect and sample  
25 material for the presence of friable asbestos;

26 (2) distribute information published by the United States  
27 Environmental Protection Agency on asbestos control, with supplemental  
28 videotapes, to city and borough school districts, regional educational  
29 attendance areas, private schools, and state public facilities

1           custodians;

2                   (3) distribute, retrieve, and store training materials  
3 concerning inspection and sampling for friable asbestos;

4                   (4) provide knowledgeable individuals to answer inquiries  
5 and ensure quality control of sampling;

6                   (5) establish guidelines for inspecting and collecting  
7 samples of suspected friable asbestos and provide for analysis of the  
8 samples;

9                   (6) evaluate analysis results and distribute the results to  
10 affected schools and public facilities;

11                   (7) coordinate efforts by state departments and agencies  
12 and by school and public facilities personnel to identify and elimi-  
13 nate asbestos health hazards;

14                   (8) provide information on asbestos health hazards and  
15 proper means of inspection and analysis, and analyze specimens upon  
16 request by any state department or agency or local government;

17                   (9) cooperate with the Department of Community and Regional  
18 Affairs to administer state money appropriated to finance the asbestos  
19 health hazard program; and

20                   (10) adopt regulations necessary to implement the provisions  
21 of this chapter.

22           Sec. 18.28.030. DUTIES OF THE DEPARTMENT OF EDUCATION. To  
23 assist in implementing the asbestos health hazard program, the Depart-  
24 ment of Education shall

25                   (1) cooperate with the Department of Environmental Conser-  
26 vation and the Department of Transportation and Public Facilities to  
27 ensure inspection of schools in the state for asbestos health hazards  
28 and to ensure that identified asbestos health hazards are eliminated;

29                   (2) revise, update, and distribute information on

1 procedures and standards for detecting and controlling asbestos health  
2 hazards, to city and borough school districts and regional educational  
3 attendance areas;

4 (3) distribute new information as it becomes available on  
5 asbestos health hazards, to city and borough school districts and  
6 regional educational attendance areas; and

7 (4) maintain records, files, and reports on asbestos health  
8 hazards in city and borough schools and regional educational atten-  
9 dance area schools.

10 Sec. 18.28.040. DUTIES OF THE DEPARTMENT OF TRANSPORTATION AND  
11 PUBLIC FACILITIES. To assist in implementing the asbestos health  
12 hazard program, the Department of Transportation and Public Facilities  
13 shall

14 (1) cooperate with the Department of Environmental Conser-  
15 vation and the Department of Education to ensure inspection of schools  
16 and public facilities for asbestos health hazards and to ensure that  
17 identified asbestos health hazards are eliminated; and

18 (2) provide technical assistance and guidelines for renova-  
19 tion techniques to eliminate asbestos health hazards from public  
20 facilities and from other buildings in the state.

21 Sec. 18.28.050. DUTIES OF SCHOOL OFFICIALS. To assist in imple-  
22 menting the asbestos health hazard program, each city or borough  
23 school district, private school, and regional educational attendance  
24 area shall

25 (1) provide for the training of school personnel in the  
26 detection of friable asbestos in their respective school buildings;

27 (2) maintain records of all inspections, including sample  
28 dates, location, condition, and analysis of friable materials;

29 (3) notify school personnel of the location of friable

1 asbestos materials and ways to reduce exposure;

2 (4) notify the parents of students of asbestos inspection  
3 results;

4 (5) provide for the inspection of their respective school  
5 buildings and the taking of samples as needed, following guidelines  
6 established by the Department of Environmental Conservation for deter-  
7 mining the existence of asbestos health hazards;

8 (6) contract for renovating school buildings to eliminate  
9 asbestos health hazards, and supervise and monitor the renovation  
10 contracts, applying the standards in AS 18.60.075 to protect the  
11 health of the persons who renovate the school buildings.

12 Section 18.28.060. DUTIES OF DEPARTMENT OF COMMUNITY AND RE-  
13 GIONAL AFFAIRS. To assist in implementing the asbestos health hazard  
14 program, the Department of Community and Regional Affairs, in coop-  
15 eration with the Department of Environmental Conservation, shall

16 (1) administer state money appropriated to finance reno-  
17 vation contracts under AS 18.28.050(6);

18 (2) distribute available money as necessary to eliminate  
19 asbestos health hazards in schools and public facilities in the state;

20 (3) inform the Department of Labor when renovation con-  
21 tracts are awarded under AS 18.28.050(6), to enable the Department of  
22 Labor to advise contractors of asbestos health hazards that may be  
23 encountered in the renovation project.

24 Sec. 18.28.070. DEFINITIONS. In this chapter

25 (1) "asbestos health hazard" means the presence of friable  
26 asbestos material or asbestos material that could easily be damaged by  
27 water or air circulation or by other means, and that could result in  
28 the dispersal of asbestos fibers into a school building or public  
29 facility;

1                   (2) "friable asbestos" means any material that contains  
2 more than one percent of asbestos by weight as one of its constituents  
3 and that can be easily crumbled, pulverized, or reduced to powder by  
4 hand pressure when dry;

5                   (3) "public facilities" means buildings owned by the state  
6 or by a local government.

7 \* Sec. 3. This Act takes effect immediately in accordance with AS 01.-  
8 10.070(c).

Offered: 2/28/84  
Referred: Finance

Original sponsors: Josephson, Rodey,  
V.Fischer, et al

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2

CS FOR SENATE BILL NO. 373 (HESS)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: 'An Act establishing an asbestos health hazard abate-  
7 ment program; and providing for an effective date.'

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

9 \* Section 1. FINDINGS AND PURPOSE. (a) The legislature finds that

10 (1) medical studies indicate that individuals who are exposed to  
11 asbestos fibers have a significantly increased incidence of cancer and  
12 other severe or fatal diseases, as compared with individuals who are not  
13 exposed;

14 (2) medical evidence suggests that children may be particularly  
15 vulnerable to cancer induced by exposure to asbestos fibers;

16 (3) medical science has not established a minimum level of  
17 exposure to asbestos fibers that is considered to be safe;

18 (4) substantial amounts of asbestos have been installed in  
19 school buildings in the state;

20 (5) the presence of asbestos in school buildings creates an  
21 unwarranted health hazard to school children, employees, and other individ-  
22 uals who are exposed to the material;

23 (6) the present federal and state programs to identify and abate  
24 asbestos health hazards in school buildings are severely inadequate.

25 (b) It is the purpose of this Act to

26 (1) provide for testing and analysis of asbestos materials in  
27 school buildings in the state;

28 (2) provide for the dissemination of information relating to the  
29 health hazards caused by exposure to asbestos fibers;

1           (3) ensure abatement of identified health hazards from asbestos  
2 materials in school buildings.

3       \* Sec. 2. AS 18 is amended by adding a new chapter to read:

4           CHAPTER 28. ASBESTOS HEALTH HAZARD ABATEMENT PROGRAM.

5           Sec. 18.28.010. PROGRAM ESTABLISHED. The asbestos health hazard  
6 abatement program is established in the Department of Labor to coordi-  
7 nate efforts of state departments and agencies to eliminate asbestos  
8 health hazards in schools in the state. The program applies to all  
9 work involving

10           (1) demolition, removal, encapsulation, salvage, transpor-  
11 tation, disposal, storage, and containment of asbestos products;

12           (2) construction, alteration, repair, maintenance, or  
13 renovation conducted in environments that contain asbestos.

14           Sec. 18.28.020. DUTIES OF THE DEPARTMENT OF LABOR. In order to  
15 eliminate asbestos health hazards from schools in the state, the  
16 Department of Labor shall

17           (1) survey school buildings to inspect and sample material  
18 for the presence of asbestos;

19           (2) distribute, retrieve, and store training materials  
20 concerning inspection and sampling for asbestos;

21           (3) answer inquiries concerning sampling and ensure quality  
22 control of sampling;

23           (4) establish guidelines for abating the asbestos hazard,  
24 for inspecting and collecting samples of suspected asbestos, and for  
25 analyzing the samples;

26           (5) evaluate analysis results and distribute the results to  
27 affected schools;

28           (6) coordinate efforts by state departments and agencies  
29 and by school personnel to identify and eliminate asbestos health

1 hazards;

2 (7) cooperate with the Department of Education to adminis-  
3 ter state money appropriated for the asbestos health hazard abatement  
4 program;

5 (8) review and approve all asbestos health hazard abatement  
6 programs relating to respirator use and employee training, including  
7 training materials;

8 (9) oversee an employee certification program;

9 (10) establish guidelines and procedures to prevent damage  
10 to asbestos products in daily operations;

11 (11) whenever the department is informed of scheduled work  
12 to abate a health hazard that is asbestos-related, inform the contrac-  
13 tors and others concerned of the potential health hazards of asbestos;  
14 and

15 (12) adopt regulations necessary to implement the provisions  
16 of this chapter.

17 Sec. 18.28.030. CERTIFICATION PROGRAMS. (a) The Department of  
18 Labor shall

19 (1) establish guidelines for employee training certifica-  
20 tion programs, including respiratory and competency tests to be com-  
21 pleted successfully, to ensure that a person who is employed to abate  
22 asbestos health hazards in this state is trained to do the work safely  
23 and is informed about the danger of working with asbestos;

24 (2) review certification programs proposed by contractors,  
25 labor organizations, and others for persons who will be employed to  
26 abate asbestos health hazards in this state;

27 (3) approve proposed certification programs that meet the  
28 department's guidelines under this subsection.

29 (b) Before a contractor can undertake to abate an asbestos-

1 related health hazard in this state, the contractor shall

2 (1) propose to the Department of Labor a plan for the  
3 certification of its employees as adequately trained to handle asbes-  
4 tos in a safe and knowledgeable way;

5 (2) receive approval from the department of that plan; and

6 (3) certify that each person who will work on the abatement  
7 of an asbestos health hazard in this state is adequately trained to  
8 handle asbestos in a safe and knowledgeable way.

9 (c) A person may not work to abate an asbestos health hazard in  
10 this state unless that person has been certified in a program approved  
11 by the Department of Labor under (a) of this section.

