

ALASKA LEGISLATURE

1788

HOUSE and SENATE FINANCE COMMITTEE FILES, 1997-1998

See previous moved
no objection adopted

AMENDMENT

OFFERED IN THE SENATE

TO: Draft CSSB 107(FIN) ("B" Version, Dated 5/2/97)

- 1 Page 36, line 28:
- 2 Delete "11,250,200"
- 3 Insert "11,935,400"
- 4 Delete "685,200"
- 5 Insert "1,370,400"

- 6 Page 36, line 29:
- 7 Delete "10,685,200"
- 8 Insert "11,370,400"

Page 35, line 30:

- Delete " 17,579,925 "
- Insert " 16,894,725 "
- Delete " 46,049,925 "
- Insert " 45,364,725 "

Page 35, line 31:

- Delete " 7,099,925 "
- Insert " 6,414,725 "

Allocates match to Surface Transportation Preconstruction
at the original request level. Prior year federal authorization
requires this additional match.

moved from Harold
w/o objection adopted

AMENDMENT

OFFERED IN THE SENATE

TO: Draft CSSB 107(FIN) ("B" Version, Dated 5/2/97)

- 1 Page 35, line 31, following "for":
- 2 Insert "Emergencies, Contingencies, and"

Amends the allocation for State Match for
Previously Authorized Federal Aid Highway Projects"
to allow its use for emergencies & contingencies.

Tech DOT #3

AMENDMENT

*Sen. Parnell moved
w/o objection adopted*

IN THE SENATE FINANCE COMMITTEE **BY SENATOR**
TO DRAFT CSSB 107 (FIN) (Version B, 5/2/97)

Amend the Department of Transportation format in accordance with the attached recommendations from the Department, utilizing Option 2 for reflecting the ineligible costs.

This amendment will have a net zero effect on DOT capital budget. Legislative Finance should make the necessary technical corrections consistent with the intent of this amendment if the attached list does ^{not} reflect a net zero adjustment.

**Instruction Sheet for Proposed DOT&PF Budget Structure Changes for the Surface
Transportation Projects**

Weigh Stations Replacement on page 36 line 32

All of these are on the National Highway System. This item should be in the National Highway System Program group as shown in the attached worksheet.

Fairbanks-North Pole Elementary School Road Access

This is not a TRAAK project. It should be moved into the Community Transportation Program (CTP) as shown in the attached worksheet.

Proposal to group the ineligible cost amount into one or several allocations not tied to specific projects Ineligible is needed for previously authorized projects in the amount of 1.5% as well as the projects in this budget.

--Option 1 (DOT&PF Preferred Option)

Page 35 right after line 33 insert an allocation:

"Ineligible Costs for Federal-Aid Highway Projects 2,373,800" (general fund)

--Option 2 (Ineligible amount by category)

*Page 36 right after line 28 insert an allocation:

"Ineligible Costs for Federal-Aid Highway Surface Transportation Program 164,400" (general fund)

*Page 36 right after line 36 insert an allocation:

"Ineligible Costs for the Anchorage Metropolitan Area Study Program 227,500" (general fund)

*Page 37 right after line 28 insert an allocation:

"Ineligible Costs for the National Highway System Program 1,073,300" (general fund)

*Page 40 right after line 10 insert an allocation:

"Ineligible Costs for the Community Transportation Program 754,400" (general fund)

* Page 41 right after line 31 insert an allocation:

"Ineligible Costs for the Trails and Recreational Access for Alaska Program" 154,100 (general fund)

State Match for Previously Authorized Federal Aid Highway Projects Page 35, line 31
should be 7,107,200 (general fund) [\$8,057.7 needed less Section 7 amount \$950.0]

Capital Budget Authorization Requested for Projects in the STIP

Program	Project Description	Amended Capital Budget	FY 98 Match Amount	Allocation Total	FY 98 1.5% Ineligible
Statewide	Statewide Surface Transportation Preconstruction	10,000.0	906.2	10,906.2	164.4
	Amended Program Total	10,000.0	906.2	10,906.2	164.4
AMATS	Anchorage: 15th Ave Sfty & Surface Rehab Imp	3,500.0			
AMATS	Anchorage: Boniface Parkway Rehab - Glenn to Debarr Rd	4,500.0	405.9	4,905.9	69.8
AMATS	Anchorage: 'C' St Reconst - Tudor to Intl	5,000.0	429.4	5,429.4	73.6
AMATS	Anchorage CMAQ - Street Sweeping Eval Project - (PM-10 Anch)	200.0	18.3	218.3	3.1
AMATS	Anchorage: Dowling Rd Reconst - Old Seward to Lake Otis	2,000.0	292.9	2,292.9	50.2
AMATS	Anchorage: Intl Airport Rd Rehab - Minn to Seward Hwy	2,000.0		2,000.0	
AMATS	Anchorage: Rabbit Creek Road Rehab	1,800.0	180.9	1,980.9	31.0
AMATS	Amended Program Total	19,000.0	1,327.3	16,827.3	227.5
NHS	AK Marine Hwy: Bartlett Bow Door Modifications	275.0		275.0	
NHS	AMHS Shipboard SOLAS & Fire Safety	1,375.0	243.5	1,618.5	41.7
NHS	AK Marine Highway: Ocean Class Vessel Dock Modifications	480.0	45.4	505.4	7.7
NHS	AK Marine Highway: Reservation Management System III - Hardware	465.0		465.0	
NHS	Anchorage Port Access: Ocean Dock Rehabilitation/Rail Rack	1,500.0	135.7	1,635.7	23.2
NHS	Anchorage 5th/6th Avenue Surface Rehab: L Street to Gambell	2,200.0	183.6	2,383.6	43.0
NHS	Dalton Hwy: MF 144 to 175 Reconstruction - Jim River #3 to Coldfoot	8,200.0	813.3	9,013.3	139.5
NHS	Palmer Hwy: Union Street to Airport	2,200.0	199.0	2,399.0	34.1
NHS	Ketchikan: Tongass: Pedestrian Improvements	800.0		300.0	
NHS	Ketchikan: Tongass: 3rd Avenue Extension	5,500.0	948.9	6,448.9	182.7
NHS	Glenn/Palmer-Wasilla Highway Intersection	475.0	50.2	525.2	7.7
NHS	Parks Hwy: Hurricane Gulch Bridge # 258	320.0	70.2	390.2	5.4
NHS	Parks Hwy: MP 35-37 Glenn Highway to Church Street Reconstruction	700.0	47.0	747.0	11.0
NHS	Parks Hwy: MP 37-44, Church Street to Seward Meridian Road Rehabilitation	2,350.0	165.3	2,515.3	38.7
NHS	Parks Hwy: MP 37-44, Seward Meridian Road to Crusey Street Rehabilitation	2,350.0	165.3	2,515.3	38.7

Capital Budget Authorization Requested for Projects in the STIP

Program	Project Description	Amended Capital Budget	FY 96 Match Amount	Allocation Total	FY 96 1.5% Ineligible
NHS	Northern Region Pavement Seal Coat/Overlay	325.0	271.2	596.2	46.5
NHS	Parks Hwy: MP 237 Nenana River Bridge #1147	850.0	180.2	1,030.2	13.9
NHS	Parks Hwy: MP 238 Kingfisher Creek Bridge #697	330.0	70.2	400.2	5.4
NHS	Parks Hwy: Nenana Canyon Safety/Access Improvements	4,150.0	457.4	4,807.4	70.8
NHS	Prince Rupert Mooring Improvements	225.0	20.1	245.1	3.4
NHS	Richardson Hwy: Klutina River Bridge #572	260.0	56.2	316.2	4.3
NHS	Richardson Hwy: Lowe River Bridge # 557	730.0	180.2	890.2	12.4
NHS	Richardson Hwy: MP 14-26 Rehabilitation - Keystone Canyon to Thompson Pass	2,980.0	289.3	3,239.3	49.8
NHS	Richardson Hwy: Salcha River Bridge #527	775.0	170.2	945.2	13.2
NHS	Seward Hwy: MP 13 to 18, the Summit to Snow River	240.0	22.8	262.8	3.9
NHS	Seward Hwy: MP 8 to 13, Grouse Creek Canyon	475.0	45.4	520.4	7.7
NHS	Stka: Halibut Point Road	3,300.0	288.4	3,598.4	51.1
NHS	Sterling Hwy: Skyview High School Entrance Capacity Improvements	275.0	30.2	305.2	4.8
NHS	Weigh Stations Replacement	585.0		585.0	
NHS	Whittier Access Improvements	13,750.0	1,355.4	15,105.5	232.5
NHS	Amended Program Total	58,170.0	6,494.9	64,664.9	1,079.3
CTP	Aleknagik: North Shore Landfill Road	1,200.0	110.0	1,310.0	18.8
CTP	Brevig Mission: Landfill Road Construction	860.0	65.7	725.7	11.2
CTP	Chignik Lagoon: Incinerator Site Access Road	728.0	72.5	800.5	12.4
CTP	Edgerton Highway: Rehabilitation	1,920.0		1,820.0	
CTP	Fairbanks-North Pole Elementary School Road Access	750.8	67.7	812.5	11.2
CTP	Fairbanks: Paratransit Vans (CMAQ)	230.0	22.8	252.8	3.9
CTP	Galena: Campion Road Landfill Access Road Resurfacing and Erosion Prevention	910.0	90.5	1,000.6	15.5
CTP	Grayling: Sanitation Road Construction	550.0	54.4	604.4	9.3
CTP	Homer: East End Road MP 0.0 to 3.75 Rehabilitation	3,000.0	271.2	3,271.3	46.5
CTP	Juneau: Willoughby and Glacier Avenue	2,500.0	302.9	2,802.9	51.9

Capital Budget Authorization Requested for Projects in the STIP

Program	Project Description	Amended Capital Budget	FY 98 Match Amount	Allocation Total	FY 98 1.5% Ineligible
CTP	Kenai River Bridge Access Road Rehabilitation	700.0	68.0	768.0	11.0
CTP	Koyukuk Landfill Road	65.0		65.0	
CTP	Matanuska-Susitna: Big Lake/South Big Lake Reconstruction	4,000.0	388.7	4,388.7	66.6
CTP	Matanuska-Susitna: Church Road: Parks to Schrock Upgrade	3,500.0	381.6	3,881.6	62.0
CTP	Northway Road Improvement	2,050.0	199.0	2,249.0	34.1
CTP	Palmer-Wasilla Highway Extension	1,230.0	122.2	1,352.2	20.9
CTP	Prince of Wales Island: Big Salt Lake Road	2,250.0	271.2	2,521.3	46.5
CTP	Prince of Wales Island: Hydaburg Highway Upgrade and Paving	2,000.0	180.9	2,180.9	31.0
CTP	Statewide Bridge and Hydrologic Program	2,760.0	631.9	3,391.9	51.8
CTP	Statewide Federal Planning and Compliance	7,600.0	1,698.8	9,298.8	140.7
CTP	Statewide Public Transportation Social Service Van Replacement	250.0	22.8	272.8	3.9
CTP	Statewide Research, Engineering Evaluation & Technology Transfer	1,800.0	421.6	2,221.6	35.0
CTP	Statewide Road Resurfacing and Transfer	3,200.0	226.1	3,426.1	38.7
CTP	Unalakleet: Landfill/Airport Road Construction	1,320.0	180.9	1,500.9	30.0
CTP	Amended Program Total	45,173.8	5,831.3	51,005.2	754.4
TRAAK	AK Marine Highway: Marine Highway: Vessel Interpretive Displays	50.0	5.6	55.6	0.8
TRAAK	Bering Straits Villages: Trail Staking	200.0		200.0	
TRAAK	Chitina: Visitor Wayside	310.0		310.0	
TRAAK	Dalton Highway: MP 57-Yukon Crossing Wayside/Interpretive Center	140.0	13.8	153.8	2.3
TRAAK	Dalton Highway: MP 60 Dump Station	375.0		375.0	
TRAAK	Glenn Highway: Matanuska Glacier Scenic Overlook	1,300.0	122.2	1,422.2	20.9
TRAAK	Homer Spit: Pedestrian Pathway	1,400.0	135.7	1,535.7	23.2
TRAAK	Homer: Spit Mud Bay Boardwalks	300.0	30.0	330.0	5.1
TRAAK	Juneau: Mendenhall River Pedestrian Crossing	850.0	77.0	927.0	13.2
TRAAK	Juneau: Thane Road: Main Street to Ferry Terminal: Pedestrian Facilities	850.0		850.0	
TRAAK	Matanuska-Susitna-Palmer Wasilla Hwy: Pedestrian/Bike Path Ph 2	730.0	72.5	802.5	12.4

