

ALASKA LEGISLATURE COMMITTEE FILES 1981-1982 8672

1332 HESS ( ) HB 131 - HB 144

Introduced: 2/6/81  
Referred: Health, Education &  
Social Services and Finance

1 IN THE HOUSE

BY HAUGEN, BETTISWORTH, CATO,  
FREEMAN AND GARDINER

2 HOUSE BILL NO. 131

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act increasing state aid for health facilities and  
7 hospitals; and providing for an effective date."

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

9 \* Section 1. AS 29.89.030(a)(1) is amended to read:

10 (1) to a municipality which has the power to provide hospital  
11 facilities and services and which exercises that power, \$2,000 [\$1,000]  
12 per bed for each bed actually used for patient care, limited to the  
13 number of beds provided for in the construction design of the hospital,  
14 or \$250,000 [\$75,000] a hospital for those hospitals with 10 or more  
15 beds, or \$50,000 [\$25,000] a hospital for those hospitals with less  
16 than 10 beds, as the municipality may elect; money received under this  
17 paragraph may be used only for hospitals and shall be apportioned among  
18 qualifying hospitals as the municipality determines;

19 \* Sec. 2. AS 29.89.030(a)(3) is amended to read:

20 (3) to a municipality in which a health facility is operated,  
21 \$2,000 [\$1,000] per bed for each bed actually used for patient care,  
22 limited to the number of beds provided for in the construction design  
23 of the health facility, or \$8,000 [\$4,000] per health facility as the  
24 municipality determines.

25 \* Sec. 3. This Act takes effect July 1, 1981.

26  
27 *3/75*  
28 *amendment to State Budget 2/11/81 ...*  
29 *get 1500*

*Alaska*  
**MUNICIPAL**  
*League*

TELEPHONES  
(907) 586-1325  
586-6526

204 N. FRANKLIN ST.  
JUNEAU, ALASKA 99801

March 17, 1981

to: House HESS Committee

from: Ginny Chitwood, AML Executive Director *G.C.*

re: HB 131 - Increasing State Aid for Hospitals & Health Facilities

The Alaska Municipal League strongly supports increased state funding for the operation of municipal hospitals and health facilities. The per bed amount of \$1,000 was established in the revenue sharing program in 1970 and has not changed since that time, but inflation has eroded considerably the value of that amount. Because municipal hospitals and health facilities located throughout the State provide a very valuable service to the residents and because hospitals and health facilities require a subsidy to survive, the League urges your favorable consideration of HB 131.



## THE CITY AND BOROUGH OF JUNEAU

CAPITAL OF ALASKA

155 SOUTH SEWARD ST. JUNEAU, ALASKA 99801  
LAW DEPARTMENT (907) 586-3300

March 17, 1981

House Health and Social Services Committee  
Alaska State House of Representatives  
Pouch V, State Capitol Building  
Juneau, Alaska 99811

FILE: 1981 Legislature - HB 131

SUBJECT: Support for Bill and Request for Amendment

Ladies and Gentlemen:

The City and Borough of Juneau supports House Bill 131 and urges the Committee to give it a do pass recommendation. The bill will provide an effective mechanism for reducing medical costs to the citizens of Alaska and will help put Alaskan hospitals on a more competitive basis with hospitals in the Lower 48.

We do recommend an amendment. Under the present law, only general hospitals qualify as hospitals. There is, however, now appearing on the medical scene in Alaska an animal known as a "special hospital." Special hospitals are licensed as such by the Department of Health and Social Services under requirements established by that department. These requirements are quite stringent and are derived essentially from the requirements for general hospitals. Because the requirements for a general hospital and a special hospital are so similar, it does not make sense to distinguish between them for the purpose of state aid. By not including special hospitals with general hospitals, special hospitals qualify only for aid as a "health facility." The minimum aid available to a health facility is not commensurate with the burdens of a special hospital. We urge you to correct this discrepancy by amending the definition of hospital to include a special hospital. This can be done by adding a new Section 3 to the bill and renumbering the existing Section 3 as Section 4. The new Section 3 would read as follows:

\* Sec. 3. AS 29.89.100(3) is amended to read:

(3) "hospital" means a licensed hospital determined by the Department of Health and Social Services to be a special or general hospital; the term excludes a facility operated or wholly supported by the state or the federal government.

We urge you to pass out a committee substitute containing the foregoing section and to give the bill a do pass recommendation.

Sincerely,

Gerald L. Sharp  
City-Borough Attorney

GLS:phl

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB NO. 131

Title An Act relating to state aid for health facilities and hospitals

Requested by Haugen

Date March 5, 1981, 1981

II. FISCAL DETAIL

Agency Affected Department of Community and Regional Affairs

Program Category Affected Development

BRU, Program, or Subprogram(s) Affected Community Assistance Grants

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.	3,705.6	4,076.2	4,483.8	4,932.2	5,425.4	5,967.9
<b>TOTAL</b>	<b>3,705.6</b>	<b>4,076.2</b>	<b>4,483.8</b>	<b>4,932.2</b>	<b>5,425.4</b>	<b>5,967.9</b>

FUNDING (Thousands of Dollars)

GENERAL FUND	3,705.6	4,076.2	4,483.8	4,932.2	5,425.4	5,967.9
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

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

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

\$3,705,648 additional funding would be required to fund HB 131 in FY 81. A 10 percent increase per year was assumed for funding the next five fiscal years.

IV. DATE March 5, 1981

PREPARED BY Netta Crago

AGENCY Community and Regional Affairs

PHONE 465-4733

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

*Handwritten signature/initials*

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H.C. No. 131

2A

COLUMN WRITE

Health Coop. 500000 - Health 500000 - Health 500000 - Health 500000 - Health 500000  
 1000000 1000000 1000000 1000000 1000000

1	2	3	4	5
Polio				
1	250000		650000	64000
2		250000	130000	
3		500000		
4			54000	72000
5				50000
6				
7				
8				
9		250000		24000
10				2000
11	310000		132000	24000
12				2000
13				16000
14				2000
15				16000
16		250000		
17				20000
18				20000
19		500000		16000
20		250000		
21				2000
22		500000		16000
23				2000
24				2000
25				2000
26		500000	120000	16000
27				2000
28				2000
29		500000		2000
30		250000		2000
31				2000
32			70000	2000
33				450000
34				
35	Total	1000000	2750000	600000
36				
37	6,242,000			
38	6,357,000			
39	6,714,000			
40	6,842,000			
41	6,714,000			

City: North Bristol State: MA  
Address: 1000

1	ADJ. BALANCE	554.00	366.00	4900937	2425475	N/A	170
2	Food	270.00	222.00	1147591	1075225	15510	509
3	Secord. Cl. acc. total	272.00	N/A	N/A	966.005	285225	467
4							
5	TOTAL	1106.00	1578.00	6542228	4471575	241225	1117
6							
7							
8							
9	TOTAL	1106.00					
10	"	1578.00					
11	"	272.00					
12	"	272.00					
13	"	241.22					
14	"	1117.75					

15							
16	TOTAL	15153107					
17	VFC	24650					
18	NVS	1075500					
19							
20	TOTAL	16726607					

21							
22							
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38							
39							
40							

Public Use OCLF  
 Parts 1-2-3

	1	2	3	4	5	6
Archonon	357000	455000	490000	1165200	N/A	N/A
Epitaph	N/A	N/A	N/A	11000	N/A	350
Saint Louis N.Y. Star	N/A	N/A	N/A	125775	N/A	2940
Harris	N/A					
Success	90000	75000	N/A	142100	N/A	N/A
Itai	N/A	150000	N/A	675	N/A	1190
Habitat	N/A					
Habitat	63000	75000	N/A	27300		134
Start	N/A	N/A	N/A	715000	N/A	2620
1st	20000	N/A	N/A	129250	N/A	5100
11th	16000	75000	N/A	40000	N/A	49
12						
13	250000	200000	200000	243500	N/A	1400
14						
15						
16	N/A					
17	16000	75000	N/A	20750	N/A	1700
18	4000	N/A	N/A	11000	N/A	N/A
19	N/A	N/A	N/A	17000	N/A	500
20	75000	155000	132000	212000	N/A	2914
21	4000	N/A	N/A	12950	N/A	70
22	N/A	N/A	N/A	56000	N/A	17
23	3000	N/A	N/A	26575	N/A	26
24	N/A	N/A	N/A	10000	N/A	7
25	4000	N/A	N/A	7000	N/A	N/A
26	N/A	N/A	N/A	12000	N/A	4
27	2000	N/A	N/A	115000	N/A	90
28	30000	92000	262000	41500	N/A	N/A
29	4000	N/A	N/A	N/A	N/A	11
30	4000	N/A	N/A	4000	N/A	N/A
31	N/A	N/A	N/A	36700	N/A	22
32	N/A	N/A	N/A	22500	N/A	96
33	18000	75000	N/A	33000	AS	450
34	N/A	N/A	N/A	26000	N/A	40
35	N/A	75000	N/A	42000	N/A	110
36	2000	N/A	N/A	2000	N/A	2
37	2000	75000	N/A	23700	N/A	40
38	4000	N/A	N/A	50000	N/A	70
39	4000	N/A	N/A	19700	1530	134
40	4000	N/A	N/A	14000	N/A	15