12 (d) A contractor who violates (b) or (c) of this section is  
13 subject to a civil penalty not to exceed \$1,000, as determined by the  
14 commissioner of labor.

5 Sec. 18.28.040. DUTIES OF THE DEPARTMENT OF EDUCATION. To  
16 assist in implementing the asbestos health hazard program, the Depart-  
17 ment of Education shall

18 (1) cooperate with the Department of Labor, school dis-  
19 tricts, and regional educational attendance areas to ensure inspection  
20 of schools in the state for asbestos health hazards and to ensure that  
21 identified asbestos health hazards are abated;

22 (2) maintain records, files, and reports on asbestos health  
23 hazards in city and borough schools and regional educational atten-  
24 dance area schools;

25 (3) administer state money appropriated to finance reno-  
26 vation contracts under AS 18.28.050(5);

27 (4) distribute available money as necessary to abate asbes-  
28 tos health hazards in schools in the state, including reimbursement of  
29 school districts and regional educational attendance areas for

1 asbestos hazard abatement work already undertaken;

2 (5) inform the Department of Labor when renovation con-  
3 tracts are awarded under AS 18.28.050(5), to enable the Department of  
4 Labor to advise contractors and others concerned of asbestos health  
5 hazards that may be encountered in the renovation project.

6 Sec. 18.28.050. DUTIES OF SCHOOL OFFICIALS. To assist in imple-  
7 menting the asbestos health hazard abatement program, each city or  
8 borough school district and each regional educational attendance area  
9 shall

10 (1) maintain records of all inspections, including sample  
11 dates, location, condition, and analysis of materials;

12 (2) notify school personnel of the location of asbestos  
13 materials and ways to reduce exposure;

14 (3) notify the parents of students about the results of  
15 asbestos inspections in their children's schools;

16 (4) provide for the inspection of their respective school  
17 buildings and the taking of samples as needed, following guidelines  
18 established by the Department of Labor for determining the existence  
19 of asbestos health hazards;

20 (5) contract for renovating school buildings to abate  
21 asbestos health hazards, and supervise and monitor the renovation  
22 contracts, applying the standards in AS 18.60.075 to protect the  
23 health of the persons who renovate the school buildings.

24 Sec. 18.28.090. DEFINITIONS. In this chapter

25 (1) "asbestos" means chrysotile, amosite, crocidolite,  
26 fibrous tremolite, fibrous anthophyllite, and fibrous actinolite;

27 (2) "asbestos health hazard" means the presence of asbestos  
28 material that could result in the dispersal of asbestos fibers into a  
29 school building or public facility;

1                   (3) "asbestos product" means any product that produces  
2           airborne asbestos.

3       \* Sec. 3. This Act takes effect immediately in accordance with AS 01.-  
4       10.070(c).

COMMITTEE REPORT  
SENATE

FURTHER:

3/23/84

Date 4/18/84

Mr. President

The Committee on FINANCE considered SB 375

*Income Statement and Investment, etc.*

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

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for SB 375 (Res.)
- new title
- same title and recommends Individual Recommendations
- and attached a "LETTER OF INTENT"  NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS

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Chairman

Chairman recommendation



From The  
**SENATE  
FINANCE COMMITTEE**

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April 18, 1984

Instructed by Max to send attached fiscal note along with CSSB 375 (Res.) reported out of committee today.

Max said note could be dealt with and changed if necessary when fiscal notes are funded at the close of the budget.

kathy

# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

BILL SHEFFIELD, GOVERNOR

POUCH M  
JUNEAU, ALASKA 99811  
PHONE: 907-485-2400

March 7, 1984

The Honorable Bettye Fahrenkamp  
Alaska State Senate  
Pouch V  
Juneau, Alaska 99801

Dear Senator Fahrenkamp:

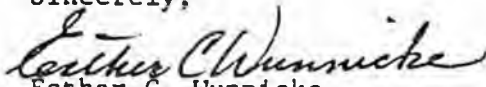
I am attaching the Department's fiscal note for CSSB 375 (Resources), preparatory to your Committee hearing on the bill Friday, March 9.

The major costs on the fiscal note are associated with Sec. 28, which has been added during the hearings process in response to Sealaska Corporation's proposal. The Department is largely supportive of the changes to our surface leasing processes embodied in this amendment, and it is my hope that we will be able to respond effectively to the new timelines and procedures in the statute. Without additional funding to support each District Office of the Division of Land and Water Management (Anchorage, Fairbanks, and Juneau), I anticipate that the Commissioner will regularly use the proposed authority to grant time extensions in the prequalification process [38.05.075(e)]. Please note that this prequalification process does not affect just tidelands leasing, but all surface leasing under 38.05.075.

Other major costs are associated with two major items that have also been added to the bill during the hearings process. The new authority to quitclaim interests in land to the federal government will generate many new requests for Departmental land actions; in the House consideration of the same proposal, we have recommended a fiscal note equal to that now included in our note for CSSB 375. We also anticipate new costs in the contract foreclosure process in Sec. 22. The Department requested this new procedure and needs to be able to keep up with the workload in contract administration.

I appreciate very much your attention to Title 38. If I may be of assistance, please contact me.

Sincerely,

  
Esther C. Wunnicke  
Commissioner

Attachment

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

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

REQUEST

Bill/Resolution No.: CSSB 375 (RES)  
Title: An Act...land disposal and management

Sponsor: Fahrenkamp  
Requestor: Senate Resources  
Date of Request: \_\_\_\_\_

FISCAL DETAIL

Agency Affected: DNR  
Program Category Affected: NRMEC

BRU, Program or Subprogram(s) Affected: \_\_\_\_\_  
Management: Land and Water Management; Information/Records Management

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES	208.2	208.2	208.2	208.2	208.2	208.2
200 TRAVEL	5.7	5.7	5.7	5.7	5.7	5.7
300 CONTRACTUAL	9.0	9.0	9.0	9.0	9.0	9.0
400 SUPPLIES	4.5	4.5	4.5	4.5	4.5	4.5
500 EQUIPMENT	1.5	1.5	1.5	1.5	1.5	1.5
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	228.9	228.9	228.9	228.9	228.9	228.9
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	228.9	228.9	228.9	228.9	228.9	228.9
FEDERAL FUNDS						
OTHER						
TOTAL	228.9	228.9	228.9	228.9	228.9	228.9

POSITIONS:

FULL-TIME	4	4	4	4	4	4
PART-TIME	1 1/2	1 1/2	1 1/2	1 1/2	1 1/2	1 1/2
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

General Fund

ANALYSIS: Attach a separate page for analysis

Prepared By: Ned Farquhar NF Phone: 465-2400  
Division: Commissioner's Office Date: 7 March 1984

Approved by Commissioner: Catherine C. Wunniche Date: 7 March 1984  
Agency: Natural Resources

Distribution (by Agency preparing fiscal note):

Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)

12/1/83

DNR BACKUP ANALYSIS FOR  
FISCAL NOTE ON CSSB 375 (Resources)

Sec. 2: This change requires increased travel and advertisement to encourage local participation.

Land and Water Management:

200	4.5
300	<u>2.0</u>
Total	6.5

Sec. 9: The fund for land disposal revenues will require some administration.

Management:

100	7.2 (½ Document Processing Clerk III)
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Sec. 12: The requirement to comply with local ordinances regarding access will be expensive but will be budgeted in future disposal projects.

Sec. 18: To respond to quitclaim requests, the Division of Technical Services will need new funding.

Information/Records Management:

100	46.2 (NRM I)
200	1.2
300	4.0
400	2.0
500	<u>1.5</u>
Total	54.9

Sec. 22: Mail, tracking, and programming costs for the Division of Land and Water Management and the Division of Management will increase.

Land and Water Management:

100	14.3 (½ Document Processing Clerk III)
400	<u>1.0</u>
Total	15.3

Management:

100	14.3 (½ NRT I)
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Sec. 25: See note for Sec. 28.

Sec. 27: See note for Sec. 28.

Sec. 28: To meet the timeline in statute as a matter of course, the Department would be forced to add staff in each District office of the Division of Land and Water Management. We anticipate difficulty meeting the requirement in subparagraph (e)(2) in completing all procedures required by AS 38.05.035(e) (appraisals, surveys, hearings, preliminary decisions, and written findings).

Land and Water Management:

100	46.4	(SCDO NRM I)
	46.4	(NCDO NRO II)
	40.6	(SEDO NRO II)
	<u>133.4</u>	
300	3.0	
400	<u>1.5</u>	
Total	137.9	

Sec.78-79: The requirement for front-end funding for compliance with local platting and subdivision ordinances will will primarily impact the Division of Technical Services and will be addressed in future budget submissions. The total annual impact for compliance with local ordinances on an annual basis is not easily estimated, but could reach tens of millions of dollars.

Offered: 3/13/84  
Referred: Finance

Original sponsors: Fahrenkamp and Ziegler

1 IN THE SENATE BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO. 375 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

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

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

9 \* Section 1. AS 38.04.005(b) is amended to read:

10 (b) In classifying and making state land available for private  
11 use and settlement purposes, the director shall consider the natural  
12 resources and conditions present on the land and shall seek to mini-  
13 mize the effect of private settlement on wildlife, fishery, mineral,  
14 timber, and other significant resources and scenic quality of the  
15 land; the director shall also make adequate provision for public open  
16 space which is accessible to communities so that natural areas are  
17 easily reached from all communities and settled areas. The amount of  
18 that land shall be sufficient to meet existing and projected needs for  
19 accessible public recreation land. Special care shall be taken to  
20 preserve public access to public water and to retain state ownership  
21 of sufficient land which combine high value for recreation and other  
22 public purposes with accessibility to settled areas. This classifica-  
23 tion for public purposes does not constitute dedication to open space,  
24 but the division's management of land so classified shall be in a  
25 manner to preserve the identified values.

