

**ALASKA LEGISLATURE**

**1297**

**HOUSE and SENATE FINANCE COMMITTEE FILES, 1995-1996**

1 of under this paragraph shall be of a size consistent with the person's prior use, but  
2 may not exceed five acres;

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

5 (7) convey to an adjoining landowner for its fair market value a  
6 remnant of land that the director considers unmanageable or a parcel of land created  
7 by a highway right-of-way alignment or realignment, or a parcel created by the  
8 vacation of a state-owned right-of-way if

9 (A) the director determines that it is in the best interests of the  
10 state;

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

13 (C) the director and the platting authority having land use  
14 planning jurisdiction agree that conveyance of the parcel to the adjoining  
15 landowner will result in boundaries that are convenient for the use of the land  
16 by the landowner and compatible with municipal land use plans;

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

20 (9) quitclaim land or an interest in land to the federal government on  
21 a determination that the land or the interest in land was wrongfully or erroneously  
22 conveyed by the federal government to the state;

23 (10) negotiate the sale or lease of state land at fair market value to a  
24 person who acquired by contract, purchase, or lease rights to improvements on the land  
25 from another state agency or who leased the land from another state agency;

26 (11) quitclaim land or an interest in land, including submerged or  
27 shore land, to a first class city, but only to the extent the city has a remaining  
28 entitlement to land under AS 29.65, to correct errors or omissions of the city,  
29 made before January 1, 1993, when inequitable detriment would result to a  
30 person due to that person's reliance on the errors or omissions of the city; the  
31 quitclaim of land or interest in land shall be counted against the city's remaining

*new*

1            entitlement under AS 29.65 and shall be made on such terms and conditions as  
2            the director considers appropriate.

3            \* Sec. 2. AS 38.05.035(b)(11) is repealed January 1, 1997.

MEMO

TO: File for HB 79

FROM: kh

DATE: March 27, 1995

RE: Legal Opinion on Amendment to CSHB 79 (Fin)

I spoke via telephone during the noon hour today with Jerry Luckhaupt of the Division of Legal Services. Advised him of the amendment offered by Senator Frank at page 3, subsection 11, which would delete "municipality" and insert first class city in place thereof throughout the subsection. Advised of committee concern that the bill be restricted in application since it is intended to solve a problem experienced by the City of Skagway. Advised of further committee concern that the above amendment might require a title change to this house legislation and noted Senator Frank's alternate proposal to replace "municipality" with first class city in the first instance it is used within subsection 11 but to allow subsequent references to municipality to remain.

Mr. Luckhaupt suggested that the subsection would read better if first class city was used in the first instance and city was thereafter substituted for municipality. I asked that he provide us an opinion on the restrictive nature of the proposed amendments as well as whether or not the title would change. He advised that he did not believe the amendment would necessitate a title change since a first class city is a municipality. Mr. Luckhaupt said he would provide both an opinion and proposed amendment language. I noted that the bill would be back before committee at 9:00 a.m. tomorrow morning.

CSHB 79 (Fix)

P. 3 sec. 11

Delete "municipality"  
insert "first class city"

of a  
say, municipality which is a  
first class city.

18th mo. decoration

RP [unclear] [unclear] [unclear]  
DWR [unclear] [unclear] [unclear] 18-  
Mackie [unclear] [unclear] [unclear] ext. [unclear]  
[unclear] [unclear] [unclear] cap.

② in [unclear] [unclear] - 5 (Res) [unclear] [unclear]  
3. [unclear]

3F San Leman's [unclear] [unclear] [unclear]

② [unclear]

→ [unclear] a broad [unclear] [unclear] [unclear] [unclear]  
submitted [unclear] [unclear] [unclear] [unclear]  
[unclear]

Mackie [unclear] [unclear]

① RH → 2nd in line → Coj r r  
Skagway-

Nico Bus - 2 → 1st Municip. No  
→ 2nd Municip. → 2nd →  
→ 1st Municip.

3FV) → 2nd place → Skagway  
Mackie Petard Owner → 1st Municip  
→ 1st DNR →

p. ③ bottom of page  
→ 1st Skagway → still 2 9B → entitled  
3FV → 2nd → 1st 2nd class cities

RPA → 1st → 2nd → 3rd → DNR DCLRA AML  
→ 1st 2nd 3rd

3F-Title problem could be an issue  
change 1st munic to first class city  
but leave remaining

2nd P.C by 1st Skagway → 2nd  
→ 1st local law -

→ 1st 2nd class cities -

1st Class cities ← →

3/27/95  
p. 3  
SF

9-LS0032AC  
Amend.  
Pending  
Legal  
Opinion

**CS FOR HOUSE BILL NO. 79(FIN)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**NINETEENTH LEGISLATURE - FIRST SESSION**

**BY THE HOUSE FINANCE COMMITTEE**

**Offered: 3/6/95**

**Referred: Rules**

**Sponsor(s): REPRESENTATIVE MACKIE**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act allowing the Department of Natural Resources to quitclaim land or  
2 interests in land, including submerged or shore land, to a municipality to correct  
3 errors or omissions of the municipality when inequitable detriment would result  
4 to a person due to that person's reliance upon the errors or omissions of the  
5 municipality."

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

7 \* **Section 1.** AS 38.05.035(b) is amended to read:

8 (b) The director may

9 (1) delegate the administrative duties, functions or powers imposed  
10 upon the director to a responsible employee in the division;

11 (2) grant preference rights for the lease or purchase of state land  
12 without competitive bid in order to correct errors or omissions of a state or federal  
13 administrative agency when inequitable detriment would otherwise result to a diligent  
14 claimant or applicant due to situations over which the claimant or applicant had no

1 control; the exercise of this discretionary power operates only to divest the state of its  
2 title to or interests in land and may be exercised only

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

4 (B) if the application for the preference right is filed with the  
5 director within three years from

6 (i) the occurrence of the error or omission;

7 (ii) the date of acquisition by the state of the land; or

8 (iii) the date of a court decision or settlement nullifying

9 a disposal of state land;

10 (3) grant a preference right to a claimant who shows bona fide  
11 improvement of state land or of federal land subsequently acquired by the state and  
12 who has in good faith sought to obtain title to the land but who, through error or  
13 omission of others occurring within the three years before (A) the application for the  
14 preference right, (B) the date of acquisition by the state of the land, or (C) the date of  
15 a court decision or settlement nullifying a disposal of state land, has been denied title  
16 to it; upon a showing satisfactory to the commissioner, the claimant may lease or  
17 purchase the land at the price set on the date of original entry on the land or, if a price  
18 was not set at that time at a price determined by the director to fairly represent the  
19 value of unimproved land at the time the claim was established, but in no event less  
20 than the cost of administration including survey; the error or omission of a predecessor  
21 in interest or an agent, administrator, or executor which has clearly prejudiced the  
22 claimant may be the basis for granting a preference right;

23 (4) sell land by lottery for less than the appraised value when, in the  
24 judgment of the director, past scarcity of land suitable for private ownership in any  
25 particular area has resulted in unrealistic land values;

26 (5) when the director determines it is in the best interest of the state  
27 and will avoid injustice to a person or the heirs or devisees of a person, dispose of  
28 land, by direct negotiation to that person who presently uses and who used and made  
29 improvements to that land before January 3, 1959, or to the heirs or devisees of the  
30 person; the amount paid for the land shall be its fair market value on the date that the  
31 person first entered the land, as determined by the director; a parcel of land disposed

1 of under this paragraph shall be of a size consistent with the person's prior use, but  
2 may not exceed five acres;

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

5 (7) convey to an adjoining landowner for its fair market value a  
6 remnant of land that the director considers unmanageable or a parcel of land created  
7 by a highway right-of-way alignment or realignment, or a parcel created by the  
8 vacation of a state-owned right-of-way if

9 (A) the director determines that it is in the best interests of the  
10 state;

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

13 (C) the director and the platting authority having land use  
14 planning jurisdiction agree that conveyance of the parcel to the adjoining  
15 landowner will result in boundaries that are convenient for the use of the land  
16 by the landowner and compatible with municipal land use plans;

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

20 (9) quitclaim land or an interest in land to the federal government on  
21 a determination that the land or the interest in land was wrongfully or erroneously  
22 conveyed by the federal government to the state;

23 (10) negotiate the sale or lease of state land at fair market value to a  
24 person who acquired by contract, purchase, or lease rights to improvements on the land  
25 from another state agency or who leased the land from another state agency;

26 (11) quitclaim land or an interest in land, including submerged or  
27 shore land, to a <sup>first class city</sup> municipality to correct errors or omissions of the <sup>Yardick</sup> municipality  
28 when inequitable detriment would result to a person due to that person's reliance  
29 on the errors or omissions of the <sup>first class city</sup> municipality; the quitclaim shall be made on  
30 such terms and conditions as the director considers appropriate ~~except if the~~  
31 ~~municipality has a remaining entitlement to land under AS 22.65, the land or~~

3/27/95  
OF  
Adopted  
Sec-B

Yardick  
is a  
first  
class  
city.

first class city  
RH  
Adopted  
HB0079b  
J. G. J. V. 1993  
-3-

*first class city's*

1 ~~interest determined is counted as the municipality's~~ ~~entitlement.~~

2 \* Sec. 2. AS 38.05.035(b)(11) is repealed January 1, 1997.

**DIVISION OF LEGAL SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA**

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FAX (907) 465-2029  
Mail Stop 3101

130 Seward Street, Suite 409  
Juneau, Alaska 99801-2105

**MEMORANDUM**

March 27, 1995

**SUBJECT:** CSHB 79(FIN) - Limiting the Types of Municipalities Entitled to Receive Quitclaims Under the Committee Substitute (Work Order No. 9-LS0032\C.5)

**TO:** Senator Steve Frank  
Attn: Kathy

**FROM:** Gerald P. Luckhaupt *GLP*  
Legislative Counsel

Enclosed is the amendment you requested. Amendment C.5 inserts "first class city" for "municipality" the first time it appears in the language being added on page 3 of the CS. The amendment also inserts "city" everywhere else "municipality" appears in the amendment.

Keeping the other references to "municipality" as was proposed, does not improve or otherwise make that approach better in terms of the title than amendment C.5. I believe that this amendment does not require a title change. The title provides for "quitclaim[s] of land or interests in land . . . to a municipality . . ." It does not provide for quitclaims to all municipalities. Therefore, I believe that amendment C.5 fits within the title of CSHB 79(FIN), as it appropriately provides for quitclaims to a first class city, which is a municipality.