COLUMN - WRITE

North Hospital Special Public Use COLA  
 Values 1990-1991

	1	2	3	4	5	6
1 Duigan	N/A					
2 Old Harbor	N/A	N/A	N/A	11155	N/A	25
3 Cuyahoga	N/A					
4 Fiscal Station	N/A	N/A	N/A	5000	N/A	171
5 Platina	N/A					
6 Point Hope	N/A					
7 Port Cleveland	N/A					
8 Port Hudson	4000	N/A	N/A	16500	N/A	1959
9 Port Clinton	N/A	N/A	N/A	6100	N/A	46
10 Quimbagan	4000	N/A	N/A	3125	N/A	107
11 Pulus	N/A					
12 River View Mission	4000	N/A	N/A	N/A	N/A	137
13 Saint Michael	4000	N/A	N/A	N/A	N/A	152
14 Saint Paul	N/A	N/A	N/A	9275	N/A	275
15 Sausanga	N/A					
16 Saumana	N/A	N/A	N/A	7550	N/A	N/A
17 Seaman Bay	4000	N/A	N/A	3125	N/A	107
18 Sawick	N/A					
19 Shadwin	N/A					
20 Station 11	4000	N/A	N/A	2750	2700	1514
21 Station Point	4000	N/A	N/A	N/A	N/A	137
22 Scharlach	N/A					
23 Sherrack	4000	N/A	N/A	N/A	N/A	157
24 Tibbitts	4000	N/A	N/A	N/A	N/A	157
25 Tiana	N/A	N/A	N/A	73375	N/A	287
26 Telle	4000	N/A	N/A	625	N/A	421
27 Tenabe Springs	N/A	N/A	N/A	5000	N/A	18
28 Tropic	4000	N/A	N/A	12500	N/A	421
29 Tropic Bay	5000	N/A	N/A	N/A	N/A	157
30 Tulecok	4000	N/A	N/A	23750	N/A	950
31 Tunnah	N/A					
32 Umatilla	4000	N/A	N/A	2350	N/A	101
33 Upper Harbor	N/A	N/A	N/A	2750	2550	237
34 Uxbridge	N/A					
35 Waco	N/A					
36 Wacoma	4000	N/A	N/A	11450	N/A	186
37 White Mountain	N/A					
38 White	4000	N/A	N/A	2650	N/A	476
39						
40 Grand Class Total	27200	N/A	N/A	96075	32575	4677

COLUMN WRITE

1 2 3 4 5 6  
 Military Hospital Social Public Gov COLA  
 Facilities Construction Roads Trade

1	Jant Uken	N/A	N/A	N/A	4100	N/A	1613
2	Jantun ridge	4000	N/A	N/A	1200	N/A	565
3	Jantun	N/A	N/A	N/A	N/A	N/A	
4	Jantun	4000	N/A	N/A	N/A	N/A	15
5	Jantun Bay	N/A	N/A	N/A	N/A	N/A	
6	Jantun	N/A	N/A	N/A	N/A	N/A	
7	Jantun	4000	N/A	N/A	10000	N/A	54
8	Jantun Bay	N/A	N/A	N/A	N/A	N/A	
9	Jantun	N/A	N/A	N/A	7000	N/A	22
10	Jantun	N/A	N/A	N/A	1200	N/A	49
11	Jantun	4000	N/A	N/A	44000	N/A	120
12	Jantun	N/A	N/A	N/A	N/A	N/A	
13	Jantun	N/A	N/A	N/A	N/A	N/A	
14	Jantun	N/A	N/A	N/A	5000	N/A	10
15	Jantun	N/A	N/A	N/A	N/A	N/A	
16	Jantun	N/A	N/A	N/A	N/A	N/A	
17	Jantun	N/A	N/A	N/A	N/A	N/A	
18	Jantun	N/A	N/A	N/A	10000	N/A	30
19	Jantun	4000	N/A	N/A	1100	N/A	13
20	Jantun	N/A	N/A	N/A	3200	500	170
21	Jantun	N/A	N/A	N/A	N/A	N/A	
22	Jantun	4000	N/A	N/A	2700	N/A	30
23	Jantun	N/A	N/A	N/A	N/A	N/A	
24	Jantun	4000	N/A	N/A	N/A	N/A	
25	Jantun Bay	N/A	N/A	N/A	N/A	N/A	
26	Jantun Bay	4000	N/A	N/A	6000	6000	270
27	Jantun Bay	4000	N/A	N/A	1000	N/A	14
28	Jantun Bay	4000	N/A	N/A	2700	N/A	12
29	Jantun Bay	4000	N/A	N/A	N/A	N/A	
30	Jantun Bay	N/A	N/A	N/A	N/A	N/A	
31	Jantun Bay	4000	N/A	N/A	6000	N/A	34
32	Jantun Bay	4000	N/A	N/A	N/A	N/A	13
33	Jantun Bay	4000	N/A	N/A	N/A	N/A	17
34	Jantun Bay	4000	N/A	N/A	N/A	N/A	17
35	Jantun Bay	4000	N/A	N/A	N/A	N/A	17
36	Jantun Bay	4000	N/A	N/A	2500	N/A	22
37	Jantun Bay	N/A	N/A	N/A	N/A	N/A	
38	Jantun Bay	N/A	N/A	N/A	4000	N/A	12
39	Jantun Bay	4000	N/A	N/A	500	N/A	32
40	Jantun Bay	4000	N/A	N/A	12000	N/A	60



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POSITION PAPER  
ON  
HOUSE BILL 131

"An Act increasing state aid for health facilities and hospitals; and providing for an effective date."

House Bill 131 provides an increase in the amounts available under the health facilities revenue sharing program to municipalities for the operation of health facilities and hospitals. The Department recognizes the need for assistance in operations for many of the State's health facilities, particularly the small rural hospitals.

All health facilities have basic operational costs which must be supported regardless of the volume of patients available to generate revenues. This fact can perhaps best be seen by looking at the minimum requirements for a hospital.

Each hospital, whether rural or urban, must have the following basic areas in its facility through which to provide health care services:

Patient Care Including:

1 intensive care room	1 coronary care room
1 isolation room	1 psychiatric room
1 two-bed pediatric room	2 two-bed acute care rooms
1 five-crib nursery	
	TOTAL 5,600 sq. ft.

Gross square feet:

Surgical	2,400	Obstetrics	3,400
Emergency	1,100	Radiology	900
Laboratory	400	Physical therapy	500
Dietary	1,700	Administration	1,600
Central services	400	General storage	300
Laundry	700	Waste disposal	600
Morgue	400	Outpatient	2,000

COMBINED sq. ft. TOTAL 22,000

There is a basic cost of operation for this minimum hospital which results from staffing costs, building maintenance, and utilities.

The costs for building maintenance and utilities are almost entirely a function of the area of the hospital. The staffing costs are directly related to the services which are offered by the hospital and comprise the greater part of operating costs. A certain level of minimum staffing for the functions of medical records, dietary, maintenance, housekeeping, laundry, nursing, laboratory, x-ray, etc., is unavoidable and must exist in order for a hospital to provide service. Due to the low population served and thus the low levels of revenue generated, the rural hospitals and nursing homes have difficulty in meeting operating expenses. Many of the rural hospitals subsist only as a result of grants from local government.

All facilities continue to experience operational cost increases as a result of inflation reflected in increased fuel costs, increased salaries and increased cost of supplies.