26 \* Sec. 2. AS 38.04.005(e) is repealed and reenacted to read:

27 (e) The involvement of a proximately located municipality and of  
28 local residents is essential in classifying and making state land  
29 available for private use and settlement. The director shall, when

1 appropriate, hold public meetings in the communities affected by the  
2 disposal to solicit the views of the residents of the communities  
3 affected.

4 \* Sec. 3. AS 38.04.005 is amended by adding a new subsection to read:

5 (f) Land owned by the Board of Regents of the University of  
6 Alaska is not subject to the provisions of this chapter.

7 \* Sec. 4. AS 38.04.010(b) is amended to read:

8 (b) State land which is located beyond the range of existing  
9 schools and other necessary public services, or which is located where  
10 development of sources of employment is improbable, may be made avail-  
11 able for seasonal recreational purposes or for low density settlement.  
12 The seasonal recreation use or low density settlement shall have [,  
13 WITH] sufficient separation between residences so that public services  
14 will not be necessary or expected. The availability of timber, fire-  
15 wood, and water resources shall be considered in determining separa-  
16 tion between residences.

17 \* Sec. 5. AS 38.04.020(e) as amended by sec. 3, ch. 103, SLA 1983 is  
18 amended to read:

19 (e) The commissioner shall annually submit to the governor an  
20 appropriation request for funding estimated to be necessary for the  
21 next two years to allow [NECESSARY FOR THE DISPOSAL OF STATE LAND IN  
22 THE LAND DISPOSAL BANK THAT SHALL BE INCLUDED IN THE BUDGET SUBMITTED  
23 TO THE LEGISLATURE BY THE GOVERNOR. FOR EACH FISCAL YEAR, THE REQUEST  
24 SHALL INCLUDE AN ESTIMATE OF THE AMOUNT NECESSARY]

25 (1) [FOR] survey and disposal of land proposed to be made  
26 available for homestead staking, with the general location of the  
27 land;

28 (2) [FOR] survey and disposal of land to be offered as  
29 agricultural, commercial, industrial, or other uses under AS 38.05.055

1 or 38.05.057, with the general location of the land;

2 (3) [FOR] the survey and disposal of land proposed to be  
3 offered as subdivisions, with the general location of the land;

4 (4) [FOR] preliminary feasibility studies, engineering  
5 design work, right-of-way acquisition, and construction of access  
6 roads and capital improvements required by municipal subdivision  
7 ordinance or regulation of the platting board under AS 29.33.150; [IF  
8 AN ACCURATE DETERMINATION OF THE AMOUNTS NECESSARY FOR ACCESS ROADS OR  
9 CAPITAL IMPROVEMENTS CANNOT BE MADE AT THE TIME THE ESTIMATE IS SUB-  
10 MITTED, A SCHEDULE FOR OBTAINING THE ESTIMATES, CONSTRUCTING THE  
11 ACCESS ROADS OR CAPITAL IMPROVEMENTS, AND DISPOSING OF THE LAND SHALL  
12 BE SUBMITTED;]

13 (5) [FOR] identification of land that will be proposed for  
14 disposal under this subsection in future fiscal years.

15 \* Sec. 6. AS 38.04 020(f) is amended to read:

16 (f) The request of the commissioner under (e) of this section  
17 shall include an analysis and a determination that there is a market  
18 demand for the land proposed for disposal [BE BASED ON AN ANNUAL  
19 WRITTEN ASSESSMENT BY THE COMMISSIONER OF THE MARKET FOR STATE LAND IN  
20 THE DIFFERENT REGIONS OF THE STATE. IF THE STATE LAND IS IN OR ADJA-  
21 CENT TO MUNICIPALITIES OR UNINCORPORATED COMMUNITIES, THE ASSESSMENT  
22 SHALL BE DEVELOPED IN CONSULTATION WITH THE MUNICIPALITIES OR UNINCOR-  
23 ORATED COMMUNITIES. THE ASSESSMENT MUST INCLUDE A SURVEY OF THE  
24 SUPPLY OF PRIVATELY OWNED LAND OFFERED FOR SALE, MUNICIPAL LAND FOR  
25 WHICH A DISPOSAL PLAN HAS BEEN COMPLETED, AND FEDERAL LAND AVAILABLE  
26 FOR SALE, LEASE, OR PERMIT FOR SPECIFIC ACTIVITIES. THE ASSESSMENT OF  
27 THE MARKET FOR STATE LAND SHALL BE BASED ON AN ANALYSIS OF THE AMOUNT  
28 OF PRIVATE, MUNICIPAL, AND FEDERAL LAND AVAILABLE FOR DISPOSAL ON  
29 TERMS EQUIVALENT TO THOSE USED IN COMPARABLE STATE LAND DISPOSAL

1 PROGRAMS AND SHALL INCLUDE THE LENGTH OF TIME LAND REMAINS ON THE  
2 MARKET BEFORE IT IS SOLD. THE ASSESSMENT MUST INCLUDE FINDINGS RE-  
3 GARDING THE AMOUNT AND GENERAL LOCATION OF STATE LAND, IN ADDITION TO  
4 LAND OFFERED BY PRIVATE LANDOWNERS OR AVAILABLE FROM A MUNICIPAL  
5 GOVERNMENT OR THE FEDERAL GOVERNMENT, THAT IS NECESSARY TO MEET THE  
6 STATEWIDE DEMAND FOR AT LEAST FIVE FISCAL YEARS IMMEDIATELY AFTER THE  
7 YEAR IN WHICH THE ASSESSMENT IS MADE. THE ASSESSMENT MUST ALSO STATE  
8 THE GENERAL LOCATION OF LAND PROPOSED FOR DISPOSAL IN THE NEXT FISCAL  
9 YEAR AND RECOMMENDATIONS FOR THE METHOD OF DISPOSAL UNDER WHICH THE  
10 LAND WILL BE OFFERED TO THE PUBLIC].

11 \* Sec. 7. AS 38.04.020(g)(2) is amended to read:

12 (2) Land designated as suitable for subdivision and home-  
13 site disposal shall be surveyed, subdivided, classified, and disposed  
14 of under this chapter, AS 38.05, and AS 38.08 [AS FOLLOWS:

15 (A) UP TO 80 PERCENT OF THE PARCELS SHALL BE SOLD  
16 UNDER THE LOTTERY SALE PROCEDURES ESTABLISHED IN AS 38.05.057 AND  
17 38.05.065;

18 (B) AT LEAST 10 PERCENT OF THE PARCELS SHALL BE DIS-  
19 POSED OF AS HOMESITES UNDER AS 38.08.010 - 38.08.120; AND

20 (C) AT LEAST AN ADDITIONAL 10 PERCENT OF THE PARCELS  
21 SHALL BE DISPOSED OF AS HOMESITES UNDER AS 38.08.010 - 38.08.120  
22 EXCEPT THAT, NOTWITHSTANDING AS 38.08.040(b), PARCELS OFFERED  
23 UNDER THIS SUBPARAGRAPH SHALL BE OFFERED BY LOTTERY UNDER AS 38.-  
24 05.057].

25 \* Sec. 8. AS 38.04.020(h) is amended to read:

26 (h) Individual parcels disposed of in subdivisions may not  
27 exceed five acres unless the commissioner determines that a larger  
28 size is necessary to comply with local [ZONING] ordinance, [OR] to  
29 permit the design of a viable subdivision because of topographical

1 features, soil conditions, on-site sewage disposal requirements, or  
2 water drainage or supply considerations that are unique to the sub-  
3 division, to minimize adverse effect on wildlife, fishery, timber, or  
4 other significant resources in the area, or to minimize adverse effect  
5 on other residential uses in the area.

6 \* Sec. 9. AS 38.04 is amended by adding a new section to read:

7 Sec. 38.04.022. FUNDS FOR LAND DISPOSAL. (a) The revenue from  
8 the sale of state land shall be deposited in a special state land  
9 disposal income account in the state general fund. The legislature  
10 may appropriate money from the special state land disposal income  
11 account for expenditure by the Department of Natural Resources for  
12 necessary costs incurred by the commissioner in the implementation of  
13 state land disposal programs authorized under this title and for  
14 implementation of AS 38.04.021.

15 (b) Within 30 days after the legislature convenes in regular  
16 session the Department of Natural Resources shall submit a report  
17 reflecting all money deposited in the fund established under (a) of  
18 this section during the prior fiscal year.

19 \* Sec. 10. AS 38.04.035(4) is amended to read:

20 (4) For enabling isolated cabin development in remote  
21 locations where survey and conveyance is impractical, or where poten-  
22 tial conflicts with other resources and uses require additional con-  
23 ditions, or where a long-range interest in public ownership and use  
24 exist, a system for cabin permits on public land may be used.

25 \* Sec. 11. AS 38.04.045(b) is amended to read:

26 (b) Before the conveyance of surface rights to state land, an  
27 official cadastral survey shall be accomplished, unless a comparable,  
28 acceptable survey exists that has been conducted by the federal Bureau  
29 of Land Management. The rectangular survey section corner positions

1 shall be monumented and shown on a cadastral survey plat approved by  
2 the state. However, for those areas where the state may wish to  
3 convey surface estate outside of an official cadastral survey grid,  
4 the director may waive monumentation of all individual section corner  
5 positions and substitute an official control survey with control  
6 points being monumented [AT APPROXIMATELY TWO-MILE INTERVALS] and  
7 shown on control survey plats approved by the state. No portion of  
8 land to be conveyed may be located more than two miles from such a  
9 survey control monument. The lots and tracts in state subdivisions  
10 shall be monumented and the cadastral survey and plats for the sub-  
11 division shall be approved by the state. Where land is located within  
12 a municipality with planning, platting, and zoning powers, plats for  
13 state subdivisions shall comply with local ordinances and regulations  
14 in the same manner and to the same extent as plats for subdivisions by  
15 other landowners. State subdivisions shall be filed in the district  
16 recorder's office. The requirements of this section do not apply to  
17 land made available through a cabin permit system, material sales, or  
18 short-term leases; however, for short-term leases the lessee must  
19 comply with local subdivision ordinances unless waived by the munic-  
20 ipality under procedures specified by ordinance.

