

ALASKA LEGISLATURE

1464

HOUSE and SENATE FINANCE COMMITTEE FILES, 1995-1996

## State Land Grant Rankings

Ranked by the amount of federal land given to Higher Education	
1 New Mexico	1,346,546
2 Oklahoma	1,050,000
3 New York	990,000
4 Arizona	849,197
5 Pennsylvania	780,000
6 Ohio	699,120
7 Utah	556,141
8 Illinois	526,080
9 Indiana	436,080
10 Montana	388,721
11 Idaho	386,686
12 Alabama	383,785
13 Missouri	376,080
14 South Dakota	366,080
15 Massachusetts	360,000
16 Mississippi	348,240
17 Washington	336,080
18 North Dakota	336,080
19 Wisconsin	332,160
20 Kentucky	330,000
21 Tennessee	300,000
22 Virginia	300,000
23 Iowa	286,080
24 Michigan	286,080
25 Georgia	270,000
26 North Carolina	270,000
27 Louisiana	256,292
28 Minnesota	212,160
29 Maine	210,000
30 Maryland	210,000
31 New Jersey	210,000
32 California	196,080
33 Arkansas	196,080
34 Florida	182,160
35 Connecticut	180,000
36 South Carolina	180,000
37 Texas	180,000
38 Kansas	151,270
39 New Hampshire	150,000
40 Vermont	150,000
41 West Virginia	150,000
42 Colorado	138,040
43 Oregon	136,165
44 Nevada	136,080
45 Nebraska	136,080
46 Wyoming	136,080
47 Rhode Island	120,000
48 Alaska	112,064
49 Delaware	90,000
50 Hawaii	0
<b>TOTAL</b>	<b>16,707,787</b>

Average 334,156

Ranked by the percentage of the state grant given to Higher Education	
1 New York	100.00%
2 Pennsylvania	100.00%
3 Massachusetts	100.00%
4 Tennessee	100.00%
5 Virginia	100.00%
6 Georgia	100.00%
7 North Carolina	100.00%
8 Maine	100.00%
9 Maryland	100.00%
10 New Jersey	100.00%
11 Connecticut	100.00%
12 South Carolina	100.00%
13 Texas	100.00%
14 New Hampshire	100.00%
15 Vermont	100.00%
16 West Virginia	100.00%
17 Rhode Island	100.00%
18 Delaware	100.00%
19 Kentucky	93.06%
20 Oklahoma	33.92%
21 Ohio	25.34%
22 Washington	11.04%
23 Indiana	10.79%
24 South Dakota	10.66%
25 North Dakota	10.62%
26 New Mexico	10.52%
27 Idaho	9.09%
28 Illinois	8.44%
29 Arizona	8.05%
30 Alabama	7.67%
31 Utah	7.41%
32 Montana	6.52%
33 Mississippi	5.71%
34 Missouri	5.07%
35 Nevada	4.99%
36 Nebraska	3.93%
37 Iowa	3.55%
38 Wisconsin	3.26%
39 Wyoming	3.13%
40 Colorado	3.09%
41 Michigan	2.36%
42 Louisiana	2.24%
43 California	2.22%
44 Kansas	1.94%
45 Oregon	1.94%
46 Arkansas	1.64%
47 Minnesota	1.29%
48 Florida	0.75%
49 Alaska	0.11%
50 Hawaii	0.00%
<b>TOTAL</b>	<b>5.09%</b>

Average 42.01%

Ranked by the amount of federal land given to the States	
1 Alaska	104,569,251
2 Florida	24,214,366
3 Minnesota	16,422,051
4 New Mexico	12,794,718
5 Michigan	12,142,846
6 Arkansas	11,936,834
7 Louisiana	11,441,343
8 Arizona	10,543,753
9 Wisconsin	10,179,804
10 California	8,825,508
11 Iowa	8,061,262
12 Kansas	7,794,669
13 Utah	7,501,737
14 Missouri	7,417,022
15 Oregon	7,032,847
16 Illinois	6,334,655
17 Mississippi	6,097,997
18 Montana	5,963,338
19 Alabama	5,006,883
20 Colorado	4,471,604
21 Wyoming	4,342,520
22 Idaho	4,254,448
23 Indiana	4,040,518
24 Nebraska	3,458,711
25 South Dakota	3,435,373
26 North Dakota	3,163,552
27 Oklahoma	3,095,760
28 Washington	3,044,471
29 Ohio	2,758,862
30 Nevada	2,725,226
31 New York	990,000
32 Pennsylvania	780,000
33 Massachusetts	360,000
34 Kentucky	354,607
35 Tennessee	300,000
36 Virginia	300,000
37 Georgia	270,000
38 North Carolina	270,000
39 Maine	210,000
40 Maryland	210,000
41 New Jersey	210,000
42 Connecticut	180,000
43 South Carolina	180,000
44 Texas	180,000
45 New Hampshire	150,000
46 Vermont	150,000
47 West Virginia	150,000
48 Rhode Island	120,000
49 Delaware	90,000
50 Hawaii	0
<b>TOTAL</b>	<b>328,426,536</b>

Average 6,568,531

**DIVISION OF LEGAL SERVICES**

**LEGISLATIVE AFFAIRS AGENCY**

**STATE OF ALASKA**

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

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

**MEMORANDUM**

May 5, 1995

**SUBJECT:** House CS for CSSB 16(RES), relating to the University of Alaska --  
sectional analysis (Work Order No. 9-LS0165/M)

**TO:** Senator Steve Frank

**FROM:** Jack Chenoweth  
Legislative Counsel

The measure proposes (1) to permit the University of Alaska to select and receive the conveyance of 350,000 acres of land that has been selected by the state under the provisions of section 6(b) of the Alaska Statehood Act and (2) to hold the land selected in trust as part of the University endowment.

Specifically--

**Bill section 6**, proposing a new section, AS 14.40.365, would authorize selection of, and conveyance of, state land by the University:

-- Subsection (a) sets the total amount of land the University may select and describes the kind of land that is available to the University to complete its selection, tying the description of the kind of land that may be selected to its status on the date the land is selected.

-- Subsection (b) sets aside the effect of AS 38.05.125(a) to allow the state to pass the mineral or subsurface estate in the land selected to the University. However, the state's oil and gas interest in land that the University may select passes only as to land that the University selects after the fifth anniversary date of the Act's effective date.

-- Subsection (c) requires selections in parcels of at least 40 acres and mandates conveyance of University selections "unless the commissioner [of natural resources] determines under [subsection (e)] that the title should not be conveyed." Conveyances are subject to later divestiture.

-- Subsection (d) prescribes the authority of the respective parties, the state and the University, for land that the University has selected but as to which it has not received title, and sets out the circumstances under which the respective parties have a claim on the earnings

or proceeds of the land selected before and after issuance of a document of interim conveyance or a patent.

-- Subsection (e) precludes the commissioner of natural resources from conveying land if the conveyance of the proposed selection conflicts with a municipal land selection, is subject to an oil and gas exploration license, or is not in the state's best interests, and identifies factors that the commissioner is to consider.

-- If there is a difference of opinion between the Board of Regents and the commissioner of natural resources as to a land selection, subsection (f) directs the governor to make a final decision with respect to the conflict over the selection.

-- Subsection (g) declares that the University takes land conveyed to it subject to any outstanding possessory interest--any outstanding interest in the party held or asserted by a third party--but, except as specifically provided for income due the state from existing encumbrances, gives to the University the right to any consideration otherwise due the state for that possessory interest from date of conveyance to termination of the possessory interest.

-- Subsection (h), applicable to the land conveyances, imposes on the commissioner of natural resources the duty to provide notice and allow access.

-- Subsection (i) subjects the land that is transferred or conveyed to the University to certain other laws:

-- section 6(i) of the Statehood Act, reserving to the state--under subsection (b), presumably to the University the mineral estate;

-- article IX of the state constitution, addressing, generally, matters of finance and taxation;

-- AS 19.10.010, a provision relating to the reservation of state land for public highway purposes;

-- payment of all amounts due the Alaska Permanent Fund; and

-- the rights of the state under former 43 U.S.C. 932--more commonly known as RS 2477--relating to rights-of-way over unreserved public land for public highway construction;

but it excludes from selection by and conveyance to the University certain lands obtained by the state under the Alaska Omnibus Act, P.L. 86-70. In addition, under paragraph (3) of the subsection, for land selections made by the University within five years of the taking effect of the Act, the state shall reserve to itself in perpetuity any oil and gas interests on that land.

-- Subsection (j) requires the University to bear the costs of selection, platting, surveying, and conveyance of its selections and sets limits on the nature of the survey requirements that attach to land selections. This subsection also sets a time limit of one year on the conveyance of selected land that is unsurveyed.

Senator Steve Frank

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-- Subsection (k) permits use of documents of interim conveyance. This subsection also sets a time limit of one year on the issuance of a document of interim conveyance.

-- Subsection (l) declares that, with the exception specifically noted, management of land conveyed by a final or an interim conveyance document vests with the University from the date of the document's recording. The state is to bear the costs of recording the conveyance documents.

-- Subsection (m) sets a final land selection limitation date of December 31, 2009.

-- Subsection (n) establishes a divestiture mechanism under which the land may be reconveyed to the state if, within 10 years of the date of conveyance, the University is neither actively managing the land to provide income nor managing the land under an appropriate development plan.

The remainder of the bill includes a series of collateral provisions --

**Bill section 3** amends AS 14.40.170(a) to add to the duties of the Board of Regents responsibility for the land selected and conveyed to the University under AS 14.40.365, and requires the Regents to include within their required annual report a discussion of the expenditures made based on the earnings of that land.

**Bill section 5** adds "land selected by and conveyed to the University [of Alaska] under AS 14.40.365" as land that is not to be treated as part of the state public domain land. The section further directs that the land conveyed is to be treated as other public land and that it is to be managed by the University as provided by law and in accordance with management rules established by the Board of Regents.

**Bill section 7** adds a series of new related bill sections. Proposed AS 14.40.366 directs the University to establish rules for mineral entry, location, or leasing on the land selections, and to develop an annual plan for the management and disposition of land and describes a framework under which the public has the opportunity to comment on the Regents' plan. Proposed AS 14.40.368 addresses the manner of the management and disposition of income from encumbrances on land selected by and conveyed to the University. That responsibility shifts from the state to the University only after conclusion of the term of an existing encumbrance and the term of any renewal that may be authorized by the language of the existing encumbrance. Proposed AS 14.40.369 declares that the University's management of land conveyed to and held by it must permit continued "customary and traditional uses of the resources of that land to the maximum extent possible."

**Bill section 8** adds a tort immunity provision to protect the University against claims for personal injury, death, or property damage on its land that is unimproved or not actively maintained. Under this bill section, the University does not enjoy tort immunity as to that

land when injury or damage is due to its gross negligence or its reckless or intentional misconduct.

**Bill section 9:** The second amendment set out in AS 14.40.400(a) alters the provision that directs the University to establish an endowment trust fund for land conveyed to it under the 1929 grant to the Territory of Alaska for the benefit of the University to require deposit into the trust the land selected by the University and conveyed by the state under AS 14.40.365. The land selections made under bill section 6 would be managed under applicable trust principles.

**Bill section 11** amends the definition of "university receipts" to incorporate reference to the net income of the University trust fund.

**Bill section 12:** This amendment of AS 29.45.030(a) would extend to the land selected by the University and conveyed to it under AS 14.40.365 the exemption from municipal taxation that is provided to other land granted by the federal or state governments to the University for land grant purposes, by extending to this selected land the exception to an exemption of state land held for purposes of investment.

**Bill section 16** sets aside land that may be used to satisfy the obligation to reconstitute the mental health trust as other land that may not be conveyed to the University under the Act.

\*

In addition to the land selection and conveyance provisions, the bill makes several significant changes with respect to the placement and management of the existing University of Alaska endowment, AS 14.40.400, having the effect of moving all responsibility for the endowment from state agencies to the University itself.

**Bill section 4**, amending AS 14.40.291, shifts responsibility for the management of the donations and endowment from the Department of Revenue to the University of Alaska.

The first amendment to AS 14.40.400(a) made by **bill section 9** also serves to confirm the shift of the endowment trust fund from the Department of Revenue to the University of Alaska.

**Bill section 10** substitutes the president of the University for the commissioner of revenue as the trust fund's fiduciary.

**Bill section 13** makes a related change, deleting from the reference in the Procurement Code what, under the change made in bill section 10, would become an obsolete reference to a power of the commissioner of revenue.

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With the shift of responsibility for management of the endowment trust fund from the commissioner of revenue to the University, bill section 14 repeals reference to the responsibility of the commissioner of administration for the disbursement of the trust fund's net income.

Bill section 15 incorporates transitional language covering the transfer of the endowment trust fund from the Department of Revenue to the University of Alaska.

\*

Finally, bill section 1 incorporates into proposed findings and a statement of purpose a brief history of University land transactions and a justification for this measure, and bill section 2 adds a statement of legislative intent.

JBC:klb

95-338.klb



# Alaska State Legislature

## HOUSE RESOURCES COMMITTEE

State Capitol  
Juneau, Alaska 99801-1182  
(907) 465-3715

May 3, 1995

Sharon Gagnon, President  
University of Alaska  
Board of Regents  
7001 Treetop Circle  
Anchorage, AK 99516

Dear Ms. Gagnon:

During deliberations on Senate Bill 16, "An Act relating to the University of Alaska and university land ...", considerable debate centered on the amount of land transferred by the Federal government to the University as a land grant college.

While initial consideration by the Federal government was given to transferring 350,000 acres to the University, only 112,064 acres were actually transferred. Transfers of federal land to land grant colleges are made by the Federal government.

The State of Alaska has considerable concern over the ability of the University of Alaska to generate significant revenue from such a small land grant. Congress had expressed similar concern during the statehood debates for the State's own ability to generate sufficient revenues.

The Legislature believes that the University of Alaska Board of Regents should pursue Congressional action to transfer additional federal land in Alaska to the University and should call the fact that the State of Alaska has transferred considerable acreage of its own to help support the University to the attention of Congress.