DOTPF #1

Not offered DOT #1 - #6

AMENDMENT

To: Senate Bill 107
FY'98 Capital Budget

By: Senator Donley

Department of Transportation/Public Facilities

Insert the following:

Anchorage: Cambridge Way and Tudor Road - Neighborhood and Intersection Improvements (ED 10-25)	\$134,895
--	-----------

Funding of \$170,000 was appropriated to the Municipality of Anchorage in 1990 for this project. The Municipality expended \$35,105 of that appropriation while the remainder lapsed into the general fund in 1995. This appropriation will restore the funding for this project.

DD/jja

DOTPF #2

not offered

AMENDMENT

To: Senate Bill 107
FY'98 Capital Budget

By: Senator Donley

Department of Transportation/Public Facilities

Insert the following:

Anchorage : Abbott Loop Road/Abbott Road - Traffic Signal Purchase and Installation (ED 10, 18, 19)	\$150,000
--	-----------

A traffic signal is needed at the intersection of Abbott Loop Road and Abbott Road. The area has experienced increased vehicle and pedestrian traffic and a popular trail system nearby is utilized by bike enthusiasts and equestrians. This intersection is the boundary between election districts 10, 18 and 19.

DD/jja

DOTPF #3

not specified

AMENDMENT

**In the Senate Finance Committee
To: SB 107 - FY'98 State Capital Budget**

By: Senator Donley

Department of Transportation & Public Facilities

Insert the following:

**Anchorage: Raspberry Road - Extension from Minnesota Drive
to Arctic Boulevard Design and Preconstruction (ED 10-25) \$ 600,000**

DD/kb

DOTPF #4

not offered

AMENDMENT

In the Senate Finance Committee
To: SB 107 - FY'98 State Capital Budget

By: Senator Donley

Department of Transportation & Public Facilities

Insert the following:

**Anchorage: Dowling Road - Extension to Abbott Loop Road as
a Two-Lane Local Road Design and Preconstruction (ED 10-25) \$ 450,000**

Explanation:

This will extend Dowling Road east of Lake Otis Parkway to connect to Abbott Loop Road as a two-lane local road. Final construction of the project would include improving Abbott Loop Road to East 64th Avenue.

DD/kb

DOTPF # 5

not offered

AMENDMENT

In the Senate Finance Committee
To: SB 107 - FY'98 State Capital Budget

By: Senator Donley

Department of Transportation & Public Facilities

Insert the following:

Anchorage: Dowling Road - Minnesota Drive to Old Seward
Highway Design and Preconstruction (ED 10-25)

\$2,500,000

DD/kb

DOTPF #6

not offered

AMENDMENT

In the Senate Finance Committee
To: SB 107 - FY'98 State Capital Budget

By: Senator Dorley

Department of Transportation & Public Facilities

Insert the following:

Anchorage: Minnesota Drive / International Airport
Way Interchange Design and Preconstruction (ED 10-25) \$500,000

The bulk of the design for this project has been completed but \$500,000 is needed to finalize the design.

DD/kb

DOTPF#7

OFFICIAL

0-GS0051\B.2
Cranier/Uermohle
5/3/97

Pearce moved
Adopted w/ps 05,

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR PEARCE

TO: Draft CSSB 107(FIN) (Work Draft Back Pages)

- 1 Page 35, line 11:
- 2 Delete "250,000" in both places
- 3 Insert "600,000" in both places

DOT - Soldotna
MANT-Stn.

OK

Senator:

Please
note the
highlighted corrections
below.

- 4 FUNDING INFO: The funding source for this appropriation is the oil and hazardous
- 5 substance release prevention ~~mitigation~~ account (~~AS 46.08.620(D)~~) in the oil and hazardous
- 6 substance release prevention and response fund.

AS 46.08.010(a)(i)

*Not offered
Same as #7*

O-GS0051NB.2
Cranier/Utermohle
5/3/97

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR PEARCE

TO: Draft CSSB 107(FIN) (Work Draft Back Pages)

- 1 Page 35, line 11:
- 2 Delete "250,000" in both places
- 3 Insert "600,000" in both places

- 4 FUNDING INFO: The funding source for this appropriation is the oil and hazardous
- 5 substance release prevention mitigation account (AS 46.08.020(b)) in the oil and hazardous
- 6 substance release prevention and response fund.

DOT # 9

AMENDMENT TO CS FOR SB 107(FIN)

Offered by Senator Adams

Adams move
Tig/Pennell support
FAILED V6

Section 49

Page 37, line 27

Appropriation	<u>67,872,900</u> (65,172,900)
General Fund	<u>7,811,900</u> (7,567,900)
Other Funds	<u>67,872,900</u> (60,061,000)

ADD:

Page 37, line 29

Alaska Marine Highway System - Malaspina Modifications	2,700,000
---	-----------

DOT #10

Adams Moved
To subject
FILED 1/6

offered in Senate Finance Committee

A M E N D M E N T

TO: CS SB 107 (FIN) work draft 5/2/97

BY:

Transportation

Page 43, line 24
Aviation Program

Under Appropriation Items

Delete: "93,943,000"
Insert: "98,943,000"

Under Other Funds

Delete: "93,943,000"
Insert: "98,943,000"

Page 43, lines 29-31
Alaska International Airport System Development Fund

Under Allocations

Delete: "2,000,000"
Insert: "7,000,000"

DOT #11

offered in Senate Finance Committee

*Adams Moved
objection*

A M E N D M E N T

FAILED 1/6

TO: CS SB 107 (FIN) work draft 5/2/97

BY:

Transportation

Page 43, Line 24
Aviation Program

Under Appropriation Items

Delete: "93,943,000"
Insert: "94,993,000"

Under Other Funds

Delete: "93,943,000"
Insert: "94,993,000"

Insert new allocation:

"Alaska International Airport
Advance Project Design (ed 10-25) 1,050,000"

DOT # 12

offered in Senate Finance Committee

*Adams moved
Tory object
failed 1/6*

A M E N D M E N T

TO: CS SB 107 (FIN) work draft 5/2/97

BY:

Transportation

Page 43, line 24
Aviation Program

Under Appropriation Items

Delete: "93,943,000"
Insert: "94,593,000"

Under Other Funds

Delete: "93,943,000"
Insert: "94,953,000"

Insert new allocation:

"Anchorage International Airport
Annual Improvements (ed 10-25) 650,000"

DOT # 13

offered in Senate Finance Committee

A M E N D M E N T

Adams Moved
Phillips object
FAILED 1/6

TO: CS SB 107 (FIN) work draft 5/2/97

BY:

Transportation

Page 43, line 24
Aviation Program

Under Appropriation Items

Delete: "93,943,000"
Insert: "95,373,000"

Under Other Funds

Delete: "93,943,000"
Insert: "95,373,000"

Insert new allocation:

"Anchorage International Airport
Terminal Rehab (ed 10-25) 1,430,000"

DOT #14

offered in Senate Finance Committee

A M E N D M E N T

Adams Moved
Sharp object
FAILED 1/5

TO: CS SB 107 (FIN) work draft 5/2/97

BY:

Transportation

Page 43, line 24
Aviation Program

Under Appropriation Items

Delete: "93,943,000"
Insert: "94,443,000"

Under Other Funds

Delete: "93,943,000"
Insert: "94,443,000"

Insert new allocation:

"Anchorage International Airport
Wetland Development Phase 2 (ed.)-25) 500,000"

DOT #15

Adams Moved
Sharp object
FAILED 1/6

offered in Senate Finance Committee

A M E N D M E N T

TO: CS SB 107 (FIN) work draft 5/2/97

BY:

Transportation

Page 43, line 24
Aviation Program

Under Appropriation Items

Delete: "93,943,000"
Insert: "94,343,000"

Under Other Funds

Delete: "93,943,000"
Insert: "94,343,000"

Insert new allocation on page 45

"Fairbanks International Airport
Terminal Improvements Design
Phase I (ed 29-34) 400,000"

DOT #17

Not offered

AMENDMENT

SENATOR
PEARCE

OFFERED IN THE SENATE
TO: Draft CSSB 207 (FIN) ("B" version dated 5/2/97)

Page 43, line 24:

Delete "93,943,000" in both places.

Insert "102,073,000" in both places.

Page 43, line 29:

Delete "2,000,000"

Insert "7,000,000"

Page 43, following line 31:

Insert new appropriations to read:

"ALLOCATIONS

Anchorage International Airport Advance	1,050,000
Project Design	
Anchorage International Airport Annual	650,000
Improvements	
Anchorage International Airport Terminal	1,430,000
Rehabilitation"	

DOT # 18

Amendment

Adams Moved
Tory object / withdraw
Sharp moved due to error
by Senator Adams

Adopted 6/10

TO: CS SB 107(FIN)

Page 35, line 16 is amended to read:

	Appropriation Items	General Fund	Other Funds
Corps of Engineers Program	[2,200,000] <u>2,380,000</u>		[2,200,000] <u>2,380,000</u>

Page 35, insert new line 18 to read:

	Allocations	
<u>Bethel Seawall</u>	<u>180,000</u>	160,000 Sharp Am to Am

renumber remaining lines accordingly.

DOT # 19

Amendment

Adams Move.
subject
Voted 1/6

by Senator Adams

TO: CS SB 107(FIN)

Page 35, line 16 is amended to read:

	Appropriation Items	General Fund	Other Funds
Corps of Engineers Program	[2,200,000]		[2,200,000]
	<u>4,325,000</u>		<u>4,325,000</u>

Page 35, after line 29 insert:

	Allocations
<u>Bethel Seawall</u>	<u>300,000</u>
<u>Chignik Harbor</u>	<u>550,000</u>
<u>St. Paul Harbor</u>	<u>1,200,000</u>
<u>Unalaska Entrance Dredging</u>	<u>75,000</u>

renumber remaining lines accordingly.