21 \* Sec. 12. AS 38.04.050 is amended to read:

22       Sec. 38.04.050. ACCESS TO PRIVATE USE AREAS. Wherever state  
23 land is surveyed for purposes of private use, legal [ADEQUATE] rights-  
24 of-way and easements shall be reserved [AS NECESSARY] for access and,  
25 where appropriate, for utility services [POWER AND TELEPHONE SERVICE]  
26 to each parcel of land. A right-of-way or easement shall be located  
27 to assure adequate and feasible access for the purposes for which the  
28 right-of-way or easement was intended. Where necessary and appropri-  
29 ate for the use intended or where required by local subdivision

1 ordinances, the director shall arrange for the development of surface  
2 access as part of the land availability program. The direct cost of  
3 local access development shall be borne by the recipient of the land  
4 unless otherwise provided by state statutes or regulations.

5 \* Sec. 13. AS 38.04.055 is amended to read:

6 Sec. 38.04.055. ACCESS THROUGH PRIVATE USE AREAS. The director  
7 shall reserve easements and rights-of-way on and across land which is  
8 made available for private use as necessary to reach or use public  
9 water and public and private land. An easement or right-of-way re-  
10 served under this section may include established trails traditionally  
11 used for commerce, recreation, or transportation. The commissioner  
12 may retain state land in public ownership to maintain present and  
13 future public access.

14 \* Sec. 14. AS 38.04 is amended by adding a new section to Article 2 to  
15 read:

16 Sec. 38.04.058. RESTRICTIONS ON EASEMENT OR RIGHT-OF-WAY USE. A  
17 grantee, lessee, or interest holder of state land may, under terms  
18 agreed to by the director in writing, restrict the use of an easement  
19 or right-of-way reserved under AS 38.04.050 - 38.04.055 or other law  
20 in order to protect public safety or property.

21 \* Sec. 15. AS 38.05.030(c) is amended to read:

22 (c) In addition to the requirements specified in AS 38.50.090,  
23 the agencies referred to in [(a) AND] (b) of this section and other  
24 state agencies with authority to acquire or dispose of land shall give  
25 written notification of the fact of acquisition, lease, disposal, or  
26 exchange to the commissioner [DIVISION OF LANDS] within three months  
27 after the date that they make the acquisition, lease, disposal, or  
28 exchange.

29 \* Sec. 16. AS 38.05.030(d) is amended to read:

1 (d) Real property acquired by [,] and under the management of  
2 [,] the agencies referred to in [(a) AND] (b) of this section that [,  
3 WHICH] is no longer needed for its intended use [,] shall be trans-  
4 ferred [RETURNED] to the commissioner [JURISDICTION OF THE DIVISION OF  
5 LANDS], except that the Department of Transportation and Public Facil-  
6 ities [HIGHWAYS] may dispose of real property acquired by it under  
7 AS 19.05.040(2) and AS 19.05.080 - 19.05.120.

8 \* Sec. 17. AS 38.05.030 is amended by adding a new subsection to read:

9 (f) Land owned by the Board of Regents of the University of  
10 Alaska is not subject to this chapter.

11 \* Sec. 13. AS 38.05.035(b) is amended to read:

12 (b) The director may

13 (1) delegate the administrative duties, functions or powers  
14 imposed upon the director [HIM] to a responsible employee in the  
15 division;

16 (2) grant preference rights for the lease or purchase of  
17 state land without competitive bid in order to correct [THE PAST OR  
18 FUTURE] errors or omissions of a state or federal administrative  
19 agency when inequitable detriment would otherwise result to a diligent  
20 claimant or applicant due to situations over which the claimant or  
21 applicant had no control; the exercise of this discretionary power  
22 operates only to divest the state of its title to or interests in land  
23 and may be exercised only

24 (A) with the express approval of the commissioner; and

25 (B) if the application for the preference right is  
26 filed with the director within three years from the occurrence of  
27 the error or omission;

28 (3) grant a preference right to a claimant who shows bona  
29 fide improvement of state land [,] or of federal land subsequently

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

13           (4) sell land [LANDS] by lottery for less than the [THEIR]  
14 appraised value when, in the [HIS] judgment of the director, past  
15 scarcity of land suitable for private ownership in any particular area  
16 has resulted in unrealistic land values;

17           (5) when the director [HE] determines it is in the best  
18 interest of the state and will avoid injustice to a person or the  
19 [HIS] heirs or devisees of a person, dispose of land, by direct nego-  
20 tiation to that person who presently uses and who used and made im-  
21 provements to that land before January 3, 1959 or to the [HIS] heirs  
22 or devisees of the person; the amount paid for the land shall be its  
23 fair market value on the date that the person first entered the land,  
24 as determined by the director; a parcel of land disposed of under this  
25 paragraph shall be of a size consistent with the person's prior use,  
26 but may not exceed five acres;

27           (6) dispose of an interest in land limited to use for  
28 agricultural purposes by lottery;

29           (7) convey to an adjoining landowner a remnant of land that

1        the director considers unmanageable or a parcel of land created by a  
2        highway right-of-way alignment or realignment, or a parcel created by  
3        the vacation of a state-owned right-of-way if

4                (A) the director [HE] determines that it is in the  
5        best interests of the state;

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

8                (C) the director and the platting authority having  
9        land use planning jurisdiction agree that conveyance of the  
10       parcel to the adjoining landowner will result in boundaries that  
11       are convenient for the use of the land by the landowner and  
12       compatible with municipal land use plans;

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

17               (9) quitclaim land or an interest in land to the federal  
18       government on a determination that the land or the interest in land  
19       was wrongfully or erroneously conveyed by the federal government to  
20       the state.

21       \* Sec. 19. AS 38.05.035 is amended by adding a new subsection to read:

22               (e) Upon a written finding that the interests of the state will  
23       be best served, the director may, with the consent of the commis-  
24       sioner, approve contracts for the sale, lease, or other disposal of  
25       available land, resources, property or interests in them, and, in  
26       addition to the conditions and limitations imposed by law, may impose  
27       additional conditions or limitations in the contracts as the director  
28       determines, with the consent of the commissioner, will best serve the  
29       interests of the state. A contract for the sale, lease, or other

1 disposal of available land or an interest in land is not legally  
2 binding on the state until the commissioner approves the contract but  
3 if the appraised value is not greater than \$50,000 in the case of the  
4 sale of land or an interest in land, or \$5,000 in the case of the  
5 annual rental of land or interest in land, the director may execute  
6 the contract without the approval of the commissioner. Before a  
7 public hearing, if held, or in any case no less than 21 days before  
8 the sale, lease, or other disposal of available land, property, re-  
9 sources, or interests in them, the director shall make available to  
10 the public a written finding that sets out the facts and applicable  
11 law upon which the determination that the sale, lease, or other dis-  
12 posal will best serve the interests of the state was based. A written  
13 finding is not required before the approval of

14 (1) a contract for a negotiated sale authorized under  
15 AS 38.05.115;

16 (2) a lease of land for a shore fishery site under AS 38.-  
17 05.052; or

18 (3) a permit or other authorization revocable by the com-  
19 missioner.

20 \* Sec. 20. AS 38.05.050 is amended to read:

21 Sec. 38.05.050. DISPOSAL OF LAND FOR PRIVATE OWNERSHIP. The  
22 commissioner [, UPON THE RECOMMENDATION OF THE DIRECTOR,] shall deter-  
23 mine the land to be disposed of for private use. The commissioner  
24 [DIRECTOR] shall determine the time and place of disposal. An auction  
25 sale, a lottery sale, or a disposal of land for homesites [UNDER  
26 AS 38.04.020(g)(2)(C)] must be held in a community [THE MUNICIPALITY]  
27 that is near [CLOSEST TO] the land to be sold or disposed of [AND IN  
28 WHICH REGULAR SESSIONS OF A COURT OF THE STATE ARE HELD].

29 \* Sec. 21. 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 AS 38.08, sale of state land shall be made at public auction to  
4 the highest qualified bidder as determined by the director. The  
5 director may accept bids and sell state land under this section at no  
6 less than 85 percent of the appraised fair market value of the land.

7 A bidder must appear in person at the auction unless medical reasons,  
8 attendance at school, or military service outside the state prevent  
9 attendance. A bidder may be represented by an attorney or agent at  
10 the auction if the land offered for disposal is commercial, indus-  
11 trial, or agricultural land. An aggrieved bidder may appeal to the  
12 commissioner within five days after the sale for a review of the  
13 director's determination. The sale shall be conducted by the director  
14 [OR HIS REPRESENTATIVE,] and at the time of sale the successful bidder  
15 shall deposit an amount equal to five percent of the purchase price [,  
16 OR IF THE PURCHASER ELECTS TO USE LAND DISCOUNTS GRANTED UNDER AS 38.-  
17 05.058, FIVE PERCENT OF THE AMOUNT BID AFTER DEDUCTION OF THE DIS-  
18 COUNT]. The director [OR HIS REPRESENTATIVE] shall immediately issue  
19 a receipt containing a description of the land or property purchased,  
20 the price bid, and the amount deposited [, AND THE AMOUNT OF ANY  
21 DISCOUNT ALLOWED]. The receipt shall be acknowledged in writing by  
22 the bidder.

23 \* Sec. 22. AS 38.05.065 is amended by adding new subsections to read:

24           (d) If a contract for a sale of state land has been breached,  
25 the director may issue a decision to foreclose the contract at any  
26 time 31 days after delivering by certified mail a written notice of  
27 the breach to the address of record of the purchaser. A breach caused  
28 by the failure to make payments required by the contract may be cured  
29 within 30 days after the notice of the breach has been received by the

1 purchaser by payment of the sum in default together with the larger of  
2 a fee of \$50 or five percent of the sum in default. If there are  
3 material facts in dispute between the state and the purchaser, the  
4 purchaser may submit a written request for a public hearing for the  
5 review of the facts within 30 days after the notice of the breach has  
6 been received.

