

LEG. FINANCE - BILLS 1985 - 1986 2298

HB 41 - HB 44 0898

Introduced: 1/14/85
Referred: Finance

1 IN THE HOUSE

BY LARSON AND GRUSSENDORF

2 HOUSE BILL NO. 41

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state grants for capital proj-
7 ects."

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

9 * Section 1. AS 37.05.315(c) is amended to read:

10 (c) In accepting a grant of money for construction of a public
11 facility, a municipality covenants with the state that it will pay at
12 least 10 percent of the total cost of the project, operate and main-
13 tain the facility for the practical life of the facility and that the
14 municipality will not look to the state to operate or maintain the
15 facility or pay for its operation or maintenance. This requirement
16 does not apply to a grant of money for repair or improvement of an
17 existing facility operated or maintained by the state at the time the
18 grant is accepted if the repair or improvement for which the grant is
19 made will not substantially increase the operating or maintenance
20 costs to the state.

21 * Sec. 2. AS 37.05.316 is amended to read:

22 Sec. 37.05.316. GRANTS TO NAMED RECIPIENTS. When an amount is
23 appropriated or allocated to a department as a grant for a named
24 recipient which is not a municipality, the department to which the
25 appropriation or allocation is made shall promptly notify the named
26 recipient of the availability of the grant and request the named
27 recipient to submit a proposal to provide the goods or services spec-
28 ified in the appropriation act, or both, for which the appropriation
29 or allocation is made. At the same time, the department may issue a

1 request for proposals from other qualified persons to provide the same
2 goods or services, or both, in the same area. The department shall
3 contract with the named recipient unless the Office of the Governor,
4 with due regard for any local expertise or experience among those
5 making proposals, determines that an award of the contract to a dif-
6 ferent party would better serve the public interest. If the contract
7 is awarded to another party than that named by the legislature, the
8 basis of that action shall be stated in writing at the time the grant
9 is issued and a copy of the written statement shall be sent to the
10 Legislative Budget and Audit Committee. A contract shall be executed
11 within 60 days after the effective date of the appropriation or allo-
12 cation. The purchase of the goods or services, or both, shall be in
13 accordance with AS 37.05.230(1)(B). A contract for construction of a
14 public facility shall provide that the named recipient shall pay at
15 least 10 percent of the total cost of the project.

16 * Sec. 3. AS 37.05.317 is amended to read:

17 Sec. 37.05.317. GRANTS TO UNINCORPORATED COMMUNITIES. When an
18 amount is appropriated or allocated as a grant under this section to
19 an unincorporated community, it shall be disbursed as follows:

20 (1) Within 45 days after the effective date of the appro-
21 priation or allocation, the Department of Community and Regional
22 Affairs shall notify the governing body of the unincorporated communi-
23 ty, if any, that a grant is available.

24 (2) The Department of Community and Regional Affairs shall
25 determine if there is a qualified incorporated entity in the community
26 area that will agree to receive the grant and administer it, subject
27 to terms generally applicable to private grantees. If there is more
28 than one such entity, the Department of Community and Regional Affairs
29 shall select the most qualified and the grant shall be awarded to that

1 incorporated entity for the purposes specified in the appropriation
2 act. However, the Department of Community and Regional Affairs shall
3 give preference to a nonprofit corporation organized by a community
4 for receipt of the grant.

5 (3) If there is no incorporated entity qualified to receive
6 the grant, the Department of Community and Regional Affairs shall
7 administer the program as specified in the appropriation act directly
8 or through agents or contractors with whom it may contract in the
9 community area.

10 (4) If the grant is for construction of a public facility,
11 the recipient of the grant shall agree to pay at least 10 percent of
12 the total cost of the project unless the project is administered by
13 the Department of Community and Regional Affairs under (3) of this
14 section.

ALASKA STATE LEGISLATURE

14th Legislature FIRST Session

HOUSE BILL NO. 41

By LARSON, GRUSSELDORF

"An Act relating to state grants for capital projects."

State Grants

Introduced in the House 1/14..., 1985.

HISTORY IN THE HOUSE

19	85	Read first time and referred to Committee on												
Jan.	14	FINANCE												
		Reported back with recommendation that												
		Read second time and												
		Read third time and												
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		Reported correctly engrossed												
		Signed by Speaker												
		Sent to Senate												
CHIEF CLERK OF THE HOUSE														

HISTORY IN THE SENATE

19		Read first time and referred to Committee on												
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		Signed by President												
		Returned to House												
SECRETARY OF THE SENATE														

HISTORY IN THE HOUSE

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

Alaska State Legislature

RONALD L. LARSON
DISTRICT 16B

POUCH V
JUNEAU, ALASKA 99811
(907) 465-3727



BOX 53
PALMER, ALASKA 99645
(907) 745-3826

House of Representatives

MEMORANDUM

DATE: FEB. 6, 1985

TO: HOUSE FINANCE COMMITTEE MEMBERS

FROM: REPRESENTATIVE RON LARSON *R.L.*

RE: HB 41: PUBLIC FACILITIES GRANTS; 90/10 FORMULA

House bill 41 is an attempt to more clearly define the degree of local responsibility and state responsibility in relation to local requests for state grants for local capital construction projects. Local governments and private non-profit organizations working through their local government or appropriate state agency will then know what their local effort will have to be in order to qualify for a state grant if the legislature approves such a request.

Basically HB 41 is an attempt to re-establish local responsibility in the state appropriation process of granting state capital project money for local capital projects originating by request of local governments, their agencies or non-profit organizations within their boundaries.

Alaska MUNICIPAL League

TELEPHONES
(907) 586-1325
(907) 586-6526

105 MUNICIPAL WAY, SUITE 301
JUNEAU, ALASKA 99801

To: House Finance Committee

From: Scott A. Burgess, Executive Director



Date: February 6, 1985

Subject: HB 41 - State grants for capital projects (10%)

The League has no formal position on HB 41 and requiring communities to pay at least 10% of the total cost of a capital project; however, the legislation raises several concerns on behalf of municipalities across Alaska. Municipalities and the people of Alaska have benefited from the capital projects that have been funded by the State over the years. While the municipalities have received capital funds to build these projects, they have also been receiving State Revenue Sharing and Municipal Assistance funds to help them operate and maintain these projects while holding down taxes. The projects have provided for basic needs of Alaskans, provided jobs, and stimulated private development, increasing the tax base.

While the job is not done, and municipalities will not jump at the "opportunity" to pay 10% of the project cost, the municipalities do recognize the realities of declining revenues. The municipalities have been willing to tax themselves to maintain and operate its facilities and provide needed services. The League would also be willing to work with the Legislature and the Administration in coming up with a fair and equitable method of addressing how the State and municipalities can continue to serve the needs of Alaskans in the face of declining revenues. While HB 41 proposes one method of providing for the funding of capital needs and assuring local commitment to the projects, I raise some concerns that the League hopes will be addressed by the Committee in their hearings on HB 41; again, without speaking for or against the bill.

1. Impact on smaller municipalities: Concern has been raised by some municipal officials that many communities, while they have the need for water, sewers, schools etc., they do not have the tax base or local funds to come up with the 10%. Will the effect of HB 41 be to have only the larger municipalities competing and receiving capital projects?

2. At least 10%: What is the intent of "at least" 10%? Who would determine more than 10% was require to be paid by a municipality?

3. Local priorities: While seldom refused by the community, not all projects funded by the State were top priorities of that community in their capital improvement programs. Would a community be required to use the money it could set aside for its priorities on a unrequested project?

4. Pass through grants: Many capital project funding is passed through the local municipalities to private organizations. Would the local municipality be responsible for the 10% of these projects?

5. Budget cycle: Local budgets and tax rates are developed, approved and "put to bed" before the Legislative session is over. If a project is funded which the municipality did not anticipate, the municipality could not come up with the funds until the following year, perhaps delaying the construction of the project for a year.

6. Definition of 10%: There would have to be a definition of the 10% e.g. in-kind funds etc., and, also, a definition of the "cost of the project" to equitably assess ~~the~~ 10% to be paid by a community.

While the League does not mean to criticize the sponsor's interest in creating fiscal responsibility and of sharing the burden of providing for the needs of Alaskans, the proposed legislation does raise, at least, the concerns above. The League has always been willing to work with the Legislature and the Governor to improve the capital improvement project identification and funding process to be fair and fiscally responsible, and still meet the needs of our communities and their residents.

Thank you.

League of Women Voters of Alaska

CAPITAL BUDGET PROCESS

Statement of position:

The League of Women Voters of Alaska believes that prudent capital spending by the State of Alaska requires realistic budget preparation, clear project definition, use of standardized criteria for determination of need, and public involvement. In order to promote the judicious management of the capital budget process and capital projects, the League supports the following:

1. Establishment and implementation of consistently applied statutory criteria for defining and prioritizing all proposed capital projects;
2. Recognition and documentation of the effect of capital expenditures on the operating budgets and bonding capabilities of state and local government;
3. Public understanding of and involvement in the capital budget preparation process;
4. Financial participation by local governments in the funding of requested capital projects;
5. Utilization of a single procedure for the proposal and evaluation of potential capital improvement projects; and
6. Accountability for the expenditure of capital funds in accordance with public and legislative intent.

Any spending limit should be in statutory, not constitutional, form and be based on the future availability of funding for the operation and maintenance of state-financed capital improvement projects.

Amplification:

- Implicit in this position statement is the need for a clearly stated definition of the type of expenditure that qualifies for funding from the state's capital budget.
- The definition of "capital improvement project" should not include a fixed dollar threshold.
- All proposed capital improvement projects should:
 1. Be submitted through appropriate executive branch agencies;
 2. Be subjected to uniform criteria for evaluating the economic and program feasibility of that project;

3. Be included in a single appropriation bill, logically formatted, to clearly show the total capital budget commitment for that legislative session; and

4. Have publicly accessible and understandable documentation showing the total projected life-cycle costs, scope, need and local support for the project and how the project fits into the projected goals of the requesting agency or political subdivision.

- The statutory criteria established for judging the merit of a proposed capital improvement project should apply at all levels of government and include:

1. That the project be for public, not private, purposes;
2. That the project have a high degree of public support as manifested through the public hearing process, and as verified by the commitment of the local governmental body to pay for a percentage (e.g., ten per cent) of the initial project costs (design, construction and equipment) and to operate and maintain the project;
3. That the project be economically feasible, and so documented;
4. That the project be consistent with the stated goals over time (e.g., five years) of the requesting agency or entity;
5. That the project be the best solution to a stated need;
6. That no (or inadequate) other money is available to fund the project;
7. That life, health, safety and educational needs take priority over other less basic needs; and
8. That project funding not adversely affect the state or local governments' future bonding capabilities.

PREPARED TESTIMONY ON HB 41

Department of Community & Regional Affairs

"An Act relating to state grants for capital projects."

By Larson and Grussendorf

Thank you for this opportunity to speak to your committee on HB 41, a bill to require most recipients of capital improvement grant funds to provide a 10% match toward the construction of the project or purchase of the equipment. This bill has direct impact on municipalities and in turn the Department of Community and Regional Affairs. Most grants to municipalities are channeled through the Department of Administration while this Department administers legislative grants made to unincorporated communities. Based on our involvement with and concern for local governments, the Department has reviewed this bill with considerable interest and I would like to share our comments with the committee.

In general, the Department is very supportive of the concept and intent of this bill. The Department believes that a local contribution toward the construction of capital improvements is a good way to insure community support for State funded

projects. Most projects are also administered at the local level, and if the municipality or community has a financial stake in a project there could also be improved oversight and management of the construction work. The Department has recognized these and other benefits of local contribution toward construction projects and major equipment purchases and has maintained a local contribution provision in the administration of the Rural Development Assistance (RDA) grant program which it has administered for the last 14 years and the Community Development Block Grant (CDBG) a Federal grant-in-aid program which the Department also administers. This local effort can be in the form of cash or in-kind contributions, but the factor of local support, as demonstrated through the level of local contribution toward the project is viewed as a vital criterion in the course of reviewing and ranking RDA and CDBG requests.

I am sure the provision providing for a 10% match will have an effect similiar to that of the RDA and CDBG programs even though the grant processes are different. Only priority requests that enjoy broad based support within a community should surface and demand the attention of the Legislative and the Executive branches of government. The match requirement may also have the beneficial effect of forcing local governments to more fully consider maintenance and operation costs down the road and keep an expensive mistake from occurring.

The Department does have a couple of concerns that I would hope this committee could review and, if shared, perhaps address. First, while a 10% local match requirement appears on its face to be an equitable and realistic level of local contribution there may need to be additional flexibility given to address circumstances where a local government lacking a tax base can still receive assistance for health or public safety facilities with a smaller level of local contribution.

I believe a total waiver of any local match should be a rare occurrence, but perhaps a smaller local match should be allowable if the municipality can demonstrate a true hardship in meeting the 10% match requirement. This hardship should be tied to legitimate circumstances where no tax base or other form of local funding contribution exists. One way to provide this flexibility would be to give the discretion to grant this waiver reducing the level of local contribution to an amount less than 10% should rest with the Commissioner of the Department administering the grant. The burden of proof to demonstrate the need for this waiver should rest with the grant recipient.

While some would argue that this opens the door for abuse, the Department believes that this flexibility is needed to deal with the real life circumstances that exist in much of rural Alaska. Some level of local contribution should exist for all

projects and the granting of waivers should be approached conservatively. These instructions could be given either in the bill itself or through legislative intent language.

The second concern is found in Section 3 of the bill. This problem is tied again to flexibility. The new language added at the end of this section allows the 10% match to be waived if the project is to be administered directly by this Department.

Since the Department of Community and Regional Affairs is not staffed sufficiently to directly administer capital improvement projects we tend to try to find some entity in the community to take responsibility for construction management. This group is typically a traditional Native council that is not incorporated as a nonprofit corporation. This group acts as the agent or contractor as provided for in AS 37.05.317(3). Therefore, this provision establishes a "loophole" or disparity between recipients, which does not consider the ability of a community or group to pay for a portion of the construction. This disparity could be construed as an incentive to disincorporate as a nonprofit organization established for purposes of receiving and administering grants. Under agent or contractor status the 10% contribution would not be required, while as nonprofit corporation the grant recipient would be required to make this local match.

The Department does not believe the disparity created between a grant to a community with a nonprofit as opposed to one without such an organization is good idea. The insertion of language granting some level of discretion for good cause as mentioned earlier would be an acceptable way to address this problem. This would allow all unincorporated communities to be treated fairly based on the extent of their need and the level of the resources available to put toward construction projects.

In closing, the move to requiring local contribution for public construction projects is a good step. However, the Department believes in a State as varied and different as ours that flexibility is important in fairly implementing a provision like that contained in HB 41. The intent of the measure can be carried out and the benefits of requiring a local contribution toward projects can be maintained, but we must also be sure that this provision does not spell the end to much needed services and facilities in some of the State's poorer areas.