DOT # 20

Pearce Moved -
Strip from DOT #21 as
Am to Am - no obj

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR DRUE PEARCE

TO: Draft CSSB 107 (FIN) ("B" version dated 5/2/97)

Pearce obj

Adopted 6/1

Page 43, line 24:

Delete "93,943,000" in both places.

Insert "98,393,000" in both places.

Page 43, line 29:

Delete "2,000,000"

Insert "4,000,000"

Page 43, following line 31:

Insert new appropriations to read:

"ALLOCATIONS

Anchorage International Airport Advance Project Design	1,050,000
Anchorage International Airport Annual Improvements	650,000
Anchorage International Airport Terminal Rehabilitation"	750,000

AMENDMENT

DOT # 21
Am to Am # 20.
Adopted w/o obj.

**IN THE SENATE FINANCE COMMITTEE
TO DRAFT CSSB 107 (FIN) (Version B, 5/2/97)**

BY SENATOR SHARP

Add to Page 45, Line 24:

Fairbanks International Airport - Terminal
Improvements Design, Phase I

400,000

Federal

Amend Aporopriation Totals to conform

AMENDMENT

OFFERED IN THE SENATE

TO: CSSB 107(FIN) (Work Draft Back Pages)

BY SENATOR PARNELL

*Parnell Move Rescind
w/o Rescind*

Parnell am to Am

Adopted w/o obj

*Adopted as Amended
w/o obj*

- 1 Page 47, line 12:
- 2 Delete "7,000,000" in both places
- 3 Insert "5,400,000" in both places

- 4 Page 47, line 13, following "Renovation":
- 5 Insert "Statewide Except Anchorage Campus"

- 6 Page 47, following line 14:
- 7 Insert

	"APPROPRIATION	GENERAL
	ITEMS	FUND
10 Deferred Maintenance, Code Compliance,	2 100,000	2 100,000
11 and Renovation - ^{Howler} Anchorage Campus		
12 Anchorage Campus - Fiber Optic	4 1,500,000	4 1,500,000
13 Backbone Project"		

UNIV #2

Not offered

AMENDMENT TO CSSB 107(FIN)

OFFERED IN THE SENATE

BY: SENATOR TORGERSON

PAGE 47, LINE 12:

Delete "7,000,000" in both places

Insert "6,800,000" in both places

Page 47, line 13, following "Renovation"

Insert "Statewide Except Homer Campus"

Page 47, following line 14:

Insert

	APPROPRIATION	GENERAL
	ITEMS	FUND
Deferred Maintenance, Code Compliance and Renovation - Homer Campus	200,000	200,000

MUNI GRANT

AMENDMENT FOR CS SB 107(FIN)

BY ADAMS

1

Adams moved
objection w/o

Amend the following title and amount on page 49, line 4:

Ambler-clinic renovation and equipment 26.348 [25,000]

Adopted w/o

objection

Amend the following amount on page 50, line 20:

107.825 [105,982]

Amend the following amount on page 51, line 6:

26.882 [26,880]

Amend the following amount on page 56, line 17:

79.126 [73,772]

Amend the following amount on page 57, line 21:

26.409 [25,000]

Amend the following amount on page 57, line 37:

23.171 [23,000]

Amend the following amount on page 58, line 6:

101.398 [99,728]

Amend the following amount on page 59, line 4:

25.092 [25,091]

Amend the following amount on page 59, line 21:

25.036 [25,000]

Amend the following amount on page ⁶⁰59, line ³⁷4:

26.891 [26,890]

Am to come back to Adams
Adopted w/o

Amend the following title and amount on page 61, line 6:

White Mountain-Community Facilities, and search and rescue
equipment 28.343 [21,347]

Not offered

A M E N D M E N T

OFFERED IN THE SENATE

BY SENATOR PARNELL

TO: CSSB 107(FIN) ("B" Version, Dated 5/2/97)

1 Page 16, lines 12 - 19:

2 Delete all material and insert:

3 **** Sec. 42. CAPITAL PROJECT MATCHING GRANT PROGRAMS.** (a) The sum of
4 \$21,917,000 is appropriated to the municipal capital project matching grant fund
5 (AS 37.06.010(b)) in the Department of Administration to provide grants to municipalities
6 under the municipal capital project matching grant program from the following sources in the
7 amounts listed:

8	SOURCE	AMOUNT
9	General fund	\$13,150,000
10	Investment loss trust fund (AS 37.14.300)	8,767,000

11 (b) The sum of \$3,083,000 is appropriated to the unincorporated community capital
12 project matching grant fund (AS 37.06.020(b)) in the Department of Community and Regional
13 Affairs to provide grants to unincorporated communities under the unincorporated community
14 capital project matching grant program from the following sources in the amounts listed:

15	SOURCE	AMOUNT
16	General fund	\$1,850,000
17	Investment loss trust fund (AS 37.14.300)	1,233,000"

MUNI GRANT #3₂

Sharp Moved
Adopted 4/20/97

(L-15005)B.42
Cramer
5/5/97

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR SHARP

TO: CSSB 107(FIN) ("B" Version, Dated 5/2/97)

- 1 Page 52, line 18:
- 2 Delete "55,000" in both places.
- 3 Insert "38,500" in both places.

- 4 Page 52, line 21:
- 5 Delete "150,000" in both places.
- 6 Insert "5,000" in both places.

- 7 Page 52, line 24:
- 8 Delete "120,000" in both places.
- 9 Insert "84,000" in both places.

- 10 Page 52, line 27:
- 11 Delete "115,000" in both places.
- 12 Insert "80,500" in both places.

- 13 Page 52, line 31:
- 14 Delete "143,500" in both places.
- 15 Insert "100,450" in both places.

- 16 Page 52, line 34:
- 17 Delete "31,039" in both places.
- 18 Insert "38,500" in both places.

- 19 Page 53, line 4:

0-GS(X)511B.42

- 1 Delete "37,800" in both places.
- 2 Insert "28,460" in both places.

- 3 Page 53, line 8:
- 4 Delete "67,500" in both places.
- 5 Insert "47,250" in both places.

- 6 Page 53, line 12:
- 7 Delete "43,300" in both places.
- 8 Insert "33,810" in both places.

- 9 Page 53, line 15:
- 10 Delete "75,000" in both places.
- 11 Insert "52,500" in both places.

- 12 Page 53, following line 17:
- 13 Insert

	"APPROPRIATION	OTHER
	ITEMS	FUNDS
16 Fairbanks North Star Borough -	18,375	18,375
17 Animal Shelter - Walk-In Cooler		
18 Fairbanks North Star Borough -	55,125	55,125
19 Tanana Middle School - Install Direct Digital		
20 Control System (Phase II)		
21 Fairbanks North Star Borough -	20,213	20,213
22 Steese VFD Station #2 Access and Parking		
23 Improvements		
24 Fairbanks North Star Borough -	14,000	14,000
25 Borough-Wide Emergency Medical Services -		
26 Pave Salcha Station Access		
27 Fairbanks North Star Borough -	84,000	84,000
28 John Carlson Community Activity Center -		

0-GS0051\B.42

1	Repair Roofing		
2	Fairbanks North Star Borough -	44,457	44,457
3	Civic Center (Alaskaland) - Roof Repairs"		

Statewide

1

AMENDMENT

For Senate Finance Committee

By Senator Adams

Adams moved
Tig report
Funded 1/6

Add the following economic development projects to be funded with AIDEA Corp Receipts as originally proposed.

		Add
Dept.	Project	AIDEA Dividend
Comm&Reg Aff	Alaska Yukon Kuskokwim Salmon Marketing	250.0
Comm&Reg Aff	Native Heritage Center	800.0
Commerce	Economic Development Matching Grants	350.0
Commerce	Pioneer Business Incentive Program	500.0
Education	Regional Vocational Charter School	250.0
Fish & Game	Anadromous Stream Inventory	250.0
Fish & Game	South Denali Wildlife Studies	80.0
Nat Resources	Oil and Gas Electronic Interface with Industry	150.0
Nat Resources	Reforestation	100.0
Nat Resources	Streamgaging Network	200.0
Total		2,930.0

Note: The following projects which were originally proposed in the Governor's capital budget to be funded by AIDEA corporate receipts are not listed here because they were funded in HCS CSSB 83(FIN) am H.

- Value Added Timber Sale - Southeast
- Value Added Timber Sale - Interior
- Airborne Geophysical/Geological Inventory

Statewide #2

Adams Mon
Tues - Wed
Fridays 1/

AMENDMENT
For Senate Finance Committee

By Senator Adams

Change fund source from AHFC Corporate Receipts to AIDEA Corporate Receipts on the projects listed below:

Dept.	Project	Page/Line	Delete	Add
			AHFC Corp Rcpts	AIDEA Corp Rcpts
Comm&Reg Aff	Delta Junction Economic Recovery	21/5-6	(175.0)	175.0
Comm&Reg Aff	Southern Southeast Economic Revitalization Initiative	21/13-14	(120.0)	120.0
Commerce	Alaska Visitor Statistics Program	20/33-34	(75.0)	100.0
Military & Vets	Ft. Richardson Maintenance & Training Equip. Site	31/30-33	(1,500.0)	1,500.0
Nat Resources	Coalbed Methane Resources	32/13	(400.0)	400.0
Nat Resources	Complete Land Status Geographic Info System	32/10-12	(300.0)	300.0
Nat Resources	Mt. McKinley Meat Plant Renovations, Repairs	32/19-21	(100.0)	100.0
Nat Resources	National Petroleum Reserve Technical Studies	32/17-18	(400.0)	400.0
Nat Resources	Oil & Gas Areawide Lease Database	32/15-18	(270.0)	270.0
Nat Resources	Recorder's Office Information and Imaging System	32/26-27	(50.0)	1,200.0
Transportation	Corps of Engineers Match for Local Harbor Projects	35/16-29	(2,200.0)	2,500.0
Transportation	Federal-Aid Airport Program	43/24-26	(4,350.0)	4,350.0
Transportation	Unalaska Small Boat Harbor	35/14-15	(500.0)	500.0
University	Small Business Development Programs	47/18-19	(450.0)	450.0
Total			(10,890.0)	12,365.0

Statewide #3

Adams Moved
 Encl subject
 FALLER 1/6

AMENDMENT
 For Senate Finance Committee

By Senator Adams

Revise AHFC Corporate Receipts as Follows:

Department	Project	CS for	
		SB 107	Amended
H&SS	Beneficiary and Special Needs	1,200.0	1,800.0
Commerce	Alaska Visitor Statistics Program	75.0	0.0
Comm & Reg	Delta Junction Economic Recovery	175.0	0.0
Comm & Reg	Revitalization Initiative	120.0	0.0
Education	AVTEC Roof Repairs	200.0	250.0
Education	Vocational Rehab	100.0	150.0
Education	Mt. Edgecumbe Dorm Repairs	200.0	250.0
Revenue	AHFC Computer Mainframe Renovation	184.2	350.0
Revenue	Homeless Assistance Program	250.0	750.0
Revenue	Low Income Housing Weatherization	4,000.0	6,527.5
Revenue	Supplemental Housing Development	6,000.0	8,000.0
Revenue	Public Housing Env Cleanup/Abatement	500.0	1,000.0
Revenue	Senior & Statewide Deferred Maint	1,000.0	2,000.0
Revenue	Senior Citizens Housing Dev Program	0.0	3,300.0
Revenue	Federal & Other Competitive Grants	500.0	1,500.0
Revenue	Oil Overcharge Settlement	0.0	2,500.0 Fed Rcpts
Revenue	Fed Competitive Grants- Public Housing	250.0	1,000.0
Revenue	Energy Conservation Retrofit	450.0	530.0
Revenue	Alaska Craftsman Home Program	0.0	300.0
Revenue	Energy Rated Home Program	0.0	300.0
Grants to Named Recipients	Elder Services, Inc	248.1	0.0
Grants to Named Recipients	Homer Seniors, Inc	281.7	0.0
Grants to Named Recipients	North Pole Seniors, Inc	625.0	0.0
Grants to Named Recipients	Palmer Senior Citizens, Inc	675.0	0.0
Grants to Named Recipients	Alaska Craftsman Home Program	300.0	0.0 Fed Rcpts
Grants to Named Recipients	Energy Rated Home Program	300.0	0.0 Fed Rcpts

Statewide #4

Not signed
by Adams

Amendment

Delete CS for SB107(FIN)

Add SB107 plus governor's proposed amendments

This restores the capital budget to the Governor's proposal so there can adequate public notice and public discuss: on during the work week.