Joe Green  
Co-Chair

Sincerely,

Bill Williams  
Co-Chair

- Attached to file per request of  
HOUSE RESOURCES COMMITTEE -



## Northern Alaska Environmental Center

218 DRIVEWAY  
FAIRBANKS, ALASKA 99701  
(907) 452-5021

To: House Community & Regional Affairs  
From: Northern Alaska Environmental Center  
Re: SB 16 -- Disposal of Land to the University

The Northern Alaska Environmental Center opposes SB 16

While the Northern Center is a strong supporter of the University, we do not believe that SB 16 is the proper mechanism for funding the University. If the State is truly committed to the University there should be no problem funding it through the normal appropriations process.

SB 16 transfers public lands out of public ownership -- this means that Alaskans will lose their voice on the decisions that affect the management of a million unspecified acres. The University will select the best and most valuable land leaving the poorer land to the public. This type of "highgrading" without the opportunity for public comment is not responsible land management.

The land will no longer be managed for multiple public uses, the protection of wildlife habitat will be limited, water quality may be affected.

SB 16 exempts the land transferred from virtually all of the public participation and resource protection requirements of the Alaska Lands Act (AS 38.04 and 38.05).

The "abuse it or lose it" clause forces the University to rush into hasty, ill-conceived and especially destructive development; large-scale clearcutting for export may be one of the few ways that revenue can be generated within the specified timeframe.

SB 16 is not good for Alaska, it is not the answer to University funding and it is not responsible resource management.

Thank You,

Dan Ritzman  
Boreal Forest Coordinator



HC60 Box 306T  
Copper Center, AK 99573  
April 25, 1995

House Committee on Community & Regional Affairs  
c/o Representative Ivan Ivan, Co-Chair  
State Capitol  
Juneau, AK 99801

Re: SB 16 (University Land Grant)

For the Record

Dear Committee Members:

I strongly urge your providing increased financial support for the University of Alaska, but not through the means proposed in SB 16.

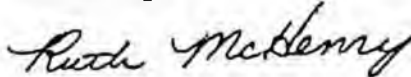
As a UAF graduate, I am grateful for and appreciative of the special role that the university plays in our state. It is disturbing to hear that maintenance has been deferred, that students wear parkas in some classrooms because of aging heating systems, and that a nearly-completed natural science building sits unused for lack of funds. Clearly, these conditions must be corrected, and state funding should be part of the solution.

The land grant system of funding the university would create more problems than it would solve. The cash-strapped university would be forced to sell, lease or develop lands in ways and at times that often would not be in the best interests of the state as a whole. Our state lands belong to all of us, and all of us should have a say in how and when they are used. This important public process would not be available if these lands were granted to the university.

As an alternative, I would be willing to pay a state income tax or sales tax to help bridge the "budget gap" and help the university continue to meet the needs of Alaska and Alaskans.

Again, I urge you to vote "no" on SB 16.

Sincerely,



Ruth McHenry

by FAX to (907)465-4589



Charlie Boddy  
Vice President Of Governmental Relations

April 11, 1995

The Honorable Steve Frank  
Alaska State Legislature  
Juneau, Alaska

Subject: CSSB16 - University Of Alaska Lands Bill

Senator Frank:

The Alaska Coal Association (ACA) has asked me to contact you regarding the above mentioned legislation. The question or concern of the ACA membership is regarding language contained in section 14.40.365 (a)(4)(A). If we are reading this section correctly, all current state coal leases would be available for transfer to the University if selected for conveyance. Is our understanding correct?

Certain leased coal properties, that were original mental health trust lands, were not included in the final reconstituted trust land package. These lands are however still the subject of legal challenges, and their former trust status yet to be determined by the Supreme Court Of Alaska. This pending court decision, unless pressed for by the State under an expedited review, could be years away. The prospect of having any of these coal lands also subject to claim under another state selection process (CSSB-16), would certainly tend to exacerbate the problem, if action were taken prior to a final Supreme Court resolution of mental health land status.

If you could assist us in determining our "lease status" in relation to the selection process envisioned by your legislation, we would be most thankful. If there are questions you have of the ACA members, I can assist in facilitating those discussions. As in the past, thank you for your prompt attention to all matters which impact our business, and to this piece of legislation in particular. With best regards, I remain,  
Sincerely,



Charlie Boddy

cc: Joseph E. Usibelli Jr.  
Robert B. Stiles  
V. Kent Dawson  
Senator Bert Sharp  
ACA Membership

sf041195

**SB**

**16**

**SFIN**

**FILE**

# SENATE FINANCE COMMITTEE REPORT

DATE: 3/20/95

FURTHER:

DATE TURNED INTO OFFICE: 3/27/95

The Finance Committee considered SENATE BILL NO. 16

Univ. domain receipts' subject to prior legislative appropriation. onal state public id as 'university

## SB 16 INCREASE LAND GRANT TO UNIVERSITY OF ALASKA

and recommends:

- be replaced with CS SB 16 (Fix)
- 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>[Signature]</i>	✓	<i>[Signature]</i> Unless Amended		✓	
<i>[Signature]</i>	✓	<i>[Signature]</i>	✓		
Co-Chair: <i>[Signature]</i>	✓				
Co-Chair:		<i>[Signature]</i>	✓		

**NEW FISCAL NOTE(S):**

Department	Date	Zero	Fiscal
DNR (Land Dev)	3/9/95		71.0
DF+G	3/9/95		34.0
DOR	3/9/95	0	

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

Department	Date	Zero	Fiscal
#5 Univ.	1/27/95		100.0
#6 DNR (Info Res)	3/9/95		24.0

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

3131195

15 ELS

3128

CSSB16

Attached is new original for CSSB16 to reflect the correct Component name and Component serial number. No other changes have been made. A copy of the wrong version is attached.

51516

# FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO. CSSB16(FIN)

Revision Date: 9-Mar-95 Dept Affected: Natural Resources  
 Title: An Act relating to the University of Alaska and BRU: Resource Development  
university land, authorizing the University of Alaska to select... Component: Land Development  
 Sponsor: Senator(s) Frank, Kelly, Sharp, Reiger  
 Requestor: \_\_\_\_\_ Component Serial No. 431

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES	60.0	60.0	60.0	60.0	60.0	60.0
TRAVEL	5.0	5.0	5.0	5.0	5.0	5.0
CONTRACTUAL	5.0	5.0	5.0	5.0	5.0	5.0
SUPPLIES	1.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ( )	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other I/A Receipts	71.0	71.0	71.0	71.0	71.0	71.0
<b>TOTAL</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>

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

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)

This fiscal note is for the minimum necessary for DNR to process land conveyances to the University of Alaska. All costs for the conveyance work will be paid by the University to DNR using Interagency Receipts. We assume this includes all costs to include selection, conveyance, records notation, deed recordation, survey, litigation, etc.

\*It is impossible to project the exact amount of revenue these conveyances will generate for the University, and will be lost to the state, without knowing what lands will be transferred. With the inclusion of oil and gas, the revenue lost to the state will be significant.

Prepared by: Ron Swanson, Director Phone: 465-2406  
 Division: Division of Land Date: 9-Mar-95  
 Approved by Commissioner: [Signature] Date: 3-28-95  
 Agency: Natural Resources

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3/13/95  
(S) RES, FIN

# FISCAL NOTE

STATE OF ALASKA

BILL NO. CSSB16(CRA)

1995 LEGISLATIVE SESSION

Revision Date: 9-Mar-95 Dept Affected: Natural Resources  
 Title: An Act relating to the University of Alaska and BRU: Resource Development  
University land, authorizing the University of Alaska to select... Component: Information Resource Management  
 Sponsor: Senator(s) Frank, Kelly, Sharp, Reiger Land Management  
 Requestor: \_\_\_\_\_ Component Serial No. 427 131

Expenditures/Revenues		(Thousands of Dollars)					
OPERATING EXPENDITURES	FY96	FY97	FY98	FY99	FY00	FY01	
PERSONAL SERVICES	60.0	60.0	60.0	60.0	60.0	60.0	
TRAVEL	5.0	5.0	5.0	5.0	5.0	5.0	
CONTRACTUAL	5.0	5.0	5.0	5.0	5.0	5.0	
SUPPLIES	1.0	1.0	1.0	1.0	1.0	1.0	
EQUIPMENT							
LAND & STRUCTURES							
GRANTS, CLAIMS							
MISCELLANEOUS							
<b>TOTAL OPERATING</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</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 ( )</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>	

FUND SOURCE		(Thousands of Dollars)					
*002 Federal Receipts							
*003 GF Match							
*004 GF							
*005 GF/Program Receipts							
*006 GF/MHTIA							
Other I/A Receipts	71.0	71.0	71.0	71.0	71.0	71.0	
<b>TOTAL</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	

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

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: *Replaced by 3/23/95 note* (Attach a separate page if necessary)

This fiscal note is for the minimum necessary for LNR to process land conveyances to the University of Alaska. All costs for the conveyance work will be paid by the University to DNR using Interagency Receipts. We assume this includes all costs to include selection, conveyance, records notation, deed recordation, survey, litigation, etc.

\*\*It is impossible to project the exact amount of revenue these conveyances will generate for the University, and will be lost to the state, without knowing what lands will be transferred. With the inclusion of oil and gas, the revenue lost to the state will be significant.

Prepared by: Ron Swanson, Director Phone: 465-2406  
 Division: Division of Land Date: 9-Mar-95  
 Approved by Commissioner: \_\_\_\_\_ Date: 3-9-95  
 Agency: Natural Resources

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3113195  
(S) RES, FIN

# FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO. CSSB 16 (CRA)

Revision Date: 3/8/95 Dept. Affected: Fish and Game  
 Title: University Land Selection BRU: Habitat and Restoration Division  
 Component: Habitat  
 Sponsor: Senator Frank  
 Requester: Senate Resources COMPONENT SERIAL NO. 488

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

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	31.2	31.2	31.2	31.2	31.2	31.2
TRAVEL	1.8	1.8	1.8	1.8	1.8	1.8
CONTRACTUAL	1.0	1.0	1.0	1.0	1.0	1.0
SUPPLIES	0.5	0.5	0.5	0.5	0.5	0.5
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>34.3</b>	<b>34.3</b>	<b>34.3</b>	<b>34.3</b>	<b>34.3</b>	<b>34.3</b>

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ( )	0.0	0.0	0.0	0.0	0.0	0.0
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	34.3	34.3	34.3	34.3	34.3	34.3
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>34.3</b>	<b>34.3</b>	<b>34.3</b>	<b>34.3</b>	<b>34.3</b>	<b>34.3</b>

Estimate of any current year (FY95) cost: \$ 0.0

**POSITIONS**

FULL-TIME	0.5	0.5	0.5	0.5	0.5	0.5
PART-TIME						
TEMPORARY						

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

The Department of Fish and Game will require approximately one-half full time equivalent for a Habitat Biologist to review university land selections and advise the Department of Natural Resources on the effects of conveyance to fish and wildlife resources, public uses of fish and wildlife; and potentially for legislatively designated state game refuges, critical habitat areas, and game sanctuaries. Additionally, as university land selections are made, existing state land management and Special Area plans will have to be revised to reflect the changes in land management. This will require approximately one-half full time equivalent of Habitat biologist participation to advise the Department of Natural Resources on their revised land management plans and to revise the Department of Fish and Game's Special Area plans.

Prepared by: Ellen Fritts, Acting Director  
 Division: Habitat and Restoration  
 Approved by Commissioner: [Signature]  
 Agency: Alaska Department of Fish and Game

Phone: 465-4105  
 Date: 3/8/95  
 Date: 3/9/95

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FISCAL NOTE

No. 5

Bill Version: SB16

(S) Publish Date: 2/22/95

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

Revision Date:  
Title: Land Grant to the University

Department Affected: University of Alaska  
BRU: Statewide Programs and Services  
Component: Statewide Services

Sponsor: Frank  
Requestor:

COMPONENT SERIAL NO.

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	100.0	100.0	100.0	100.0	100.0	100.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	100.0	100.0	100.0	100.0	100.0	100.0

CAPITAL						
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REVENUE FD SOURCE						
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FUNDING: (Thousands of Dollars)	FY96	FY97	FY98	FY99	FY00	FY01
1002 FEDERAL FUNDS						
1003 GF MATCH						
1004 GENERAL FUND						
1006 GF/MHTIA						
1048 University Receipts	100.0	100.0	100.0	100.0	100.0	100.0
TOTAL FUNDING	100.0	100.0	100.0	100.0	100.0	100.0

POSITIONS:	FY96	FY97	FY98	FY99	FY00	FY01
FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.) The costs identified are for a contract with the Department of Natural Resources for land conveyance costs. Costs could exceed those identified if land conveyance can be done more quickly than is currently anticipated. Any additional expenses will be covered from the land grant trust fund, identified as University Receipts. Additional receipt and expenditure authority would be request at that time. Additional land will generate additional revenue. However, without specific identification of land we are unable to quantify the potential for revenue generation.

Prepared by: Wendy Matheny, Budget Analyst Phone: 463-3086  
 Division: Statewide Budget Date: \_\_\_\_\_  
 Approved by: Alison Elee, Dir  Date: \_\_\_\_\_  
 Agency: Statewide Budget Date: 1/27/95

# FISCAL NOTE

No. 6  
 Bill Version: CSSB16(CRA)  
 (S) Publish Date: 3/20/95

STATE OF ALASKA

BILL

## LEGISLATIVE SESSION

Revision Date: 9-Mar-95 Dept Affected: Natural Resources  
 Title: An Act relating to the University of Alaska and BRU: Resource Development  
university land, authorizing the University of Alaska to select... Component: Information Resoucre Management  
 Sponsor: Senator(s) Frank, Kelly, Sharp, Reiger  
 Requestor: \_\_\_\_\_ Component Serial No. 427

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES	22.0					
TRAVEL						
CONTRACTUAL	2.0					
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>24.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</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 ( )</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>

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 GF	24.0					
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>24.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

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

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)

This proposed legislation involves considerable public records notation work; however, since the University of Alaska is responsible for covering all cost associated with the selection, platting, survey and conveyance, those costs will be identified after we have worked with the University to identify a deliverables and a contract. The Land Records Information Section assumes that the records work associated with each of these steps will be paid by the University based on actual cost.