7 (e) On a determination that there has been a breach of the  
8 contract based on the administrative record and the evidence presented  
9 at a hearing, the director shall issue a decision foreclosing the  
10 interest of the purchaser. The obligation to make payments under the  
11 contract continues through the date of the decision to foreclose by  
12 the director.

13 (f) The decision to foreclose by the director under this subsec-  
14 tion terminates the legal and equitable rights of the purchaser in the  
15 land and all payments made under the contract are forfeited to the  
16 state.

17 \* Sec. 23. AS 38.05.069(a) is amended to read:

18 (a) On a determination [IF THE DIRECTOR DETERMINES] that the  
19 highest and best use of unoccupied land is for agricultural purposes  
20 [,] and [IF HE DETERMINES] that it is in the best interests of the  
21 state to sell or lease the land, the commissioner [HE] shall grant to  
22 an Alaskan resident owning and using or leasing and using land for  
23 agricultural purposes a [60-DAY] first option at [AFTER THE DATE OF]  
24 the auction to purchase or lease the unoccupied land situated adjacent  
25 to land presently held by the Alaskan resident [OR IN THE APPROXIMATE  
26 VICINITY OF HIS PRESENTLY HELD LAND] for the amount of the high bid  
27 received at public auction. If more than one Alaskan resident qual-  
28 ifies for a first option under this section, eligibility for the first  
29 option shall be determined by lot and the option must be exercised on

1 the conclusion of the public auction. A parcel of agricultural land  
2 sold under this section may not be less than 20 acres and a parcel of  
3 agricultural land that [WHICH] is acquired by exercise of the option  
4 granted in this subsection may not exceed 320 acres. Agricultural  
5 land that [WHICH] is acquired under this section must be used for  
6 agricultural purposes as required by law.

7 \* Sec. 24. AS 38.05.069(c) is amended to read:

8 (c) Under this section

9 (1) the director may convey or lease an interest in the  
10 land only for agricultural purposes, and all other interests in the  
11 land remain in the state;

12 (2) the sale or lease shall be at public auction;

13 (3) [(2)] the remaining interests may subsequently be  
14 conveyed or leased by the director only upon the request of the gran-  
15 tee or lessee or the [HIS] assigns of the grantee or lessee and the  
16 determination of the director, with the written concurrence of the  
17 commissioner, that the conveyance or lease is in the public interest;

18 (4) [(3)] the conveyance or lease of the remaining inter-  
19 ests shall be at public auction;

20 (5) the original grantee or lessee or the [HIS] assigns of  
21 the grantee or lessee have a preference right to meet the high bid at  
22 the time of [WITHIN 30 DAYS AFTER THE DAY OF] the auction;

23 (6) if the preference right is exercised, the value of  
24 improvements owned by the holder of the preference right, included  
25 with the remaining interests sold, shall be deducted from the purchase  
26 price;

27 (7) [(4)] by requesting the conveyance or lease of the  
28 remaining interest, the original grantee or lessee or the [HIS] as-  
29 signs of the grantee or lessee

1 (A) consents to the sale or lease, and  
2 (B) if the preference right provided by (5) [(3)] of  
3 this subsection is not exercised, consents to sell at fair  
4 market value the improvements related to the remaining  
5 interest, as appraised by the director;  
6 (8) [(5)] the remaining interests in the land may not be  
7 conveyed or leased for less than their appraised value together with  
8 improvements except for the deduction allowed by (6) [(3)] of this  
9 subsection.

10 \* Sec. 25. AS 38.05.070(b) is amended to read:

11 (b) The director, with the approval of the commissioner, shall  
12 determine the land to be leased and the limitations, conditions and  
13 terms of the lease. If the appraised value of the transaction is  
14 \$5,000 [\$250] a year or less the director may negotiate a lease with-  
15 out advertisement for a period not to exceed 10 [FIVE] years, and on  
16 the limitations, conditions and terms that the director [WHICH HE]  
17 considers are in the best interests of the state. A lease negotiated  
18 under this subsection is not eligible for a preference under AS 38.-  
19 05.102.

20 \* Sec. 26. AS 38.05.070(c) is amended to read:

21 (c) A lease may be issued for a period up to 55 years, if it  
22 appears to be in the best interests of the state. The commissioner  
23 shall consider the useful life of any improvements proposed and ap-  
24 proved under AS 38.05.075 in determining the term of the lease [AND IF  
25 THE COMMISSIONER APPROVES]. If the commissioner determines that the  
26 land or a part of it which is the subject of a grazing lease is not  
27 being used for the purpose issued, the lease may be declared void.  
28 [HOWEVER, A NONRENEWABLE LEASE FOR SCHOOL LANDS MAY BE ISSUED FOR A  
29 PERIOD NOT TO EXCEED 99 YEARS.]

1 \* Sec. 27. AS 38.05.075 is amended to read:

2           Sec. 38.05.075. LEASING PROCEDURES. Except as provided in  
3 AS 38.05.087 and this section, leasing [THE LEASING] shall be made at  
4 public auction to the highest qualified bidder as determined by the  
5 commissioner [DIRECTOR]. An aggrieved bidder may appeal to the  
6 commissioner within five days for a review of the [DIRECTOR'S]  
7 determination. [WHEN A VALID EXISTING FEDERAL GRAZING LEASE IS CAN-  
8 CANCELLED TO ALLOW STATE SELECTION OF THE AREA UNDER LEASE, THE LESSEE OF  
9 THE LANDS HAS THE PREFERENCE RIGHT TO LEASE THE LANDS WITHOUT COMPETI-  
10 TIVE BIDDING FOR A TERM EQUAL TO THAT ORIGINALLY GRANTED IN THE CAN-  
11 CANCELLED FEDERAL LEASE AND UPON TERMS AS FAVORABLE TO THE LESSEE AS  
12 THOSE CONTAINED IN THE CANCELLED FEDERAL LEASE.] The leasing shall  
13 be conducted by the commissioner [DIRECTOR, OR HIS REPRESENTATIVE,]  
14 and the successful bidder shall deposit at the auction the first  
15 year's rental [,] or that portion of it that [WHICH] the commissioner  
16 requires [,] in accordance with the [HIS] bid. The commissioner shall  
17 require qualified bidders to deposit a sum equal to any survey or  
18 appraisal costs reasonably incurred by another qualified bidder acting  
19 in accordance with the regulations of the commissioner. If a bidder  
20 making a deposit of survey or appraisal costs is determined by the  
21 commissioner to be the highest qualified bidder under this subsection,  
22 the deposit shall be paid to the unsuccessful bidder who incurred  
23 those costs. Any survey or appraisal costs reasonably incurred by a  
24 qualified bidder under the regulations of the commissioner or de-  
25 posited under this subsection must be credited under the first and  
26 then subsequent years' rentals. The commissioner [DIRECTOR OR HIS  
27 REPRESENTATIVE] shall immediately issue a receipt containing a de-  
28 scription of the land or interest leased, the price bid, [AND] terms  
29 of the lease, and the amount of any credit for survey and appraisal

1 costs to the successful qualified bidder. If the [THE] receipt is not  
2 [SHALL BE] acknowledged in writing by the bidder under this subsec-  
3 tion, the commissioner may offer the land for lease again under this  
4 subsection. A lease, on a form approved by the attorney general,  
5 shall be signed by the successful bidder and [LESSEE AND, UPON AP-  
6 PROVAL] by the commissioner within 30 days after the auction [, SHALL  
7 BE SIGNED BY THE DIRECTOR].

8 \* Sec. 28. AS 38.05.075 is amended by adding new subsections to read:

9 (b) When a valid existing federal grazing lease is cancelled to  
10 allow state selection of the area under lease, the lessee of the land  
11 has the preference right to lease the land without competitive bidding  
12 for a term equal to that originally granted in the cancelled federal  
13 lease and upon terms as favorable to the lessee as those contained in  
14 the cancelled federal lease.

15 (c) The owner or lessee of land that fronts on tide or submerged  
16 land of the state is entitled to acquire a lease for the tide and  
17 submerged land without competitive bidding if the director determines  
18 that

19 (1) the lease of the tide or submerged land is necessary to  
20 facilitate water transportation of goods, services, or resources to or  
21 from the owned or leased upland or for another water-dependent pur-  
22 pose;

23 (2) the proposed use of the tide or submerged land is  
24 compatible with the classification of the land and with any applicable  
25 land use plan adopted under AS 38.04.065; and

26 (3) issuance of the lease to the tide or submerged land  
27 will not interfere with prior existing rights to the leased land.

28 (d) If the commissioner issues a lease under (c) of this sec-  
29 tion, the right of access to the tide and submerged land shall be

1 nonexclusive in the lessee unless the commissioner grants the lessee  
2 the exclusive right to use the tide and submerged land.

3 (e) The commissioner may require prequalification of bidders for  
4 a lease to be issued under AS 38.05.070. If the commissioner deter-  
5 mines to require prequalification, the procedures established by this  
6 section and the notice required to be given under AS 38.05.345 shall  
7 be completed within 75 days of the receipt of the first lease applica-  
8 tion unless the commissioner grants additional time for the completion  
9 of the procedures. Within the 75-day period or the additional time  
10 granted by the commissioner, the commissioner shall complete

11 (1) classification under AS 38.05.300,

12 (2) the procedures required by AS 38.05.035(e);

13 (3) any other action required by law for the disposal of  
14 the lease to a bidder except survey, appraisal, and the auction.

15 (f) The commissioner may issue a lease without competitive  
16 bidding at the approved, appraised market value of the land determined  
17 under AS 38.05.310 if, after completion of the procedures required by  
18 (e) of this section, the commissioner determines that there is only  
19 one qualified bidder. The commissioner may establish terms and con-  
20 ditions for entry to the land pending survey and appraisal of the  
21 land. The commissioner shall issue the lease as soon as is practi-  
22 cable following the survey and appraisal of the land subject to the  
23 provisions of AS 38.05.035(e).

24 (g) Notice of an auction required under this section shall be  
25 made by certified mail to all prequalified bidders.