SB

108

SFIN

FILE

Details of fiscal impact for CSSB 108 (RES)

April 1, 1998

Travel:

Assuming travel to two land sales in FY99, one in FY00, and none in remaining years.

Contractual:

Postage at current rates for:

Bills: 750 in FY99, 1,250 in FY00 and subsequent years.

Defaults: 70 in FY99, 63 in FY00 and subsequent years. A default rate of 5% was used.

Statements of Account: 750 in FY99, 1250 in FY00 and subsequent years.

IRS Forms 1098: 712 in FY99, 1188 in FY00 and subsequent years. Approximately 95% of those receiving statements receive forms 1098.

Supplies:

Billing Notice, Defaulting, Statement of Account, and Form 1098 Stock to accommodate the increases described above, and general supplies.

FISCAL NOTE

STATE OF ALASKA
1998 LEGISLATIVE SESSION

BILL NO. CSSB108(RES)

Revision Date: 3/31/98 Dept Affected: Natural Resources
 Title: An Act relating to the disposal of state land BRU: Management and Administration
and interests in state land... Component: Information Resource Management
 Sponsor: Senator Taylor
 Requestor: (S)FIN Component Serial No. 27

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY99	FY00	FY01	FY02	FY03	FY04
PERSONAL SERVICES	220.0	220.0	220.0	220.0	220.0	220.0
TRAVEL	6.0	6.0	6.0	6.0	6.0	6.0
CONTRACTUAL	80.0	50.0	50.0	50.0	50.0	50.0
SUPPLIES	20.0	8.0	8.0	8.0	8.0	8.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	326.0	284.0	284.0	284.0	284.0	284.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES (fund code)	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	326.0	284.0	284.0	284.0	284.0	284.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	326.0	284.0	284.0	284.0	284.0	284.0

Estimate of any current year (FY98) cost: \$ None

POSITIONS

FULL-TIME	3	3	3	3	3	3
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

SB 108 requires DNR to dispose of thousands of land parcels using "over-the-counter" (OTC) and open-to-entry (OTE) disposal programs. The DNR Land Administration System (LAS) would require changes to meet the needs of the Division of Land and the Financial Services Section. The Land Information systems will require notation of the applications, relinquishments, and patents to the graphic record. This program would be ongoing and require additional labor every year. Costs include two full-time programmers and 1 cartographic position to modify the LAS via an Automated Land Platting System, develop new case types and transactions in the LAS, provide LAS user training, modify the Revenue and Billing System, generate base information to support Division of Land mapping efforts, extend network services to additional employees via the computer network, include data processing chargeback and other contractual fees. Subsequent funding would provide database programming, computerized mapping support, plat updates on disposals and surveys, continued data processing chargeback, and software and network services fees.

Prepared by: Richard McMahon Phone: 269-8833
 Division: Support Services Division, Land Records Information Section Date: 31-Mar-98
 Approved by Commissioner: [Signature] Date: _____
 Agency: Natural Resources

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

FISCAL NOTE

No. 3

BILL

Bill Version: CSSB108 (RES)

(S) Publish Date: 3-30-98

**STATE OF ALASKA
1998 LEGISLATIVE SESSION**

Revision Date:	27-Mar-98	Dept Affected:	Natural Resources
Title:	An Act relating to the disposal of state land by lottery	BRU:	Resource Development
Sponsor:	TAYLOR	Component:	Land Development
Requestor:	SFIN	Component Serial No.	431

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY99	FY00	FY01	FY03	FY04	FY05
PERSONAL SERVICES	395.0	991.0	991.0	991.0	991.0	991.0
TRAVEL	40.0	22.0	22.0	22.0	22.0	22.0
CONTRACTUAL	190.0	190.0	140.0	140.0	140.0	140.0
SUPPLIES	16.0	18.0	18.0	18.0	18.0	18.0
EQUIPMENT	42.0	42.0	18.0	18.0	18.0	18.0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	683.0	1,263.0	1,189.0	1,189.0	1,189.0	1,189.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES (1005)	675.0	1,025.0	845.0	965.0	1,085.0	1,205.0

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	615.5	1,160.5	1,104.5	1,092.5	1,080.5	1,068.5
1005 GF/Program Receipts	67.5	102.5	84.5	96.5	108.5	120.5
1037 GF/Mental Health						
Other						
TOTAL	683.0	1,263.0	1,189.0	1,189.0	1,189.0	1,189.0

Estimate of any current year (FY98) cost: \$ None

POSITIONS

FULL-TIME	8.0	19.0	19.0	19.0	19.0	19.0
PART-TIME	0.0	0.0	0.0	0.0	0.0	0.0
TEMPORARY	0.0	0.0	0.0	0.0	0.0	0.0

ANALYSIS:

(Attach a separate page if necessary)

FY 99 expenditures include Over-the-Counter (OTC) sales program. FY 00 and others are for Open to Entry (OTE) program. OTC expenditures include compiling detailed parcel lists, title reviews, identifying access, preparing maps and brochures, conducting the filing period and lottery/sales, record keeping, appraisal reviews, and contract and patent issuance. Revenue projection assumes 3000 OTC parcels offered in FY 99 and 2,000 in FY 00, 25% sold, \$5000/parcel, average 10 years to pay off contracts. OTE program expenditures include developing regulations, parcel identification, title services, identifying access, preparing maps and brochures, preparing mineral closing orders, public notice, conducting the filing period and lottery, record keeping, resolving staking conflicts, appraisal and survey review, and patent issuance. Revenue projection assumes 3000 parcels/year, \$300/acre, but only 20% (40,000 acres) follow through with survey and appraisal, and they take an average of 10 years from staking to purchase (bill has no deadlines for individuals to act, and there is no interim rent/fee provision). SEE DETAIL ON SEPARATE SHEETS

Prepared by:	Jane Angvik <i>[Signature]</i>	Phone:	269-8503
Division:	Land	Date:	27-Mar-98
Approved by Commissioner:	<i>[Signature]</i>	Date:	3-27-98
Agency:	Natural Resources		

Details of fiscal impact for CSSB 108 (RES)
March 27, 1998

Note: Preparation of this fiscal note for a new land disposal program with relatively few guidelines requires the drafter to make a lot of assumptions. A 200,000 acre land disposal program would be larger than any past state land disposal program. For comparison, programs offered in the late 1970s and early 1980's, when the targets were to offer about 100,000 acres for several years, required annual budgets ranging from \$10-20 million (in FY 78-82 dollars, not adjusted). This program is assumed to be significantly less costly because we are not surveying or appraising the land.

There are two aspects of this program, a short term Over-the-Counter (OTC) sale consisting of primarily existing surveyed lots and a long term Open-to-Entry (OTE) program.

This fiscal note is based upon the following schedule (which is established by Section 4 of CSSB 108):

FY 99

July 1, 1998 - program starts (funds authorized)

October 1, 1998 - make first 15,000 acres available OTC

April 1, 1999 - make next 15,000 acres available OTC

FY 00

October 1, 1999 - make next 20,000 acres available OTC

April 1, 2000 - make 200,000 acres available for OTE

FY 01

April 1, 2001 - make next 200,000 acres available for OTE, and every April 1 thereafter.

Expenditures - Over the Counter Program - FY 99 and continue into FY 00

OTC expenditures include compiling detailed parcel lists, title reviews, identifying access, preparing maps and brochures, conducting the filing period and lottery/sales, record keeping, appraisal reviews, and contract and patent issuance.

Staff. Specific staff and what they do follows:

Project manager - coordinate the project, project budget, hire and supervise staff

1 Natural Resource Manager (NRM) II

Disposal Project Staff - identify parcels, title checks, review project and individual parcel files for all previously offered parcels (approx 5000), identify access, coordinate mapping, prepare brochure that explains to public the land for sale, prepare application materials, prepare public notice, assist with distribution of parcel information, assist public information offices with public inquiries (expect over 5,000 inquiries for EACH

offering), prepare contracts or sale agreements, enter all parcel and sale information into DNR records.

- 1 Natural Resource Officer (NRO) II
- 1 NRO I
- 2 Natural Resource Technicians (NRT) II

Public Information Staff - Assist with brochure preparation and distribution, answer public inquiries, assist applicants, process applications, receive money. Staff will be in Anchorage and Fairbanks PIC. Prior to Oct 1 offering, assist disposal project staff with preparations.

- 1 Natural Resource Officer (NRO) II
- 1 NRO I

Graphics/Technical Staff - Prepare brochures with maps and other parcel information, including information on access, general location maps, subdivision plats. Prepare application forms. Supervise printing. Expect to need over 5000 copies of the general information brochure.

- 1 Cartographer II

Assume no additional appraisal, contract, or survey staff in first year.

Budget

Personal Services

1 Natural Resource Manager (NRM) II	67.4
2 Natural Resource Officer (NRO) II	104.2
2 NRO I	92.2
2 Natural Resource Technician (NRT)II	82.4
1 Cartographer II	<u>48.8</u>
Total - personal services	395.0
Travel - inspect certain parcels, set-up sales in local areas	40.0
Contractual	
print 2 brochures - at \$50,000 each	100.0
print applications and other forms	50.0
newspaper notices, mailouts	20.0
other (xerox, phones, etc)	<u>20.0</u>
Total - contractual	190.0
Supplies - general office supplies for staff of 8	16.0
Equipment (includes computers for project staff (FY 99/00 only)	42.0
TOTAL - FY 99	683.0

Expenditures - Open to Entry (OTE) Program - FY 00 and following years

OTE program expenditures include parcel identification, title services, identifying access, preparing maps and brochures, preparing mineral closing orders, public notice, conducting the filing period and lottery, record keeping, resolving staking conflicts, appraisal and survey review, and patent issuance. During the first few months of FY 00, staff will also continue preparations for final OTC offering.

Staff. Specific staff and what they do follows:

Project manager - coordinate the project, project budget, hire and supervise staff

1 Natural Resource Manager (NRM) II

Disposal Project Staff - identify areas, describe parcels or staking areas by aliquot parts, title checks, review files for previous disposals, identify all existing 3rd party interests, identify and reserve access routes to and through OTE areas, coordinate mapping, brochure preparation, prepare application materials, prepare public notice, assist with distribution of parcel information and assist public information offices with public inquiries (expect over 10,000 inquiries for EACH offering), resolve staking conflicts, prepare contracts or sale agreements, enter all parcel and sale information into DNR records.

