

LEG. FINANCE - BILLS 1985 - 1986 2266
2nd SSSB 414 cont. - SB 428 2266

1 fulfillment of the municipality's general grant land entitlement as
2 specified in the agreement and agreed to by both parties. Conveyances
3 under an agreement entered into under this section may not contain reser-
4 vations or conditions that are not required to be imposed by law, except
5 restrictions or conditions agreed upon by the parties.

6 * Sec. 16. AS 29.65.010(b), 29.65.020, 29.65.030, 29.65.050, 29.65.-
7 080(h) and 29.65.110 are repealed.

8 * Sec. 17. Section 6 of this Act is retroactive to October 4, 1985.

9 * Sec. 18. Sections 6, 14, 15, and 17 of this Act take effect immedi-
10 ately in accordance with AS 01.10.070(c).

11 * Sec. 19. Sections 1 - 5, 7 - 13, and 16 of this Act take effect
12 January 1, 1987.

**STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE**

Revision Date : 3/3/86

REQUEST

Bill/Resolution No. : SB 414
 Title : An Act relating to municipal
entitlements
 Sponsor : Senator Furcison
 Requestor : _____
 Date of Request : _____

FISCAL DETAIL

Agency Affected : Community & Regional Affairs
 BRU : _____
 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING : (Thousands of Dollars)

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

POSITIONS :

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

ANALYSIS : Attach a separate page if necessary

Prepared by : Doug Griffin, Deputy Director
 Division : Municipal & Regional Assistance
 Approved by Commissioner : _____
 Agency : Community & Regional Assistance

Phone : 465-4750
 Date : 3/3/86
 Date : 3/10/86

Distribution (by Agency preparing fiscal note) :

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

BILL SHEFFIELD, GOVERNOR

DEPT. OF COMMUNITY & REGIONAL AFFAIRS

OFFICE OF THE COMMISSIONER

March 10, 1986

- POUCH B
JUNEAU, ALASKA 99811
PHONE: (907) 465-4700
- 949 E. 36TH AVENUE, SUITE 400
ANCHORAGE, ALASKA 99508
PHONE: (907) 563-1073

POSITION PAPER

RE: SB 414

SPONSOR: Senator Ferguson

Program Effects of Bill

The bill would, by broadening the definition to "municipalities", extend to boroughs the right to select 10% of vacant unappropriated and unreserved State land within their boundaries.

The bill would also extend the determination of land selection date from "within six months of July 1, 1978" (or "six months from date of incorporation" for municipalities incorporated after July 1, 1978) to "two years after the expiration of the State's right to make selections". This revision would allow municipalities the right to make selections from all State land, rather than just the land available at a particular time. It would also allow municipalities to select State land in newly annexed areas.

In addition, Section 4 of the bill would change the definition of "vacant, unappropriated and unreserved land" to include land categories currently utilized by the State. Land extensive categories such as "resource management, forestry, wildlife habitat and water resources" would be specifically included.

Comments

The Department of Community and Regional Affairs supports the proposed legislation because of its beneficial effect on municipalities. The political subdivisions of the State should be entitled to share the benefits of increased State land within their boundaries whenever the increase occurs. The proposed legislation allows municipalities to share the good fortunes of the State whenever the State receives additional land within the municipal boundaries. Beneficiaries of the proposed legislation would include the proposed Northwest Arctic Borough, the Matanuska-Susitna Borough, the City of Anderson, the North Slope Borough, and cities such as Yakutat that may be annexing State land in the future.

SB 414
March 10, 1986
Page Two

One of the Department's goals is to support the formation of local governments when it is desired by residents of the area. Under current laws, the municipal land entitlement is based on the amount of State land within the municipal boundaries at the time of incorporation. Thus, the decision to incorporate a local government at a particular time may be significantly influenced by whether or not the State has received land in the area being considered for incorporation. Because the proposed legislation allows the municipal land entitlement to be determined as the State receives land, the amount of State land in the area proposed for incorporation becomes less of a factor in the decision to incorporate. Local residents can concentrate more debate on the need for and desirability of local government rather than on the timing of State land selections. Moreover, the proposed legislation would allow municipalities to increase their entitlements when annexing areas containing State land, consistent with the overall intent of the entitlement program. It would also serve to institute a consistent framework for entitlements, rather than continue the piecemeal approach that had been followed in the past when the Legislature addressed the issue of entitlements for the cities of Pelican and Whittier.

The Department urges that the Legislature adopt the amendments to AS 29.65.130(10)(C) contained in Section 4 of the bill as introduced. The municipal land entitlement is based on the amount of land considered to be "vacant, unappropriated and unreserved". Under AS 29.65.130(10)(C) the State land classifications, which are considered "vacant, unappropriated and unreserved" for purposes of determining municipal land entitlements, are listed. Many future boroughs, and to some extent future cities, are expected to contain significant amounts of State land classified as forestry or wildlife habitat. Therefore it is of particular importance that the State land classifications of forestry and wildlife habitat remain in the list of classifications considered "vacant, unappropriated and unreserved" for purposes of determining municipal land entitlements.


Emil Notti, Commissioner

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : 03-13-86

REQUEST

Bill/Resolution No. : SSSB 414
 Title : Municipal Land Entitlements

Sponsor : Sen. Ferguson
 Requestor : Sen. C&RA
 Date of Request : 03-13-86

FISCAL DETAIL

Agency Affected : Natural Resources
 BRU : Land & Water Management

Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		165.9	91.9	43.0	43.0	43.0
TRAVEL		12.0	6.0	4.0	4.0	4.0
CONTRACTUAL		21.0	10.5	6.0	6.0	6.0
SUPPLIES		.3	.3	.2	.2	.2
EQUIPMENT		.9				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		200.1	108.7	53.2	53.2	53.2

CAPITAL						
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REVENUE						
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FUNDING : (Thousands of Dollars)

GENERAL FUND		200.1	108.7	53.2	53.2	53.2
FEDERAL FUNDS						
OTHER						
TOTAL		200.1	108.7	53.2	53.2	53.2

POSITIONS :

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

ANALYSIS : Attach a separate page if necessary

See attached.

Prepared by : Gary Johnson *[Signature]* Phone : 762-4355
 Division : Land & Water Management Date : 03-11-86

Approved by Commissioner : *[Signature]* D *[Signature]* Date : 3/14/86
 Agency : Natural Resources

Distribution (by Agency preparing fiscal note) :

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

03-14-86

Analysis - SSSB 414

The analysis includes funding for two Nat'l Res Officer II and two Nat'l Res Tech II. These positions will be placed in the regional offices to determine entitlements for the entities in the region.

Most of the work to prepare certificates of entitlement will occur in the first year of the project. Successive years will require less intense activity to update land records in preparation of annual certificates, thus fewer employees will be needed in succeeding years. In the second year the department anticipates the project requiring only two Nat'l Res Officer II positions to continue with certification and decision processing. In years 89,90, and 91, we anticipate handling the statewide workload with a single NRO II.