STATE OF ALASKA

DEPT. OF COMMUNITY & REGIONAL AFFAIRS

OFFICE OF THE COMMISSIONER

BILL SHEFFIELD, GOVERNOR

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

March 14, 1985

The Honorable Al Adams
Alaska State House
Pouch V
Juneau, AK 99811

RE: REQUEST FOR INFORMATION ON UNINCORPORATED COMMUNITIES FOR
PURPOSES OF HB 41

Dear Representative Adams:

In reference to the Finance Committee's request of February 6,
I have provided the following information regarding
unincorporated communities.

1. Number of unincorporated communities: 74
2. Number of unincorporated communities with IRA
Councils: 12, including:

Atka, Kwigillingok, Metlakatla, Minto, Nikolski,
Noatak, Perryville, Stevens Village, Tanacross,
Tatitlek, Tetlin, and Venetie.
3. Number of those unincorporated communities with
Traditional Tribal Councils: 43, including:

Beaver, Birch Creek, Cantwell, Chalkyitsik,
Chignik, Lagoon, Chignik Lake, Chistochina,
Chitina, Circle, Copper Center, Crooked Creek,
Dot Lake, Eagle, Egegik, False Pass, Gulkana,
Healy Lake, Iguigig, Iliamna, Ivanof Bay,
Kokhanak, Koliganek, Kongiganek, Levelock, Lime
Village, Manley Hot Springs, Mentasta, Nelson
Lagoon, Northway, Oscarville, Pedro Bay, Pilot
Point, Pitkas Point, Rampart, Red Devil,
Sleetmute, Stony River, Takotna, Tazlina, Telida,
Tok, Tuntutuliak, and Twin Hills.
4. Money paid to unincorporated communities through
the Revenue Sharing Program: \$1,557,372 (FY 84
figures).

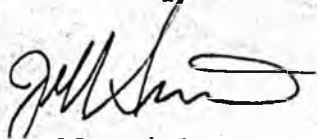
The Honorable Al Adams
March 14, 1985
Page Two

5) Capital Funds to unincorporated communities:
(See Attachment 1).

During the February 6 committee meeting, Representative Frank also inquired about the flexibility which HB 41 might deny the unincorporated communities. At that time, I suggested that the bill should provide flexibility in applying the 10% grantee participation payment. Because of the varied economic climates throughout the State, the bill may benefit from a more thorough study of the percentage capital payment requirement; a flat 10% payment by the grantee may not be responsible, or realistic, depending on the grantee's specific economic situation. This is something our Department hopes the Finance subcommittee would look into further.

If you need any additional information, please contact our office. We are now doing specific research for the Federal-State-Tribal Relations Task Force on the open and closed grants to IRA and Traditional Tribal Councils which our Department administers. This information will be part of the packet that the Task Force will consider in making recommendations to the Governor on State-Tribal relations. The information may also be of interest to the Finance Committee. Please let us know if we could provide you with our grant research.

Sincerely,



Jeff Smith
Deputy Commissioner

cc: The Honorable Steve Frank
The Honorable John Ringstad
The Honorable Al Adams
The Honorable Jim Duncan
The Honorable Ronald Larson
The Honorable Mike Szymanski
The Honorable Sam Cotten
The Honorable John Binkley
The Honorable Pat Pourchot
The Honorable Steven Rieger
The Honorable Rick Uehling
Alaska State House

ALL C&RA OUTSTANDING GRANTS
AND CAPITAL PROJECTS

YEAR	COLLO CODE	PROJECT	1/31/85 PBA BALANCE	1/31/85 PBA ENCUMBRANCE BALANCE
?	21-19-8-001	Tanacross Track Complex	49,500.00	
FY83	21-19-8-002	Beaver Library Books		1,000.00
FY83	21-19-8-003	Manley Library & Clinic		46,250.00
FY84	21-19-8-005	Klukwan Artifact Storage	1,100.00	
FY80	21-22-6-020	Juneau Residential Care Unit		174,460.00
FY85	21-29-2-010	Enep'ut Children's Center	65,000.00	
FY85	21-29-2-016	Weatherization/Energy Assist	5,700,000.00	
FY85	21-29-6-003	Low Income Multi-Housing	1,580,000.00	
FY85	21-29-6-011	Norton Sound Sr. Cit. Fac.	1,625,000.00	
FY85	21-29-6-012	Sr. Citizen Housing Develop.	6,000,000.00	
FY85	21-29-8-011	Community Profiles	400,000.00	
FY85	21-29-8-014	Anch. Salvation Army	1,000,000.00	
FY82	21-39-8-001	Manley Clinic/Library Bldg.		70,000.00
FY85	21-39-8-015	Arctic Village Clinic	100,000.00	
FY83	21-49-8-001	Birch Creek Water		2,990.00
FY84	21-49-8-007	Evansville Well	30,000.00	
FY84	21-49-8-008	Stoney River Well		2,000.00
FY84	21-49-8-011	Birch Creek Water		75,000.00
FY84	21-49-8-012	Minto Water & Sewer Phase I		40,000.00
FY83	21-49-8-201	Lake Kalskag Rec. Area		24,500.00
FY84	21-59-8-009	Delta Junction Landfill		400,000.00
FY84	21-59-8-010	Ester VFD Apparatus/Equip.	35,000.00	
FY84	21-59-8-013	Copper Center Fire Equip.	20,000.00	
FY84	21-72-1-068	Regional Resource Develop.	30,000.00	
FY85	21-72-1-072	Public Smoking	5,000.00	
FY85	21-72-2-058	Enep'ut Childrens Center	85,000.00	
FY85	21-72-2-060	S.E. Alaska Youth Equip		25,000.00
?	21-72-8-544	Portage Creek Storage		37,705.16
FY84	21-72-8-589	Anch. Neighborhood Housing		28,415.00
FY80	21-72-8-601	Newhalen Wind		2,144.27
FY80	21-72-8-602	Pedro Bay Dump	180.70	
FY81	21-72-8-605	Kipnuk D-B Cat		15,924.00
FY81	21-72-8-607	Kwigillingok D-C Cat		18,577.57
FY81	21-72-8-608	VFD Equip/Mapping		59,814.00
FY81	21-72-8-609	Mauneluk Sawmill	1,006.75	
FY81	21-72-8-610	Nikolai Electrification	142.96	
FY81	21-72-8-611	Girdwood Ambulance	460.87	
FY81	21-72-8-613	Buckland Generator	9,432.43	
FY83	21-72-8-618	Tatitlek Mun. Equip	20,000.00	
FY83	21-72-8-620	Koliganek Comm. Hall		99,000.00
FY84	21-72-8-627	Gustavus Roads Upgrade	31,929.34	
FY84	21-72-8-629	Tatitlek Combined Facility	250,000.00	
FY84	21-72-8-632	Anch. Hispanic Culture Ctr		300,000.00
FY84	21-72-8-635	Alaska Med. Housing Facility		20,000.00
FY84	21-72-8-636	Remote Shelter Const.	60,000.00	

YEAR	COLLO CODE	PROJECT	1/31/85 PBA BALANCE	1/31/85 PBA ENCUMBRANCE BALANCE
FY82	21-72-8-641	Circle Electric		81,700.00
FY82	21-72-8-645	Noatak Youth Center		18,750.00
FY82	21-72-8-646	Petroleum Health Study	12,000.00	
FY82	21-72-8-647	Copper River Basin	454.77	
FY84	21-72-8-658	Arctic Village Elect.		50,000.00
FY84	21-72-8-659	Tetlin Street Lights	3,000.00	
FY84	21-72-8-660	Chicken Well & House	25,000.00	
FY85	21-72-8-665	Angoon Ferry Terminal	30,000.00	
FY85	21-72-8-666	Bidarki-Cordova Youth	40,000.00	
FY85	21-72-8-669	Klukwan Development	55,000.00	
FY85	21-72-8-672	Moose Pass Repair/Equip.	30,000.00	
FY85	21-72-8-673	Cantwell Landfill	100,000.00	
FY85	21-72-8-677	Gulkana Campground	25,000.00	
FY85	21-72-8-679	Tetlin Clinic	25,000.00	
FY85	21-72-8-680	Tok Clinic	25,000.00	
FY85	21-72-8-681	Tuntutuliak Hall		225,000.00
FY85	21-72-8-682	Iliamna Clinic	40,000.00	
FY85	21-72-8-684	Karluk Street Lighting		27,000.00
FY85	21-72-8-688	Kuskokwim Agriculture		33,000.00
FY85	21-72-8-694	Kongiganek Terminal	40,000.00	
FY85	21-72-8-695	Halibut Cove Well	40,000.00	
FY85	21-72-8-696	McGrath Library	330,000.00	
FY85	21-72-8-697	Thorne Bay	40,000.00	
FY85	21-72-8-700	Deltana Rika Laundry	220,000.00	
FY80	21-73-2-136	Lime Village Wind	45,237.22	
FY80	21-73-2-137	Sheldon Point Elect.	5,170.85	7,199.38
FY81	21-73-2-151	Alternative Energy Admir.	9,694.03	
FY81	21-73-2-152	Alternative Energy Power Factor		16,032.21
FY81	21-73-2-153	Alaska Wind Demo Monitor		1,706.39
FY81	21-73-2-154	Wind Energy Curriculum	1,000.00	
FY81	21-73-2-157	C.O. Energy		12,261.40
FY81	21-73-2-158	Media Information	2,740.00	
FY82	21-73-2-167	Pilgrim Hot Springs	12,318.98	
FY82	21-73-2-172	Peat In Southcentral	4,414.77	
FY85	21-79-2-014	Telida Electrification	25,000.00	
FY83	21-79-8-010	Atqasuk Teen Rec Bldg	37,500.00	
FY84	21-79-8-017	Takotna Multi-Facility	150,000.00	
FY84	21-79-8-018	Tyonek Comm. Facility	140,000.00	
FY84	21-79-8-019	Tyonek Sawmill Repairs	10,000.00	
FY84	21-79-8-028	Rampart Electrification		10,000.00
FY84	21-79-8-029	Arctic Village Elect.		50,000.00
FY84	21-78-8-031	Kongiganek Electrification	50,000.00	
FY84	21-79-8-032	Kwigillingok City Officer	100,000.00	
FY84	21-79-8-033	Oscarville Comm. Center		15,000.00
FY85	21-79-8-041	Circle Planning-Design	240,000.00	
FY85	21-79-8-042	Noatak Erosion Control	6,000.00	
FY85	21-79-8-044	Minto Water & Sewer		200,000.00
FY85	21-79-8-055	Tanacross Laundromat	32,500.00	
FY85	21-79-8-061	Takotna Septic Tanks	150,000.00	
FY85	21-79-8-063	Kipnuk Landfill Road	292,000.00	

<u>YEAR</u>	<u>COLLO CODE</u>	<u>PROJECT</u>	<u>1/31/85 PBA BALANCE</u>	<u>1/31/85 PBA ENCUMBRANCE BALANCE</u>
FY85	21-79-8-064	Ugashik Low Tractor	25,000.00	
FY85	21-79-8-075	Tok Clinic/Ambulance Bldg	40,000.00	
FY85	21-79-8-082	Copper Center Water/Sewer	24,000.00	
FY85	21-79-8-084	Tanacross Village Street Lights	30,000.00	
FY85	21-79-8-085	Tetlin Landfill	60,000.00	
FY85	21-79-8-087	Telida Electrification	20,000.00	
FY83	21-79-8-502	Koliganek Truck/Bulldozer		1,205.00
FY83	21-79-8-504	Koliganek Voc Agri Training		18,000.00
FY83	21-79-8-522	Koliganek Mun Options		63,000.00
FY85	21-79-8-523	Yukon-Kuskokwim	1,508,300.00	
FY83	21-89-8-002	Dot Lake Roads		40,800.00
FY83	21-89-8-005	Twin Hill Road Project	200,000.00	
FY83	21-89-8-008	Medfra Air/Ground Radio		362.50
FY84	21-89-8-017	Port Protection Marine	20,000.00	
FY84	21-89-8-018	Elfin Cove Boardwalk		35,000.00
FY84	21-89-8-020	Ester Loop Road	22,000.00	
FY84	21-89-8-028	Eagle Road Improv	10,900.00	
FY84	21-89-8-031	Evansville Truck	17,000.00	
FY84	21-89-8-034	Portage Heavy Equip	100,000.00	
FY84	21-89-8-040	Eagle Road Upgrade	10,000.00	
FY85	21-89-8-046	Tetlin Airport	35,000.00	
FY85	21-89-8-065	Tok Airport Upgrade	87,300.00	
FY85	21-89-8-066	Arctic Village Road	50,000.00	
FY85	21-89-8-201	Oscarville Loading Facility	200,000.00	
Department Totals			21,952,283.67	2,348,796.88

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 41
 Title: Match Requirements for State Grants
 Sponsor: Rep. Larson & Grussendorf
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: DOT&PF
 Program Category Affected: Transportation
 BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
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-	-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						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Only negligible costs will be incurred by this agency if this bill becomes law. There already exist, grants administrators in each region who are capable of handling the few grants to named recipients which pass through the department.

Prepared By: Carol Taylor

Phone: 465-4070

Division: Plans and Programs

Date: 1/22/85

Approved by Commissioner: Wm S. Spahr
 Agency: Department of Transportation & Public Facilities

Date: 1/24/85

Distribution (by Agency preparing fiscal note):

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

7/1/84



Dept. of Transportation & Public Facilities

Position Paper

BILL NO: House Bill No. 41

APPROVED: R. J. Knapp
for Commissioner

TITLE: Match Requirements for State Grants

DATE: 1-23-85

House Bill 41 proposes changing the Legislative grant provisions of AS 37.05 to require all grant recipients except unincorporated communities to pay 10% of the total cost of construction for a public facility. We assume the purpose of this bill is to encourage some cost containment by requiring incorporated municipalities to share in the cost of the project and thereby creating an incentive to develop needed, economical, and high priority projects. AS 37.05 now requires the grant recipient to assume the full maintenance and operation burden for the public facility throughout its remaining life. The cost burden for maintenance and operations far exceeds 10% of the construction cost for most facilities such that the inclusion of a 10% local match for all grants will only marginally increase the total cost impact to a local community upon accepting a municipal grant. Thus, the added incentive for cost containment to be produced by the 10% match requirement is very modest when compared to the incentives produced by the existing maintenance and operations requirement.

Similar grant fund type programs which require local match (e.g., road maintenance service areas) have pointed to a number of interesting loop-holes to the concept of local match. The local match need not be raised through local taxation or user fees and can be provided to the community by the Legislature in the form of other grants. In addition, grant administration procedures would need to be altered to assure that indeed the community has made available the 10% match at the time the grant is awarded. A promise to provide a match without proof of it having been provided at the time of the grant award places a burden of audit on the State.

Finally, not all communities have the same ability to raise local match. Larger incorporated communities with well established tax bases should find no problem in raising 10% match for most public facilities. Smaller communities could have a very hard time raising the 10% match from local sources for even the most modest public facilities for their community. Thus the bill could tend to discriminate against smaller, less wealthy rural communities.

While the bill may not achieve the impact we assume is desired, any bill attempting to provide some measure of cost containment, particularly in the grant side of the capital budget, is supported by this Department.

For further information call Susan Fleischhauer at 465-3900.

Introduced: 1/14/85
Referred: Finance

1 IN THE HOUSE

BY LARSON AND GRUSSENDORF

2

HOUSE BILL NO. 41

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to state grants for capital proj-
7 ects."

