

ALASKA LEGISLATURE

1551

HOUSE and SENATE FINANCE COMMITTEE FILES, 1995-1996

# FISCAL NOTE

No. 6  
 Bill Version: CSSB 229(CRA)  
 (S) Publish Date: 3-20-96

STATE OF ALASKA  
 1996 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_ Dept. Affected: Office of the Governor  
 Title: "An Act relating to employment contributions and BRU: Commissions/Special Offices  
to making the state training and employment program a permanent... Component: Human Resource Investment  
 Sponsor: Rules Committee Council \_\_\_\_\_  
 Requester: Governor COMPONENT SERIAL NO. 2055

**Expenditures/Revenues**

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 100	FY 01	FY 02
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						
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CHANGE IN REVENUES						
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**FUND SOURCE**

(Thousands of Dollars)

FUND SOURCE	FY 97	FY 98	FY 99	FY 100	FY 01	FY 02
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF Program Receipts						
1037 GF Mental Health						
Other						
<b>TOTAL</b>	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY96) cost: \$ 0.0

**POSITIONS**

POSITION TYPE	FY 97	FY 98	FY 99	FY 100	FY 01	FY 02
FULL-TIME						
PART-TIME						
TEMPORARY						

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

No fiscal impact.

Prepared by: Mike Andrews, Exec. Director Phone: 269-1490  
 Division: Human Resource Investment Council Date: 2/2/96  
 Approved by Commissioner: Jim Ayers, Chief of Staff Date: 2/2/96  
 Agency: Office of the Governor

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# FISCAL NOTE

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO: CS SB 287 (CRA)

Revision Date: 4/15/96 Dept. Affected: Community & Regional Affairs  
 Title: An Act relating to the unincorporated commu- BRU: Administration and Support  
nity capital project matching grant program:... Component: Administrative Services  
 Sponsor: Senator Torgerson  
 Requestor: Senate C&RA COMPONENT SERIAL NO. 684

**EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)**

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	42.7	43.9	45.3	46.0	48.1	49.6
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>42.7</b>	<b>43.9</b>	<b>45.3</b>	<b>46.0</b>	<b>48.1</b>	<b>49.6</b>

CAPITAL EXPENDITURES						
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Revenue Fund Source	0.0	0.0	0.0	0.0	0.0	0.0
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**FUNDING: (Thousands of Dollars)**

1002 Federal Receipts						
1003 GE Match						
1004 GE	42.7	43.9	45.3	46.0	48.1	49.6
1005 GE/Program Receipts						
1008 GE/INTIA						
Other						
<b>TOTAL</b>	<b>42.7</b>	<b>43.9</b>	<b>45.3</b>	<b>46.0</b>	<b>48.1</b>	<b>49.6</b>

Estimate of current year (FY 96) impact: \$ none

**POSITIONS:**

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

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

Based on the definition of communities eligible for program participation under this legislation, the Department assumes approximately 60 additional unincorporated communities could participate. The program provides for a \$25,000 match for each unincorporated participant. Therefore, an additional \$1,500,000 would be needed to fully fund the unincorporated element of the amended Capital Match Program administered by the Department. However, it is our understanding that either the additional required funds would be re-allocated to the Department from the municipal element of the program administered by the Department of Administration or the unincorporated program funding level would be held at the level required (continued next page)

Prepared By: Remond Henderson, Director Phone: 465-4708  
 Division: Administrative Services Date: 4/15/96  
 Approved by Commissioner: Mike Owen Date: 4/15/96  
 Agency: Mike Owen, Dept. of Community & Reg. Affairs

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STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO: CL 287 (CRA)

Revision Date: 4/15/96

Dept. Affected: Community & Regional Affairs

ANALYSIS CONTINUED:

before the addition of the 60 new communities (\$1.7 million). The latter case would result in a pro-rating of each unincorporated community's share from \$25,000 down to \$13,281. In either case, there would be zero net fiscal impact to the general fund with regard to funding the Capital Match Program under the proposed amendment.

The addition of 60 new participants in the unincorporated community Capital Match Program administered by the Department will translate into increased burdens of grant tracking and community assistance for the agency. Existing staff would not be able to absorb the increased work load. The Department feels these additional duties could only be absorbed by a new grant administration position. Therefore, a Grants Administrator I (range 13) with full-time funding is included in the fiscal note. It is important that full funding be attached due to the imminent general fund reductions to the component.

# FISCAL NOTE

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO. CSSB 229 (FIN)

Revision Date: 4/19/96 Dept. Affected: Community & Regional Affairs  
 Title: An Act relating to employment contributions and the state training program BRU: Employment/Training/Rural Dev.  
 Sponsor: Rules by Request of the Governor Component: State Training & Employment Pgm (STEP)  
 Requestor: Senate Finance COMPONENT SERIAL NO. 1012

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

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	11.0	11.0	11.0	11.0	11.0	11.0
CONTRACTUAL	87.0	87.0	87.0	87.0	87.0	87.0
SUPPLIES	2.0	2.0	2.0	2.0	2.0	2.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES						
GRANTS, CLAIMS	1,724.6	1,724.6	1,724.6	1,724.6	1,724.6	1,724.6
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>1,824.6</b>	<b>1,824.6</b>	<b>1,824.6</b>	<b>1,824.6</b>	<b>1,824.6</b>	<b>1,824.6</b>

CAPITAL EXPENDITURES						
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REVENUE FUND SOURCE:						
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**FUNDING** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other 1007 W.	1,824.6	1,824.6	1,824.6	1,824.6	1,824.6	1,824.6
<b>TOTAL</b>	<b>1,824.6</b>	<b>1,824.6</b>	<b>1,824.6</b>	<b>1,824.6</b>	<b>1,824.6</b>	<b>1,824.6</b>

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

POSITIONS						
FULL-TIME						
PART-TIME						
TEMPORARY						

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

This bill makes the state training and employment program permanent. The program is funded by a worker contribution on one-tenth of one percent of covered wages collected by the Department of Labor. This is done at no additional cost to the worker by giving credit of this amount for the employee contribution currently provided for in AS 23.20.290. Budget numbers for information only.

Prepared by: Remond Henderson, Director *Remond Henderson* Phone: 465-4708  
 Division: Division of Administrative Services Date: 04/19/96  
 Approved by: Mike Irwin, Commissioner *[Signature]* Date: 04/19/96  
 Agency: Community & Regional Affairs

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# FISCAL NOTE

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO: CSSB229 (FIN)

Revision Date: 04/19/96 Dept. Affected: Community & Regional Affairs  
 Title: An act relating to employment contributions and the BRU: Employment/Training/Rural Dev.  
state training program Component: Statewide Service Delivery  
 Sponsor: Rules by Request of the Governor  
 Requestor: Senate Finance COMPONENT SERIAL NO. 1178

**EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)**

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	63.6	63.6	63.6	63.6	63.6	63.6
TRAVEL	18.3	18.3	18.3	18.3	18.3	18.3
CONTRACTUAL	43.0	43.0	43.0	43.0	43.0	43.0
SUPPLIES	4.0	4.0	4.0	4.0	4.0	4.0
EQUIPMENT	1.5	1.5	1.5	1.5	1.5	1.5
LAND & STRUCTURES						
GRANTS CLAIMS	1,378.6	1,378.6	1,378.6	1,378.6	1,378.6	1,378.6
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>1,509.0</b>	<b>1,509.0</b>	<b>1,509.0</b>	<b>1,509.0</b>	<b>1,509.0</b>	<b>1,509.0</b>

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ( )						
Revenue Code						

**FUNDING: (Thousands of Dollars)**

1002 Federal Receipts						
1003 GE Match						
1004 GE						
1005 GE/Program Receipts						
1009 GE/MHTIA						
Other: 1007 IVA	1,509.0	1,509.0	1,509.0	1,509.0	1,509.0	1,509.0
<b>TOTAL</b>	<b>1,509.0</b>	<b>1,509.0</b>	<b>1,509.0</b>	<b>1,509.0</b>	<b>1,509.0</b>	<b>1,509.0</b>

Estimate of current year (FY 96) impact \$ \_\_\_\_\_

**POSITIONS:**

FULL TIME	1.0	1.0	1.0	1.0	1.0	1.0
PART TIME						
TEMPORARY						

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

This bill makes the state training and employment program permanent. The program is funded by a worker contribution on one-tenth of one percent of covered wages collected by the Department of Labor. This is done at no additional cost to the worker by giving credit of this amount for the employee contribution currently provided for in AS 23.20.290. Budget numbers for information only.

Prepared By Remond Henderson, Director *Remond Henderson* Phone 465-4708  
 Division Division of Administrative Services Date 04/19/96  
 Approved by Commissioner Mike Irwin, Commissioner Date 04/19/96  
 Agency Community & Regional Affairs

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# FISCAL NOTE

No. 7

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

Bill Version: CS SB 229(L&C)  
(S) Publish Date: 3-22-96

Revision Date: \_\_\_\_\_ Department Affected: All  
 Title: Calculation of Unemployment Insurance Benefits BRU: All  
 Sponsor: Rules Committee Component: All  
 Requestor: Senate Labor & Commerce COMPONENT SERIAL NO. \_\_\_\_\_

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	231.8	467.1	477.7	490.3	502.7	520.4
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>231.8 *</b>	<b>467.1 *</b>	<b>477.7 *</b>	<b>490.3 *</b>	<b>502.7 *</b>	<b>520.4 *</b>

CAPITAL						
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CHANGE IN REVENUE						
FUND SOURCE #						

**FUNDING:** (Thousands of Dollars)

1002 Federal Receipts	29.3	59.1	60.4	62.0	63.6	65.8
1003 GF Match						
1004 GF	133.4	268.8	274.9	282.2	289.3	299.5
1005 GF Program Receipt						
1006 GF/MHTIA						
Other	69.1	139.2	142.4	146.1	149.8	155.1
<b>TOTAL</b>	<b>231.8 *</b>	<b>467.1 *</b>	<b>477.7 *</b>	<b>490.3 *</b>	<b>502.7 *</b>	<b>520.4 *</b>

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY 96) impact: \$ None

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

Section 5 of the bill revises the unemployment insurance weekly benefit amount schedule, so that the maximum benefit amount for a calendar year is based on the taxable wage base in effect for that year. The personal services impact is the state portion of the increased benefit payments, i.e., that portion which goes to ex-state employees. Impacts for FY 2001-2002 is extrapolated from data for FY 97-2000. An effective date of January 1, 1997 is assumed.

- The department is not seeking an additional appropriation. Amounts shown are additional charges against payroll which will occur quarterly as claims are filed. Current UI reimbursements for ex-state employees are 85% of payroll. The new benefit schedule would increase reimbursements less than 1%.

Prepared by: Rebecca Nance, Director Phone: 465-2712  
 Division: Employment Security Division Date: 3/22/96  
 Approved by Commissioner: Tom Cashen, Commissioner  
 Agency: Department of Labor Date: 3/22/96

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# FISCAL NOTE

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO. CSSB 229(FIN) Sec. 5

Revision Date: \_\_\_\_\_  
 Title: Calculation of Unemployment Insurance Benefits  
 Sponsor: Rules Committee  
 Requestor: Senate Labor & Commerce

Department Affected: All  
 BRU: All  
 Component: All  
 COMPONENT SERIAL NO. \_\_\_\_\_

**EXPENDITURES/REVENUES:**

(Thousands of Dollars)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	231.8	467.1	477.7	490.3	502.7	520.4
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>231.8 *</b>	<b>467.1 *</b>	<b>477.7 *</b>	<b>490.3 *</b>	<b>502.7 *</b>	<b>520.4 *</b>

CAPITAL						
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CHANGE IN REVENUE FUND SOURCE #						
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**FUNDING:**

(Thousands of Dollars)

	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
1002 Federal Receipts	29.3	59.1	60.4	62.0	63.6	65.8
1003 GF Match						
1004 GF	133.4	268.8	274.9	282.2	289.3	299.5
1005 GF/Program Receipt						
1006 GF/MHTIA						
Other	69.1	139.2	142.4	146.1	149.8	155.1
<b>TOTAL</b>	<b>231.8 *</b>	<b>467.1 *</b>	<b>477.7 *</b>	<b>490.3 *</b>	<b>502.7 *</b>	<b>520.4 *</b>

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY96) impact: \$ None

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

Section 5 of the bill revises the unemployment insurance weekly benefit amount schedule to provide a maximum benefit amount of \$248 for benefit years beginning on or after January 1, 1997. The personal services impact is the state portion of the increased benefit payments, i.e., that portion which goes to ex-state employees. Impacts for FY 2001-2002 are extrapolated from data for FY 97-2000.

- \* The department is not seeking an additional appropriation. Amounts shown are additional charges against payroll which will occur quarterly as claims are filed. Current UI reimbursements for ex-state employees are 85% of payroll. The new benefit schedule would increase reimbursements less than .1%.

Prepared by: Rebecca Nance Phone: 465-2712  
 Division: Employment Security Division Date: 4/18/96

Approved by Commissioner: Tom Cashen Commissioner  
 Agency: Department of Labor Date: 4/18/96

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# FISCAL NOTE

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO. CSSB 229(L&C) -

Revision Date 3/27/96 Dept. Affected: Community & Regional Affairs  
 Title: An Act relating to employment contributions and the state training program BRU: Employment/Training/Rural Dev  
 Component: Statewide Service Delivery  
 Sponsor: Rules Committee  
 Requestor: Senate Labor & Commerce COMPONENT SERIAL NO. 1178

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	63.6	63.6	63.6	63.6	63.6	63.6
TRAVEL	18.3	18.3	18.3	18.3	18.3	18.3
CONTRACTUAL	43.0	43.0	43.0	43.0	43.0	43.0
SUPPLIES	4.0	4.0	4.0	4.0	4.0	4.0
EQUIPMENT	1.5	1.5	1.5	1.5	1.5	1.5
LAND & STRUCTURES						
GRANTS, CLAIMS	1,378.6	1,378.6	1,378.6	1,378.6	1,378.6	1,378.6
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>1,509.0</b>	<b>1,509.0</b>	<b>1,509.0</b>	<b>1,509.0</b>	<b>1,509.0</b>	<b>1,509.0</b>

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

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other 1007 I/A	1,509.0	1,509.0	1,509.0	1,509.0	1,509.0	1,509.0
<b>TOTAL</b>	<b>1,509.0</b>	<b>1,509.0</b>	<b>1,509.0</b>	<b>1,509.0</b>	<b>1,509.0</b>	<b>1,509.0</b>

Estimate of current year (FY96) costs:  
POSITIONS

FULL-TIME	10	10	10	10	10	10
PART-TIME						
TEMPORARY						

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

This bill extends the state training and employment program through June 30, 1998. The program is funded by a worker contribution of one-tenth of one percent of covered wages collected by the Department of Labor. This is done at no additional cost to the worker by giving a credit of this amount for the employee contribution currently provided for in AS 23.20.290. Budget numbers for information only.

Prepared by: Remond Henderson, Director *Remond Henderson* Phone: 465-4708  
 Division: Division of Administrative Services Date: 3/27/96  
 Approved by: Commissioner *Mike Duran* Date: 3/27/96  
 Agency: Community & Regional Affairs

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# FISCAL NOTE

No. 8

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

Bill Version: AS SB 229(LLC)  
(S) Publish Date: 3-22-96

Revision Date: \_\_\_\_\_  
Title: State Training & Employment Program  
Sponsor: Rules Committee  
Requestor: Senate Labor & Commerce

Department Affected: Labor  
BRU: Employment Security  
Component: State Training & Employment Program  
COMPONENT SERIAL NO. 1184

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	3,946.2 *	3,946.2 *	3,946.2 *	3,946.2 *	3,946.2 *	3,946.2 *
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>3,946.2 *</b>	<b>3,946.2 *</b>	<b>3,946.2 *</b>	<b>3,946.2 *</b>	<b>3,946.2 *</b>	<b>3,946.2 *</b>

CAPITAL						
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CHANGE IN REVENUE						
FUND SOURCE #						

**FUNDING:** (Thousands of Dollars)

*002 Federal Receipts						
*003 GF Match						
*004 GF						
*005 GF/Program Receipt						
*006 GF/MHTIA						
*054 St Empl & Trng Pgm	3,946.2 *	3,946.2 *	3,946.2 *	3,946.2 *	3,946.2 *	3,946.2 *
<b>TOTAL</b>	<b>3,946.2 *</b>	<b>3,946.2 *</b>	<b>3,946.2 *</b>	<b>3,946.2 *</b>	<b>3,946.2 *</b>	<b>3,946.2 *</b>

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY96) impact: \$ None

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

Section 2 of the bill makes the State Training and Employment Program permanent. The program is funded by a worker contribution of one-tenth of one percent of covered wages collected by the Department of Labor. This is done at no additional cost to the worker by diverting a portion of the employee contribution currently provided for in AS 23.20.290.