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : SB 414
 Title : Municipal Land Entitlements

Sponsor : Sen Ferguson
 Requestor : Sen. C. & R. A.
 Date of Request : 03-07-86

FISCAL DETAIL

Agency Affected : Natural Resources
 BRU : Land & Water Mgmt-Public Use

Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		218.4				
TRAVEL		12.0				
CONTRACTUAL		21.0				
SUPPLIES		3				
EQUIPMENT		9				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		252.6	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
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FUNDING : (Thousands of Dollars)

GENERAL FUND		252.6	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL		252.6	-0-	-0-	-0-	-0-

POSITIONS :

FULL-TIME		5				
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

The analysis includes funding for 4 Nat'l Res Officer II and 1 Nat'l Res Tech II. These positions will be placed in the Regional Offices to determine entitlements for the entities in the region.

Prepared by : Gary Johnson *RMJ*
 Division : Land & Water Mgmt.

Phone : 762-4355
 Date : 03-11-86

Approved by Commissioner : *Wm D Amos*
 Agency : Natural Resources

Date : 3/11/86

Distribution (by Agency preparing fiscal note) :

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

COMMITTEE REPORT
SENATE

FURTHER:

2/14/86

Date _____

Mr. President

The Committee on FINANCE considered SB 417

making special appropriations to the state bond committee for the purpose of defeasance of outstanding general obligation bonds; efd.

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 _____
- new title
- same title and recommends _____
- 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

Chairman

Chairman recommendation

Introduced: 2/14/86
Referred: Finance

Funding Information
General Fund \$386,289,500
Other Funds -0-
\$386,289,500

1 IN THE SENATE

BY FAHRENKAMP

2 SENATE BILL NO. 417

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making special appropriations to the state
7 bond committee for the purpose of defeasance of out-
8 standing general obligation bonds; and providing for
9 an effective date."

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

11 * Section 1. The sum of \$386,000,000 is appropriated from the general
12 fund to the state bond committee for the purpose of defeasing outstanding
13 general obligation bonds that were issued under AS 37.15.010 - 37.15.220
14 (State Bonding Act) before May 1, 1978.

15 * Sec. 2. The sum of \$289,500, or as much of that amount as is neces-
16 sary, is appropriated from the general fund to the state bond committee to
17 administer the provisions of sec. 1 of this Act and to pay fees and ex-
18 penses incident to the defeasance of outstanding general obligation bonds.

19 * Sec. 3. This Act takes effect July 1, 1986.
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COMMITTEE COPY

ALASKA STATE LEGISLATURE

... 14th Legislature ... 2nd. Session

SENATE BILL NO. 417

By FAHRENKAMP

"An Act making special appropriations to the state bond committee for the purpose of defeasance of outstanding general obligation bonds; and providing for an effective date."

Introduced in the Senate ... 2/14, 19... 86

HISTORY IN THE SENATE

19 86 Read first time and referred to Committee on

2 14 FINANCE
Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by President
Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19 Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by Speaker
Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19 Received from House

To enrolling

Reported correctly enrolled

Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.

Introduced: 2/14/86
Referred: Finance

Funding Information
General Fund \$386,289,500
Other Funds -0-
\$386,289,500

1 IN THE SENATE

BY FAHRENKAMP

2

SENATE BILL NO. 417

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act making special appropriations to the state
7 bond committee for the purpose of defeasance of out-
8 standing general obligation bonds; and providing for
9 an effective date."

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

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12 fund to the state bond committee for the purpose of defeasing outstanding
13 general obligation bonds that were issued under AS 37.15.010 - 37.15.220
14 (State Bonding Act) before May 1, 1978.

15 * Sec. 2. The sum of \$289,500, or as much of that amount as is neces-
16 sary, is appropriated from the general fund to the state bond committee to
17 administer the provisions of sec. 1 of this Act and to pay fees and ex-
18 penses incident to the defeasance of outstanding general obligation bonds.

19 * Sec. 3. This Act takes effect July 1, 1986.

~~HOUSE~~
~~COMMITTEE REPORT~~

(11)

Date referred: 5/8/86

FURTHER REFERRALS:

DATE: 5-10-86

The FINANCE Committee has considered CSSB 418(Res)

"An Act relating to the Alaska minerals commission; and providing for an effective date."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with _____ same title
- _____ new title

and recommends _____

further referral to the _____ Committee

- and attaches:
- letter of intent
 - first fiscal note
 - new fiscal note
 - zero fiscal note 4/7/86

SIGNING DO PASS:

[Signature]

[Signature]

Rich Cleary

[Signature]

[Signature]

SIGNING OTHER RECOMMENDATIONS:

Albert P. [Signature] - No Rec

[Signature]

[Signature] no Rec

Ronald J. [Signature]

[Signature] No Rec

Albert P. [Signature]

 Chairman

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date : 4/7/86

REQUEST

Bill/Resolution No. : CSSB 418 (Res)
 Title : An Act relating to the Alaska Minerals Commission
 Sponsor : Bennett, et al.
 Requestor : Sturculewski
 Date of Request : 3/14/86

FISCAL DETAIL

Agency Affected : Natural Resources
 BRU : _____
 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING : (Thousands of Dollars)

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

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by : Ned Farquhar Phone : 465-2400
 Division : Commissioner's Office Date : 4/7/86

Approved by Commissioner : *Ned Farquhar* Date : 4/7/86
 Agency : Natural Resources

Distribution (by Agency preparing fiscal note) :

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

Offered: 3/20/86
Referred: Finance

Original sponsors: Bennett, Coghill
and Fahrenkamp

1 IN THE SENATE BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO. 418 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska minerals commission;
7 and providing for an effective date."

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

9 * Section 1. (a) The legislature finds that the minerals industries,
10 including metallic minerals, industrial minerals, and hydrocarbons, have
11 been traditionally and continue to be the major source of wealth and income
12 in the state.

13 (b) The legislature further finds that there are major constraints on
14 the continued development of a diverse mineral industry in the state,
15 including the Environmental Protection Agency's effluent guidelines, state
16 water quality standards and improperly classified streams and rivers,
17 restrictions on surface access, complex and numerous permitting require-
18 ments, a limited access to minerals through mineral closing orders and
19 restrictions on multiple use through state and federal land use plans.

20 * Sec. 2. ALASKA MINERALS COMMISSION ESTABLISHED. (a) The Alaska
21 Minerals Commission is established in the Department of Commerce and Eco-
22 nomic Development.

23 (b) The commission is composed of 11 members. The commission shall
24 be composed of individuals who have at least five years experience in the
25 various aspects of the minerals industries in the state. The governor
26 shall appoint five members of the commission. The president of the Senate
27 shall appoint three members of the commission. The speaker of the House of
28 Representatives shall appoint three members of the commission.

29 (c) The commission shall make recommendations to the governor and to

1 the legislature on ways to mitigate the constraints, including governmental
2 constraints, on development of minerals, including coal, in the state.

3 (d) The commission shall make its preliminary recommendations to the
4 governor and the legislature during the first 10 days of the First Regular
5 Session of the Fifteenth Legislature and shall make its final report to the
6 governor and the legislature during the first 10 days of the First Regular
7 Session of the Sixteenth Legislature.

8 * Sec. 3. This Act is repealed February 1, 1989.

9 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
10 10.070(c).

**STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE**

Revision Date: April 2, 1986

REQUEST

Bill/Resolution No.: SB 418
 Title: An Act relating to Alaska
 Mineral Commission

Sponsor: Bennett, et al.
 Requester: Senator Sturqulewski
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Commerce & Econ. Dev.
 BRU: Economic Development Advocates

Components: Office of Mineral Development

EXPENDITURES / REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		-0-	-0-	-0-		
TRAVEL		17.2	12.9	8.6		
CONTRACTUAL		4.0	4.8	5.2		
SUPPLIES		.3	.3	.3		
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		21.5	18.0	14.1		

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of dollars)

GENERAL FUND		21.5	18.0	14.1		
FEDERAL FUNDS						
OTHER						
TOTAL		21.5	18.0	14.1		

POSITIONS:

FULLTIME		-0-	-0-	-0-		
PARTTIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary.

Prepared by: C. B. Green/J. R. Deagen
 Division: Office of Mineral Development

Phone: 465-2023
 Date: April 2, 1986

Approved by Commissioner: [Signature]
 Agency: Commerce and Economic Development

Date: April 2, 1986

Distribution (by Agency preparing fiscal note):

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

ANALYSIS SB 418

A) Travel

Assumes nine commission members from Southcentral and Interior regions and two from Southeast

Meetings per year: Year one - four meetings
Year two - three meetings
Year three - two meetings

B) Contractual

Contractual expenses would primarily be for telephone costs and preparation and printing of reports.

Telephone expenses are estimated at \$2,800 for year one increasing to \$3,600 for year two and \$4,000 for year three

Increasing telephone expenses would be due the result of replacing meetings with conference calls in year two and year three.

Preparation and printing of reports is assumed to be \$1,200 each year.

The Department recommends a change from an 11 member commission to a 7 member commission

- composed of six members from Interior and Southcentral Alaska and one from Southeast Alaska

Savings would be - Year one - \$4,910
Year two - \$3,680
Year three - \$2,460
Total \$11,050



ALASKA MINERS ASSOCIATION, INC.

509 W. Third Ave., Suite 17, Anchorage, Alaska 99501 (907) 276-0347

RESOLUTION

ESTABLISHMENT OF THE ALASKA MINERALS COMMISSION AND CONCERNING MAJOR CONSTRAINTS TO DEVELOPMENT IN ALASKA - 1986

WHEREAS: The minerals industries, which include metallic minerals, industrial minerals, and hydrocarbons, have traditionally and continue to be the major source of wealth and income in Alaska, and


WHEREAS: There are major constraints to continued development of a diverse mineral industry in Alaska, including: EPA effluent guidelines; state water quality standards and improperly classified streams and rivers; restrictions to surface access; complex and numerous permitting requirements; limited access to mineral rights through mineral closing orders and restrictions to multiple use through state and federal land use plans, therefore,

BE IT RESOLVED that the State of Alaska establish an omnibus Commission entitled the Alaska Minerals Commission to make recommendations to the Governor and to the Legislature on ways to mitigate the constraints to mineral development in Alaska, and be it further

RESOLVED that the 11 members of the Commission be nominated from the Alaska mineral industry, appointed by the Governor and confirmed by the Senate for a period of three years, and be it further

RESOLVED that the Commission be directed to define the major constraints (including government impact) to mineral development in Alaska and to make preliminary recommendations to the legislature and the Governor by the beginning of the 1987 legislative session, with a final report due by the beginning of the 1989 legislative session.

Dated this 24th day of January, 1986.



Rose Rybachek, President

Offered: 3/20/86
Referred: Finance

Original sponsors: Bennett, Coghill
and Fahrenkamp

1 IN THE SENATE BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO. 418 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska minerals commission;
7 and providing for an effective date."

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

9 * Section 1. (a) The legislature finds that the minerals industries,
10 including metallic minerals, industrial minerals, and hydrocarbons, have
11 been traditionally and continue to be the major source of wealth and income
12 in the state.

13 (b) The legislature further finds that there are major constraints on
14 the continued development of a diverse mineral industry in the state,
15 including the Environmental Protection Agency's effluent guidelines, state
16 water quality standards and improperly classified streams and rivers,
17 restrictions on surface access, complex and numerous permitting require-
18 ments, a limited access to minerals through mineral closing orders and
19 restrictions on multiple use through state and federal land use plans.

20 * Sec. 2. ALASKA MINERALS COMMISSION ESTABLISHED. (a) The Alaska
21 Minerals Commission is established in the Department of Commerce and Eco-
22 nomic Development.

23 (b) The commission is composed of 11 members. The commission shall
24 be composed of individuals who have at least five years experience in the
25 various aspects of the minerals industries in the state. The governor
26 shall appoint five members of the commission. The president of the Senate
27 shall appoint three members of the commission. The speaker of the House of
28 Representatives shall appoint three members of the commission.

29 (c) The commission shall make recommendations to the governor and to

1 the legislature on ways to mitigate the constraints, including governmental
2 constraints, on development of minerals, including coal, in the state.

3 (d) The commission shall make its preliminary recommendations to the
4 governor and the legislature during the first 10 days of the First Regular
5 Session of the Fifteenth Legislature and shall make its final report to the
6 governor and the legislature during the first 10 days of the First Regular
7 Session of the Sixteenth Legislature.

8 * Sec. 3. This Act is repealed February 1, 1989.

9 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
10 10.070(c).

Introduced: 2/14/86
Referred: Resources and
Finance

BY BENNETT, COGHILL
AND FAHRENKAMP

1 IN THE SENATE

2 SENATE BILL NO. 418

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska minerals commission."

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

8 * Section 1. (a) The legislature finds that the minerals industries,
9 which include metallic minerals, industrial minerals, and hydrocarbons,
10 have been traditionally and continue to be the major source of wealth and
11 income in the state.

12 (b) The legislature further finds that there are major constraints on
13 the continued development of a diverse mineral industry in the state,
14 including the Environmental Protection Agency's effluent guidelines, state
15 water quality standards and improperly classified streams and rivers,
16 restrictions on surface access, complex and numerous permitting require-
17 ments, a limited access to minerals through mineral closing orders and
18 restrictions on multiple use through state and federal land use plans.

19 * Sec. 2. ALASKA MINERALS COMMISSION ESTABLISHED. (a) The Alaska
20 Minerals Commission is established in the Department of Natural Resources.

21 (b) The commission is composed of 11 members appointed by the
22 governor for three-year terms. In making appointments to the commission,
23 the governor shall appoint individuals who have experience in the various
24 aspects of the minerals industries in the state.

25 (c) The commission shall make recommendations to the governor and to
26 the legislature on ways to mitigate the constraints, including governmental
27 constraints, on development in the state.

28 (d) The commission shall make its preliminary recommendations to the
29 governor and the legislature during the first 10 days of the First Regular

1 Session of the Fifteenth Legislature and shall make its final report to the
2 governor and the legislature during the first 10 days of the First Regular
3 Session of the Sixteenth Legislature.

4 * Sec. 3. This Act is repealed February 1, 1989.

COMMITTEE REPORT
SENATE

FURTHER:

3/20/86

Date 4/29/86

Mr. President

The Committee on FINANCE considered SB 418
relating to the Alaska minerals commission.