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

9 * Section 1. AS 37.05.315(c) is amended to read:

10 (c) In accepting a grant of money for construction of a public
11 facility, a municipality covenants with the state that it will pay at
12 least 10 percent of the total cost of the project, operate and main-
13 tain the facility for the practical life of the facility and that the
14 municipality will not look to the state to operate or maintain the
15 facility or pay for its operation or maintenance. This requirement
16 does not apply to a grant of money for repair or improvement of an
17 existing facility operated or maintained by the state at the time the
18 grant is accepted if the repair or improvement for which the grant is
19 made will not substantially increase the operating or maintenance
20 costs to the state.

21 * Sec. 2. AS 37.05.316 is amended to read:

22 Sec. 37.05.316. GRANTS TO NAMED RECIPIENTS. When an amount is
23 appropriated or allocated to a department as a grant for a named
24 recipient which is not a municipality, the department to which the
25 appropriation or allocation is made shall promptly notify the named
26 recipient of the availability of the grant and request the named
27 recipient to submit a proposal to provide the goods or services spec-
28 ified in the appropriation act, or both, for which the appropriation
29 or allocation is made. At the same time, the department may issue a

1 request for proposals from other qualified persons to provide the same
2 goods or services, or both, in the same area. The department shall
3 contract with the named recipient unless the Office of the Governor,
4 with due regard for any local expertise or experience among those
5 making proposals, determines that an award of the contract to a dif-
6 ferent party would better serve the public interest. If the contract
7 is awarded to another party than that named by the legislature, the
8 basis of that action shall be stated in writing at the time the grant
9 is issued and a copy of the written statement shall be sent to the
10 Legislative Budget and Audit Committee. A contract shall be executed
11 within 60 days after the effective date of the appropriation or allo-
12 cation. The purchase of the goods or services, or both, shall be in
13 accordance with AS 37.05.230(1)(B). A contract for construction of a
14 public facility shall provide that the named recipient shall pay at
15 least 10 percent of the total cost of the project.

16 * Sec. 3. AS 37.05.317 is amended to read:

17 Sec. 37.05.317. GRANTS TO UNINCORPORATED COMMUNITIES. When an
18 amount is appropriated or allocated as a grant under this section to
19 an unincorporated community, it shall be disbursed as follows:

20 (1) Within 45 days after the effective date of the appro-
21 priation or allocation, the Department of Community and Regional
22 Affairs shall notify the governing body of the unincorporated communi-
23 ty, if any, that a grant is available.

24 (2) The Department of Community and Regional Affairs shall
25 determine if there is a qualified incorporated entity in the community
26 area that will agree to receive the grant and administer it, subject
27 to terms generally applicable to private grantees. If there is more
28 than one such entity, the Department of Community and Regional Affairs
29 shall select the most qualified and the grant shall be awarded to that

1 incorporated entity for the purposes specified in the appropriation
2 act. However, the Department of Community and Regional Affairs shall
3 give preference to a nonprofit corporation organized by a community
4 for receipt of the grant.

5 (3) If there is no incorporated entity qualified to receive
6 the grant, the Department of Community and Regional Affairs shall
7 administer the program as specified in the appropriation act directly
8 or through agents or contractors with whom it may contract in the
9 community area.

10 (4) If the grant is for construction of a public facility,
11 the recipient of the grant shall agree to pay at least 10 percent of
12 the total cost of the project unless the project is administered by
13 the Department of Community and Regional Affairs under (3) of this
14 section.

COMMITTEE REPORT
HOUSE

1/25

(7)

FURTHER: Finance

1/14/85

Date: _____

The Committee on Community and Regional Affairs has had HB 43

"An Act making a special appropriation for payment as a grant to the Matanuska-Susitna Borough for acquiring land to provide public recreational access to Montana Creek, Little Willow Creek, Willow, Creek, and Kashwitna River; and providing for an effective date."

under consideration and recommends:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" ~~FISCAL~~ Fiscal Note *Sept #8*
- reports it back without ~~INDIVIDUAL~~ recommendation Zero Fiscal Note Attached
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

John Koponen

Peter Gale

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature] *FURNACE*

F. Kynhallis - No rec

Max Gumbert - No rec

A.U.M. *No Rec. MAROU*

ROD E. PELL - No Rec.

Peter Gale

CHAIRMAN

Introduced: 1/14/85
Referred: Community & Regional
Affairs and Finance

<u>Funding Information</u>	
General Fund	\$1,100,000
Other Funds	-0-
	<u>\$1,100,000</u>

1 IN THE HOUSE

BY LARSON AND HURLEY

2 HOUSE BILL NO. 43

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation for payment as
7 a grant to the Matanuska-Susitna Borough for acquiring
8 land to provide public recreational access to
9 Montana Creek, Little Willow Creek, Willow Creek, and
10 Kashwitna River; and providing for an effective
11 date."

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

13 * Section 1. The sum of \$1,100,000 is appropriated from the general
14 fund for payment as a grant to the Matanuska-Susitna Borough for acquiring
15 land to provide public recreational access to Montana Creek, Little Willow
16 Creek, Willow Creek, and Kashwitna River.

17 * Sec. 2. The appropriation made by this Act shall be disbursed in
18 accordance with AS 37.05.315.

19 * Sec. 3. This Act takes effect immediately in accordance with AS 01.-
20 10.070(c).

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STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

copy

Revision Date: _____

Page 1 of 2

REQUEST

Bill/Resolution No.: HB 43
 Title: Recreation Land Acquisition
Nat-Su Borough
 Sponsor: Larson
 Requestor: _____
 Date of Request: 1/22/85

FISCAL DETAIL

Agency Affected: Parks & Outdoor Recreation
 Program Category Affected: Natural Resources Management
 BRU, Program or Subprogram(s) Affected: Parks and Recreation Management

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES		19.2	20.6			
200 TRAVEL		4.0	4.0			
300 CONTRACTUAL		16.0	18.0			
400 SUPPLIES		5.0	5.0			
500 EQUIPMENT		15.0	4.0			
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		59.2	51.6			

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND		59.2	51.6			
FEDERAL FUNDS						
OTHER						
TOTAL		59.2	51.6			

POSITIONS:

FULL-TIME						
PART-TIME		1	1			
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

See Attached

NOTE: First year represents start-up costs for equipment purchases. Continuing costs will be less.

Prepared By: Neil C. Johannsen, Director Phone: _____

Division: of Parks & Outdoor Recreation Date: _____

Approved by Commissioner: Lawrence P. Whinniker Date: 1/23/85

Agency: Natural Resources

Distribution (by Agency preparing fiscal note):

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

7/1/84

Recreation Land Acquisition, Mat-Su Borough Fiscal Note Analysis

The requested funds will provide the below listed maintenance and operations support for recreation land acquisition.

- FY 86
- 100 - funds will provide one seasonal part time Park Ranger I to manage the units.
 - 200 - funds will provide for travel within the region (106 miles round trip from Wasilla to Montana Creek).
 - 300 - the funds will provide for a private maintenance and janitorial contract (15K) to service the units, vehicle mileage and other contractual services, such as, refuse collection.
 - 400 - provides in the hand tools and maintenance commodities for the ranger's managing the unit.
 - 500 - provides the equipment necessary to manage the units; 1 pick-up truck (10K), radios, public safety and law enforcement implements.

FY 87 the same amount of funding would be necessary in each budget category (accounting for inflation) with the exception of equipment. These costs would drop to only 4K for the purchase of additional radio equipment.

ALASKA STATE LEGISLATURE

..14th Legislature FIRST.. Session

HOUSE .BILL..... NO. ...43..

By ..LAPSON,HURLEY.....

HISTORY IN THE HOUSE

19 85

Jan. 14

Read first time and referred to Committee on

OSRA AND 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
Sent to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Read first time and referred to Committee on

Reported back with recommendation that

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
Returned to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Received from Senate

Concurred in Senate amendment thus adopting:
VOTE

Failed to concur in Senate amendment; asked Senate to recede
VOTE

Senate receded from amendment
VOTE

Senate failed to recede from amendment
VOTE

CC appointed by House

CC appointed by Senate

CC adopted by House
VOTE

CC adopted by Senate
VOTE

To enrolling
Reported correctly enrolled
Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.

'An Act making a special appropriation for payment as a grant to the Matanuska-Susitna Borough for acquiring land to provide public recreational access to Montana Creek, Little Willow Creek, Willow Creek, and Kashwitna River; and providing for an effective date.'

Spec. Appropriation/Mat-Su

Introduced in the House ... 1/14..., 19..85

Introduced: 1/14/85
Referred: Community & Regional Affairs
and Finance

<u>Funding Information</u>	
General Fund	\$1,100,000
Other Funds	-0-
	<u>\$1,100,000</u>

1 IN THE HOUSE

BY LARSON AND HURLEY

2

HOUSE BILL NO. 43

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act making a special appropriation for payment as
7 a grant to the Matanuska-Susitna Borough for acquir-
8 ing land to provide public recreational access to
9 Montana Creek, Little Willow Creek, Willow Creek, and
10 Kashwitna River; and providing for an effective
11 date."

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

13 * Section 1. The sum of \$1,100,000 is appropriated from the general
14 fund for payment as a grant to the Matanuska-Susitna Borough for acquiring
15 land to provide public recreational access to Montana Creek, Little Willow
16 Creek, Willow Creek, and Kashwitna River.

17 * Sec. 2. The appropriation made by this Act shall be disbursed in
18 accordance with AS 37.05.315.

19 * Sec. 3. This Act takes effect immediately in accordance with AS 01.-
20 10.070(c).

FISCAL NOTE

Revision Date: 4/2/85

REQUEST

Bill/Resolution No.: CSCSHB 44 (Jud)
Title: Additions to Marine Parks

FISCAL DETAIL

Agency Affected: Natural Resources
Program Category Affected: NRMEC, Div. of
Parks & OutdoorSponsor: Reps. Miller, Duncan, Goll
Requestor: House Judiciary Comm.
Date of Request: 4/1/85

BRU, Program or Subprogram(s) Affected: _____ Rec.

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
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-	-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						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

N.A. ** Possible additional costs to the state include the loss of as much as \$1.25 million in principal and interest from a proposed land disposal in Funter Bay (Crab Cove) and the unrecoverable expense of approximately \$30,000 associated with disposal planning and preparation that has already taken place. It should be noted, however, that some of the information gathered during the disposal preparation process could be useful during the planning process for the Crab Cove marine park.

Prepared By: Carol Wilson Phone: 465-2400
Division: Commissioner's Office Date: 4/2/85Approved by Commissioner: Wm D Arnold, Deputy Date: _____
Agency: Natural Resources

Distribution (by Agency preparing fiscal note):

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

7/1/84

ae
4/11

Alaska State Legislature



House of Representatives House Judiciary Committee

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4990

LETTER OF INTENT

CSHB 44(Jud)

The House Judiciary Committee has heard HB 44, establishing a number of marine parks in Southeast Alaska, and has replaced the original bill with CSHB 44 (Judiciary).

It was the intent of the Judiciary Committee, in passing the bill without an additional appropriation to the Department of Natural Resources, that the department should, to the greatest extent possible, initiate planning for the management of marine parks in Southeast and Southcentral Alaska using existing staff and staff time and resources.

This planning process should take into consideration the concerns of legislators that a process be developed for management and the addition of capital improvements as money becomes available and is appropriated by the legislature in future years. The planning should include some initial work on the need for, and proper location of, mooring buoys, docks and other appropriate facilities. The process should also include the initiation of discussions with the U.S. Forest Service for state-federal coordination and cooperation in recreation planning as a part of that federal agency's mandate for recreation improvements as part of their responsibilities of multiple-use management.

The Judiciary Committee is also cognizant of legislative intent of previous years regarding marine parks legislation, that no funding for management or improvement of marine parks established under the program would be made available at least until the late 1980s. In light of that intent, and in light of the fiscal situation of the state as we develop the FY 1986 budget, the committee understands that the possibility for passage of this legislation would be greatly jeopardized if there were to be a fiscal impact resulting in the need for an appropriation in FY 86.

It is the intent of the committee, therefore, that the bill be passed in a form that will require no appropriation for FY 86.

A handwritten signature in black ink, appearing to read "Mike Miller".

M. Mike Miller, Chairman
House Judiciary Committee

Offered: 4/4/85
Referred: Finance

Original sponsors: M.M.Miller, Goll
and Duncan

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 44 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to marine park units of the state
7 park system; and providing for an effective date."

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

9 * Section 1. AS 41.21.302(h) is amended to read:

10 (h) Nothing in AS 41.21.300 - 41.21.306 precludes the use of or
11 access to [PRIVATELY OWNED] land proximately located to a marine park
12 unit of the Alaska state park system or to mineral claims and leases.
13 The commissioner of natural resources shall permit adequate and feasi-
14 ble access across state land within a marine park unit of the Alaska
15 state park system to and from private and public land within or out-
16 side a unit. In the granting of such access the commissioner of
17 natural resources may adopt reasonable regulations to protect the
18 natural and other values of the marine park unit lands and water.

19 * Sec. 2. AS 41.21.304 is amended by adding new paragraphs to read:

20 (13) Taku Harbor

21 U.S. Mineral Survey No. 2192

22 Township 44 South, Range 70 East, Copper River Meridian

23 Section 5: W1/2SW1/4, W1/2E1/2SW1/4

24 Section 6: E1/2SE1/4

25 Section 7: NE1/4, NE1/4SE1/4, S1/2SE1/4

26 Section 8: W1/2, excluding ILMT 33289 (ATS682)

27 Section 17: W1/2W1/2

28 Section 18: E1/2, excluding tideland permit 100597

29 (14) Funter Bay

1 Township 42 South, Range 64 East, Copper River Meridian

2 Sections 1 and 12: The following described tracts,

3 excluding U.S. Surveys Nos. 2448 and 3149:

4 (A) Beginning at Corner No. 4, Lone Star Lode claim,
5 U.S. Mineral Survey No. (M.S.) 1492 proceed N. 70 degrees 00 feet
6 E. along the north boundary of said claim a distance of 359.15
7 feet more or less to Corner No. 3, Otter Lode claim, M.S. 1492;
8 thence N. 5 degrees 50 feet E. a distance of 666.60 feet more or
9 less along the west boundary of the Otter Lode claim to Corner
10 No. 4 of said claim; thence N. 70 degrees 00 feet E. a distance
11 of 1,500.00 feet more or less along the north boundary of the
12 Otter Lode claim, M.S. 1492 to Corner No. 1 of said claim, said
13 Corner being common to Corner No. 2, Mill Site claim, M.S. 2191;
14 thence N. 5 degrees 27 feet W. to an intersect with the southwest
15 boundary of ISH NIC claim, M.S. 2191; thence N. 44 degrees 00
16 feet W. along said boundary to Corner No. 4 of ISH NIC claim;
17 thence N. 46 degrees 00 feet E. along the northwest boundary of
18 ISH NIC claim a distance of 321.62 feet more or less to Corner
19 No. 3 of Beach No. 4 claim, M.S. 2191, common with Corner No. 2
20 of Beach No. 1 claim, M.S. 2191; thence N. 44 degrees 00 feet W.
21 along the southwest boundary of Beach No. 4 claim a distance of
22 600. 00 feet more or less to Corner No. 4 of Beach No. 4 claim;
23 thence N. 46 degrees 00 feet E. along the northwest boundary of
24 Beach No. 4 claim a distance of 1,099.47 feet more or less to
25 Corner No. 1 of Beach No. 4 claim, common with Corner No. 1 of
26 Beach No. 5 claim, M.S. 2191; thence N. 44 degrees 00 feet W.
27 along the southwest boundaries of Beach No's. 6 and 7 claims,
28 M.S. 2191 a distance of 1,200.00 feet more or less to Corner No.
29 1 of Beach No. 7 claim; thence N. 46 degrees 00 feet E. along the

1 northwest boundary of Beach No. 7 claim a distance of 135.10 feet
2 more or less to Corner No. 4 U.S. Survey No. (U.S.S.) 3149;
3 thence continue N. 46 degrees 00 feet E. along the northwest
4 boundaries of Beach No's. 7 and 8 claims, M.S. 2191 a distance of
5 2,864.90 feet more or less to Corner No. 2, Beach No. 8 claim;
6 thence due west a distance of 3,300 feet more or less to an
7 intersection of a line projected due north from Meander Corner
8 (M.C.) No. 3, U.S.S. 2448; thence due south a distance of 1,214
9 feet more or less to M.C. No. 3, U.S.S. 2448; thence meander
10 along the mean high water line of the northeast shore of Funter
11 Bay in a southwesterly, easterly, southeasterly, southwesterly
12 direction a distance of 1.11 miles more or less to a point lying
13 S. 70 degrees 00 feet W. from Corner No. 4, Lone Star Lode claim,
14 M.S. 1492 on the mean high water line of the easterly shore of
15 Funter Bay; thence N. 70 degrees 00 feet E. to Corner No. 4, Lone
16 Star Lode claim; the point of beginning.