GPL:klb  
95-210.klb

Enclosure

A M E N D M E N T

OFFERED IN THE SENATE

TO: CSHB 79(FIN)

1 Page 3, line 27:

2 Following "to a":

3 Delete "municipality"

4 Insert "first class city"

5 Following "of the":

6 Delete "municipality"

7 Insert "city"

8 Page 3, line 29:

9 Delete "municipality"

10 Insert "city"

11 Page 3, line 31:

12 Delete "municipality"

13 Insert "city"

14 Page 4, line 1:

15 Delete "municipality's"

16 Insert "city's"

**HB**

**80**

**HFIN**

**FILE**

HOUSE COMMITTEE REPORT

(11)

Date Referred: February 27, 1995

FURTHER REFERRALS:

Date of Committee Action: 3/14/95

The FINANCE Committee considered:

HB 80

HOUSE BILL NO. 80

DNR APPROVAL OF PLATS IN UNORG BOROUGH

"An Act relating to the approval, change, or vacation of subdivision plats in areas outside organized boroughs, in the unorganized borough outside of cities, and in the third class boroughs; and relating to the definitions of 'street' and 'subdivision'."

recommends it be replaced with the following committee substitute CS HB 80 (CRA)  the same title  a new title

additional referral to \_\_\_\_\_ Committee  
 attached amendment(s)

ADOPTS: \_\_\_\_\_ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) \_\_\_\_\_ APPROVES PREVIOUS: (Dept/Date) \_\_\_\_\_  
 fiscal note(s) DNR  fiscal note(s) DORA 3/22/95  
DORA 2/22/95  
 zero fiscal note(s)  zero fiscal note(s) DORA 2/22/95

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
<i>Mark Hanley</i>	Hanley	X			
<i>Edson Mulder</i>	Mulder	X			
<i>Vic Kohring</i>	Kohring	X			
<i>Ben Grussendorf</i>	Grussendorf	X			
<i>Karl Brown</i>	Brown	X			
<i>Walter Kelly</i>	Kelly	✓			
<i>Gene Theriault</i>	Theriault	X			
<i>Larry Martin</i>	Martin	X			

CHAIR'S SIGNATURE *Mark Hanley*  
 Hanley

# FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO. CSHB 80(fin)

Revision Date: 14-Mar-95 Dept Affected: Natural Resources  
 Title: DNR Approval of Plats in Unorganized Boroughs BRU: Resource Development  
 Component: Land Development  
 Sponsor: Representative James  
 Requestor: \_\_\_\_\_ Component Serial No. 431

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES	47.5	47.5	47.5	47.5	47.5	47.5
TRAVEL						
CONTRACTUAL	11.5	1.5	1.5	1.5	1.5	1.5
SUPPLIES	5.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	64.0	50.0	50.0	50.0	50.0	50.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES (1005)	50.0	50.0	50.0	50.0	50.0	50.0

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	64.0	50.0	50.0	50.0	50.0	50.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	64.0	50.0	50.0	50.0	50.0	50.0

Estimate of any current year (FY95) cost: \$ None anticipated

POSITIONS

FULL-TIME	0	0	0	0	0	0
PART-TIME	1	1	1	1	1	1
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

The Finance Committee requested to make this a revenue neutral fiscal note. In order to do this the department will make this a PPT 8.5 months position. If the position does not keep up with the work the Finance Committee suggested increasing the fee to allow the position to process the workload.

The attached information shows the detail cost breakdown. In FY96 there is a one-time setup cost of \$14.0, which the Finance Committee agreed to.

Prepared by: Ron Swanson Phone: 762-2692  
 Division: Land Date: 14-Mar-95  
 Approved by Commission: [Signature] Date: 14-Mar-95  
 Agency: Natural Resources

## BACK UP FOR FISCAL NOTE HB80

### Estimate of Expenditures for HB80:

#### Personal Services:

Anticipate 250 subdivision plats submitted for review per year.

Reviews will be performed by a Land Surveyor I (R19).

Estimated review time is 7.5 hours per plat. Based on 250 plats per year, this will require one new full-time position.

#### TOTAL PERSONAL SERVICES

For a full-year \$64.5

Prorated for revenue -neutral

\$47.5 (FY97 and out)

#### Contractual:

The state must purchase existing land records, survey plats and field survey notes from BLM and make copies of plats held by the recording offices to carry out the functions required by this bill. The one time purchase cost for microfiche copies of survey plats and field notes to cover the state is \$10,000. Document copying costs from the recording office will be covered through the supply budget. An additional \$1,500 in contractual costs will be incurred annually, for items such as phone/fax bills, space rent and other miscellaneous contractual costs.

TOTAL CONTRACTUAL (FY96)

\$11,500.00

TOTAL CONTRACTUAL (FY97-FY01)

\$1,500.00

#### Supply:

The supply budget will cover the one time cost of copying survey plats held in the Recorder's Office. An additional \$1,000 in supplies costs will be incurred annually, for items such as office supplies and document copying costs.

TOTAL SUPPLY (FY96)

\$5,000.00

TOTAL SUPPLY (FY97-FY01)

\$1,000.00

### Estimate of increased revenue for HB80:

Anticipated revenue from plat review fees will be 250 plat reviews x \$200.00/review = \$50,000.00

#### Comments:

In the last three years, the Division of Land has seen a reduction of six professional land surveyors due to budget reductions. We will attempt to process the additional workload associated with this legislation with an additional permanent part-time professional land surveyor. If this fails we'll increase fees and make the position full-time.

Revision Date: February 21, 1995 Dept. Affected: Community & Regional Affairs  
 Title: An Act establishing the DNR as the BRU: Local Government Assistance  
plating authority in certain parts of... Component Municipal Lands Trustee  
 Sponsor: Representative James  
 Requestor: House C & RA Committee COMPONENT SERIAL NO. 681

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
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REVENUE FUND SOURCE:						
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

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

Estimate of current (FY94) impact \$ none

ANALYSIS: (Attach a separate page if necessary)  
 This bill establishes DNR as the plating authority in the unorganized borough. This committee's substitute version of the bill exempts certain activities pertaining to the department's Municipal Lands Trustee program from the provisions of the bill. As such, the bill poses no fiscal impacts for the department.

Prepared by: Remond Henderson, Director *Remond Henderson* Phone: 465-4708  
 Division: Division of Administrative Services Date: 2/21/95  
 Approved by Commissioner: R. Henderson *R. Henderson* for M. Imlau Date: 2/21/95  
 Agency: Community & Regional Affairs

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# Alaska State Legislature

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## House of Representatives

House District 34

### HB 80 DNR APPROVAL OF PLATS

January 31, 1995

## SPONSOR STATEMENT

Currently no legal authority reviews plats in the unorganized boroughs for compliance with State law. This means that there is no agency review of access to each lot, the outcome is that there are landlocked lots created.

Currently "paper plats" are allowed to be recorded without being surveyed, HB 80 corrects this oversight. This legislation requires the Department of Natural Resources to review plats for compliance with State law.

There are several definitions of Street and Subdivision in various Statutes, this legislation defines them as requested by the Department of Natural Resources.

Sec. 40.15.075

**AUTHORITY IN THE UNORGANIZED BOROUGH AND THIRD CLASS BOROUGH.**

The Department of Natural Resources is the platting authority in the area outside organized boroughs and outside cities in the unorganized borough and in the third class borough for only the purposes of hearing and acting on petitions for the change or vacation of plats and shall execute this function substantially in conformity with the provisions of AS 29.40.130 - 29.40.160. Costs of publication and mailing authorized in AS 29.40.130 shall be paid to the Department of Natural Resources by the petitioner. The Department of Natural Resources shall adopt reasonable regulations governing the exercise of the authority conferred by this section.

History -

(Sec. 1 ch 112 SLA 1971; am Sec. 7 ch 118 SLA 1972; am Sec. 64 ch 74 SLA 1985; am Sec. 37 ch 161 SLA 1988)

Amendment Notes -

The 1985 amendment substituted "AS 29.40.130 - 29.40.160" for "AS 29.33.210 - 29.33.240" at the end of the first sentence and in the second sentence deleted "as well as other costs" following "mailing" and substituted "AS 29.40.130" for "AS 29.33.210."

The 1988 amendment, effective January 1, 1989, substituted "Department of Natural Resources" for "Division of Lands" in the first sentence and for "division" in the second sentence, and deleted "upon the Division of Lands" at the end of the third sentence.

*Repealed*

*Repealed sections 2 pages*

Sec. 40.15.290

DEFINITIONS.

In this chapter

(1) "street" includes streets, avenues, boulevards, roads, lanes, alleys, and other ways;

(2) "subdivision"

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

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

History -

(Sec. 7 (ch II) ch 115 SLA 1953; am Sec. 3 ch 95 SLA 1955; am Sec. 41 ch 113 SLA 1981)

Revisors Notes -

Formerly AS 40.15.190. Renumbered in 1988.

Decisions -

Quoted in Kenai Peninsula Borough v. Kenai Peninsula Bd. of Realtors, Inc., 652 P.2d 471 (Alaska 1982); State v. Weidner, 684 P.2d 103 (Alaska 1984).

*Repealed*

DEPARTMENT OF LEGAL SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
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Juneau, Alaska 99801-2105

MEMORANDUM

February 13, 1995

**SUBJECT:** Comparison of HB 80 and CSSB 81(FIN)(18th Legislature)  
(Work Order No. 9-LS0200A)

**TO:** Representative Jeannette James  
Attn: Walt Wilcox

**FROM:** Gerald P. Luckhaupt   
Legislative Counsel

You have asked for a comparison of HB 80 and CSSB 81(FIN)(18th Legislature). Several other later versions of SB 81 exist. I have enclosed those for your review.

CSSB 81(FIN)

**Section 1.** Provides that DNR is the platting authority in all areas of the state except within a municipality that has the power of land use planning and has adopted ordinances implementing AS 29.40. This section would conceivably encourage municipalities with the power of land use planning to exercise those powers and implement AS 29.40 so as to avoid having DNR as the platting authority. **HB 80** only provides in bill secs. 3 and 4 that DNR is the platting authority in the unorganized borough outside cities (regardless of whether those cities have implemented AS 29.40) and in the third class borough. Second class cities outside boroughs are not required under state law to provide for planning, platting, and land use regulation as are other cities and boroughs. See AS 29.35.180 and 29.35.260.

**Section 2.** Amends AS 40.15.010 presumably to clarify the approval requirement contained therein. There is no comparable provision in **HB 80**.

**Section 3.** Amends AS 40.15.070 to specify that municipalities are the platting authorities for their own areas if they have adopted ordinances implementing AS 29.40. **HB 80** also amends this section but only by eliminating language that limits DNR's current authority as the platting authority in the unorganized borough and the third class borough.

**Section 4.** Amends AS 40.15.070 by adding a new subsection that provides that DNR is the platting authority in all other areas of the state. The current language of AS 40.15.070 that provides similar (but not identical) authority to DNR is retained in sec. 3 of **HB 80**.

Representative Jeannett. ---.mes

February 13, 1995

Page 2

**Section 5.** Amends AS 40.15.200 to provide that all subdivisions of land made by the state, and its subdivisions, are subject to AS 40.15.010 - 40.15.200 but not the rest of AS 40.15. **HB 80** doesn't change current AS 40.15.200.

**Section 6.** Adds new sections with platting requirements for the areas of the state where DNR is the platting authority. New definitions are also provided. For the most part there are no comparable provisions to these additions in **HB 80**. In sec. 4 of **HB 80**, DNR may only disapprove a plat as provided in other applicable state law and for failure to specify access DNR may charge fees for the approval of plats. In **CSSB 81(FIN)** DNR is not provided authority to charge fees. **HB 80** only provides definitions of street and subdivision. The definitions of street are consistent with **CSSB 81(FIN)** -- the definitions of subdivision are not.

The changes to the definitions of subdivision in other parts of Alaska Statutes that are contained in bill secs. 1 - 2, and 6 of **HB 80** are not contained in **CSSB 81(FIN)**.