- Per instruction from the Office of Management & Budget, to avoid disruption to other budgets which rely on this funding, existing expenditure authorization has not been deleted from the department's operating budget. The amounts shown above are for informational purposes only.

Prepared by: Rebecca Nance, Director Phone: 465-2712  
Division: Employment Security Division Date: 1/22/96

Approved by Commissioner: Tom Cashen, Commissioner  
Agency: Department of Labor Date: 1/22/96

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# FISCAL NOTE

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO. CSSB 229(FIN) Sec. 2

Revision Date: \_\_\_\_\_  
 Title: State Training & Employment Program  
 Sponsor: Rules Committee  
 Requestor: Senate Labor & Commerce

Department Affected: Labor  
 BRU: Employment Security  
 Component: State Training & Employment Program  
 COMPONENT SERIAL NO. 1184

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	3,946.2 *	3,946.2 *	3,946.2 *	3,946.2 *	3,946.2 *	3,946.2 *
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>3,946.2 *</b>	<b>3,946.2 *</b>	<b>3,946.2 *</b>	<b>3,946.2 *</b>	<b>3,946.2 *</b>	<b>3,946.2 *</b>

CAPITAL						
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CHANGE IN REVENUE FUND SOURCE #						
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**FUNDING:** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipt						
1006 GF/MHTIA						
1054 St Empl & Trng Prgm	3,946.2 *	3,946.2 *	3,946.2 *	3,946.2 *	3,946.2 *	3,946.2 *
<b>TOTAL</b>	<b>3,946.2 *</b>	<b>3,946.2 *</b>	<b>3,946.2 *</b>	<b>3,946.2 *</b>	<b>3,946.2 *</b>	<b>3,946.2 *</b>

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY96) impact: \$ None

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

Section 2 of the bill makes the State Training and Employment Program permanent. The program is funded by a worker contribution of one-tenth of one percent of covered wages collected by the Department of Labor. This is done at no additional cost to the worker by diverting a portion of the employee contribution currently provided for in AS 23.20.290.

- \* Per instruction from the Office of Management & Budget, to avoid disruption to other budgets which rely on this funding, existing expenditure authorization has not been deleted from the department's operating budget. The amounts shown above are for informational purposes only.

Prepared by: Rebecca Nance, Director Phone: 465-2712  
 Division: Employment Security Division Date: 4/19/96

Approved by Commissioner: Tom Cashen, Commissioner  
 Agency: Department of Labor Date: 4/19/96

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moved Sen. Zharoff  
w/o objection  
reported out  
4/19/96  
9-GS2026/G

CS FOR SENATE BILL NO. 229(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered: 3/22/96  
Referred: Finance

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to employment contributions, to the calculation of  
2 unemployment insurance benefits, and to the state training and employment  
3 program; and providing for an effective date."

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

5 \* Section 1. FINDINGS. The legislature finds that

6 (1) an inadequate number of jobs exist in this state to meet the needs of those  
7 seeking employment;

8 (2) many Alaskans are having difficulty finding jobs, especially in trying to  
9 meet the changing technology needs in this state;

10 (3) employer and employee contributions paid into the unemployment  
11 insurance system are used for payment of compensation to unemployed workers and allocation  
12 of a small portion of employment contributions paid by employees would provide money to  
13 develop a state training and employment program to meet the training needs of Alaskans;

14 (4) a state training and employment program would

1 (A) help prevent future claims against unemployment benefits;

2 (B) foster new jobs by encouraging businesses to locate in the state due  
3 to availability of a skilled labor force and by minimizing employers' unemployment  
4 costs; and

5 (C) increase training opportunities to those workers severely affected  
6 by the fluctuations in the state economy or technological changes in the workplace in  
7 the state;

8 (5) it would be beneficial to the state for state training and employment  
9 programs funded by the state training and employment program to supplement, but not to  
10 displace, programs funded by money available to a training entity for public or private  
11 training, and not to replace, parallel, compete with, or duplicate existing federally approved,  
12 jointly administered apprenticeship and training programs;

13 (6) it would be beneficial to the state to make the state training and  
14 employment program a permanent state program to benefit Alaska workers, businesses, and  
15 industry.

16 \* Sec. 2. AS 23.15 is amended by adding new sections to read:

17 **ARTICLE 4A. STATE TRAINING AND EMPLOYMENT PROGRAM.**

18 **Sec. 23.15.620. STATE TRAINING AND EMPLOYMENT PROGRAM.**

19 There is created in the department a program to finance and award grants to  
20 employment assistance and training entities. Employment assistance and training  
21 entities shall give appropriate state agencies full access to accounting records  
22 concerning grants received to assure compliance with program standards.

23 **Sec. 23.15.625. EMPLOYMENT ASSISTANCE AND TRAINING**

24 **PROGRAM ACCOUNT.** The employment assistance and training program account  
25 is established in the general fund. The commissioner of administration shall separately  
26 account for money collected under AS 23.15.630 that the department deposits in the  
27 general fund. The annual estimated balance in the account may be appropriated by the  
28 legislature to the department to implement AS 23.15.620 - 23.15.660. The legislature  
29 may appropriate the lapsing balance of the account to the unemployment compensation  
30 fund established in AS 23.20.130.

31 **Sec. 23.15.630. SPECIAL EMPLOYEE UNEMPLOYMENT CREDIT AND**

1 CONTRIBUTIONS FOR PROGRAM. (a) In the manner provided in AS 23.20, the  
2 department shall collect from each employee an amount equal to one-tenth of one  
3 percent of the wages, as set out in AS 23.20.175, on which the employee is required  
4 to make contributions under AS 23.20.290(d). The department shall remit to the  
5 Department of Revenue, in accordance with AS 37.10.050, money collected under this  
6 subsection.

7 (b) Notwithstanding AS 23.20.290(d), the department shall credit each  
8 employee with an amount equal to the amount collected from the employee under (a)  
9 of this section against unemployment contributions owed by the employee under  
10 AS 23.20.

11 (c) The department shall assess and collect, under AS 23.20.185 - 23.20.275,  
12 interest and penalties for delinquent reports and payments due under this section.  
13 Interest and penalties collected shall be handled in accordance with AS 23.20.130(d).

14 Sec. 23.15.635. PEOPLE TO BE SERVED. Within the limits of its grant, an  
15 employment assistance and training entity receiving a grant under AS 23.15.651 shall  
16 provide services set out in AS 23.15.640 to state residents who, immediately before  
17 beginning training or receiving benefits under a grant financed by this program,

18 (1) are unemployed and

19 (A) are receiving unemployment insurance benefits; or

20 (B) have exhausted the right to unemployment insurance  
21 benefits within the past three years;

22 (2) are employed, but liable to be displaced within the next six months  
23 because of

24 (A) reductions in overall employment within a business;

25 (B) elimination of the worker's current job; or

26 (C) a change in conditions of employment requiring that, to  
27 remain employed, the employee must learn substantially different skills that the  
28 employee does not now possess; or

29 *San Fran. moved w/o objection adopted* (3) have worked in a position covered by AS 23.20 ~~at any time during~~  
30 ~~the last three years~~, and are not currently eligible for unemployment insurance benefits  
31 because

1 (A) their employment has been seasonal, temporary, part-time,  
2 or marginal;

3 (B) their qualifying wages are insufficient because of limited  
4 job opportunity; or

5 (C) they are employed but, because they are underemployed,  
6 they are in need of employment assistance and training to obtain full  
7 employment.

8 Sec. 23.15.640. SERVICES FOR ELIGIBLE PEOPLE. Subject to the limits  
9 of its grant, an entity receiving a grant under AS 23.15.651 shall provide one or more  
10 program elements. The program elements include

- 11 (1) industry-specific training;
- 12 (2) on-the-job training;
- 13 (3) institutional or classroom job-linked training;
- 14 (4) support services, including allowances;
- 15 (5) relocation assistance; or
- 16 (6) provisions of necessary tools, work-related clothing, safety gear, or  
17 other necessities to obtain or retain employment.

18 Sec. 23.15.645. DUTIES AND POWERS OF THE DEPARTMENT. (a) The  
19 department shall award a grant to the council to

- 20 (1) administer a state training and employment program; and
- 21 (2) award grants to qualified entities.

22 (b) When a grant is awarded to the council, the department shall annually  
23 provide to the council a priority list of targeted projects or services, based on  
24 unemployment statistics, unemployment insurance claims, occupational and industrial  
25 projections, availability of other training and employment programs, and other relevant  
26 data. The department shall also provide annually to the council a priority list of  
27 criteria for eligibility to maximize services to those people most in need of training  
28 under AS 23.15.620 - 23.15.660. In developing the priority list for targeted projects  
29 and services, the department shall solicit comments from the Department of  
30 Community and Regional Affairs, Department of Education, Department of Commerce  
31 and Economic Development, University of Alaska, organized labor, the council, and

1 the administrative entities of the substate service delivery areas established for the  
2 council. The department shall give preference to projects and services that train  
3 individuals in industries identified in the resident hire report required under  
4 AS 36.10.130 as employing a disproportionate percentage of nonresident individuals.

5 (c) The department may adopt regulations necessary to implement this chapter.

6 (d) The council shall establish grant administration requirements including  
7 accounting procedures that apply to qualified entities and their grantees.

8 (e) In making a grant under this section, the council shall require that the  
9 qualified entity and grantees of the qualified entity limit the amount of the grant  
10 proceeds spent on administration so that the total spent on administration from the  
11 proceeds of the employment assistance and training program account, including  
12 amounts spent by the council itself, does not exceed 20 percent. The amount collected  
13 and remitted in accordance with the shared cost requirements of the federal Office of  
14 Management and Budget Circular A-87 entitled "Cost Principles for State and Local  
15 Governments" is not considered an amount spent on administration under this  
16 subsection.

17 Sec. 23.15.651. DUTIES OF ALASKA HUMAN RESOURCE INVESTMENT  
18 COUNCIL; GRANTS; ELIGIBLE ENTITIES. (a) In implementing this program  
19 under a grant received under AS 23.15.645, and subject to the limit of its grant the  
20 council shall award grants, in accordance with the priority list established by the  
21 department under AS 23.15.645(b) to employment assistance and training entities. A  
22 training entity is eligible for a grant under this section if the entity meets program  
23 requirements and can demonstrate that

24 (1) its accounting systems include controls adequate to check the  
25 accuracy and reliability of accounting data, promote operating efficiency, and assure  
26 compliance with program requirements and generally accepted accounting principles;  
27 and

28 (2) its activities do not replace or compete in any way with a federally  
29 approved, jointly administered apprenticeship program or any other existing training  
30 programs.

31 (b) The council may not award a grant if the grant would displace money

1 available through existing public or private training programs.

2 (c) To provide administration of the program, the council may use the  
3 administrative entities of the substate service delivery areas.

4 (d) The council shall annually provide the department with financial and  
5 performance reporting on the activities of the program and recommendations  
6 concerning continuation of funding.

7 Sec. 23.15.660. DEFINITIONS. In AS 23.15.620 - 23.15.660,

8 (1) "council" means the Alaska Human Resource Investment Council  
9 established in AS 44.19.620;

10 (2) "program" means the state training and employment program  
11 established in AS 23.15.620 - 23.15.660; and

12 (3) "substate service delivery areas" means those areas designated by  
13 the governor under 29 U.S.C. 1532.

14 \* Sec. 3. AS 23.20.290(c) is amended to read:

15 (c) Beginning January 1, 1997 [JANUARY 1, 1981], the rate of contributions  
16 for each employer is 80 [82] percent of the average benefit cost rate multiplied by the  
17 employer's experience factor set out in column C of the table in this subsection  
18 opposite the employer's applicable rate class set out in column A plus the fund  
19 solvency adjustment required under (f) of this section. However, the rate of  
20 contributions for an employer may not be less than one percent or more than six and  
21 one-half percent. The rate of contributions for an employer in rate class 21 may not  
22 be less than 5.4 percent. The rate of contributions for an employer must be rounded  
23 to the nearest 1/100th [ONE-HUNDREDTH] of one percent.

24	COLUMN A	COLUMN B	COLUMN C
25	Rate Class	Cumulative	Experience
26		Ratable Payroll	Factor
27		at least	
28		(percent)	
29	1		.40
30	2	5	.45
31	3	10	.50

1	5	20	25	.60
2	6	25	30	.65
3	7	30	35	.70
4	8	35	40	.80
5	9	40	45	.90
6	10	45	50	1.00
7	11	50	55	1.00
8	12	55	60	1.10
9	13	60	65	1.20
10	14	65	70	1.30
11	15	70	75	1.35
12	16	75	80	1.40
13	17	80	85	1.45
14	18	85	90	1.50
15	19	90	95	1.55
16	20	95	99.99	1.60
17	21	99.99		1.65.

18 \* Sec. 4. AS 23.20.290(d) is amended to read:

19 (d) Beginning January 1, 1997 [JANUARY 1, 1981], and for each succeeding  
20 year thereafter, the rate of contributions payable by each employee of an employer  
21 who is subject to AS 23.20.165 is 20 [18] percent of the average benefit cost rate as  
22 determined in (e) of this section rounded to the nearest 1/100th [ONE-TENTH] of one  
23 percent. However, the rate of contributions for an employee may not be less than one-  
24 half percent or more than one percent.

25 \* Sec. 5. AS 23.20.350(d) is amended to read:

26 (d) An individual who is eligible under (a) of this section is entitled to receive  
27 the weekly benefit amount set out in column (B) of the table in this subsection that is  
28 opposite the amount set out in column (A) of the individual's base period wages  
29 determined under (c) of this section:

30	(A)	(B)
31	Base Period Wages	Weekly Benefit

			Amount
1			
2	At least	But less than	
3	0	1,000	\$ 0
4	1,000	1,250	44
5	1,250	1,500	46
6	1,500	1,750	48
7	1,750	2,000	50
8	2,000	2,250	52
9	2,250	2,500	54
10	2,500	2,750	56
11	2,750	3,000	58
12	3,000	3,250	60
13	3,250	3,500	62
14	3,500	3,750	64
15	3,750	4,000	66
16	4,000	4,250	68
17	4,250	4,500	70
18	4,500	4,750	72
19	4,750	5,000	74
20	5,000	5,250	76
21	5,250	5,500	78
22	5,500	5,750	80
23	5,750	6,000	82
24	6,000	6,250	84
25	6,250	6,500	86
26	6,500	6,750	88
27	6,750	7,000	90
28	7,000	7,250	92
29	7,250	7,500	94
30	7,500	7,750	96
31	7,750	8,000	98



1	15,750	16,000	162
2	16,000	16,250	164
3	16,250	16,500	166
4	16,500	16,750	168
5	16,750	17,000	170
6	17,000	17,250	172
7	17,250	17,500	174
8	17,500	17,750	176
9	17,750	18,000	178
10	18,000	18,250	180
11	18,250	18,500	182
12	18,500	18,750	184
13	18,750	19,000	186
14	19,000	19,250	188
15	19,250	19,500	190
16	19,500	19,750	192
17	19,750	20,000	194
18	20,000	20,250	196
19	20,250	20,500	198
20	20,500	20,750	200
21	20,750	21,000	202
22	21,000	21,250	204
23	21,250	21,500	206
24	21,500	21,750	208
25	21,750	22,000	210
26	22,000	22,250	212
27	22,250	22,500	214 (212)
28	22,500	22,750	216
29	22,750	23,000	218
30	23,000	23,250	220
31	23,250	23,500	222

1	<u>23,500</u>	<u>23,750</u>	<u>224</u>
2	<u>23,750</u>	<u>24,000</u>	<u>226</u>
3	<u>24,000</u>	<u>24,250</u>	<u>228</u>
4	<u>24,250</u>	<u>24,500</u>	<u>230</u>
5	<u>24,500</u>	<u>24,750</u>	<u>232</u>
6	<u>24,750</u>	<u>25,000</u>	<u>234</u>
7	<u>25,000</u>	<u>25,250</u>	<u>236</u>
8	<u>25,250</u>	<u>25,500</u>	<u>238</u>
9	<u>25,500</u>	<u>25,750</u>	<u>240</u>
10	<u>25,750</u>	<u>26,000</u>	<u>242</u>
11	<u>26,000</u>	<u>26,250</u>	<u>244</u>
12	<u>26,250</u>	<u>26,500</u>	<u>246</u>
13	<u>26,500</u>	<u>26,750</u>	<u>248</u>
14	<u>26,750</u>		<u>248.</u>

15 \* Sec. 6. AS 23.15.620, 23.15.625, 23.15.630, 23.15.635, 23.15.640, 23.15.645, 23.15.651,  
16 and 23.15.660 are repealed June 30, 1998.