The health facility revenue sharing program which at present provides operational costs to facilities on a regular annual basis according to the number of patient care beds available in each facility is not sufficient to provide more than a small portion of the operating expense of rural hospitals in particular. It is the feeling of the Department that the amount proposed in HB 131 is not unreasonable.

AS 29.89.100(3) defines "hospital" as "...a licensed hospital determined by the Department of Health and Social Services to be a general hospital;...". 7 AAC 12.010(c)(2) permits the Department of Health and Social Services to license specialized hospitals and sanatoria. A facility specializing in a particular type of care or a facility which does not provide all the services of a general hospital (e.g., major heart surgery) may qualify for licensure under 7 AAC 12.010(c)(2) as a specialized hospital. Such facilities would have needs similar to those of general hospitals with regard to revenue sharing.

Since it is possible that the Department of Health and Social Services will be licensing such facilities in the near future, the needs of such facilities should also be addressed.

Recommended by:

*Phoebe A. Lindsey*

Phoebe A. Lindsey  
Director, Division  
of State Health Planning  
and Development

Date:

*March 6, 1981*

Approved by:

*Helen D. Beirne*

Helen D. Beirne  
Commissioner

Date:

*3-6-81*



3/17/81

HPS 131

Ray Hanger

~~Ray Hanger~~

1.5 in last yr. for re-model - not done yet.

PHS income vs. usual income - 30% (nature +  
franchise)  
Jubing - who is entitled?

de Witt - + Perry Lovett

? Beds vs. occupancy - lost page ✓

? report referred to ✓

? 1000 vs. 2000 ✓

PHS - why not pay more for emergency services?

? direct or indirect manipulation

Condover - 40% to PHS

How ~~arranging~~ <sup>arranging</sup> - Kerlock

at Lee Sharp - Dave Williams de Witt

All - Juneau sell land to provide funds.

H B

139

1980-81 WICHE STUDENT EXCHANGE PROGRAM

PARTICIPANTS

Aleknagik

Smith, Wayne Elmer

Medicine

Anchorage

Calderwood, Dean W.

Dentistry

Feldman, Nicholas W.

Dentistry

Williams, Mark G.

Dentistry

McBratney, John Bryson, Jr.

Dentistry

Paden, Anthony Kent

Dentistry

Culbertson, James Lee

Dentistry

Koropp, Michael L.

Dentistry

Gregory, Crystal E. B.

Dentistry

Bell, Rebecca H.

Dentistry

Springer, Carol L. Mitchell

Medicine

O'Malley, James E.

Medicine

Ligus, Thomas

Medicine

Palmatier, Richard Tood

Veterinary Medicine

Drake, Kelly E.

Veterinary Medicine

Schultz, Julie Ann

Veterinary Medicine

Piccard Cheryl Lynn

Physical Therapy

Ferguson, Lynn Allyn

Occupational Therapy

Riley, Janet Marie

Occupational Therapy

Graves, James C.

Optometry

Brinkerhoff, Dennis R.

Optometry

Schultz, Gary J.

Optometry

Bancroft, Edward

Optometry

Harbuck, Robert L., Jr.

Podiatry

La Rose, Carol F.

Podiatry

Ryan, Phyllis Paulette

Forestry

Sternquist, Greg LeVern

Forestry

Pastro, Anthony J.

Forestry

Josephson, Karla Zander

Grad. Library Studies

Van Den Top, Josephine Jo

Grad. Library Studies

Michielsen, Peggy Ann

Grad. Library Studies

Dursi, Rita (Johnson)

Grad. Library Studies

Simpson, Shirley Schumacher

Law

Baines, Robert E.

Law

Atkinson, Kathy L.

Law

Boling, Michael R.

Law

Brenners, Jacquolino R.

Law

Walther, Byron Dean

Law

Ontrovsky, Eric Howard

Law

O'Leary, Elizabeth Storgion

Law

Porsberg, Carl Edward

Law

Marshall, John Alexander

Law

Dodge, Stephen M.

Law

Short, Pamela Lynn

Law

Riekne, Meredith

Law

Wicks, Sandra L.

Law

Nelson, Lisa B.

Law

Gardner, Darrel J.

Law

Young, Kristan M.

Law

Cassity, George Kris

Law

## Anchorage

Calhoon, Francine M.	Law
Janzen, Thomas M.	Law
Szender, James R.	Law
Wilmoth, Michael	Law
Graham, Rebecca Ellen	Law
Vollertsen, Richard Edward	Law
Barcott, Patricia Ann	Law
Kyzer, Debra	Law
Lee, Larry Dean	Law
Peterson, Mark Allen	Law
Carter, John Breckinridge	Law
Boutin, Roderick Aaron	Law
Mikko, Dagmar T.	Law
Ostrovsky, Lawrence Zelig	Law
Clark, David Donald	Law
Hartig, Lawrence Lee	Law
Babka, Nancy Ann	Law
Latto, Harrison S.	Law
Sleeper, Gary C.	Law
Connolly, Susan M.	Law
Devore, Joel Stephen	Law
Thorsness, John Bingham	Law
Loderman, Sema Ester	Law
Sorensen, Susan Mary	Law
Ward, Catherine R.	Law
Congdon, Kovert E.	Law
Longacre, Roy L.	Law
Larsen, Robert Kenneth	Law
Fortier, Samuel J.	Law
McNess, David Neal	Law
Sweeny, Mary Ellen	Law
Hartig, Alan Robert	Law
Youngman, Gregory Lee	Law
Acton, Joseph Walter	Law
Burleson, Donald C.	Law
Kader, Stuart Cameron	Law
Benner, Joanne L.	Law
Legacki, Kenneth W.	Law
Prewitt, James F., Jr.	Law
Richmond, James P.	Law
Smith, Hobby Dean	Law
Joyner, James Mitchell	Law
Landry, Jeffrey Daniel	Law
Wiederholt, Jon E.	Law
Cushman, Ralph D.	Law
Lewis, Eben Thaddeus	Law
Morrill, Leslie Ann	Law
Rhode, Patrice I.	Pharmacy
Horseman, Michael A.	Pharmacy
Hastman, Sharon Lynn	Grad. Nursing Education
Tuxen, Margaret Ann	Grad. Nursing Education
Ellen, Carol Jean	Architecture
Burkhart, Blane Alan	Architecture

Auke Bay

Helgath, Shelia Fay

Forestry

Big Lake

Heikers, Trana Louise

Law

Barrow

Stauffer, David William

Law

Bethel

Parker, James H. III

Law

Kowalczewski, Christina Juliana

Architecture

College

Berghdahl, Patricia L. Anderson

Dentistry

Simmons, Diane E.

Veterinary Medicine

Lewandowski, Joseph John

Grad. Library Studies

Beconovich, Robert Michael

Law

Brenckle, Carol Anne

Law

Wagoner, Norman B.

Law

Delta Junction

Kaufman, John Stephen

Law

Dillingham

Libby, Stephen Kay

Dentistry

Comfort, Geoffrey Thomas

Law

Douglas

Riley, Lionel Micah

Law

Whittler, Bradley James

Dentistry

Eagle River

Lathrop, Gregory W.

Veterinary Medicine

Dekroon, Gail

Law

Lamb, Timothy J.

Law

Kracker, James Vincent

Law

Kracker, James Vincent

Law

Kohfeld, David Erwin

Law

Fairbanks

Frol, Brian A.	Medicine
Lee, George I-Chung	Medicine
Welsh, Thomas Philip	Veterinary Medicine
Nielsen, Carol A.	Veterinary Medicine
Waugh, Kelly Jean Gilmore	Physical Therapy
Bazelwich, Paul	Podiatry
Milles, Christopher Charles	Forestry
Barb, Linda Susan	Grad. Library Studies
Morin, Michael	Law
Gumaer, A. Mark	Law
Mullen, James Madison, Jr.	Law
Rhian, Ann	Law
Winfree, Daniel Edward	Law
Hood, Barbara Joan	Law
Robson, Bonnie	Law
D'Innocente, Kim A.	Law
Lessmeier, Gregory W.	Law
Heath, Randall Edward	Law
Lynch, Ardith Anne	Law
Taylor, Warren Arthur, II	Law
McKelvie, Dennis Evan	Law
Pederson, Lawrence	Law
Reece, Joseph Loyd	Law
Beardsley, Daniel Waldo	Law
Paskvan, Joseph L.	Law
Thorgaard, Susan E.	Law
Bolvin, Janet Lee	Law
Goodman, Carl Wynne	Law
Davis, Donald Scott	Law
Egan, Thomas Edward	Law
Nelson, Lance Beckley	Law
Parrish, Albert G.	Law
Johannsen, Richard Mark	Law
Brian, Michael Andrew	Law
Pratt, Millard T.	Architecture

Ft. Richardson

Sime, Edwin Joseph	Dentistry
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Hallen

Hyde, Wendy J.	Law
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Homer

Friedman, Elliott

Law

Juneau

Gibson, Dylan J.