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 418 (Resources)
- new title
- same title and recommends Do Pass
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
G DNR
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

Rick Halford
Paul Fisher
McLellan
Ferguson
Jakob

MEMBERS HAVING
OTHER RECOMMENDATIONS

J. Kitchin NO Rec

Co-Chairman Jim Fair
 Chairman recommendation do pass

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date : 4/7/86

REQUEST

Bill/Resolution No. : CSSB 418 (Res)
 Title : An Act relating to the Alaska Minerals Commission
 Sponsor : Bennett, et al.
 Requestor : Sturqulewski
 Date of Request : 3/14/86

FISCAL DETAIL

Agency Affected : Natural Resources
 BRU : _____
 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING : (Thousands of Dollars)

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

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by : Ned Farquhar Phone : 465-2400
 Division : Commissioner's Office Date : 4/7/86
 Approved by Commissioner : Thomas D. Amundson, Deputy Date : 4/7/86
 Agency : Natural Resources

Distribution (by Agency preparing fiscal note) :

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

Offered: 3/20/86
Referred: Finance

Original sponsors: Bennett, Coghill
and Fahrenkamp

1 IN THE SENATE BY THE RESOURCES COMMITTEE
2 CS FOR SENATE BILL NO. 418 (Resources)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska minerals commission;
7 and providing for an effective date."

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

9 * Section 1. (a) The legislature finds that the minerals industries,
10 including metallic minerals, industrial minerals, and hydrocarbons, have
11 been traditionally and continue to be the major source of wealth and income
12 in the state.

13 (b) The legislature further finds that there are major constraints on
14 the continued development of a diverse mineral industry in the state,
15 including the Environmental Protection Agency's effluent guidelines, state
16 water quality standards and improperly classified streams and rivers,
17 restrictions on surface access, complex and numerous permitting require-
18 ments, a limited access to minerals through mineral closing orders and
19 restrictions on multiple use through state and federal land use plans.

20 * Sec. 2. ALASKA MINERALS COMMISSION ESTABLISHED. (a) The Alaska
21 Minerals Commission is established in the Department of Commerce and Eco-
22 nomic Development.

23 (b) The commission is composed of 11 members. The commission shall
24 be composed of individuals who have at least five years experience in the
25 various aspects of the minerals industries in the state. The governor
26 shall appoint five members of the commission. The president of the Senate
27 shall appoint three members of the commission. The speaker of the House of
28 Representatives shall appoint three members of the commission.

29 (c) The commission shall make recommendations to the governor and to

1 the legislature on ways to mitigate the constraints, including governmental
2 constraints, on development of minerals, including coal, in the state.

3 (d) The commission shall make its preliminary recommendations to the
4 governor and the legislature during the first 10 days of the First Regular
5 Session of the Fifteenth Legislature and shall make its final report to the
6 governor and the legislature during the first 10 days of the First Regular
7 Session of the Sixteenth Legislature.

8 * Sec. 3. This Act is repealed February 1, 1989.

9 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
10 10.070(c).

SECTIONAL ANALYSIS FOR CSSB 418 (Resources)

An Act relating to the Alaska minerals commission and providing for an effective date

Section 1

Legislative findings which state that the minerals industries in the state have and continue to be a major source of wealth and income in the state. In addition, there are major constraints on the continued development of a diverse mineral industry in Alaska such as the EPA, state water quality standards, numerous permitting requirements etc.

Section 2

Establishes an 11 member Minerals Commission within the Department of Commerce and Economic Development. Members shall have at least 5 years experience in the minerals industries of the state.

Governor appoints 5 members, Senate President 3 member and the Speaker of the House would appoint the remaining 3 members.

The commission would make recommendations to the Governor and Legislature on ways to mitigate the constraints on the states minerals industries. Their first report would be due at the beginning of next session and the final report would be due in January of 1989.

Section 3

The Minerals Commission would cease to exist on February 1, 1989.

Section 4

Immediate effective date.

Introduced: 2/14/86
Referred: Resources and
Finance

BY BENNETT, COGHILL
AND FAHRENKAMP

1 IN THE SENATE

2 SENATE BILL NO. 418

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska minerals commission."

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

8 * Section 1. (a) The legislature finds that the minerals industries,
9 which include metallic minerals, industrial minerals, and hydrocarbons,
10 have been traditionally and continue to be the major source of wealth and
11 income in the state.

12 (b) The legislature further finds that there are major constraints on
13 the continued development of a diverse mineral industry in the state,
14 including the Environmental Protection Agency's effluent guidelines, state
15 water quality standards and improperly classified streams and rivers,
16 restrictions on surface access, complex and numerous permitting require-
17 ments, a limited access to minerals through mineral closing orders and
18 restrictions on multiple use through state and federal land use plans.

19 * Sec. 2. ALASKA MINERALS COMMISSION ESTABLISHED. (a) The Alaska
20 Minerals Commission is established in the Department of Natural Resources.

21 (b) The commission is composed of 11 members appointed by the
22 governor for three-year terms. In making appointments to the commission,
23 the governor shall appoint individuals who have experience in the various
24 aspects of the minerals industries in the state.

25 (c) The commission shall make recommendations to the governor and to
26 the legislature on ways to mitigate the constraints, including governmental
27 constraints, on development in the state.

28 (d) The commission shall make its preliminary recommendations to the
29 governor and the legislature during the first 10 days of the First Regular

1 Session of the Fifteenth Legislature and shall make its final report to the
2 governor and the legislature during the first 10 days of the First Regular
3 Session of the Sixteenth Legislature.

4 * Sec. 3. This Act is repealed February 1, 1989.

COMMITTEE REPORT
SENATE

Finance

FURTHER:

2/14/86

Date 3/19/86

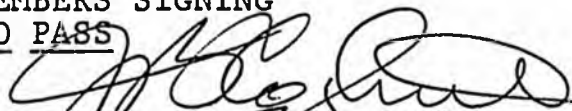
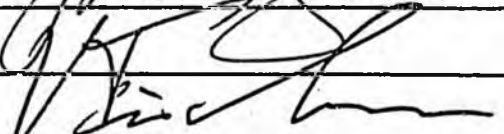
Mr. President

The Committee on RESOURCES considered SB 418
relating to the Alaska minerals commission.



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 418 (Res)
- new title
- same title and recommends _____
- and attached a "LETTER OF INTENT" [] NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS



 Betty's Fahrenkarn
 Paul V. Zhauff

MEMBERS HAVING
OTHER RECOMMENDATIONS


 Chairman

 Chairman recommendation

HOUSE
COMMITTEE REPORT

5/5

(7)

Date referred: 4/23/86

FURTHER REFERRALS: FINANCE

DATE: _____

The JUDICIARY Committee has considered SSB 421

"An Act relating to attachment and assignment of permanent fund dividends; and providing for an effective date."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with HCS SSSB 421 (Gnd) same title
- new title

and recommends do pass

further referral to the _____ Committee

- and attaches:
- letter of intent
 - first fiscal note
 - new fiscal note
 - zero fiscal note

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

Mark Hill
Chairman

HOUSE
COMMITTEE REPORT

4/23

(7)

Date referred: 3/24/86

JUDICIARY

FURTHER REFERRALS: FINANCE

DATE: 4/21/86

The STATE AFFAIRS Committee has considered SSSB 421

"An Act relating to attachment and assignment of permanent fund dividends; and providing for an effective date."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with HCS SSSB ⁴²¹ (SA) same title
- new title

and recommends Do Pass

further referral to the _____ Committee

- and attaches:
- letter of intent
 - first fiscal note
 - new fiscal note
 - zero fiscal note

SIGNING DO PASS:

Katie Hurley

Chad Pouch

Butler Cato

Ronan Jenkins

W. M. McIlwain

SIGNING OTHER RECOMMENDATIONS:

Virginia Malles

Katie Hurley

Chairman

Offered: 5/5/86
Referred: Rules

Cook

Original sponsors: P.Fischer and DeVries

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 HOUSE CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 421 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to attachment and assignment of
7 permanent fund dividends; and providing for an
8 effective date."