LRIS will need to set up a tracking system to facilitate the selection and conveyance process. LRIS must develop a new Land Administration System (LAS) casetype for these conveyances, and will establish a tracking subsystem within LAS. A separate tracking mechanism is necessary to comply with Sec. 40.365(n), where the commissioner is required to recover title after 10 years if certain conditions are not met. These are not expenses specified to be covered by the University.

Prepared by: Nico Bus, Acting Director Phone: 465-2406  
 Division: Support Services Date: 3-Mar-95  
 Approved by Commissioner: \_\_\_\_\_ Date: 3-9-95  
 Agency: Natdral Resources

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3/27/95  
Technical  
Amend.  
Adopted

SB 16 - UA LAND GRANT

AMENDMENT

By Senator Steve Frank

Page 10, Line 8 -- DELETE "displaying", INSERT "disposing"

SENATE FINANCE  
COMMITTEE

Amendment Number: 1  
Bill Number: SB 16  
Sponsor: FRANK Date: 3/27/95  
Logged In By: [Signature]

3/27/95  
Adopted

SB 16 - UA LAND GRANT

AMENDMENT

BY Senator Bert Sharp

Page 5, Lines 16-18 - DELETE

Page 5, After Line 15 - INSERT

(d) Notwithstanding any other provision of law, on land selected by but not yet patented or for which a document of interim conveyance has not been issued to the University of Alaska, under AS 14.40.365:

(1) the state is authorized to enter into contracts and grant leases, licenses, permits, rights of way or easements and any interim conveyance or patent shall be subject to such contract, lease, license, permit, right of way or easement; except that

(A) the authority granted the state by this subsection is that authority the state otherwise would have had under existing laws and regulations had the lands not been selected by the University of Alaska; and

(B) the University of Alaska has concurred prior to such action by the State.

(2) Ninety percent (90%) of any and all proceeds derived from contracted, leases, licenses, permits, rights of way, or easements or from trespasses originating after the date of selection by the University of Alaska shall be held by the state until such lands have been conveyed by the patent or by a document of interim conveyance. Upon the issuance of a document of interim conveyance or a patent the State shall pay to the University of Alaska the proceeds allocable to such lands which are derived from contracts, leases, licenses, permits, rights of way, or easements or from trespasses. Further, subsequent to the issuance of a document of interim conveyance or a patent the University shall receive one hundred percent (100%) of any and all proceeds derived from such contracts, leases, licenses, permits, rights of way, or easements or from trespasses.

(3) The responsibility for management of any contracts, leases, licenses, permits, rights of way, or easements shall vest with the University of Alaska upon issuance of a patent or a document of interim conveyance.

SENATE FINANCE  
COMMITTEE

Amendment Number: 2

Bill Number: SB16

Sponsor: SHARP Date: 3/27/95

Logged In By: [Signature]

Adopted  
3/27/95  
as working  
9-LS0165\C Document

*Fin*  
CS FOR SENATE BILL NO. 16(~~CRA~~)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Offered: 2/22/95

Referred: RES, FIN

Sponsor(s): SENATORS FRANK, Kelly, Sharp, Rieger

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the University of Alaska and university land, authorizing the  
2 University of Alaska to select additional state public domain land, and defining  
3 net income from the University of Alaska's endowment trust fund as 'university  
4 receipts' subject to prior legislative appropriation."

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

6 \* Section 1. FINDINGS AND PURPOSE. The legislature finds that

7 (1) as the beneficiary under the provisions of the Acts of August 30, 1890, and  
8 March 4, 1907, designating the Alaska Agricultural College and School of Mines as  
9 beneficiary, and of March 4, 1915, 38 Stat. 1214, transferring certain land for its location and  
10 support, the University of Alaska is a land grant university;

11 (2) under the Acts of March 4, 1915, 38 Stat. 1214, and January 21, 1929, 45  
12 Stat. 1091, the Congress of the United States granted to the Territory of Alaska certain federal  
13 land to be held in trust for the benefit of the predecessor of the University of Alaska;

14 (3) the Territory was unable to receive most of the land conveyed by the Act

1 of March 4, 1915, before repeal of that Act by Sec. 6(k) of the Alaska Statehood Act (P.L.  
2 85-508, 72 Stat. 339);

3 (4) the Congress of the United States granted the State of Alaska the right to  
4 select 102,500,000 acres of federal land under Sec. 6(b) of the Alaska Statehood Act;

5 (5) the land selection rights embodied in the Alaska Statehood Act reflect in  
6 part congressional recognition that the state would need the land to support its government and  
7 programs, and the Congress assumed that the State of Alaska would in turn devote some of  
8 the land or the income from it for the use and benefit of the University of Alaska;

9 (6) most land grant colleges in the western United States have obtained a larger  
10 land grant from the federal government than the University of Alaska has received;

11 (7) an academically strong and financially secure state university system is a  
12 cornerstone to the long-term development of a stable population and to a healthy, diverse  
13 economy in the state; and

14 (8) it is in the best interests of the state and the University of Alaska that the  
15 university take ownership of a significant and substantial portfolio of income producing land  
16 in order to provide income for the support of public higher education in the state.

17 \* Sec. 2. AS 14.40.170(a) is amended to read:

18 (a) The Board of Regents shall

19 (1) appoint the president of the university by a majority vote of the  
20 whole board, and the president may attend meetings of the board;

21 (2) fix the compensation of the president of the university, all heads of  
22 departments, professors, teachers, instructors, and other officers;

23 (3) confer such appropriate degrees as it may determine and prescribe;

24 (4) have the care, control, and management of

25 (A) all the real and personal property of the university; and

26 (B) land

27 (i) conveyed to the Board of Regents by the  
28 commissioner of natural resources in the settlement of the claim of the  
29 University of Alaska to land granted to the state in accordance with the  
30 Act of March 4, 1915 (38 Stat. 1214), as amended, and in accordance  
31 with the Act of January 21, 1929 (45 Stat. 1091), as amended; and

1 (ii) selected by the University of Alaska and conveyed  
2 to it by the commissioner of natural resources under AS 14.40.365,  
3 except as provided in AS 14.40.368(2);

4 (5) keep a correct and easily understood record of the minutes of every  
5 meeting and all acts done by it in pursuance of its duties;

6 (6) under procedures to be established by the commissioner of  
7 administration, and in accordance with existing procedures for other state agencies,  
8 have the care, control, and management of all money of the university and keep a  
9 complete record of all money received and disbursed;

10 (7) adopt reasonable rules for the prudent trust management and the  
11 long-term financial benefit to the university of the land of the university;

12 (8) provide public notice of sales, leases, exchanges, and transfers of  
13 the land of the university or of interests in land of the university;

14 (9) report each year within the first 10 days of the convening of a  
15 regular session of the legislature on the expenditures made during the preceding fiscal  
16 year from the funds of the University of Alaska that are derived from sales, leases,  
17 exchanges, or transfers of the land of the university or of interests in land of the  
18 university

19 (A) that were conveyed to the University of Alaska in  
20 settlement of the claim of the University of Alaska to land granted to the state  
21 in accordance with the Act of March 4, 1915 (38 Stat. 1214), as amended, and  
22 in accordance with the Act of January 21, 1929 (45 Stat. 1091), as amended;  
23 and

24 (B) that were selected by and conveyed to the University of  
25 Alaska under AS 14.40.365.

26 \* Sec. 3. AS 14.40.291 is amended to read:

27 Sec. 14.40.291. LAND OF THE UNIVERSITY OF ALASKA NOT PUBLIC  
28 DOMAIN LAND. (a) Notwithstanding any other provision of law, university-grant  
29 land, state replacement land that becomes university-grant land on conveyance to the  
30 university, land selected by and conveyed to the University of Alaska under  
31 AS 14.40.365, and any other land owned by the University of Alaska is not and may

1 not be treated as state public domain land. However, land conveyed to the  
2 University of Alaska under AS 14.40.365 shall be treated as other public land and  
3 shall be managed under AS 14.40.366 and rules or regulations of the Board of  
4 Regents of the University.

5 (b) Title to or interest in [TO] land described in (a) of this section may not  
6 be acquired by adverse possession, prescription, or in any other manner except by  
7 conveyance from the university.

8 (c) The land described in (a) of this section is subject to condemnation for  
9 public purpose in accordance with law.

10 \* Sec. 4. AS 14.40 is amended by adding a new section to read:

11 Sec. 14.40.365. UNIVERSITY LAND FROM STATEHOOD ACT LAND  
12 SELECTION CONVEYANCES. (a) The University of Alaska may select and is  
13 entitled to receive the conveyance of 1,000,000 acres of land conveyed to the state  
14 under sec. 6(b) of the Alaska Statehood Act (P.L. 85-508, 72 Stat. 339) that, on the  
15 date of its selection by the university,

16 (1) has not been conveyed by the state;

17 (2) has not been reserved by law from the public domain;

18 (3) is not land

19 (A) included in a five-year proposed oil and gas leasing  
20 program under AS 38.05.180(b); or

21 (B) leased under, or for which a lease application is pending  
22 under, AS 38.05.180(d);

23 (4) is not subject to a possessory interest or encumbrance other than

24 (A) a lease that is not an oil or gas lease;

25 (B) a timber contract;

26 (C) a mining claim;

27 (D) a sale of materials under AS 38.05.110 - 38.05.120;

28 (E) a land use permit or right-of-way issued by the Department  
29 of Natural Resources under AS 38.05;

30 (5) is not necessary to carry out the purpose of an interagency land  
31 management agreement; or

1 (6) is not subject to conveyance under a land exchange or land  
2 settlement agreement.

3 (b) Notwithstanding AS 38.05.125(a), the transfer of ownership and  
4 management of land from the Department of Natural Resources to the Board of  
5 Regents of the University of Alaska under this section includes

6 (1) the interest of the state in the coal, ores, minerals, fissionable  
7 materials, geothermal resources, and fossils that may be in or on the land; and

8 (2) the interest of the state in the oil and gas that may be in or on the  
9 land, but only as to land that is selected by the University of Alaska under this section  
10 on and after the date that is the fifth anniversary of the effective date of this section.

11 (c) When the University of Alaska selects the land to which it is entitled under  
12 this section, unless the commissioner of natural resources determines under (e) of this  
13 section that title to the land should not be conveyed, the commissioner of natural  
14 resources shall convey, subject to divestiture under (n) of this section, a document of  
15 interim conveyance under (k) of this section or a patent to land.

16 (d) When a selection has been made by the University of Alaska under (c) of  
17 this section, the land selected is closed to entry until the land selected has been  
18 conveyed or the selection has been rejected by the commissioner of natural resources.

19 (e) The commissioner of natural resources may not convey title to any land  
20 selection made by the University of Alaska under this section if the commissioner  
21 determines that the proposed selection

22 (1) includes land for which, at the time of its selection under this  
23 section,

24 (A) a municipality has made a selection under AS 29.65, unless  
25 the land selection is, at a later date, rejected by the commissioner of natural  
26 resources or relinquished by the municipality; or

27 (B) the commissioner reasonably believes the land may be  
28 selected by a municipality under AS 29.65.030, but the commissioner may not  
29 withhold under this subparagraph the conveyance of title to land selected by the  
30 university longer than three years after the date of the municipality's  
31 incorporation;

1 (2) includes land that, at the time of its selection under this section,  
2 (A) is subject to an oil and gas exploration license; or  
3 (B) the commissioner reasonably believes will be made part of,  
4 an oil and gas exploration license issued under AS 38.05.131 - 38.05.134; the  
5 commissioner may not refuse to convey title to land to the University of Alaska  
6 under this subparagraph for more than three years after its first selection by the  
7 University of Alaska;

8 (3) is not in the best interests of the state; in making a determination  
9 under this paragraph as to whether a selection by the University of Alaska is in the  
10 best interests of the state, the commissioner shall consider

11 (A) the interest of the general public in retention of the land in  
12 state ownership;

13 (B) ensuring an appropriate diversity in the character of land  
14 owned by the state and by the University of Alaska;

15 (C) the public benefits achieved by conveyance of the land to  
16 the University of Alaska;

17 (D) the probable potential for the development of the land and  
18 its resources and the probable income to the University of Alaska from the  
19 conveyance of the land;

20 (E) benefits to the University of Alaska from the conveyance  
21 of the land to it; and

22 (F) the efficiency of the management of the land resulting from  
23 the conveyance of the land.

24 (f) If the Board of Regents of the University of Alaska disagrees with a  
25 decision of the commissioner of natural resources not to convey to the University of  
26 Alaska land selected by it under this section, the Board of Regents and the  
27 commissioner of natural resources shall submit the matter to the governor, who shall  
28 make the decision. The decision of the governor is final.

29 (g) When land is conveyed to the University of Alaska under this section, the  
30 University of Alaska takes the land subject to any possessory interest held by another  
31 person on the effective date of the conveyance. Except as provided in

1 AS 14.40.368(1), the University of Alaska is entitled to receive the consideration due  
2 under that interest for the duration of the interest.

3 (h) In conveying land to the University of Alaska under this section, the  
4 commissioner of natural resources shall give public notice under AS 38.05.945(b) and  
5 (c) and provide for access under AS 38.05.127, but other provisions of AS 38.04 and  
6 AS 38.05 do not apply.

7 (i) Land transferred or conveyed to the University of Alaska under this section

8 (1) is subject to

9 (A) section 6(i) of the Alaska Statehood Act (P.L. 85-508, 72  
10 Stat. 339);

11 (B) art. IX of the state constitution;

12 (C) AS 19.10.010;

13 (D) payment to the Alaska permanent fund of the amounts  
14 required by AS 37.13.010(a) and (b); and

15 (E) the rights of the state under former 43 U.S.C. 932 (sec. 8,  
16 Act of July 26, 1866, 14 Stat. 253);

17 (2) excludes any interest transferred to the state by quit claim deed  
18 dated June 30, 1959, under authority of the Alaska Omnibus Act, P.L. 86-70, 73 Stat.  
19 141;

20 (3) based on a land selection filed by the University of Alaska on or  
21 after the effective date of this section and until the day before the day that is the fifth  
22 anniversary of the effective date of this section is subject to reservation by the state  
23 in perpetuity of all oil and gas that may be in or on the land, together with the right  
24 to explore the land for oil and gas and to remove from the land all oil and gas located  
25 in and on it.