Dentistry

Gray, Glen Thomas

Forestry

Fox, Joseph Larkin

Forestry

Thorsteinson, Susan Laury

Grad. Library Studies

Democh, Robert A.

Law

Underhill, Robert Michael

Law

Tugman, Sarah Janet

Law

Brand, Chrystal R.

Law

Craver, Barbara Ruth

Law

Bruce, Daniel G.

Law

Collins, Patricia Ann

Law

Elliott, Michael Bernard

Law

Hausmann, Frank Gayle, Jr.

Law

McCorcle, Patricia Jean

Pharmacy

Sanders, Nancy L. Williamson

Grad. Nursing

Millor, Travis

Architecture

Dutcher, Kathleen A.B.

Architecture

Kasilof

Moran, Margaret Eileen

Law

Kenai

Huhndorf, Mary E.

Veterinary Medicine

Brown, Katherine E.

Occupational Therapy

Thompson, Tucker S.

Law

Thompson, Collette Gayle

Law

Pierce-Bulger, Marilyn K.

Grad. Nursing

Abegg, Joseph G.

Architecture

Ketchikan

Phil, Arne Robert

Dentistry

Thompson, Gayle L.

Grad. Library Studies

Keyes, Christopher Michael

Law

Miklos, Barbara Jean

Public Health

Homer

Friedman, Elliott

Law

Juleau

Gibson, Dylan J.  
Gray, Glen Thomas  
Fox, Joseph Larkin  
Thorsteinson, Susa. Laury  
Democh, Robert A.  
Underhill, Robert Michael  
Tugman, Sarah Janet  
Brand, Chrystal R.  
Craver, Barbara Ruth  
Bruce, Daniel G.  
Collins, Patricia Ann  
Elliott, Michael Bernard  
Hausmann, Frank Gayle, Jr.  
McCorcle, Patricia Jean  
Sanders, Nancy L. Williamson  
Miller, Travis  
Dutcher, Kathleen A.B.

Dentistry  
Forestry  
Forestry  
Grad. Library Studies  
Law  
Law  
Law  
Law  
Law  
Law  
Law  
Law  
Law  
Law  
Pharmacy  
Grad. Nursing  
Architecture  
Architecture

Kasilof

Moran, Margaret Eileen

Law

Kenai

Huhndorf, Mary E.  
Brown, Katherine E.  
Thompson, Tucker S.  
Thompson, Collette Gayle  
Fierco-Bulger, Marilyn K.  
Abe Joseph G.

Veterinary Medicine  
Occupational Therapy  
Law  
Law  
Grad. Nursing  
Architecture

Ketchikan

Phil, Arne Robert  
Thompson, Gayle L.  
Koyes, Christopher Michael  
Miklos, Barbara Jean

Dentistry  
Grad. Library Studies  
Law  
Public Health

Sitka

Prewitt, Randall Eugene  
Barnes, Mark James  
Gorman, Mark Carrington

Dentistry  
Law  
Public Health

Sollotna

Jones, Cheryl Michelle  
Heimbuch, Karl E.

Forestry  
Law

Tok

Peterson, Steven Marvin

Architecture

Unalaska

Sutcliffe, Kathleen Marnik

Grad. Nursing

Valdez

Walker, Donna Pyle  
Walker, William Martin

Law  
Law

Wrangell

Myers, Jerry L.

Optometry

TABLE 2  
FY82 WICHE Student Exchange Program

Support Field	Support Fee	1981-82 Continuing	Continuing Cost	Estimated Applicants	Estimated Acceptances	New Student Cost	Estimated Total Eligible	Total Costs
Medicine	\$16,300	5	\$81,500	24	2	\$32,600	7	\$114,100
Dentistry	9,600	10	99,200	10	5	48,000	15	147,200
Veterinary								
Medicine	12,300	4	49,200	10	2	24,600	6	73,800
Optometry	5,200	4	20,800	3	2	10,400	6	31,200
Graduate Library								
Studies	3,700	5	13,567	7	4	14,800	9	28,367
Physical Therapy	3,800	2	7,600	12	3	11,400	5	19,000
Pharmacy	3,600	2	7,200	4	2	7,200	4	14,400
Dental Hygiene	5,400	0	-0-	1	1	5,400	1	5,400
Forestry	2,600	3	7,800	8	3	7,800	6	15,600
Law	3,300	117	386,100	100	66	217,800	183	603,900
Public Health	4,300	3	12,900	10	3	12,900	6	25,800
Occupational								
Therapy	1,400	2	2,800	3	2	2,800	4	5,600
Graduate Nursing								
Education	5,400	3	16,200	7	3	16,200	6	32,400
Architecture	3,000	13	39,000	19	8	24,000	21	63,000
Podiatry	5,800	4	23,200	1	1	5,800	5	29,000
Osteopathy	5,000	0	-0-	4	2	10,000	2	10,000
TOTAL		177	\$767,067	223*	109**	\$451,700	286	\$1,218,767

\* 9 more than FY81 actual

\*\* 109 = .49% acceptance rate

AGENCY Commission on Postsecondary Education

PROGRAM Adult & Postsecondary Education

BRU Alaska Commission on Postsecondary Education - Grants & Loans

COMPONENT WICHE - Student Exchange Program

Page 1 of 1

REVISED DATE \_\_\_\_\_

23 5 CONTINUED

**FY82**

00774

2-27-81  
Resources Com.

Introduced: 2/19/81  
Referred: Community & Regional  
Affairs

1 IN THE HOUSE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 193

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled. "An Act relating to the disposal and use of state and  
7 municipal land; and providing for an effective date."

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

9 \* Section 1. AS 38.04 is amended by adding a new section to read:

10 Sec. 38.04.017. CONSIDERATION BEFORE DISPOSAL OF LAND FOR PRIVATE  
11 USE. When considering the classification of state land for disposal  
12 for private use under AS 38.04.020(f), the director shall consider the  
13 existing and potential opportunities for other uses of the land which  
14 will be lost as a result of its disposal.

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

16 (a) The commissioner shall establish a land disposal bank which  
17 contains state land that is available for disposal for private owner-  
18 ship. The [BY JULY 1, 1979, THE] land disposal bank shall contain [AT  
19 LEAST 250,000 ACRES OF] state land which is available for

- 20 (1) use as remote cabin sites under AS 38.05.079;
- 21 (2) disposal for recreational and residential use;
- 22 (3) disposal for commercial use; [AND]
- 23 (4) disposal for industrial use; and
- 24 (5) disposal for agricultural use.

25 \* Sec. 3. AS 38.04.020(b) is amended to read:

26 (b) By November 1, 1983 [1979], the commissioner shall classify  
27 and deposit in the land disposal bank all state land [IN A MUNICIPALITY]  
28 that is not

- 29 (1) identified for one or more of the purposes specified

1 in AS 38.05.047(a)(1) - (4) or 38.05.047(a)(5)(E) - (G) and (I) -- (P)  
2 [(5)]; or

3 (2) nominated for selection or selected by a municipality to  
4 satisfy a general grant land entitlement under AS 29.18.201 -- 29.18.203

5 \* Sec. 4. AS 38.04.020(c) is amended to read:

6 (c) The [AFTER JANUARY 1, 1981, THE] land disposal bank shall  
7 contain at least 500,000 acres of state land which is available for the  
8 purposes set out in (a) of this section [AND ALL STATE LAND IN A MUNICI-  
9 PALITY THAT IS NOT CLASSIFIED FOR ONE OR MORE OF THE PURPOSES SPECIFIED  
10 IN AS 38.05.047(a)(1) -- (5) BEFORE SEPTEMBER 1, 1980].