26 (h) A person aggrieved by a decision of the commissioner under  
27 this section may appeal to the commissioner within five days of the  
28 prequalification decision. The decision of the commissioner under  
29 this subsection or under AS 38.05.035(e) may be appealed to the

1 superior court.

2 \* Sec. 29. AS 38.05.110 is amended to read:

3 Sec. 38.05.110. SALE OF TIMBER AND MATERIALS. The commissioner  
4 [DIRECTOR] shall provide for cruises of timber and appraisals of other  
5 materials in or upon state land and shall assess the supply of and  
6 current markets for timber on and other materials in privately owned  
7 land in close proximity to state land to determine [LANDS AND TRANSMIT  
8 THIS DATA TO THE COMMISSIONER, TOGETHER WITH HIS RECOMMENDATIONS WITH  
9 RESPECT TO]

10 (1) the timber and other materials that [WHICH] should be  
11 offered for sale, and

12 (2) the terms of sale of the timber or other materials.

13 \* Sec. 30. AS 38.05.115(a) is amended to read:

14 (a) The commissioner [, UPON RECOMMENDATION OF THE DIRECTOR,]  
15 shall determine the timber and other materials to be sold, and the  
16 limitations, conditions and terms of sale. The limitations, condi-  
17 tions and terms shall include the utilization, development and mainte-  
18 nance of the sustained yield principle, subject to preference among  
19 other beneficial uses. The commissioner [DIRECTOR] may negotiate  
20 sales of timber or materials without advertisement and on the limita-  
21 tions, conditions, and terms that are considered to be [WHICH HE  
22 CONSIDERS ARE] in the best interests of the state [, SUBJECT TO THE  
23 APPROVAL OF THE COMMISSIONER]. However, not more than 500 M.B.M. or  
24 equivalent other measure of timber or more than 25,000 cubic yards of  
25 materials may be sold by nonadvertised, negotiated sale to the same  
26 purchaser within a one-year period.

27 \* Sec. 31. AS 38.05.11E(a) is amended to read:

28 (a) Notwithstanding any other provision of AS 38.05.110 - 38.-  
29 05.120, the commissioner [DIRECTOR, WITH THE APPROVAL OF THE

1 COMMISSIONER,] may negotiate a sale of timber to a local manufacturer  
2 at appraised value. The period of a contract for a sale of timber  
3 negotiated under this section may not exceed 25 years. The contract  
4 shall provide that the appraised value of timber remaining to be  
5 harvested under the provisions of the contract shall be redetermined  
6 at least once every five years.

7 \* Sec. 32. AS 38.05.118(c) is amended to read:

8 (c) A [NO] sale of timber may not be negotiated by the commis-  
9 sioner [DIRECTOR] under this section except on a finding [UNLESS HE  
10 FIRST FINDS] that, within an area proximate to the business site which  
11 the manufacturer may economically serve, there exists

- 12 (1) a high level of local unemployment;
- 13 (2) an underutilized timber manufacturing capacity; and
- 14 (3) an underutilized allowable cut of state timber.

15 \* Sec. 33. AS 38.05.120 is amended to read:

16 Sec. 38.05.120. DISPOSAL PROCEDURE. Timber and other materials  
17 shall be sold either by sealed bids or public auction, depending on  
18 which method is determined by the commissioner to be in the best  
19 interests of the state, to the highest qualified bidder as determined  
20 by the commissioner [DIRECTOR]. An aggrieved bidder may appeal to the  
21 commissioner within five days after the sale for a review of the  
22 [DIRECTOR'S] determination. The sale shall be conducted by the com-  
23 missioner [DIRECTOR OR HIS REPRESENTATIVE], and at the time of sale  
24 the successful bidder shall deposit the amount specified in the terms  
25 of sale. The means by which the amount of deposit is determined shall  
26 be prescribed by appropriate regulation. The commissioner [DIRECTOR  
27 OR HIS REPRESENTATIVE] shall immediately issue a receipt containing a  
28 description of the timber or materials purchased, the price bid, and  
29 the terms of sale. The receipt shall be acknowledged in writing by

1 the bidder. A contract of sale, on a form approved by the attorney  
2 general, shall be signed by the purchaser and [, FOLLOWING THE AP-  
3 PROVAL OF THE COMMISSIONER,] the contract shall be signed by the  
4 commissioner [DIRECTOR] on behalf of the state. The commissioner  
5 [DIRECTOR, WITH THE APPROVAL OF THE COMMISSIONER,] may impose condi-  
6 tions, limitations, and terms considered [WHICH HE CONSIDERS] neces-  
7 sary and proper to protect the interests of the state. Violation of  
8 any provision of this chapter or the terms of the contract of sale  
9 subjects the purchaser to appropriate legal action.

10 \* Sec. 34. AS 38.05.125 is amended by adding new subsections to read:

11 (b) The provisions of (a) of this section do not apply to a  
12 quitclaim of land or an interest in land made under AS 38.05.035-  
13 (b)(9).

14 (c) Notwithstanding (a) of this section, the transfer of owner-  
15 ship and management of University of Alaska trust land from the  
16 Department of Natural Resources to the Board of Regents of the  
17 University of Alaska under ch. 22, SLA 1983 includes the mineral  
18 estate of the state in the land.

19 \* Sec. 35. AS 38.05.127(a) is amended to read:

20 (a) Before the sale, lease, grant, or other disposal of any  
21 interest in state land adjacent to a body of water or waterway, the  
22 commissioner [DEPARTMENT OF NATURAL RESOURCES] shall,

23 (1) under regulations, determine if the body of water or  
24 waterway is navigable water, public water, or neither;

25 (2) upon finding that the body of water or waterway is  
26 navigable or public water, provide for the specific easements, [OR]  
27 rights-of-way, or retention of land in state ownership [BOTH], rea-  
28 sonably necessary to ensure [INSURE] free access to and along the body  
29 of water, unless the commissioner [DEPARTMENT] finds that regulating

1 or limiting access is necessary for other beneficial uses or public  
2 purposes.

3 \* Sec. 36. AS 38.05.127 is amended by adding a new subsection to read:

4 (e) The establishment of easements or rights-of-way for oil and  
5 gas and mineral leases under (a) of this section need not be made  
6 until the leases are ready to be developed.

7 \* Sec. 37. AS 38.05.205(c) is amended to read:

8 (c) A mining lease shall be for any period up to 55 years, and  
9 the lessee has a right to a new lease at the end of each lease period.  
10 The commissioner may make reasonable adjustments of the rental rate at  
11 the end of each 20 year period, based upon changed conditions in  
12 production costs and markets. A valid mining claim located and held  
13 under AS 38.05.195 may be converted to a lease at any time upon appli-  
14 cation by the owner, and issuance by the commissioner [DIRECTOR]. No  
15 rights granted by a mining lease may be exercised until the lease has  
16 been filed for record in the recording district where the land is  
17 located.

18 \* Sec. 38. AS 38.05.300(a) is amended to read:

19 (a) The commissioner shall classify for surface use land [LANDS]  
20 in areas considered [WHERE HE CONSIDERS IT] necessary and proper.  
21 This section does not prevent reclassification of land [LANDS] where  
22 the public interest warrants reclassification, nor does it preclude  
23 multiple purpose use of land [LANDS] whenever different uses are  
24 compatible. State [NO STATE] land, water, or land and water area may  
25 not, [SHALL] except by act of the state legislature, be closed to  
26 multiple purpose use [,] if the area involved contains more than 640  
27 acres.

28 \* Sec. 39. AS 38.05.310(a) is amended to read:

29 (a) No land may be sold or leased, or a renewal lease issued,

1       except in the case of an oil or gas or mineral lease, unless it has  
2       been appraised within one year [120 DAYS] before the date fixed for  
3       the sale or lease. When land is offered at public sale but is not  
4       sold and is available at private sale, no reappraisal is required  
5       unless the director considers that a change in value of the land  
6       [LANDS] may have occurred. A grazing lease may be granted to a lessee  
7       of federal grazing land [LANDS] without prior appraisal, if the [HIS]  
8       federal lease was cancelled to allow the state to select the land  
9       [LANDS] under lease. No land may be sold or leased for less than the  
10      approved, appraised market value, except as provided in AS 38.05.055,  
11      38.05.057, 38.05.075 - 38.05.085, 38.05.097, 38.05.315, and 38.05.320.

12   \* Sec. 40. AS 38.05.315(d) is amended to read:

13           (d) The director may lease the land to an eligible applicant at  
14      a reasonable annual rental, taking into consideration the purposes for  
15      which the land is to be used and the financial resources of the appli-  
16      cant. The rental may not be less than one percent of the fair market  
17      value on land [LANDS] acquired primarily for development, or less than  
18      five percent of the fair market value on [UNIVERSITY OR] acquired land  
19      [LANDS]. Rent may not be charged for state land leased for a youth  
20      encampment. For the purposes of this subsection, "youth encampment"  
21      shall be defined by the commissioner by regulation. Renewal leases  
22      may be issued at the discretion of the director upon the expiration of  
23      a primary or renewal term. Each lease shall contain a provision for  
24      its termination as to all or part of the land [LANDS] upon a finding  
25      by the director that the land or a part of it has not been used by the  
26      lessee for the purpose specified in the lease for a period of two  
27      years. No lease may be assigned or subleased except with the consent  
28      of the director, and in any case may only be transferred to an appli-  
29      cant eligible under (b) - (d) of this section. A lessee may not

1 change the use specified in the lease to another or additional use  
2 except with the consent of the director. If, at any time after the  
3 land is leased, the lessee attempts to assign the lease or transfer  
4 control over the land to another, or if the land is devoted to a use  
5 other than that for which the land was leased without the consent of  
6 the director, the lease automatically terminates.

7 \* Sec. 41. AS 38.05.321(c) is amended to read:

8 (c) The provisions of this section do not apply

9 (1) to state land classified as agricultural land that  
10 [WHICH] has been selected by a municipality under the provisions of  
11 AS 29.18.190 - 29.18.200 if the selection is an approved selection  
12 before April 1, 1978 and is otherwise valid under AS 29.18.205(b); or

13 (2) a quitclaim of the interest of the state to the federal  
14 government under AS 38.05.035(b)(9).