26 (j) The University of Alaska shall bear all costs of selection, platting,  
27 surveying, and, except as provided in (l) of this section, conveyance of the land that  
28 it selects under this section and, subject to appropriation, shall reimburse the  
29 Department of Natural Resources for the reasonable costs incurred by that department  
30 relating to that selection, platting, surveying, and conveyance. As to land due the  
31 University of Alaska under (c) of this section because it has not been disapproved

1 under (e) of this section,

2 (1) if the land has been surveyed, the boundaries of the land conveyed  
3 must conform to the public land subdivisions established by the approved survey;

4 (2) if the land is unsurveyed, the commissioner shall survey the exterior  
5 boundaries of the land to be conveyed without interior subdivision, and shall issue  
6 patent in terms of the exterior boundary survey within one year of request by the  
7 University of Alaska.

8 (k) For land due the University of Alaska under (c) of this section that is  
9 unsurveyed, pending the survey of exterior boundaries and issuance of patent, the  
10 commissioner of natural resources shall, within one year of request by the University  
11 of Alaska, prepare and provide to the University of Alaska a document of interim  
12 conveyance for the land to be conveyed.

13 (l) Except as provided in AS 14.40.368(2), management of land conveyed to  
14 the University of Alaska by patent or by a document of interim conveyance vests with  
15 the University of Alaska from the date of recording of the patent or document of  
16 interim conveyance. The state shall pay the cost of recording all patents and  
17 documents of interim conveyance.

18 (m) The University of Alaska may not make a land selection under this section  
19 after December 31, 2009.

20 (n) When the commissioner of natural resources issues a document of interim  
21 conveyance under (k) of this section or a patent for land selected and held by the  
22 University of Alaska, the commissioner of natural resources shall retain the right to  
23 reenter the land conveyed and recover title to it. The commissioner of natural  
24 resources shall reenter and recover title if, on the 10th anniversary of the execution of  
25 the conveyance, the commissioner finds that the University of Alaska is not actively  
26 managing the land to provide income for the support of its education programs.  
27 However, if at any time during the 10-year period, litigation, including any appeal, has  
28 prevented the University of Alaska from actively managing the land to provide income,  
29 the date on which the commissioner of natural resources shall make the finding  
30 required by this subsection is extended by a period equal to the period attributable to  
31 the litigation during which the University of Alaska was prevented from actively

1 managing the land to provide income. For purposes of this subsection, "actively  
2 managing the land to provide income" means that the University of Alaska is deriving  
3 revenue from the land selection.

4 \* Sec. 5. AS 14.40 is amended by adding new sections to read:

5 Sec. 14.40.366. MANAGEMENT AND DISPOSITION OF UNIVERSITY  
6 LAND. (a) The Board of Regents shall, by rule or regulation, establish procedures  
7 for mineral entry or location and mineral leasing on university land selections made  
8 under AS 14.40.365 that are substantially similar to mineral entry, location, and leasing  
9 procedures for state land under AS 38.05.185 - 38.05.275.

10 (b) Notwithstanding other provisions of law, the University of Alaska shall  
11 seek public comment on proposals for development or sale of university selections  
12 made under AS 14.40.365. The Board of Regents shall adopt policies which provide  
13 that the university shall prepare an annual plan for management and disposition of  
14 university land under this section and shall, not less than 60 days before scheduled  
15 approval by the Board of Regents of the plan

16 (1) make copies of the plan available at all legislative information  
17 offices and at such other locations as the university may designate;

18 (2) publish a notice in newspapers of general circulation in the state  
19 which provides the public with information on the locations where the plan is available  
20 for public inspection;

21 (3) give notice to all legislators and to local governments with  
22 jurisdiction over the land affected by the proposal; and

23 (4) seek public comment on the annual plan prior to action by the  
24 Board of Regents approving the plan.

25 Sec. 14.40.368. MANAGEMENT AND DISPOSITION OF INCOME FROM  
26 EXISTING ENCUMBRANCES. For the land selected by and conveyed to the  
27 University of Alaska under AS 14.40.365 that is subject to a lease, contract, claim,  
28 sale, permit, or right-of-way identified in AS 14.40.365(a)(4)

29 (1) the state is entitled to receive the income obtained from the lease,  
30 contract, claim, sale, permit, or right-of-way for the duration of the term of the lease,  
31 contract, claim, sale, permit, or right-of-way, and during any renewal of it that is

1 authorized by the lease, contract, claim, sale, permit, or right-of-way, or by law;

2 (2) the responsibility for the management of the land vests with the  
3 University of Alaska only upon conclusion of the term of the lease, contract, claim,  
4 sale, permit, or right-of-way, and any renewal authorized by the lease, contract, claim,  
5 sale, permit, or right-of-way, by law.

6 Sec. 14.40.369. CUSTOMARY AND TRADITIONAL USES TO BE  
7 CONTINUED. When land selected by the University of Alaska under AS 14.40.365  
8 has been conveyed to it, before conveying or displaying of an interest in land to a third  
9 party, the University of Alaska shall manage the land in a manner that permits  
10 customary and traditional uses of the resources of that land to the maximum extent  
11 practicable.

12 \* Sec. 6. AS 14.40 is amended by adding a new section to read:

13 Sec. 14.40.375. TORT IMMUNITY FOR PERSONAL INJURIES, DEATH,  
14 OR PROPERTY DAMAGE OCCURRING ON UNIVERSITY LAND. (a)  
15 Notwithstanding AS 09.65.200 and except as provided in (b) of this section, the  
16 University of Alaska is not liable in tort, except for an affirmative act that constitutes  
17 gross negligence or reckless or intentional misconduct, for damages for the injury to  
18 or death of a person, or for property damage to the property of a person, who enters  
19 onto or remains on land owned by the University of Alaska.

20 (b) The provisions of (a) of this section do not apply to damages for injury to  
21 or death of a person, or for property damage to the property of a person, that occurs  
22 on land of the University of Alaska that, after receipt of title to the land by the  
23 University of Alaska, has been improved and is actively maintained by the University  
24 of Alaska.

25 \* Sec. 7. AS 14.40.400(a) is amended to read:

26 (a) The Department of Revenue shall establish a separate endowment trust  
27 fund in which all net income derived from the sale or lease of the land granted under  
28 the Act of Congress approved January 21, 1929, and the land selected by and  
29 conveyed to the University of Alaska under AS 14.40.365, and in which all  
30 monetary gifts, bequests, or endowments made to the University of Alaska for the  
31 purpose of the fund, shall be held in trust.

1 \* Sec. 8. AS 14.40.491 is amended to read:

2 Sec. 14.40.491. DEFINITION OF UNIVERSITY RECEIPTS. In  
3 AS 14.40.120 - 14.40.491, "university receipts" includes

- 4 (1) student fees, including tuition;  
5 (2) receipts from university auxiliary services;  
6 (3) recovery of indirect costs of university activities;  
7 (4) the net income of the trust fund established in AS 14.40.400 and  
8 receipts from sales and rentals of university property;  
9 (5) federal receipts;  
10 (6) gifts, grants, and contracts; and  
11 (7) receipts from sales, rentals, and the provision of services of  
12 educational activities.

13 \* Sec. 9. AS 29.45.030(a) is amended to read:

14 (a) The following property is exempt from general taxation:

15 (1) municipal property, including property held by a public corporation  
16 of a municipality, [OR] state property, or property of the University of Alaska,  
17 except that

18 (A) a private leasehold, contract, or other interest in the  
19 property is taxable to the extent of the interest;

20 (B) notwithstanding any other provision of law, property  
21 acquired by an agency, corporation, or other entity of the state through  
22 foreclosure or deed in lieu of foreclosure and retained as an investment of a  
23 state entity is taxable; this subparagraph does not apply to federal land granted  
24 to the University of Alaska under AS 14.40.330 or 14.40.390. [OR] to other  
25 land granted to the university by the state to replace land that had been granted  
26 under AS 14.40.380 or 14.40.390, or to land conveyed by the state to the  
27 University of Alaska under AS 14.40.365;

28 (C) an ownership interest of a municipality in real property  
29 located outside the municipality acquired after December 31, 1990, is taxable  
30 by another municipality; however, a borough may not tax an interest in real  
31 property located in the borough and owned by a city in that borough;

1 (2) household furniture and personal effects of members of a  
2 household;

3 (3) property used exclusively for nonprofit religious, charitable,  
4 cemetery, hospital, or educational purposes;

5 (4) property of a nonbusiness organization composed entirely of persons  
6 with 90 days or more of active service in the armed forces of the United States whose  
7 conditions of service and separation were other than dishonorable, or the property of  
8 an auxiliary of that organization;

9 (5) money on deposit;

10 (6) the real property of certain residents of the state to the extent and  
11 subject to the conditions provided in (e) of this section;

12 (7) real property or an interest in real property that is exempt from  
13 taxation under 43 U.S.C. 1620(d), as amended;

14 (8) property of a political subdivision, agency, corporation, or other  
15 entity of the United States to the extent required by federal law; except that a private  
16 leasehold, contract, or other interest in the property is taxable to the extent of that  
17 interest;

18 (9) natural resources in place including coal, ore bodies, mineral  
19 deposits, and other proven and unproven deposits of valuable materials laid down by  
20 natural processes, unharvested aquatic plants and animals, and timber.

21 \* **Sec. 10. APPLICABILITY OF UNIVERSITY SELECTION RIGHTS UNDER**  
22 **AS 14.40.365 TO CERTAIN LAND.** In addition to the land that, under AS 14.40.365(e), the  
23 commissioner of natural resources may not convey to the University of Alaska, the  
24 commissioner of natural resources may not convey land that, at the time of its selection by  
25 the university, is subject to designation for conveyance or conveyance to the Alaska Mental  
26 Health Trust Authority under sec. 40, ch. 5, FSSLA 1994, as amended by secs. 4 and 5,  
27 ch. 1, SSSLA 1994.

MEMO

TO: Legal Services

FROM: Kathy  
Senate Finance  
465-2618

DATE: March 27, 1995

RE: Senate Finance Committee Substitute for SB 16

Please incorporate attached Amendments 1 and 2 into CSSB 16 (CRA) to produce a CSSB 16 (Fin). The bill was reported out of committee this morning and was read across the floor of the Senate into Rules Committee, so time is of the essence. Please deliver the final to either Kathy or Norma, Room 520, Capitol Building. Give me a call if you have any questions. Thank you.

Enclosure

Fiscal Notes

SB 16 - INCREASE LAND GRANT TO UNIV. OF ALASKA

<u>No.</u>	<u>Dept.</u>	<u>Date</u>	<u>SB 16</u>	<u>CS(CRA)</u>
1.	DOR	2/6/95	0	
2.	DOR(Treasury)	2/1/95	0	
3.	DF&G(Habitat)	2/10/95	34.3	
4.	DNR(Land Dev.)	2/7/95	71.0	
5.	University	1/27/95	100.0	
6.	DNR(Info.Mgmt.)	3/9/95		24.0

Other Notes

DNR(Info.Mgmt.)	2/7/95	24.0	
<del>DNR(Info.Mgmt.)</del>	3/9/95	(Land Development)	71.0
DF&G(Habitat)	3/9/95		34.3
DOR(O&G Audit)	3/9/95		0

Ali - Does \$100.0  
Univ. Fiscal Note  
go with CS5B 16(Fix)?

Kathy

Yes!

Fiscal Notes

SB 16 - INCREASE LAND GRANT TO UNIV. OF ALASKA

<u>No.</u>	<u>Dept.</u>	<u>Date</u>	<u>SB 16</u>	<u>CS (CRA)</u>
1.	DOR	2/6/95	0	
2.	DOR(Treasury)	2/1/95	0	
3.	DF&G(Habitat)	2/10/95	34.3	
4.	DNR(Land Dev.)	2/7/95	71.0	
5.	University	1/27/95	100.0	
6.	DNR(Info.Mgmt.)	3/9/95		24.0

Other Notes

DNR(Info.Mgmt.)	2/7/95	24.0	
DNR(Info.Mgmt.)	3/9/95		71.0
DF&G(Habitat)	3/9/95		34.3
DOR(O&G Audit)	3/9/95		0

~~100.0~~  
24.0  
71.0  
34.3  

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# 229.3

3/13/95  
(S) RES, FIN

# FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO. CSSB16(CRA)

Revision Date: 9-Mar-95 Dept Affected: Natural Resources  
 Title: An Act relating to the University of Alaska and BRU: Resource Development  
University land, authorizing the University of Alaska to select... Component: Information Resoucre Management  
 Sponsor: Senator(s) Frank, Kelly, Sharp, Reiger  
 Requestor: \_\_\_\_\_ Component Serial No. 427

Expenditures/Revenues	(Thousands of Dollars)					
	FY96	FY97	FY98	FY99	FY00	FY01
<b>OPERATING EXPENDITURES</b>						
PERSONAL SERVICES	60.0	60.0	60.0	60.0	60.0	60.0
TRAVEL	5.0	5.0	5.0	5.0	5.0	5.0
CONTRACTUAL	5.0	5.0	5.0	5.0	5.0	5.0
SUPPLIES	1.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</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 ( )</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>

FUND SOURCE	(Thousands of Dollars)					
	FY96	FY97	FY98	FY99	FY00	FY01
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other I/A Receipts	71.0	71.0	71.0	71.0	71.0	71.0
<b>TOTAL</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>

515 10

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

POSITIONS	FY96	FY97	FY98	FY99	FY00	FY01
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)

This fiscal note is for the minimum necessary for DNR to process land conveyances to the University of Alaska. All costs for the conveyance work will be paid by the University to DNR using Interagency Receipts. We assume this includes all costs to include selection, conveyance, records notation, deed recordation, survey, litigation, etc.

It is impossible to project the exact amount of revenue these conveyances will generate for the University, and will be lost to the state, without knowing what lands will be transferred. With the inclusion of oil and gas, the revenue lost to the state will be significant.