17 (B) That portion of Mill Site, Mineral Survey (M.S.)
18 No. 2191, described as follows: beginning at Corner No. 1, Mill
19 Site, on line 2-3, Beach No. 1, M.S. 2191, thence S. 5 degrees 27
20 feet E., 57.26 feet, to the intersection of line 1-4, ISH NIC,
21 M.S. 2191; thence S. 46 degrees 00 feet W., 264.36 feet, along a
22 portion of line 1-4, of ISH NIC, to Corner No. 4, ISH NIC, M.S.
23 2191; thence S. 44 degrees 00 feet E., 331.75 feet, along a
24 portion of line 4-3 of ISH NIC, to the intersection of line 1-2,
25 Mill Site; thence S. 5 degrees 27 feet E., 137.55 feet, along a
26 portion of line 1-2 of Mill Site, to Corner No. 2, Mill Site,
27 identical to Corner No. 1 of Otter, M.S. 1492; thence S. 70
28 degrees 00 feet W., 1,500.00 feet, on line 2-3, Mill Site, iden-
29 tical to line 1-4 of Otter, M.S. 1492, to Corner No. 3, Mill

1 Site, M.S. 2191, identical to Corner No. 4 of Otter, M.S. 1492;
2 thence N. 5 degrees 27 feet W., 497.70 feet, on line 3-4, along
3 the mean-high tide line of Funter Bay, to Corner No. 4, Mill
4 Site; thence N. 30 degrees 07 feet E., 183.08 feet, on line 4-5,
5 along the mean-high tide line of Funter Bay, to Corner No. 5,
6 Mill Site, identical to Corner No. 3, Beach No. 1, M.S. 2191;
7 thence N. 70 degrees 00 feet E., 1,390.00 feet, on line 5-1, Mill
8 Site, identical to a portion of line 3-2, Beach No. 1, to Corner
9 No. 1, the point of beginning.

10 (C) That portion of Beach No. 1, Mineral Survey (M.S.)
11 No. 2191, described as follows: beginning at Corner No. 2, Beach
12 No. 1, identical with Corner No. 3, Beach No. 4, M.S. 2191, on
13 line 4-1 of ISH NIC, M.S. 2191, thence S. 70 degrees 00 feet W.,
14 1,500.00 feet on line 2-3, Beach No. 1, identical to a portion of
15 line 1-5, Mill Site, M.S. 2191, to Corner No. 3, Beach No. 1,
16 identical to Corner No. 5, Mill Site; thence N. 12 degrees 43
17 feet E., 460.00 feet, along the mean-high tide line of Funter Bay
18 to Corner No. 4, Beach No. 1; thence N. 47 degrees 23 feet E.,
19 157.50 feet, along the mean-high tide line of Funter Bay, to
20 Corner No. 5, Beach No. 1; thence N. 14 degrees 02 feet E.,
21 183.33 feet, along the mean-high tide line of Funter Bay, to
22 Corner No. 6, Beach No. 1, identical to Corner No. 4, Beach No.
23 2, M.S. 2191; thence N. 70 degrees 00 feet E., 874.74 feet, on
24 line 6-1, Beach No. 1, identical to a portion of line 4-3 of
25 Beach No. 2, to the intersection of line 4-1, Beach No. 4, M.S.
26 2191; thence S. 46 degrees 00 feet W., 126.34 feet, along a
27 portion of line 4-1 of Beach No. 4, to Corner No. 4, Beach No. 4;
28 thence S. 44 degrees 00 feet E., 600.00 feet, on line 4-3, Beach
29 No. 4, to Corner No. 3, Beach No. 4, identical to Corner No. 2,

1 Beach No. 1, the point of beginning.

2 (D) That portion of Beach No. 2, Mineral Survey (M.S.)
3 No. 2191, described as follows: beginning at the true point for
4 Corner No. 1, Beach No. 2, thence N. 70 degrees 00 feet E.,
5 1,197.45 feet, along a portion of line 1-2 of Beach No. 2, to the
6 intersection of line 1-4 of Beach No. 6, M.S. 2191; thence S. 44
7 degrees 00 feet E., 223.40 feet, along a portion of line 1-4 of
8 Beach No. 6, to Corner No. 4, Beach No. 6, identical with Corner
9 No. 1, Beach No. 5, M.S. 2191; thence S. 46 degrees 00 feet W.,
10 973.13 feet, along a portion of line 1-4 of Beach No. 4, to the
11 intersection of line 3-4 of Beach No. 2; thence S. 70 degrees 00
12 feet W., 874.74 feet, along a portion of line 3-4 of Beach No. 2,
13 to Corner No. 4, Beach No. 2, identical with Corner No. 6, Beach
14 No. 1; thence N. 14 degrees 03 feet E., 478.00 feet, along the
15 mean-high tide line of Funter Bay, to Corner No. 5, Beach No. 2;
16 thence N. 25 degrees 33 feet E., 291.00 feet, along the mean-high
17 tide line of Funter Bay, to Corner No. 1, Beach No. 2, the point
18 of beginning.

19 (E) That portion of Beach No. 3, Mineral Survey (M.S.)
20 No. 2191, described as follows: beginning at Corner No. 1, Beach
21 No. 3, thence N. 70 degrees 00 feet E., 637.07 feet, along a
22 portion of line 1-2, to the intersection of line 1-4, Beach No.
23 7, M.S. 2191; thence S. 44 degrees 00 feet E., 279.27 feet, along
24 a portion of line 1-4 of Beach No. 7, to Corner No. 4, Beach No.
25 7, identical to Corner No. 1, Beach No. 6, M.S. 2191, thence
26 continue S. 44 degrees 00 feet E., 376.60 feet, along a portion
27 of line 1-4 of Beach No. 6, to the intersection of line 3-4,
28 Beach No. 3; thence S. 70 degrees 00 feet W., 1,139.45 feet,
29 along a portion of line 3-4 of Beach No. 3, to Corner No. 4,

1 Beach No. 3; thence N. 1 degree 30 feet E., 644.00 feet, along
2 the mean-high tide line of Funter Bay, on line 4-1, to Corner No.
3 1, Beach No. 3, to point of beginning. Containing 12.22 acres.

- 4 Section 2: W1/2
- 5 Section 3: S1/2SW1/4, NW1/4SW1/4
- 6 Section 4: S1/2NE1/4, E1/2SE1/4
- 7 Section 10: N1/2N1/2, S1/2NE1/4
- 8 Section 11: NW1/4, NW1/4NE1/4, including all tide and
9 submerged land

10 (15) Pt. Higgins Beach
11 Township 74 South, Range 89 East, Copper River Meridian
12 U.S. Survey 3762 and adjacent tideland

13 (16) Joe Mace Island
14 Township 64 South, Range 75 East, Copper River Meridian
15 Lot 4, U.S. Survey 3854 and adjacent tideland

16 (17) Thoms Place
17 Township 65 South, Range 86 East, Copper River Meridian

- 18 Section 32: S1/2
- 19 Township 66 South, Range 86 East, Copper River Meridian
- 20 Section 4: SW1/4, S1/2NW1/4, NW1/4NW1/4, S1/2SE1/4,
21 NW1/4SE1/4

22 Section 5: All except for land within ASLS
23 81-234

24 Section 8: NE1/4

25 Section 9: N1/2, SE1/4

26 (18) Thoms Lake
27 Township 65 South, Range 85 East, Copper River Meridian

28 Section 9: S1/2SE1/4

29 Section 10: S1/2S1/2

1 Section 11: SW1/4SW1/4
 2 Section 14: S1/2, S1/2NW1/4, NW1/4NW1/4, SW1/4NE1/4
 3 Section 15: All
 4 Section 16: E1/2
 5 Section 21: NE1/4
 6 Section 22: N1/2
 7 Section 23: N1/2
 8 (19) Beecher Pass
 9 Township 61 South, Range 79 East, Copper River Meridian
 10 Section 1: NE1/4SW1/4, Lots 5 - 8
 11 Section 10: Lots 1 - 2, including all adjacent
 12 tideland
 13 Section 11: Lots 1 - 11, including all adjacent
 14 tideland
 15 Section 12: Lots 3 - 11, including all adjacent
 16 tideland
 17 Section 14: Lot 2, including all adjacent tideland
 18 Section 15: Lot 2, including all adjacent tideland
 19 Township 61 South, Range 80 East, Copper River Meridian
 20 Section 6: Lot 11, including all adjacent tideland
 21 Section 7, Lots 1 - 2, including all adjacent tideland
 22 (20) Dall Bay
 23 Township 77 South, Range 91 East, Copper River Meridian
 24 Section 29: W1/2SW1/4, SW1/4NW1/4
 25 Section 30: SE1/4, E1/2SW1/4
 26 Section 31: NE1/4, N1/2SE1/4, NE1/4SW1/4, E1/2NW1/4
 27 subject to USS 3525 and A.T.S. 155
 28 Section 32: NW1/4, N1/2SW1/4
 29 (21) Security Bay

1 Township 58 South, Range 70 East, Copper River Meridian

2 Section 1: SW1/4SW1/4

3 Section 2: S1/2

4 Section 11: N1/2, SE1/4, E1/2SW1/4

5 Section 12: W1/2W1/2, E1/2SW1/4 subject to Forest
6 Service Preference 103521

7 Section 13: All subject to Historic Place Application

8 AA-6569, Parcel A

9 Section 14: NE1/4

10 (22) Petersburg Creek

11 Township 58 South, Range 79 East, Copper River Meridian

12 Section 18: S1/2 subject to valid existing rights to

13 lot 5

14 Section 19: N1/2, SE1/4

15 Section 20: All

16 Section 29: N1/2, SW1/4, W1/2SW1/4 excluding Block 3

17 Section 32: N1/2, N1/2S1/2 excluding Lots 5 - 8 and

18 U.S. Survey 2867

19 * Sec. 3. AS 41.21.306(d) is amended to read:

20 (d) Reasonable access shall be permitted to and across a marine
21 park unit of the Alaska state park system for lawful [HUNTING, FISH-
22 ING, TRAPPING AND RECREATIONAL] purposes.

23 * Sec. 4. This Act takes effect August 1, 1985.

HB 44

APR 2 1985

STATE OF ALASKA
Interdepartmental Route Slip

TO: Mail Station	Department
Attention <i>Rep Phillips Behrend Room 203</i>	
<input type="checkbox"/> Approval	<input type="checkbox"/> Note & Return
<input type="checkbox"/> Signature	<input type="checkbox"/> Initial & Return
<input type="checkbox"/> Comment	<input type="checkbox"/> Return as Requested
<input type="checkbox"/> Contact Me	<input type="checkbox"/> Return for Approval
<input type="checkbox"/> Prepare Reply	<input type="checkbox"/> Necessary Action
<input type="checkbox"/> For Your File	<input type="checkbox"/> For Your Information
Remarks: <i>as you requested information on state land disposal & parks in South East</i>	
FROM: Mail Station	Department <i>DNR</i>
By <i>Carol Wilson 2400</i>	Date <i>4/2/85</i>

STATE PARK UNITS IN THE SOUTHEAST DISTRICT

<u>Acres of Land</u>	
1.35	Baranof Castle Hill State Historic Site
6045.35	Chilkat State Park
80.00*	Chilkoot Lake State Recreation Site
21.91	Halibut Point State Recreation Site
14.7	Juneau State Trails
	Liarsville State Recreation Site
4.58	Mosquito Lake State Recreation Site
51.3	Old Sitka State Historic Site
7.42	Pats Creek State Recreation Site
	Portage Cove State Recreation Site
13.45	Refuge Cove State Recreation Site
10.02	Totem Bight State Historic Park
37.5	Settlers Cove State Rec Site
3.42	Pioneer Park State Rec Site
49,000	Alaska Chilkut Bald Eagle Preserve
	<u>Marine Parks</u>
425	Oliver Inlet
503	Chilkot Islands
298	Shelter Island
618	Sullivan Island
3,385	St James Bay

*	60,520 acres of land	existing
*	9,245 ±	proposed additions

CS for HB 44 (Judicwing)

LOTTERY NO. 13 (FALL, 1984)

SERO STATISTICAL INFORMATION CONCERNING NUMBER OF
APPLICATIONS FILED AND COMMUNITY RESIDENCE OF WINNERS

In the statewide lottery of 1984, 871 parcels were offered and 11,069 applications were received. The Southeast Regional Office held two lotteries, one in Wrangell and one in Petersburg. For the 148 parcels near Wrangell, 2,658 applications were received. For the 137 parcels near Petersburg, 1,669 applications were received.

In all Southeast Alaska, the most popular lottery parcel received 107 applications, while the most popular homesite parcel received 149 applications. The Southeast parcels received 39 percent of the statewide applications.

As of April 2, 1985, 57 percent of the Wrangell parcels sold have been awarded to Wrangell residents, and 69 percent of the Petersburg parcels sold have been awarded to Petersburg residents. Some over-the-counter parcels are still available in both areas.

A breakdown of the number of Southeast residents as opposed to Northern Alaska residents who applied for parcels in Southeast Alaska is not available. A program could be written to extract Southeast zip codes from the 11,069 applications, but this would not necessarily indicate that those people applied in Southeast. They could have applied for land in other parts of the state. Considering the percentages of local residents (listed above) who received land in Petersburg and Wrangell, the fact that a person must be present at the local lotteries, and that 4,327 applications were received for the 285 Southeast parcels, the number of Southeast residents who applied would most likely be very high.