15 \* Sec. 42. AS 38.05.345(a) is amended to read:

16 (a) This section establishes the requirements for notice given  
17 by the department for the following actions:

18 (1) classification or reclassification of state land under  
19 AS 38.05.300 and the closing of land to mineral leasing or entry under  
20 AS 38.05.185;

21 (2) zoning of land under applicable law;

22 (3) a decision under AS 38.05.035(e) [AS 38.05.035(a)(14)]  
23 regarding the sale, lease, or disposal of an interest in state land or  
24 resources; and

25 (4) a competitive disposal of an interest in state land or  
26 resources after final decision under AS 38.05.035(e) [AS 38.05.035-  
27 (a)(14)].

28 \* Sec. 43. AS 38.05.345(b) is amended to read:

29 (b) Notice of one or more actions described in (a) of this

1 section shall be given by more than one of the following methods at  
2 least 30 days before the action: [BY] (1) publication in newspapers of  
3 statewide circulation and in a newspaper of general circulation in the  
4 vicinity of the proposed action, (2) publication through public ser-  
5 vice announcements on the electronic media serving the area affected  
6 by the action, (3) posting in a conspicuous location in the vicinity  
7 of the action, (4) notification of parties known or likely to be  
8 affected by the action, or (5) another method calculated to reach  
9 affected persons. A notice shall contain sufficient information in  
10 commonly understood terms to inform the public of the nature of the  
11 action and the opportunity of the public to comment on the action.

12 \* Sec. 44. AS 38.05.345(d) is amended to read:

13 (d) Notice is not required under this section for [FOR PURPOSES  
14 OF THIS SECTION AN "INTEREST IN STATE LAND OR RESOURCES" DOES NOT  
15 INCLUDE]

16 (1) a permit or other authorization revocable by the de-  
17 partment; or

18 (2) negotiated sales of timber not exceeding 500,000 board  
19 feet or materials not exceeding 25,000 cubic yards under AS 38.05.115.

20 \* Sec. 45. AS 38.05.365 is amended to read:

21 Sec. 38.05.365. DEFINITIONS. In this chapter, unless the con-  
22 text otherwise requires,

23 (1) "acquired land [LANDS]" means land [LANDS] belonging to  
24 the state including tide, submerged and shoreland [SHORELANDS] which  
25 has [HAVE] been obtained by escheat, purchase, or any means other than  
26 by general land grant;

27 (2) "agricultural land [LANDS]" means land [LANDS] chiefly  
28 valuable for agricultural purposes;

29 (3) "commissioner" means the commissioner [OF THE

1 DEPARTMENT] of natural resources;

2 (4) "department" means the Department of Natural Resources;

3 (5) "director" means the director of the division of lands  
4 of the Department of Natural Resources;

5 (6) "industrial and commercial land [LANDS]" means land  
6 [LANDS] chiefly valuable for industrial trade, manufacturing or busi-  
7 ness use;

8 (7) "lieu and indemnity land [LANDS]" means land [LANDS]  
9 which the state is entitled to select under the provisions of 38 Stat.  
10 1214, as amended (48 USC 353) or a similar statute to compensate for  
11 land [LANDS] in place of surveyed rectangulars, which have been lost  
12 to the state by reason of deficient sections, prior rights, claims.  
13 withdrawals, reservations and other appropriations;

14 [(8) repealed.]

15 (8) [(9)] "mineral land [LANDS]" means land [LANDS] pro-  
16 spectively valuable for mineral deposits;

17 (9) "multiple use" has the meaning given in AS 38.04.910;

18 (10) "park and recreation land [LANDS]" means land [LANDS]  
19 chiefly valuable for public park and recreation use;

20 (11) "preference right forest lease" means a lease granted  
21 to a lessee whose United States Forest Service term special use permit  
22 was cancelled to allow the land under permit to be selected by the  
23 state;

24 (12) "preference right grazing lease" means a grazing lease  
25 granted to a lessee whose federal grazing lease was cancelled to allow  
26 the land under lease to be selected by the state;

27 (13) "rule of approximation" is the rule which is applied in  
28 determining whether or not a lease complies with the area limits set  
29 forth in this chapter and regulations adopted under it and in keeping

1 the boundaries of leased land [LANDS] coincidental with legal subdivi-  
2 sions; under the rule, if the area covered by a lease in excess of the  
3 permitted maximum is smaller than the area of any deficiency that  
4 would result by eliminating from the lease the smallest legal subdivi-  
5 sion covered by the lease or application for lease, the excess area  
6 will be permitted to remain in the lease; if the excess area is  
7 greater than the deficient area would be, then the smallest legal  
8 subdivision will be eliminated from the lease;

9 [(14) repealed.]

10 (14) "shoreland" [(15) "SHORELANDS"] means land [LANDS]  
11 belonging to the state which is [ARE] covered by nontidal water  
12 [WATERS] that is [ARE] navigable under the laws of the United States  
13 up to ordinary high water mark as modified by accretion, erosion, or  
14 reliction;

15 (15) [(16)] "state land [LANDS]" or "land" ["LANDS"] means  
16 all land [LANDS], including shore, tide and submerged land [LANDS], or  
17 resources belonging to or acquired by the state;

18 (16) [(17)] "submerged land [LANDS]" means land [LANDS]  
19 covered by tidal water [WATERS] between the line of mean low water and  
20 seaward to a distance of three geographical miles or further as may  
21 hereafter be properly claimed by the state;

22 (17) "tideland" [(18) "TIDELANDS"] means land [THOSE LANDS]  
23 which is [ARE] periodically covered by tidal water [WATERS] between  
24 the elevation of mean high and mean low tides;

25 (18) [(19)] "timber land [LANDS]" and "material land  
26 [LANDS]" mean state land [LANDS] chiefly valuable for materials,  
27 including, but not limited to, sand, stone, gravel, pumice, common  
28 clay, or timber and other forest products;

29 (19) [(20)] "university land [LANDS]"

1                   (A) means

2                   (i) all sections 33 reserved to the university  
3 under 38 Stat. 1214, as amended; [(48 USC 353) AND]

4                   (ii) all land [LANDS] granted to or reserved for  
5 the benefit of the university that retains its designation as  
6 university land;

7                   (iii) all other land owned in fee by the University  
8 of Alaska including land transferred in fee to the Board of  
9 Regents of the University of Alaska to replace land formerly  
10 designated as university land;

11                   (B) does not include former university land that has  
12 been conveyed to the Department of Natural Resources under the  
13 settlement approved by the legislature in ch. 41, SLA 1983;

14                   (20) [(21)] "grazing land [LANDS]" means land [LANDS] chief-  
15 ly valuable for grazing purposes; [.]

16                   (21) [(22)] "navigable water [WATEPS]" means any water of  
17 the state forming a river, stream, lake, pond, slough, creek, bay,  
18 sound, estuary, inlet, strait, passage, canal, sea or ocean, or any  
19 other body of water or waterway within the territorial limits of the  
20 state or subject to its jurisdiction, that is navigable in fact for  
21 any useful public purpose, including but not limited to water suitable  
22 for commercial navigation, floating of logs, landing and takeoff of  
23 aircraft, and public boating, trapping, hunting waterfowl and aquatic  
24 animals, fishing, or other public recreational purposes;

25                   (22) [(23)] "public water [WATERS]" means navigable water  
26 and all other water, whether inland or coastal, fresh or salt, that is  
27 reasonably suitable for public use and utility, habitat for fish and  
28 wildlife in which there is a public interest, or migration and spawn-  
29 ing of fish in which there is a public interest; [.]

1           (23) [(24)] "geothermal resources" means the natural heat of  
2 the earth at temperatures greater than 120 degrees Celsius, measured  
3 at the point where the highest-temperature resources encountered enter  
4 or contact a well or other resource extraction device, and includes

5           (A) the energy, including pressure, in whatever form  
6 present in, resulting from, created by, or that may be extracted  
7 from that natural heat;

8           (B) the material medium, including the geothermal  
9 fluid naturally present, as well as substances artificially  
10 introduced to serve as a heat transfer medium; and

11           (C) all dissolved or entrained minerals and gases that  
12 may be obtained from the material medium, but excluding hydrocar-  
13 bon substances and helium.

14 \* Sec. 46. AS 38.05 is amended by adding a new section to read:

15           Sec. 38.05.940. VETERANS' LAND DISCOUNT. (a) An eligible  
16 veteran is entitled to a discount of 25 percent on the purchase price  
17 of state land sold under this title and classified under AS 38.05.-  
18 005 - 38.05.270 for settlement purposes.

19           (b) To be eligible for a discount under this section, a veteran  
20 shall submit proof, as required by regulation, that the veteran

21           (1) is 18 years of age or older on the date of sale;

22           (2) has been a state resident for a period of not less than  
23 one year immediately preceding the date of sale;

24           (3) has performed not less than 90 days of active service  
25 in the armed forces of the United States; and

26           (4) has received an honorable discharge or a general dis-  
27 charge under honorable conditions.

28           (c) A veteran is entitled to only one discount under this sec-  
29 tion during the veteran's lifetime.

1 (d) A discount under this section may be applied only to the  
2 acquisition of surface rights to state land. A discount under this  
3 section may not be applied to survey costs, road development costs,  
4 utility assessments, or other costs that the commissioner determines  
5 are reimbursable to the state.

6 (e) A discount under this section may be used toward the pur-  
7 chase of land offered at a restricted sale under AS 38.05.067.

8 \* Sec. 47. AS 38.07.030(c) is amended to read:

9 (c) The cost of clearing land leased from the state, including  
10 but not limited to school [, UNIVERSITY,] and mental health land,  
11 shall be borne by the state. The lessee shall repay the cost over a  
12 10-year period at five percent interest.

13 \* Sec. 48. AS 38.08.060 is amended by adding a new subsection to read:

14 (e) A permit holder who meets each of the provisions of (a) of  
15 this section except for (a)(1) and who tenders the commissioner an  
16 amount equal to five percent of the purchase price of the land within  
17 seven years of the issuance of the permit may purchase the land under  
18 AS 38.05.065. The purchase price of the land is the fair market value  
19 of the land at the time of purchase.