Prepared by: Ron Swanson, Director Phone: 465-2406  
 Division: Division of Land Date: 9-Mar-95  
 Approved by Commissioner: \_\_\_\_\_ Date: 3-6-95  
 Agency: Natural Resources

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# FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

No. 1  
Bill Version: SB16  
(S) Publish Date: 2/22/95

Revision Date: 2/6/95 Dept. Affected: Revenue  
 Title: An Act authorizing the University of Alaska BRU: \_\_\_\_\_  
to select state public land and defining University endowment income Component: \_\_\_\_\_  
 Sponsor: Senators Frank, Kelly, Sharp  
 Requester: Frank COMPONENT SERIAL NO. \_\_\_\_\_

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

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

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

CHANGE IN REVENUES ( )	0.0	0.0	0.0	0.0	0.0	0.0
------------------------	-----	-----	-----	-----	-----	-----

**FUND SOURCE** (Thousands of Dollars)

FUND SOURCE	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ \_\_\_\_\_

**POSITIONS**

FULL-TIME						
PART-TIME						
TEMPORARY						

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

This Bill would authorize the University of Alaska to select additional state public domain subject to a wide variety of statutorily defined limitations with respect to existing and potential public revenue and interest concerns. In addition, the Bill would require legislative appropriation of disbursements from the University endowment trust fund which would include any new revenues resulting from the new lands selected by the University. There would be no identifiable revenue or cost impacts resulting from the passage of this legislation over the period covered by this fiscal note.

Prepared by: \_\_\_\_\_  
 Division: Oil and Gas Audit Division  
 Approved by Commissioner: [Signature]  
 Agency: \_\_\_\_\_

Phone: 277-5627  
 Date: 2/6/95  
 Date: 2/6/95

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# FISCAL NOTE

No. 2  
 Bill Version: SB 16  
 (S) Publish Date: 2/22/95

STATE OF ALASKA  
 1995 LEGISLATIVE SESSION

BILL

Revision Date: \_\_\_\_\_ Dept. Affected: Revenue  
 Title: An Act relating to land of the University of Alaska BRU: Revenue Operations  
authorizing selection of state public domain land Component: Treasury Management  
 Sponsor: Senators Frank, Kelly, Sharp  
 Requester: CRA, RES, FIN COMPONENT SERIAL NO. 121

**Expenditures/Revenues**

(Thousands of Dollars)

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

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

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

**FUND SOURCE**

(Thousands of Dollars)

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

Estimate of any current year (FY95) cost: \$ 0.0

**POSITIONS**

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This legislation would not affect operating costs. However, potential General Fund revenues resulting from development of land granted to the University would accrue to the benefit of the University of Alaska Trust Fund rather than the General Fund.

Prepared by: Carolyn Hartsog, Asst. Comptroller Phone: 465-4880  
 Division: Treasury Date: 2/1/95  
 Approved by Commissioner: Deborah Voqt, Deputy Commissioner Date: 2/1/95  
 Agency: Department of Revenue

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# FISCAL NOTE

No. 3

Bill Version: SB 16

(S) Publish Date: 2/22/95

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_ Dept. Affected: Fish and Game  
 Title: University Land Selection BRU: Habitat and Restoration Division  
 Component: Habitat  
 Sponsor: Frank  
 Requester: Sen. Community and Regional Affairs COMPONENT SERIAL NO. 486

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

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	31.2	32.6	34.0	35.5	37.1	38.7
TRAVEL	1.6	1.6	1.7	1.8	1.9	2.0
CONTRACTUAL	1.0	1.1	1.1	1.1	1.1	1.2
SUPPLIES	0.5	0.5	0.5	0.5	0.5	0.5
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>34.3</b>	<b>35.8</b>	<b>37.3</b>	<b>38.9</b>	<b>40.6</b>	<b>42.4</b>

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ( )	0.0	0.0	0.0	0.0	0.0	0.0
------------------------	-----	-----	-----	-----	-----	-----

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	34.3	35.7	37.3	38.9	40.6	42.4
1005 GF Program Receipts						
1006 GF MHTIA						
Other						
<b>TOTAL</b>	<b>34.3</b>	<b>35.7</b>	<b>37.3</b>	<b>38.9</b>	<b>40.6</b>	<b>42.4</b>

Estimate of any current year (FY95) cost: \$ 0.0

**POSITIONS**

FULL-TIME	0.5	0.5	0.5	0.5	0.5	0.5
PART-TIME						
TEMPORARY						

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

The Department of Fish and Game will require approximately one-half full time equivalent for a Habitat Biologist to review university land selections and advise the Department of Natural Resources on the effects of conveyance to fish and wildlife resources, public uses of fish and wildlife; and potentially for legislatively designated state game refuges, critical habitat areas, and game sanctuaries. Additionally, as university land selections are made, existing state land management and Special Area plans will have to be revised to reflect the changes in land management. This will require approximately one-half full time equivalent of Habitat Biologist participation to advise the Department of Natural Resources on their revised land management plans and to revise the Department of Fish and Game's Special Area plans.

Prepared by: Ellen Fritts, Acting Director  
 Division: Habitat and Restoration  
 Approved by Commissioner: Gordon Bruce, Sr. Frank Rice  
 Agency: Alaska Department of Fish and Game

Phone: 465-4105  
 Date: 2/6/95  
 Date: 2/11/95

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# FISCAL NOTE

No. 4  
 Bill Version: SB 16  
 (S) Publish Date: 2/22/95

STATE OF ALASKA  
 1995 LEGISLATIVE SESSION

BI

Revision Date: Original Dept Affected: Natural Resources  
 Title: An Act relating to land of the Univ of AK and BRU: Resource Development  
authorizing the U of A to select additional... Component: Land Development  
 Sponsor: Senator Frank  
 Requestor: \_\_\_\_\_ Component Serial No. 431

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES	60.0	60.0	60.0	60.0	60.0	60.0
TRAVEL	5.0	5.0	5.0	5.0	5.0	5.0
CONTRACTUAL	5.0	5.0	5.0	5.0	5.0	5.0
SUPPLIES	1.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</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 ( )</b>	<b>*</b>	<b>*</b>	<b>*</b>	<b>*</b>	<b>*</b>	<b>*</b>

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other I/A Receipts	71.0	71.0	71.0	71.0	71.0	71.0
<b>TOTAL</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>

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

POSITIONS	FY96	FY97	FY98	FY99	FY00	FY01
FULL-TIME	1	1	1	1	1	1
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

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

This fiscal note is for the minimum necessary for DNR to process land conveyances to the University of Alaska. All costs for the conveyance work will be paid by the University to DNR using Interagency Receipts. We assume this includes all costs to include selection, conveyance, records notation, deed recordation, survey, litigation, etc.

\* It is impossible to project the exact amount of revenue these conveyances will generate for the University, and lost to the state, without knowing what lands will be transferred. With the inclusion of oil and gas, the revenue lost to the state will be significant.

Prepared by: Ron Swanson Phone: 762-2692  
 Division: Land Date: 3-Feb-95  
 Approved by Commissioner: [Signature] Date: 2/2/95  
 Agency: Natural Resources

# Alaska State Legislature

STEVE FRANK

119 N. Cushman, Rm. 213  
Fairbanks, Alaska 99701  
(907) 452-3421



Senate

While in Juneau  
P.O. Box V  
Juneau, Alaska 99811  
(907) 465-3709  
Capitol Rm. 417

TO: Senator Rick Halford, Co-Chair  
Senate Finance Committee

FROM: Senator Steve Frank, Co-Chair  
Senate Finance Committee

RE: Hearing Request: CS SB 16 (C&RA)- Increase Land Grant  
to the University of Alaska

DATE: March 15, 1995

---

I am writing to request a hearing for CS SB 16 (C&RA) in the Senate Finance Committee at your earliest possible convenience.

The legislation would allow the University of Alaska to select up to one million acres of land from the State of Alaska, and the income produced from those lands would be available for university programs subject to legislative appropriation.

Under the Congressional Morrill Act of 1862, each state was entitled to receive a grant for public lands, the income from which would provide the financial base of operation for at least one college or university. The University of Alaska received about 112,000 acres of land, less than any other western public land state and less than the national average entitlement of over 300,000 acres. For example, New Mexico and Oklahoma have each received about one million acres.

I believe that an additional grant of land would bring Alaska up to the level of other western states and follows through with the original intent of the land grant college tradition.

Thank you for your consideration.

\*\*\*\*\*  
**FACT SHEET**  
\*\*\*\*\*

**SB 16 - Enhancing UA Land Grant**  
\*\*\*\*\*

1. Does not take effect until final settlement of the mental health land dispute;
2. Gives priority to Municipal land selections;
3. Provides that land transfers are subject to:
  - \* 6(i) of Alaska Statehood Act
  - \* Permanent Fund requirements for oil, gas and mineral royalties and bonuses
  - \* Other rights of the state
4. Allows UA to select 1,000,000 acres including lands:
  - \* Not conveyed by the state
  - \* Not reserved from public domain
  - \* Not included in 5-year oil & gas leasing program
  - \* Not necessary for interagency agreement
  - \* Not subject to land exchange
  - \* Unconveyed and unencumbered, except:
    - Leases (other than oil and gas)
    - Timber contracts
    - Mining claims
    - Materials sales
    - Land use permits
    - Exploration licensing area
5. Department of Natural Resources can refuse to convey land if the Commissioner considers the retention of land in state ownership to be in the best interests of the state;
6. The University can appeal the Commissioner's decision to the Governor, but is prohibited from entering into litigation;
7. The University pays the costs of land conveyance and surveying;
8. Income from existing encumbrances (leases, mining claims, timber contracts, etc.) go to state until term of existing agreement is completed.

**SB 16            EXPANDING UNIVERSITY OF ALASKA LAND GRANT**

By Senators FRANK, Kelly, Sharp

The University of Alaska is called a "Land Grant University" in the tradition of American land grant universities, providing teaching, research and public service to the people of Alaska. While the University has attempted to mold itself in the land grant tradition, one piece of that tradition is lacking -- a sufficient land grant.

In 1915, Congress provided a land grant of approximately 250,000 acres -- every section 33 in the Tanana Valley -- to support the Territorial Agricultural College and School of Mines, together with a site for the institution itself. In 1929 Congress granted an additional 100,000 acres of public lands for the use and benefit of the Agricultural College and School of Mines.

In 1959, the Alaska Statehood act extinguished the University's right to receive the unsurveyed sections 33 of the Tanana Valley, leaving the University with 100,000 acres. Congress so acted because its land grant to the state was by far the most generous of all state land grants. Supporters of the extinguishment said the state clearly was receiving enough land that it could provide necessary land to support the University. The State of Alaska has never kept this moral obligation to the University of Alaska.

Forty-nine of the states received land grants to support their universities. In all but one, the universities received more land than the University of Alaska, notwithstanding the fact that Alaska's state land grant is 16 times the size of the average state land grant. In eighteen of the lower 48 states, the entire federal land grants -- 100% -- went to support the universities. In Alaska, less than one percent -- 0.11% -- went to the University.

The State of Alaska did not manage what land the University received well. In 1978, following legislative appropriation of the University's most valuable acreage, the University sued, eventually winning a legislative settlement that reconstituted the University land trust. Later litigation brought replacement land for the legislatively-appropriated acreage. The University's total land grant holdings today total 140,000 acres. Still, nearly 50,000 acres of limited timber cutting rights west of Icy Bay remains tied up in litigation.

Alaskans look to the University of Alaska to provide for some of its financial needs by earning income from the federal land grant, yet Alaskans do not realize the paucity of lands managed by the university.

If the University of Alaska received the average percentage of the total federal grant to the state -- 42.01% of the State of Alaska grant -- the University would be managing 43 million acres, and would probably need no further state support. If the University of Alaska received a proportional share of the total federal grant to universities -- 5.09% of the State of Alaska grant -- the University would be managing 5.3 million acres. Even bringing the University of Alaska's federal grant up to the average of the smaller states -- 340,000 -- would triple the size of the University's federal grant.

Passage of this legislation will allow expansion of the University of Alaska land grant, and allow the University to generate additional revenue in support of its programs. The lands would be responsibly managed to generate income. The University is currently involved in a wide range of projects including commercial leasing, development and sale of residential and remote subdivisions, oil and gas lease sales, timber and gravel sales and mineral leasing.