SERO MAJOR LAND DISPOSAL SUMMARY

FY 1979 to FY 1988

<u>FY of Sale</u>	<u>No. Acres Sold</u>
79	1,483
80	2,139
81	1,240
82	1,775
83	527
84	-
85	<u>817</u>
Total	7,977

<u>FY of Sale</u>	<u>No. of Acres Proposed</u>	<u>Location</u>
86	198	Upper George Inlet 15 mi. NE of Ketchikan
87	400	Naukati Bay, Prince of Wales Island, 30 mi. N. of Craig
	275	Cape Pole, Kosciusko Island, 45 mi. NW of Craig
	60	Funter Bay, Admiralty Island, 15 mi. W. of Juneau
	100-150	Horse Island, 10 mi. W. of Juneau
	100	Vallener Bay on Gravina Island, 8 mi. W. of Ketchikan
	15-25	Meyers Chuck, 35 mi. NW of Ketchikan

FY of Sale

No. of Acres
Proposed

Location

88

75

Yakutat

700-8--

Coffman Cove, Prince of
Wales Island

150-200

Middle Island near
Sitka

350-450

St. John Harbor,
Zarembo Island

50

Sitka Benchlands

CS HB 44 (JUD) 13

SECTION ANALYSIS

~~PROPOSED~~ JUDICIARY COMMITTEE SUBSTITUTE

SECTION ONE: amends AS 41.21.302(h) to clarify that access through marine parks is permitted to and from both private and public land adjacent to units of the marine park system. This amendment was made at the request of the U.S. Forest Service because existing law is vague regarding access rights by federal agencies, specifically the Forest Service.

SECTION TWO: establishes marine parks at ten (10) sites in Southeast Alaska; specifically, the following locations:

- Taku Harbor (starting page 1, line 20);
- Funter Bay (starting page 1, line 29);
- Point Higgis Beach (starting page 6, line 10);
- Joe Mace Island (starting page 6, line 13);
- Thoms Place (starting page 6, line 16);
- Thoms Lake (starting page 6, line 26);
- Beecher Pass (starting page 7, line 8);
- Dall Bay (starting page 7, line 22);
- Security Bay (starting page 7, line 29);
- Petersburg Creek (starting page 8, line 10).

SECTION THREE: as in Section 2, this section is included at the request of the Forest Service, to ensure reasonable access across units of the marine park system to all adjacent landowners, both public and private, for all lawful purposes as established under AS 41.21.300-306.

SECTION FOUR: Effective date clause; this date was established as appropriate to provide time requested by the division of land and water management to deal with private parties claiming inholdings at Taku Harbor.

13

Alaska State Legislature




House of Representatives House Judiciary Committee

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4990

MEMO: April 18, 1985

TO: Rep. John Ringstad, Vice-Chairman
House Finance Committee

FROM: Rep. M. Mike Miller 
Juneau/District 4

RE: HB 44/ establishing marine parks in Southeast Alaska

Attached you will find back-up material regarding marine parks in Southeast Alaska which would be established if HB 44 were to pass. I believe that the committee substitute as adopted by the Judiciary Committee is an excellent piece of legislation, and I hope that you will agree. Please contact me if you have any question regarding the bill.

As adopted by Judiciary, the bill differs from the original bill, HB 44, in the following ways:

- 1) two of the sites have been dropped out of the bill: Cape Bingham, near Sitka, and Traitor's Cove near Ketchikan.
- 2) the bill amends existing statute to establish clearly that the U.S. Forest Service is one of the agencies which may negotiate for access rights across marine parks. This is not clear in some sections of the statutes, specifically AS 41.21.302(h) and AS 41.21.306(d). The intent to clarify these two subsections is dealt with in Section 1 (page 1, starting line 9) and Section 3 (starting page 8, line 19).
- 3) The proposed marine park at Taku Harbor was amended from the original bill to provide time for DNR's division of land and water management to deal with private land claims within the boundaries established by my original bill. The effective date (Section 4, page 8, line 23) was delayed to provide time to work this problem out, and the disputed land is left outside the park established by the bill (the exclusions identified on page 1, lines 26 and 28).
- 4) The proposed marine park at Funter Bay has been expanded to incorporate both the 65 acres in the original bill and the 240 acres supported by DNR.

Virtually all of the areas described in the bill have been planned for marine park status for a number of years. The only exception is the 65 acres at Funter Bay which is in both the original version of HB 44 and the Judiciary CS. DNR has tentatively planned to subdivide that acreage. It is my opinion that subdivision of that land is unnecessary and undesirable. When state land management and planning on Admiralty Island began a number of years ago, there

(more)

were no plans for land disposal at Funter Bay because of large holdings of private land there which were being considered for subdivision by their owners. It has been only during the past two years that DNR has revised its plans for this area, which originally called only for recreational development. There are at least three large private holdings at Funter Bay, including patented mining claims and an old cannery site, which probably will be subdivided and sold off during the next two to four years. There is no need for the state to subdivide here as well; it would create only a potential problem of overdevelopment of one of Juneau's most popular boating recreation areas used extensively by our boating public.

All other parks proposed in the bill, including the 240 acres DNR has proposed for Funter Bay, were selected specifically with the intent of development as marine parks. Most are existing park or recreation areas close to existing communities (such as Point Higgins Beach at Ketchikan) or selected because of their scenic and recreational values, as well as their long-term use as protected anchorages by commercial and recreational boaters (which is one of the main intents of the creation of the marine park system, as well as for recreation).

With the exception of the 65 acres at Funter Bay discussed above, no other areas in the bill are considered appropriate for disposal into private ownership and were selected specifically for recreational use. This bill, if passed, would establish that use, and would do so in the least restrictive recreation system we have.

If you have any specific questions, please contact me; or have your staff talk to Bob Speed of my staff, who is well acquainted with the bill and its history.

Thank you for your consideration of CS HB 44 (Judiciary).

MEMORANDUM

DEPARTMENT OF NATURAL RESOURCES

State of Alaska

Southeast Regional Office

TO: Representative Shultz, Co-Chairman
Representative Herrmann, Co-Chairman
Members of the Committee


DATE: February 28, 1985

FILE NO:

TELEPHONE NO: 465-3400

FROM: Paula T. Burgess, Regional Manager
DL&WM, SERO

SUBJECT: House Resource
Committee Request



In response to the Committee's request, I have prepared an estimate of the revenue that would be lost if the 65 acre subdivision at Funter Bay were not sold.

My estimate is based on the appraisal and sale of lots at Shelter Island (roughly the same air distance from Juneau as Funter Bay) in 1982, and the purchase price of one acre lots recently sold at the south end of Funter Bay.

If the State were to sell twelve waterfront lots, 180 by 400 feet (1.6 acres), the sale might generate \$400,000 in general fund revenues (calculated at \$33,000 per lot). If the State were to sell an additional eight upland lots, averaging four acres, that sale might generate an additional \$100,000 (calculated at \$12,000 per lot).

Therefore, the sale of 20 lots in Funter Bay might produce \$500,000 of revenue. With the State financing purchase of the lots over a twenty year period, the revenue generated over that period would be two and one-half times the sale price of \$500,000. The actual revenue to accrue to the State would then be \$1.25 million.

Expenses incurred in selling the land, including survey, are estimated to be \$70,000.

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF PARKS & OUTDOOR RECREATION

BILL SHEFFIELD, GOVERNOR

400 WILLOUGHBY, 5TH FLOOR
JUNEAU, ALASKA 99801-1382
PHONE: (907) 465-4563

STATE MARINE PARKS SOME QUESTIONS AND ANSWERS

by
Neil C. Johannsen
Director
Alaska State Parks
Department of Natural Resources

Background

Section 6(a) of the Statehood Act allows the state to select up to 400,000 acres of National Forest land for the purposes of community expansion (essentially lands to be disposed of) and for creating recreation areas. The priority for allocating these state land selections will be community expansion (disposals) but the state did decide some years ago to utilize about ten percent of the acreage to create state marine parks. Alaska's marine parks program is copied from (and was planned in cooperation with) Washington State and the Province of British Columbia's similar systems. Washington now manages about 55 state marine parks; British Columbia has about 25 provincial marine park sites. Alaska's state park system currently manages 12 marine parks and HB 44 would add an additional 12 units to this program.

What is a Marine Park?

Marine parks can be characterized as legislatively designated units of the state park system which are protected small, scenic coves, bays, bights, beaches, where people tend to land float or amphibious aircraft or anchor their boats. These recreation sites are often spaced a day's travel distance apart for boaters and are places where the clamming, fishing, camping or picnicing is excellent. Eventual developments could include mooring bouys, a few tables and fire places on the beach, a simple pit toilet building, public rental cabins and perhaps elevated tent platforms and firewood shelters.

Proposed marine parks are normally already popular spots with the public and would not be sold or disposed of by the state; instead, their recreation and scenic values will be preserved for all citizens to use.

Development and active management may still be some years away; this bill should be viewed as a "visionary" measure, to consider the present as well as future needs of our citizens. Creation of these small, well-placed ocean recreation sites is an investment certain to accrue great interest and value in the years ahead..

What Types of Uses Would be Allowed?

The purposes and allowable uses for marine parks are outlined in Alaska Statute 41.21.300-300.6. They are created to:

- (1) Maintain natural, cultural and scenic values.
- (2) Maintain fish and wildlife resources and lawful existing uses of these resources.
- (3) Promote and support recreation and tourism in the state.

Hunting, sport and commercial fishing and trapping are expressly allowed; the Fish and Game Department will continue to manage fish and wildlife programs. Commercial aquaculture development and access to private lands and mineral claims and leases is permitted.

These are parks with a "small p" which consume small acreages and are user oriented.

Where are These Proposed Marine Parks Located?

Juneau Area:	Taku Harbor - 700 acres
Ketchikan Area:	Point Higgins Beach (Coast Guard Beach) - 71 acres Dall Bay - 850 acres
Wrangell Area:	Thoms Place - 1,400 acres Thoms Lake - 2,500 acres
Petersburg Area:	Petersburg Creek - 1,360 acres Beecher Pass - 741 acres
Point Baker Area:	Joe Mace Island - 62 acres

Others are planned at Security Bay on Kuiu Island, Cape Bingham on the north point of Yakobi Island and the Coot Cove-Funter Bay area on the northwest coast of Admiralty Island. These are true recreational gems which provide an "international connection" to the similar efforts by our neighbors to the south. Less than 10,000 acres are involved, hardly a lock up of vast tracts of land. These are user oriented parks.

Why Are More Marine Parks Needed?

To protect popular areas for increasing numbers of local boaters.

To respond to increased tourist demand for Alaska destinations.

To provide the majority of people an opportunity to enjoy the beauties of Alaska's shorelines.

To ensure access to prime public land for shore-related experiences to future water users.

To set aside exceptional protected anchorages.

To create an overnight park system for water users.

Over half of all Alaskans participate in boating; recreation and tourism is our third largest industry, worth over half a billion dollars a year and employs almost 11,000 Alaskans. This commitment to recreation provides an important linkage to the tourism industry: boat rentals and charters, boat moorage, boat and aircraft sales, maintenance and repairs, air taxi and guide operations and other visitor service related industries.

The proposed marine park system is designed to guarantee everyone's use of the most scenic small coves, bays, bights and accessible beaches along the Southeast and Southcentral coast of Alaska. The plan has gathered bipartisan support, is carefully thought out, and clearly shows that Alaskan's desire to provide for their, as well as their children's, recreational needs.

The Alaska Department of Natural Resources asks your support for this Legislation.

March 1985

League of Women Voters of Alaska

9151 Skywood Lane
Juneau, Alaska
April 29, 1985

MESSENGER DELIVERY

The Honorable Al Adams
House Finance Committee
Alaska Legislature
Pouch V
Juneau, Alaska 99811

Re: Additions to State Marine Parks System
[CS HB 44 (Resources)]

Dear Representative Adams:


The League of Women Voters of Alaska supports further additions in Southeast Alaska to the State marine park system.

In a boating dependent culture and economy such a we have in southeastern Alaska, the dedication to public use of a series of marine parks about a day's journey apart is one of the best investments we can make toward our own future quality of life and our welcoming of boating visitors from Canada and the Pacific Northwest. In some ways, these marine parks would be analogous to the system of hikers' shelters in the Swiss Alps, located a day's hiking journey apart. In contrast, our marine parks have the advantages that they require little financial commitment, and almost no modification of the natural environment.

The League of Women Voters of Alaska adopted a land use position in 1975 and a land disposal position in 1980. We believe the use of Alaska's land and water resources affects most aspects of life in our communities, and that we should set aside special areas such as marine parks and State forests now, before the options are foreclosed.

Thank you for considering our views.

Sincerely,


Elizabeth Cuadra, Board Member
(Natural Resources Portfolio)

DEC:sd

cc: Committee Members (Ringstad, Duncan, Larson, Szymanski, Cotten,
Frank, Binkley, Pourchot, Rieger, Uehling)
Paula Ziegler (LWVAK President)

SUPPORT FOR HB 44 - MARINE PARKS

1. CITY OF KETCHIKAN, RESOLUTION ✓
2. CITY AND BOROUGH OF JUNEAU, RESOLUTION
3. CITY OF WRANGELL, RESOLUTION ✓
4. CITY OF KUPREANOE ✓
5. BEECHER PASS RESIDENTS COMMITTEE ✓
6. JUNEAU STATE PARKS CITIZENS' ADVISORY BOARD X
7. SITKA STATE PARKS CITIZENS' ADVISORY BOARD X
8. KETCHIKAN STATE PARKS CITIZENS' ADVISORY BOARD ✓
9. U.S. FOREST SERVICE
10. EDITORIAL OF SUPPORT, JUNEAU EMPIRE
11. EDITORIAL OF SUPPORT, KETCHIKAN DAILY NEWS
12. SHEFFIELD ADMINISTRATION (WITH AMENDMENTS PRESENTED)
13. PT BAKER COMMUNITY SUPPORT
14. ALASKA TROLLERS ASSOCIATION
15. AK ENVIRONMENTAL LOBBY
16. League of Women Voters of Alaska

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

BILL SHEFFIELD, GOVERNOR

POUCH M
JUNEAU, ALASKA 99811
PHONE: 907-465-2400

March 1, 1985

The Honorable John Sund
Alaska State House
Pouch V
Juneau, AK 99811

Dear Representative Sund:

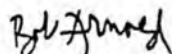
At this week's hearing on marine parks legislation you asked that the Department of Natural Resources explain its support for the Point Higgins site, part of a mental health land selection, given the litigation over mental health lands.

In brief, our action here is consistent with the 1978 law which directed the department to manage mental health lands as general grant lands. This management includes evaluating lands for their highest and best uses and determining that some lands may be sold or leased and that other lands ought to be retained in public ownership. If we were to ignore the 1978 law owing to the litigation, it would mean suspension of actions on many projects important to the State.