20 \* Sec. 49. AS 38.09.010(b) is amended to read:

21 (b) The commissioner shall complete a cadastral survey of home-  
22 stead entry state land under AS 38.04.045 before designating the state  
23 land for homestead entry but the commissioner may waive the cadastral  
24 survey on a determination that topographic features, diffuse settle-  
25 ment, or the public interest do not justify or require the cadastral  
26 survey. [NO PORTION OF LAND MADE AVAILABLE FOR HOMESTEAD ENTRY MAY BE  
27 LOCATED MORE THAN A MILE FROM A SURVEY CONTROL MONUMENT.]

28 \* Sec. 50. AS 38.09.090 is amended by adding a new subsection to read:

29 (b) An applicant who complies with AS 38.09.050(a)(2) - (5) and

1 who tenders the commissioner an amount equal to five percent of the  
2 present fair market value of the land within five years of the issu-  
3 ance of the permit may purchase the land under AS 38.05.065 [IF THE  
4 COMMISSIONER DETERMINES THAT THE APPLICANT HAS MADE A GOOD FAITH  
5 EFFORT TO MEET THE OCCUPANCY REQUIREMENTS]. The purchase price is the  
6 fair market value of the land at the time of the purchase.

7 \* Sec. 51. AS 38.20.010 is amended to read:

8 Sec. 38.20.010. ADOPTION. The systems [SYSTEM] of rectangular  
9 plane coordinates established by the National Geodetic Survey, Nation-  
10 al Ocean Service [UNITED STATES COAST AND GEODETIC SURVEY] for defin-  
11 ing and stating the positions or locations of points on the surface of  
12 the earth in this state are [IS] adopted. The systems are [IT IS] to  
13 be known as the "Alaska Coordinate System of 1927" and the "Alaska  
14 Coordinate System of 1983."

15 \* Sec. 52. AS 38.20.030 is amended to read:

16 Sec. 38.20.030. DESIGNATION OF ZONES. In any land description  
17 in which a coordinate system [IT] is used a zone of the coordinate  
18 system is designated the "Alaska Coordinate System of 1927, Zone  
19 ..... " or the "Alaska Coordinate System of 1983, Zone ....."

20 \* Sec. 53. AS 38.20.040 is amended to read:

21 Sec. 38.20.040. USE OF COORDINATE SYSTEM. The plane coordinates  
22 of a point on the earth's surface, to be used in expressing the posi-  
23 tion or location of the point in the appropriate zone of this system,  
24 consist of two distances, expressed in feet and decimals of a foot  
25 when using the Alaska Coordinate System of 1927 and expressed in  
26 meters and decimals of a meter when using the Alaska Coordinate System  
27 of 1983. One of these distances, known as the "x-coordinate," gives  
28 the position in an east-and-west direction; the other known as the  
29 "y-coordinate" gives the position in a north-and-south direction.

1 These coordinates shall be made to depend upon and conform to the  
2 coordinates of the North American Horizontal Geodetic Control Network  
3 as determined by the National Geodetic Survey, National Ocean Service  
4 [ , ON THE ALASKA COORDINATE SYSTEM, OF THE TRIANGULATION AND TRAVERSE  
5 STATIONS OF THE UNITED STATES COAST AND GEODETIC SURVEY IN THE STATE,  
6 AS THOSE COORDINATES HAVE BEEN DETERMINED BY THE SURVEY].

7 \* Sec. 54. AS 38.20.060 is amended to read:

8 Sec. 38.20.060. CHARACTERISTICS OF ZONES. The zones of the  
9 Alaska Coordinate System of 1927 have the following characteristics:

10 (1) Zone 1 is an oblique Mercator projection of the Clarke  
11 spheroid of 1866, having an origin at the intersection of parallel 57°  
12 00 minutes [MINUTE] north latitude and meridian 133° 40 minutes [MI-  
13 NUTE] west of Greenwich, at which the scale is set one part in 10,000  
14 too small, and through which the axis of symmetry is in geodetic  
15 azimuth arc tangent-3/4, reckoned clockwise from south. The origin is  
16 assigned values such that all final coordinates will be positive.

17 (2) Zone 2 is a transverse Mercator projection of the  
18 Clarke spheroid of 1866, having a central meridian 142° 00 minutes  
19 [MINUTE] west of Greenwich, on which meridian the scale is set one  
20 part in 10,000 too small. The origin of coordinates is at the inter-  
21 section of the meridian 142° 00 minutes [MINUTE] west of Greenwich and  
22 the parallel of 54° 00 minutes [MINUTE] north latitude. This origin  
23 is given the coordinates:  $x = 500,000$  feet and  $y = 0$  feet.

24 (3) Zone 3 is a transverse Mercator projection of the  
25 Clarke spheroid of 1866, having a central meridian 146° 00 minutes  
26 [MINUTE] west of Greenwich, on which meridian the scale is set at one  
27 part in 10,000 too small. The origin of coordinates is at the inter-  
28 section of the meridian 146° 00 minutes [MINUTE] west of Greenwich and  
29 the parallel 54° 00 minutes [MINUTE] north latitude. This origin is

1 given the coordinates:  $x = 500,000$  feet and  $y = 0$  feet.

2 (4) Zone 4 is a transverse Mercator projection of the  
3 Clarke spheroid of 1866, having a central meridian  $150^{\circ} 00$  minutes  
4 [MINUTE] west of Greenwich, on which meridian the scale is set at one  
5 part in 10,000 too small. The origin of coordinates is at the inter-  
6 section of the meridian  $150^{\circ} 00$  minutes [MINUTE] west of Greenwich and  
7 the parallel  $54^{\circ} 00$  minutes [MINUTE] north latitude. This origin is  
8 given the coordinates:  $x = 500,000$  feet and  $y = 0$  feet.

9 (5) Zone 5 is a transverse Mercator projection of the  
10 Clarke spheroid of 1866, having a central meridian  $154^{\circ} 00$  minutes  
11 [MINUTE] west of Greenwich, on which meridian the scale is set at one  
12 part in 10,000 too small. The origin of coordinates is at the inter-  
13 section of the meridian  $154^{\circ} 00$  minutes [MINUTE] west of Greenwich and  
14 the parallel  $54^{\circ} 00$  minutes [MINUTE] north latitude. This origin is  
15 given the coordinates:  $x = 500,000$  feet and  $y = 0$  feet.

16 (6) Zone 6 is a transverse Mercator projection of the  
17 Clarke spheroid of 1866, having a central meridian  $158^{\circ} 00$  minutes  
18 [MINUTE] west of Greenwich, on which meridian the scale is set at one  
19 part in 10,000 too small. The origin of coordinates is at the inter-  
20 section of the meridian  $158^{\circ} 00$  minutes [MINUTE] west of Greenwich and  
21 the parallel  $54^{\circ} 00$  minutes [MINUTE] north latitude. This origin is  
22 given the coordinates:  $x = 500,000$  feet and  $y = 0$  feet.

23 (7) Zone 7 is a transverse Mercator projection of the  
24 Clarke spheroid of 1866, having a central meridian  $162^{\circ} 00$  minutes  
25 [MINUTE] west of Greenwich, on which meridian the scale is set at one  
26 part in 10,000 too small. The origin of coordinates is at the inter-  
27 section of the meridian  $162^{\circ} 00$  minutes [MINUTE] west of Greenwich and  
28 the parallel  $54^{\circ} 00$  minutes [MINUTE] north latitude. This origin is  
29 given the coordinates:  $x = 700,000$  feet and  $y = 0$  feet.

1           (8) Zone 8 is a transverse Mercator projection of the  
2 Clarke spheroid of 1866, having a central meridian  $166^{\circ} 00$  minutes  
3 [MINUTE] west of Greenwich, on which meridian the scale is set at one  
4 part in 10,000 too small. The origin of coordinates is at the inter-  
5 section of the meridian  $166^{\circ}$  west of Greenwich and the parallel  $54^{\circ} 00$   
6 minutes [MINUTE] north latitude. This origin is given the coordi-  
7 nates:  $x = 500,000$  feet and  $y = 0$  feet.

8           (9) Zone 9 is a transverse Mercator projection of the  
9 Clarke spheroid of 1866, having a central meridian  $170^{\circ} 00$  minutes  
10 [MINUTE] west of Greenwich, on which meridian the scale is set at one  
11 part in 10,000 too small. The origin of coordinates is at the inter-  
12 section of the meridian  $170^{\circ} 00$  minutes [MINUTE] west of Greenwich and  
13 the parallel  $54^{\circ} 00$  minutes [MINUTE] north latitude. This origin is  
14 given the coordinates:  $x = 600,000$  feet and  $y = 0$  feet.

15           (10) Zone 10 is a Lambert conformal conic projection of the  
16 Clarke spheroid of 1866, having standard parallels at north latitude  
17  $51^{\circ} 50$  minutes [MINUTE] as and  $53^{\circ} 50$  minutes, along which parallels  
18 the scale shall be exact. The origin of coordinates is at the inter-  
19 section of the meridian  $176^{\circ} 00$  minutes [MINUTE] west of Greenwich and  
20 the parallel  $51^{\circ} 00$  minutes [MINUTE] north latitude. This origin is  
21 given the coordinates:  $x = 3,000,000$  feet and  $y = 0$  feet.

22 \* Sec. 55. AS 38.20.060 is amended by adding a new subsection to read:

23           (b) The zones of the Alaska Coordinate System of 1983 have the  
24 following characteristics:

25           (1) Zone 1 is an oblique Mercator projection of the World  
26 Reference Ellipsoid, having an origin at the intersection of parallel  
27  $57^{\circ} 00$  minutes north latitude and meridian  $133^{\circ} 40$  minutes west of  
28 Greenwich, at which the scale is set one part in 10,000 too small, and  
29 through which the axis of symmetry is in geodetic azimuth arc