---

**contact:**

Wendy Reuman  
University Relations  
463-3086/474-7582

## State Land Grant Rankings

Ranked by the amount of federal land given to Higher Education	
1	New Mexico 1,346,546
2	Oklahoma 1,050,000
3	New York 990,000
4	Arizona 849,197
5	Pennsylvania 780,000
6	Ohio 699,120
7	Utah 556,141
8	Illinois 526,080
9	Indiana 436,080
10	Montana 388,721
11	Idaho 386,686
12	Alabama 383,785
13	Missouri 376,080
14	South Dakota 366,080
15	Massachusetts 360,000
16	Mississippi 348,240
17	Washington 336,080
18	North Dakota 336,080
19	Wisconsin 332,160
20	Kentucky 330,000
21	Tennessee 300,000
22	Virginia 300,000
23	Iowa 286,080
24	Michigan 286,080
25	Georgia 270,000
26	North Carolina 270,000
27	Louisiana 256,292
28	Minnesota 212,160
29	Maine 210,000
30	Maryland 210,000
31	New Jersey 210,000
32	California 196,080
33	Arkansas 196,080
34	Florida 182,160
35	Connecticut 180,000
36	South Carolina 180,000
37	Texas 180,000
38	Kansas 151,270
39	New Hampshire 150,000
40	Vermont 150,000
41	West Virginia 150,000
42	Colorado 138,040
43	Oregon 136,165
44	Nevada 136,080
45	Nebraska 136,080
46	Wyoming 136,080
47	Rhode Island 120,000
48	Alaska 112,064
49	Delaware 90,000
50	Hawaii 0
<b>TOTAL 16,707,787</b>	

Average 334,156

Ranked by the percentage of the state grant given to Higher Education	
1	New York 100.00%
2	Pennsylvania 100.00%
3	Massachusetts 100.00%
4	Tennessee 100.00%
5	Virginia 100.00%
6	Georgia 100.00%
7	North Carolina 100.00%
8	Maine 100.00%
9	Maryland 100.00%
10	New Jersey 100.00%
11	Connecticut 100.00%
12	South Carolina 100.00%
13	Texas 100.00%
14	New Hampshire 100.00%
15	Vermont 100.00%
16	West Virginia 100.00%
17	Rhode Island 100.00%
18	Delaware 100.00%
19	Kentucky 93.06%
20	Oklahoma 33.92%
21	Ohio 25.34%
22	Washington 11.04%
23	Indiana 10.79%
24	South Dakota 10.66%
25	North Dakota 10.62%
26	New Mexico 10.52%
27	Idaho 9.09%
28	Illinois 8.44%
29	Arizona 8.05%
30	Alabama 7.67%
31	Utah 7.41%
32	Montana 6.52%
33	Mississippi 5.71%
34	Missouri 5.07%
35	Nevada 4.99%
36	Nebraska 3.93%
37	Iowa 3.55%
38	Wisconsin 3.26%
39	Wyoming 3.13%
40	Colorado 3.09%
41	Michigan 2.36%
42	Louisiana 2.24%
43	California 2.22%
44	Kansas 1.94%
45	Oregon 1.94%
46	Arkansas 1.64%
47	Minnesota 1.29%
48	Florida 0.75%
49	Alaska 0.11%
50	Hawaii 0.00%
<b>TOTAL 5.09%</b>	

Average 42.01%

Ranked by the amount of federal land given to the States	
1	Alaska 104,569,251
2	Florida 24,214,366
3	Minnesota 16,422,051
4	New Mexico 12,794,718
5	Michigan 12,142,846
6	Arkansas 11,936,834
7	Louisiana 11,441,343
8	Arizona 10,543,753
9	Wisconsin 10,179,804
10	California 8,825,508
11	Iowa 8,061,262
12	Kansas 7,794,669
13	Utah 7,501,737
14	Missouri 7,417,022
15	Oregon 7,032,847
16	Illinois 6,234,655
17	Mississippi 6,097,997
18	Montana 5,963,338
19	Alabama 5,006,883
20	Colorado 4,471,604
21	Wyoming 4,342,520
22	Idaho 4,254,448
23	Indiana 4,040,518
24	Nebraska 3,458,711
25	South Dakota 3,435,373
26	North Dakota 3,163,552
27	Oklahoma 3,095,760
28	Washington 3,044,471
29	Ohio 2,758,862
30	Nevada 2,725,226
31	New York 990,000
32	Pennsylvania 780,000
33	Massachusetts 360,000
34	Kentucky 354,607
35	Tennessee 300,000
36	Virginia 300,000
37	Georgia 270,000
38	North Carolina 270,000
39	Maine 210,000
40	Maryland 210,000
41	New Jersey 210,000
42	Connecticut 180,000
43	South Carolina 180,000
44	Texas 180,000
45	New Hampshire 150,000
46	Vermont 150,000
47	West Virginia 150,000
48	Rhode Island 120,000
49	Delaware 90,000
50	Hawaii 0
<b>TOTAL 328,426,536</b>	

Average 6,568,531

Alaska Environmental Lobby  
P.O. Box 22151  
Juneau, AK  
99802  
Phone: (907) 463-3366  
Fax: (907) 463-3312

Fax Cover Sheet

Date: Fri 3/23 Time: 2:30 pm

From: Sara Hannan To: Larry Stevens

Number of pages: 1 40 Sea Helyford

Additional Notes:

Please include in  
member packets for  
Mon mtg. SB16



## Alaska Environmental Lobby, Inc.

P.O. Box 22151 Juneau, Alaska 99802

Phone: 907-463-3366

Fax: 907-463-3312

### SB 16 UNIVERSITY LAND GRANT

The Alaska Environmental Lobby opposes SB16 which would grant the University of Alaska an additional one million acres of State land,

Endowing the University with a large amount of land may be an extremely appealing idea to those who support the University, who value higher education and scholarship and who recognize the need for a securely funded institution of higher learning in Alaska.

However, the idea is fraught with problems. There are serious public policy questions that must be addressed.

What is the obligation of the State to the University to provide revenue for operations now, and if additional land is given? In the future how will the University's budget be developed by the Legislature? Will this additional revenue be deducted from General Fund support? Will General Fund moneys be used for the University to develop it's land?

Does the University have a special claim to resources? Is the State creating a constitutional conflict over dedicated funds?

Will current users of State land have a say in this disposal of land? Virtually all of Alaska is currently and has been for many years used by individuals, organizations, sport, commercial and subsistence hunters and fishermen, and others.

Will there be compensation to communities and current users for their loss of lands previously used?

University lands are private and thus exempt from the land management provisions of Title 38.04 & 38.05, including those which provide for public process. The public and adjacent communities will have no voice in the disposition and management of University Lands.

3/10/95

ALASKA CENTER FOR THE ENVIRONMENT • ALASKA CHAPTER, SIERRA CLUB • ALASKA FRIENDS OF THE EARTH  
 ANCHORAGE AUDUBON SOCIETY • ANCHORAGE AUDUBON SOCIETY • CLEAN AIR COALITION • DENALI CITIZENS' COUNCIL  
 DENALI GROUP, SIERRA CLUB • JUNEAU AUDUBON SOCIETY • JUNEAU GROUP, SIERRA CLUB  
 KACHINDAK BAY CONSERVATION SOCIETY • KENAI PENINSULA AUDUBON SOCIETY • KNIK CANOERS AND KAYAKERS  
 KNIK GROUP, SIERRA CLUB • KODIAK AUDUBON SOCIETY • LYNN CANAL CONSERVATION • NORTHERN ALASKA ENVIRONMENTAL CENTER  
 PRINCE WILLIAM SOUND CONSERVATION ALLIANCE • SITKA CONSERVATION SOCIETY • SOUTHEAST ALASKA CONSERVATION COUNCIL • TONGASS CONSERVATION SOCIETY

TOTAL P.02

3/13/95  
(S) RES, FIN

# FISCAL NOTE

STATE OF ALASKA

BILL NO. CSSB16(CRA)

1995 LEGISLATIVE SESSION

Revision Date: 9-Mar-95 Dept Affected: Natural Resources  
 Title: An Act relating to the University of Alaska and BRU: Resource Development  
university land, authorizing the University of Alaska to select... Component: Information Resource Management  
 Sponsor: Senator(s) Frank, Kelly, Sharp, Reiger  
 Requestor: \_\_\_\_\_ Component Serial No. 427

Expenditures/Revenues	(Thousands of Dollars)					
	FY96	FY97	FY98	FY99	FY00	FY01
<b>OPERATING EXPENDITURES</b>						
PERSONAL SERVICES	60.0	60.0	60.0	60.0	60.0	60.0
TRAVEL	5.0	5.0	5.0	5.0	5.0	5.0
CONTRACTUAL	5.0	5.0	5.0	5.0	5.0	5.0
SUPPLIES	1.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</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 ( )</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>

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other I/A Receipts	71.0	71.0	71.0	71.0	71.0	71.0
<b>TOTAL</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>

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

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)

This fiscal note is for the minimum necessary for DNR to process land conveyances to the University of Alaska. All costs for the conveyance work will be paid by the University to DNR using Interagency Receipts. We assume this includes all costs to include selection, conveyance, records notation, deed recordation, survey, litigation, etc.

\*It is impossible to project the exact amount of revenue these conveyances will generate for the University, and will be lost to the state, without knowing what lands will be transferred. With the inclusion of oil and gas, the revenue lost to the state will be significant.

Prepared by: Ron Swanson, Director Phone: 465-2406  
 Division: Division of Land Date: 9-Mar-95  
 Approved by Commissioner: \_\_\_\_\_ Date: 3-9-95  
 Agency: Natural Resources

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*Did not transfer with the 7/11*

# FISCAL NOTE

3/13/95  
(S)RES, FIN

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO. CSSB16(CRA)

Revision Date: 9-Mar-95 Dept Affected: Natural Resources  
 Title: An Act relating to the University of Alaska and BRU: Resource Development  
university land, authorizing the University of Alaska to select... Component: Information Resoucre Management  
 Sponsor: Senator(s) Frank, Kelly, Sharp, Reiger  
 Requestor: \_\_\_\_\_ Component Serial No. 427

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES	60.0	60.0	60.0	60.0	60.0	60.0
TRAVEL	5.0	5.0	5.0	5.0	5.0	5.0
CONTRACTUAL	5.0	5.0	5.0	5.0	5.0	5.0
SUPPLIES	1.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</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 ( )</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>

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other I/A Receipts	71.0	71.0	71.0	71.0	71.0	71.0
<b>TOTAL</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>	<b>71.0</b>

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

POSITIONS	FY96	FY97	FY98	FY99	FY00	FY01
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)

This fiscal note is for the minimum necessary for DNR to process land conveyances to the University of Alaska. All costs for the conveyance work will be paid by the University to DNR using Interagency Receipts. We assume this includes all costs to include selection, conveyance, records notation, deed recordation, survey, litigation, etc.

\*It is impossible to project the exact amount of revenue these conveyances will generate for the University, and will be lost to the state, without knowing what lands will be transferred. With the inclusion of oil and gas, the revenue lost to the state will be significant.

Prepared by: Ron Swanson, Director Phone: 465-2406  
 Division: Division of Land Date: 9-Mar-95  
 Approved by Commissioner: \_\_\_\_\_ Date: 3-9-95  
 Agency: Natural Resources

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# FISCAL NOTE

#16 2/9/95  
3 (cen) Bus. Fin.

STATE OF ALASKA

BILL NO. SB16

**1995 LEGISLATIVE SESSION**

Revision Date: Original Dept Affected: Natural Resources  
 Title: An Act relating to the University of Alaska and BRU: Resource Development  
university land, authorizing the University of Alaska to select... Component: Information Resource Management  
 Sponsor: Senator(s) Frank, Kelly, Sharp, Relger  
 Requestor: \_\_\_\_\_ Component Serial No. 427

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES	22.0					
TRAVEL						
CONTRACTUAL	2.0					
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>24.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</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 ( )</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>

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 GF	24.0					
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>24.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

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

POSITIONS	FY96	FY97	FY98	FY99	FY00	FY01
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)

This proposed legislation involves considerable public records notation work; however, since the University of Alaska is responsible for covering all cost associated with the selection, platting, survey and conveyance, those costs will be identified after we have worked with the University to identify a deliverables and a contract. The Land Records Information Section assumes that the records work associated with each of these steps will be paid by the University based on actual cost.

LRIS will need to set up a tracking system to facilitate the selection and conveyance process. LRIS must develop a new Land Administration System (LAS) casetype for these conveyances, and will establish a tracking subsystem within LAS. A separate tracking mechanism is necessary to comply with Sec. 14.40.365(n), where the commissioner is required to recover title after 10 years if certain conditions are not met. These are not expenses specified to be covered by the University.

Prepared by: Nico Bus, Acting Director Phone: 465-2406  
 Division: Support Services Date: 2-Feb-95  
 Approved by Commissioner: [Signature] Date: 2/7/95  
 Agency: Natural Resources

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# FISCAL NOTE

319195  
(S)RES, FIN

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO. SB16(CRA)

Revision Date: 3/9/95 Dept. Affected: Revenue  
 Title: Increase Land Grant to UAA BRU: Revenue Cps  
 Component: Oil and Gas Audit  
 Sponsor: Frank  
 Requester: (S)RES COMPONENT SERIAL NO. 115

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

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

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

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

**FUND SOURCE** (Thousands of Dollars)

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

Estimate of any current year (FY95) cost: \$ \_\_\_\_\_

**POSITIONS**

FULL-TIME						
PART-TIME						
TEMPORARY						

There would be no identifiable revenue or cost impacts resulting from the passage of this legislation over the period covered by this fiscal note.

Prepared by: Deborah Voigt Phone: 17-276-1363  
 Division: Oil and Gas Audit Date: 3/9/95  
 Approved by: Deborah Voigt  
 Commissioner: Deborah Voigt Date: 3/9/95  
 Agency: Revenue

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SB16

# STATE OF ALASKA

TONY KNOWLES, GOVERNOR

## ANCHORAGE FISH AND GAME ADVISORY COMMITTEE

MAT-SU FISH AND GAME  
ADVISORY COMMITTEE  
MT. YENLO FISH AND GAME  
ADVISORY COMMITTEE

March 22, 1995

VIA FAX

Senator Frank  
State Capitol  
Juneau, Alaska

Re: OUR Opposition to SB 16 — University Lands Bill

Dear Senator Frank:

We would like to convey our opposition to SB 16, the University lands bill.

The Anchorage Fish and Game Advisory Committee, the Mount Yenlo Fish and Game Advisory Committee and the Mat-Su Fish and Game Advisory Committee are all elected advisory bodies that by regulation, and to the best of their abilities, represent the diverse interests of fish and wildlife users. Included in our committees are commercial and sport fishers, subsistence users, trappers, guides, hunters, boaters, wildlife viewers and conservationists. Our committees represent, respectively, Anchorage, the west side of the Susitna Valley and the east side of the Susitna and Matanuska Valleys, including Anchorage, Eagle River, Palmer, Wasilla, Houston, Sutton, and Skwentna.

Approximately 25 members of the three committees met jointly on March 22, 1994 to discuss, among other topics, several bills now in the Legislature.

They voted unanimously to oppose SB 16. We understand the Administration does, too. By copy to the Governor's office, DNR and ADF&G, we encourage a veto of SB 16 if it were to pass.

As you know, SB 16 allows the University of Alaska to select 1,000,000 acres of unreserved state land. The bill would require the University to manage the land for income production, to help support the University.

We have every reason to support adequate funding for the

University. But we neither see nor hear any well reasoned argument to support this bill. There is no a defensible argument that this bill, or any University lands, will ever significantly fund the University of Alaska. This bill is simply an device to divest the State of land and to disrupt more than a decade of legislatively mandated land use planning, in which many interest groups have participated over the years.

We have two chief concerns.