3 Natural Resource Officer (NRO) II

2 NRO I

2 Natural Resource Technician (NRT) I

Public Information Staff - Assist with brochure preparation and distribution, answer public inquiries, assist applicants, process applications, receive money. Staff will be in Anchorage and Fairbanks PIC.

1 Natural Resource Officer (NRO) II

2 NRO I

Contracts Administration and Deed preparation - draft, approve, records, monitor, collect fees, and process assignments for contracts, and issue deeds when paid off

1 NRO II

1 NRO I

Appraisals and Surveys - issue instructions, review, and approve several hundred individual appraisals and surveys each year. Respond to numerous inquiries from public and surveyors/appraisers.

2 NRM I (appraisals)

2 Land Surveyor I

Graphics/Technical Staff - Prepare brochures with maps and other parcel information, including information on access, general location maps, subdivision plats. Some/most

amps may be computer generated (GIS). Expect to need over 10,000 copies of the general information brochure. Set-up and maintain several large data bases to track sales, per person acreages, parcel availability, etc.

- 1 Cartographer II
- 1 Analyst Programmer III

Budget - FY 00 and following years

Personal Services

1 Natural Resource Manager (NRM) II	67.4
2 NRM I (appraisals)	119.4
5 Natural Resource Officer (NRO) II	260.5
5 NRO I	230.5
2 Natural Resource Technician (NRT) I	82.4
2 Land Surveyors I	126.5
1 Cartographer II	48.9
1 Analyst/Programmer II	<u>55.4</u>
Total - personal services	991.0

Travel - field inspections (few), other 22.0

Contractual

print 1 brochure (2 in FY 00 - OTE and OTC offerings)	50.0
print applications and other forms	30.0
newspaper notices, mailouts	20.0
other (xerox, phones, etc)	<u>40.0</u>
Total - contractual	140.0

Supplies - general office supplies for staff of 18 18.0

Equipment 18.0
(FY 00 equipment budget includes computers)

TOTAL 1189.0

Revenue Projections

OTC Revenue projection assumes 3000 OTC parcels offered in FY 99 and 2,000 in FY 00, 25% are actually sold, \$5000/ parcel, average 10 years to pay off contracts.

Revenue FY 99 OTC = 3000 parcels x .25 = 750 parcels sold x \$5000/parcel = \$3,750,000 total sale value divided by 10 years = \$375,000 per/year revenue from FY 99 sales; plus application fees of \$100x3000 parcels = 300,000.

Revenue FY 00 OTC = 2000 parcels x .25 = 500 parcels sold x \$5000/parcel = \$2,500,000 total sale value divided by 10 years = \$250,000 per/year revenue from FY 00 sales; plus application fees of \$100x2000 parcels = 200,000.

OTE Revenue projection assumes that of 200,000 acres offered, 20% (40,000 acres) follow through with survey and appraisal, and they take an average of 10 years from staking to purchase (bill has no deadlines for individuals to act, and there is no interim rent/fee provision). Average value assumed at \$300/acre. 40,000 acres x \$300/acre = \$12,000,000. Assume average payoff of 10 years (bill allows up to 15 years), or \$1,200,000 per year. HOWEVER, the bill does not allow for any fee/rent from time of staking to completion of survey and appraisal. Past remote and OTE programs allowed ten years (but required an annual fee), so DNR assumes that this program will allow ten years. Assume that most people will not complete survey and appraisal at start of program, only 10%/year, hence net revenues of \$120,000 per year (will increase after ten years (FY 2010)).

Revenue from OTE filing fee assumes 2000 applicants first year (\$200,000), but anticipate interest will taper off rapidly and assume 1000 applicants second year (\$100,000) and every year thereafter.

Revenue Summary

SOURCE	INCOME by FY					
	99	00	01	02	03	04
revenue from FY 99 OTC	375	375	375	375	375	375
revenue from FY 00 OTC	0	250	250	250	250	250
revenue from OTC fees	300	200	0	0	0	0
revenue from OTE sales	0	0	120	240	360	480
revenue from OTE fees	0	200	100	100	100	100
Total for FY	675	1025	845	965	1085	1205

Fund Source

Section 2 of CSSB 108(RES) expresses legislative intent that DNR can use only 10 percent of program receipts to implement the program. Therefore, fiscal note shows remainder of funds coming from General Fund.

0-LS0353AM
Luckhaupt
4/15/98

CS FOR SENATE BILL NO. 108()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): SENATOR TAYLOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the disposal of state land and interests in state land; and
2 providing for an effective date."

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

4 * Section 1. FINDINGS. The State of Alaska, through the Alaska Statehood Act, is
5 entitled to over 105,000,000 acres of land. Alaska is one of the smallest states by population.
6 Because of its small population, the state has been overly influenced by ephemeral riches from
7 nonrenewable oil wealth. The state should envision its future without the presence of
8 petroleum as the principal source of revenue. Land is the state's most secure and permanent
9 resource. In recent years, federal and state government agencies have acquired private land
10 to place into parks and preserves in a state that already has an abundance of acreage in similar
11 land classifications. The legislature desires to reverse this trend and resuscitate the
12 entrepreneurial spirit that was achieved before and at the beginning of statehood. Alaska is
13 made up of major land holdings owned by federal, state, and local governments with relatively
14 minor portions held privately by ANCSA corporations and individuals. There is little that can

1 be done to foster a private economy without sufficient privately held land capital. Private
2 ownership of land has historically benefited people and assisted in promoting the economic
3 development of our country. The legislature therefore finds that the distribution of land to
4 citizens annually will stimulate economic development and benefit residents today and in the
5 future.

6 * Sec. 2. AS 38.04.020(a) is amended to read:

7 (a) The commissioner shall establish a land disposal bank for disposal of land
8 into private ownership. Except as provided in (b) of this section, the land disposal
9 bank includes all [CONTAINING] state land that is classified settlement or
10 agricultural [FOR DISPOSAL INTO PRIVATE OWNERSHIP].

11 * Sec. 3. AS 38.04.020(c) is amended to read:

12 (c) Land to be retained in state ownership may be classified by the
13 commissioner into multiple-use management categories under AS 38.04.065 and
14 AS 38.05.300. Land [OUTSIDE A MUNICIPALITY] to be retained in state
15 ownership consists of land classified into multiple-use management categories [FOR
16 RETENTION IN STATE OWNERSHIP] by the commissioner [BY JULY 1, 1985.
17 LAND CONVEYED TO THE STATE BY THE FEDERAL GOVERNMENT THAT
18 IS TO BE RETAINED IN STATE OWNERSHIP CONSISTS OF LAND
19 CLASSIFIED BY THE COMMISSIONER WITHIN TWO YEARS OF RECEIPT OF
20 TENTATIVE APPROVAL OR PATENT, WHICHEVER OCCURS FIRST]. State
21 land not classified into multiple-use categories for retention in state ownership or
22 selected by a municipality [UNDER THIS SECTION] shall be classified and included
23 in the land disposal bank. The commissioner shall ensure that the bank includes at
24 least 500,000 acres.

25 * Sec. 4. AS 38.04.020(d) is repealed and reenacted to read:

26 (d) By the first day of each regular session of the legislature, the commissioner
27 shall submit to the legislature a report on the total acreage in the land disposal bank.

28 * Sec. 5. AS 38.04.020(e) is amended to read:

29 (e) The commissioner shall annually prepare a three-year land disposal
30 schedule identifying land proposed for disposal during the three fiscal years
31 immediately following the present year. The commissioner shall include the

1 disposal schedule with the report submitted to the legislature under (d) of this
2 section. The disposal schedule must identify at least 5,000 acres of land for
3 disposal in each fiscal year covered by the schedule. The disposal schedule must
4 set out an estimate of [SUBMIT TO THE GOVERNOR AN APPROPRIATION
5 REQUEST FOR] funding [ESTIMATED TO BE] necessary [FOR THE NEXT TWO
6 YEARS] to allow

7 (1) survey and disposal of land proposed to be offered [MADE
8 AVAILABLE] for remote recreational cabin site [HOMESTEAD] staking, with the
9 general location of the land;

10 (2) survey and disposal of land proposed to be offered for [AS]
11 agricultural, commercial, industrial, homestead, or other uses under AS 38.05.055,
12 [OR] 38.05.057, or AS 38.09, with the general location of the land;

13 (3) [THE] survey and disposal of land proposed to be offered as
14 subdivisions, with the general location of the land;

15 (4) preliminary feasibility studies, engineering design work, right-of-
16 way acquisition, and construction of access roads and capital improvements required
17 by municipal subdivision ordinance or regulation of the platting authority;

18 (5) cooperative agreements to be entered into under (l) of this
19 section for the purposes of developing land for disposal [IDENTIFICATION OF
20 LAND THAT WILL BE PROPOSED FOR DISPOSAL UNDER THIS SUBSECTION
21 IN FUTURE FISCAL YEARS].

22 * Sec. 6. AS 38.04.020(f) is repealed and reenacted to read:

23 (f) The estimate of funding included in the disposal schedule under (e) of this
24 section must identify

25 (1) the total cost to develop and market each proposed project,
26 including tract layout, identification of access and utility easements, public notice,
27 survey, appraisal, sale administration, and issuance of purchase contracts; and

28 (2) the revenue to the state expected to be produced by each project if
29 offered and disposed of as proposed.

30 * Sec. 7. AS 38.04.020(g) is amended to read:

31 (g) The [AFTER JULY 1 OF EACH YEAR, THE] commissioner shall direct

1 the expenditure of money appropriated under AS 38.04.022 for the disposal of land
2 as provided in the disposal schedule [RESPONSE TO REQUESTS MADE UNDER
3 (e) AND (f) OF THIS SECTION] for the following:

4 (1) land [LAND] designated as suitable for homestead disposal shall
5 be [CLASSIFIED AND] surveyed under this chapter [AND AS 38.05] and made
6 available for entry [STAKING AND LEASE] under AS 38.09; [.]

7 (2) land [LAND] designated as suitable for subdivision and homesite
8 disposal shall be surveyed, subdivided, [CLASSIFIED,] and disposed of under this
9 chapter, AS 38.05, and AS 38.08; [.]

10 (3) land [LAND] designated as suitable for [AGRICULTURAL,]
11 commercial, industrial, or [SUITABLE FOR] other disposal shall be surveyed under
12 this chapter and sold under AS 38.05.055 or 38.05.057;

13 (4) land designated as suitable for remote recreational cabin sites
14 shall be made available for staking, lease, and sale under AS 38.05.600(b) or
15 surveyed under this chapter and made available for sale under AS 38.05.600(a);

16 (5) land designated as suitable for agricultural disposal shall be
17 surveyed if required under this chapter and sold under AS 38.05.055, 38.05.057,
18 or 38.05.321.

19 * Sec. 8. AS 38.04.020 is amended by adding new subsections to read:

20 (l) The commissioner may enter a cooperative agreement with a person under
21 AS 38.05.027 for the purposes of developing land for disposal. The agreement may
22 require a person (1) to be the successful bidder for the land, and (2) secure an
23 appraisal of the land at the person's expense, in exchange for being granted the right
24 to purchase the land for development. If the person chooses to purchase the land, the
25 person must first complete a survey of the land that complies with the requirements
26 of the department.