17 \* Sec. 7. Sections 3 - 5 of this Act apply to benefit years for unemployment insurance  
18 beginning on or after January 1, 1997.

19 \* Sec. 8. Sections 1 and 2 of this Act take effect July 1, 1996.

20 \* Sec. 9. Sections 3 - 5 and 7 of this Act take effect January 1, 1997.

MAR 25 1996



## Coastal Villages Fishing Cooperative

204 N. Franklin, Suite 1 • Juneau, AK 99801 • Phone 907-586-2360 • Fax 907-586-2333

March 25, 1996

Senator Rick Halford  
Alaska State Senate  
State Capitol Building Room 508  
Juneau, AK 99811-1182


Dear Senator Halford:

Two weeks ago, we discussed SB 229, a bill to reauthorize and make permanent the State Employment Training Program ("STEP"). This program is funded with a portion of the unemployment insurance benefits paid to the State of Alaska. You asked that I remind you about this bill when it reached the Senate Finance Committee. I understand that it is now out of Senator Community and Regional Affairs and Labor and Commerce and has reached your committee.

The Coastal Villages Fishing Cooperative ("CVFC") fully supports this bill and the continuation of this program. STEP funding is very important in providing training funds for residents of rural Alaska. CVFC has received some funding from this program to support its internship program that has assisted Lower Kuskokwim area residents find employment in the seafood industry as well as in other employment fields. We are also in the process of creating an Employment Counselor position within the Department of Labor in Bethel with a combination of CVFC's operating funds and a STEP grant. This funding, which will carry over into FY97 if the STEP program is reauthorized, will provide a needed service to area villages. At the present time, there is virtually no assistance given in helping area residents prepare for or find a job after graduating from high school.

We appreciate your support for this legislation and would be pleased to do anything possible to ensure its passage.

Very truly yours,

  
\_\_\_\_\_  
Norman A. Cohen  
Executive Director

4/18/96  
DOLabor

FY95 ALASKA STATEWIDE SERVICE DELIVERY AREA  
GRANT LINE ITEM ACTUALS

Employment Assistance	173886.50
Industry Specific Training	260914.12
On-the-Job Training	8384.75
Class/Occupational Skills	264540.34
Relocation Assistance	7011.85
Tools/Clothes/Gear	7457.00
Support Services	<u>286985.00</u>
	1008939.58

STATE TRAINING AND EMPLOYMENT PROGRAM  
FY95 TOTALS FOR THE STATEWIDE SERVICE DELIVERY AREA

Total Subgrant and RSA Obligations	865942.22
Total Individual Referral Obligations	<u>142997.70</u>
	1008939.92

FY95 STATE TRAINING AND EMPLOYMENT PROGRAM  
SUBGRANTS AND RSA'S

Page 1

Grant Name	Location	Grant Amount
Chatham Straits	Petersburg	31250.00
OPAG, Inc.	Anchorage	80734.92
Golden Age Fishery	Seattle	10899.00
Painters Local	Fairbanks	84572.00
Alaska Laborers Training Trust	Anchorage	60715.00
Norton Sound Economic Dvlp Council	Elim	23909.00
Bristol Bay Native Assoc.	Anchorage	61476.00
Copper Valley	Glennallen	47454.00
People Count, Inc.	Kenai	63283.50
Hospice & Homecare	Juneau	15759.32
Project Career Course	Juneau	54935.50
SERRC	Juneau	33550.00
UAS Project New Chance	Sitka	14174.00
Yukon Flats School District	Fort Yukon	949.20
Louden Village Council	Galena	1663.20
City of Koyukuk	Koyukuk	1125.55
Assoc. of Village Council Presidents	Bethel	24558.78
New Frontier Business School	Soldotna	1416.00
Preferred Plumbing and Heating	Kenai	4160.00
Alaska Joint Electrical Apprentice	Fairbanks	40840.00
Rural Assessment/Base Management		37320.00
STEP Pilot Project		121950.00
STEP Power Plant Operator		43447.25
<b>TOTAL FY95 SUBGRANTS AND RSA'S</b>		<b>865942.22</b>



FY95 STATE TRAINING AND EMPLOYMENT PROGRAM  
INDIVIDUAL REFERRALS

Page 2

Grant Name	Location	Grant Amount
Sears	All. GA	379.91
UAF N.W. Campus	Nome	395.80
DOE/Avtec	Seward	3850.00
DOE/Avtec	Seward	9558.50
George Kner	Nome	120.55
UAF N.W. Campus	Nome	1074.55
World Express Travel	Anchorage	1341.00
Robert Armstrong	Lakewood, Ore	3183.81
American Express Travel	Anchorage	389.00
Bering Air Inc.	Nome	352.00
Fat Freddies	Nome	261.77
C.L. Tobin	Nome	800.00
Blanche White	Bethel	9420.00
Testing Institute of Alaska	Anch	5118.00
Blanche White	Bethel	7070.00
Kenai Peninsula Comm. College	Soldotna	798.00
People Count, Inc.	Kenai	3900.00
DOE/Avtec	Seward	795.00
New Frontier Vocational Tech	Soldotna	5450.00
Linn-Benton College	Albany, Ore.	1114.75
OPAG, Inc.	Anchorage	18400.00
New Frontier Vocational Tech	Soldotna	2450.00
Manny's Drivers	Kenai	240.00
Dan S. Ward	Soldotna	731.00
Tim Walker	Nikiski	200.00
Scott Koplin	Kenai	47.26
Alaska Industrial Hardware	Anchorage	496.55
US Travel	Anchorage	1829.50
Kris Simon	Albany, Ore.	1000.00
6 Mile Air Service	Nondalton	100.00
Quinnal Landing Hotel	King Salmon	11840.00
First National Bank of Anchorage	Anchorage	464.00
	<b>SUBTOTAL</b>	<b>92948.95</b>
<b>TOTAL FY95 INDIVIDUAL REFERRALS</b>		<b>142997.70</b>

4/13/96  
DOLabor

## DEFINITION FOR STATE TRAINING EMPLOYMENT PROGRAMS (STEP) CATEGORIES

### EMPLOYMENT AND TRAINING SERVICES (EMPLOYMENT ASSISTANCE)

Services which may be available to youth and adults with funds provided under this title may include, but need not limited to;

- (1) job search assistance,
- (2) job counseling,
- (3) remedial education and basic skills training,
- (4) institutional skill training,
- (5) on-the-job training,
- (6) programs of advance career training which provide a formal combination of on-the-job and institutional training and internship assignments which prepares individuals for career employment,
- (7) training programs operated by the private sector, including those operated by labor organizations or by consortia of private sector employers utilizing private sector facilities, equipment, and personnel to train workers in occupations for which demand exceeds supply,
- (8) outreach to make individuals aware of, and encourage the use of employment and training services,
- (9) specialized surveys not available through other labor market information sources,
- (10) programs to develop work habits and other services to individuals to help them obtain and retain employment,
- (11) supportive services (not to exceed six (6) months following completion of training) necessary to enable individuals to participate in the program and to assist them in retaining employment,
- (12) upgrading and retraining,
- (13) education-to-work transition activities,

- (14) literacy training and bilingual training.
- (15) work experience,
- (16) vocational exploration,
- (17) attainment of certificates of high school equivalency,
- (18) job development,
- (19) employment generating activities to increase job opportunities for eligible individuals in the area,
- (20) pre-apprenticeship programs,
- (21) disseminating information on program activities to employers,
- (22) use of advanced learning technology for education, job preparation, and skills training,
- (23) development of job openings,
- (24) on-site industry specific training programs supportive of industrial and economic development,
- (25) follow-up services with participants placed in unsubsidized employment,
- (26) coordinated programs with other federal employment-related activities,
- (27) needs based payments necessary to participation in accordance with a locally developed formula or procedure, and
- (28) customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of that training.

In addition to the services for youth which may be available on accordance with Section 204 of the Act, the job training plan may, at the option of those responsible for its preparation, elect to include one or more of the exemplary youth programs each of which may be modified by the plan to accommodate local conditions. (JTPA-MIS)

#### **(A) INDUSTRY SPECIFIC PROGRAMS**

These training programs are expected to attract high growth industries through availability of a trained workforce.

Proposals should address employment needs of a specific industry and may include several training components (specialized occupational skills, on-the-job training, etc.) While operation of such a program does not hinge on firm employer commitment to hire specific graduates, participants must have a reasonable expectation of employment within the industry upon successful completion of training.

**(B) CLASSROOM/OCCUPATIONAL SKILLS TRAINING**

This type of training is typically conducted in classrooms or other "institutional" settings. Curriculum is based on requirements for a specific occupation rather than on the needs of one employer or the general educational needs of a particular participant. Training is directed at achievement of a planned outcome of basic proficiency or knowledge in a specific occupational area.

**(C) ON-THE-JOB TRAINING (OJT) (AK)**

A training program in which the training is provided by employers at their business site to provide knowledge or skills essential to the full and adequate performance of the job. Employers must make a firm commitment to hire all participants successfully completing training and to provide necessary training to participants during the term of the OJT agreement. As compensation for the extraordinary cost of hiring and training unskilled individuals, employers are reimbursed up to and including 50% of the cost of the participant's wages for the duration of the on-the-job training period. Participants must be paid the prevailing entry level wage for that occupation and afforded the same rights and benefits as the employer's other employees, such as insurance and workers compensation coverage, retirement, or leave accrual. Wage cost reimbursement to the employer shall not exceed 50% of the total wages paid to the participant during the period of OJT, but may be designed so that a higher reimbursement rate is in effect during the first part of the training and a lower rate during the latter part of the training period. (P.I. 199 On-The-Job training contracts) (P.I. 420 Participant file) (P.I. 431 Activity Codes and Definitions for Youth and Adults) (P.I. 520 Program Activities and Services) (P.I. 620 Program Activities and Services)

**(D) RELOCATION ASSISTANCE (AK)**

The activities necessary to arrange for a family to move to a new abode for the purpose of accepting long-duration employment. Activities may include, but are not limited to: The cost of the actual transfer of goods and property, including mileage for the family's travel; emergency assistance; rent subsidies; and other supportive services. A Basic Readjustment activity and a Retraining activity. (LJTPA, JTPA-MIS) (P.I. 420 Participant File) (P.I. 431 Activity Codes and Definitions for Youth and Adults)

**(E) TOOLS, WORKCLOTHES/UNIFORMS, SAFETY EQUIPMENT, ETC**

These items may be provided when necessary to obtain and/or retain employment. When these items are primarily necessary for participation in TRAINING rather than EMPLOYMENT, they should NOT be considered supportive services, but instead should be charged to the training category.

## TOOLS

Individual tools purchased are viewed as expendable items, as long as the amount paid for the tools is below \$500. If purchased as a package, the invoiced amount should be less than \$500, otherwise the property tracking requirements of JTPO Policy 105 must be followed. In no case shall more than \$999 worth of tools be provided for a participant.

## WORKCLOTHES/UNIFORMS

If the participant does not have the means to provide the basic clothing necessary for a program activity, or obtain and/or retain employment, clothing may be provided. Such clothing will be limited to the "essentials" necessary. This may include clothing essential for job interviewing. It may not include "non-essential" items, such as jewelry, watches, etc. Clothing assistance is limited to a maximum amount of \$250, unless specifically required for a training course, in which case it shall be limited to \$499.

## SAFETY EQUIPMENT, ETC

Up to \$499 may be provided for safety equipment and/or supplies. This may include items such as head, ear and eye protection, as well as any other safety devices required for employment and not normally provided by the employer.

## (F) SUPPORTIVE SERVICES

Services which are necessary to enable an individual eligible for training under JTPA, but cannot afford to pay for such services, to participate in a training program funded under this Act. Such supportive services may include transportation, health care, special services and materials for the handicapped, child care, meals, temporary shelter, financial counseling, and other reasonable expenses required for participation in the training program and may be provided in-kind or through cash assistance. (JTPA Section 4 (24) and 204 (11) and 314 (c) (15)) (P.I. 420 Participant File) (P.I. 431 Activity Codes and Definitions for Youth and Adult) (P.I. 520 Program Activities and Services) (P.I. 620 Program Activities and Services)

NOTE: Supportive services necessary to assist individuals in retaining employment may be provided for not to exceed six months following completion of training (Section 204 (11)).

NOTE: Supportive services including child care, community assistance, and financial and personal counseling which shall terminate not later than the 90th day after the participant has completed other services under this part, except counseling necessary to assist participants to retain employment shall terminate not later than 6 months following the completion of the training. (Section 314 (c) (15))

SENATE FINANCE COMMITTEE

SB 229 STATE TRAINING & EMPLOYMENT PROGRAM

PLEASE SIGN-IN BELOW

NAME: MARA MICKELSON  
Co./Dept/Title: DCRA Phone: 465-4891  
Address: Tunecan Zip: \_\_\_\_\_  
Do you wish to testify?  Yes  No  Respond to Questions

NAME: DAVID STONE  
Co./Dept/Title: Producers Council President Phone: 463-5704  
Address: Tunecan Zip: 99801  
Do you wish to testify?  Yes  No  Respond to Questions

#1  
please

NAME: Dwight Perkins  
Co./Dept/Title: Dept. of Labor Phone: 465-2700  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_  
Do you wish to testify?  Yes  No  Respond to Questions

NAME: \_\_\_\_\_  
Co./Dept/Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_  
Do you wish to testify?  Yes  No  Respond to Questions

# SENATE COMMITTEE REPORT

DATE: 3/20/96

FURTHER: Finance

DATE TURNED INTO OFFICE: 3/22/96

The Labor & Commerce Committee considered SENATE BILL NO. 229

Relating to employment contributions and to making the state training and employment program a permanent state program.

FN

and recommends:

- be replaced with ~~CS~~ SB 229 (LIC)
- 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 OFFICER	LP	OTHER RECOMMENDATIONS	NR	DNF	AM
<i>John J. Duncan</i>	✓	<i>Mark Miller</i>	✓		
<i>John J. Duncan</i>	✓				
<i>Judith G. Salo</i>	✓				
<i>Chair: Tom Kelly</i>	✓				

**NEW FISCAL NOTE(S):**

Department                      Date      Zero      Fiscal

Sec 5	DOL	3/22/96		2318
Sec 2	DOL	3/22/96		3946.2

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

Department                      Date      Zero      Fiscal

Office of GOJ	2/2/96			X
DOA	3/2/96			1509
CRA	3/2/96			1,824.6
DOZ	12/12/95			3946.2
DOA	1/4/96			-145.6
DOA	1/4/96			-2165.4

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

AMENDMENT

4/18/96

OFFERED IN THE SENATE  
TO: CSSB 287(CRA)

BY SENATOR TORGERSON

*Requested @ 5:45 pm*

1 Page 2, line 21:  
2 Delete "[ENTITY] or a Native village council"  
3 Insert "[ENTITY OR A NATIVE VILLAGE COUNCIL]"

4 Page 2, line 25:  
5 Delete "entity"  
6 Insert "corporation"

7 Page 2, line 26:  
8 Delete "entity"  
9 Insert "corporation [ENTITY]"

10 Page 2, line 27:  
11 Delete "entity"  
12 Insert "corporation [ENTITY]"

13 Page 2, line 30:  
14 Delete "[ENTITY] or Native village council"  
15 Insert "[ENTITY OR NATIVE VILLAGE COUNCIL]"

16 Page 3, line 2:  
17 Delete "An entity"  
18 Insert "A corporation"

19 Page 3, line 5:

*FIN*  
*Catalina*

- 1 Delete "if it is a nonprofit corporation"
  
- 2 Page 3, line 15:
- 3 Delete "[ENTITY] or Native village council"
- 4 Insert "[ENTITY OR NATIVE VILLAGE COUNCIL]"
  
- 5 Page 3, line 23:
- 6 Delete "entities"
- 7 Insert "corporations [ENTITIES]"
  
- 8 Page 3, line 26:
- 9 Delete "entity"
- 10 Insert "corporation [ENTITY]"
  
- 11 Page 3, line 29:
- 12 Delete "An entity"
- 13 Insert "A corporation [AN ENTITY]"
  
- 14 Page 4, line 3:
- 15 Delete "entity"
- 16 Insert "corporation [ENTITY]"
  
- 17 Page 4, line 6:
- 18 Delete "an entity [OR COUNCIL]"
- 19 Insert "a corporation [AN ENTITY OR COUNCIL]"
  
- 20 Page 4, line 7:
- 21 Delete "[ENTITY] or Native village council"
- 22 Insert "[ENTITY OR NATIVE VILLAGE COUNCIL]"
  
- 23 Page 4, lines 28 - 31:
- 24 Delete all material and insert:

1       "• Sec. 7. TRANSITION. A Native village council that has made a draw before the  
2 effective date of this Act from an unincorporated community's individual grant account for  
3 a capital project that has not been completed by the effective date of this Act may continue  
4 to make draws for that project. For purposes of this section, AS 37.06.020(b) - (e) and (g)  
5 and 37.06.030(b) apply as they read immediately before the effective date of this Act.