The first is that the University will select land valuable for fish and wildlife habitat and for fishing, hunting, trapping and many other uses. For example, the staff of the University has made has made clear its desire to obtain forest land for timber harvest and recreational land along sport fishing rivers to sell or lease. The University has made fairly clear its desire to obtain land in the recreational and riverbank lands in the Susitna Valley, in Southwest Alaska, in Southeast Alaska and in other areas of the State. We are not confident of that the authority of the Commissioner of Natural Resources to deny selections will be sufficient to protect the public interests in such lands, given that judgments made will simply shift with political victors. SB 16 will create conflict, not only over historic timber issues in the Susitna Valley or Southeast, but also between recreational, subsistence, commercial, guide and unguided users in Southwest Alaska and the Susitna Valley. Rather than exacerbate conflicts over resources, particularly between subsistence and non-subsistence users, we recommend that the Legislature table this legislation at least until such time as the State has resolved the debate over subsistence. To do otherwise simply hurts all user groups and puts all of them at risk.

Second, we understand from the University that its current budget is on the order of \$300 million annually, including legislative appropriations, tuition, grant monies, and federal and other monies. In recent years, the University has been generating about \$10 million from its current land base, and that about \$7 million of that comes from its "one-shot" timber sale program. It is obvious that no matter how much land is given to the University, that land will never produce more than a minuscule portion of what the University needs over the near term and hardly an iota over the long term. Instead, SB 16 will produce conflict and agency expenses in resolving disputes over land and resource disposal and conservation, access, development, and regulatory actions.

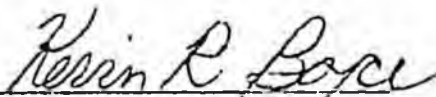
One need only look at long dispute over mental health lands, the difficulty of creating the Mental Health Lands Trust and the unrealistic prospects that land will produce meaningful revenues to ascertain that the idea of funding major public services, such as mental health services, or the University, is a chimera. SB 16 is simply an end-run around public land laws and land use planning laws. They were enacted to facilitate orderly, planned and

productive resource development while protecting public uses associated with those lands. We respectfully urge you to reconsider your support for SB 16. By copy to other legislators, we respectfully urge them to reject it.

Sincerely yours,

  
ANCHORAGE FISH & GAME  
ADVISORY COMMITTEE  
Bob Churchill, Chair

  
MAT-SU FISH & GAME  
ADVISORY COMMITTEE  
Carl Grauvogel, Chair

  
MT YENLO FISH & GAME  
ADVISORY COMMITTEE  
Kevin Boyce, Chair

cc: all Senators and Representatives  
Senate Community & Regional Affairs Committee  
Senate Resources Committee  
Senate Finance Committee  
House Community & Regional Affairs Committee  
House Resources Committee  
Governor Knowles  
Commissioner Shively/DNR  
Commissicler Rue/ADF&G  
Joint Boards of Fisheries and Game/Beverly Reaume



## Northern Alaska Environmental Center

218 DRIVEWAY  
FAIRBANKS, ALASKA 99701  
(907) 452-5021

To: Senate Finance Committee  
From: Northern Alaska Environmental Center  
Re: SB 16 -- Disposal of Land to the University

The Northern Alaska Environmental Center opposes SB 16

While the Northern Center is a strong supporter of the University, we do not believe that SB 16 is the proper mechanism for funding the University. If the State is truly committed to the University there should be no problem funding it through the normal appropriations process.

SB 16 transfers public lands out of public ownership -- this means that Alaskans will lose their voice on the decisions that affect the management of a million unspecified acres. The University will select the best and most valuable land leaving the poorer land to the public. This type of "highgrading" without the opportunity for public comment is not responsible land management.

The land will no longer be managed for multiple public uses, the protection of wildlife habitat will be limited, water quality may be affected.

SB 16 exempts the land transferred from virtually all of the public participation and resource protection requirements of the Alaska Lands Act (AS 38.04 and 38.05).

The "abuse it or lose it" clause forces the University to rush into hasty, ill-conceived and especially destructive development; large-scale clearcutting for export may be one of the few ways that revenue can be generated within the specified timeframe.

SB 16 is not good for Alaska, it is not the answer to University funding and it is not responsible resource management.

Thank You,

Dan Ritzman  
Boreal Forest Coordinator

Post-It™ brand fax transmittal memo 7671		# of pages	1
To	Ali	From	Dan
Co.	Sen. Frank	Co.	NACEL
Dept.		Phone #	
Fax #	465-4714	Fax #	



those other uses and also with industries like tourism and commercial fishing.

\*\* The university will select the best and most valuable land leaving the poorer land to the public.

\*\* Political opposition could be substantial, especially as lands to be transferred are actually identified on the ground. Attempts to compensate the mental health lands trust with large amounts of public land (some sort of reasonable compensation was mandated by the court in that instance; the university land dispute has already been settled) generated opposition, both in and out of court, not only from conservationists but also from sport and commercial fishers, hunters, other recreationists, subsistence users, recreational cabin owners, local residents, lodge owners, air taxi operators, the Anchorage Hotel/Motel Association, the oil and coal industries, the Alaska Miners Association, and the Resource Development Council (as well as mental health advocates who recognized that managing land was likely to create more headaches than revenue, and that in any case any revenue that might be generated would almost certainly result in an equal reduction in their General Fund support).

\*\* Access to public lands traditionally used for fishing, hunting, trapping and many other recreational purposes will be lost or restricted after their transfer.

\*\* Development on public lands transferred to the university will conflict with existing uses of private lands by neighboring landowners.

\*\* The "use it or lose it" clause (lands not actually generating revenue 10 years after conveyance to the university revert to the state) forces the university to rush into hasty, ill-conceived and especially destructive development; controversial clearcut logging might be one of the few ways that revenue can be generated that quickly.

Cliff Eames  
Issues Director  
3/22/95



# ALASKA CENTER *for the* ENVIRONMENT

519 West 8th Avenue, Suite 201 • Anchorage, Alaska 99501  
 (907) 274-3621 • fax: 274-8733

## SB 16 DISPOSAL OF LAND TO THE UNIVERSITY

The Alaska Center for the Environment opposes SB 16, which would transfer to the University of Alaska one million acres of unidentified multiple use public land to be used for the single purpose of generating the maximum amount of revenue for the university's operations.

\*\* ACE and other conservation organizations strongly support the university. However, the university, like other important public institutions, facilities, programs, and services should continue to be funded through the normal appropriations process rather than further fragmenting Alaska's land ownership and management patterns. The university is no more entitled to a dedicated source of revenue than is any other state entity.

\*\* In fact, gratuitously transferring land to the university is quite likely to be illegal as a violation of the dedicated fund prohibition in the state constitution. Even if it's not illegal, it runs counter to the wise policy adopted by our founding fathers. At the very least it creates a de facto dedicated fund or entitlement that ties the hands of both the legislature and the general public during the appropriations process and in land management, and that forecloses funding and land management options for the future. Finally, it would seem to invite litigation that could threaten the mental health lands settlement that was finally achieved last year after nearly a decade of costly lawsuits and negotiations (although we believe the two situations can be distinguished).

\*\* That the university was established decades ago as a land grant university is irrelevant; the most sensible way to fund it and other public programs in 1995 and in the foreseeable future is through appropriations.

\*\* Public lands should remain in general public ownership so that all Alaskans can continue to participate in decisions affecting their use. SB 16 exempts the land transferred to the university from virtually all of the public participation and resource protection requirements of the Alaska Lands Act (AS 38.04 and 38.05). It negates years of good faith public participation in state land use planning that resulted in decisions to retain most lands for fish and wildlife habitat, public recreation and a host of other purposes (including development).

\*\* The lands will no longer be managed for multiple public uses, such as fishing, hunting, and other public recreation, and the protection of fish and wildlife habitat, water quality, and scenic beauty (as well as for direct revenue generating purposes), but for revenue generation only--which will generally be incompatible with

# SENATE COMMITTEE REPORT

DATE: 2/22/95

FURTHER: Finance

DATE TURNED INTO OFFICE: 3-17-95

*DMR*

Resources Committee considered SENATE BILL NO. 16

University of Alaska and university land, authorizing the University of Alaska to select additional state public domain land, and defining net income from the University of Alaska's endowment trust fund as 'university receipts' subject to prior legislative appropriation.

*FN's & OFN's*

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_
- adopt previous \_\_\_\_\_ CS SB 16 (CRA)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

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

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i>	<input checked="" type="checkbox"/>		
		<i>[Signature]</i>		<input checked="" type="checkbox"/>	
CHAIR: <i>[Signature]</i>	<input checked="" type="checkbox"/>				

**NEW FISCAL NOTE(S):**

Department                      Date      Zero      Fiscal

DNR-Info Res.	3/9		24.0

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

Department                      Date      Zero      Fiscal

UNIV.	1/27		100.0
DNR-Land	2/7		71.0
FISH/GAME	2/10		34.3
REVENUE	2/1	<input checked="" type="checkbox"/>	
REVENUE AUDIT	2/6	<input checked="" type="checkbox"/>	

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

# SENATE COMMITTEE REPORT

## First Committee of Referral

DATE: 1/16/95

FURTHER: Resources  
Finance

Date of 5-Day Notice: 1/9/95  
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 2/22/95

C&RA      Committee considered      SENATE BILL NO. 16

University of Alaska and university land, authorizing the University of Alaska to select additional state public domain land, and defining net income from the University of Alaska's endowment trust fund as 'university receipts' subject to prior legislative appropriation.

and recommends:

- be replaced with CSI SB 16 (CRA)
- adopt previous CS \_\_\_\_\_
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

*O + FN's*

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

SIGNING WITH RECOMMENDATIONS:	DP	DNP	NR	AM
<i>Roll E. Brown</i> (2) NR			✓	
<i>Paul J. ...</i> (2) NR			✓	
<i>John Hoff</i> (2) NR			✓	
<i>Wim Kelly</i> (1) DP	X			
CHAIR: <i>John Ingram</i> (1) DP	✓			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):\*

Department	Date	Zero	Fiscal
UNIVERSITY	1/27/95		100.0
NATURAL RESOURCES	2/7/95		76.0
FISH & GAME	2/10/95		34.3
REVENUE	2/1/95	✓	
REVENUE O&G			
ACROSS DIV	2/6/95	✓	

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

**SB**

**18**

**SFIN**

**FILE**

# SENATE FINANCE COMMITTEE REPORT

DATE: 4/27/95

FURTHER:

DATE TURNED INTO OFFICE: 4-29-95

The Finance Committee considered SENATE BILL NO. 18

Advisory vote during regional educational attendance area school board elections; efd.

and recommends:

- be replaced with \_\_\_\_\_ CS SB 18 ( FIN )
- 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>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
Co-Chair: <i>[Signature]</i>	✓				
Co-Chair: <i>[Signature]</i>	✓				

**NEW FISCAL NOTE(S):**

Department                      Date    Zero    Fiscal


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

Department                      Date    Zero    Fiscal

#1 <i>DOE</i>	4/19/95	0	
#2 <i>Governor</i>	4/25/95		0.7

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

# FISCAL NOTE

Bill Version: SB 18  
 (S) Publish Date: 4-26-95

STATE OF ALASKA  
 1995 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_  
 Title: REAA Advisory Vote

No  
 Department Affected: Department of Education  
 BRU: Executive Administration  
 Component: Commissioner's Office

Sponsor: Senator Zharoff  
 Requestor: Senator Zharoff

COMPONENT SERIAL NO. 185

**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	0.0	0.0	0.0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</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>

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

REVENUE FUND SOURCE:						
----------------------	--	--	--	--	--	--

**FUNDING:** (Thousands of Dollars)

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

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY95) impact: \$ 0.0

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

Passage of this legislation will have no fiscal effect on the Department of Education.

Prepared by: Sheila Peterson, Special Assistant  
 Division: Commissioner's Office  
 Approved by Commissioner: [Signature]  
 Agency: Education

Phone: 465-2803  
 Date: January 19, 1995  
Jerry Covey  
 Date: January 19, 1995

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APR 24 1995

MPR-25-95 TUE 8:39  
APR-26-95 TUE 9:15

AK DIVISION OF ELECTIONS  
REC DIV OF ELECTIONS

FAX NO. 90746531  
FAX NO. 5221482

Bill Version: SB 18  
(S) Publish Date: 4-26-95

FISCAL NOTE

BILL 1

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_  
Title: REAA Advisory Vote  
Sponsor: Senator Zharoff  
Requestor: \_\_\_\_\_

Department Affected: Office of the Governor  
BRU: Division of Elections  
Component: Operations

COMPONENT SERIAL NO. 21

EXPENDITURES/REVENUES:

OPERATING	FY 98	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0.7	*	*	*	*	*
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND &	0	0	0	0	0	0
GRANTS,	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL	0.7	*	*	*	*	*

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

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

FUNDING:

1002 Federal	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0.7	*	*	*	*	*
1005 GF/Program	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0.7	*	*	*	*	*

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 (FY95) impact: 0

ANALYSIS: (Attach a separate page if necessary.)

Prepared by: David Kolvuneimi, Acting Director Phone: 465-4611  
Division: Division of Elections Date: 4-25-95

Approved by Commissioner: Fran Ulmer, Lieutenant Governor  
Agency: Office of the Governor Date: \_\_\_\_\_

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Rev 12/93 Page 1 of 2

FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO. SB 18

This figure includes printing an additional ballot card for one REAA election. \*Unable to project costs in subsequent years, as printing charges will depend upon the actual number of advisory questions for each REAA.

Adopted 4/29/95

WORK DRAFT

WORK DRAFT

WORK DRAFT

9-LS0266C ✓

Ford

4/28/95

SENATE FINANCE  
COMMITTEE

Amendment Number: 1

Bill Number: SB18

Sponsor: Zharoff Date: 4/25/95

Logged In By: JFF

CS FOR SENATE BILL NO. 18( )

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY

Offered:

Referred:

Sponsor(s): SENATOR ZHAROFF

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to an advisory vote during regional educational attendance area  
2 school board elections; and providing for an effective date."

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

4 \* Section 1. AS 14.08.071 is amended by adding a new subsection to read:

5 (d) If a regional school board adopts a resolution requesting that an advisory  
6 question relating to education be placed on that regional school board's next election  
7 ballot, the division of elections shall place the advisory question on that regional  
8 school board's next election ballot. A resolution described in this subsection must be  
9 filed with the division of elections on or before the first Friday in August of the year  
10 in which the advisory question is required to be placed on the ballot. An advisory  
11 question authorized under this subsection may not consist of more than 100 words and  
12 shall be worded in a manner that allows the advisory question to be answered with a  
13 "yes" or "no."