JBC:lmb

95-120.lmb

STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

400 WILLOUGHBY AVENUE  
JUNEAU, ALASKA 99801-1796  
PHONE: (907) 465-2400  
FAX: (907) 465-3886

January 28, 1994

The Honorable Jeannette James  
Alaska State House of Representatives  
State Capitol  
Juneau, AK 99801-1182

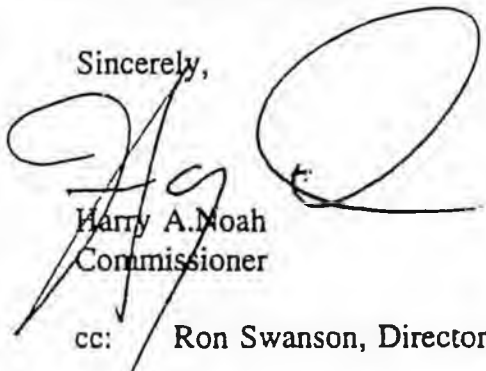
Dear Representative James:

The Department of Natural Resources supports the Sponser Substitute for House Bill 352, which includes the addition of the definitions of "streets" and "subdivisions." We also understand that the Alaska Society of Professional Surveyors also supports HB 352. They specifically requested that the bill include the definitions of "streets" and "subdivisions" as in the Sponsor Substitute. These two definitions are needed to establish a common definition of streets and subdivisions for use by all state agencies that are involved in permitting and approval of subdivisions. The lack of a common definition has made it difficult for surveyors to meet the requirements of all state agencies.

This bill will greatly benefit anyone purchasing or having property in the unorganized borough or third class boroughs. There is more and more subdivision activity in our outlying areas. The passage of this bill will ensure that land offered for sale in these areas meets the applicable laws, reduces the chances of clouded title, ensures proper location of sale parcels, and ensures that all subdivided parcels have legal access.

Thank you for sponsoring this bill. If the Department can be of assistance, please contact Ron Swanson at 762-2692.

Sincerely,



Harry A. Noah  
Commissioner

cc: Ron Swanson, Director, Division of Land 762-2692

james-hb.352

# FISCAL NOTE

( o. 2  
 Bill Version: CS HB 80(CRA)  
 (H) Publish Date: 2/22/95

STATE OF ALASKA  
 1995 LEGISLATIVE SESSION

Revision Date: Original Dept Affected: Natural Resources  
 Title: ONR Approval of Plats in Unorganized Boroughs BRU: Resource Development  
 Component: Land Development  
 Sponsor: Representative James  
 Recusitor: \_\_\_\_\_ Component Serial No. 431

Expenditures/Revenues		(Thousands of Dollars)					
OPERATING EXPENDITURES	FY96	FY97	FY98	FY99	FY00	FY01	
PERSONAL SERVICES	64.5	64.5	64.5	64.5	64.5	64.5	
TRAVEL							
CONTRACTUAL	11.5	1.5	1.5	1.5	1.5	1.5	
SUPPLIES	5.0	1.0	1.0	1.0	1.0	1.0	
EQUIPMENT							
LAND & STRUCTURES							
GRANTS, CLAIMS							
MISCELLANEOUS							
TOTAL OPERATING	31.0	67.0	67.0	67.0	67.0	67.0	
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0	
CHANGE IN REVENUES (1005)	50.0	50.0	50.0	50.0	50.0	50.0	

FUND SOURCE		(Thousands of Dollars)					
1002 Federal Receipts							
1003 GF Match							
1004 GF	31.0	67.0	67.0	67.0	67.0	67.0	
1005 GF/Program Receipts							
1006 GF/MHTIA							
Other							
TOTAL	31.0	67.0	67.0	67.0	67.0	67.0	

Estimate of any current year (FY95) cost: \$ None anticipated

POSITIONS							
FULL-TIME	11	11	11	11	11	11	
PART-TIME	01	01	01	01	01	01	
TEMPORARY	01	01	01	01	01	01	

ANALYSIS: (Attach a separate page if necessary)

SEE ATTACHED

*Revised*

Prepared by: Ron Swanson Phone: 762-2692  
 Division: Land Date: 20-Jan-95  
 Approved by Commissioner: [Signature] Date: 1/20/95  
 Agency: Natural Resources

**ORIGINAL** PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

BACK UP FOR FISCAL NOTE HB80

Estimate of Expenditures for HB80:

Personal Services:

Anticipate 250 subdivision plats submitted for review per year.  
Reviews will be performed by a Land Surveyor I (R19).  
Estimated review time is 7.5 hours per plat. Based on 250 plats per year,  
this will require one new full-time position.

TOTAL PERSONAL SERVICES \$64,500.00

Contractual:

The state must purchase existing land records, survey plats and field survey notes from SLM and make copies of plats held by the recording offices to carry out the functions required by this bill. The one time purchase cost for microfiche copies of survey plats and field notes to cover the state is \$10,000. Document copying costs from the recording office will be covered through the supply budget. An additional \$1,500 in contractual costs will be incurred annually, for items such as phone/fax bills, space rent and other miscellaneous contractual costs.

TOTAL CONTRACTUAL (FY96) \$11,500.00  
TOTAL CONTRACTUAL (FY97-FY01) \$1,500.00

Supply:

The supply budget will cover the one time cost of copying survey plats held in the Recorder's Office. An additional \$1,000 in supplies costs will be incurred annually, for items such as office supplies and document copying costs.

TOTAL SUPPLY (FY96) \$5,000.00  
TOTAL SUPPLY (FY97-FY01) \$1,000.00

Estimate of increased revenue for HB80:

Anticipated revenue from plat review fees will be 250 plat reviews x \$200.00/review = \$50,000.00

Comments:

In the last three years, the Division of Land has seen a reduction of six professional land surveyors due to budget reductions. We cannot absorb the additional workload associated with this legislation without an additional full-time professional land surveyor.

ORIGINAL

# FISCAL NOTE

No. 1  
Version: CS HB 80(CRA)  
(H) Publish Date: 2/22/95

Revision Date: January 27, 1995 Dept. Affected: Community & Regional Affairs  
 Title: An Act establishing the DNR as the BRU: Local Government Assistance  
plating authority in certain parts of... Component: Municipal Lands Trustee  
 Sponsor: Representative James  
 Requestor: House C & RA Committee COMPONENT SERIAL NO. 581

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	75.0	75.0	75.0	75.0	75.0	75.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>75.0</b>	<b>75.0</b>	<b>75.0</b>	<b>75.0</b>	<b>75.0</b>	<b>75.0</b>

CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
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REVENUE FUND SOURCE:						
----------------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	75.0	75.0	75.0	75.0	75.0	75.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>75.0</b>	<b>75.0</b>	<b>75.0</b>	<b>75.0</b>	<b>75.0</b>	<b>75.0</b>

POSITIONS:

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

Estimate of current (FY94) impact \$ none

ANALYSIS: (Attach a separate page if necessary)

This bill establishes DNR as the platting authority in the unorganized borough. With regard to fiscal impacts the bill would effect DCRA because certain leasing activity undertaken by the Municipal Lands Trust (MLT) Program would become subject to a new requirement for site surveying and plat approval. DCRA now generally bases its leases on office property plats rather than formal surveys. MLT staff estimate that there would be a requirement for 20-25 such surveys per year, for an estimated cost of about \$75,000 in contracted survey costs.

Prepared by: Remond Henderson, Director *Remond Henderson* Phone: 465-4708

Division: Division of Administrative Services Date: 1/27/95

Approved by Commissioner: *Remond Henderson for M. Iversen* Date: 1/27/95

Agency: Community & Regional Affairs

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For further distribution information call the Governor's Legislative Office

Page 1 of 1

ORIGINAL

**HB**

**80**

SFIN

FILE

4/27/96

HB 30

reception considered  
with Randy Phillips

---

100-72-11

4/27/96 Draft "M" approved  
by Walt on behalf  
of Rep. James.

4/26/96

Copy to Harry this date.

Copies have not been  
added to members' files.

Bill was removed from

4/27/96 agenda.

9-LS0200M  
Luckhaupt  
4/26/96

SENATE CS FOR CS FOR HOUSE BILL NO. 80(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:  
Referred:

Sponsor(s): REPRESENTATIVE JAMES

A BILL

FOR AN ACT ENTITLED

1 "An Act establishing the Department of Natural Resources as the platting  
2 authority in certain areas of the state; relating to subdivisions and dedications;  
3 and providing for an effective date."

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

5 \* Section 1. AS 29.03.030 is amended to read:

6 Sec. 29.03.030. PLATTING AUTHORITY. The [SUBJECT TO  
7 AS 40.15.075, THE] Department of Natural Resources is the platting authority for the  
8 state except within a municipality that has the power of land use regulation and  
9 that is exercising platting authority [IN THE UNORGANIZED BOROUGH IN THE  
10 AREA OUTSIDE ALL CITIES].

11 \* Sec. 2. AS 40.15.010 is amended to read:

12 Sec. 40.15.010. APPROVAL, FILING, AND RECORDING OF  
13 SUBDIVISIONS. Before the lots or tracts of any subdivision or dedication may be  
14 sold or offered for sale, the subdivision or dedication shall be approved by

1 [SUBMITTED FOR APPROVAL TO] the authority having jurisdiction, as prescribed  
2 in this chapter and [. THE REGULAR APPROVAL OF THE AUTHORITY SHALL  
3 BE SHOWN ON IT OR ATTACHED TO IT AND THE SUBDIVISION OR  
4 DEDICATION] shall be filed and recorded in the office of the recorder. The recorder  
5 may not accept a subdivision or dedication for filing and recording unless it shows this  
6 approval. [IF NO PLATTING AUTHORITY EXISTS AS PROVIDED IN  
7 AS 40.15.070 AND 40.15.075, LAND MAY BE SOLD WITHOUT APPROVAL.]

8 \* Sec. 3. AS 40.15.070 is amended to read:

9 Sec. 40.15.070. PLATTING AUTHORITY. If land proposed to be subdivided  
10 or dedicated is situated within a municipality that has the power of land use  
11 regulation and that is exercising platting authority [FIRST OR SECOND CLASS  
12 BOROUGH], the proposed subdivision or dedication shall be submitted to the  
13 municipal platting authority [BOROUGH PLANNING COMMISSION] for approval.

14 [IF THE LAND IS SITUATED WITHIN A CITY IN THE UNORGANIZED  
15 BOROUGH OR THE THIRD CLASS BOROUGH, THE PROPOSED SUBDIVISION  
16 OR DEDICATION SHALL BE SUBMITTED TO THE CITY PLANNING  
17 COMMISSION FOR APPROVAL. THE BOROUGH PLANNING COMMISSION  
18 IS THE PLATTING AUTHORITY FOR THE FIRST OR SECOND CLASS  
19 BOROUGH. THE CITY PLANNING COMMISSION IS THE PLATTING  
20 AUTHORITY FOR THE CITY, AND THE DEPARTMENT OF NATURAL  
21 RESOURCES IS THE PLATTING AUTHORITY IN THE REMAINING AREAS OF  
22 THE STATE AND THIRD CLASS BOROUGH FOR THE CHANGE OR  
23 VACATION OF EXISTING PLATS OR A PORTION OF SUCH PLATS,  
24 AS PROVIDED IN AS 40.15.075. IF THE BOROUGH OR THE CITY DOES NOT  
25 HAVE A PLANNING COMMISSION, THE BOROUGH ASSEMBLY OR THE CITY  
26 GOVERNING BODY, RESPECTIVELY, IS THE PLATTING AUTHORITY AND  
27 THE PROPOSED SUBDIVISION OR DEDICATION SHALL BE SUBMITTED TO  
28 IT.] A subdivision may not be filed and recorded until it is approved by the platting  
29 authority.

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31 (b) The Department of Natural Resources is the platting authority in the areas

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5 instrumentalities and political subdivisions are subject to the provisions of  
6 AS 40.15.010 - 40.15.200 [THIS CHAPTER] and AS 29.40.070 - 29.40.160, or home  
7 rule ordinances or regulations governing subdivisions, and shall comply with  
8 ordinances and other local regulations adopted under AS 40.15.010 - 40.15.200 [THIS  
9 CHAPTER] and AS 29.40.070 - 29.40.160 or former AS 29.33.150 - 29.33.240, or  
10 under home rule authority, in the same manner and to the same extent as subdivisions  
11 made by other landowners.