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

10 * Section 1. AS 43.23.065 is amended by adding new subsections to read:

11 (b) AS 09.38 does not apply to permanent fund dividends taken to
12 satisfy debts under (a)(1) - (3) of this section.

13 (c) A voluntary assignment of a permanent fund dividend to
14 satisfy a debt of a type listed under (a)(1) - (3) of this section
15 shall be granted the priority provided for under (a) of this section
16 in the same manner as an involuntary attachment.

17 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
18 10.070(c).

Cook

Offered: 4/23/86
Referred: Judiciary and
Finance

Original sponsors: P.Fischer and DeVries

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE
2 HOUSE CS FOR SPONSOR SUESTITUTE FOR SENATE BILL NO. 421 (State Affairs)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION
5 A BILL

6 For an Act entitled: "An Act relating to the use of permanent fund divi-
7 dends to satisfy certain debts; and providing for an
8 effective date."

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

10 * Section 1. AS 43.23.065 is amended by adding new subsections to read:

11 (b) AS 09.38 does not apply to permanent fund dividends taken to
12 satisfy debts under (a)(1) - (3) of this section.

13 (c) Notwithstanding AS 09.35, execution on a debt of a type
14 listed under (a)(1) - (3) of this section is accomplished by serving a
15 certified copy of the judgment on the commissioner.

16 (d) A voluntary assignment of a permanent fund dividend to
17 satisfy a debt of a type listed under (a)(1) - (3) of this section
18 shall be granted the priority provided for under (a) of this section
19 in the same manner as an involuntary attachment.

20 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
21 10.070(c).
22
23
24
25
26
27
28
29

Introduced: 2/28/86
Referred: Judiciary and
Finance

BY P. FISCHER
AND DEVRIES

1 IN THE SENATE

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 421

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to attachment and assignment of
7 permanent fund dividends; and providing for an
8 effective date."

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

10 * Section 1. AS 43.23.065 is amended by adding new subsections to read:

11 (b) AS 09.38 does not apply to permanent fund dividends taken to
12 satisfy debts under (a)(1) - (3) of this section.

13 (c) Notwithstanding AS 09.35, execution on a debt of a type
14 listed under (a)(1) - (3) of this section is accomplished by serving a
15 certified copy of the judgment on the commissioner.

16 (d) A voluntary assignment of a permanent fund dividend to
17 satisfy a debt of a type listed under (a)(1) - (3) of this section
18 shall be granted the priority provided for under (a) of this section
19 in the same manner as an involuntary attachment.

20 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
21 10.070(c).

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No: SSSB 421
 Title: An act relating to attachment and assignment of Permanent Fund Dividends
 Sponsor: P. Fischer and DeVries
 Requestor: Senate Judiciary
 Date of Request: 3/3/86

FISCAL DETAIL

Agency Affected: Revenue
 BRU: Permanent Fund Dividend
 Components: Administrative Services

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
OPERATING						
PERSONAL SERVICES	-	-	-	-	-	-
TRAVEL	-	-	-	-	-	-
CONTRACTUAL	-	-	-	-	-	-
SUPPLIES	-	-	-	-	-	-
EQUIPMENT	-	-	-	-	-	-
LANDS & STRUCTURES	-	-	-	-	-	-
GRANTS, CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	-	*	*	*	*	*
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	-	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
TOTAL	-	*	*	*	*	*

POSITIONS:

FULL-TIME	-	-	-	-	-	-
PART-TIME	-	-	*	*	*	*
TEMPORARY	-	-	-	-	-	-

ANALYSIS: Attach a separate page if necessary

*The Department of Revenue does not understand this bill. The Commissioner of Revenue has sought clarification from the Attorney General. When that clarification is received, a fiscal note will be prepared.

Prepared By: Ervin B. Jones
 Division: Administrative Services

Phone: 465-2313
 Date: 3/3/86

Approved by Commissioner: [Signature]
 Agency: Revenue

Date: 3/20/86

Distribution (by Agency preparing fiscal note):

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

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : SSSB 421
 Title : Act relating to attachment
and assignment of permanent fund
dividends
 Sponsor : Senator P. Fischer
 Requestor : _____
 Date of Request : _____

FISCAL DETAIL

Agency Affected : All
 BRU : _____

 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
----------------	---	---	---	---	---	---

REVENUE	0	0	0	0	0	0
----------------	---	---	---	---	---	---

FUNDING : (Thousands of Dollars)

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

POSITIONS :

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

ANALYSIS : Attach a separate page if necessary

Prepared by : _____
 Division : Senator Jan Faiks, Co-chairman
Senate Finance Committee

Phone : 465-4523
 Date : 3/20/85

Approved by Commissioner : _____
 Agency : _____

Date : _____

Distribution (by Agency preparing fiscal note) :

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

4/23
STATE OF ALASKA
THE LEGISLATURE

POUCH V STATE CAPITAL
JUNEAU ALASKA 998
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 6, 1986

SUBJECT: Permanent Fund Dividends
(SSSB 421)

TO: Representative Katie Hurley, Chair
House State Affairs Committee

FROM: Tamara Brandt Cook
Director
Division of Legal Services

A bill relating to permanent fund dividends has been referred to your committee, SSSB 421. I wish to alert you to the fact that the title to the bill is defective in that it does not adequately reflect the subject of the bill as required under Article II, Section 13 of the state constitution. AS 09.38, dealt with under AS 43.23.065(b) in the bill, is a chapter relating to exemptions for certain property from levy, attachment and execution to satisfy debts. As such, it deals with more than attachment, which is all that is reflected in the title. AS 43.23.065(c) added in Section 1 of the bill deals with execution, which is distinct from attachment.

A better title for SSSB 421 would be "An Act relating to the use of permanent fund dividends to satisfy certain debts; and providing for an effective date." Under Rule 24(c) of the Uniform Rules a committee of the second house is prohibited from amending a bill in a way that will require a title change, except that the committee may make a clerical or technical change to the title. Correcting the title problem contained in SSSB 421 is the type of technical change which can be accomplished by a committee of the second house pursuant to the rule. Therefore, I recommend that the State Affairs Committee consider reporting out a committee substitute for SSSB 421 correcting the title.

If I can be of any assistance to the committee in dealing with this bill, please let me know.

TBC:mkr
m4/090

SA
Jnd
Fm

ALASKA STATE LEGISLATURE

14th.. Legislature .. 2nd.. Session

SPONSOR SUBSTITUTE
SENATE ..BILL..... NO. ...421..