14 \* Sec. 2. This Act takes effect July 1, 1995.

Adopted 4/25/95

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR ZHAROFF

TO: Draft CS SB 18 ( ) (Ford 9-LS0266/C 4/28/95)

Page 1, line 13, after "yes"

Insert: "to favor the question"

Page 1, line 13, after "no"

Insert: "to oppose the question"

SENATE FINANCE  
COMMITTEE

Amendment Number: # 2  
Bill Number: CS SB 18 (FIN)  
Sponsor: Zharoff Date: 4/25/95  
Logged In By: JJR

April 29, 1995

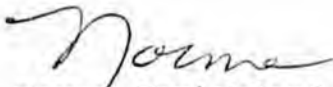
TO: Tom Panamaroff - *OK*  
Val Rader *OK*

FROM: Norma Strickland, Secretary  
Senate Finance Committee

SUBJECT: CSSB 18 (FIN)

The final is attached for your review. I am holding the bill awaiting your approval of the CS before releasing to the Senate Secretary.

Thank you,



Norma Strickland  
Ext. 4935



## SENATOR FRED F. ZHAROFF

### ALASKA STATE LEGISLATURE

P. O. BOX 406, KODIAK, ALASKA 99515 (907) 486-5259 (FAX ALSO)

DURING SESSION:

STATE CAPITOL, JUNEAU, ALASKA 99801-1182 • (907) 465-3473 • FAX: (907) 463-3043

---

#### DISTRICT C

KODIAK ISLAND • RURAL SOUTHEAST • SOUTH KENAI PENINSULA

## SPONSOR STATEMENT

### SB 18

This bill adds a provision in statute which would allow communities in Regional Education Attendance Area (REAA) school districts to be able to voice their positions on education related issues of concern to them via an advisory vote on the regular school ballot. REAA school sites are typically spread over a large area and it is often difficult for members of the community to attend school board meetings and make their feelings known. This bill allows the school board to adopt a resolution requesting that an advisory question be placed on the next ballot. They then get a certified count from the communities regarding the issue.

This bill passed the Senate and died in the House Rules Committee during the Eighteenth Alaska Legislature.



**SENATE COMMITTEE REPORT**  
**First Committee of Referral**

DATE: 1/16/95

FURTHER: CRA  
 Finance

*gms* Date of 5-Day Notice: 4-20-95  
 (in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 4-26-95

HESS Committee considered SENATE BILL NO. 18

"An Act relating to an advisory vote during regional educational attendance area school board elections; and providing for an effective date."

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:  
 technical change  
 new: SCR# \_\_\_\_\_

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Mike Miller</i>	✓				
<i>Patrick S. Dale</i>	✓				
<i>Loren D. Jensen</i>	✓				
CHAIR: <i>Lyle Green</i>	✓				

**NEW FISCAL NOTE(S):**

Department	Date	Zero	Fiscal
<i>DOE</i>	<i>1/19/95</i>	✓	
<i>Gov's office</i>	<i>4/25/95</i>		.7

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

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

**SB**

**19**

SFIN

FILE

*Failed to Pass*  
*Spoke*  
*3/12/95*

*3/16/95*  
*(S)RLS*

# FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO. SB19

Revision Date: \_\_\_\_\_ Dept. Affected: Alaska Judicial Council  
 Title: An Act relating to the location BRU: \_\_\_\_\_  
of the legislature in regular session. Components: 0771  
 Sponsor: R. Phillips  
 Requestor: \_\_\_\_\_ COMPONENT SERIAL NO. \_\_\_\_\_

EXPENDITURES/REVENUES (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	-1.2	-1.2	-1.2	-1.2	-1.2	-1.2
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	-1.2	-1.2	-1.2	-1.2	-1.2	-1.2

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

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

FUND SOURCE (Thousands of Dollars)

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

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY 95) cost: \$ None

**ANALYSIS: (Attach a separate page if necessary)**  
 The Judicial Council would save travel funds when it had to appear before or make presentations to the legislature.

Prepared by: William T. Cotton Phone: 279-2526  
 Agency: Alaska Judicial Council Date: 3/9/95  
 Approved by: William T. Cotton *William T. Cotton*  
 Agency: Alaska Judicial Council Date: 3/9/95

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# SENATE FINANCE COMMITTEE REPORT

DATE: 2/1/95

FURTHER:

DATE TURNED INTO OFFICE: 3-9-95

The Finance Committee considered SPONSOR SUBSTITUTE FOR SENATE BILL NO. 19

"An Act relating to the location of the convening of the legislature in regular session."

and recommends:

- be replaced with \_\_\_\_\_ CS SSSB 19 (Fin)
- 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:
- technical change
  - new: SCR# \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Reed, E. C. Flep</i>	✓	<i>Alvin King</i>	✓		
		<i>David S. Lee</i>	✓		
		<i>Paul H. Shantz</i>		X	
		<i>Bob Wang</i>	✓		
		<i>John</i>	✓		
Co-Chair: _____					
Co-Chair: <i>Rich Halford</i>					

**NEW FISCAL NOTE(S)**

Department                      Date      Zero      Fiscal

<i>18 new notes</i>			
<i>listing attached</i>			

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

Department                      Date      Zero      Fiscal


APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

TABLE 1

Senate Bill 19  
An Act Relating to Location of the Legislature

Summary of Fiscal Notes for FY98

	FY98		
	Original Fiscal Note	Sponsor Fiscal Note	Difference
Governor	755.0	755.0	0.0
Administration	74.7	51.8	(22.9)
Law	318.7	318.7	0.0
Revenue	145.4	128.8	(16.6)
(2) Education	92.7	91.9	(0.8)
Health & Social Services	558.4	57.1	(501.3)
Labor	55.4	55.4	0.0
Commerce & Economic Development	105.1	78.8	(26.3)
Military & Veterans Affairs	8.0	0.0	(8.0)
Natural Resources	0.0	0.0	0.0
(2) Fish & Game	205.7	162.7	(43.0)
(2) Public Safety	70.7	74.7	4.0
Transportation & Public Facilities	86.9	86.9	0.0
Environmental Conservation	86.7	81.7	(5.0)
Community & Regional Affairs	45.5	41.2	(4.3)
Corrections	59.9	59.9	0.0
Courts	(27.5)	(27.5)	0.0
Legislature	4,133.2	2,733.2	(1,400.0)
TOTAL	6,774.5	4,750.3	(2,024.2)

# FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO: 41

Bill Version: CSSSSB 19 (Fin)

BILL VERSION:

(C) Publish Date: 3-14-95

Revision Date: March 7, 1995

Dept. Affected: Natural Resources

Title: Location of the convening of the  
Legislative session.

BRU: Management & Administra

Sponsor: Senator Randy Phillips

Components: Commissioner's Office

Requestor: Senator Randy Phillips

Serial #: 423

**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						
<b>TOTAL OPERATING</b>	0.0	0.0	0.0	0.0	0.0	0.0

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

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

**FUNDING: (THOUSANDS OF DOLLARS)**

General Fund						
Federal Fund						
Other						
<b>TOTAL</b>	0.0	0.0	0.0	0.0	0.0	0.0

**POSITIONS:**

Full-Time						
Part-Time						
Temporary						

**ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)**

Increased travel costs for Juneau based staff to appear before the Legislature would be offset by savings in travel costs for Anchorage based staff who currently travel to Juneau for Legislative purposes.

Prepared by: Fred Fisher, Fiscal Analyst  
Legislative Finance Division

Date: March 7, 1995

Phone: 465-3795

Approved by: Senate Finance Committee

Date: 3/14/95

*Rick Halford*  
Rick Halford, Co-Chair

# FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL  
BILL VERS

No. 40  
Bill Version: CSSSSB19(FIN)  
(S) Publish Date: 3-14-95

Revision Date: \_\_\_\_\_  
Title: An act relating to the location of the  
convening of the legislature  
Sponsor: Senator Phillips  
Requestor: Senator Phillips

Dept. Affected Legislature  
BRU: All  
Components: All  
Serial # \_\_\_\_\_

**EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)**

	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
<b>OPERATING</b>						
Personal Services	0.01	0.01				
Travel	0.01	0.01	395.41	-332.41	-332.41	-332.41
Contractual	0.01	0.01	2337.31	1715.31	1715.31	1715.31
Supplies	0.01	0.01				
Equipment	0.01	0.01				
Land & Structures	0.01	0.01				
Grants, Claims	0.01	0.01				
Miscellaneous	0.01	0.01				
<b>TOTAL OPERATING</b>	<b>0.01</b>	<b>0.01</b>	<b>2733.21</b>	<b>1383.41</b>	<b>1383.41</b>	<b>1383.41</b>
<b>CAPITAL</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>
<b>REVENUE</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>

**FUNDING: (THOUSANDS OF DOLLARS)**

General Fund	0.01	0.01	2733.21	1383.41	1383.41	1383.41
Federal Fund	0.01	0.01				
Other	0.01	0.01				
<b>TOTAL</b>	<b>0.01</b>	<b>0.01</b>	<b>2733.21</b>	<b>1383.41</b>	<b>1383.41</b>	<b>1383.41</b>

**POSITIONS:**

Full-Time	01	01	01	01	01	01
Part-Time	01	01	01	01	01	01
Temporary	01	01	01	01	01	01

**ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)**

The Operating expenses are identical to the 1/26/95 fiscal note prepared by the Legislative Affairs Agency.

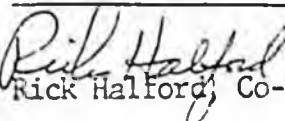
At the sponsor's request, the \$1,400.0 Capital expenditure for renovating Capitol offices is deleted from the sponsor's fiscal note.

Prepared by: Michael Greany, Legislative Fiscal Analyst  
Division of Legislative Finance

Date: 3/4/95  
Phone: 465-3795

Approved by: Senate Finance Committee

Date: 3/14/95

  
Rick Halford, Co-Chair

# FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO No. 39

BILL VERSION: CSSSSB19(FN)  
(S) Publish Date: 3-14-95

Revision Date: \_\_\_\_\_  
Title: An act related to the location of the convening  
of the Legislature  
Sponsor: Sen. Phillips  
Requestor: Sen Phillips

Dept. Affected: Court System  
BRU: Administration  
Components: Administrative Office  
Senal #: \_\_\_\_\_

**EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)**

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
Personal Services						
Travel			-27.5	-27.5	-27.5	-27.5
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants, Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>-27.5</b>	<b>-27.5</b>	<b>-27.5</b>	<b>-27.5</b>

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

**FUNDING: (THOUSANDS OF DOLLARS)**

General Fund			-27.5	-27.5	-27.5	-27.5
Federal Fund						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>-27.5</b>	<b>-27.5</b>	<b>-27.5</b>	<b>-27.5</b>

**POSITIONS:**

Full-Time						
Part-Time						
Temporary						

**ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)**

This fiscal note is unchanged from that submitted by the Court System

Prepared by: Kathryn Daughhettee, Fiscal Analyst  
Legislative Finance Division

Date: March 7, 1995  
Phone: 465-3795

Approved by: Senate Finance Committee

Date: 3/14/95

Rick Halford  
Rick Halford, Co-Chair PAGE 1 OF 1

# FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO No. 38

BILL VERSIC: Bill Version: CSSS 5819(FIN)  
(S) Publish Date: 3-14-95

Revision Date:  
Title: An act related to the location of the convening  
of the Legislature  
Sponsor: Sen. Phillips  
Requestor: Sen Phillips

Dept. Affected Corrections  
BRU: Admin & Support  
Components: Commissioner's Office  
Serial # \_\_\_\_\_

**EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)**

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
Personal Services						
Travel			59.9	59.9	59.9	59.9
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants, Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>59.9</b>	<b>59.9</b>	<b>59.9</b>	<b>59.9</b>

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

**FUNDING: (THOUSANDS OF DOLLARS)**

General Fund			59.9	59.9	59.9	59.9
Federal Fund						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>59.9</b>	<b>59.9</b>	<b>59.9</b>	<b>59.9</b>

**POSITIONS:**

Full-Time						
Part-Time						
Temporary						

**ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)**

This fiscal note is unchanged from that submitted by the Department of Corrections.

Prepared by: Kathryn Daugherty, Fiscal Analyst  
Legislative Finance Division

Date: March 7, 1995  
Phone: 465-3795

Approved by: Senate Finance Committee

Date: 3/14/95

Rick Halford  
Rick Halford, Co-Chair PAGE 1 OF 1

FISCAL NOTE

No. 37

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO

Bill Version: SSSB19(FIN)

BILL VERSIO

(S) Publish Date: 3-17-95

Revision Date: \_\_\_\_\_  
Title: Relating to the Location of Convening the  
Legislature in Regular Session  
Sponsor: Senator Phillips  
Requestor: Senator Phillips

Dept. Affected C&RA  
BRU: All  
Components: All  
Serial #: \_\_\_\_\_

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
Personal Services						
Travel			45.5	45.5	45.5	45.5
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	45.5	45.5	45.5	45.5

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

FUNDING: (THOUSANDS OF DOLLARS)

General Fund	0.0	0.0	45.5	45.5	45.5	45.5
Federal Fund						
Other						
TOTAL	0.0	0.0	45.5	45.5	45.5	45.5

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

Initially, the agency did not factor in the cost savings of two Anchorage-based directors. Increased travel costs associated with Juneau-based budget and program staff travelling to Anchorage (which is not now done on a routine basis) could offset the savings to be accrued from the Anchorage based directors. A higher utilization of teleconferencing over time would also demonstrate cost savings, however, the degree of legislative tolerance for teleconferencing vs. on-sight, face-to-face meetings has yet to be thoroughly tested. 5% inflation adjustment for travel deleted.

Prepared by: Virginia Stonkus, Fiscal Analyst *KS*  
Legislative Finance Division

Date: March 8, 1994

Phone: 465-3795

Approved by: Senate Finance Committee

Date: 3/14/95

*Rick Halford*  
Rick Halford, Co-Chair