12 \* Sec. 6. AS 40.15 is amended by adding new sections to read:

13 ARTICLE 4. PLATTING IN AREAS OUTSIDE CERTAIN MUNICIPALITIES.

14 Sec. 40.15.300. EXAMINATION OF PLATS BEFORE RECORDING. (a)  
15 The commissioner shall exercise the platting authority for the state except within a  
16 municipality that has the power of land use regulation and that is exercising platting  
17 authority.

18 (b) The commissioner shall review and approve each plat under  
19 AS 40.15.300 - 40.15.380 before the plat is recorded under AS 40.17. The approval  
20 by the commissioner shall be affixed to the plat in the form of the following statement:

21 PLAT APPROVAL

22 This plat is approved by the commissioner of natural resources,  
23 or the commissioner's designee, in accordance with AS 40.15.

24 \_\_\_\_\_

25 Commissioner

Date

26 (c) The recorder may not accept for filing and recording a plat for which the  
27 commissioner's approval is required under this section without the approval of the  
28 commissioner endorsed on the plat.

29 (d) Within 45 days after a plat is filed, the commissioner shall approve the plat  
30 or return it to the applicant for modification or correction. Unless the applicant for

1 plat approval consents to an extension of time, the plat is approved and a certificate  
2 of approval shall be issued by the commissioner if the commissioner fails to act within  
3 that period. The commissioner shall state in writing reasons for disapproval of a plat.

4 (e) A recorded plat may not be altered or replatted except on petition of the  
5 state, a municipality, a public utility, or the owner of a majority of the land affected  
6 by the proposed alteration or replat. The petition shall be filed with the commissioner  
7 and shall be accompanied by a copy of the existing plat showing the proposed  
8 alteration or replat. The provisions of AS 29.40.130 and 29.40.140(a) apply to an  
9 alteration or replat submitted under this subsection. The provisions of (d) of this  
10 section do not apply to an alteration or replat petition, but the commissioner shall state  
11 in writing reasons for disapproval of the petition.

12 (f) In the case of a vacation of a street, right-of-way, or other public area, the  
13 provisions of AS 29.40.140(b) and 29.40.160(a) and (b) apply. When applying these  
14 provisions to land outside a municipality, the word "municipality" should be read as  
15 "state" when the context requires.

16 Sec. 40.15.310. REQUIREMENTS FOR PLAT APPROVAL. (a) Each plat  
17 must show on its face a certificate of ownership, with the names and addresses of each  
18 owner listed. Each owner of record shall sign the certificate and the signatures shall  
19 be acknowledged.

20 (b) The surveyor preparing the plat shall sign and affix the seal of the  
21 surveyor.

22 (c) The commissioner shall require that a plat submitted for approval bear the  
23 certificate of approval of any other state agency having subdivision plat approval  
24 authority.

25 Sec. 40.15.320. MONUMENTS. (a) In a subdivision with five or fewer lots,  
26 the existence of each primary type monument at controlling exterior corners of the  
27 subdivision shall be established by the surveyor.

28 (b) In a subdivision of more than five lots, each interior corner shall be  
29 monumented with a 5/8 inch by 24 inch rebar and cap.

30 (c) If a monument of record does not lie on the parcel or tract boundary, the  
31 plat shall reflect a boundary survey and tie to a monument of record.

1           Sec. 40.15.330. PLAT STANDARDS. The commissioner shall establish plat  
2 standards by regulation.

3           Sec. 40.15.340. ENGINEERING STANDARDS. Except for subdivisions of  
4 state land, the commissioner may not establish engineering standards for subdivisions.

5           Sec. 40.15.350. CERTIFIED COPY OF PLAT AS EVIDENCE. A copy of  
6 a plat certified by the recorder of the recording district in which it is filed or recorded  
7 as a true and complete copy of the original filed or recorded in the recording office  
8 for the district is admissible in evidence in all courts in the state with the same effect  
9 as the original.

10          Sec. 40.15.360. APPLICABILITY. The provisions of AS 40.15.300 -  
11 40.15.380 do not apply to maps, site plans, or other graphic representations prepared  
12 for

13                 (1) the purpose of transferring a leasehold interest; the extraction of  
14 natural resources; or solely for the issuance of licenses or permits; or

15                 (2) disposing of land by aliquot part descriptions of 40 acres or more  
16 within surveyed sections provided that the least aliquot part unit shall be not less than  
17 a 1/4 1/4 section.

18          Sec. 40.15.370. REGULATIONS; FEES. (a) The commissioner may adopt  
19 regulations to implement, clarify, or make specific the provisions of AS 40.15.300 -  
20 40.15.380.

21                 (b) The commissioner shall charge a nonrefundable fee for the processing,  
22 review, and approval of a plat under AS 40.15.300 - 40.15.380. The fees shall be set  
23 by regulation and must be based on the actual costs incurred by the department.

24          Sec. 40.15.380. APPLICABILITY TO GOVERNMENTAL BODIES; RIGHT-  
25 OF-WAY ACQUISITION PLATS. (a) Except as provided in this section,  
26 AS 40.15.300 - 40.15.380 apply to the state, its agencies, instrumentalities, and  
27 political subdivisions in the same manner and to the same extent that they apply to  
28 other landowners.

29                 (b) A plat for a subdivision created by the acquisition by the state, its agencies,  
30 instrumentalities, or political subdivisions, of a right-of-way, airport parcel, or land for  
31 a similar public purpose in an area outside a municipality that has the power of land

1 use regulation and that is exercising platting authority, is subject only to the approval  
2 provisions of this section and any provision of AS 40.15.300 - 40.15.380 not in  
3 conflict with this section.

4 (c) A right-of-way acquisition plat must contain the

- 5 (1) location and name of the acquisition project;  
6 (2) approximate timetable for the acquisition and construction;  
7 (3) dimensions and area of the proposed tract, parcel, or parcels to be  
8 acquired and the remainder of the parcel or parcels;  
9 (4) name of the record owner or owners of the subject parcels;  
10 (5) signature and seal of the surveyor preparing the plat.

11 (d) The commissioner shall review each right-of-way acquisition plat for  
12 compliance with this section. If the plat does not meet the requirements of this  
13 section, it shall be returned to the submitting agency with an explanation of the  
14 deficiencies. A plat for which the commissioner's approval is required under  
15 AS 40.15.300 may not be recorded under AS 40.17 without the commissioner's  
16 approval endorsed on the plat.

17 (e) After approval by the commissioner, the original plat shall be filed with  
18 the appropriate district recorder within 30 days by the submitting agency.

19 (f) The minimum monumentation requirements for

20 (1) right-of-way acquisition subdivisions are a 5/8 inch by 24 inch  
21 reinforcement bar with appropriate identification cap set on the margin of the right-of-  
22 way at all points marking the beginning and end of each curve and on tangents so that  
23 the distance between monumented points does not exceed 1,320 feet; an alternate  
24 method may be utilized that consists of placing primary type monuments at centerline  
25 points marking the beginning and end of each curve and on tangents so that no  
26 distance exceeds 1,320 feet; all recovered monumented property corners of records,  
27 the lines of which are intersected by a right-of-way acquisition, shall be monumented  
28 as part of the right-of-way plat, either on the right-of-way line or at the original  
29 monument position;

30 (2) an airport parcel and land for a similar public purpose subdivision  
31 not defined by centerline shall be as provided in AS 40.15.320.

1 (g) If construction of improvements is scheduled to follow the right-of-way  
2 acquisition, the placement of the centerline monuments may be delayed until the  
3 improvements have been completed, in which case a statement designating the  
4 schedule for placing the monuments must be included on the plat.

5 (h) The state, its agencies, instrumentalities, or political subdivisions may  
6 acquire or obtain conveyances, including dedication of lots or tracts of a right-of-way  
7 acquisition plat, before submittal of a right-of-way acquisition plat for approval by the  
8 commissioner. A right-of-way acquisition conveyance may be recorded before  
9 approval and recording of the right-of-way acquisition plat.

#### 10 ARTICLE 5. GENERAL PROVISIONS.

11 Sec. 40.15.900. DEFINITIONS. In this chapter,

12 (1) "commissioner" means the commissioner of natural resources;

13 (2) "monument" means a fixed physical object marking a point on the  
14 surface of the earth used to commence or control a survey or to establish a lot corner;

15 (3) "plat" means a map or delineated representation of a tract or parcel  
16 of land showing the subdivision of land into lots, blocks, streets, or other divisions;

17 (4) "street" means an access way in common use including all of the  
18 land lying within a dedicated right-of-way as delineated on a plat showing streets,  
19 whether improved or unimproved;

20 (5) "subdivision"

21 (A) means the division of a tract or parcel of land into two or  
22 more lots by the landowner or by the creation of public access, excluding  
23 common carrier and public utility access;

24 (B) does not include cadastral plats, cadastral control plats,  
25 open-to-entry plats, remote parcel plats created by or on behalf of the state, or  
26 plats created by or on behalf of the United States Department of the Interior,  
27 Bureau of Land Management, regardless of whether these plats include  
28 easements or other public dedications;

29 (6) "surveyor" means an individual licensed to practice land surveying  
30 in the state under AS 08.48.

31 \* Sec. 7. AS 40.15.075 and 40.15.290 are repealed.

1 \* Sec. 8. AS 40.15.330 and 40.15.370, added in sec. 6 of this Act, take effect immediately  
2 under AS 01.10.070(c).

4-26-96

Hold to bring draft  
3cs (Fia) back for  
Committee review.

Phoned Legal Services:

Terry Luckhaupt  
to produce draft.

4/26/96

RP

Conceptual Amendment

9-LS0200\G

RH- the fee may not exceed the direct cost of the service

RP- moved - Fees paid for these services may not exceed the cost of services.

Adopted

SENATE CS FOR CS FOR HOUSE BILL NO. 80(CRA)  
Fin

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Offered: 4/20/95  
Referred: Finance

Sponsor(s): REPRESENTATIVE JAMES

A BILL

FOR AN ACT ENTITLED

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7 rule ordinances or regulations governing subdivisions, and shall comply with  
8 ordinances and other local regulations adopted under AS 40.15.010 - 40.15.200 [THIS  
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19 AS 40.15.300 - 40.15.380 before the plat is recorded under AS 40.17. The approval  
20 by the commissioner shall be affixed to the plat in the form of the following statement:

21 PLAT APPROVAL

22 This plat is approved by the commissioner of natural resources,  
23 or the commissioner's designee, in accordance with AS 40.15.

24 \_\_\_\_\_  
25 \_\_\_\_\_

26 Commissioner

26 Date

27 (c) The recorder may not accept for filing and recording a plat for which the  
28 commissioner's approval is required under this section without the approval of the  
29 commissioner endorsed on the plat.

30 (d) Within 45 days after a plat is filed, the commissioner shall approve the plat  
31 or return it to the applicant for modification or correction. Unless the applicant for

1 plat approval consents to an extension of time, the plat is approved and a certificate  
2 of approval shall be issued by the commissioner if the commissioner fails to act within  
3 that period. The commissioner shall state in writing reasons for disapproval of a plat.