By P. FISCHER AND DEVRIES

"An Act relating to attachment and assignment of permanent fund dividends; and providing for an effective date."

Introduced in the Senate .. 2/28... , 1986..

HISTORY IN THE SENATE

19 86 Read first time and referred to Committee on
2 28 Judiciary & Finance
3 12 Reported back with *July* recommendation that *4 do*
3 20 *pass to the*
to pull
3 21 *Calendar*
3 21 Read second time and
3 21 Read third time and
3 21 **PASS** *ed* Effective Date
Yeas - 15 Yeas *same*
Nays - 0 Nays
Absent - 0 Absent
Excused - 5 Excused
Reconsideration
PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused
3 21 Reported correctly engrossed
3 21 Signed by President
21 Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19 86 Read first time and referred to Committee on
Mar 24 *state affairs, Judiciary*
Finance
Reported back with recommendation that
Read second time and
Read third time and
PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused
Reconsideration
PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused
Reported correctly engrossed
Signed by Speaker
Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19 Received from House
To enrolling
Reported correctly enrolled
Sent to Governor
..... by Governor
Filed with Lt. Governor
Chapter No.

Offered: 5/5/86
Referred: Rules

Original sponsors: P.Fischer and DeVries

1 IN THE SENATE BY THE JUDICIARY COMMITTEE
2 HOUSE CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 421 (Judiciary)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION
5 A BILL
6 For an Act entitled: "An Act relating to attachment and assignment of
7 permanent fund dividends; and providing for an
8 effective date."
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. AS 43.23.065 is amended by adding new subsections to read:
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12 satisfy debts under (a)(1) - (3) of this section.
13 (c) A voluntary assignment of a permanent fund dividend to
14 satisfy a debt of a type listed under (a)(1) - (3) of this section
15 shall be granted the priority provided for under (a) of this section
16 in the same manner as an involuntary attachment.
17 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
18 10.070(c).

Offered: 4/23/86
Referred: Judiciary and
Finance

Original sponsors: P.Fischer and DeVries

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE
2 HOUSE CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 421 (State Affairs)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the use of permanent fund divi-
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13 (c) Notwithstanding AS 09.35, execution on a debt of a type
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18 shall be granted the priority provided for under (a) of this section
19 in the same manner as an involuntary attachment.

20 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
21 10.070(c).

Introduced: 2/28/86
Referred: Judiciary and
Finance

BY P. FISCHER
AND DEVRIES

1 IN THE SENATE

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 421
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

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18 shall be granted the priority provided for under (a) of this section
19 in the same manner as an involuntary attachment.

20 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
21 10.070(c).

COMMITTEE REPORT

SENATE

FURTHER:

3/12/86

Date 3/20/86

Mr. President

The Committee on FINANCE considered SSSB 421
relating to attachment and assignment of permanent fund dividends;
efd/.

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 _____
- new title
- same title and recommends _____
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
-85FC
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS

Keith Helfel
Paul Fitch
[Signature]

co-Chairman *Paul Fitch*
Chairman recommendation *do pass*

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : SSSB 421
 Title : Act relating to attachment
and assignment of permanent fund
dividends
 Sponsor : Senator P. Fischer
 Requestor : _____
 Date of Request : _____

FISCAL DETAIL

Agency Affected : All
 BRU : _____

 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
----------------	---	---	---	---	---	---

REVENUE	0	0	0	0	0	0
----------------	---	---	---	---	---	---

FUNDING : (Thousands of Dollars)

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

POSITIONS :

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

ANALYSIS : Attach a separate page if necessary

Prepared by : _____
 Division : Senator Jan Faiks, Co-chairman
Senate Finance Committee

Phone : 465-4523

Date : 3/20/86

Approved by Commissioner : _____
 Agency : _____

Date : _____

Distribution (by Agency preparing fiscal note) :

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

Introduced: 2/28/86
Referred: Judiciary and
Finance

BY P. FISCHER
AND DEVRIES

1 IN THE SENATE

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 421
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to attachment and assignment of
7 permanent fund dividends; and providing for an
8 effective date."

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

10 * Section 1. AS 43.23.065 is amended by adding new subsections to read:

11 (b) AS 09.38 does not apply to permanent fund dividends taken to
12 satisfy debts under (a)(1) - (3) of this section.

13 (c) Notwithstanding AS 09.35, execution on a debt of a type
14 listed under (a)(1) - (3) of this section is accomplished by serving a
15 certified copy of the judgment on the commissioner.

16 (d) A voluntary assignment of a permanent fund dividend to
17 satisfy a debt of a type listed under (a)(1) - (3) of this section
18 shall be granted the priority provided for under (a) of this section
19 in the same manner as an involuntary attachment.

20 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
21 10.070(c).

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

*Rec'd after
will R/p*

Revision Date: _____

REQUEST
Bill/Resolution No: SSSB 421
Title: An act relating to attachment
and assignment of Permanent Fund
Dividends
Sponsor: P. Fischer and DeVries
Requestor: Senate Judiciary
Date of Request: 3/3/86

FISCAL DETAIL
Agency Affected: Revenue
BRU: Permanent Fund Dividend

Components: Administrative Services

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
OPERATING						
PERSONAL SERVICES	-	-	-	-	-	-
TRAVEL	-	-	-	-	-	-
CONTRACTUAL	-	-	-	-	-	-
SUPPLIES	-	-	-	-	-	-
EQUIPMENT	-	-	-	-	-	-
LANDS & STRUCTURES	-	-	-	-	-	-
GRANTS, CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

See attached

Prepared By: *Ervin B. Jones*
Division: Administrative Services

Phone: 465-2313
Date: 4/17/86

Approved by Commissioner: *Thomas W. Skudale*
Agency: Revenue

Date: 4/17/86

Distribution (by Agency preparing fiscal note):

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

Department of Revenue
Administrative Services Division
Fiscal Note Analysis
SSSB 421

Assumptions:

1. It is assumed that the substance of AS 09.38, related regulations and the volume of court history, interpreting those laws would not apply to attachments for Child Support Enforcement, debts to state agencies, or court ordered restitution and cannot be relied upon as a basis for such attachments.
2. It is assumed that all attachments which arise from a court judgment will be served as a certified copy of judgment and that attachments arising from administrative decisions (e.g. tax liabilities, child support orders) will continue to be served in the existing way.
3. It is assumed that AS 09.40.010 will apply to all prejudgment attachments.

Program Summary:

AS 43.23.065 was originally enacted to offer protection to 50% of an applicant's dividend from the standard remedies for collection of debts - levy, execution, garnishment, and attachment. These attachments arise from either court orders or from administrative remedies found in federal and state law.

This protection is specifically not offered in three cases:

- 1) child support obligations required by court order or decision of the Child Support Enforcement Division;
- 2) debts owed to a state agency, where appeals have been exhausted; and
- 3) court ordered restitution

In these cases, 100% of the dividend is subject to attachment.