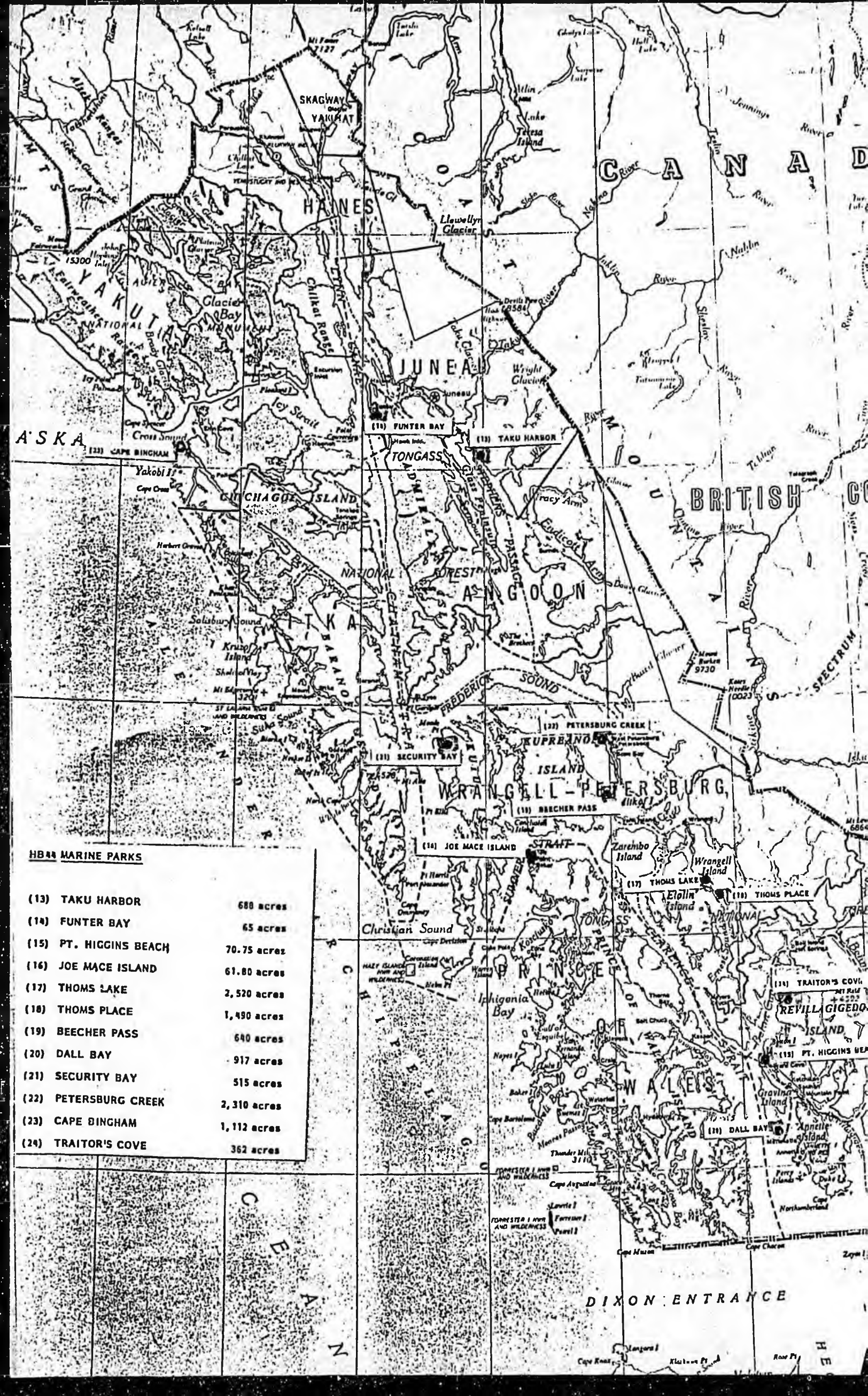
If the outcome of the litigation is a State liability for actions taken, a value would be assigned to the tract at Point Higgins and that value would presumably become a part of the settlement.

Please let me know if there is additional information I might furnish you.

Sincerely,



Robert D. Arnold
Deputy Commissioner



HB44 MARINE PARKS

(13) TAKU HARBOR	688 acres
(14) FUNTER BAY	65 acres
(15) PT. HIGGINS BEACH	70.75 acres
(16) JOE MACE ISLAND	61.80 acres
(17) THOMS LAKE	2,520 acres
(18) THOMS PLACE	1,490 acres
(19) BEECHER PASS	640 acres
(20) DALL BAY	917 acres
(21) SECURITY BAY	515 acres
(22) PETERSBURG CREEK	2,310 acres
(23) CAPE BINGHAM	1,112 acres
(24) TRAITOR'S COVE	362 acres

Offered: 3/13/85
Referred: Judiciary and
Finance

Original sponsors: M.M.Miller, Goll
and Duncan

1 IN THE HOUSE BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 44 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing additional state land as marine
7 park units of the state park system; and providing
8 for an effective date."

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

10 * Section 1. AS 41.21.304 is amended by adding new paragraphs to read:

11 (13) Taku Harbor

12 U.S. Mineral Survey No. 2192

13 Township 44 South, Range 70 East, Copper River Meridian

14 Section 5: W1/2SW1/4, W1/2E1/2SW1/4

15 Section 6: E1/2SE1/4

16 Section 7: NE1/4, NE1/4SE1/4, S1/2SE1/4

17 Section 8: W1/2

18 Section 17: W1/2W1/2

19 Section 18: E1/2

20 (14) Funter Bay

21 Township 42 South, Range 64 East, Copper River Meridian

22 Sections 1 and 12: The following described tracts,

23 excluding U.S. Surveys Nos. 2448 and 3149:

24 (A) Beginning at Corner No. 4, Lone Star Lode claim,
25 U.S. Mineral Survey No. (M.S.) 1492 proceed N. 70 degrees 00 feet
26 E. along the north boundary of said claim a distance of 359.15
27 feet more or less to Corner No. 3, Otter Lode claim, M.S. 1492;
28 thence N. 5 degrees 50 feet E. a distance of 666.60 feet more or
29 less along the west boundary of the Otter Lode claim to Corner

1 No. 4 of said claim; thence N. 70 degrees 00 feet E. a distance
2 of 1,500.00 feet more or less along the north boundary of the
3 Otter Lode claim, M.S. 1492 to Corner No. 1 of said claim, said
4 Corner being common to Corner No. 2, Mill Site claim, M.S. 2191;
5 thence N. 5 degrees 27 feet W. to an intersect with the southwest
6 boundary of ISH NIC claim, M.S. 2191; thence N. 44 degrees 00
7 feet W. along said boundary to Corner No. 4 of ISH NIC claim;
8 thence N. 46 degrees 00 feet E. along the northwest boundary of
9 ISH NIC claim a distance of 321.62 feet more or less to Corner
10 No. 3 of Beach No. 4 claim, M.S. 2191, common with Corner No. 2
11 of Beach No. 1 claim, M.S. 2191; thence N. 44 degrees 00 feet W.
12 along the southwest boundary of Beach No. 4 claim a distance of
13 600. 00 feet more or less to Corner No. 4 of Beach No. 4 claim;
14 thence N. 46 degrees 00 feet E. along the northwest boundary of
15 Beach No. 4 claim a distance of 1,099.47 feet more or less to
16 Corner No. 1 of Beach No. 4 claim, common with Corner No. 1 of
17 Beach No. 5 claim, M.S. 2191; thence N. 44 degrees 00 feet W.
18 along the southwest boundaries of Beach No's. 6 and 7 claims,
19 M.S. 2191 a distance of 1,200.00 feet more or less to Corner No.
20 1 of Beach No. 7 claim; thence N. 46 degrees 00 feet E. along the
21 northwest boundary of Beach No. 7 claim a distance of 135.10 feet
22 more or less to Corner No. 4 U.S. Survey No. (U.S.S.) 3149;
23 thence continue N. 46 degrees 00 feet E. along the northwest
24 boundaries of Beach No's. 7 and 8 claims, M.S. 2191 a distance of
25 2,864.90 feet more or less to Corner No. 2, Beach No. 8 claim;
26 thence due west a distance of 3,300 feet more or less to an
27 intersection of a line projected due north from Meander Corner
28 (M.C.) No. 3, U.S.S. 2448; thence due south a distance of 1,214
29 feet more or less to M.C. No. 3, U.S.S. 2448; thence meander

1 along the mean high water line of the northeast shore of Funter
2 Bay in a southwesterly, easterly, southeasterly, southwesterly
3 direction a distance of 1.11 miles more or less to a point lying
4 S. 70 degrees 00 feet W. from Corner No. 4, Lone Star Lode claim,
5 M.S. 1492 on the mean high water line of the easterly shore of
6 Funter Bay; thence N. 70 degrees 00 feet E. to Corner No. 4, Lone
7 Star Lode claim; the point of beginning.

8 (B) That portion of Mill Site, Mineral Survey (M.S.)
9 No. 2191, described as follows: beginning at Corner No. 1, Mill
10 Site, on line 2-3, Beach No. 1, M.S. 2191, thence S. 5 degrees 27
11 feet E., 57.26 feet, to the intersection of line 1-4, ISH NIC,
12 M.S. 2191; thence S. 46 degrees 00 feet W., 264.36 feet, along a
13 portion of line 1-4, of ISH NIC, to Corner No. 4, ISH NIC, M.S.
14 2191; thence S. 44 degrees 00 feet E., 331.75 feet, along a
15 portion of line 4-3 of ISH NIC, to the intersection of line 1-2,
16 Mill Site; thence S. 5 degrees 27 feet E., 137.55 feet, along a
17 portion of line 1-2 of Mill Site, to Corner No. 2, Mill Site,
18 identical to Corner No. 1 of Otter, M.S. 1492; thence S. 70
19 degrees 00 feet W., 1,500.00 feet, on line 2-3, Mill Site,
20 identical to line 1-4 of Otter, M.S. 1492, to Corner No. 3, Mill
21 Site, M.S. 2191, identical to Corner No. 4 of Otter, M.S. 1492;
22 thence N. 5 degrees 27 feet W., 497.70 feet, on line 3-4, along
23 the mean-high tide line of Funter Bay, to Corner No. 4, Mill
24 Site; thence N. 30 degrees 07 feet E., 183.08 feet, on line 4-5,
25 along the mean-high tide line of Funter Bay, to Corner No. 5,
26 Mill Site, identical to Corner No. 3, Beach No. 1, M.S. 2191;
27 thence N. 70 degrees 00 feet E., 1,390.00 feet, on line 5-1, Mill
28 Site, identical to a portion of line 3-2, Beach No. 1, to Corner
29 No. 1, the point of beginning.

1 (C) That portion of Beach No. 1, Mineral Survey (M.S.)
2 No. 2191, described as follows: beginning at Corner No. 2, Beach
3 No. 1, identical with Corner No. 3, Beach No. 4, M.S. 2191, on
4 line 4-1 of ISH NIC, M.S. 2191, thence S. 70 degrees 00 feet W.,
5 1,500.00 feet on line 2-3, Beach No. 1, identical to a portion of
6 line 1-5, Mill Site, M.S. 2191, to Corner No. 3, Beach No. 1,
7 identical to Corner No. 5, Mill Site; thence N. 12 degrees 43
8 feet E., 460.00 feet, along the mean-high tide line of Funter Bay
9 to Corner No. 4, Beach No. 1; thence N. 47 degrees 23 feet E.,
10 157.50 feet, along the mean-high tide line of Funter Bay, to
11 Corner No. 5, Beach No. 1; thence N. 14 degrees 02 feet E.,
12 183.33 feet, along the mean-high tide line of Funter Bay, to
13 Corner No. 6, Beach No. 1, identical to Corner No. 4, Beach No.
14 2, M.S. 2191; thence N. 70 degrees 00 feet E., 874.74 feet, on
15 line 6-1, Beach No. 1, identical to a portion of line 4-3 of
16 Beach No. 2, to the intersection of line 4-1, Beach No. 4, M.S.
17 2191; thence S. 46 degrees 00 feet W., 126.34 feet, along a
18 portion of line 4-1 of Beach No. 4, to Corner No. 4, Beach No. 4;
19 thence S. 44 degrees 00 feet E., 600.00 feet, on line 4-3, Beach
20 No. 4, to Corner No. 3, Beach No. 4, identical to Corner No. 2,
21 Beach No. 1, the point of beginning.

22 (D) That portion of Beach No. 2, Mineral Survey (M.S.)
23 No. 2191, described as follows: beginning at the true point for
24 Corner No. 1, Beach No. 2, thence N. 70 degrees 00 feet E.,
25 1,197.45 feet, along a portion of line 1-2 of Beach No. 2, to the
26 intersection of line 1-4 of Beach No. 6, M.S. 2191; thence S. 44
27 degrees 00 feet E., 223.40 feet, along a portion of line 1-4 of
28 Beach No. 6, to Corner No. 4, Beach No. 6, identical with Corner
29 No. 1, Beach No. 5, M.S. 2191; thence S. 46 degrees 00 feet W.,

1 973.13 feet, along a portion of line 1-4 of Beach No. 4, to the
2 intersection of line 3-4 of Beach No. 2; thence S. 70 degrees 00
3 feet W., 874.74 feet, along a portion of line 3-4 of Beach No. 2,
4 to Corner No. 4, Beach No. 2, identical with Corner No. 6, Beach
5 No. 1; thence N. 14 degrees 03 feet E., 478.00 feet, along the
6 mean-high tide line of Funter Bay, to Corner No. 5, Beach No. 2;
7 thence N. 25 degrees 33 feet E., 291.00 feet, along the mean-high
8 tide line of Funter Bay, to Corner No. 1, Beach No. 2, the point
9 of beginning.

10 (E) That portion of Beach No. 3, Mineral Survey (M.S.)
11 No. 2191, described as follows: beginning at Corner No. 1, Beach
12 No. 3, thence N. 70 degrees 00 feet E., 637.07 feet, along a
13 portion of line 1-2, to the intersection of line 1-4, Beach No.
14 7, M.S. 2191; thence S. 44 degrees 00 feet E., 279.27 feet, along
15 a portion of line 1-4 of Beach No. 7, to Corner No. 4, Beach No.
16 7, identical to Corner No. 1, Beach No. 6, M.S. 2191, thence
17 continue S. 44 degrees 00 feet E., 376.60 feet, along a portion
18 of line 1-4 of Beach No. 6, to the intersection of line 3-4,
19 Beach No. 3; thence S. 70 degrees 00 feet W., 1,139.45 feet,
20 along a portion of line 3-4 of Beach No. 3, to Corner No. 4,
21 Beach No. 3; thence N. 1 degree 30 feet E., 644.00 feet, along
22 the mean-high tide line of Funter Bay, on line 4-1, to Corner No.
23 1, Beach No. 3, to point of beginning. Containing 12.22 acres.