11 \* Sec. 5. AS 38.04.020(d) is repealed and reenacted to read:

12 (d) Disposal of land in the land disposal bank during each fiscal  
13 year must be based upon an assessment by the commissioner of the cur-  
14 rent needs and anticipated uses of state land in the different regions  
15 of the state. The assessment must be completed each year, in writing,  
16 and must include a survey of the supply of land in private ownership  
17 currently on the market, plans for the disposal of municipal land which  
18 have been submitted under AS 38.05.048, and the amount of federal land  
19 available for disposal through sales, leases, or permits for specific  
20 activities. The demand for state land must be evaluated in the assess-  
21 ment on the basis of a purchase price equivalent to that of comparable  
22 lands in private ownership. The assessment must include findings  
23 regarding the amount of state land which is necessary to meet the  
24 statewide demand for three fiscal years immediately after the year in  
25 which the assessment is made. The assessment must also include the  
26 location of land to be disposed of and recommendations for the methods  
27 of disposal and terms under which the land will be offered to the  
28 public. The assessment must be provided annually to municipalities  
29 within which disposals of state land are recommended, at least 60 days

1 before the assessment is transmitted to the governor with the financing  
2 request required by (f) of this section.

3 \* Sec. 6. AS 38.04.020(e) is amended to read:

4 (e) The commissioner shall withdraw from the land disposal bank  
5 state land [LOCATED OUTSIDE A MUNICIPALITY] that has been offered for  
6 disposal but not conveyed within five years after inclusion in the land  
7 disposal bank. State land withdrawn from the land disposal bank under  
8 this section must be reclassified in compliance with AS 38.04.065  
9 [BECOMES STATE PUBLIC DOMAIN LAND AND, THROUGH CLASSIFICATION, MAY BE  
10 MADE AVAILABLE FOR PRIVATE USE, SETTLEMENT, AND DEVELOPMENT AS WELL AS  
11 FOR PUBLIC USES ASSOCIATED WITH SETTLEMENT AND DEVELOPMENT].

12 \* Sec. 7. AS 38.04.020(f) is amended to read:

13 (f) The commissioner shall annually submit to the governor a fi-  
14 ancing request [THREE ALTERNATIVE FINANCING REQUESTS] for the disposal  
15 of state land in the land disposal bank including maps showing the areas  
16 in which disposals are located. The request [ALTERNATE REQUESTS] for  
17 each fiscal year must [SHALL] be submitted with the budget submitted to  
18 the legislature by the governor. [THE ALTERNATE REQUESTS MUST SPECIFY  
19 THE AMOUNT OF LAND TO BE OFFERED FOR PRIVATE OWNERSHIP UNDER EACH  
20 ALTERNATIVE, THE LOCATION OF THE LAND, AND THE DISPOSAL PROGRAM UNDER  
21 WHICH THE LAND WILL BE OFFERED.] The financing request must [ALTERNA-  
22 TIVES SUBMITTED SHALL] include

23 (1) an estimate of the appropriations required to finance  
24 the disposal of the land identified for disposal during that [THE]  
25 fiscal year;

26 (2) an estimate of the appropriations required to finance  
27 the survey [DISPOSAL] of [ONE-HALF] the amount of land recommended  
28 [IDENTIFIED] for disposal during the first succeeding fiscal year;  
29 [AND]

1 (3) an estimate of the appropriations required to finance  
2 the identification and classification of the amount of [DISPOSAL OF 50  
3 PER CENT MORE] land recommended [THAN IDENTIFIED] for disposal during  
4 the second succeeding fiscal year;

5 (4) if state land is recommended for disposal as subdivisions  
6 inside a municipality, an estimate for each subdivision of the appro-  
7 priations required to pay the expenses of construction of access roads  
8 or capital improvement required by municipal subdivision ordinance or  
9 regulation of the local platting board under AS 29.33.150; and

10 (5) if a municipality has submitted a loan request to the  
11 commissioner for financial assistance to carry out a municipal land  
12 disposal program under AS 38.05.048, an estimate of the appropriations  
13 required to pay the expenses of identification, classification, survey  
14 and disposal of municipal land during the fiscal year.

15 \* Sec. 8. AS 38.04.020(g) is amended to read:

16 (g) A person, state agency, or (A) municipality may nominate  
17 state land for classification or reclassification for either private  
18 ownership or state retention as public use land. under AS 38.05.047 [OR  
19 MAY NOMINATE LAND WHICH IS CONTAINED IN THE LAND DISPOSAL BANK FOR  
20 RECLASSIFICATION]. In addition, the [THE] commissioner shall hold  
21 public hearings semiannually to take nominations of state land under  
22 this subsection. The commissioner shall issue a written finding if he  
23 determines that land nominated under this subsection will not be class-  
24 ified or reclassified according to the nominations received, or that  
25 classification or reclassification will be delayed until a determination  
26 under AS 38.04.065 or AS 38.05.300 - 38.05.305 is made [DURING A PUBLIC  
27 HEARING REQUIRED BY THIS SUBSECTION].

28 \* Sec. 9. AS 38.04.020 is amended by adding a new subsection to read:

29 (h) In the estimates of the cost of the land disposal program

1 required in the financing request by (f) of this section, the commis-  
2 sioner shall include the expenses for administration of the land dis-  
3 posals, including overhead, the expenses of providing financing terms  
4 for land sale contracts, and the costs incurred to administer the land  
5 disposals and maintain capital improvements, if applicable.

6 \* Sec. 10. AS 38.04 is amended by adding a new section to read:

7 Sec. 38.04.037. LAKEFRONT DEVELOPMENT STANDARDS. The commissioner  
8 shall by regulation establish lakefront development standards on a  
9 statewide or regional basis. These regulations must provide for the  
10 continued public use and enjoyment of public land and water resources.  
11 Before adopting these regulations the commissioner shall consult with  
12 other state agencies and municipalities. The commissioner may not  
13 dispose of lakefront land unless the disposal complies with the regula-  
14 tions adopted under this section.

15 \* Sec. 11. AS 38.04.065 is amended by adding a new subsection to read:

16 (h) Official regional or area land use plans and amendments to  
17 those plans adopted by the commissioner must be consistent with the  
18 lakeshore development standards established under AS 38.04.037.

19 \* Sec. 12. AS 38.05.047(a) is amended to read:

20 (a) The [NOTWITHSTANDING THE PROVISIONS OF AS 38.04, BEFORE  
21 SEPTEMBER 1, 1980, THE] commissioner shall classify all state land [IN  
22 A MUNICIPALITY] which he determines is best suited for

23 (1) designation by the legislature as a state park, a recrea-  
24 tion area, a game refuge or sanctuary, or a fish and game critical  
25 habitat area;

26 (2) designation by the governor as a state monument or his-  
27 toric site under the authority granted by AS 41.35.030;

28 (3) after consultation with the Department of Fish and Game,  
29 designation by the commissioner of natural resources and the commissioner

1 of transportation and public facilities as wilderness trails and camp-  
2 sites under the authority granted by AS 41.20.080 and as roadside rests  
3 and recreational beaches under the authority granted in AS 41.20.050;

4 (4) designation by the commissioner as trails and footpaths  
5 which may be granted to a municipality or managed in cooperation with a  
6 municipality as a part of the program established in AS 41.20.355 --  
7 41.20.375; and

8 (5) management by the state [AFTER SEPTEMBER 1, 1980,] for  
9 the following purposes:

10 (A) sale of remote parcels to individuals under AS 38.-  
11 05.077;

12 (B) use by individuals as remote cabin sites under  
13 AS 38.05.079;

14 (C) disposal for agricultural use;

15 (D) disposal for commercial use;

16 (E) harvest of timber in commercial quantities;

17 (F) use by individuals for livestock grazing under a  
18 permit program;

19 (G) establishment of greenbelts along public roads and  
20 highways;

21 (H) disposal for industrial use;

22 (I) extraction of materials;

23 (J) extraction of minerals, including oil and gas;

24 (K) retention in state ownership for public recreation  
25 use;

26 (L) protection of watershed land;

27 (M) protection of wildlife habitat;

28 (N) easements for public utility facilities and pipe-  
29 lines for the transportat-on of oil and gas; [AND]

1 (O) construction of air strips and transportation  
2 facilities;

3 (P) protection from geophysical hazards; and

4 (Q) disposal for residential use.

5 \* Sec. 13. AS 38.05.047(b) is repealed and reenacted to read:

6 (b) State land which is classified and deposited in the land bank  
7 for the purposes specified in (a)(5)(A) -- (D), (H), and (Q) of this  
8 section and which is not nominated for selection or selected by a  
9 municipality to satisfy a general grant land entitlement under AS  
10 29.19.201 -- 29.18.203 is available for disposal.