6       "• Sec. 8. AS 37.06.020(g) is repealed."

7 Page 4, line 32:

8       Delete "July 1, 1996"

9       Insert "immediately under AS 01.10.070(c)"

TONY KNOWLES  
GOVERNOR



P.O. Box 110001  
Juneau, Alaska 99811-0001  
(907) 486-3500  
Fax (907) 486-3532

STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

January 19, 1996

229  
The Honorable Drue Pearce  
President of the Senate  
Alaska State Legislature  
State Capitol  
Juneau, AK 99801-1182

Dear President Pearce:

Under the authority of art. III, sec. 18 of the Alaska Constitution, I am transmitting a bill making the state training and employment program ("STEP") a permanent state program.

The STEP is an integral component of Alaska's job training program and has enabled participants to increase their average quarterly earnings from nine to 12 percent. The STEP was established as a temporary, pilot program in 1989 and has been extended twice -- in 1991 and 1993. Since its inception, STEP has trained 4,890 Alaska workers at an average cost of \$2,000 per participant which is covered by Alaska employees. The program is financed entirely by employee payroll contributions with no employer contributions or general fund monies.

The STEP serves workers who would often be ineligible for employment training assistance through other programs. It offers workers the opportunity to acquire skills by investing in themselves, and helps those workers who have been displaced from their jobs to learn more skills. Nearly 60 percent of those entering the program are receiving unemployment benefits, and over 80 percent of the participants successfully complete the training and increase their employment opportunities.

The STEP will expire June 30, 1996, unless renewed by the Legislature. As federal training money decreases from year to year, continuing STEP and making it a permanent program will help Alaskans receive the training they need to respond to the changing needs of business and industry.

I urge your support of this important bill.

Sincerely,

A handwritten signature in cursive script that reads "Tony Knowles".  
Tony Knowles  
Governor



**SB**

**230**

**HFIN**

**FILE**

# HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: April 12, 1996

FURTHER REFERRALS:

Date of Committee Action: 4/23/96

The FINANCE Committee considered:

CSSB 230(FIN)

CS FOR SENATE BILL NO. 230(FIN)

MANAGEMENT OF PARKS & RECREATIONAL AREAS

"An Act relating to management of state land, water, and land and water as part of a state park, recreational or special management area, or preserve; relating to reports to the legislature concerning prohibitions or restrictions of traditional means of access for traditional recreational uses within a park, recreational or special management area, or preserve; relating to Chilkat State Park; and relating to Denali State Park."

recommends it be replaced with the following committee substitute HC'S CS SB 230(FIN)  the same title  a new title

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

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

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal note(s) \_\_\_\_\_

fiscal note(s) DNR 3/28/96

zero fiscal note(s) \_\_\_\_\_

zero fiscal note(s) \_\_\_\_\_

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
<i>Richard J. Jolley</i>	Jolley	X			
<i>Mark J. Hanley</i>	Hanley	X			
<i>Alton G. Miller</i>	Miller	X			
<i>James A. Martin</i>	Martin	X			
<i>Eric A. Kohn</i>	Kohn	X			
<i>Benjamin J. Gressendorf</i>	Gressendorf	X			
<i>Malcolm J. Brown</i>	Brown		X		
<i>Therese M. Kelly</i>	Kelly				X
<i>Richard J. Jolley</i>	Jolley				X

CHAIR'S SIGNATURE

*Mark Hanley*

*Richard J. Jolley*

# FISCAL NOTE

STATE OF ALASKA

BILL NO. CSSB230(RES)

1996 LEGISLATIVE SESSION

Revision Date: 26-Mar-96 Dept Affecte Natural Resources  
 Title: An Act providing that state land, water, and BRU: Parks & Recreation Management  
land and water may not be classified so as to preclude or ... Component: Parks Management  
 Sponsor: Senator(s) Pearce, Frank, Green, Halford...  
 Requestor: Senate Finance Component Serial No. 452

Expenditures/Revenues	(Thousands of Dollars)					
	FY97	FY98	FY99	FY00	FY01	FY02
<b>OPERATING EXPENDITURES</b>						
PERSONAL SERVICES	71.1	33.3	1.0	1.0	1.0	1.0
TRAVEL	4.2	1.8	0.0	0.0	0.0	0.0
CONTRACTUAL	20.0	10.0	0.0	0.0	0.0	0.0
SUPPLIES	10.5	5.5	0.0	0.0	0.0	0.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>105.8</b>	<b>50.6</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</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 I</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)					
	FY97	FY98	FY99	FY00	FY01	FY02
1002 Federal Receipts						
1003 GF Match						
1004 GF	105.8	50.6	1.0	1.0	1.0	1.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>105.8</b>	<b>50.6</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>

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

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

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

This version of the fiscal note is to accompany the version of the bill that includes the additions to Chilkat State Park and deletes the section on weapons use. CSSB-230(FIN) -KCG

Personal Services for 91.0 is needed each year to prepare the report on activities restricting traditional access for traditional recreational activities required for new section 41.21.020(a)(14).

Section 41.21.020(c) would require a rewrite of the Denali State Park Master Plan for a cost over 18 months of \$154.4. This rewrite would require a Natural Resource Officer II to be hired as the project manager (\$59.4) and a Natural Resource Officer I for six months (\$17.4). Remainder is for travel (\$6.0), contractual (\$30.0), supplies (\$16.0), and oversight by the Chief of Policy and Planning (\$25.6).

Prepared by: Jim Stratton, Director Phone: 269-8700  
 Division: Parks Date: 26-Mar-96  
 Approved by Commission: [Signature] Date: 26-Mar-96  
 Agency: Natural Resources

FISCAL NOTE

Bill Version: CSSB230(FIN)

BIL (S) Publish Date: 3-28-96

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

Revision Date: 26-Mar-96 Dept Affecte Natural Resources  
Title: An Act providing that state land, water, and BRU: Parks & Recreation Management  
land and water may not be classified so as to preclude or ... Component: Parks Management  
Sponsor: Senator(s) Pearce, Frank, Green, Halford...  
Requestor: Senate Finance Component Serial No. 452

Expenditures/Revenues (Thousands of Dollars)

	FY97	FY98	FY99	FY00	FY01	FY02
OPERATING EXPENDITURES						
PERSONAL SERVICES	71.1	33.3	1.0	1.0	1.0	1.0
TRAVEL	4.2	1.8	0.0	0.0	0.0	0.0
CONTRACTUAL	20.0	10.0	0.0	0.0	0.0	0.0
SUPPLIES	10.5	5.5	0.0	0.0	0.0	0.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	105.8	50.6	1.0	1.0	1.0	1.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES ( )	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

	FY97	FY98	FY99	FY00	FY01	FY02
1002 Federal Receipts						
1003 GF Match						
1004 GF	105.8	50.6	1.0	1.0	1.0	1.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	105.8	50.6	1.0	1.0	1.0	1.0

Estimate of any current year (FY96) cost: none

POSITIONS

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

ANALYSIS: (Attach a separate page if necessary)

This version of the fiscal note is to accompany the version of the bill that includes the additions to Chilkat State Park and deletes the section on weapons use.

Personal Services for \$1.0 is needed each year to prepare the report on activities restricting traditional access for traditional recreational activities required for new section 41.21.020(a)(14).

Section 41.21.020(c) would require a rewrite of the Denali State Park Master Plan for a cost over 18 months of \$154.4. This rewrite would require a Natural Resource Officer II to be hired as the project manager (\$59.4) and a Natural Resource Officer I for six months (\$17.4). Remainder is for travel (\$6.0), contractual (\$30.0), supplies (\$16.0), and oversight by the Chief of Policy and Planning (\$25.6).

Prepared by: Jim Stratton, Director  
Division: Parks  
Approved by Commission: [Signature]  
Agency: Natural Resources  
Phone: 269-8700  
Date: 26-Mar-96  
Date: 26-Mar-96

\* amendment pg 7 line 20

CS FOR SENATE BILL NO. 230(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered: 3/28/96

Referred: Rules

Sponsor(s): SENATORS PEARCE, Frank, Green, Halford, Leman, Miller, Phillips, Sharp, Taylor, Torgerson, Donley

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to management of state land, water, and land and water as  
2 part of a state park, recreational or special management area, or preserve;  
3 relating to reports to the legislature concerning prohibitions or restrictions of  
4 traditional means of access for traditional recreational uses within a park,  
5 recreational or special management area, or preserve; relating to Chilkat State  
6 Park; and relating to Denali State Park."

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

8 \* Section 4, AS 41.21.020(a) is amended to read:

9 (a) The department shall

10 (1) develop a continuing plan for the conservation and maximum use in  
11 the public interest of the scenic, historic, archaeological, scientific, biological, and  
12 recreational resources of the state;

13 (2) plan for and develop a system of state parks and recreational

1 facilities, to be established as the legislature authorizes and directs;

2 (3) acquire by gift, purchase, or transfer from state or federal agencies,  
3 or from individuals, corporations, partnerships, or associations, land necessary, suitable,  
4 and proper for roadside, picnic, recreational, or park purposes;

5 (4) develop, manage, and maintain state parks and recreational areas;

6 (5) provide for the acquisition, care, management, supervision,  
7 improvement, development, extension, and maintenance of public recreational land, and  
8 make necessary arrangements, contracts, or commitments for the improvement and  
9 development of land acquired under AS 41.21.010 - 41.21.040; contracting for  
10 improvement and development under this paragraph is governed by AS 36.30 (State  
11 Procurement Code);

12 (6) adopt, in accordance with this section and AS 44.62 (Administrative  
13 Procedure Act), regulations governing the use and designating incompatible uses within  
14 the boundaries of state park and recreational areas to protect the property and to preserve  
15 the peace;

16 (7) cooperate with the United States and its agencies and local  
17 subdivisions of the state to secure the effective supervision, improvement, development,  
18 extension, and maintenance of state parks, state monuments, state historical areas, and  
19 state recreational areas, and secure agreements or contracts for the purpose of  
20 AS 41.21.010 - 41.21.040;

21 (8) encourage the organization of state public park and recreational  
22 activities in the local political subdivisions of the state;

23 (9) provide for consulting service designed to develop local park and  
24 recreation facilities and programs;

25 (10) provide clearinghouse services for other state agencies concerned  
26 with park and recreation matters;

27 (11) perform other duties as are prescribed by executive order or by law;

28 (12) maintain memorials to Alaska veterans located in state parks; [AND]

29 (13) adopt, in accordance with AS 44.62 (Administrative Procedure Act),  
30 regulations governing the use of the Chena River State Recreation Area and designating  
31 incompatible uses within the boundaries of the Chena River State Recreation Area in  
32 accordance with AS 41.21.390; and

1                   (14) annually, by the first day of each regular session of the  
2                   legislature, submit a report to the legislature on each designation of an incompatible  
3                   use under this chapter, or other action, that prohibits or restricts a traditional  
4                   means of access across a park, area, or preserve established under this chapter for  
5                   a traditional recreational activity on or within the park, area, or preserve; for each  
6                   prohibition or restriction, the report must state reasons for the designation of  
7                   incompatibility or prohibition or restriction of a traditional means of access, the  
8                   specific area of the prohibition or restriction, and the time period during which the  
9                   incompatibility or prohibition or restriction is expected to exist; in this paragraph,

10                   (A) "traditional means of access" means those types of  
11                   transportation on, to, or in the state land, water, or land and water, for  
12                   which a popular pattern of use has developed; the term includes general or  
13                   commercial aviation, ballooning, motorized and nonmotorized boating,  
14                   snowmachining, operation of all-terrain vehicles, mushing, skiing,  
15                   snowshoeing, and walking;

16                   (B) "traditional recreational activity" means those personal  
17                   or commercial types of activities that people may utilize for sport, exercise,  
18                   subsistence, or personal enjoyment, including hunting, fishing, trapping, or  
19                   gathering, and that have historically been conducted as part of an individual,  
20                   family, or community life pattern on or in the state land, water, or land and  
21                   water.

22       \* Sec. 2. AS 41.21.020 is amended by adding a new subsection to read:

23                   (d) Notwithstanding (a)(3) of this section, the department may not manage as  
24                   part of a park, area, or preserve established under AS 41.21.110 - 41.21.630, land, water,  
25                   or land and water that is not within the boundaries, as designated by the legislature, of  
26                   the park, area, or preserve.

27       \* Sec. 3. AS 41.21.111 is amended to read:

28                   Sec. 41.21.111. AUTHORITY TO DESIGNATE CHILKAT STATE PARK.

29                   The governor may designate by proclamation the state-owned land and water and all  
30                   that acquired in the future by the state, lying within the parcels described in this  
31                   section, as the Chilkat State Park. The proclamation may include the entire area or  
32                   portions of the area at different times, shall reserve the areas included from all uses

1 incompatible with their primary function as public recreation land and water, and shall  
2 assign them to the department for control, development, and maintenance. Land  
3 covered by AS 41.21.110 - 41.21.113 has a total acreage of 6,056.30 [6,045.45] acres,  
4 including approximately 610 acres of federal land, and is described as follows:

5 (1) Township 31 South, Range 60 East, Copper River Meridian U.S.S.  
6 1599: the portions of Sections 6-8 known as Battery Point Light House Reserve;

7 (2) Township 31 South, Range 59 East, Copper River Meridian Section  
8 1, excluding the portions of Lots 2 and 3 within the Chilkoot Inlet Alaska Subdivision  
9 Section 12: NW1/4, NE1/4, SE1/4 Township 31 South, Range 60 East, Copper River  
10 Meridian Section 6: Lots 1-3 Section 7: Lots 1-7 Section 8: Lot 1 Sections 17 and 18  
11 Section 19: NE1/4NW1/4, N1/2NE1/4;

12 (3) Township 31 South, Range 60 East, Copper River Meridian Section  
13 30: Lots 8 and 9 Section 31 Section 32: SW1/4, W1/2NW1/4SE1/4,  
14 W1/2SE1/4NW1/4SE1/4, Lots 9-16 including W1/2SW1/4SE1/4SE1/4;

15 (4) Township 32 South, Range 60 East, Copper River Meridian Section  
16 5: W1/2, W1/2SE1/4 Sections 6-9, 15-17, 21 and 22, excluding Tongass National  
17 Forest; and

18 (5) the following particularly described parcels:

19 (A) approximately 6.49 acres in U.S. Survey 1243, Haines  
20 Recording District, described as: begin on the South line of said survey  
21 South 88 degrees 31 minutes 45 seconds East 1950.84 feet from Southwest  
22 corner (corner 3 M.C.) of said survey, said point being the Southeast  
23 corner of the tract in said survey excepted in the decree in Case No. 68-328  
24 of the Superior Court at Juneau, in which the distance is recited as being  
25 29.55 chains (1950.30 feet), run thence North 01 degree 12 minutes 00  
26 seconds East, on the East line of said excepted tract, 1028.77 feet, recited  
27 as 15.59 chains (1028.94 feet) in said decree, to the Northeast corner of  
28 said excepted tract; thence North 88 degrees 31 minutes 45 seconds West  
29 24.38 feet; thence North 01 degree 27 minutes 45 seconds East 1.85 feet;  
30 thence on a 126.92 foot radius curve to the left through a central angle of  
31 72 degrees 04 minutes 30 seconds a distance of 159.57 feet, the chord of

1 which bears North 34 degrees 34 minutes 30 seconds West 149.27 feet;  
2 thence North 70 degrees 25 minutes 15 seconds West 119.52 feet; thence  
3 on a 208.11 foot radius curve to the right through a central angle of 62  
4 degrees 04 minutes 00 seconds a distance of 225.48 feet, the chord of which  
5 bears North 39 degrees 23 minutes 15 seconds West 214.61 feet to the  
6 South line of "Mud Bay Road"; thence North 86 degrees 46 minutes 30  
7 seconds East, on said line of "Mud Bay Road," 230.54 feet; thence South  
8 70 degrees 25 minutes 15 seconds East 90.95 feet; thence on a 326.92 foot  
9 radius curve to the right through a central angle of 71 degrees 57 minutes  
10 00 seconds a distance of 410.55 feet, the chord of which bears South 34  
11 degrees 30 minutes 45 seconds 384.10 feet; thence South 01 degree 27  
12 minutes 45 seconds West 1030.62 feet to the South line of said survey;  
13 thence North 88 degrees 31 minutes 45 seconds West 175.38 feet to the  
14 point of beginning;