27 (m) In this section, "disposal schedule" means the disposal schedule required
28 to be prepared under (e) of this section.

29 * Sec. 9. AS 38.04.022 is amended to read:

30 **Sec. 38.04.022. Funds for land disposal.** (a) The revenue from the sale or
31 lease of state land shall be deposited in a special state land disposal income account

1 in the state general fund. The legislature may appropriate money from the special state
2 land disposal income account for expenditure by the Department of Natural Resources
3 for necessary costs incurred by the commissioner in the implementation of state land
4 disposal programs authorized under this title. Nothing in this subsection creates a
5 dedicated fund.

6 (b) By the first day of each regular session of the legislature [WTTN 30
7 DAYS AFTER THE LEGISLATURE CONVENES IN REGULAR SESSION], the
8 Department of Natural Resources shall provide [NOTIFY] the legislature [THAT] a
9 summary of [REPORT REFLECTING] all money deposited in the fund established
10 under (a) of this section during the prior fiscal year [IS AVAILABLE].

11 * Sec. 10. AS 38.05.057(f) is amended to read:

12 (f) If only one application for a parcel is received, the commissioner shall offer
13 the parcel to the applicant who applied for the parcel if the applicant is qualified to
14 participate in the lottery. If more than one application is received for a parcel, the
15 commissioner shall select the applicant who is entitled to receive a conveyance of the
16 land by lottery. If the commissioner does not receive an application for a parcel of
17 state land or if a purchaser fails to sign or defaults on a [LEASE AGREEMENT OR]
18 contract of sale, the parcel may [SHALL] be offered to the first eligible person to
19 apply for the parcel. If the director considers that a change in value may have
20 occurred since the parcel's last appraisal, the commissioner may require the
21 preparation of an updated appraisal [PARCEL WAS DESIGNATED AS A
22 HOMESITE AND OFFERED TO THE PUBLIC UNDER FORMER AS 38.05.047(f),
23 THE PARCEL SHALL BE DISPOSED OF UNDER THE TERMS REQUIRED BY
24 AS 38.03].

25 * Sec. 11. AS 38.05.060 is amended to read:

26 Sec. 38.05.060. Rejection of bids; over-the-counter sales. Before the signing
27 of the formal conveyance by the director, the commissioner may reject all bids when
28 the best interests of the state justify this action. Land offered at public sale but not
29 sold, or for which a purchaser fails to sign or defaults on a contract of sale, may
30 be made available at private sale for not less than its appraised value. If the director
31 considers that a change in value may have occurred since the parcel's last

1 **appraisal, the commissioner may require preparation of an updated appraisal.**

2 * **Sec. 12.** AS 38.05 is amended by adding a new section to read:

3 **Sec. 38.05.064. Appraisal and survey costs.** The commissioner may require
4 a purchaser of land, whether the purchase is by auction, lottery, or other means, to

5 (1) provide at the purchaser's expense

6 (A) an appraisal of the land completed in the manner directed
7 by the commissioner;

8 (B) a survey of the land completed in the manner directed by
9 the commissioner;

10 (2) reimburse the state for the cost of

11 (A) an appraisal of the land completed by the state;

12 (B) a survey of the land completed by the state.

13 * **Sec. 13.** This Act takes effect immediately under AS 01.10.070(c).

SENATE FINANCE
COMMITTEE

Amendment Number: #1
Bill Number: SB 108
Sponsor: Torgerson Date: 4/14/98
Logged In By: Mindy

0-LS0353V.1
Luckhaupt
3/30/98

A M E N D M E N T

*moved by Torgerson
objection Adams-withdrawn
w/o objection, adopted*

OFFERED IN THE SENATE
TO: CSSB 108(RES)

BY SENATOR TAYLOR

- 1 Page 2, lines 27 - 29:
- 2 Delete "applicant to post a deposit under AS 38.05.860 to pay for an updated
- 3 appraisal under AS 38.05.840, or the applicant may provide the appraisal at the
- 4 applicant's expense following instructions provided by the department"
- 5 Insert "preparation of an updated appraisal"

- 6 Page 3, lines 9 - 12:
- 7 Delete "applicant to post a deposit under AS 38.05.860 to pay for an updated
- 8 appraisal under AS 38.05.840 or to provide the appraisal at the applicant's expense
- 9 following instructions provided by the department"
- 10 Insert "preparation of an updated appraisal"

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION



Rev. 6/98

Central Microfilm Services
Department of Education
State of Alaska

SENATE FINANCE
COMMITTEE

Amendment Number: #1
Bill Number: SB 108
Sponsor: Torgerson Date: 4/14/98
Logged In By: Mindy

0-LS0353V.1
Luckhaupt
3/30/98

A M E N D M E N T

*moved by Torgerson
objection Adams - withdrawn
w/o objection, adopted*

OFFERED IN THE SENATE

BY SENATOR TAYLOR

TO: CSSB 108(RES)

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5 Insert "preparation of an updated appraisal"

6 Page 3, lines 9 - 12:

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8 appraisal under AS 38.05.840 or to provide the appraisal at the applicant's expense
9 following instructions provided by the department"

10 Insert "preparation of an updated appraisal"

SENATE FINANCE
COMMITTEE

Amendment Number: 2
Bill Number: CSSB108 (RES)
Sponsor: Torgerson Date: 4/15/98
Logged in By: Koltani

AMENDMENT

TO: CSSB108 (RES)

*moved Torgerson
w/o objection, adopted*

PAGE 6, LINE 19:

DELETE: "100 yards"

INSERT: "330 feet"

moved Torgerson
objection Actions - withdrawn
adopted

Amendment

Torgerson

page 8

line 1 after "municipality"
delete all material line 1 and 2

insert " and if the person purchasing
the land applies to the Department
of Transportation and public facilities or
a municipality for the road to be included
in their maintenance program, then the
road must be constructed to the standards
set by the affected agency "

SENATE FINANCE
COMMITTEE

Amendment Number: 3

Bill Number: SB 108

Sponsor: Torgerson Date: 4/15/98

Logged In By: J. J. Lani

SB

109

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: April 8, 1997

FURTHER REFERRALS:

Date of Committee Action: 4/15/97

The FINANCE Committee considered:

CSSB 109(FIN) am

CS FOR SENATE BILL NO. 109(FIN) am

AGRICULTURAL LAND

"An Act relating to land used for agricultural purposes and to state land classified for agricultural purposes or subject to the restriction of use for agricultural purposes only; and annulling certain program regulations of the Department of Natural Resources that relate to agricultural land and agricultural homesteads."

recommends it be replaced the same title
 with the following committee substitute HCS CSSB 109 (Fin) a new title

additional referral to _____ Committee

attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

2 ~~1~~ fiscal note(s) ^{H=C. for} DNR (Land)
Court

3 ~~1~~ fiscal note(s) (2) DNR
1 Law

zero fiscal note(s)

zero fiscal note(s)

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Gene Theriault</i>	X			
<i>John Kelly</i>	✓			
<i>John Kelly</i>	✓			
<i>Carl Cougle</i>	✓			
<i>Mark J. Hanley</i>	X			
<i>Eric Lehman</i>	X			
<i>Harry H. H. H.</i>	X			
<i>Fay & Son</i>	X			

CHAIR'S SIGNATURE

Gene Theriault *Mark J. Hanley*

FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. CSSB 109 (FIN)

Revision Date: _____
Title: Agricultural Land

Dept. Affected: Alaska Court System
BRU: Trial Courts

Sponsor: Sen. Green & Pearce

Component: _____

Requestor: _____

COMPONENT SERIAL NO. 768

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES	10.8	10.8	10.8	10.8	10.8	10.8
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	10.8	10.8	10.8	10.8	10.8	10.8

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

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

Fund Source (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	10.8	10.8	10.8	10.8	10.8	10.8
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
TOTAL	10.8	10.8	10.8	10.8	10.8	10.8

Estimate of any current year (FY 97) cost: None

Positions

Full-Time						
Part-Time	2.0	2.0	2.0	2.0	2.0	2.0
Temporary						

ANALYSIS: (Attach a separate page if necessary)

See attached fiscal impact.

Prepared by: C. S. Christensen III, Staff Counsel
Agency: Alaska Court System

Phone: 264-8228
Date: 04/14/97

Approved by: Stephanie J. Cole, Acting Administrative Director
Agency: Alaska Court System

Date: 04/14/97

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Alaska Court System
Fiscal Analysis
CSSB 109 (FIN)

Currently, the state can enforce agriculture-only covenants against a grantee of state land through an administrative proceeding to terminate the grantee's rights, with the grantee having the right of judicial review. CSSB 109 (FIN) would require the state to bring a civil action in court to enforce agriculture-only covenants.

The Department of Law has estimated the need for one full-time equivalent attorney position to handle the caseload that will result from this change to existing law. Based upon Law's estimate, this fiscal note reflects judicial costs to handle the increased caseload.

This note assumes that most of the new cases brought by the Department of Law will be brought in equity, and thus be tried before a judge sitting without a jury. It therefore does not reflect jury costs. However, it should be noted that in cases in which the department seeks monetary damages, grantees would be entitled to a jury trial.

Alaska Court System
Fiscal Analysis
CSSB 109 (FIN)

Personal Services

Position

	<u>Salary</u>	<u>Benefits</u>	<u>Total</u>
Pro Tem Superior Court Judge, Anchorage, permanent part-time, 1 month	\$4,875	\$2,987	\$7,842
In-Court Clerk, 12A, Anchorage, permanent part-time, 1 month	2,375	612	<u>2,987</u>

Total Estimated Cost

\$10,829

FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. CSSB109(FIN)

Revision Date: 3-Apr-97 Dept Affected: Natural Resources
 Title: An Act relating to land used for agricultural purposes and to state land classified for agricultural... BRU: Agricultural Development
 Sponsor: Sen. Green Component: Agricultural Development
 Requestor: (S) RLS Component Serial No. 455

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY98	FY99	FY00	FY01	FY02	FY03
PERSONAL SERVICES	28.5	11.4	11.4	11.4	11.4	11.4
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	28.5	11.4	11.4	11.4	11.4	11.4
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)

1002 Federal Receipts						
1003 GF Match						
1004 GF	28.5	11.4	11.4	11.4	11.4	11.4
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
TOTAL	28.5	11.4	11.4	11.4	11.4	11.4

Estimate of any current year (FY97) cost: \$ none

POSITIONS

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

ANALYSIS: (Attach a separate page if necessary)

Section 4 of the bill allows for appeals based on economics. It is estimated that approximately 25% of 400 plus land sales would be appealed on economics the first year, at 10% in future years, at a cost of approximately \$240/appeal.