11 \* Sec. 14. AS 38.05.047(c) is repealed and reenacted to read:

12 (c) The department shall include a municipality in its planning  
13 for state lands located within the boundaries of the municipality which  
14 are available for identification and classification for disposal under  
15 (a) and (b) of this section. At least 60 days before submission to the  
16 governor of the financing request required under AS 38.04.020(f), the  
17 department shall provide to each municipality information regarding the  
18 amounts and location of state land within that municipality proposed  
19 for identification, classification, or survey under AS 38.04.020(f)  
20 during the next fiscal year and the details of subdivision design of  
21 state land recommended for disposal during the next year under AS 38.-  
22 04.020(f). The information required by this subsection may be provided  
23 in the findings of the assessment required by AS 38.04.020(d). The  
24 municipality may, within 30 days after receipt from the department of  
25 the information on proposed state land disposals, recommend alternative  
26 locations, terms, and subdivision designs for the disposal of state or  
27 municipal lands to meet the assessed needs and anticipated uses for  
28 private land within the municipality. If municipal land is recommended  
29 for disposal under AS 38.05.048 to satisfy all or a part of the assessed

1 need for land within the municipality, the department's financing  
2 request under AS 38.04.020(f) must identify the state lands for which  
3 disposal is not recommended if loans for disposal of the municipal land  
4 are approved by the legislature.

5 \* Sec. 15. AS 38.05.047(d) is amended to read:

6 (d) All state land [IN A MUNICIPALITY] which is selected by the  
7 state under section 6(a) or (b) of the Alaska Statehood Act (P.L.  
8 85-508) and tentatively approved for patent to the state [AFTER JULY 1,  
9 1979], shall be classified by the commissioner in accordance with (a)  
10 of this section not later than November 1, 1983, or two years after the  
11 land is tentatively approved for patent to the state, whichever occurs  
12 later. [STATE LAND IN A MUNICIPALITY WHICH IS NOT CLASSIFIED BEFORE  
13 THE TIME REQUIRED BY THIS SECTION IS AVAILABLE FOR DISPOSAL UNDER (f)  
14 OF THIS SECTION.]

15 \* Sec. 16. AS 38.05.047(f) is amended to read:

16 (f) Parcels of state land for disposal in subdivisions may not  
17 exceed five acres. However, if the commissioner determines that larger  
18 parcels are necessary to permit the full use and enjoyment of the land,  
19 the parcels in a subdivision may not exceed 40 acres. The [AFTER A  
20 SUBDIVISION PLAT DEVELOPED UNDER (e) OF THIS SECTION IS RECORDED, THE]  
21 commissioner shall each fiscal year offer

22 (1) 80 percent of the subdivision parcels offered in the  
23 state [IN A SURVEY DISTRICT] for sale under the procedures for a lot-  
24 tery sale specified in AS 38.05.057 and 38.05.065(b) (lotteries);

25 (2) 10 percent of the subdivision parcels offered in the  
26 state [IN A SURVEY DISTRICT] for homsites under AS 38.08; and

27 (3) an additional 10 percent of the subdivision parcels  
28 offered in the state [IN A SURVEY DISTRICT] for homsites under AS  
29 38.08, except that notwithstanding AS 38.08.040(b), parcels offered

*Freeman - don't give loans  
38.05 is value  
of land in value  
city of state  
- city can't take it  
- take it back !!!  
- State subd. too expensive  
- not forget to print.*

1 under this paragraph may be the subject of a lottery sale under AS  
2 38.05.057 if more than one eligible person applies for the same home-  
3 site.

4 \* Sec. 17. AS 38.05 is amended by adding a new section to read:

5 Sec. 38.05.048. FINANCIAL ASSISTANCE FOR DISPOSAL OF MUNICIPAL  
6 LAND. (a) Each fiscal year a municipality may apply for a loan to  
7 implement a land disposal program of municipal land. The loan request  
8 must be submitted to the commissioner on forms prepared by the depart-  
9 ment. The department shall include in the financing request submitted  
10 to the governor under AS 38.04.020(f) a request for enough money to  
11 make the loans for the loan requests approved by the commissioner. The  
12 municipality's request may include amounts to finance the expenses of  
13 identifying and classifying land for disposal, surveying land for  
14 subdivisions, designing subdivision plats, and installing improvements.  
15 In this subsection "improvements" include access roads, street paving,  
16 sewer and water lines, and other public facilities and improvements  
17 which are required by municipal sub'division ordinance or regulation of  
18 the local platting board adopted under AS 29.33.150.

19 (b) The municipality's first loan request under this section must  
20 be accompanied by a plan for the disposal of municipal land over at  
21 least five consecutive years. The plan must be based on an assessment  
22 of the need for private land within the municipality and other relevant  
23 factors. The plan must contain:

24 (1) an estimate of the acres of municipal land to be dis-  
25 posed of by the municipality during each fiscal year of the five-year  
26 period;

27 (2) a description of the methods to be used for the disposal  
28 of municipal land;

29 (3) a description of the municipal land to be disposed of

1 each fiscal year during the five-year period; and

2 (4) a statement of the terms under which the municipal land  
3 will be offered to the public.

4 (c) A loan request submitted under this section must meet the  
5 requirements of (a) and (b) of this section before being submitted by  
6 the commissioner to the governor for inclusion in the budget submitted  
7 to the legislature. Loan requests submitted under this section must  
8 set out the amounts necessary to accomplish the objectives for each  
9 fiscal year of the municipality's plan for land dispo. . If amounts  
10 for capital improvements are included in the request, a loan under this  
11 section may not exceed the amount necessary to finance improvements  
12 required by municipal ordinance or regulation of the platting board of  
13 the municipality.

14 (d) Unless designated a grant by the legislature, amounts appro-  
15 priated under this section to finance loan requests of a municipality  
16 must be repaid to the state. Loans under this section may be made sub-  
17 ject to a disbursement schedule established by the department. Repay-  
18 ment must begin after disposal of the land or within 18 months after  
19 the date of disbursement, whichever is earlier. The loan must be re-  
20 paid in monthly, quarterly, or annual instalments over a period of not  
21 more than 20 years, with interest at the prevailing rate for real es-  
22 tate mortgage loans made by the federal land bank for the farm credit  
23 district for Alaska at the time the loan is approved.

24 (e) The commissioner may adopt regulations under the Administra-  
25 tive Procedure Act (AS 44.62) necessary to administer the loan program  
26 established by this section.

27 • Sec. 18. AS 18.05.057(a) is amended to read:

28 (a) The commissioner may dispose of land, including land limited  
29 to use for agricultural purposes, by lottery. The purchase price of

1  
2 land sold by lottery shall be the fair market value of the land as de-  
3 termined by the commissioner [BUT MAY NOT BE LESS THAN \$400 PER ACRE,  
4 OR, IF THE LAND IS LIMITED TO USE FOR AGRICULTURAL PURPOSES, THE PUR-  
5 CHASE PRICE MAY NOT BE LESS THAN \$100 PER ACRE]. The commissioner may  
6 sell land by lottery for less than the fair market value of the land if  
7 he determines that scarcity of land for private use in the area of the  
8 land to be sold has resulted in unrealistic land values. Before the  
9 commissioner determines the purchase price for land which is located in  
10 a municipality and which is to be sold under this section, he shall  
11 consult with the assessor of the municipality. The lottery shall be  
12 conducted in public by the commissioner or his representative, and be-  
13 fore [AT THE TIME OF] signing a contract of sale a purchaser selected  
14 by lot shall deposit an amount equal to five percent of the purchase  
15 price, or if the purchaser elects to use land discounts granted under  
16 AS 38.05.058, five percent of the [DISCOUNT] purchase price after de-  
17 duction of the discount.

18 \* Sec. 19. AS 38.05.077(a) is amended to read:

19 (a) The commissioner shall, under the procedures required by AS  
20 38.05.047, 38.05.300, [AND] 38.05.305, and 38.05.345, classify state  
21 land which is suitable for disposal as remote parcels. The commission-  
22 er shall designate remote parcel selection areas consisting of land  
23 classified under this section. The commissioner shall set the number  
24 of remote parcels that may be selected in each remote parcel selection  
25 area. A remote parcel may not exceed 40 acres. [THE COMMISSIONER  
26 SHALL DETERMINE FOR EACH REMOTE PARCEL SELECTION AREA, THE AMOUNT OF  
27 LAND IN EACH REMOTE PARCEL THAT MAY BE USED FOR RESIDENTIAL PURPOSES.  
28 LAND WHICH MAY BE USED FOR RESIDENTIAL PURPOSES IN A REMOTE PARCEL, MAY  
29 NOT BE LESS THAN TWO ACRES AND MAY NOT EXCEED FIVE ACRES.]