15 (B) approximately .92 acres in Tract "D," C. McRae  
16 Subdivision according to Plat 77 - 12, Haines Recording District, described  
17 as: begin at the Southwest corner of said Tract "D" which is also the  
18 Southwest corner of the North one-half of the Southwest one-quarter of the  
19 Northwest one-quarter of Section 32, Township 31 South, Range 60 East  
20 of the Copper River Meridian, which bears North 01 degree 26 minutes 00  
21 seconds West (Alaska State Plane Grid Bearings) 660.00 feet from the one-  
22 quarter corner on the West line of said section and South 01 degree 26  
23 minutes 00 seconds East 660.00 feet from the North one-sixteenth corner  
24 on the West line of said section, run thence North 01 degree 26 minutes 00  
25 seconds East, on the West line of said section, 347.81 feet to the  
26 Northeasterly line of Chilkat State Park Roadway; thence South 32 degrees  
27 56 minutes 15 seconds East 70.04 feet to a point of curve; thence Southerly  
28 on a 0 degrees 58 minutes 58 seconds curve to the right (Radius = 5,829.65  
29 feet) through an arc of 03 degrees 23 minutes 12 seconds (344.58 feet), the  
30 cord of which bears South 31 degrees 14 minutes 45 seconds East 344.53  
31 feet, to the South line of said tract and the South line of the North one-half

1 of the Southwest one-quarter of the Northwest one-quarter of said section;  
2 thence North 88 degrees 34 minutes 00 seconds West 225.56 feet to the  
3 point of beginning;

4 (C) approximately 3.44 acres in Tract "E," C. McRae  
5 Subdivision according to Plat 77 - 12, Haines Recording District, described  
6 as: begin at the Northwest corner of said tract which is also the one-sixty-  
7 fourth corner on the West line of said section which bears North 01 degree  
8 26 minutes 00 seconds East (Alaska State Plane Grid Bearings) 660.00 feet  
9 from the one-quarter corner on the West line of Section 32, Township 31  
10 South, Range 60 East of the Copper River Meridian and South 01 degree  
11 26 minutes 00 seconds West 660.00 feet from the North one-sixteenth  
12 corner of said section, run thence South 88 degrees 34 minutes 00 seconds  
13 East, on the North line of said tract which is also the South line of the  
14 North one-half of the Southwest one-quarter of the Northwest one-quarter  
15 of said section, 225.56 feet to a point on the Easterly line of Chilkat State  
16 Park Roadway; thence Southerly on a 0 degrees 58 minutes 58 seconds  
17 curve to the right (Radius = 5,829.65 feet) through an arc of 01 degree 46  
18 minutes 48 seconds (181.10 feet), the chord of which bears South 28  
19 degrees 39 minutes 39 seconds East 181.10 feet, to a point of tangency;  
20 thence South 27 degrees 46 minutes 15 seconds East 268.21 feet to a point  
21 of curve; thence on a 14 degrees 16 minutes 06 seconds curve to the right  
22 (Radius = 401.56) through an arc of 40 degrees 06 minutes 37 seconds  
23 (281.12 feet), the chord of which bears South 07 degrees 43 minutes 00  
24 seconds East 275.41 feet to the South line of said tract which is also the  
25 South line of the Southwest one-quarter of the Northwest one-quarter of  
26 said section; thence North 88 degrees 15 minutes 00 seconds West, on said  
27 South line, to the Westerly line of Chilkat State Park Roadway; thence  
28 Northerly on a 28 degrees 25 minutes 34 seconds curve to the left (Radius  
29 = 201.56 feet) through an arc of 50 degrees 59 minutes 51 seconds (179.40  
30 feet), the chord of which bears North 02 degrees 15 minutes 15 seconds  
31 West 173.54 feet to a point of tangency; thence North 27 degrees 46

1 minutes 15 seconds West 268.21 feet to a point of curve; thence on a 01  
2 degree 01 minute 04 seconds curve to the left (Radius = 5,629.65 feet)  
3 through an arc of 02 degrees 50 minutes 00 seconds (278.39 feet), the  
4 chord of which bears North 29 degrees 11 minutes 15 seconds West 278.37  
5 feet to the West line of said section; thence North 01 degree 26 minutes 00  
6 seconds East 14.72 feet to the point of beginning.

7 • Sec. 4. AS 41.21 is amended by adding a new section to read:

8 Sec. 41.21.155. INCOMPATIBLE USES. (a) The commissioner may  
9 designate by regulation incompatible uses within the land and water areas described  
10 in AS 41.21.151.

11 (b) The regulations governing public use of the Denali State Park must

12 (1) provide ample access for legal sport and subsistence hunting and  
13 fishing, trapping, and recreational uses; except to protect public safety, the  
14 commissioner may not restrict the exercise of sport or subsistence fishing or hunting  
15 or trapping permitted under law or under a regulation of the Board of Fisheries or the  
16 Board of Game within the Denali State Park;

17 (2) recognize that the current practice of traditional subsistence and  
18 recreational activities includes the use of small outboard motors and snow machines;

19 (3) permit reasonable access by aircraft for recreational purposes; and

20 (4) provide ample access for recreational mining. <sup>non mechanical</sup> ~~gold panning~~

21 • Sec. 5. Regulations that have not taken effect before the effective date of this Act and  
22 are in the process of being adopted by the Department of Natural Resources concerning Denali  
23 State Park and uses within Denali State Park may only take effect to the extent the regulations  
24 are consistent with the provisions of this Act. Regulations adopted by the Department of  
25 Natural Resources concerning Denali State Park and uses within Denali State Park that take  
26 effect in 1996 before this Act takes effect, are annulled.

# Alaska State Legislature



*During Interim (June - Dec)*  
716 West 4th Avenue, Suite 500  
Anchorage, AK 99501-2133  
(907) 258-8185  
Fax: (907) 258-0226

*During Session (Jan - May)*  
State Capitol  
Juneau, AK 99801-1182  
(907) 465-4993  
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**Drue Pearce**  
*President of the Senate*

## **Sponsor Statement SB-230**

### **"Legislative Approval to Restrict Traditional Recreational Uses"**

Senate Bill 230 was introduced to protect Alaskan's right to access state land and water for recreational uses. In a time when the Federal Government continues to restrict and prohibit Alaskan's access to many areas of the State, we, the state government, need to ensure that decisions to restrict access on land we control are made in a responsible, fair, and well represented process.

Alaskans are presently losing their right to traditional recreational use on some state land and park land without appropriate notification and justification. Citizens believe that the public comment process is not being fairly administered and all user groups are not being represented. In some instances, the management and authority to restrict and prohibit uses on state land are being transferred from the Division of Lands to the Division of Parks and Outdoor Recreation. Non-restricted areas of our state are being closed without proper oversight by the Legislature.

Decisions to deny access for recreational use, because of its importance, have always been made by our legislature, not by bureaucrats. The Constitution of the State of Alaska recognizes the importance of land closures and mandates that all closures over 640 acres must be legislatively designated. We must continue to recognize the importance of land closures and make necessary changes in the current process for restrictions and prohibitions in areas less than 640 acres.

A change in this process, SB-230 in its current form or other language that achieves our intent, would ensure that all Alaskans would have proper representation by their elected officials and restrictions and prohibitions on traditional recreational activity would need to be justified to the Legislature. Many areas of Alaska may need to be restricted to some or all recreational activity, but these important decisions need to be made at the legislative level, where the people have better access.

#### **SB-230 is the People's Access Bill**

- Access to Lands.
- Access to Waters.
- Access to Government Policy.

# Alaska State Legislature



*During Session (June - Dec)*  
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Juneau, AK 99801-1182  
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**Drue Pearce**  
*President of the Senate*

## Sectional Analysis of CS for Senate Bill 230(FIN) (version 9-LS1538 U)

Prepared for the House Finance Committee  
by staff to Senator Drue Pearce  
April 19, 1996

**Section one:** Adds a section to the list of duties required of the Department of Natural Resources. The Department must annually submit a report to the Legislature on each designation of an incompatible use that prohibits or restricts a traditional means of access. The report must state reasons for the restriction or prohibition, the specific area affected, and the duration of the restriction or prohibition. The sections further defines "traditional means of access" and "traditional recreational activity" as used in the section.

**Section two:** Adds a further section to the list of duties required of the Department of Natural Resources. The Department may not manage as special purpose park land those areas not inside park boundaries as designated by the legislature.

**Section three:** Adds slightly under 11 acres of land to Chilkat State Park. The three parcels of land involved were previously purchased by the Department in the late 70's and then transferred to park management with ILMA's. The land was purchased using federal funds that require management under Chilkat State Park land authority AS 41.21.110 - 41.21.113. This bill mandates that land acquired by the Department via ILMA be managed under AS 41.21.020. The Department is thus faced with purchasing similar land at 1996 prices or adding the affected land to the Park itself. This bill resolves the issue by adding the affected land to the Park.

Section four: Adds a section to the statute establishing Denali State Park specifying what constitutes an incompatible use.

Section five: Specifies that past regulations, and regulations being currently promulgated, concerning Denali State Park take effect only if they are consistent with the provisions of this Act. Past regulations not consistent with this Act are annulled.



# ALASKA OUTDOOR COUNCIL

4506 Robble Rd.  
JUNEAU, AK. 99801  
(907) 463-3830

Mar. 20, 1996

MAR 21 1996

Senator Robin Taylor  
Alaska State Legislature  
Juneau, Ak. 99801

Dear Senator Taylor:

The Alaska Outdoor Council appreciates your continuing interest in promoting traditional wildlife management in Alaska. We support your efforts to create an impetus through legislation for the Alaska Department of Fish and Game to once again take up important management concerns for Alaska's consumptive users of fish and wildlife.

We believe SB 247, "An Act relating to the fish and game fund", is an important component in the effort to re-establish traditional management of fish and game here in Alaska. For the past fifteen years consumptive users have continually endured the onslaught of an uninformed vocal minority bent on eliminating hunting and trapping opportunities. Although the Alaska Outdoor Council has traditionally supported the Department's budget and has tried to maintain a working relationship with leadership and staff, our efforts were increasingly frustrated by an apparent shift within some levels to accommodate non-consumptive uses at the expense of consumptive uses. We realize that a significant portion of that policy shift has been, and continues to be at the direction of an unsympathetic Administration.

Although we recognize the use of our dollars for some projects which may not appear to readily benefit hunters, trappers, and fishermen do have some merit, the opposition who also benefits from those expenditures has never recognized the contribution outdoorsmen have made to their benefit, and for the most part continues to oppose projects and programs beneficial to wildlife and humans. It is for that reason we have become increasingly reluctant to have our money spent in those arenas.

The AOC is still more than willing to work with the Department and the Administration to resolve some of the areas of concern to consumptive users of our wildlife resources; however, we must see some movement toward those items which we feel are important. Traditional management of wildlife, including predator

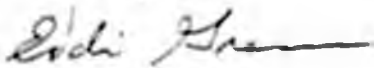
management, an educational effort structured to enlighten a broader segment of the public about wildlife management and the role consumptive uses play therein, better efforts to communicate with the consumptive user public, and more judicious use of consumptive use dollars in arenas which may not appear to have a direct cost/benefit ratio.

At the moment the membership of the Alaska Outdoor Council is supporting the effort on the part of those legislators who wish to reduce the Department's budget. We would prefer to return to our traditional role of fully supporting their budget; however, until the Department and the Administration can produce tangible assurances that our concerns are being given serious consideration, backed up with appropriate action, we feel there aren't many alternatives for us right now. We remain hopeful continuing dialogs with Departmental leadership will prove productive and that we will once again be more closely involved in supporting their efforts. Recent discussions we have had with the Commissioner and Divisional heads leads us to believe they are genuinely interested in our concerns and would like to accommodate such to the best of their ability. Any movement in our direction would be welcomed, and would quite likely result in much improved relations.

The Alaska Outdoor Council believes legislation, such as SB 247, has become necessary to help define the ADF&G's primary role in wildlife management. More importantly, such legislation will provide the groundwork for moving Alaska back toward traditional wildlife management.

Once again, the members of the Alaska Outdoor Council would like you to know how appreciative we are for your efforts on our behalf. If there is anything we can do to further assist you in this important effort, please let us know.

Sincerely,



Eddie Grasser

cc: Sen. Loren Leman  
Sen. Drue Pearce  
Sen. Steve Frank  
Sen. Rick Halford  
Sen. Georgianna Lincoln  
Sen. Lyman Hoffman  
Sen. Bert Sharp  
Sen. Mike Miller

Karen Holt  
P.O. Box 489  
Talkeetna, Alaska 99676

March 13, 1996

To: Chairman Leman  
for distribution to the members of the Senate Resource Committee

I am a Talkeetna resident who wholeheartedly supports SB 230.

There is a proposal to change the Alaska State Park Regulations as they effect aircraft use in Denali State Park that has been approved by Department of Natural Resources Commissioner John Shively, that is now under review by the Department of Law. This proposal will disallow aircraft landings on Byers Lake, Curry Ridge, and Kusugi Ridge.

Jim Stratton, Alaska State Parks Director told me in a meeting on February 23, 1996 that his decision to disallow aircraft access to Curry Ridge, Kusugi Ridge, and Byers Lake was for a social reason.

According to DNR there are (resident and non-resident) visitors to the State Parks who believe their experience is negated by motorized methods of transportation. It is because of these users who desire an exclusive non-motorized experience that this proposal is being considered.

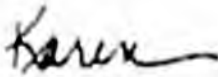
During the public comment period for this proposal, I question if Department of Natural Resources adequately considered the comments for the maximum use in the public interest as required by AS 41.21.010-20. Summary of public comment show 115 in favor and 181 opposed to the restrictions. Mr. Stratton explained to me it was his decision to exclude 139 opposed form letters from consideration. I understood all the "form letters" without a written comment were considered as one opposition. Upon my personal review of these "form letters" I saw well over one hundred personally signed letters that had used the same language, most were photocopies, and some were retyped with personal letterhead. With only a few exceptions, all letters had a return address, and many had phone numbers. I could look at these letters and see they were from an Alaskan resident, and it would not be too difficult to contact the individual. I think these people were unfairly considered as only one opposition in the public comment process. Additionally after thorough review of the 115 comments in favor of the restrictions, there were less than 75 that actually could be considered as supporting the aircraft restrictions, and not some other part of the proposal package. That is more than two to one against the aircraft restrictions.

This public comment shows there are many Alaskans who agree with me in my contention that Alaskan residents who choose to fly should not be restricted traditional access to their State recreational lands.

This manipulation of the public comment is a perfect example why the decision to restrict recreational access needs to be made at the legislative level, not by the bureaucrats.

As an Alaskan who is continually being faced with events that threaten the lifestyle I know and love, I applaud this legislation.

Sincerely,



Karen Holt



Alaska Wiremen's Association  
1515 E. 13th Avenue  
Anchorage, AK 99501  
907-272-1251

by FACSIMILE

March 13, 1996

Senator Druc Pearce  
State Capitol Building, Room 111  
Juneau, AK 99801-8102

RE: SB 230

Dear Senator Pearce:

This letter is in reference to the hearing to be held on March 13th regarding SB230 currently in the Senate Resource Committee. The Alaska Wiremen's Association, Inc. would like entered into the record our position that we strongly support the proposed changes to the current law and specifically support the new subsections 2,3, and 4 of AS 41.21. We will have a representative, Mr. Jim Dodson, who is a board member of the association, at the teleconference this afternoon and will testify in favor of this legislation.

The Alaska Wiremen's Association would like to thank you for the opportunity to submit this position statement.

Sincerely,

John Spalding  
President



---

Anchorage Snowmobile Club  
P.O. Box 232196  
Anchorage, AK 99523-2196

Senate Resources Committee  
State Capitol  
Juneau, AK 99801-1182

Re: SB230, Version K

Dear Senators:

The Anchorage Snowmobile Club, with 700 members, appreciates the actions of the Alaska State Legislature to safeguard Alaskan's access to Alaskan lands.

We provided input to the original SB230 and we now support Version K as it is written. Thank you your efforts. We will track the progress of this bill through the Senate and the House with great interest and hope for a positive outcome.

Thank you,

A handwritten signature in cursive script that reads "Joe Gibens".

Joe Gibens

President

*Written comments from Jim Stratton, Parks Director*  
Alaska State Park comments on CSSB230 (resources 22)

We have worked closely with Senator Pearce's staff have no objections to several of the bills sections and continue to have concerns about section 3.

Section 1: Reporting requirements are reasonable and will have a minimal fiscal impact on the division as we prepare the annual report.