Prepared by: Jay Kerttula, Director *[Signature]* Phone: 745-7200
 Division: Agriculture Date: 3-Apr-97
 Approved by Commissioner: *[Signature]* Date: 4-3-97
 Agency: Natural Resources

FISCAL NOTE

No. 6
 Bill Version: CSSB 109 (FIN)
 (S) Publish Date: 4-4-97

STATE OF ALASKA
 1997 LEGISLATIVE SESSION

Revision Date: _____ Dept. Affected: Department of Law
 Title: An Act relating to land used for agricultural BRU: Civil Division
 purposes: annulling certain program regulations . . . Component: General Legal Services
 Sponsor: Senator Green
 Requester: Senate Finance Committee COMPONENT SERIAL NO. 2087

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES	107.5	107.5	107.5	107.5	107.5	107.5
TRAVEL	2.9	2.9	2.9	2.9	2.9	2.9
CONTRACTUAL	19.5	19.5	19.5	19.5	19.5	19.5
SUPPLIES	2.1	2.1	2.1	2.1	2.1	2.1
EQUIPMENT	6.5	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	138.5	132.0	132.0	132.0	132.0	132.0

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

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	138.5	132.0	132.0	132.0	132.0	132.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	138.5	132.0	132.0	132.0	132.0	132.0

Estimate of any current year (FY97) cost: \$ 0.0

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)

CSSB 109 (FIN) requires the Department of Natural Resources to make conveyances of land used for agricultural purposes.

The bill would increase the burden on the state to enforce covenants requiring that grantees under CSSB 109 (FIN) use conveyed parcels only for agricultural purposes. Under existing law, the state conveys only agricultural rights in land, while retaining the underlying fee title, subject to a reversionary interest triggered if the grantee uses the land for non-agricultural purposes. The state can enforce its rights through an administrative proceeding to terminate the grantee's rights, with the grantee having the right to judicial review.

CSSB 109 (FIN) would require the state bring a civil action in state court to enforce the agriculture-only covenants. Under the bill, the state would no longer retain a reversionary interest in the land, and its remedies would be restricted to damages or injunctive relief for specific performance. Because the state would have significantly less leverage in terms of its remedies, the potential for litigation would increase. In addition,

Prepared by: Joan M. Kasson Phone: 465-5370
 Division: Administrative Services Division Date: 4/3/97
 Approved by Commissioner: Bruce M. Botelho, Attorney General Date: 4/3/97
 Agency: Department of Law

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ANALYSIS CONTINUATION:

because the courts have found restrictive covenants waived for non-enforcement, the state would be under pressure to strictly monitor parcels for compliance with the covenants and bring timely legal actions, rather than risk waiving our rights.

The Division of Agriculture estimates that there are currently 475 agricultural-use parcels, of which 250 are in the Kenai Peninsula and Mat-Su Boroughs, and in the Fairbanks area. The parcels average 215 acres in size. CSSB 109 (FIN) permits subdividing the parcels into not more than four parcels of not less than 40 acres each. This could triple the number of parcels that should be monitored for covenant violations. In addition, the legislation proposes to make the terms for acquiring a parcel more attractive than current law. This could also have the effect of increasing the number of agricultural-use parcels.

The Finance Committee Substitute requires payment to the state for the non-agricultural value of a parcel as a prerequisite to subdivision and sale. The owner is exempted from this requirement, however, if the subdivided parcel is conveyed to an immediate family member. Therefore, parcels will need to be monitored to ensure that the state receives any payments due. The committee substitute also creates a private cause of action to enforce the agricultural use covenants. This may arguably reduce the potential for future enforcement actions brought directly by the state, but the state will still be required to monitor any private or municipal enforcement actions brought under the proposed statute.

The department does not anticipate the changes made to SB 109 by the Senate Finance Committee will materially change the anticipated workload and estimates the need for one full-time equivalent attorney position to handle the increased workload that would result. The full-time equivalent cost estimate is based on the department's standard attorney cost schedule (\$127,000) and includes clerical support, communications, space, supplies, data processing, and other normal overhead expenses. Case specific costs and one-time equipment purchases are not included in the rate, and so are added separately (direct case costs, \$5,000; one-time equipment purchases, \$6,500).

FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. HCS CSSB 109 (FIN)

Title: An Act relating to land use for agricultural purposes & to state land classified for agricultural purposes.

Sponsor: Senator Green

Requestor: _____

Dept. Affected Natural Resources

BRU: Resource Development

Components: Land Development

Serial # 431

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
Personal Services	75.0	148.6	21.1	26.4	31.7	37.0
Travel	0.7	0.8	0.9	1.0	1.1	1.2
Contractual	9.5	6.0	6.6	7.2	8.0	8.8
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants, Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	85.2	155.4	28.6	34.6	40.8	47.0

CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
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REVENUE	60.0	72.0	84.0	96.0	108.0	120.0
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FUNDING: (THOUSANDS OF DOLLARS)

General Fund	85.2	155.4	28.6	34.6	40.8	47.0
Federal Fund	0.0	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	85.2	155.4	28.6	34.6	40.8	47.0

POSITIONS :

Full-Time	1.6	3.4	0.4	0.5	0.6	0.7
Part-Time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

see attached analysis

Prepared by:

House Finance Committee

Rep. Mark Hanley, Co-Chair

Rep. Gene Therriault, Co-Chair

Date: 4/16/97

Phone: 465-4939

Phone: 465-4797

FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. CSSB109(FIN)

Revision Date: 3-Apr-97 Dept Affected: Natural Resources
 Title: "An Act relating to Land Used for Agricultural BRU: Management and Administration
 Purposes and to State Land Classified for Agricultural Purposes....." Component: Information Resource Management
 Sponsor: Green, Pearce
 Requestor: (S) RLS Component Serial No. 427

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY98	FY99	FY00	FY01	FY02	FY03
PERSONAL SERVICES	25.0	10.0	10.0	10.0	10.0	10.0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	25.0	10.0	10.0	10.0	10.0	10.0
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)

1002 Federal Receipts						
1003 GF Match						
1004 GF	25.0	10.0	10.0	10.0	10.0	10.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
TOTAL	25.0	10.0	10.0	10.0	10.0	10.0

Estimate of any current year (FY97) cost: \$ None

POSITIONS

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME	1.0	1.0	1.0	1.0	1.0	1.0
TEMPORARY	0.0	0.0	0.0	0.0	0.0	0.0

ANALYSIS:

(Attach a separate page if necessary)

SB 109 proposes to convey fee title to state land classified as agricultural land, subject to a covenant limiting the use to agricultural purposes. Former disposals of agricultural land are to be converted to fee title with the restrictive covenant. The current owners of agricultural rights only land may apply for fee title if they convey their interest in the land back to the state. These conveyances will require new transactions in the Land Administration System, and notation of the deeds back to the state and the new fee title patents to the Land Status GIS system (status plats).

Prepared by: Carol Carroll, Director *MCS Bono for* Phone: 465-4730
 Division: Support Services Date: 3-Apr-97
 Approved by Commissioner: *MCS Bono for John Stewart* Date: 4-3-97
 Agency: Natural Resources

Revised

REPORTED OUTCOME

HFC 15197

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. CSSB109(FIN)

Revision Date: 3-Apr-97 Dept Affected: Natural Resources
 Title: An Act relating to land used for agricultural purposes and to s classified for agricultural purposes.... BRU: Resource Development
 Sponsor: Senator Green Component: Land Development
 Requestor: (S) RLS Component Serial No. 431

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY98	FY99	FY00	FY01	FY02	FY03
PERSONAL SERVICES	75.0	148.6	21.1	26.4	31.7	37.0
TRAVEL	0.7	0.8	0.9	1.0	1.1	1.2
CONTRACTUAL	9.5	6.0	6.6	7.2	8.0	8.8
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	85.2	155.4	28.6	34.6	40.8	47.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES (1005)	90.0	108.0	126.0	144.0	162.0	180.0

FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY98	FY99	FY00	FY01	FY02	FY03
1002 Federal Receipts						
1003 GF Match						
1004 GF	85.2	155.4	28.6	34.6	40.8	47.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
TOTAL	85.2	155.4	28.6	34.6	40.8	47.0

Estimate of any current year (FY97) cost: \$ None

POSITIONS

POSITIONS	FY98	FY99	FY00	FY01	FY02	FY03
FULL-TIME	1.6	3.4	0.4	0.5	0.6	0.7
PART-TIME	0.0	0.0	0.0	0.0	0.0	0.0
TEMPORARY	0.0	0.0	0.0	0.0	0.0	0.0

ANALYSIS: (Attach a separate page if necessary)

Conversion of existing patents: Assumes 230 existing agricultural patents are eligible and that conversion can be completed in first two years. Process begins by setting up data base, then giving public notice of conversion opportunity by mailout to patentee's last known address and by ads in five Alaska newspapers. This first-year phase would require 4 person-months' work by an NRO II and an Admin Clerk II, total \$14.4, plus contractual costs of \$4.1 for certified mail and publication twice in five newspapers. Next phase is accepting deeds from patentees and adjudicating title conflicts: 12 person-months in the first year (6 mos. each for NRO II and Admin Clerk II), \$43.2, plus 24 person-months in the second year (12 mos. each for NRO II and Admin Clerk II), \$86.4. Final phase, in second year, is issuing patent if title conflicts resolved: 12 person-months (6 each of NRO II and Admin Clerk II), \$43.2. Cost would be lower if Secs. 12-13 are amended as recommended in DNR's letter to Sen. Green dated March 19, 1997. Total for conversion: \$61.7 FY98, \$129.6 FY99, grand total \$191.3.

Prepared by: Jane Angvik, Director *[Signature]* Phone: 269-8503
 Division: Land Date: 3-Apr-97
 Approved by Commissioner: *[Signature]* Date: 4-3-97
 Agency: Natural Resources

ANALYSIS SB109 (cont.)

Monitoring/enforcement of agricultural covenant: Analysis assumes that municipalities and private parties will aid in enforcing the covenant (enforcement is necessary so that the courts do not deem the covenant "waived or abandoned"), and that the state's share of the workload can drop to one-third of the total with parcels being monitored every three years rather than annually. Monitoring would be done mostly by surface transportation, with 10% by air charter for landowners whose improvements cannot be seen by road, at an average of one per day (including time needed for follow-up on apparent violations: document on film, research current owner at Recorder's Office, correspond with landowner and the local Soil and Water Conservation Subdistrict, refer unresolved violations to Dept. of Law for prosecution, and provide litigation support). Enforcement officer would be an NRO II. 75 farms out of a total of 230 existing patents would be monitored first year, with numbers increasing by 10% every year as new patents are issued (183 parcels are currently under sale contract) and as patentees subdivide their parcels. 0.33 of an NRO II full-time equivalent first year (\$17.4); then .36 (\$19.0), .4 (\$21.1), .5 (\$26.4), .6 (\$31.7), .7 (\$37.0). Travel costs assume seven days' per diem payments averaging \$75/day for multi-day inspection trips, plus seven days' meal allowance at \$21/day for day trips exceeding 10 hours, for first-year costs of \$0.7, increasing annually. Travel-related contractual: Each air charter is estimated at 2 hrs. @ \$225/hr.; eight charters in first year for a total of \$3.6, increasing to \$4.0; \$4.4; \$4.8; \$5.3, \$5.8 by last year. 67 inspections by road require one 4WD car, four months in first year, at \$447.00 rental per vehicle-month or \$1.8; then \$2.0; \$2.2; \$2.4; \$2.7; \$3.0. Total for monitoring: \$23.5 first year, increasing annually.