24 (15) Pt. Higgins Beach

25 Township 74 South, Range 39 East, Copper River Meridian
26 U.S. Survey 3762 and adjacent tideland

27 (16) Joe Mace Island

28 Township 64 South, Range 75 East, Copper River Meridian
29 Lot 4, U.S. Survey 3854 and adjacent tideland

1 (17) Thoms Place
2 Township 65 South, Range 86 East, Copper River Meridian
3 Section 32: S1/2
4 Township 66 South, Range 86 East, Copper River Meridian
5 Section 4: SW1/4, S1/2NW1/4, NW1/4NW1/4, S1/2SE1/4,
6 NW1/4SE1/4
7 Section 5: All except for land within ASLS
8 81-234
9 Section 8: NE1/4
10 Section 9: N1/2, SE1/4
11 (18) Beecher Pass
12 Township 61 South, Range 79 East, Copper River Meridian
13 Section 1: NE1/4SW1/4, Lots 5 - 8
14 Section 10: Lots 1 - 2, including all adjacent
15 tideland
16 Section 11: Lots 1 - 11, including all adjacent
17 tideland
18 Section 12: Lots 3 - 11, including all adjacent
19 tideland
20 Section 14: Lot 2, including all adjacent tideland
21 Section 15: Lot 2, including all adjacent tideland
22 Township 61 South, Range 80 East, Copper River Meridian
23 Section 6: Lot 11, including all adjacent tideland
24 Section 7, Lots 1 - 2, including all adjacent tideland
25 (19) Dall Bay
26 Township 77 South, Range 91 East, Copper River Meridian
27 Section 29: W1/2SW1/4, SW1/4NW1/4
28 Section 30: SE1/4, E1/2SW1/4
29 Section 31: NE1/4, N1/2SE1/4, NE1/4SW1/4, E1/2NW1/4

1 subject to USS 3525 and A.T.S. 155
2 Section 32: NW1/4, N1/2SW1/4
3 (20) Security Bay
4 Township 58 South, Range 70 East, Copper River Meridian
5 Section 1: SW1/4SW1/4
6 Section 2: S1/2
7 Section 11: N1/2, SE1/4, E1/2SW1/4
8 Section 12: W1/2W1/2, E1/2SW1/4 subject to Forest
9 Service Preference 103521
10 Section 13: All subject to Historic Place Application
11 AA-6569, Parcel A
12 Section 14: NE1/4
13 (21) Petersburg Creek
14 Township 58 South, Range 79 East, Copper River Meridian
15 Section 18: S1/2 subject to valid existing rights to
16 lot 5
17 Section 19: N1/2, SE1/4
18 Section 20: All
19 Section 29: N1/2, SW1/4, W1/2SW1/4 excluding Block 3
20 Section 32: N1/2, N1/2S1/2 excluding Lots 5 - 8 and
21 U.S. Survey 2867

22 * Sec. 2. AS 41.21.304 is amended by adding new subsections to read:
23 (b) Notwithstanding (a) of this section, a marine park estab-
24 lished after January 1, 1985, shall be comprised of state land classi-
25 fied by the commissioner under (c) of this section.
26 (c) Within five years after the effective date of this Act, the
27 commissioner shall establish one or more moorages within each area
28 described in (a) of this section. A moorage shall be established to
29 afford protection of marine craft from inclement weather conditions

1 and for the convenience and safety of operators of marine craft and
2 shall consist of docking facilities or moorings installed and main-
3 tained by department. The commissioner shall identify up to 75 acres
4 of land above the mean high tide line that is convenient to the moor-
5 age within the area described in (a) of this section and classify it
6 as the marine park and provide a management plan. A marine park
7 classified under this section shall be contiguous to a body of water
8 having a salinity measurement greater than 20 parts per thousand.

9 (d) Within five years after classifying the land under (c) of
10 this section, the commissioner shall survey, monument, mark the bound-
11 aries, and file a record plat as the final marine park. Upon the
12 classification of the land as a marine park unit, the remaining land
13 not classified as a marine park under (c) of this section is available
14 for multiple use management.

15 * Sec. 3. This Act takes effect July 1, 1985.

Offered: 4/4/85
Referred: Finance

Original sponsors: M.M. Miller, Goll
and Duncan

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 44 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to marine park units of the state
7 park system; and providing for an effective date."

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

9 * Section 1. AS 41.21.302(h) is amended to read:

10 (h) Nothing in AS 41.21.300 - 41.21.306 precludes the use of or
11 access to [PRIVATELY OWNED] land proximately located to a marine park
12 unit of the Alaska state park system or to mineral claims and leases.
13 The commissioner of natural resources shall permit adequate and feasi-
14 ble access across state land within a marine park unit of the Alaska
15 state park system to and from private and public land within or out-
16 side a unit. In the granting of such access the commissioner of
17 natural resources may adopt reasonable regulations to protect the
18 natural and other values of the marine park unit lands and water.

19 * Sec. 2. AS 41.21.304 is amended by adding new paragraphs to read:

20 (13) Taku Harbor

21 U.S. Mineral Survey No. 2192

22 Township 44 South, Range 70 East, Copper River Meridian

23 Section 5: W1/2SW1/4, W1/2E1/2SW1/4

24 Section 6: E1/2SE1/4

25 Section 7: NE1/4, NE1/4SE1/4, S1/2SE1/4

26 Section 8: W1/2, excluding ILMT 33289 (ATS682)

27 Section 17: W1/2W1/2

28 Section 18: E1/2, excluding tideland permit 100597

29 (14) Funter Bay

1 Township 42 South, Range 64 East, Copper River Meridian

2 Sections 1 and 12: The following described tracts,

3 excluding U.S. Surveys Nos. 2448 and 3149:

4 (A) Beginning at Corner No. 4, Lone Star Lode claim,
5 U.S. Mineral Survey No. (M.S.) 1492 proceed N. 70 degrees 00 feet
6 E. along the north boundary of said claim a distance of 359.15
7 feet more or less to Corner No. 3, Otter Lode claim, M.S. 1492;
8 thence N. 5 degrees 50 feet E. a distance of 666.60 feet more or
9 less along the west boundary of the Otter Lode claim to Corner
10 No. 4 of said claim; thence N. 70 degrees 00 feet E. a distance
11 of 1,500.00 feet more or less along the north boundary of the
12 Otter Lode claim, M.S. 1492 to Corner No. 1 of said claim, said
13 Corner being common to Corner No. 2, Mill Site claim, M.S. 2191;
14 thence N. 5 degrees 27 feet W. to an intersect with the southwest
15 boundary of ISH NIC claim, M.S. 2191; thence N. 44 degrees 00
16 feet W. along said boundary to Corner No. 4 of ISH NIC claim;
17 thence N. 46 degrees 00 feet E. along the northwest boundary of
18 ISH NIC claim a distance of 321.62 feet more or less to Corner
19 No. 3 of Beach No. 4 claim, M.S. 2191, common with Corner No. 2
20 of Beach No. 1 claim, M.S. 2191; thence N. 44 degrees 00 feet W.
21 along the southwest boundary of Beach No. 4 claim a distance of
22 600.00 feet more or less to Corner No. 4 of Beach No. 4 claim;
23 thence N. 46 degrees 00 feet E. along the northwest boundary of
24 Beach No. 4 claim a distance of 1,099.47 feet more or less to
25 Corner No. 1 of Beach No. 4 claim, common with Corner No. 1 of
26 Beach No. 5 claim, M.S. 2191; thence N. 44 degrees 00 feet W.
27 along the southwest boundaries of Beach No's. 6 and 7 claims,
28 M.S. 2191 a distance of 1,200.00 feet more or less to Corner No.
29 1 of Beach No. 7 claim; thence N. 46 degrees 00 feet E. along the

1 northwest boundary of Beach No. 7 claim a distance of 135.10 feet
2 more or less to Corner No. 4 U.S. Survey No. (U.S.S.) 3149;
3 thence continue N. 46 degrees 00 feet E. along the northwest
4 boundaries of Beach No's. 7 and 8 claims, M.S. 2191 a distance of
5 2,864.90 feet more or less to Corner No. 2, Beach No. 8 claim;
6 thence due west a distance of 3,300 feet more or less to an
7 intersection of a line projected due north from Meander Corner
8 (M.C.) No. 3, U.S.S. 2448; thence due south a distance of 1,214
9 feet more or less to M.C. No. 3, U.S.S. 2448; thence meander
10 along the mean high water line of the northeast shore of Funter
11 Bay in a southwesterly, easterly, southeasterly, southwesterly
12 direction a distance of 1.11 miles more or less to a point lying
13 S. 70 degrees 00 feet W. from Corner No. 4, Lone Star Lode claim,
14 M.S. 1492 on the mean high water line of the easterly shore of
15 Funter Bay; thence N. 70 degrees 00 feet E. to Corner No. 4, Lone
16 Star Lode claim; the point of beginning.

17 (B) That portion of Mill Site, Mineral Survey (M.S.)
18 No. 2191, described as follows: beginning at Corner No. 1, Mill
19 Site, on line 2-3, Beach No. 1, M.S. 2191, thence S. 5 degrees 27
20 feet E., 57.26 feet, to the intersection of line 1-4, ISH NIC,
21 M.S. 2191; thence S. 46 degrees 00 feet W., 264.36 feet, along a
22 portion of line 1-4, of ISH NIC, to Corner No. 4, ISH NIC, M.S.
23 2191; thence S. 44 degrees 00 feet E., 331.75 feet, along a
24 portion of line 4-3 of ISH NIC, to the intersection of line 1-2,
25 Mill Site; thence S. 5 degrees 27 feet E., 137.55 feet, along a
26 portion of line 1-2 of Mill Site, to Corner No. 2, Mill Site,
27 identical to Corner No. 1 of Otter, M.S. 1492; thence S. 70
28 degrees 00 feet W., 1,500.00 feet, on line 2-3, Mill Site, iden-
29 tical to line 1-4 of Otter, M.S. 1492, to Corner No. 3, Mill

1 Site, M.S. 2191, identical to Corner No. 4 of Otter, M.S. 1492;
2 thence N. 5 degrees 27 feet W., 497.70 feet, on line 3-4, along
3 the mean-high tide line of Funter Bay, to Corner No. 4, Mill
4 Site; thence N. 30 degrees 07 feet E., 183.08 feet, on line 4-5,
5 along the mean-high tide line of Funter Bay, to Corner No. 5,
6 Mill Site, identical to Corner No. 3, Beach No. 1, M.S. 2191;
7 thence N. 70 degrees 00 feet E., 1,390.00 feet, on line 5-1, Mill
8 Site, identical to a portion of line 3-2, Beach No. 1, to Corner
9 No. 1, the point of beginning.

10 (C) That portion of Beach No. 1, Mineral Survey (M.S.)
11 No. 2191, described as follows: beginning at Corner No. 2, Beach
12 No. 1, identical with Corner No. 3, Beach No. 4, M.S. 2191, on
13 line 4-1 of ISH NIC, M.S. 2191, thence S. 70 degrees 00 feet W.,
14 1,500.00 feet on line 2-3, Beach No. 1, identical to a portion of
15 line 1-5, Mill Site, M.S. 2191, to Corner No. 3, Beach No. 1,
16 identical to Corner No. 5, Mill Site; thence N. 12 degrees 43
17 feet E., 460.00 feet, along the mean-high tide line of Funter Bay
18 to Corner No. 4, Beach No. 1; thence N. 47 degrees 23 feet E.,
19 157.50 feet, along the mean-high tide line of Funter Bay, to
20 Corner No. 5, Beach No. 1; thence N. 14 degrees 02 feet E.,
21 183.33 feet, along the mean-high tide line of Funter Bay, to
22 Corner No. 6, Beach No. 1, identical to Corner No. 4, Beach No.
23 2, M.S. 2191; thence N. 70 degrees 00 feet E., 874.74 feet, on
24 line 6-1, Beach No. 1, identical to a portion of line 4-3 of
25 Beach No. 2, to the intersection of line 4-1, Beach No. 4, M.S.
26 2191; thence S. 46 degrees 00 feet W., 126.34 feet, along a
27 portion of line 4-1 of Beach No. 4, to Corner No. 4, Beach No. 4;
28 thence S. 44 degrees 00 feet E., 600.00 feet, on line 4-3, Beach
29 No. 4, to Corner No. 3, Beach No. 4, identical to Corner No. 2,

1 Beach No. 1, the point of beginning.

2 (D) That portion of Beach No. 2, Mineral Survey (M.S.)
3 No. 2191, described as follows: beginning at the true point for
4 Corner No. 1, Beach No. 2, thence N. 70 degrees 00 feet E.,
5 1,197.45 feet, along a portion of line 1-2 of Beach No. 2, to the
6 intersection of line 1-4 of Beach No. 6, M.S. 2191; thence S. 44
7 degrees 00 feet E., 223.40 feet, along a portion of line 1-4 of
8 Beach No. 6, to Corner No. 4, Beach No. 6, identical with Corner
9 No. 1, Beach No. 5, M.S. 2191; thence S. 46 degrees 00 feet W.,
10 973.13 feet, along a portion of line 1-4 of Beach No. 4, to the
11 intersection of line 3-4 of Beach No. 2; thence S. 70 degrees 00
12 feet W., 874.74 feet, along a portion of line 3-4 of Beach No. 2,
13 to Corner No. 4, Beach No. 2, identical with Corner No. 6, Beach
14 No. 1; thence N. 14 degrees 03 feet E., 478.00 feet, along the
15 mean-high tide line of Funter Bay, to Corner No. 5, Beach No. 2;
16 thence N. 25 degrees 33 feet E., 291.00 feet, along the mean-high
17 tide line of Funter Bay, to Corner No. 1, Beach No. 2, the point
18 of beginning.

19 (E) That portion of Beach No. 3, Mineral Survey (M.S.)
20 No. 2191, described as follows: beginning at Corner No. 1, Beach
21 No. 3, thence N. 70 degrees 00 feet E., 637.07 feet, along a
22 portion of line 1-2, to the intersection of line 1-4, Beach No.
23 7, M.S. 2191; thence S. 44 degrees 00 feet E., 279.27 feet, along
24 a portion of line 1-4 of Beach No. 7, to Corner No. 4, Beach No.
25 7, identical to Corner No. 1, Beach No. 6, M.S. 2191, thence
26 continue S. 44 degrees 00 feet E., 376.60 feet, along a portion
27 of line 1-4 of Beach No. 6, to the intersection of line 3-4,
28 Beach No. 3; thence S. 70 degrees 00 feet W., 1,139.45 feet,
29 along a portion of line 3-4 of Beach No. 3, to Corner No. 4,

1 Beach No. 3; thence N. 1 degree 30 feet E., 644.00 feet, along
2 the mean-high tide line of Funter Bay, on line 4-1, to Corner No.
3 1, Beach No. 3, to point of beginning. Containing 12.22 acres.