4 (e) A recorded plat may not be altered or replatted except on petition of the  
5 state, a municipality, a public utility, or the owner of a majority of the land affected  
6 by the proposed alteration or replat. The petition shall be filed with the commissioner  
7 and shall be accompanied by a copy of the existing plat showing the proposed  
8 alteration or replat. The provisions of AS 29.40.130 and 29.40.140(a) apply to an  
9 alteration or replat submitted under this subsection. The provisions of (d) of this  
10 section do not apply to an alteration or replat petition, but the commissioner shall state  
11 in writing reasons for disapproval of the petition.

12 (f) In the case of a vacation of a street, right-of-way, or other public area, the  
13 provisions of AS 29.40.140(b) and 29.40.160(a) and (b) apply. When applying these  
14 provisions to land outside a municipality, the word "municipality" should be read as  
15 "state" when the context requires.

16 Sec. 40.15.310. REQUIREMENTS FOR PLAT APPROVAL. (a) Each plat  
17 must show on its face a certificate of ownership, with the names and addresses of each  
18 owner listed. Each owner of record shall sign the certificate and the signatures shall  
19 be acknowledged.

20 (b) The surveyor preparing the plat shall sign and affix the seal of the  
21 surveyor.

22 (c) The commissioner shall require that a plat submitted for approval bear the  
23 certificate of approval of any other state agency having subdivision plat approval  
24 authority.

25 Sec. 40.15.320. MONUMENTS. (a) In a subdivision with five or fewer lots,  
26 the existence of each primary type monument at controlling exterior corners of the  
27 subdivision shall be established by the surveyor.

28 (b) In a subdivision of more than five lots, each interior corner shall be  
29 monumented with a 5/8 inch by 24 inch rebar and cap.

30 (c) If a monument of record does not lie on the parcel or tract boundary, the  
31 plat shall reflect a boundary survey and tie to a monument of record.

1           Sec. 40.15.330. PLAT STANDARDS. The commissioner shall establish plat  
2 standards by regulation.

3           Sec. 40.15.340. ENGINEERING STANDARDS. Except for subdivisions of  
4 state land, the commissioner may not establish engineering standards for subdivisions.

5           Sec. 40.15.350. CERTIFIED COPY OF PLAT AS EVIDENCE. A copy of  
6 a plat certified by the recorder of the recording district in which it is filed or recorded  
7 as a true and complete copy of the original filed or recorded in the recording office  
8 for the district is admissible in evidence in all courts in the state with the same effect  
9 as the original.

10          Sec. 40.15.360. APPLICABILITY. The provisions of AS 40.15.300 -  
11 40.15.380 do not apply to maps, site plans, or other graphic representations prepared  
12 for

13                 (1) the purpose of transferring a leasehold interest; the extraction of  
14 natural resources; or solely for the issuance of licenses or permits; or

15                 (2) disposing of land by aliquot part descriptions of 40 acres or more  
16 within surveyed sections provided that the least aliquot part unit shall be not less than  
17 a 1/4 1/4 section.

18          Sec. 40.15.370. REGULATIONS. The commissioner may adopt regulations  
19 to implement, clarify, or make specific the provisions of AS 40.15.300 - 40.15.380.

20          Sec. 40.15.380. APPLICABILITY TO GOVERNMENTAL BODIES; RIGHT-  
21 OF-WAY ACQUISITION PLATS. (a) Except as provided in this section,  
22 AS 40.15.300 - 40.15.380 apply to the state, its agencies, instrumentalities, and  
23 political subdivisions in the same manner and to the same extent that they apply to  
24 other landowners.

25                 (b) A plat for a subdivision created by the acquisition by the state, its agencies,  
26 instrumentalities, or political subdivisions, of a right-of-way, airport parcel, or land for  
27 a similar public purpose in an area outside a municipality that has the power of land  
28 use regulation and that is exercising platting authority, is subject only to the approval  
29 provisions of this section and any provision of AS 40.15.300 - 40.15.380 not in  
30 conflict with this section.

31                 (c) A right-of-way acquisition plat must contain the

- 1 (1) location and name of the acquisition project;
- 2 (2) approximate timetable for the acquisition and construction;
- 3 (3) dimensions and area of the proposed tract, parcel, or parcels to be
- 4 acquired and the remainder of the parcel or parcels;
- 5 (4) name of the record owner or owners of the subject parcels;
- 6 (5) signature and seal of the surveyor preparing the plat.

7 (d) The commissioner shall review each right-of-way acquisition plat for  
8 compliance with this section. If the plat does not meet the requirements of this  
9 section, it shall be returned to the submitting agency with an explanation of the  
10 deficiencies. A plat for which the commissioner's approval is required under  
11 AS 40.15.300 may not be recorded under AS 40.17 without the commissioner's  
12 approval endorsed on the plat.

13 (e) After approval by the commissioner, the original plat shall be filed with  
14 the appropriate district recorder within 30 days by the submitting agency.

15 (f) The minimum monumentation requirements for

16 (1) right-of-way acquisition subdivisions are a 5/8 inch by 24 inch  
17 reinforcement bar with appropriate identification cap set on the margin of the right-of-  
18 way at all points marking the beginning and end of each curve and on tangents so that  
19 the distance between monumented points does not exceed 1,320 feet; an alternate  
20 method may be utilized that consists of placing primary type monuments at centerline  
21 points marking the beginning and end of each curve and on tangents so that no  
22 distance exceeds 1,320 feet; all recovered monumented property corners of records,  
23 the lines of which are intersected by a right-of-way acquisition, shall be monumented  
24 as part of the right-of-way plat, either on the right-of-way line or at the original  
25 monument position;

26 (2) an airport parcel and land for a similar public purpose subdivision  
27 not defined by centerline shall be as provided in AS 40.15.320.

28 (g) If construction of improvements is scheduled to follow the right-of-way  
29 acquisition, the placement of the centerline monuments may be delayed until the  
30 improvements have been completed, in which case a statement designating the  
31 schedule for placing the monuments must be included on the plat.

1 (h) The state, its agencies, instrumentalities, or political subdivisions may  
2 acquire or obtain conveyances, including dedication of lots or tracts of a right-of-way  
3 acquisition plat, before submittal of a right-of-way acquisition plat for approval by the  
4 commissioner. A right-of-way acquisition conveyance may be recorded before  
5 approval and recording of the right-of-way acquisition plat.

6 ARTICLE 5. GENERAL PROVISIONS.

7 Sec. 40.15.900. DEFINITIONS. In this chapter,

8 (1) "commissioner" means the commissioner of natural resources;

9 (2) "monument" means a fixed physical object marking a point on the  
10 surface of the earth used to commence or control a survey or to establish a lot corner;

11 (3) "plat" means a map or delineated representation of a tract or parcel  
12 of land showing the subdivision of land into lots, blocks, streets, or other divisions;

13 (4) "street" means an access way in common use including all of the  
14 land lying within a dedicated right-of-way as delineated on a plat showing streets,  
15 whether improved or unimproved;

16 (5) "subdivision"

17 (A) means the division of a tract or parcel of land into two or  
18 more lots by the landowner or by the creation of public access, excluding  
19 common carrier and public utility access;

20 (B) does not include cadastral plats, cadastral control plats,  
21 open-to-entry plats, remote parcel plats created by or on behalf of the state, or  
22 plats created by or on behalf of the United States Department of the Interior,  
23 Bureau of Land Management, regardless of whether these plats include  
24 easements or other public dedications;

25 (6) "surveyor" means an individual licensed to practice land surveying  
26 in the state under AS 08.48.

27 \* Sec. 7. AS 40.15.075 and 40.15.290 are repealed.

28 \* Sec. 8. AS 40.15.330 and 40.15.370, added in sec. 6 of this Act, take effect immediately  
29 under AS 01.10.070(c).

Article 2. Accounting.

Section

50. Charges for state services; collection,   
 and deposit of state

**Sec. 37.10.050. Charges for state services; collection, accounting and deposit of state money.** (a) A state agency may not charge for the provision of state services unless the charge (1) is set or otherwise authorized by statute; and (2) where a regulation is necessary, is set by or provided for in a regulation that meets the standards of AS 44.62.020 and 44.62.030. A fee or other charge that is set by regulation may not exceed the estimated actual costs of the state agency in administering the activity or providing the service unless otherwise provided by the statute under which the regulation is adopted; this limitation does not apply to sales of property by a state agency. Unless specifically exempted by statute, a state agency authorized to collect or receive fees, licenses, taxes, or other money belonging to the state shall account for and remit the receipts, less fees to which the collector is entitled by statute or regulation, to the Department of Revenue at least once each month. The commissioner of administration shall separately account under AS 37.05.142 for receipts deposited under this subsection.

(b) Money collected for the state shall be deposited by the collector in the nearest bank to the account of the Department of Revenue when the Department of Revenue directs this to be done.

(c) *[Repealed, § 35 ch 126 SLA 1994.]*

(d) Each state agency shall annually review fees and charges collected by the agency. By October 1, each state agency shall submit a report to the office of management and budget regarding existing fee levels set by the agency by regulation and adjustments made to fee levels by the agency during the previous fiscal year, and recommended adjustments in fees set by statute that the agency collects. Each year by December 15, the office of management and budget shall submit a report to the Legislative Budget and Audit Committee summarizing the reports and recommendations and the extent to which the fee adjustments have been incorporated in the governor's budget. Within 30 days after the convening of each regular session of the legislature, the committee shall prepare a report on the status of fee regulations and making recommendations for changes in regulations or statutes as appropriate. The committee shall notify the legislature that the report is available.

(e.) In this section, "agency" means a board, commission, or agency in the legislative, judicial, or executive branch, but does not include the University of Alaska or a public corporation. (§ 2 ch 24 SLA 1953; am § 8 art III ch 82 SLA 1955; am § 5 ch 186 SLA 1957; am § 1 ch

115 SLA  
 § 10 ch 2  
 1995)

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# FISCAL NOTE

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO. SCSCSHB80(CRA)

Revision Date: Original Dept Affected Natural Resources  
 Title: An Act establishing the Department of BRU: Resource Development  
Natural Resources as the platting authority in certain areas... Component: Land Development  
 Sponsor: Representative James  
 Requestor: Senate Finance Component Serial No. 431

Expenditures/Revenues		(Thousands of Dollars)					
	FY97	FY98	FY99	FY00	FY01	FY02	
<b>OPERATING EXPENDITURES</b>							
PERSONAL SERVICES	47.5	47.5	47.5	47.5	47.5	47.5	
TRAVEL							
CONTRACTUAL	11.5	1.5	1.5	1.5	1.5	1.5	
SUPPLIES	5.0	1.0	1.0	1.0	1.0	1.0	
EQUIPMENT							
LAND & STRUCTURES							
GRANTS, CLAIMS							
MISCELLANEOUS							
<b>TOTAL OPERATING</b>	<b>64.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>	
<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	
<b>CHANGE IN REVENUES (1005)</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>	

FUND SOURCE		(Thousands of Dollars)					
	FY97	FY98	FY99	FY00	FY01	FY02	
1002 Federal Receipts							
1003 GF Match							
1004 GF	14.0						
1005 GF/Program Receipts	50.0	50.0	50.0	50.0	50.0	50.0	
1006 GF/MHTIA							
Other							
<b>TOTAL</b>	<b>64.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>	

Estimate of any current year (FY96) cost: \$ None anticipated

POSITIONS		FY97	FY98	FY99	FY00	FY01	FY02
FULL-TIME		0	0	0	0	0	0
PART-TIME		0	0	0	0	0	0
TEMPORARY		0	0	0	0	0	0

**ANALYSIS:** (Attach a separate page if necessary)

The House Finance Committee requested to make this a revenue-neutral fiscal note.