Section 2: We had initial concerns about the impact of this section on Chugach State Park, Kenai River Special Management Area and Pt. Bridget State Park where expansion of the park boundaries is allowed in enabling legislation. I now understand these areas will not be effected.

In review of those park units where no direction was given in enabling legislation, and where we assumed authority to expand park boundaries, we identify two park effected. As a result of this bill, two ILMA additions to Denali State Park will be disallowed and ILMA additions to Chilkat State Park, which occurred in 1977 and 1979, will be legislatively added to the park. These additions are needed to prevent default on 11 acres purchased for recreational purposes with federal grant monies from the Land and Water Conservation Fund. Land and Water money requires purchased land to be managed exclusively for recreation purposes. With these ILMAs were disallowed, the lands would revert back to general state land and lose their recreational exclusivity, placing the state in the position of having to replace those acres with similar acres purchased for recreational use elsewhere in the Haines area at 1996 prices. We estimate that appraisals and purchase price would have cost the state \$40.8. This small addition to Chilkat State Park alleviates any concern or potential problem with the feds for LWCF monies.

Section 3: We still object to this section and its redirecting the purposes for which Denali State Park was established. The current balance between motorized and non-motorized access will be tipped in favor of more motorized access. But given that is the intent of this bill, we have determined that this new direction on incompatible uses would require us to re-evaluate the management plan.

The current Denali State Park Master Plan is in its second version, having been

completed in 1989 by Dowl Engineers under contract at a cost of \$100.0. Expenses for state personnel involvement was additional. The first master plan was developed in 1975. When Denali State Park was created, there was no direction from the legislature that restricted Parks' ability to manage incompatible uses. Since that time, Parks has sought to manage Denali for both motorized and non-motorized access. The decisions on where these motorized and non-motorized areas are located within the park boundary were determined with significant public input during the master plan process.

In the 1989 revision, for example, we held three rounds of public meetings in Anchorage, Fairbanks, Talkeetna, and Palmer. At least 10 meetings of the Mat-Su Citizens Advisory Committee (all of which were advertised and open to the public) were spent discussing this plan. There were three opportunities for written public input. The 1989 plan is based on this extensive public involvement and on the fact that the enabling legislation did not direct Parks to consider any parameters in determining how to manage incompatible uses. It is safe to say that hundreds of people spent thousands of hours grappling with a range of park management issues. As such, areas are recommended in the existing plan for closure to motorized access...aircraft, air boats, and snowmachines. Regulations promulgated last fall are intended to implement the aircraft closures. This resulted in the controversy over closing Curry and Kesugi Ridge to aircraft landing. My understanding of the bill is that these proposed closures would not be considered "ample" or "reasonable" access by the bill sponsors, but this new language does allow Parks' to make some closures. Hence, Parks would need to reopen the discussion about where certain types of recreation can occur. Given the historical involvement of many recreational user groups in this discussion and the intensity of the debate over the recent proposed regulations, this will not be a quick and easy task nor one we can responsibly do without involving the public. It will require an 18 month planning process to fully include all user groups and provide ample opportunity for everyone to be heard. That is the basis for our fiscal note.

Section 3: recreational mining. State Parks has no definition of recreational mining. Division of Lands manages recreation mining sites and is developing a definition that includes 6 inch suction dredges. We feel strongly that suction dredges are not a compatible use with state park lands and waters. We have determined that gold panning is compatible and have a pending regulation to open Denali State Park to gold

panning. If the bill passes with the recreation mining language, we feel it would be confusing to the public to potentially have two definitions of recreational mining. Further, when developing a Parks definition, we would expect an argument to be put forth that Division of Lands definition should be used in the parks. We would urge the committee to change recreation mining to recreational gold panning or define recreational mining in this bill to be gold panning.



# Alaska Environmental Lobby, Inc.

P.O. Box 22151 Juneau, Alaska 99802

Phone: 907-463-3366  
Fax: 907-463-3312

Testimony of Bill Perhach  
Senate Resources Committee  
March 13, 1996

SB 230 would seem to be tied to the current construction of Princess Tours' 160 room hotel and the introduction of the cruise ship package tour industry into Denali State Park. Princess Tours' subsequent request to DNR closing Blair Lake to fixed wing aircraft resulted in protests from aircraft operators. Those protests were the genesis of SB 230.

If SB 230 were designed to protect Alaskans and the general public from large commercial interests limiting access to state land...SB 230 would be difficult to fault. But this version of the bill (CS "K") goes far beyond that: in effect taking the management of state lands out of the hands of professional planners; remanding it back to the legislature.

Obviously there are problems with the current system-otherwise a situation like Blair Lake would not have occurred. But if you get a flat tire, would you fix it, or throw away the other three and drive on the rims?

Alaska's resource managers might be better insulated from the pressure of private interest groups-by all means-but not restricted in the execution of their professional duties.

3/13/96

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH 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

March 15, 1996

**SUBJECT:** CSHB 447 ( ), DRAFT, DATED 2/12/96 and Intradepartmental Land Transfers (Work Order No. 9-LS1427G)

**TO:** Representative Beverly Masek  
Attn: Dave Stanciff

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

**Question Presented:** Does the Department of Natural Resources have the authority to transfer land from the Division of Lands to the Division of Parks and Outdoor Recreation and solely by reason of that transfer remove that land from multiple purpose use and restrict all uses of the land except for uses that are subsequently found to be compatible?<sup>1</sup>

**Answer:** I have not found any authority that would allow the Division of Lands to merely transfer land to the Division of Parks and Outdoor Recreation and that, solely by reason of that transfer, would result in the land being closed to all uses except for uses that are subsequently found to be compatible. The director of the division is given rather broad authority to manage, direct, and control state land. That authority must be exercised in a manner that is consistent with the statutes and the constitution. AS 38.05.295 allows the commissioner to classify state land as "parks, scenic overlooks, cultural sites and recreation areas as long as the general intent of [AS 38.05] is maintained." The general intent of AS 38.05 is multiple use of state land. AS 38.05.300(a) provides that the commissioner may not classify an area of more than 640 acres of land as closed to multiple purpose use. If the commissioner wishes to designate state park land, it appears that the commissioner must classify that land as park land consistent with AS 38.05.300. The director of the Division of Lands could then transfer that land to the Division of Parks and Outdoor Recreation for management. To merely transfer land so that it magically becomes park land, without first classifying that land, does not appear to comply with the requirements set by the legislature.

---

<sup>1</sup>This discussion is based upon the situation Dave presented to me that DNR transfers land from the Division of Lands to the Division of Parks and Outdoor Recreation without first classifying the land, and upon transfer, closes the land to all uses except those compatible uses that are then determined.

Representative Beverly Masek

March 13, 1996

Page 2

As to the designation of compatible uses on the land after its closure, AS 41.21.020(a) provides that land that is managed by the Division of Parks and Outdoor Recreation is subject to regulations adopted by the department and the designation of incompatible uses within the boundaries of state park and recreational areas. This process of designating incompatible uses appears to me to be fundamentally different than closing land to all uses and then designating compatible uses. The general fundamental thrust of the constitution and the statutes seems to be that land is open unless closed. The designation of compatible uses on land transferred to the division of parks and outdoor recreation in the manner you have described seems to me to be inconsistent with this authority.

GPL:klb

96-188.klb

ILMA's opened to uses otherwise prohibited by state park regulations.

1. Bernice Lake SRS	Powerboats	180 acres	* Closed June 1994
2. Bonnie Lake SRS	Powerboats	129 acres	
3. Chilkoot Trail	Firearms	866 acres	*2 ILMA's
4. Eagle Trail SRS	Firearms	280 acres	
5. Harding Lake SRA	Firearms	169 acres	
6. Johson Lake SRA	Aircraft	320 acres	
7. Kepler - Bradley SRA	Horses on trails	344 acres	
	boats with electric trolling motors		
8. Long Lake SRS	Aircraft	480 acres	
9. Lower Chatanika SRA	Firearms	400 acres	
10. Old Sitka SHS	Powerboats	59 acres	
11. Rocky Lake SRS	Aircraft	49 acres	
	Motroized boats excluding jet skiis, airboats and jet boats with inboard motors.		
12. Settlers Cove SRS	Powerboats	37 acres	
13. Summit Lake SRS	Snowmachines#	360 acres	

#Managed as open under Hatcher Pass East Management Area Agreement. Regs moving thru APA process opening area.

Alaska State Parks active ILMA list

February 2, 1996

When renewing an ILMA, check if the special stipulation needs to be added.

Kenai/PWS Area

Park Unit Name	ILMA #	Expiration Date	Acreage
Anchor River SRA	65068	08-22-1999	0**
	66155	01-13-2000	0**
Anchor River SRS	50059	05-22-1997	0**
Caines Head SKA	224263	indefinite	620
Centennial Lake SRS	221088	09-30-2010	97.78
Clam Gulch SRA	38244	04-18-1993	46.06
	220821	09-30-2010	283
	212217	requested	0**
Crooked Creek SRS	221151	09-30-2010	86.85
Deep Creek SRA	50074	08-15-1999	44.38
	204189	05-31-2006	0**
Johnson Lake SRA	37261	12-08-1992	0**
	42294	10-22-1999	107
	65720	01-06-2000	157.85
Cooper Landing, KRSMA	225157	indefinite	421
Kasilof River SRS	54288	05-22-1997	47.23
	65122	09-12-1999	0**
Upper Kasilof River SRA	221088	09-30-2010	281.02
Ninilchik SRA	40971	08-12-2005	0**
	56524	05-18-1997	0**
	65744	01-06-2000	12.35
Scout Lake, KRSMA	215450	08-24-2007	30
Stariski SRS	42295	01-14-1994	0**

Pending Actions - Proposed ILMAs

Stariski SRS (tidelands)	42396	Eagle Rock, KR	220733
Cohoe Beach	200758	North Cohoe Beach	no #
Kasilof River Mouth	223799	Lower Kasilof River	no #
Crooked Creek SRS	-issue ILMA for OSL 1092		

Total number of ILMAs 23  
 Total acreage 2,234.72  
 Average acreage per ILMA 97.16

\*\* acreage on general state land only, OSL land excluded from this number

## Alaska State Parks active ILMA list

February 2, 1996

When renewing an ILMA, check if special stipulation needs to be added.

## VCB District, Mat-Su/VCB Area

\* this unit managed by another agency

Park Unit Name	ILMA #	Expiration Date	Acreage
Blueberry Lake SRS	50064	05-18-1997	0**
Dry Creek SRS	81245	09-13-2002	320**
Lake Louise SRA	65591 215412	10-22-1999 requested	0** 0**
Liberty Falls SRS	226236	indefinite	0**
Little Nelchina SRS	65296	06-20-2002	0**
Little Tonsina SRS	50057	05-22-1997	0**
Porcupine Creek SRS	65298	06-17-2001	0**
Squirrel Creek SRS	50056	06-12-2012	160
Valdez Glacier CG*	50052 55852	05-16-1997 05-25-1997	0** 45.92
Worthington Glacier SRS	50051	12-01-2001	0**

## Pending Actions:

Porcupine Creek SRS -will need land added by ILMA when land is issued to state from feds

Blueberry Lake SRS - typo in amendment, correct when re-issued

Total number of ILMAs 12  
Total acreage 525.92  
Average acreage per ILMA 43.82

\*\* acreage on general state land only, OSL & 507 land excluded from this number

## Mat-Su/VCB Area totals

Total number of ILMAs 30  
Total acreage 3,590.59  
Average acreage per ILMA 119.69

Alaska State Parks active ILMA list

February 2, 1996

When renewing an ILMA, check if the special stipulation needs to be added.

Southeast Area

\* this unit managed by another agency

Park Unit Name	ILMA #	Expiration Date	Acreage
Baranof Castle SHS	39213	07-08-1993	0**
Chilkoot Trail*	65587 103245	01-06-2000 07-02-2007	638 228
Grindall Island SMP	105755	indefinite	240
Halibut Point SRS	73659 75840	07-15-2002 10-27-2005	0** 17.76
Johnson Creek SRS	103850	12-15-2008	7.7
Juneau Trail System	65585	09-20-1999	0**
Mosquito Lake SRS	50070	11-15-1999	0**
Old Sitka SHP	39505 104586	07-31-1993 07-01-2017	0** 7.86
Pioneer Park SRS	104719	05-22-2011	0**
Portage Cove SRS	60165	04-23-1998	0**
Refuge Cove SRS	50073	01-06-2000	0**
Salmon River, Gustavus*	103836	11-14-2008	22.95
Settlers Cove SRS	103798	09-15-2008	37.5
Totem Bight SHP	65588 105607	07-08-2008 indefinite	0** 23.50
Totem Square, Sitka*	65586	03-27-2000	0**

Pending Actions:

Chilkoot Lake SRS

-in future, ILMA will need to be requested when land is approved for state patented by the feds.

Grindall Island SMP

-ILMA needs to be replaced by legislation

Juneau Trail System

-add easement to current ILMA

Total number of ILMAs 19  
 Total acreage 1223.27  
 Average acreage per ILMA 64.38

\*\* acreage on general state land only, OSL land excluded from this number

Alaska State Parks active ILMA list

February 2, 1996

When renewing an ILMA, check if the special stipulation needs to be added.

Northern Area

\* this unit managed by another agency

Park Unit Name	ILMA #	Expiration Date	Acerage
Big Delta SHP	414607	03-12-2017	3.39**
Birch Lake SRS	67058	12-01-2006	191
Chena River SRS	39240	01-09-1995	26.86
Lower Chatanika River SRA	56390	07-31-2008	400
Upper Chatanika River SRS	63136	02-19-1999	54**
Clearwater SRS	50054	05-25-1997	0**
Deadman Lake CG*	50069	06-17-2201	0**
Donnelly Creek SRS	50066	10-24-2029	42
Dry Creek Site	65667	03-12-2004	90
Eagle Trail SRS	50050	09-12-2016	280
Harding Lake SRA	39238	04-01-2005	168.96
Lake View CG*	50068	06-17-2001	0**
Moon Lake SRS	50067	06-17-2001	0**
Quartz Lake SRA	65463	06-11-2000	556.15
Salcha River SRS	65299	09-12-1999	0**
Tok River SRS	50053	06-17-2001	0**

Pending Actions:

- Delta SRS -issue ILMA, no number
- Fielding Lake SRS -issue pending ILMA 412741
- Birch Lake SRS -issue pending easement for lakeshore
  
- Donnelly Creek SRS -legal description error in ILMA amendment, have corrected when ILMA renewed

Total number of ILMAs 16  
 Total acreage 1,812.36  
 Average acreage per ILMA 113.27

\*\* acreage on general state land only, OSI. & 507 land excluded from this number

Alaska State Parks active ILMA list

February 2, 1996

When renewing an ILMA, check if special stipulation needs to be added.

Mat-Su District, Mat-Su/VCB Area

Park Unit Name	ILMA #	Expiration Date	Acreage
Big Lake North SRS	42296	04-15-2010	0**
Big Lake South SRS	42296	04-15-2010	0**
Bonnie Lake SRS	42298 42397	01-14-1994 10-22-1999	30.72 98
Finger Lake SRS	65710	10-17-1999	0**
Denali SP	225371 225373	indefinite indefinite	620 600
Independence Mine SHP	223571	04-30-2011	490**
Kepler-Bradley Lakes SRA	210980	08-29-2010	49.57**
King Mountain SRS	42292	12-20-1993	0**
Long Lake SRS	50072	05-18-1997	479.72
Matanuska Glacier SRS	50063	05-22-1997	228.94
Moose Creek SRS	42300	12-20-1993 or indefinite?	0**
Nancy Lake SRS	37437	12-15-1992	35.59
Rocky Lake SRS	50071 67519	05-18-1997 indefinite	48.32 1
Summit Lake SRS	223584	04-30-2011	361
Wolf Lake SRS	216795 (P&C lease)	04-04-2029	22.81

Pending Actions:

- Denali SP - ILMA 225372 needs to be issued
- Independence Mine - land needs to be added to existing ILMA
- Kepler-Bradley - lakes & OSL 854 & 858 need to be added to existing ILMA or issued under new ILMA
- Montana Creek - ILMA 217793 is a duplication of mgt rts and needs to be closed
- Nancy Lake SRA - ILMAs 56936 & 57369 are duplications and can be closed

Total number of ILMAs 15  
 Total acreage 3,064.07  
 Average acreage per ILMA 170.25

\*\* acreage on general state land only. OSL land excluded from this number

Alaska State Parks active ILMA list

February 02, 1996

When renewing an ILMA, check if special stipulation needs to be added.