In 1985, the Department of Revenue received and processed 15,008 attachment orders, of which 12,123 were accepted. Of these, the above three categories accounted for the following number of attachments:

- 1) CSED - 1,297
- 2) State debts - 1,286
- 3) Restitution orders - 3

The attachments can be served as Writs of Execution, arising from a court judgment or as an Order to Withhold arising from an administrative decision. The attachments are served either on paper or by magnetic tape. The paper attachments are manually entered into the PFD system, identifying the person's record as one to be attached upon payment. The magnetic tape match does basically the same thing. Because of the huge volume of attachments, and because there is only one employee to process them, the Department of Revenue has been encouraging tape matches for those creditors who are large and sophisticated enough to handle it (e.g. Child Support Enforcement, IRS, Department of Labor). Those serving the

Program Summary (con't)

department with attachments may release the attachment up until the time the dividend is paid. This occurs when the debtor has satisfied the debt by other means. Releases are all done manually by entering a status change in the file. The PFD system includes a "garnishment" subsystem which processes payments in priority order once an attached dividend comes up for payment. In cases where a residual amount is due the applicant, the subsystem also produces that warrant.

In each case where an individual's dividend is attached, in whole or in part, the Department of Revenue sends the applicant a notice indicating how much was taken, and by whom. This notice also provides a telephone number at which the process server can be contacted.

The changes proposed would require the Document Processing section of Administrative Services - PFD to do the following:

- 1) modify the voluntary assignment to explain the changes;
- 2) review all voluntary assignments to determine those falling under AS 43.23.065(d) as proposed;
- 3) modify the Attachment sub-system of the PFD system to recognize the new priority of such voluntary assignments.

1. Positions: None

2. Other Expenditures: None

Funding: N/A

Section Cost Analysis: N/A

Computations: N/A

Impact on Local Government: N/A

Attachments: None

Suggested Revisions: None

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

POLCHY STATE CAPITAL
JUNEAU ALASKA 998
907 465 3800

MEMORANDUM

March 4, 1986

SUBJECT: Sectional Analysis of SSSB 421
TO: Senator Paul Fischer
FROM: Tamara Brandt Cook *TBC*
Director
Division of Legal Services

Section 1. The statute dealing with exemption of permanent fund dividends from levy, execution, garnishment, attachment or other remedies for the collection of debt is amended. Under existing law the exemption is not available for dividends taken to satisfy child support obligations, a debt owed to an agency, or a court ordered restitution under certain statutes. Under this bill, for these types of non-exempt situations, AS 09.38 (Alaska Exemptions Act) does not apply. Execution is not accomplished under the general chapter on executions (AS 09.35) but rather, it is accomplished by serving a certified copy of the judgment on the commissioner of revenue. In addition, a voluntary assignment of a dividend to satisfy one of the debts of a type that is not exempt under existing law is to be granted the same priority as would be granted under existing law for an involuntary attachment.

Sec. 2. The Act has an immediate effective date.

TBC:mkr
m3/118

COMMITTEE REPORT
SENATE

FURTHER:

FINANCE

2/28/86

Date

3/11/86

Mr. President

The Committee on JUDICIARY considered SSSB 421
relating to attachment and assignment of permanent fund dividends; efd.

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 _____
- new title
- same title and recommends _____
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

Gene Lubi
2
Tom Kelly

MEMBERS HAVING
OTHER RECOMMENDATIONS

Patrick Bodeny
Chairman

Chairman recommendation

2/24/86
R
= (Trans)

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No.: Senate Bill 428
Title: An Act relating to acquisition of right of way by DOT&PF and providing for an effective date
Sponsor: Coghill
Requestor: _____
Date of Request: _____

FISCAL DETAIL

Agency Affected: Department of Transportation & Public Facilities
BRU: _____
Components: _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		-0-				
TRAVEL		-0-				
CONTRACTUAL		-0-				
SUPPLIES		-0-				
EQUIPMENT		-0-				
LAND & STRUCTURES		-0-				
GRANTS, CLAIMS		-0-				
MISCELLANEOUS		-0-				
TOTAL OPERATING		-0-				
CAPITAL		-0-				
REVENUE		-0-				

FUNDING : (Thousands of Dollars)

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

POSITIONS :

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

ANALYSIS : Attach a separate page if necessary

John H. Lentz 2/24/86
Prepared by: Milton H. Lentz, CRA Phone: 465-2985
Division: Engineering & Operations Standards Date: 2/24/86

Approved by Commissioner: *Phil Hovey* Date: 2/25/86
Agency: Department of Transportation & Public Facilities

Distribution (by Agency preparing fiscal note):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

528 428

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. HB 600 and SB 428

The Department of Transportation and Public Facilities has some concern regarding the language of both House Bill No. 600 and Senate Bill 428. We do not understand the intent of these bills in view of present Alaska Statutes 44.42.020 and 09.55. Our major concern is with the words: "...prepared rights-of-way..." By statutes, acquisition would be limited to fair market value regardless of whether the right of way is "prepared" or not.

These bills appear to have no measurable fiscal impact on the Department of Transportation and Public Facilities as any funding for the acquisition would be by legislative appropriation.

2/26/86
S (Trans)



Dept. of Transportation & Public Facilities

Position Paper

BILL NO: House Bill No. 600 and Senate Bill No. 428

APPROVED: *[Signature]*
R. O. Knapp
Commissioner

TITLE: An Act relating to acquisition of right of way by DOT&PF and providing for an effective date **DATE:**

2/26/86

In reviewing both HB 600 and SB 428, it is our opinion that the language adds nothing to existing powers of the State of Alaska already under AS 44.42.020. We do, however, have some concern with the language and its impact.

The words "...prepared rights-of-way..." imply that preparation of the right of way is done prior to or as a condition of acquisition. The condemning authority could purchase the right of way in either an undeveloped or prepared condition under the power of eminent domain (AS 09.55); however, the condemning authority is limited to pay no more than fair market value for property. Fair market value does not include value that contributes to public construction or enhancement of a project. In other words, the price paid for right of way would be measured in terms of fair market value, not in terms of construction costs for performing project preparation. Providing that prepared rights of way were to be acquired, the fair market value of the land would have to be a separate issue from the price of doing the preparation to meet the requirements of the law. The increase in market value, if any, may or may not equal the cost of doing the preparations. It is noted that laws governing the fair market value concept are well established and defined by the courts.

HB 428

Another question regarding the acquisition of prepared rights of way has to do with the competitive bid requirements of AS 37.05.230. The preparation of rights of way for a specific project surely would be deemed to be public construction, therefore subject to competitive bid. In a recent opinion of the Supreme Court of the State of Alaska, City and Borough of Sitka v. Construction and General Laborers Local 942, 644 p. 2d 227, Op. No. 2495 (May 7, 1982, Alaska), it was held that clearing requirements included in a timber sale contract were "public construction" and therefore subject to the Little David-Bacon Act of Alaska. The primary test applied in the opinion was the extent to which the clearing work under the timber sale contract related to the construction of a dam. In essence, the court concluded that the clearing work would not have been done but for the construction of the dam. This opinion would surely have some effect on our issue in regard to acquiring project-specific prepared rights of way.

COMMITTEE REPORT
SENATE

FURTHER:

3/27/86

Date _____

Mr. President

The Committee on FINANCE considered SB 428
relating to acquisition of rights-of-way by the Department of
Transportation and Public Facilities; efd.