The Division of Land intends to use the personal services to fund a portion of an existing, unfunded position, rather than ask for a new position. It is anticipated that approximately 8.5 months of a Land Surveyor I position will be able to accomplish the workload, however the House Finance Committee suggested increasing the fee to allow the position to process the workload if it cannot be done in this timeframe.

The attached information shows the detail cost breakdown. In FY97 there is a one-time setup cost of \$14.0, which the House Finance Committee agreed to.

Prepared by: Jane Angvik, Director Phone: 269-8503  
 Division: Land Date: 24-Apr-96  
 Approved by Commissioner: [Signature] Date: 24-Apr-96  
 Agency: Natural Resources

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## BACK UP FOR FISCAL NOTE HB80

### Estimate of Expenditures for HB80:

#### Personal Services:

Anticipate 250 subdivision plats submitted for review per year.  
Reviews will be performed by a Land Surveyor I (R19).  
Estimated review time is 7.5 hours per plat. Based on 250 plats per year,  
this will require one new position.

TOTAL PERSONAL SERVICES	
For a full-year \$64.5	
Prorated for revenue -neutral	\$47.5 (FY97 and out)

#### Contractual:

The state must purchase existing land records, survey plats and field survey notes from BLM and make copies of plats held by the recording offices to carry out the functions required by this bill. The one time purchase cost for microfiche copies of survey plats and field notes to cover the state is \$10,000. Document copying costs from the recording office will be covered through the supply budget. An additional \$1,500 in contractual costs will be incurred annually, for items such as phone/fax bills, space rent and other miscellaneous contractual costs.

TOTAL CONTRACTUAL (FY97)	\$11,500.00
TOTAL CONTRACTUAL (FY98-FY02)	\$1,500.00

#### Supply:

The supply budget will cover the one time cost of copying survey plats held in the Recorder's Office. An additional \$1,000 in supplies costs will be incurred annually, for items such as office supplies and document copying costs.

TOTAL SUPPLY (FY97)	\$5,000.00
TOTAL SUPPLY (FY98-FY02)	\$1,000.00

### Estimate of increased revenue for HB80:

Anticipated revenue from plat review fees will be 250 plat reviews x \$200.00/review = \$50,000.00

#### Comments:

In the last three years, the Division of Land has seen a reduction of six professional land surveyors due to budget reductions. We will attempt to process the additional workload associated with this legislation with an additional permanent part-time professional land surveyor. If this fails we'll increase fees and make the position full-time.

# FISCAL NOTE

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO. CSHB 80(CRA)

Revisor Date: 16-Jan-96 Dept Affected Natural Resources  
 Title: DNR Approval of Plats in Unorganized Boroughs BRU: Resource Development  
 Component: Land Development  
 Sponsor: Representative James  
 Requestor: Senate Finance Component Serial No. 431

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY97	FY98	FY99	FY00	FY01	FY02
PERSONAL SERVICES	47.5	47.5	47.5	47.5	47.5	47.5
TRAVEL						
CONTRACTUAL	11.5	1.5	1.5	1.5	1.5	1.5
SUPPLIES	5.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>64.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>
<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CHANGE IN REVENUES (1005)</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 GF	64.0	50.0	50.0	50.0	50.0	50.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>64.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>

Estimate of any current year (FY96) cost: \$ None anticipated

POSITIONS	FY97	FY98	FY99	FY00	FY01	FY02
FULL-TIME	0	0	0	0	0	0
PART-TIME	1	1	1	1	1	1
TEMPORARY	0	0	0	0	0	0

**ANALYSIS:** (Attach a separate page if necessary)

The Finance Committee requested to make this a revenue neutral fiscal note. In order to do this the department will make this a PPT 8.5 months position. If the position does not keep up with the work the Finance Committee suggested increasing the fee to allow the position to process the workload.

The attached information shows the detail cost breakdown. In FY96 there is a one-time setup cost of \$14.0, which the Finance Committee agreed to.

Prepared by: Jane Angvik, Director Phone: 269-8503  
 Division: Land Date: 16-Jan-96  
 Approved by Commissioner: [Signature] Date: 16-Jan-96  
 Agency: Natural Resources

## BACK UP FOR FISCAL NOTE HB80

### Estimate of Expenditures for HB80:

#### Personal Services:

Anticipate 250 subdivision plats submitted for review per year.

Reviews will be performed by a Land Surveyor I (R19).

Estimated review time is 7.5 hours per plat. Based on 250 plats per year, this will require one new full-time position.

#### TOTAL PERSONAL SERVICES

For a full-year \$64.5

Prorated for revenue -neutral

\$47.5 (FY97 and out)

#### Contractual:

The state must purchase existing land records, survey plats and field survey notes from BLM and make copies of plats held by the recording offices to carry out the functions required by this bill. The one time purchase cost for microfiche copies of survey plats and field notes to cover the state is \$10,000. Document copying costs from the recording office will be covered through the supply budget. An additional \$1,500 in contractual costs will be incurred annually, for items such as phone/fax bills, space rent and other miscellaneous contractual costs.

#### TOTAL CONTRACTUAL (FY97)

\$11,500.00

#### TOTAL CONTRACTUAL (FY98-FY02)

\$1,500.00

#### Supply:

The supply budget will cover the one time cost of copying survey plats held in the Recorder's Office. An additional \$1,000 in supplies costs will be incurred annually, for items such as office supplies and document copying costs.

#### TOTAL SUPPLY (FY97)

\$5,000.00

#### TOTAL SUPPLY (FY98-FY02)

\$1,000.00

### Estimate of increased revenue for HB80:

Anticipated revenue from plat review fees will be 250 plat reviews x \$200.00/review = \$50,000.00

#### Comments:

In the last three years, the Division of Land has seen a reduction of six professional land surveyors due to budget reductions. We will attempt to process the additional workload associated with this legislation with an additional permanent part-time professional land surveyor. If this fails we'll increase fees and make the position full-time.

Revision Date: ~~February 21, 1995~~ <sup>Knut</sup> Jun. 16, 1996 Dept. Affected: Community & Regional Affairs  
 Title: An Act establishing the DNR as the BRU: Local Government Assistance  
 platting authority in certain parts of... Component Municipal Lands Trustee  
 Sponsor: Representative James  
 Requestor: House C & RA Committee COMPONENT SERIAL NO. 681

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE FUND SOURCE:						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

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

Estimate of current (FY94) impact \$ none

ANALYSIS: (Attach a separate page if necessary)  
 This bill establishes DNR as the platting authority in the unorganized borough. This committee substitute version of the bill exempts certain activities pertaining to the department's Municipal Lands Trustee program from the provisions of the bill. As such, the bill poses no fiscal impacts for the department.

Prepared by: Remond Henderson, Director *Remond Henderson* Phone: 465-4708  
 Division: Division of Administrative Services Date: 2/21/95  
 Approved by Commissioner: *R. Henderson* *R. M. Iwain* Date: 2/21/95  
 Agency: Community & Regional Affairs

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96 update

Comm. & Reg. Aff.

Outdated  
DCA/RA  
update  
of #1

# FISCAL NOTE

No. 3

Bill Version: CSHB 80(CRA)

(H) Publish Date: 3/15/95

STATE OF ALASKA

1995 LEGISLATIVE SESSION

Revision Date: 14-Mar-95

Dept Affected: Natural Resources

Title: DNR Approval of Plats in Unorganized Boroughs

BRU: Resource Development

Component: Land Development

Sponsor: Representative James

Requestor: \_\_\_\_\_

Component Serial No. 431

**Expenditures/Revenues**

(Thousands of Dollars)

OPERATING EXPENDITURES	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES	47.5	47.5	47.5	47.5	47.5	47.5
TRAVEL						
CONTRACTUAL	11.5	1.5	1.5	1.5	1.5	1.5
SUPPLIES	5.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>64.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>
<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CHANGE IN REVENUES (1005)</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>

**FUND SOURCE**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	64.0	50.0	50.0	50.0	50.0	50.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>64.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>	<b>50.0</b>

Estimate of any current year (FY95) cost: \$ None anticipated

**POSITIONS**

FULL-TIME	0	0	0	0	0	0
PART-TIME	1	1	1	1	1	1
TEMPORARY	0	0	0	0	0	0

**ANALYSIS:**

(Attach a separate page if necessary)

The Finance Committee requested to make this a revenue neutral fiscal note. In order to do this the department will make this a PFT 3.5 months position. If the position does not keep up with the work the Finance Committee suggested increasing the fee to allow the position to process the workload.

The attached information shows the detail cost breakdown. In FY96 there is a one-time setup cost of \$14.0, which the Finance Committee agreed to.

Prepared by: Ron Swanson *Ron Swanson* Phone: 762-2632  
 Division: Land Date: 14-Mar-95  
 Approved by Commissioner: *Mike Bus for Adam Walsh* Date: 14-Mar-95  
 Agency: Natural Resources

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## BACK UP FOR FISCAL NOTE HB80

### Estimate of Expenditures for HB80:

#### Personal Services:

Anticipate 250 subdivision plats submitted for review per year.

Reviews will be performed by a Land Surveyor I (R19).

Estimated review time is 7.5 hours per plat. Based on 250 plats per year, this will require one new full-time position.

#### TOTAL PERSONAL SERVICES

For a full-year \$64.5

Prorated for revenue -neutral

\$47.5 (FY97 and out)

#### Contractual:

The state must purchase existing land records, survey plats and field survey notes from BLM and make copies of plats held by the recording offices to carry out the functions required by this bill. The one time purchase cost for microfiche copies of survey plats and field notes to cover the state is \$10,000. Document copying costs from the recording office will be covered through the supply budget. An additional \$1,500 in contractual costs will be incurred annually, for items such as phone/fax bills, space rent and other miscellaneous contractual costs.

TOTAL CONTRACTUAL (FY96)

\$11,500.00

TOTAL CONTRACTUAL (FY97-FY01)

\$1,500.00

#### Supply:

The supply budget will cover the one time cost of copying survey plats held in the Recorder's Office. An additional \$1,000 in supplies costs will be incurred annually, for items such as office supplies and document copying costs.

TOTAL SUPPLY (FY96)

\$5,000.00

TOTAL SUPPLY (FY97-FY01)

\$1,000.00

### Estimate of increased revenue for HB80:

Anticipated revenue from plat review fees will be 250 plat reviews x \$200.00/review = \$50,000.00

#### Comments:

In the last three years, the Division of Land has seen a reduction of six professional land surveyors due to budget reductions. We will attempt to process the additional workload associated with this legislation with an additional permanent part-time professional land surveyor. If this fails we'll increase fees and make the position full-time.

# Alaska Society of Professional Land Surveyors

AFFILIATE OF AMERICAN CONGRESS OF SURVEYING AND MAPPING  
MEMBER OF WESTERN FEDERATION OF PROFESSIONAL LAND SURVEYORS



Patrick H. Kalen, PLS  
1041 Chena Ridge Road  
Fairbanks, AK 99709  
(907) 479-2662/2666

February 14, 1996

Rep. Jeanette James  
Alaska State Capitol  
Juneau, Alaska 99801

Attn: Walt Wilcox

Ref: HB 80, definition, Sec. 40.15.380(f)(1)

Dear Rep. James:

I recently checked over the files for this bill, in hopes that we can move it soon. It is possible that we overlooked something. If I am right, it should be non-controversial and easily fixed. The definition for the word subdivision appears in Title 29 as well as in Title 40, and is referenced in several other statutes. Uniformity of definition of the word subdivision is a very important technical point. The wording and the definition in HB 80 are OK, but we may need to include extra references so as not to have conflicting definitions in statute. See the enclosed copy of SB 211. Don't we need to include sections 1, 2 and 4 to avoid the conflict?