\* Sec. 20. AS 38.05.077(c) is amended to read:

1 (c) A person meeting the requirements of (g) of this section may  
2 apply [UNDER THE PROCEDURES SET OUT IN AS 38.05.057] to lease a remote  
3 parcel in a parcel selection area designated by the commissioner under  
4 (a) of this section after he has staked the exterior boundaries of the  
5 remote parcel in accordance with parcel selection procedures estab-  
6 lished by the commissioner by regulation. A [EACH] person [WHO IS EN-  
7 TITLED TO SELECT A REMOTE PARCEL] may enter a remote parcel selection  
8 [THE] area designated by the commissioner [FOR WHICH HE APPLIED] to  
9 stake the boundaries of a remote parcel.

10 \* Sec. 21. AS 38.05.077(d) is amended to read:

11 (d) Not later than 15 days after [SELECTION AND] staking the ex-  
12 terior boundaries of a remote parcel, the person who staked [SELECTED]  
13 the parcel shall file a sketch plat with the department which shows the  
14 location of the remote parcel [AND THE LOCATION OF THE LAND IN THE PAR-  
15 CEL THAT HE INTENDS TO USE FOR RESIDENTIAL PURPOSES]. At the time of  
16 filing the sketch plat, the person who staked [SELECTED] the parcel  
17 shall apply to lease the land. An application to lease the land shall  
18 be on a standard form prepared by the department. The annual rental  
19 payment for the first year of the lease shall be submitted to the de-  
20 partment with the application. After the application to lease a remote  
21 parcel is approved, the commissioner shall offer to lease the land to  
22 the person who staked [SELECTED] the remote parcel. A lease granted  
23 under this section shall contain the following terms:

24 (1) a remote parcel may be leased for five years;

25 (2) a remote parcel lease may be renewed at the option of  
26 the lessee for a second five-year period under the same terms as pro-  
27 vided for the first five-year period of the remote parcel lease; and

28 (3) a rental payment shall be paid annually and shall be \$10  
29 an acre [ \$150 A YEAR FOR FIVE ACRES OR LESS PLUS \$50 FOR EACH ACRE BY

1 WHICH THE REMOTE PARCEL EXCEEDS FIVE ACRES].

2 \* Sec. 22. AS 38.05.077 is amended by adding a new subsection to read:

3 (g) To qualify to lease a remote parcel under this section, a  
4 person shall

5 (1) at the time of application be 18 years of age or older;

6 (2) submit proof, as required by regulation, that he has  
7 been a resident of the state for not less than one year immediately  
8 preceding the date his application was submitted; and

9 (3) certify that he has not previously leased a remote par-  
10 cel from the state.

11 \* Sec. 23. AS 38.05.078(a) is amended to read:

12 (a) A lessee of a remote parcel may purchase the land leased  
13 [USED FOR RESIDENTIAL PURPOSES IN A REMOTE PARCEL] if, before the ex-  
14 piration of the lease or [A RENEWAL OF THE] lease renewal, he

15 (1) pays a deposit to the department equal to five percent  
16 of the fair market value of the land under (c) of this section; and

17 (2) surveys the [RESIDENTIAL] land [AND ERECTS A HABITABLE  
18 DWELLING ON THE LAND].

19 \* Sec. 24. AS 38.05.078(c) is amended to read:

20 (c) A lessee of a remote parcel may purchase land in the [A] re-  
21 mote parcel under the terms specified in AS 38.05.065(b). The purchase  
22 price of land sold under this section shall be its fair market value as  
23 determined by the commissioner, less the total amount paid to the de-  
24 partment in annual rental fees under AS 38.05.077(d)(3). The valuation  
25 date for determining the fair market value of land sold under this sec-  
26 tion is the date that the remote parcel lease to the purchaser of the  
27 land [PLAT OF SURVEY] is approved by the commissioner.

28 \* Sec. 25. AS 38.08.010(b) is amended to read:

29 (b) Land classified as homesite entry land shall be divided into

Good

1 parcels not exceeding five acres in reasonably compact form, with  
2 boundaries conforming as nearly as practicable to natural geologic and  
3 topographic features. However, a parcel may exceed five acres if ne-  
4 cessary to conform to a municipal ordinance, if a regulation adopted by  
5 the Department of Environmental Conservation requires larger parcels in  
6 the area to prevent water pollution, or if the commissioner determines  
7 that a larger size is necessary to permit the full use and enjoyment of  
8 the land.

9 \* Sec. 26. AS 40.15.010 is amended by adding a new subsection to read:

10 (b) If a platting board or other local subdivision authority hav-  
11 ing jurisdiction fails to take action on a subdivision plat of state  
12 land classified for disposal under AS 38.05 or AS 38.08 within 60 days  
13 after the final plat is submitted by the department for approval, or  
14 places conditions upon the approval of a state subdivision plat which  
15 are not acceptable to the department, the department may deduct the  
16 number of acres in that subdivision from the total amount of state land  
17 for which the legislature has made an appropriation for disposal during  
18 that fiscal year. Before the 10th day of the next regular session of  
19 the legislature, the department shall submit a report to the legisla-  
20 ture which lists all state subdivisions scheduled for disposal during  
21 the preceding fiscal year which were not disposed of under this subsec-  
22 tion. The report must contain an explanation of the department's  
23 determination not to dispose of the land.

24 \* Sec. 27. AS 38.05.047(e), 38.05.077(b)(2), 38.05.078(b), 38.05.078(d)-  
25 (1) and (f) are repealed.

26 \* Sec. 28. A person who selected a remote parcel or acquired a right to  
27 select a remote parcel before July 1, 1981, is entitled to convert his re-  
28 mote parcel lease agreement to a new lease agreement which contains terms  
29 and conditions consistent with AS 38.05.077(d) and 38.05.078(a) and (c) en-

1 acted in secs. 21, 23, and 24 of this Act. The commissioner shall prepare  
2 and distribute new lease forms to persons described in this section.

3 \* Sec. 29. This Act takes effect July 1, 1981.  
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HB 31 v HB 193

1. a. HB 31 - All municipalities with land entitlements under 29.18.201 must submit to the legislature a five-year municipal land disposal plan by March 15, 1982. (Section 1)
- b. HB 193 - Establishes a program for disposal of municipal entitlement land into private ownership with State assistance. Allows municipalities to submit funding requests through the legislature to cover disposal costs provided the request is accompanied by a five-year disposal schedule and a description of sale terms. Treats appropriations as loans to be repaid to the State under established conditions. (Section 17)
2. a. HB 31 - Provides that public access to navigable and public waters of the State shall be preserved only under 38.05.127. (Section 2) annuls 11 AAC 53.450(c) (Section 35)
- b. HB 193 - No parallel provision.
3. a. HB 31 - Adds agricultural land to the land disposal bank; deletes obsolete reference to July 1, 1979 (Section 3).
- b. HB 193 - Same provision; also requires all State land to be classified by November 1, 1983; clarifies categories of land which are deposited in the land disposal bank - remote cabin sites, recreational, residential, commercial and industrial land (Sections 2, 3 & 4).
4. a. HB 31 - Reduces quota from at least 100,000 acres per year to 60,000 acres per year (excluding agricultural land); amount of municipal land offered for private ownership by municipalities after January 1, 1980, may be credited against the quota. (Section 4)

- b. HB 193 - Repeals quota; department would make a recommendation each year to the legislature based upon an assessment of demand; land bank still must contain at least 500,000 acres of state land available for purposes set out above. (Section 5).
- 5.
- a. HB 31 - Revises financing request language to provide that department submit three alternatives financing requests - a request for 100,000 acres mandated by law; a request for appropriations required to finance disposal of 50% of that amount (Now the law says "one-half"), and an estimate of the appropriations required to finance a disposal of twice the amount (now the law says "50%" more). (Section 5).
  - b. HB 193 - Rewrites financing request section to provide that the request must include (1) an estimate of the appropriations required to finance disposal of lands identified for disposal of lands recommended for disposal during that fiscal year; (2) an estimate of the appropriations required to finance the survey of the amount of land recommended for disposal during the first succeeding fiscal year and (3) an estimate of the appropriations required to finance the identification and classification of the amount of land recommended for disposal during the second succeeding fiscal year; and (4) any required capital improvements for subdivisions scheduled for disposal within municipalities. The State also is required to submit along with its financing request, a map showing the areas in which the disposals are to occur. Any request by municipalities for loans, would also be included in the Department's financing submittal. (Section 7).
- 6.
- a. HB 31 - Technical Amendment which excluded school land as lands which may be made available at fair market value for private school lands use. Designation was repealed during 1978 session. (Section 6).