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 _____
- new title
- same title and recommends _____
- 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

Chairman

Chairman recommendation

COMMITTEE REPORT

SENATE

FURTHER: FINANCE

2/14/86

Date 3-26-86

Mr. President

The Committee on TRANSPORTATION considered SB 428

relating to acquisition of rights-of-way by the Department of Transportation and Public Facilities; efd.

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 428 (Sup)

new title

same title and recommends _____

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

Joe Jacobson
Paul Frank

Chas. Fick, no rec
John Wood, no rec

[Signature]
Chairman
[Signature]
Chairman recommendation

Offered: 3/27/86
Referred: Finance

Original sponsor: Coghill

1 IN THE SENATE

BY THE TRANSPORTATION COMMITTEE

2 CS FOR SENATE BILL NO. 428 (Transportation)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to acquisition of rights-of-way by
7 the Department of Transportation and Public Facili-
8 ties; and providing for an effective date."

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

10 * Section 1. AS 44.42.020(b) is amended to read:

11 (b) The department may

12 (1) engage in experimental projects relating to available
13 or future modes of transportation and any means of improving existing
14 transportation facilities and service;

15 (2) exercise the power of eminent domain, including the
16 declaration of taking as provided in AS 09.55;

17 (3) acquire or purchase undeveloped or prepared rights-of-
18 way for present or future use as road or highway corridors.

19 * Sec. 2. This Act takes effect July 1, 1986.

Introduced: 2/14/86
Referred: Transportation
and Finance

1 IN THE SENATE

BY COGHILL

2 SENATE BILL NO. 428

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to acquisition of rights-of-way by
7 the Department of Transportation and Public Facili-
8 ties; and providing for an effective date."

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

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12 (1) engage in experimental projects relating to available
13 or future modes of transportation and any means of improving existing
14 transportation facilities and service;

15 (2) exercise the power of eminent domain, including the
16 declaration of taking as provided in AS 09.55;

17 (3) acquire, purchase, or take over undeveloped or prepared
18 rights-of-way for present or future use as road, highway, railroad, or
19 pipeline corridors.

20 * Sec. 2. This Act takes effect July 1, 1986.
21
22
23
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29
S

COMMITTEE COPY

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. CS Senate Bill 428 *Imp*
 Title: An Act relating to acquisition of right of way by DOT&PF and providing for an effective date
 Sponsor: Coghill
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Department of Transportation & Public Facilities
 BRU: _____

 Components: _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		-0-				
TRAVEL		-0-				
CONTRACTUAL		-0-				
SUPPLIES		-0-				
EQUIPMENT		-0-				
LAND & STRUCTURES		-0-				
GRANTS, CLAIMS		-0-				
MISCELLANEOUS		-0-				
TOTAL OPERATING		-0-				
CAPITAL		-0-				
REVENUE		-0-				

FUNDING : (Thousands of Dollars)

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

POSITIONS :

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

ANALYSIS : Attach a separate page if necessary

Milton H. Lentz 2/24/86

Prepared by: Milton H. Lentz, CRA
 Division: Engineering & Operations Standards

Phone: 465-2985
 Date: 2/24/86

Approved by Commissioner: *Bill Woy*
 Agency: Department of Transportation & Public Facilities

Date: 2/25/86

Distribution (by Agency preparing fiscal note):

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

438

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. HB 600 and SB 428

The Department of Transportation and Public Facilities has some concern regarding the language of both House Bill No. 600 and Senate Bill 428. We do not understand the intent of these bills in view of present Alaska Statutes 44.42.020 and 09.55. Our major concern is with the words: "...prepared rights-of-way..." By statutes, acquisition would be limited to fair market value regardless of whether the right of way is "prepared" or not.

These bills appear to have no measurable fiscal impact on the Department of Transportation and Public Facilities as any funding for the acquisition would be by legislative appropriation.

ALASKA STATE LEGISLATURE

14th Legislature 2nd Session

SENATE BILL NO. 428

By COGHILL

"An Act relating to acquisition of rights-of-way by the Department of Transportation and Public Facilities; and providing for an effective date."

Introduced in the Senate 2/14, 19. 86

HISTORY IN THE SENATE

1986	Read first time and referred to Committee on																						
2 14	TRANSPORTATION, FINANCE																						
3 27	Reported back with <i>Transp</i> recommendation that <i>replace</i> <i>W/C's, 3 do pass, 2 no</i> <i>rec. to Finance.</i> <i>F.V.L.</i>																						
	Read second time and																						
	Read third time and																						
	<table border="0"> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> <tr><td colspan="2">Reconsideration</td></tr> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
PASS	Effective Date																						
Yeas	Yeas																						
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Reconsideration																							
PASS	Effective Date																						
Yeas	Yeas																						
Nays	Nays																						
Absent	Absent																						
Excused	Excused																						
	Reported correctly engrossed Signed by President Sent to House																						
SECRETARY OF THE SENATE																							

HISTORY IN THE HOUSE

19	Read first time and referred to Committee on																						
	Reported back with recommendation that																						
	Read second time and																						
	Read third time and																						
	<table border="0"> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> <tr><td colspan="2">Reconsideration</td></tr> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
PASS	Effective Date																						
Yeas	Yeas																						
Nays	Nays																						
Absent	Absent																						
Excused	Excused																						
Reconsideration																							
PASS	Effective Date																						
Yeas	Yeas																						
Nays	Nays																						
Absent	Absent																						
Excused	Excused																						
	Reported correctly engrossed Signed by Speaker Returned to Senate																						
CHIEF CLERK OF THE HOUSE																							

HISTORY IN THE SENATE

19	Received from House
	To enrolling
	Reported correctly enrolled
	Sent to Governor
 by Governor
	Filed with Lt. Governor
	Chapter No.

1852

Offered: 3/27/86
Referred: Finance

Original sponsor: Coghill

1 IN THE SENATE BY THE TRANSPORTATION COMMITTEE
2 CS FOR SENATE BILL NO. 428 (Transportation)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION
5 A BILL
6 For an Act entitled: "An Act relating to acquisition of rights-of-way by
7 the Department of Transportation and Public Facili-
8 ties; and providing for an effective date."
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. AS 44.42.020(b) is amended to read:
11 (b) The department may
12 (1) engage in experimental projects relating to available
13 or future modes of transportation and any means of improving existing
14 transportation facilities and service;
15 (2) exercise the power of eminent domain, including the
16 declaration of taking as provided in AS 09.55;
17 (3) acquire or purchase undeveloped or prepared rights-of-
18 way for present or future use as road or highway corridors.
19 * Sec. 2. This Act takes effect July 1, 1986.

Introduced: 2/14/86
Referred: Transportation
and Finance

1 IN THE SENATE

BY COGHILL

2

SENATE BILL NO. 428

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to acquisition of rights-of-way by

7

the Department of Transportation and Public Facili-

8

ties; and providing for an effective date."

9

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

10

* Section 1. AS 44.42.020(b) is amended to read:

11

(b) The department may

12

(1) engage in experimental projects relating to available
or future modes of transportation and any means of improving existing
transportation facilities and service;

15

(2) exercise the power of eminent domain, including the
declaration of taking as provided in AS 09.55;

17

(3) acquire, purchase, or take over undeveloped or prepared
rights-of-way for present or future use as road, highway, railroad, or
pipeline corridors.

19

20

* Sec. 2. This Act takes effect July 1, 1986.