We hope this poses no difficulty for finishing the bill and moving it. I have included a copy of SB 211 of the Eighteenth Legislature. If you have any questions, do not hesitate to call me.

Sincerely yours,

Patrick Kalen, PLS  
Chairman, Legislative Affairs Committee



# STATE OF ALASKA

THE ALASKA STATE LEGISLATURE

## House of Representatives

Representative Jeannette James

Chair of House State Affairs Committee

Capitol Building

Juneau, AK 99801-2197

(907) 465-3743 ph

(907) 465-2381 fax

# memo: MEMO

March 12, 1996 Third request

To: Senate Finance Committee  
Attn: Senator Halford and Senator Frank, Co-chairs Senate Finance  
From: Rep. Jeannette James  
Re: Scheduling HB 80 in Senate Finance

Please schedule HB 80 for a hearing as soon as feasible. This is a good bill that has been in the process for many Legislative sessions. I believe the work over the last several years has molded the bill into one that has no opposition and is supported by the DNR, surveyors and all impacted classes of people.

Essentially HB 80 brings all of the unorganized Boroughs under the purview of DNR as pertains to platting of real estate. For example there is currently no control over anyone creating landlocked subdivisions with no possible access.

The bill also cleans up some definition problems by defining terms so all agencies use the same terminology.

Thank you for your consideration. Please call me if you have any questions or concerns.

# Alaska State Legislature

REPRESENTATIVE  
**JEANNETTE JAMES**

P.O. Box 56622  
North Pole, Alaska 99705  
(907) 488-1546  
FAX (907) 488-9006



While In Juneau  
State Capitol  
Juneau, Alaska  
99801-1182  
(907) 465-3743  
FAX (907) 465-2381

**House of Representatives**

House District 34

4-19-95

To: Senate Finance Committee

Attn: Senators Frank and Halford

From: Rep. Jeannette James

Re: HB 80, Senate Finance Committee hearing request

**Please schedule this excellent Bill for Finance Committee as soon as possible, it unanimously passed out of Senate CRA today.**

HB 80 gives DNR the authority to review plats in the unorganized borough, currently there is no statutory review. The Bill also defines the word subdivision so all State Departments have the same definition. The Bill is supported by DNR, the surveying community, and has no known opposition.

HB 80 is revenue neutral, program receipts cover costs in the "out" years. A \$10,000.00 one time appropriation for year one is included.

Thank you.

# Alaska State Legislature

REPRESENTATIVE  
**JEANNETTE JAMES**

P.O. Box 56622  
North Pole, Alaska 99705  
(907) 488-1546  
FAX (907) 488-9006



While in Juneau  
State Capitol  
Juneau, Alaska  
99801-1182  
(907) 465-3743  
FAX (907) 465-2381

## House of Representatives

House District 34

HB 80 DNR APPROVAL OF PLATS

January 31, 1995

## SPONSOR STATEMENT

Currently no legal authority reviews plats in the unorganized boroughs for compliance with State law. This means that there is no agency review of access to each lot, the outcome is that there are landlocked lots created.

Currently "paper plats" are allowed to be recorded without being surveyed, HB 80 corrects this oversight. This legislation requires the Department of Natural Resources to review plats for compliance with State law.

There are several definitions of Street and Subdivision in various Statutes, this legislation defines them as requested by the Department of Natural Resources.



# SENATE COMMITTEE REPORT

DATE: 3/28/95

FURTHER: Finance

DATE TURNED INTO OFFICE: 4/30/95

*four*

CRA Committee considered CS FOR HOUSE BILL NO. 80(CRA)

"An Act establishing the Department of Natural Resources as the platting authority in certain areas of the state; relating to subdivisions and dedications; and providing for an effective date."

and recommends:

- be replaced with S <sup>CS</sup> CS HB 80 (CRA)
- adopt previous CS \_\_\_\_\_
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

- Senate Bill: same title
- new title
- House Bill: same title
- technical change
- new: SCR# \_\_\_\_\_

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
		<i>Tom Kelly</i>	—		
		<i>Jim Hoff</i>	✓		
CHAIR: <i>John Ingram</i>	✓				

**NEW FISCAL NOTE(S):**

Department                      Date    Zero    Fiscal


**PREVIOUS FISCAL NOTE(S):\***

Department                      Date    Zero    Fiscal

<i>Natural Resources</i>	<i>5/3/95</i>		✓
<i>Community &amp; Regional Affairs</i>	<i>1/27/95</i>		✓

[ ] APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

BASIS JOURNAL TEXT

03/22/95

HOUSE JOURNAL

PAGE 0855

03/22/95

HOUSE JOURNAL

PAGE 0856

HB 80

THE QUESTION BEING: "SHALL CSHB 80(CRA) PASS THE HOUSE?" THE  
ROLL WAS TAKEN WITH THE FOLLOWING RESULT:

CSHB 80(CRA)  
THIRD READING  
FINAL PASSAGE

YEAS: 30 NAYS: 5 EXCUSED: 2 ABSENT: 3

YEAS: AUSTERMAN, BARNES, BROWN, B.DAVIS, G.DAVIS, ELTON, FOSTER,  
GREEN, GRUSSENDORF, HANLEY, IVAN, JAMES, KOHRING, KOTT, MACKIE,  
MARTIN, MOSES, MULDER, OGAN, PARNELL, PHILLIPS, PORTER, ROBINSON,  
ROKEBERG, SANDERS, THERRIALT, TOOHEY, VEZEY, WILLIAMS. WIIITS

NAYS: BUNDE, DAVIES, FINKELSTEIN, KUBINA, NAVARRE

EXCUSED: MACLEAN, NICHOLIA

ABSENT: BRICE, KELLY, MASEK

AND SO, CSHB 80(CRA) PASSED THE HOUSE.

REPRESENTATIVE VEZEY MOVED AND ASKED UNANIMOUS CONSENT THAT THE  
ROLL CALL ON THE PASSAGE OF THE BILL BE CONSIDERED THE ROLL CALL ON THE  
EFFECTIVE DATE CLAUSE. THERE BEING NO OBJECTION, IT WAS SO ORDERED.

REPRESENTATIVE NAVARRE GAVE NOTICE OF RECONSIDERATION OF HIS VOTE ON  
CSHB 80(CRA).

03/24/95

HB 80

RECONSIDERATION OF THE FOLLOWING WAS NOT TAKEN UP ON THIS LEGISLATIVE  
DAY. IT WAS ENGROSSED, SIGNED BY THE SPEAKER AND CHIEF CLERK AND  
TRANSMITTED TO THE SENATE FOR CONSIDERATION:

# FISCAL NOTE

Revision Date: January 27, 1995 Dept. Affected: Community & Regional Affairs  
 Title: An Act establishing the DNR as the BRU: Local Government Assistance  
planning authority in certain parts of... Component: Municipal Lands Trustee  
 Sponsor: Representative James  
 Requestor: House C & RA Committee COMPONENT SERIAL NO. 381

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	75.0	75.0	75.0	75.0	75.0	75.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>75.0</b>	<b>75.0</b>	<b>75.0</b>	<b>75.0</b>	<b>75.0</b>	<b>75.0</b>
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE FUND SOURCE:						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	75.0	75.0	75.0	75.0	75.0	75.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>75.0</b>	<b>75.0</b>	<b>75.0</b>	<b>75.0</b>	<b>75.0</b>	<b>75.0</b>

POSITIONS:

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

Estimate of current (FY94) impact \$ none

ANALYSIS: (Attach a separate page if necessary)  
 This bill establishes DNR as the platting authority in the unorganized borough. With regard to fiscal impacts the bill would affect DCRA because certain leasing activity undertaken by the Municipal Lands Trust (MLT) Program would become subject to a new requirement for site surveying and plat approval. DCRA now generally bases its leases on office property plats rather than formal surveys. MLT staff estimate that there would be a requirement for 20-25 such surveys per year, for an estimated cost of about \$75,000 in contracted survey costs.

Prepared by: Remond Henderson, Director *Remond Henderson* Phone: 465-4708  
 Division: Division of Administrative Services Date: 1/27/95  
 Approved by Commissioner: Remond Henderson for M. Irwin Date: 1/27/95  
 Agency: Community & Regional Affairs

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ORIGINAL

**HB**

**86**

**SFIN**

**FILE**



OFFICIAL BUSINESS

Alaska State Legislature  
Senate  
Office of the Secretary

STATE CAPITOL  
JUNEAU, ALASKA 99801-1182  
(907) 485-3701  
FAX: 465-2832

FOR YOUR IMMEDIATE ATTENTION

DATE:

4/20/95

TO SENATE COMMITTEE:

Finance, Katny

FROM: Office of the Senate Secretary

The Chairman of the above-referenced Committee has waived the Committee referral on the following bill(s):

HB 86 municipal Personal Property Taxation  
SB 25 Repeal Vegetable Dealer Licensing

Please give the bill file(s) to the page delivering this message for forwarding to the next Committee of referral.

Thank you for your prompt attention to this request.

JR/s

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

FISCAL NOTE

No. 1  
Bill Version: CSHB 86(CRA)  
(H) Publish Date: 2/1/95

Revision Date: \_\_\_\_\_ Dept. Affected: Community & Regional Affairs  
Title: 'An Act relating to municipal property taxes.' BRU: \_\_\_\_\_  
Sponsor: Representative Hanley, Bunde Component: \_\_\_\_\_  
Requestor: \_\_\_\_\_ COMPONENT SERIAL NO. \_\_\_\_\_

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL						
REVENUE FUND SOURCE:						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
State Impact Aid Fund						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

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

Estimate of current (FY94) Impact \$ none

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Remond Henderson, Director *Remond Henderson* Phone: 465-4708  
Division: Administrative Services Date: 1/19/95  
Approved by Commissioner: Mike Irwin *Mike Irwin* Date: 1/19/95  
Agency: Community & Regional Affairs

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# ENATE COMMITTEE REPORT

DATE: 3/16/95

FURTHER: Finance

DATE TURNED INTO OFFICE: 4/12/95

CRA Committee considered CS FOR HOUSE BILL NO. 86(CRA)(title am)

"An Act relating to municipal flat taxes on personal property and permitting municipalities to classify and exempt or partially exempt some or all types of personal property from ad valorem taxes."

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

Senate Bill:

- same title
- new title
- House Bill:
- same title
- technical change
- new: SCR# \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Roller, E. Hill</i>	✓	<i>[Signature]</i>	✓		
		<i>[Signature]</i>	✓		
CHAIR: <i>[Signature]</i>	X				

**NEW FISCAL NOTE(S):**

Department	Date	Zero	Fiscal

**PREVIOUS FISCAL NOTE(S):\***

Department	Date	Zero	Fiscal
<i>Community &amp; Religious Affairs</i>	<i>1/19/95</i>	✓	

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

**HB**

**90**

SFIN

FILE



# Alaska State Legislature

## Senate

Office of the Secretary

OFFICIAL BUSINESS

P.O. BOX V  
CAPITOL BUILDING  
JUNEAU, ALASKA 99811

FOR YOUR IMMEDIATE ATTENTION

DATE:

4/28/96

TO SENATE COMMITTEE:

Finance

FROM: Office of the Senate Secretary

The Chairman of the above-referenced Committee has waived the Committee referral on the following bill(s):

HB 329 - ~~Then~~ Restitution for Certain  
Game Violating

HB 90 - Convening Legislature after  
Governor Election

Please give the bill file(s) to the page delivering this message for forwarding to the next Committee of referral.