Chugach Area

Park Unit Name	ILMA #	Expiration Date	Acreage
Bird Creek CG	226191	09-16-2018	31.38
California Creek TH	203859	06-01-2020	3.33
Comercial Dr	201134	08-24-2004	7
McHugh Creek parcel	225945	12-31-2002	0**

Pending Actions:

LDA needs to be updated to include additional parcels in various locations.

Total number of ILMAs           4  
 Total acreage                       41.71  
 Average acreage per ILMA       10.42

\*\* acreage on general state land only, OSL land excluded from this number

Kodiak Area

Park Unit Name	ILMA #	Expiration Date	Acreage
Fort Abercrombie SHP	39239	01-30-1994	182.72
Pasagshak River SRS	65396	02-25-2000	100
Woody Island SRS	215531	indefinite	72.71**

Pending Actions

Pasagshak River SRS       -application in for addition to park by ILMA

Total number of ILMAs           3  
 Total acreage                       355.43  
 Average acreage per ILMA       118.47

\*\* acreage on general state land only, OSL land excluded from this number

### Alaska State Parks ILMA & Acreage Information

Area	# of ILMAs	Total ILMA acreage	Average ILMA acreage
Northern	16	1,812.36	113.27
Mat-Su/VCR	30	3,590.59	119.69
Chugach	4	41.71	10.42
Kenai/PWS	23	2,234.72	97.16
Kodiak	3	355.43	118.47
Southeast	19	1,223.27	64.38
WT	0	0	0
<hr/>			
Grand Totals	95	9,258.08	97.45

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# DENALI STATE PARK MASTER PLAN



1989

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DIVISION OF PARKS AND OUTDOOR RECREATION  
ALASKA DEPARTMENT OF NATURAL RESOURCES



Alaska Department of  
**NATURAL  
RESOURCES**



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**Denali State Park  
Master Plan**

## Park Boundary Modifications

Proposed boundary modifications are intended to protect small areas of a special nature, such as the Indian River area, and to protect the continuity of existing resources, such as the short stretch of the Tokositna River that is not in the park at this time. The proposed changes are illustrated in Figure 15 (page 73).

The proposed 100-foot buffer along the south shore of the Tokositna River is not intended to preclude the use of private property, but rather is to provide a small, vegetated, visual buffer along the river corridor and protect the river shore line from accelerated erosion related to development that could impact downstream areas inside the state park.

The proposed land exchange with the National Park Service is intended to shift boundaries to readily identifiable and enforceable natural features. This will avoid public confusion over the different regulations (state and federal) applicable to the two parks. It will also simplify the management responsibilities of the respective agencies.

Three separate areas of state-owned land are proposed for addition to the park, either through legislative designation or Interagency Land Management Assignment (ILMA).

Proposal	Management Objectives	Justification
<p>Southern boundary expansion to include Tokositna River. Approx. 330 acres.</p> <p>Legal description:</p> <p>T28N, R6W, S.M.,</p> <p>Sec. 6: state-owned land and water north of the right bank of the Tokositna River.</p> <p>T28N, R7W, S.M.,</p> <p>Sec. 1, 2: state-owned land and water north of the right bank of the Tokositna River.</p>	<p>Establish border along obvious natural feature. Conserve south shore of river with easement. Provide active management.</p>	<p>This small segment of the Tokositna River is the only part of the river not currently in state or national park. Inclusion of the land north of the river in park will preserve natural setting along river and permit active management and enforcement in this area.</p> <p>Designation of a 200' buffer easement effecting state-owned lands along south shore, managed by the Division of Land and Water Management, will create vegetative screen for river users. Land disposals and commercial timber harvest will be prohibited.</p>
<p>Land exchange with National Park Service Approx. 6,000 acres.</p>	<p>Make management jurisdiction easier for all parties, by defining park boundaries to follow rivers.</p>	<p>The National Park Service and Division have different regulations relative to hunting and other activities in the national and state parks. Will make use of physical boundaries that are easy to identify, thus clarifying jurisdiction and simplifying management.</p>

<u>Proposal</u>	<u>Management Objectives</u>	<u>Justification</u>
<p>East boundary expansion, adjacent to Indian River. Approx. 470 acres.</p> <p>Legal description:</p> <p>T31N, R2W, S.M.</p> <p>Sec. 4,8,9: state-owned land between the Indian River and the Alaska Railroad right-of-way.</p> <p>Sec. 16,17,20: state-owned land north and west of the Susitna River.</p>	<p>Create a more logical boundary. Provide active management and conserve natural resources in this area.</p>	<p>Provide active management to conserve important natural resources in the area, primarily spawning salmon. Inclusion of important buffer adjacent to the park.</p>
<p>South boundary expansion adjacent to Blair Lake. Approx. 360 acres.</p> <p>Legal description:</p> <p>T 28N, R5W, S.M.</p> <p>Sec. 2: waters of Blair Lake.</p> <p>Sec. 3: N1/2, waters of Blair Lake.</p>	<p>Incorporate into the park the small parcel of state land between existing boundary and Blair Lake.</p>	<p>Provide park management for important uplands and Blair Lake. Protect public access between the park and the lake.</p>

### Land Acquisition

Denali State Park has a variety of large and small privately held properties within its boundaries. Acquisition of some inholdings or purchase of development rights should be pursued to help consolidate land ownership patterns and to avoid potential incompatibilities due to differing interests and objectives of the Division and private parties.

<u>Proposal</u>	<u>Management Objectives</u>	<u>Justification</u>
<p>Acquire inholdings at Byers Lake (10 acres).</p>	<p>Protect quiet, undeveloped nature of area. Provide active management.</p>	<p>Consolidate area as campground area. If holdings are small, but development could have an adverse impact on the park and park experience currently enjoyed.</p>
<p>Acquire inholdings at Low Lake (7 acres).</p>	<p>Protect natural setting and viewshed integrity from High Lake area.</p>	<p>The north end of the park has a highly diverse environment. The viewshed integrity of the High Lake area is very important to the South Denali project.</p>

Summary of Public Comment  
Alaska State Park Regulation Proposal, November 1995

The draft regulations cover four categories:

Statewide regulations concerning the park user fee system (11 AAC 5):

- the increase in fees for overnight camping, cabins, and annual passes:  
12 in favor - 34 opposed, excluding the 139 form letters
- 10 persons expressed opposition to exempting contract managers from having to honor the annual camping passes

The public feels proposed fee limits are too high and may price low income families out of being able to use their state parks. Their assumption is that with this new, higher authority, the state would quickly jump to the maximum level. We are at between \$6 and \$15 now. Some also objected to contract managers not having to honor annual passes. People fear that contract management will lead to less ranger presence and erode the value of their camping passes and discourage tourism to those areas managed by private contractor.

Final Regulations have been changed to reflect:

The maximum fee level for camping will drop from the proposed \$25 to \$20.

Regulations affecting public use of state parks related to camping and boating (11 AAC 12):

One comment received opposing having to permanently affix a camping pass decal to their vehicle.

Regulations pertaining to the use of weapons, vehicles, horses, and alcoholic beverages in certain units of the state park system (11 AAC 20):

- the proposed restrictions on powerboats, aircraft and helicopters:  
115 in favor - 42 opposed, excluding the 139 form letters

Numerous ecotourism business and conservation organizations favor the restrictions. The Alaska Wilderness Recreation and Tourism Association which represents over 250 such companies and the Alaska Center for the Environment are two examples. In opposition to the proposal are businesses like ERA Helicopters and Princess Tours (helicopter prohibition only). Groups such as the Alaska Air Carriers Association, RDC, and Alaska Visitors Association also oppose the aircraft restrictions.

The proposed restrictions launched an avalanche of form letters, most likely orchestrated by local snowmachine enthusiasts based on copies returned by out-of-state snowmachine organizations. They fear that the restrictions proposed for aircraft use would be the "first foot to fall" on a program to close areas in Denali State Park and Chugach State Park to the use of snowmachines. This fear is predicated on wide knowledge within the snowmachine community of a letter sent to state parks by the Chair of the Susitna Citizens Advisory Board on 9 February 1995 requesting that regulations be promulgated to implement the 1989 Denali State Park Master Plan. The plan recommends numerous restrictions on motorized uses. However, at this time, Parks is only proposing restrictions on the use of aircraft.

- the proposal to open more bike trails in Chugach State Park;  
10 in favor - 31 opposed

Most opposition focused on opening the South Fork Rim Trail, and to a lesser extent, Near Point and the Middle Fork Loop.

Final Regulations have been changed to reflect:

The aircraft restrictions and helicopter prohibition should remain part of the proposals but modified to open an additional area to aircraft landing, gravel bars in Kachemak Bay State Park; to allow helicopters to land west of the Tokositna River, by permit only. Based on oral and written testimony, public sentiment is roughly two to one in favor of the restrictions excluding the form letters. Some industry and user group opposition is expected.

The number of trails opened to bicycles in Chugach State Park will be reduced.

And boating methods and commercial uses of the Kenai River Special Management Area (11 AAC 20).

- 6 persons opposed the six persons per boat regulation proposal for Kenai River Special Management Area (KRSMA) - added expense to rafting operations on the upper rivers
- 5 persons commented in favor of the KRSMA regulation requiring boat rental businesses to be permitted.

The regulations proposed for the KRSMA will have a significant economic impact on several commercial businesses operating on the upper river. Some accommodation needs to be made to exempt those operators from the six person per boat proposal.

Final Regulations have been changed to reflect:

The KRSMA regulation limiting the maximum number of people allowed in a boat will be amended to exclude Kenai and Skilak Lakes.

Other recommended amendments to the draft proposal:

The powerboat restrictions proposed for public safety reasons at Southeast State Marine Parks will affect the landing of powerboats on the beach at Settlers Cove in Ketchikan. This proposal will be revised to only apply from May through September.

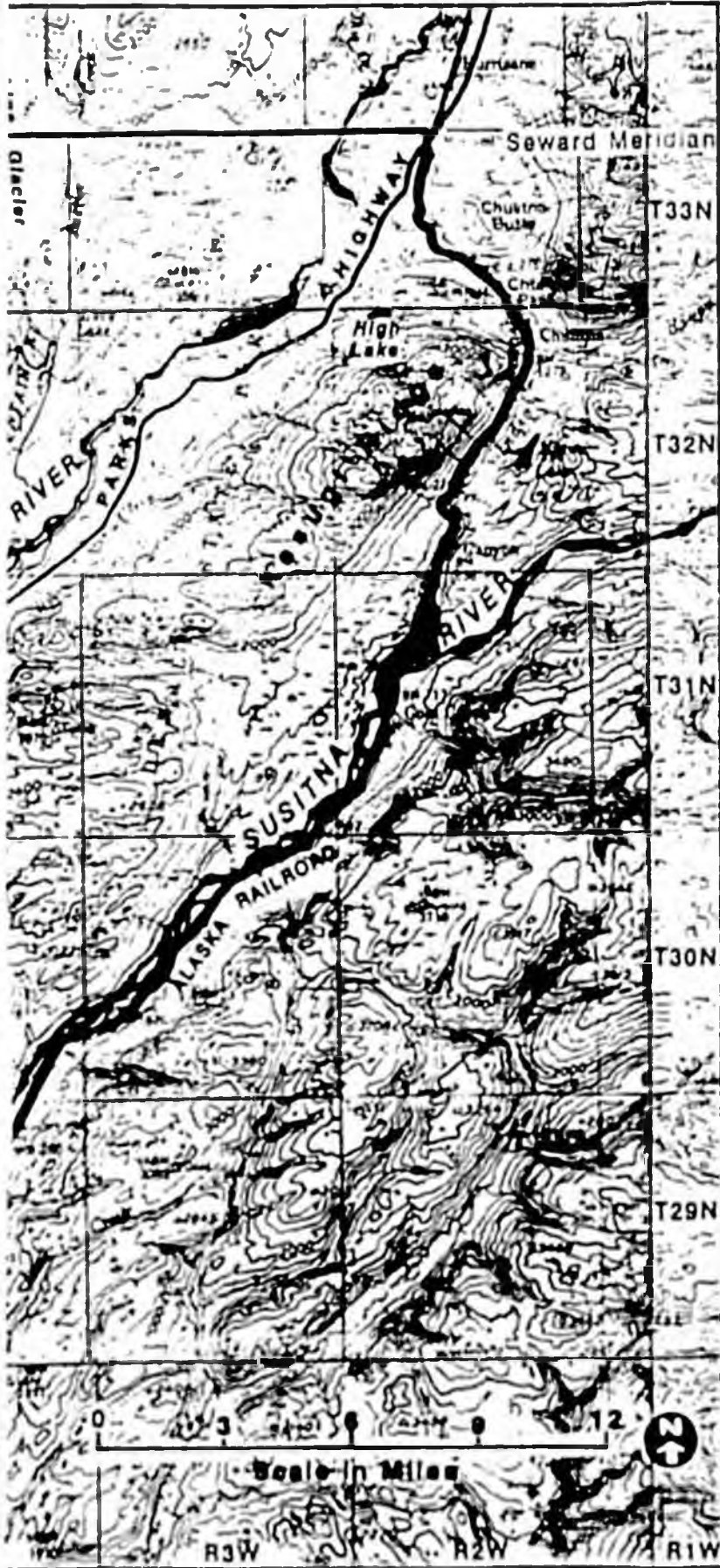



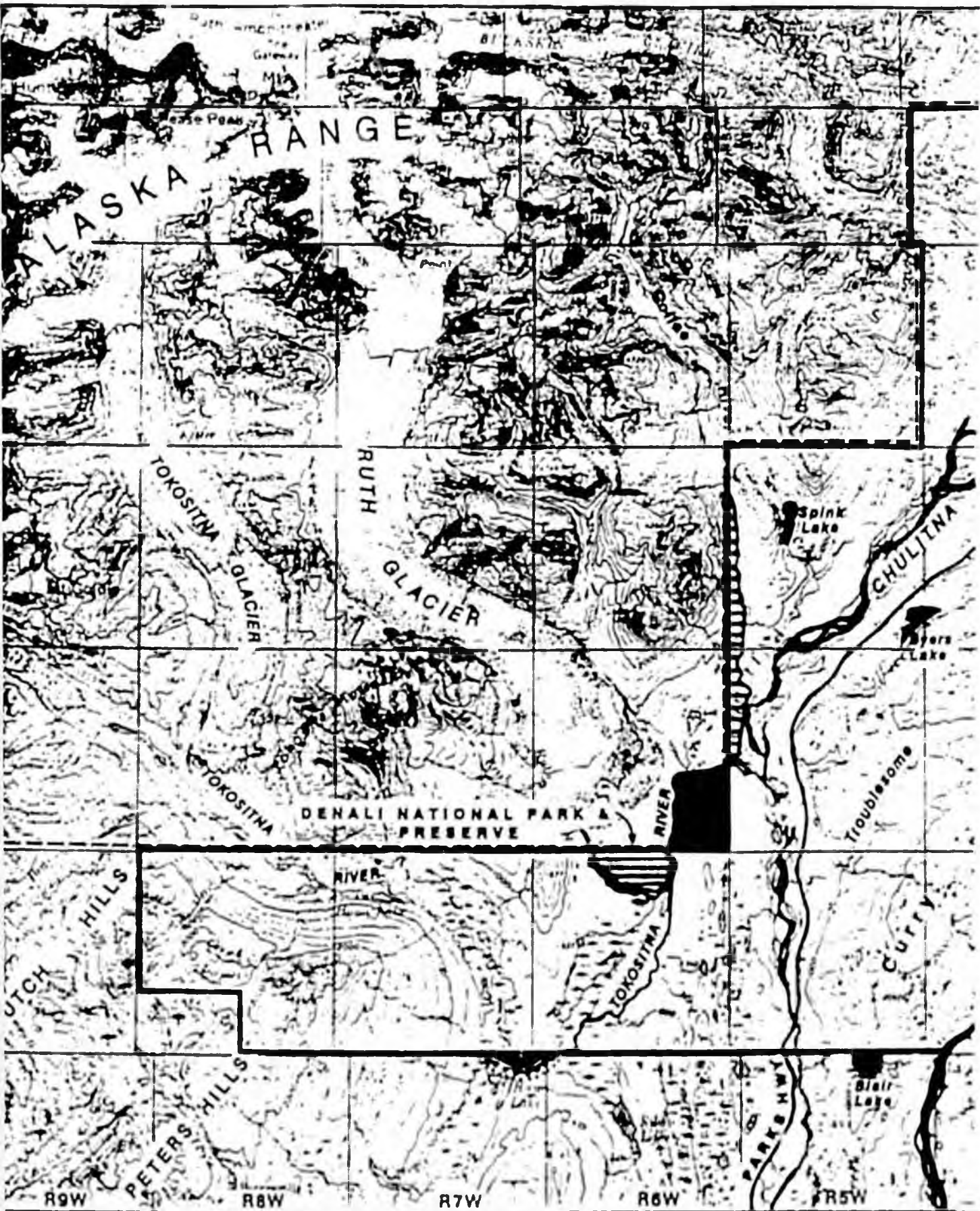


Figure 15  
**BOUNDARY  
 MODIFICATIONS**

To become:

-  State Park
-  National Park
-  River Bank Buffer





38.05.275

§ 38.05.300

PUBLIC LAND

§ 38.05.300

ration that qualifies for a land conveyance under 43 U.S.C. 1613(h)(3), as amended, has filed a valid selection application with the United States under 43 U.S.C. 1601 — 1641, as amended, if the selection of the corporation or group has not been rejected or relinquished.