4 Section 2: W1/2

5 Section 3: S1/2SW1/4, NW1/4SW1/4

6 Section 4: S1/2NE1/4, E1/2SE1/4

7 Section 10: N1/2N1/2, S1/2NE1/4

8 Section 11: NW1/4, NW1/4NE1/4, including all tide and
9 submerged land

10 (15) Pt. Higgins Beach

11 Township 74 South, Range 89 East, Copper River Meridian

12 U.S. Survey 3762 and adjacent tideland

13 (16) Joe Mace Island

14 Township 64 South, Range 75 East, Copper River Meridian

15 Lot 4, U.S. Survey 3854 and adjacent tideland

16 (17) Thoms Place

17 Township 65 South, Range 86 East, Copper River Meridian

18 Section 32: S1/2

19 Township 66 South, Range 86 East, Copper River Meridian

20 Section 4: SW1/4, S1/2NW1/4, NW1/4NW1/4, S1/2SE1/4,
21 NW1/4SE1/4

22 Section 5: All except for land within ASLS

23 81-234

24 Section 8: NE1/4

25 Section 9: N1/2, SE1/4

26 (18) Thoms Lake

27 Township 65 South, Range 85 East, Copper River Meridian

28 Section 9: S1/2SE1/4

29 Section 10: S1/2S1/2

1 Section 11: SW1/4SW1/4

2 Section 14: S1/2, S1/2NW1/4, NW1/4NW1/4, SW1/4NE1/4

3 Section 15: All

4 Section 16: E1/2

5 Section 21: NE1/4

6 Section 22: N1/2

7 Section 23: N1/2

8 (19) Beecher Pass

9 Township 61 South, Range 79 East, Copper River Meridian

10 Section 1: NE1/4SW1/4, Lots 5 - 8

11 Section 10: Lots 1 - 2, including all adjacent

12 tideland

13 Section 11: Lots 1 - 11, including all adjacent

14 tideland

15 Section 12: Lots 3 - 11, including all adjacent

16 tideland

17 Section 14: Lot 2, including all adjacent tideland

18 Section 15: Lot 2, including all adjacent tideland

19 Township 61 South, Range 80 East, Copper River Meridian

20 Section 6: Lot 11, including all adjacent tideland

21 Section 7, Lots 1 - 2, including all adjacent tideland

22 (20) Dall Bay

23 Township 77 South, Range 91 East, Copper River Meridian

24 Section 29: W1/2SW1/4, SW1/4NW1/4

25 Section 30: SE1/4, E1/2SW1/4

26 Section 31: NE1/4, N1/2SE1/4, NE1/4SW1/4, E1/2NW1/4

27 subject to USS 3525 and A.T.S. 155

28 Section 32: NW1/4, N1/2SW1/4

29 (21) Security Bay

1 Township 58 South, Range 70 East, Copper River Meridian
2 Section 1: SW1/4SW1/4
3 Section 2: S1/2
4 Section 11: N1/2, SE1/4, E1/2SW1/4
5 Section 12: W1/2W1/2, E1/2SW1/4 subject to Forest
6 Service Preference 103521
7 Section 13: All subject to Historic Place Application
8 AA-6569, Parcel A
9 Section 14: NE1/4
10 (22) Petersburg Creek
11 Township 58 South, Range 79 East, Copper River Meridian
12 Section 18: S1/2 subject to valid existing rights to
13 lot 5
14 Section 19: N1/2, SE1/4
15 Section 20: All
16 Section 29: N1/2, SW1/4, W1/2SW1/4 excluding Block 3
17 Section 32: N1/2, N1/2S1/2 excluding Lots 5 - 8 and
18 U.S. Survey 2867
19 * Sec. 3. AS 41.21.306(d) is amended to read:
20 (d) Reasonable access shall be permitted to and across a marine
21 park unit of the Alaska state park system for lawful [HUNTING, FISH-
22 ING, TRAPPING AND RECREATIONAL] purposes.
23 * Sec. 4. This Act takes effect August 1, 1985.

Introduced: 1/14/85
Referred: Resources and
Finance

1 IN THE HOUSE

BY M.M.MILLER, GOLL AND DUNCAN

2

HOUSE BILL NO. 44

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act establishing additional state land as marine
park units of the state park system."

7

8

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

9

* Section 1. AS 41.21.304 is amended by adding new paragraphs to read:

10

(13) Taku Harbor

11

Township 44 South, Range 70 East, Copper River Meridian

12

U.S. Mineral Survey No. 2192

13

Section 5: W1/2SW1/4, W1/2E1/2SW1/4, excluding

14

Native allotment A-02876

15

Section 6: E1/2SE1/4, excluding U.S. Survey No. 1544

16

and Native allotment A-02876

17

Section 7: NE1/4, that land lying north of Taku Harbor

18

and east of U.S. Survey No. 1544, excluding Native

19

allotment A-02876; and S1/2SE1/4, that land lying

20

south of Taku Harbor

21

Section 8: W1/2, excluding U.S. Mineral Survey No. 610

22

and U.S. Survey No. 376

23

Section 17: W1/2W1/2

24

Section 18: All, excluding U.S. Survey No. 1617

25

(14) Funter Bay

26

Township 42 South, Range 64 East, Copper River Meridian

27

Sections 1 and 12: The following described tracts,

28

excluding U.S. Surveys Nos. 2448 and 3149:

29

(A) Beginning at Corner No. 4, Lone Star Lode claim,

1 U.S. Mineral Survey No. (M.S.) 1492 proceed N. 70 degrees 00 feet
2 E. along the north boundary of said claim a distance of 359.15
3 feet more or less to Corner No. 3, Otter Lode claim, M.S. 1492;
4 thence N. 5 degrees 50 feet E. a distance of 666.60 feet more or
5 less along the west boundary of the Otter Lode claim to Corner
6 No. 4 of said claim; thence N. 70 degrees 00 feet E. a distance
7 of 1,500.00 feet more or less along the north boundary of the
8 Otter Lode claim, M.S. 1492 to Corner No. 1 of said claim, said
9 Corner being common to Corner No. 2, Mill Site claim, M.S. 2191;
10 thence N. 5 degrees 27 feet W. to an intersect with the southwest
11 boundary of ISH NIC claim, M.S. 2191; thence N. 44 degrees 00
12 feet W. along said boundary to Corner No. 4 of ISH NIC claim;
13 thence N. 46 degrees 00 feet E. along the northwest boundary of
14 ISH NIC claim a distance of 321.62 feet more or less to Corner
15 No. 3 of Beach No. 4 claim, M.S. 2191, common with Corner No. 2
16 of Beach No. 1 claim, M.S. 2191; thence N. 44 degrees 00 feet W.
17 along the southwest boundary of Beach No. 4 claim a distance of
18 600. 00 feet more or less to Corner No. 4 of Beach No. 4 claim;
19 thence N. 46 degrees 00 feet E. along the northwest boundary of
20 Beach No. 4 claim a distance of 1,099.47 feet more or less to
21 Corner No. 1 of Beach No. 4 claim, common with Corner No. 1 of
22 Beach No. 5 claim, M.S. 2191; thence N. 44 degrees 00 feet W.
23 along the southwest boundaries of Beach No's. 6 and 7 claims,
24 M.S. 2191 a distance of 1,200.00 feet more or less to Corner No.
25 1 of Beach No. 7 claim; thence N. 46 degrees 00 feet E. along the
26 northwest boundary of Beach No. 7 claim a distance of 135.10 feet
27 more or less to Corner No. 4 U.S. Survey No. (U.S.S.) 3149;
28 thence continue N. 46 degrees 00 feet E. along the northwest
29 boundaries of Beach No's. 7 and 8 claims, M.S. 2191 a distance of

1 2,864.90 feet more or less to Corner No. 2, Beach No. 8 claim;
2 thence due west a distance of 3,300 feet more or less to an
3 intersection of a line projected due north from Meander Corner
4 (M.C.) No. 3, U.S.S. 2448; thence due south a distance of 1,214
5 feet more or less to M.C. No. 3, U.S.S. 2448; thence meander
6 along the mean high water line of the northeast shore of Funter
7 Bay in a southwesterly, easterly, southeasterly, southwesterly
8 direction a distance of 1.11 miles more or less to a point lying
9 S. 70 degrees 00 feet W. from Corner No. 4, Lone Star Lode claim,
10 M.S. 1492 on the mean high water line of the easterly shore of
11 Funter Bay; thence N. 70 degrees 00 feet E. to Corner No. 4, Lone
12 Star Lode claim; the point of beginning.

13 (B) That portion of Mill Site, Mineral Survey (M.S.)
14 No. 2191, described as follows: beginning at Corner No. 1, Mill
15 Site, on line 2-3, Beach No. 1, M.S. 2191, thence S. 5 degrees 27
16 feet E., 57.26 feet, to the intersection of line 1-4, ISH NIC,
17 M.S. 2191; thence S. 46 degrees 00 feet W., 264.36 feet, along a
18 portion of line 1-4, of ISH NIC, to Corner No. 4, ISH NIC, M.S.
19 2191; thence S. 44 degrees 00 feet E., 331.75 feet, along a
20 portion of line 4-3 of ISH NIC, to the intersection of line 1-2,
21 Mill Site; thence S. 5 degrees 27 feet E., 137.55 feet, along a
22 portion of line 1-2 of Mill Site, to Corner No. 2, Mill Site,
23 identical to Corner No. 1 of Otter, M.S. 1492; thence S. 70
24 degrees 00 feet W., 1,500.00 feet, on line 2-3, Mill Site,
25 identical to line 1-4 of Otter, M.S. 1492, to Corner No. 3, Mill
26 Site, M.S. 2191, identical to Corner No. 4 of Otter, M.S. 1492;
27 thence N. 5 degrees 27 feet W., 497.70 feet, on line 3-4, along
28 the mean-high tide line of Funter Bay, to Corner No. 4, Mill
29 Site; thence N. 30 degrees 07 feet E., 183.08 feet, on line 4-5,

1 along the mean-high tide line of Funter Bay, to Corner No. 5,
2 Mill Site, identical to Corner No. 3, Beach No. 1, M.S. 2191;
3 thence N. 70 degrees 00 feet E., 1,390.00 feet, on line 5-1, Mill
4 Site, identical to a portion of line 3-2, Beach No. 1, to Corner
5 No. 1, the point of beginning.

6 (C) That portion of Beach No. 1, Mineral Survey (M.S.)
7 No. 2191, described as follows: beginning at Corner No. 2, Beach
8 No. 1, identical with Corner No. 3, Beach No. 4, M.S. 2191, on
9 line 4-1 of ISH NIC, M.S. 2191, thence S. 70 degrees 00 feet W.,
10 1,500.00 feet on line 2-3, Beach No. 1, identical to a portion of
11 line 1-5, Mill Site, M.S. 2191, to Corner No. 3, Beach No. 1,
12 identical to Corner No. 5, Mill Site; thence N. 12 degrees 43
13 feet E., 460.00 feet, along the mean-high tide line of Funter Bay
14 to Corner No. 4, Beach No. 1; thence N. 47 degrees 23 feet E.,
15 157.50 feet, along the mean-high tide line of Funter Bay, to
16 Corner No. 5, Beach No. 1; thence N. 14 degrees 02 feet E.,
17 183.33 feet, along the mean-high tide line of Funter Bay, to
18 Corner No. 6, Beach No. 1, identical to Corner No. 4, Beach No.
19 2, M.S. 2191; thence N. 70 degrees 00 feet E., 874.74 feet, on
20 line 6-1, Beach No. 1, identical to a portion of line 4-3 of
21 Beach No. 2, to the intersection of line 4-1, Beach No. 4, M.S.
22 2191; thence S. 46 degrees 00 feet W., 126.34 feet, along a
23 portion of line 4-1 of Beach No. 4, to Corner No. 4, Beach No. 4;
24 thence S. 44 degrees 00 feet E., 600.00 feet, on line 4-3, Beach
25 No. 4, to Corner No. 3, Beach No. 4, identical to Corner No. 2,
26 Beach No. 1, the point of beginning.

27 (D) That portion of Beach No. 2, Mineral Survey (M.S.)
28 No. 2191, described as follows: beginning at the true point for
29 Corner No. 1, Beach No. 2, thence N. 70 degrees 00 feet E.,

1 1,197.45 feet, along a portion of line 1-2 of Beach No. 2, to the
2 intersection of line 1-4 of Beach No. 6, M.S. 2191; thence S. 44
3 degrees 00 feet E., 223.40 feet, along a portion of line 1-4 of
4 Beach No. 6, to Corner No. 4, Beach No. 6, identical with Corner
5 No. 1, Beach No. 5, M.S. 2191; thence S. 46 degrees 00 feet W.,
6 973.13 feet, along a portion of line 1-4 of Beach No. 4, to the
7 intersection of line 3-4 of Beach No. 2; thence S. 70 degrees 00
8 feet W., 874.74 feet, along a portion of line 3-4 of Beach No. 2,
9 to Corner No. 4, Beach No. 2, identical with Corner No. 6, Beach
10 No. 1; thence N. 14 degrees 03 feet E., 478.00 feet, along the
11 mean-high tide line of Funter Bay, to Corner No. 5, Beach No. 2;
12 thence N. 25 degrees 33 feet E., 291.00 feet, along the mean-high
13 tide line of Funter Bay, to Corner No. 1, Beach No. 2, the point
14 of beginning.

15 (E) That portion of Beach No. 3, Mineral Survey (M.S.)
16 No. 2191, described as follows: beginning at Corner No. 1, Beach
17 No. 3, thence N. 70 degrees 00 feet E., 637.07 feet, along a
18 portion of line 1-2, to the intersection of line 1-4, Beach No.
19 7, M.S. 2191; thence S. 44 degrees 00 feet E., 279.27 feet, along
20 a portion of line 1-4 of Beach No. 7, to Corner No. 4, Beach No.
21 7, identical to Corner No. 1, Beach No. 6, M.S. 2191, thence
22 continue S. 44 degrees 00 feet E., 376.60 feet, along a portion
23 of line 1-4 of Beach No. 6, to the intersection of line 3-4,
24 Beach No. 3; thence S. 70 degrees 00 feet W., 1,139.45 feet,
25 along a portion of line 3-4 of Beach No. 3, to Corner No. 4,
26 Beach No. 3; thence N. 1 degree 30 feet E., 644.00 feet, along
27 the mean-high tide line of Funter Bay, on line 4-1, to Corner No.
28 1, Beach No. 3, to point of beginning. Containing 12.22 acres.

29 (15) Pt. Higgins Beach

1 Township 74 South, Range 89 East, Copper River Meridian
2 U.S. Survey No. 3762 and adjacent tideland
3 (16) Joe Mace Island
4 Township 64 South, Range 75 East, Copper River Meridian
5 Lot 4, U.S. Survey 3854 and adjacent tideland
6 (17) Thoms Lake
7 Township 65 South, Range 85 East, Copper River Meridian
8 Section 9: S1/2SE1/4
9 Section 10: S1/2S1/2
10 Section 11: SW1/4SW1/4
11 Section 14: S1/2, S1/2NW1/4, NW1/4NW1/4, SW1/4NE1/4
12 Section 15: All
13 Section 16: E1/2
14 Section 21: NE1/4
15 Section 22: N1/2
16 Section 23: N1/2
17 (18) Thoms Place
18 Township 65 South, Range 86 East, Copper River Meridian
19 Section 32: S1/2
20 Township 66 South, Range 86 East, Copper River Meridian
21 Section 4: SW1/4, S1/2NW1/4, NW1/4NW1/4, S1/2SE1/4,
22 NW1/4SE1/4
23 Section 5: E1/2, E1/2W1/2
24 Section 8: E1/2, SW1/4, NE1/4NW1/4, S1/2NW1/4
25 Section 9: All
26 (19) Beecher Pass
27 Township 61 South, Range 79 East, Copper River Meridian
28 Section 1: SW1/4
29 Section 2: S1/2S1/2