Thank you for your prompt attention to this request.

JR/s

# FISCAL NOTE

No. 4

Bill Version: HB 90am

(S) Publish Date: 2-29-96

**STATE OF ALASKA  
1996 LEGISLATIVE SESSION**

Revision Date: 1/23/96 Dept. Affected: Executive Branch Agencies  
 Title: "An Act changing the date that the legislature convenes in the years following a gubernatorial election." BRU: Various  
 Component: Various  
 Sponsor: Rep. B. Davis  
 Requester: Rep. B. Davis COMPONENT SERIAL NO. \_\_\_\_\_

**Expenditures/Revenues (Thousands of Dollars)**

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 100	FY 01	FY 02
PERSONAL SERVICES	0.0	0.0	(5.8)	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>(5.8)</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	(5.1)	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other 1081 Info Svcs Fund	0.0	0.0	(0.7)	0.0	0.0	0.0
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>(5.8)</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY96) cost: \$ \_\_\_\_\_

**POSITIONS**

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

**ANALYSIS: (Attach a separate page if necessary)**

**Executive Branch Overtime Cost Savings**  
 (Based on 1/16/95 overtime costs plus 1.5% increase to reflect increases due to Labor Contracts.)

Commissioner's Executive Secretaries	3,567
Governor's Executive Office over-time eligible staff	1,551
Department of Administration, Information Services over-time eligible staff	715
<b>Total</b>	<b>5,833</b>

Prepared by: Laura Baker, Budget Analyst  
 Division: Budget Review

Phone: 465-4684  
 Date: 1/23/96

Approved by Commissioner: Annalee McConnell, Director  
 Agency: Office of Management and Budget

Date: 1/24/96

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FISCAL NO

No. 3

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

NO  
BIL  
PU

Bill Version: HB 90am  
(S) Publish Date: 2-29-96

Revision Date: \_\_\_\_\_  
Title: "An Act changing the date that the legislature convenes in the years following a gubernatorial...  
Sponsor: Representatives B. Davis  
Requestor: Senate State Affairs

Department Affected: Legislative Affairs Agency  
BRU: All  
Component: All

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

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

REVENUE FUND SOURCE	0	0	0	0	0	0
---------------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

Estimate of current year impact: \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary)

Zero fiscal impact.

Prepared By: Karla Schofield, Deputy Director  
Division: Administrative Services

Phone: 465-3852  
Date: 1/17/96

Approved By: Pamela A. Varni, Executive Director  
Agency: Legislative Affairs Agency

Pamela A. Varni  
Date: 1/17/96

# FISCAL NOTE

No. 2

Version: HB 90

(H) Publish Date: 3/14/95

**STATE OF ALASKA  
1995 LEGISLATIVE SESSION**

Revision Date: \_\_\_\_\_ Dept. Affected: Executive Branch Agencies  
 Title: "An Act changing the date that the legislature convenes  
in the years following a gubernatorial election." BRU: Various  
 Sponsor: Rep. B. Davis Component: Various  
 Requestor: Rep. B. Davis COMPONENT SERIAL NO. \_\_\_\_\_

**Expenditures/Revenues (Thousands of Dollars)**

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	0.0	0.0	0.0	(5.7)	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>(5.7)</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ( )						
------------------------	--	--	--	--	--	--

**FUND SOURCE (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	(5.0)	0.0	0.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
1081 Information Services Fund				(0.7)		
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>(5.7)</b>	<b>0.0</b>	<b>0.0</b>

Estimate of current year (FY 95) cost: \$ 0.0

**POSITIONS:**

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

**ANALYSIS:** (Attach a separate page if necessary)

(Please see attached)

The Information Services Fund (ISF) portion of the reduction (.7) would also be recorded as a reduction in I/A receipt authority in the ISF portion of the front section of the appropriation bill.

Prepared by: Nancy Slagle, Director *Nancy Slagle* Phone: 465-4681  
 Division: Budget Review Date: 2/14/95  
 Approved by Commissioner: Annalee McConnell, Director *Annalee McConnell* Date: 2/14/95  
 Agency: Office of Management & Budget

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**COMMITTEE COPY**

## HOUSE BILL 90 COST SAVINGS ANALYSIS

### **Executive Branch Overtime Cost Savings** (Based on 1/16/95 overtime costs)

Commissioner's Executive Secretaries	3,514
Governor's Executive Office over-time eligible staff	1,528
Department of Administration, Information Services over-time eligible staff	705
<b>Total</b>	<b>5,747</b>

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

No. 1  
Bill Version HB 90  
(H) Publis. Date: 2/22/95

Revision Date: \_\_\_\_\_  
Title: "An Act changing the date that the legislature convenes in the years following a gubernatorial...  
Sponsor: Representative B. Davis  
Requestor: Representative B. Davis

Department Affected: Legislative Affairs Agency  
BRU: All  
Component: All

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE FUND SOURCE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

Estimate of current year impact: \_\_\_\_\_

ANALYSIS. (Attach a separate page if necessary)

Zero fiscal impact.

Prepared By: Karla Schofield, Deputy Director Phone: 465-3852  
Division: Administrative Services Date: 1/31/95

Approved By: Pamela A. Varni, Executive Director  
Agency: Legislative Affairs Agency Date: 1/30/95

Distribution (by preparer): Leg. Finance, Legislative Sponsor, Requestor, OMB, Gov., & Impacted Agency(ies).

**COMMITTEE COPY**

# SENATE COMMITTEE REPORT

DATE: 2/29/96

FURTHER: Finance

DATE TURNED INTO OFFICE: 4/24/96

The Judiciary Committee considered HOUSE BILL NO. 90 am

"An Act changing the date that the legislature convenes in the years following a gubernatorial election; changing the date that the term of a member of the legislature begins in the years following a gubernatorial election."

and recommends:

be replaced with \_\_\_\_\_ CS \_\_\_\_\_

adopt previous \_\_\_\_\_ CS \_\_\_\_\_

attached amendment(s)

adopt Letter of Intent by \_\_\_\_\_ Committee

further referral to the \_\_\_\_\_ Committee

**Senate Bill:**

same title

new title

**House Bill:**

same title

technical change

new: SCR# \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
		Mike Miller	✓		
		Lynne Green	✓		
		Al Cook	✓		
CHAIR: <i>[Signature]</i>	✓				

**NEW FISCAL NOTE(S):**

Department                      Date    Zero    Fiscal

Department	Date	Zero	Fiscal

**PREVIOUS FISCAL NOTE(S):\***

Department                      Date    Zero    Fiscal

Department	Date	Zero	Fiscal
Executive Branch	1/24/96	✓	
LAA	2/5/96	✓	

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

# SENATE COMMITTEE REPORT

DATE: 4/12/95

FURTHER: Judiciary

DATE TURNED INTO OFFICE: 2-29-96

State Affairs Committee considered HOUSE BILL NO. 90 am

Changing the date that the legislature convenes in the years following a gubernatorial election; changing the date that the term of a member of the legislature begins in the years following a gubernatorial election.

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

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**Senate Bill:**  
 | same title  
 | new title  
**House Bill:**  
 | same title  
 | technical change  
 | new: SCR# \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Wesley</i>	✓	<i>Tom J. Flanagan</i>	✓		
		<i>Roll EC file</i>	✓		
		<del>_____</del>			
<b>CHAIR:</b>		<i>Bob [unclear]</i>	✓		

**NEW FISCAL NOTE(S):**

Department	Date	Zero	Fiscal
<i>LAA</i>	<i>1/7/96</i>	0	
<i>OmB</i>	<i>1/27/96</i>	0	

**PREVIOUS FISCAL NOTE(S):\***

Department	Date	Zero	Fiscal

*#B90 am*

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

BILL: HB 90 SHORT TITLE: CONVENING LEGISLATURE AFTER GOV ELECTION  
BILL VERSION: HB 90 AM  
SPONSOR(S): REPRESENTATIVE(S) B. DAVIS, FOSTER, MACLEAN, MACKIE, NICHOLIA, ELTON  
FINKELSTEIN, ROBINSON, DAVIES, KUBINA, JAMES, TOOHEY, NAVARRE; SENATOR(S) DONLEY

CURRENT STATUS: (S) RLS

STATUS DATE: 04/25/96

TITLE: "AN ACT CHANGING THE DATE THAT THE LEGISLATURE CONVENES IN THE YEARS FOLLOWING A GUBERNATORIAL ELECTION; CHANGING THE DATE THAT THE TERM OF A MEMBER OF THE LEGISLATURE BEGINS IN THE YEARS FOLLOWING A GUBERNATORIAL ELECTION."

01/17/95	51	(H)	READ THE FIRST TIME - REFERRAL(S)
01/17/95	52	(H)	STATE AFFAIRS, JUDICIARY
01/27/95	163	(H)	COSPONSOR(S): FOSTER, MACLEAN
01/30/95	180	(H)	COSPONSOR(S): MACKIE, NICHOLIA
01/30/95	180	(H)	COSPONSOR(S): ELTON, FINKELSTEIN
02/01/95	210	(H)	COSPONSOR(S): ROBINSON, DAVIES
02/01/95	210	(H)	COSPONSOR(S): KUBINA, JAMES
02/03/95	242	(H)	COSPONSOR(S): TOOHEY
02/22/95	443	(H)	STA RPT 7DP
02/22/95	444	(H)	DP: PORTER, GREEN, IVAN, ROBINSON
02/22/95	444	(H)	DP: WILLIS, OGAN, JAMES
02/22/95	444	(H)	ZERO FISCAL NOTE (LAA)
03/14/95	726	(H)	JUD RPT 5DP 1AM
03/14/95	727	(H)	DP: FINKELSTEIN, PORTER, GREEN, TOOHEY
03/14/95	727	(H)	DP: BUNDE
03/14/95	727	(H)	AM: VEZEY
03/14/95	727	(H)	FISCAL NOTE (GOV/ALL DEPTS)
03/14/95	727	(H)	ZERO FISCAL NOTE (LAA) 2/22/95
03/15/95	756	(H)	FIN REFERRAL ADDED
03/28/95	966	(H)	FIN REFERRAL WAIVED
04/12/95	1287	(H)	RULES TO CALENDAR 4/12/95
04/12/95	1287	(H)	READ THE SECOND TIME
04/12/95	1288	(H)	AM NO 1 ADOPTED UNAN CONSENT
04/12/95	1288	(H)	...CHANGES TITLE OF LEGISLATION
04/12/95	1289	(H)	ADVANCED TO THIRD READING UNAN CONSENT
04/12/95	1289	(H)	READ THE THIRD TIME HB 90 AM
04/12/95	1289	(H)	PASSED Y37 N2 E1
04/12/95	1302	(H)	COSPONSOR(S): NAVARRE
04/12/95	1303	(H)	TRANSMITTED TO (S)
04/12/95	1010	(S)	READ THE FIRST TIME - REFERRAL(S)
04/12/95	1010	(S)	STA, JUD
02/23/96	2519	(S)	CROSS SPONSOR(S): DONLEY
02/29/96	2598	(S)	STA RPT 1DP 3NR
02/29/96	2598	(S)	ZERO FN (LAA)
02/29/96	2598	(S)	NEGATIVE FN (GOV)
02/29/96	2598	(S)	FIN REFERRAL ADDED
04/25/96	3553	(S)	JUD RPT CS 1DP 3NR
04/25/96	3553	(S)	PREVIOUS NEGATIVE FN (GOV)
04/25/96	3553	(S)	PREVIOUS H ZERO FN (LAA)