(c) Subsection (b) of this section may not be construed to limit the director in the exercise of authority granted by AS 38.05.035(a)(12), AS 1 art IX ch 169 SLA 1959; am § 1 ch 123 SLA 1961; am § 3 ch 98 SLA 1966; am § 14 ch 93 SLA 1984; am § 1 ch 47 SLA 1994)

**Effect of amendments.** — The 1994 amendment, effective May 24, 1994, added subsections (b) and (c).

**Editor's notes.** — Under § 3, ch. 47, SLA 1994, subsections (b) and (c) are retroactive to April 14, 1966, and apply to locations made under AS 38.05.165 — 38.05.275 or in the manner described in AS 27.10 on and after that date.

Section 2, ch. 47, SLA 1994 provides: "Notwithstanding the exclusion of land

from the definition of 'state selected land' by AS 38.05.275(b), added by sec. 1 of this Act, a mining location that was made on that land under AS 38.05.165 — 38.05.275 or in the manner described in AS 27.10 on or after April 14, 1966, and before May 24, 1994 retains its validity, if any, if the selection of the land by all corporations or groups eligible to make a selection under 43 U.S.C. 1601 — 1641 is rejected or relinquished."

### Article 11. Classification of Land.

#### Section 300. Classification of land

**Sec. 38.05.300. Classification of land.** (a) The commissioner shall classify for surface use land in areas considered necessary and proper. This section does not prevent reclassification of land where the public interest warrants reclassification, nor does it preclude multiple purpose use of land whenever different uses are compatible. If the area involved contains more than 640 contiguous acres, state land, water, or land and water area may not, except by act of the state legislature, (1) be closed to multiple purpose use, or (2) be otherwise classified by the commissioner so that mining, mineral entry or location, mineral prospecting, or mineral leasing is precluded or is designated an incompatible use, except when the classification is necessary for a land disposal or exchange or is for the development of utility or transportation corridors or projects or similar projects or infrastructure, or except as allowed under (c) of this section.

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

(c) Notwithstanding (a)(2) of this section, if the commissioner considers it necessary and proper, the commissioner may provide by order for an interim classification that precludes, or designates as an incompatible use, mining, mineral entry or location, mineral prospecting, or mineral leasing. Within 10 days after the convening of each regular legislative session, the commissioner shall transmit to the legislature for consideration all the interim classification orders issued under this subsection during the preceding calendar year. Unless the legislature

approves by law an interim classification contained in an order transmitted under this subsection, that order expires on the 90<sup>th</sup> day of that legislative session or upon adjournment of that session, whichever occurs first. Approval by the legislature of an interim classification satisfies the requirement of (a) of this section for an act of the state legislature. *§ 1 art III ch 169 SLA 1959; am § 2 ch 31 SLA 1964; am §§ 33, 34 ch 85 SLA 1979; am § 40 ch 152 SLA 1984; am §§ 2, 3 ch 52 SLA 1993; am § 35 ch 126 SLA 1994*

**Effect of amendments.** — The 1993 amendment, effective September 1, 1993, rewrote subsection (a) and added subsection (c).

The 1994 amendment, effective July 1, 1994, repealed subsection (b), relating to the commissioner's annual written report describing the location of all classifica-

tions of state land made under subsection (a) of this section.

**Editor's notes.** — Section 4, ch. 52, SLA 1993 provides that paragraph (a)(2) and subsection (c) of this section "apply to classifications made after September 1, 1993."

**Article 13. Miscellaneous Provisions.**

**Section**

800. [Repealed]

801. Management of mental health trust land

810. Public and charitable use

**Section**

825. Conveyance of tide and submerged land to municipalities

860. Deposits

*Sec. 38.05.800. Reconstitution and administration of mental health land trust. [Repealed, § 39 ch 5 FSSLA 1994.]*

**Sec. 38.05.801. Management of mental health trust land.**  
(a) Mental health trust land shall be managed consistent with the trust principles imposed on the state by the Alaska Mental Health Enabling Act, P.L. 84-830, 70 Stat. 709 (1956).

(b) Subject to (a) of this section, the department

(1) shall manage mental health trust land under those provisions of law applicable to other state land;

(2) may exchange other state land for mental health trust land under the procedures set out in AS 38.50; and

(3) may correct errors or omissions in the legal descriptions of mental health trust land.

(c) The commissioner shall adopt regulations under AS 44.62 (Administrative Procedure Act) to implement this section. The regulations adopted under this subsection must, at a minimum, address

(1) maintenance of the trust land base;

(2) management for the benefit of the trust;

(3) management for long-term sustained yield of products from the land; and

(4) management for multiple use of trust land. *§ 17 ch 5 FSSLA 1994*

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history of use for commerce, recreation, or transportation. (5 5 ch 181 SLA 1978; am 9 7 ch 113 SLA 1981; am 9 13 ch 152 SLA 1984)

**Sec. 38.04.058. Restrictions on easement or right-of-way use.** The director may, under terms agreed to in writing by a grantee, lessee, or interest holder of state land, restrict the use of an easement or right-of-way reserved under AS 38.04.050, 38.04.055 or other law in order to protect public safety or property. (5 14 ch. 152 SLA 1984)

**Article 3. Inventory, Planning, and Classification.**

**Section**

- 60. Inventory
- 65. Land use planning and classification

**Section**

- 70. Management categories

**Sec. 38.04.060. Inventory.** (a) The commissioner shall prepare and maintain on a continuing basis an inventory of all state land and water and their resource and other values, giving priority to areas of potential settlement, economic development, and critical environmental concern. This inventory shall be kept current so as to reflect changes in conditions and to identify new and emerging resource and other values.

(b) The commissioner's inventory must include land and water under interagency assignment of land management authority and land and water proposed for such an assignment. That land and water must be reviewed at regular intervals to analyze current and proposed uses as these uses relate to alternative uses for all or part of the land and to determine the uses which best provide for the public interest.

(c) As funds and manpower are made available, the commissioner shall provide local and federal governments and major private land-owners with data from the inventory for the purpose of planning and managing the uses of land in proximity to state land. (5 5 ch 181 SLA 1978)

**Sec. 38.04.065. Land use planning and classification.**

(a) Except as provided in (d) and (h) of this section, the commissioner shall, with local governmental and public involvement under AS 38.05.945, adopt, maintain, and, when appropriate, revise regional land use plans that provide for the use and management of state-owned land.

(b) In the adoption and revision of regional and site-specific land use plans, the commissioner shall

(1) use and observe the principles of multiple use and sustained yield;

(2) consider physical, economic, and social factors affecting the area and involve other agencies and the public in achieving a systematic interdisciplinary approach;

Sec. 38.05.290. Selection practice. (a) The selection of grant, lieu and indemnity land shall conform to this chapter and the policy, orders and regulations adopted by the commissioner. The commissioner shall give preference of selection to the land which will provide the maximum benefits to the people of the state.

(b) Consistent with the best interests of the state, in the selection of general grant land it is the policy of the state to make available the maximum land area from which municipalities may fulfill land entitlements under AS 29.65 or former AS 29.18.201 — 29.18.213. (1 art XI ch 169 SLA 1959; am 4 ch 180 SLA 1978; am 58 ch 74 SLA 1985)

Effect of amendment. — The 1985 amendment inserted "AS 29.65 or former" near the end of subsection (b). Collateral references. — 63A Am. Jur. 2d, Public Lands, ¶ 113 to 121.

Article 10. Parks and Recreation Areas.

Section 295. Parks and recreation areas

Sec. 38.05.295. Parks and recreation areas. The commissioner shall establish a policy and adopt regulations by which parks and recreation areas, including public scenic overlooks and cultural sites, shall be developed and managed in a manner that will best serve the interests of the people of the state. The commissioner may classify public land as parks, scenic overlooks, cultural sites and recreation areas as long as the general intent of this chapter is maintained. (1 art XII ch 169 SLA 1959)

Collateral references. — 19 Am. Jur. 2d, Parks, Squares, and Playgrounds, ¶ 1 et seq.; 63A Am. Jur. 2d, Public Lands, ¶ 1 et seq.; 73A C.J.S., Public Lands, ¶ 1 et seq. Uses to which park property may be devoted; power of legislature or state officers, 16 ALR 1266; 63 ALR 484; 144 ALR 166

Article 11. Classification of Land.

Section 300. Classification of land 301. Restriction on sale, lease or other disposal of agricultural land

Sec. 38.05.300. Classification of land. (a) The commissioner shall classify for surface use land in areas considered necessary and proper. This section does not prevent reclassification of land where the public interest warrants reclassification, nor does it preclude multiple purpose use of land whenever different uses are compatible. State land, water, or land and water area may not, except by act of the state

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Collateral references. — 59 Am. Jur. 2d. Parks, Squares and Playgrounds. §§ 1-13; 63A Am. Jur. 2d. Public Lands. § 16.

91A C.J.S. States. §§ 138, 145-150.  
Statutes relating to establishment or administration of parks as encroachment on right of local self-government. 28 ALR 328.

Construction of highway through park as violation of use to which park property may be devoted. 60 ALR3d 581.

State's liability for personal injuries from criminal attacks in state park. 59 ALR4th 1236.

**Sec. 41.21.010. Purpose.** It is the purpose of AS 41.21.010 — 41.21.040 to foster the growth and development of a system of parks and recreational facilities and opportunities in the state, for the general health, welfare, education, and enjoyment of its citizens and for the attraction of visitors to the state. (S 1 ch 158 SLA 1959)

Revisor's notes. — Formerly AS 41.20.010. Renumbered in 1983.

**Sec. 41.21.020. Duties of Department of Natural Resources.**  
(a) The department shall

(1) develop a continuing plan for the conservation and maximum use in the public interest of the scenic, historic, archaeological, scientific, biological, and recreational resources of the state;

(2) plan for and develop a system of state parks and recreational facilities, to be established as the legislature authorizes and directs;

(3) acquire by gift, purchase, or transfer from state or federal agencies, or from individuals, corporations, partnerships or associations, land necessary, suitable and proper for roadside, picnic, recreational, or park purposes;

(4) develop, manage, and maintain state parks and recreational areas;

(5) provide for the acquisition, care, management, supervision, improvement, development, extension, and maintenance of public recreational land, and make necessary arrangements, contracts, or commitments for the improvement and development of land acquired under AS 41.21.010 — 41.21.040; contracting for improvement and development under this paragraph is governed by AS 36.30 (State Procurement Code);

(6) adopt, in accordance with this section and AS 44.62 (Administrative Procedure Act), regulations governing the use and designating incompatible uses within the boundaries of state park and recreational areas to protect the property and to preserve the peace;

(7) cooperate with the United States and its agencies and local subdivisions of the state to secure the effective supervision, improvement, development, extension, and maintenance of state parks, state monuments, state historical areas, and state recreational areas, and secure agreements or contracts for the purpose of AS 41.21.010 — 41.21.040;

(8) encourage the organization of state public park and recreational activities in the local political subdivisions of the state;

(9) provide for consulting service designed to develop local park and recreation facilities and programs;

(10) provide clearinghouse services for other state agencies concerned with park and recreation matters;

(11) perform other duties as are prescribed by executive order or by law;

(12) maintain memorials to Alaska veterans located in state parks; and

(13) adopt, in accordance with AS 44.62 (Administrative Procedure Act), regulations governing the use of the Chena River State Recreation Area and designating incompatible uses within the boundaries of the Chena River State Recreation Area in accordance with AS 41.21.490.

(b) In adopting regulations under (a)(6) of this section, the department shall consider whether the use of dogs, horses, and other animals for packing gear, pulling sleds, or for other recreational use is a compatible use within a state park or recreational area.

(c) The department may accept cash and other donations from public or private sources to assist and support the department in carrying out the purposes of this chapter. (1) 2 ch 158 SLA 1959; am § 1 ch 233 SLA 1970; am § 3 ch 30 SLA 1981; am §§ 1, 2 ch 78 SLA 1981; am § 1 ch 16 SLA 1984; am § 40 ch 106 SLA 1986; am § 19 ch 2 FSSLA 1992; am § 74 ch 63 SLA 1993)

Revisor's notes. — Formerly AS 41.20.020. Renumbered in 1983. Paragraph (a)(13) was enacted as (a)(12) and renumbered in 1981. The present second sentence of AS 41.21.490 was enacted as a part of (a)(13) and transferred in 1981, with minor word changes in (a)(13) of this section. In 1984, "a compatible use" was substituted for "compatible" in subsection (b) to correct a manifest error in ch. 16, SLA 1984.

Cross references. — For power of the department of military affairs to construct memorials to veterans, see AS 44.35.030. Effect of amendments. — The 1992

amendment, effective July 1, 1992, in subsection (a), substituted "develop, manage, and maintain" for "control, develop and maintain" in paragraph (4) and substituted "management" for "control" in paragraph (5).

The 1993 amendment, effective January 1, 1993, added subsection (c).

Editor's notes. — Section 67, ch. 63, SLA 1993 provides "If any section of this bill is found to violate the single subject rule it is severed from the rest of the bill."

Collateral references. — Use to which park property may be devoted. 18 ALR 256; 23 ALR 464; 144 ALR 466.

Sec. 41.21.022. Discharge of firearms. The discharge of firearms during lawful hunting, trapping, and fishing is permitted within the boundaries of: (1) Caines Head State Recreation Area; (2) Chena River State Recreation Area; (3) Chugach State Park; (4) Denali State Park; (5) Kachemak Bay State Park; (6) Kachemak Bay State Wilderness Park; (7) Marine Parks established in AS 41.21.300 — 41.21.306; (8) Quartz Lake State Recreation Area; and (9) Wood-Ticknik State Park.

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§ 41.21.143

PUBLIC RESOURCES

§ 41.21.151

*Sec. 41.21.143. Discharge of firearms. (Repealed. § 2 ch 126 SLA 1984.)*

*Sec. 41.21.150. Purpose of AS 41.21.150 — 41.21.152. The purpose of AS 41.21.150 — 41.21.152 is to restrict state-owned land and water described in AS 41.21.151 to use as a state park. Under AS 38.05.300, state land, water, or land and water containing more than 640 acres may be closed to multiple use only by act of the legislature. Because the area described in AS 41.21.151 exceeds 640 acres, AS 41.21.150 — 41.21.152 are intended to provide for the closing of the described land and water to multiple use in conformity with AS 38.05.300 and its designation as a special purpose area in accord with art. VIII, § 7 of the Constitution of the State of Alaska. (§ 2 ch 233 SLA 1970)*

*Revisor's notes. — Formerly AS 41.20.300. Renumbered in 1983.*

*Sec. 41.21.151. Denali State Park established. The state-owned land and water and that acquired in the future by the state lying within the parcels described in this section are designated as the Denali State Park. This land and water is reserved from all uses incompatible with its primary function as park area. Land covered by AS 41.21.150 — 41.21.152 is that within the following described parcels:*

(1) Township 29N Range 6W, Range 5W, and that portion of Range 4W lying north and west of the Alaska Railroad right-of-way; Township 30N Range 5W and that portion of Range 3W and 4W lying north and west of the Alaska Railroad right-of-way; Township 31N Range 5W, Range 4W and that portion of Range 3W and Range 2W lying north and west of the Alaska Railroad right-of-way; Township 32N Range 4W, Range 3W and that portion of Range 2W lying north and west of the Alaska Railroad right-of-way; and Township 33N Range 4W, Range 3W and that portion of Range 2W lying west of the Alaska Railroad right-of-way, all in the Seward Meridian;

(2) Township 29N, Range 7W; Sections 1-27 and 34-36, Township 29N, Range 6W; containing approximately 42,240 acres, all in the Seward Meridian. (§ 2 ch 233 SLA 1970; am § 1 ch 135 SLA 1976)

*Revisor's notes. — Formerly AS 41.20.310. Renumbered in 1983.*

*Cross references. — For authority of commission to adopt regulations designating incompatible uses, see AS*

*41.21.020(6) for legislative declaration that certain electrical transmission line is a compatible use in Denali State Park, see § 1 ch 118, SLA 1981.*