Change in revenues as a result of conversion: Analysis assumes that five owners will each subdivide their tracts into four parcels the first year, creating 15 additional parcels that need to purchase the right to a new dwelling site at \$6,000 each (count is 15 instead of 20 because each original parcel included a dwelling right). New subdivisions are assumed to increase by one owner per year, drawing from the pool of 358 agricultural parcels that have already been patented or are currently under contract that will lead to patent. (Agricultural homesteads are not included in this count because they already include the right of subdivision into 40-acre parcels that all have a dwelling site.) Total revenue change +90.0 first year, increasing annually.

Adopted
Amendment SB109 #2
Kelly

Page 8, Line 13, Following "Spouse"

Insert ";"

Delete "or spousal equivalent of the person;"

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

April 16, 1997

SUBJECT: HCS CSSB 109 (Finance) (Work Order No. OLS-0690Q)

TO: Representative Mark Hanley, Co-Chair
Representative Gene Therriault, Co-Chair
House Finance Committee

FROM: Jack Chenoweth
Legislative Counsel

In the measure passed from committee, in addition to changes specifically requested --

I added "value of the" ahead of the existing reference to "right to construct housing" near the end of the lead-in language of proposed AS 38.05.321(e). This three word insertion conforms the language to an existing reference to "value of the right to construct housing" in subsection (h) and, in my judgment, is necessary if the provision is to read correctly.

In the new material appearing as AS 38.05.321(e)(2), I inserted "made" between "by an appraisal" and "by an appraiser"; I deleted "in" following "landowner" and replaced it with "owning"; and ran the provision together by deleting the suggested ";" and replacing it with the word "and."

Please note that in AS 38.05.321(e) it is not clear who decides whether (e)(1) or (2) applies. Also, on page 9, line 3, "(e)" should probably be a reference just to "(e)(1)".

JBC:jdr
97-273.jdr

cc: Senator Lyda Green
ATTN: Tuckerman Babcock

F-2007-0

House CS for CS for Senate Bill 109 AmS
Amendment \

PAGE 8, LINE 6, after the word "parcel", delete remainder of sentence, and insert

(1) is \$4,000 for the parcel, subject to adjustment under (h) of this section; or

(2) shall be determined by an appraisal by an appraiser under contract to the landowner in the parcel; the appraisal must

~~(A) be based upon the value of the parcel at the time of the original state conveyance of the agricultural rights, subject to adjustment under~~

~~(h) of this section; and~~

~~(B) include the value, determined as of the date of subdivision, of the right to construct housing by the landowner under (d)(3) of this section.~~

PAGE 9, LINE 29, DELETE "all"
INSERT "the"

PAGE 9, LINE 29, AFTER THE WORD "LAND"
INSERT estate

PAGE 11, LINE 1, AFTER THE WORD "Act"
INSERT "for those landowners who purchase parcels conveyed by the state after the effective date of this act,"

0-LS0690/L
Chenoweth
4/15/97

HOUSE CS FOR CS FOR SENATE BILL NO. 109()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTIETH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): SENATORS GREEN, Pearce

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to land used for agricultural purposes and to state land
2 classified for agricultural purposes or subject to the restriction of use for
3 agricultural purposes only; and annulling certain program regulations of the
4 Department of Natural Resources that relate to agricultural land and agricultural
5 homesteads."

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

7 * Section 1. LEGISLATIVE INTENT. It is the intent of the legislature in amending
8 AS 38.05.321(a) in sec. 9 of this Act that, for state land classified as agricultural land, the
9 state convey fee title subject to a perpetual covenant running with the land that restricts or
10 limits use of the land for agricultural purposes.

11 * Sec. 2. AS 38.04.045(b) is amended to read:

12 (b) Before the issuance of a long-term lease under AS 38.05.070 or of a patent
13 for state land, an official cadastral survey shall be accomplished, unless a comparable,

1 approved survey exists that has been conducted by the federal Bureau of Land
2 Management. Before land may be offered under [AS 38.05.055, 38.05.057,] AS 38.08
3 [.] or AS 38.09, or before land may be offered under AS 38.05.055 or 38.05.057,
4 except land that is classified for agricultural uses, an official rectangular survey grid
5 shall be established. The rectangular survey section corner positions shall be
6 monumented and shown on a cadastral survey plat approved by the state. For those
7 areas where the state may wish to convey surface estate outside of an official
8 rectangular survey grid, the commissioner may waive monumentation of individual
9 section corner positions and substitute an official control survey with control points
10 being monumented and shown on control survey plats approved by the state. The
11 commissioner may not issue more than one conveyance for each section within a
12 township outside of an official rectangular survey grid. Land [NO PORTION OF
13 LAND] to be conveyed may not be located more than two miles from an official
14 survey control monument except that the commissioner may waive this requirement
15 on a determination that a single purpose use does not justify the requirement if the
16 existing status of the land is known with reasonable certainty. The lots and tracts in
17 state subdivisions shall be monumented and the cadastral survey and plats for the
18 subdivision shall be approved by the state. Where land is located within a
19 municipality with planning, platting, and zoning powers, plats for state subdivisions
20 shall comply with local ordinances and regulations in the same manner and to the same
21 extent as plats for subdivisions by other landowners. State subdivisions shall be filed
22 and recorded in the district recorder's office. The requirements of this section do not
23 apply to land made available through a cabin permit system, for material sales, for
24 short-term leases, for parcels adjoining a surveyed right-of-way, or for land that has
25 been open to random staking under the remote parcel program or homestead program
26 in the past; however, for short-term leases, the lessee shall [MUST] comply with local
27 subdivision ordinances unless waived by the municipality under procedures specified
28 by ordinance. In this subsection, "a single purpose use" includes a communication site,
29 an airport navigation, and a park site.

30 * Sec. 3. AS 38.04.065(h) is amended to read:

31 (h) Before the commissioner adopts a regional land use plan, a land

1 classification may be made on the basis of a site-specific land use plan, except a
2 classification for a land disposal under AS 38.05.057, AS 38.08, or AS 38.09 [, OR
3 A NEW COMMERCIAL AGRICULTURE PROJECT UNDER AS 38.05.020(b)(6)].
4 After adoption of a regional land use plan, land classifications shall be made under the
5 plan.

6 * Sec. 4. AS 38.05.020(b) is amended to read:

7 (b) The commissioner may

8 (1) establish reasonable procedures and adopt reasonable regulations
9 necessary to carry out this chapter and, whenever necessary, issue directives or orders
10 to the director to carry out specific functions and duties; regulations adopted by the
11 commissioner shall be adopted under AS 44.62 (Administrative Procedure Act); orders
12 by the commissioner classifying land, issued after January 3, 1959, are not required
13 to be adopted under AS 44.62 (Administrative Procedure Act);

14 (2) enter into agreements considered necessary to carry out the purposes
15 of this chapter, including agreements with federal and state agencies;

16 (3) review any order or action of the director;

17 (4) exercise the powers and do the acts necessary to carry out the
18 provisions and objectives of this chapter;

19 (5) notwithstanding the provisions of any other section of this chapter,
20 grant an extension of the time within which payments due on any exploration license,
21 lease, or sale of state land, minerals, or materials may be made, including payment of
22 rental and royalties, on a finding that compliance with the requirements is or was
23 prevented by reason of war, riots, or acts of God;

24 (6) classify tracts for agricultural uses [AND REQUIRE THE
25 PREQUALIFICATION, INCLUDING THE SUBMISSION OF CONSERVATION
26 PLANS, DEVELOPMENT PLANS, OR OTHER PLANS, SCHEDULES, OR
27 PROGRAMS, OF PERSONS WHO APPLY TO PARTICIPATE IN AN
28 AGRICULTURAL DEVELOPMENT PROJECT UNDER AS 44.33.475];

29 (7) waive, postpone, or otherwise modify the development requirements
30 of a contract for the sale of agricultural land if

31 (A) the land is inaccessible by road; or [AND]

1 (B) transportation, marketing, and development costs render the
2 required development uneconomic;

3 (8) reconvey or relinquish land or an interest in land to the federal
4 government if

5 (A) the land is described in an amended application for an
6 allotment under 43 U.S.C. 1617; and

7 (B) the reconveyance or relinquishment is

8 (i) for the purposes provided in 43 U.S.C. 1617; and

9 (ii) in the best interests of the state.

10 * Sec. 5. AS 38.05.057(j) is amended to read:

11 (j) The commissioner may require a participant in a lottery under this section
12 for the sale of land that is part of an agricultural development project under former
13 AS 44.33.475 to submit a single application for that land. Immediately following the
14 drawing of an applicant's name in the lottery, the applicant shall be given an
15 opportunity to select for purchase one parcel of the land that is offered in the lottery.
16 The names of alternate applicants shall be drawn after all parcels have been selected.
17 If the applicant who originally selected a parcel unequivocally rejects the offer to
18 purchase the parcel or fails to sign the contract of sale within the period of time
19 specified by the commissioner, the parcel shall be offered for sale to alternate
20 applicants in the order in which their names were drawn.

21 * Sec. 6. AS 38.05.059 is repealed and reenacted to read:

22 **Sec. 38.05.059. Sale of agricultural land.** The commissioner may provide
23 for the sale of land classified under AS 38.05.020(b)(6) for agricultural uses in parcels
24 or tracts described by aliquot parts. The parcels or tracts are subject to state
25 subdivision requirements and municipal ordinances.

26 * Sec. 7. AS 38.05.065(c) is amended to read:

27 (c) The director shall, for contracts under (a), [OR] (b), or (h) of this section,
28 set out in the contract for each sale the period for the payment of installments and the
29 total purchase price plus interest. The director, with the consent of the commissioner,
30 may also include in contracts under this section conditions, limitations, and terms
31 considered necessary and proper to protect the interest of the state. Violations of any

1 provision of this chapter or the terms of the contract of sale subject the purchaser to
2 appropriate administrative and legal action, including but not limited to specific
3 performance, foreclosure, ejectment, or other legal remedies in accordance with
4 applicable state law.

5 * Sec. 8. AS 38.05.065(h) is amended to read:

6 (h) The commissioner

7 (1) shall provide that, notwithstanding (a) and (b) of this section,
8 in a contract for the sale of land classified under AS 38.05.020(b)(6) for
9 agricultural uses, the interest rate to be charged on installment payments may not
10 exceed 9.5 percent; and

11 (2) may declare a moratorium of up to five years on payments on land
12 sold under this section for [A SALE OF AGRICULTURAL] land classified under
13 AS 38.05.020(b)(6) for agricultural uses [UNDER THIS SECTION] if

14 (A) [(1)] the commissioner determines that the moratorium is
15 in the best interest of the state;

16 (B) [(2)] the commissioner certifies and the contract purchaser
17 agrees to perform farm development, crop production, and harvesting, not
18 including land clearing or related activity, requiring the expenditure of amounts
19 equivalent to the payments that would otherwise be made during the
20 moratorium;

21 (C) [(3)] the sale of the agricultural land takes place after
22 July 1, 1979; and

23 (D) [(4)] the contract purchaser is in compliance with the
24 development plan specified in the purchase contract at the time the purchaser
25 applies for a moratorium under this subsection and remains in compliance with
26 the development plan during the moratorium; for the payments subject to the
27 moratorium declared under this paragraph, interest [INTEREST]
28 payments are subject to the moratorium but interest continues to accrue during
29 the moratorium.

30 * Sec. 9. AS 38.05.321(a) is repealed and reenacted to read:

31 (a) The department shall include in a document that conveys state land