- b. HB 193 - No parallel provision.
- 7. a. HB 31 - Provides that easements and rights-of-ways on or across land which is made available for private use may include established trails traditionally used for commerce, recreation or transportation. (Section 7)
  - b. HB 193 - No parallel provision.
- 8. a. HB 31 - Contracts with an appraised value of up to 50,000 may be signed by the Director without the Commissioner's concurrence (now it is 1,000); and leases with an annual rental value of up to \$5,000 may be approved by the Director without the consent or approval of the Commissioner. (Now 1,000) Further provides that contracts for negotiated sale authorized by AS 38.05.115, permits issued under 38.05.330, or are exempt from this section. (Section 8)
  - b. HB 193 - No parallel provision.
- 9. a. HB 31 - Authorizes conveyance to an adjoining landowner parts of land created by highway right-of-way alignment or realignment or a parcel created by the vacation of a state on right-of-way not to exceed one acre under certain specified circumstances. Parcels conveyed under this section must be sold at fair market value as determined by the Director on the basis of an appraisal. (Sections 9 & 10).
  - b. HB 193 - No parallel provision.
- 10. HB 31 - Subdivision parcels may exceed five acres if a municipal ordinance or regulation adopted by the Department of Environmental Conservation requires larger parcels to prevent water pollution. (Now parcels cannot exceed five acres.) The Commissioner is

required to give priority to surveying districts which contain land that "is in the vicinity of existing access roads". (Section 11).

- b. HB 193 - The requirement to establish survey districts has been deleted. However, all lands which are subdivided for residential services or purposes must be sold in accordance with current AS 38.05.047(f) (80% lottery, 10% homesite under 38.08, 10% homesite lottery). Parcels cannot exceed five acres unless a larger size is necessary for the "full use and enjoyment of the land". The maximum is 40 acres. The Department is also required to include a municipality in its planning for State land located within the boundaries of the municipality by providing each municipality information regarding the amounts and location of State land within that municipality proposed for classification or survey or disposal at least 60 days before submission to the Governor of its financing request. Within 30 days of receipt, the municipality may recommend alternative locations, terms, and subdivision designs. If municipal land is recommended for disposal to satisfy all or part of the accessed need for land within the municipality, the Department's financing request must identify state lands for which disposal is not recommended if loans for the disposal of municipal lands are approved by the legislature. HB 193 also clarifies which lands are available for disposal following the classification process. (Sections 13 through 16).

- 11. a. HB 31 - Requires that auction, lotteries, or homesites disposals must be held in a municipality that is "closest to the land to be sold or disposed of and in which regular sessions of the Superior Court are held". (Section 12)

- b. HB 193 -- No parallel provision.

12. a. HB 31 - Requires bidders to be present at auction sales of recreational and residential land. Bidders may be represented by an Attorney or Agent if the land offered for disposal is commercial, industrial or agricultural land. Changes downpayment from 10% to 5% of the purchase price after deduction of the discount. (Section 13).
- b. HB 193 - No parallel provision.
13. a. HB 31 - Deletes lottery minimums (\$400 per acre general lottery; \$100 per acre if land is limited to use for agricultural purposes); requires the Commissioner to sell land by lottery for less than fair market value if he determines the scarcity of land for private use in the area of the land to be sold has resulted in unrealistic land values. Under current law this authority is discretionary. Also requires applicants to be present at the lottery if the land offered is for residential or recreational purposes. An Agent may represent the applicant if land is offered as commercial, industrial or agricultural land. Clarifies that the downpayment is determined after deduction of the discount. (Section 14).
- b. HB 193 - Repeals minimums; provides that the downpayment is taken off the purchase price after deduction of the discount. (Section 18)
14. a. HB 31 - Provides that all contracts of sale shall be a period of not more than 20 years. Interest on the unpaid principal is calculated in advance. Interest accrues beginning 30 days after the purchaser receives the contract from the Department for its execution. (Section 15).
- b. HB 193 - No parallel provision.

15. a. HB 31 - Changes reference from Director to Commissioner. Provides that contract must be signed by the purchaser and the Commissioner on behalf of the State. The purchaser must sign and return the contract within 30 days after he receives the contract. The Commissioner must sign the contract within 30 days after receiving the contract from the purchaser. If the purchaser fails to sign the contract, the deposit should be retained by the Commissioner as to liquidate damages to repay the State for the cost of selling the land to another purchaser. (Section 16).
- b. HB 193 - No parallel provision.
16. a. HB 31 - Increases appraised value of the lease transaction which may be negotiated by the Director without advertisement from \$250 per year to \$1000 per year. (Section 18).
- b. HB 193 - No parallel provision.
17. a. HB 31 - Changes the remote parcel program. Under current law, an individual selected by lottery is entitled to stake a remote parcel which may not exceed 40 acres. After staking, the qualified applicant may lease the remote parcel for five years with an option to renew for an additional five years. The rent for this parcel is \$50 an acre for the first five acres, a \$150 for each additional acre. At the end of the lease period, the lessee is entitled to purchase the first five acres on the parcel if he has surveyed the land and built a habitable dwelling on the land. The lessee may purchase additional acreage over five acres in the remote parcel if he surveys that land and constructs permanent improvement. The purchase price of the remote parcel is the appraised value at the time the survey plan is approved by the Commissioner. HB 31 provides that remote parcel areas would simply be open to staking rather than

sold through semi-annually lotteries. The annual rental is reduced to a flat \$10 per acre fee. Requirements for improving land in excess of five acres are eliminated. In order to qualify to purchase up to 40 acres, the lessee must survey the land and build a habitable dwelling on that land. The value of the remote parcel would be determined at the time of entry. Holders of existing remote parcel leases are allowed to convert to the new more liberal terms. (Sections 19 through 24).

- b. HB 193 - Same as HB 31 with two exceptions: (1) eliminates habitable dwelling requirements (2) allows rentals to be credited to purchase price. (Sections 19 through 24).

- 18. a. HB 31- If a persons selects a remote parcel in good faith that includes land in his parcel which was previously claimed by another parcel lessee, the Commissioner shall approve that part of the selection which does not conflict with the earlier selection and allow the person to select additional land in a remote parcel selection area. If a person selects a remote parcel in good faith but includes land in his parcel which is outside the remote parcel selection area, the Commissioner shall either disapprove the selection outside the area, and allow the person to select additional land, or he may approve the selection of the land outside the remote parcel selection area. (Section 25).

- b. HB 193 - No parallel provision.

- 19. a. HB 31 - One in a series of technical amendments which rectify an error made several years in a bill which purported to exempt eligible applicants from the payment of annual rent on State land lease for a youth encampment. (Section 26).

- b. HB 193 - No parallel provision.

20. a. HB 31 - Adds wastes disposal site and grazing permits to list of permits that may be issued by the Director without prior approval of the Commissioner. (Section 27).
- b. HB 193 - No parallel provision.
21. a. HB 31 - Amendments to notice laws recommended by the Department last year. (Sections 28 and 29)
- b. HB 193 - No parallel provision. However department has developed a proposed alternative.
22. a. HB 31 - Allows larger than 5 acre homesite parcels if a municipal ordinance or regulation adopted by DEC requires larger parcels to prevent water pollution.
- b. HB 193 - Also authorizes larger parcels to permit the "full use and enjoyment of the land". (Section 25).
23. a. HB 31 - Requires homesite applicants to present a proof of residency to the Department in person at the time and place designated by the Director.
- b. HB 193 - No parallel provision.
24. a. HB 31 - Repealers: (1) AS 38.05.065(a) - Auction sale terms (2) 38.05.077(b)2 - Deletes reference to "residential purposes" land within a remote parcel (3) 38.05.078(b) - deletes reference to "residential purposes" land in a remote parcel (4) 38.05.078(b)(1) - repeals requirement that remote parcel land may not be sold, leased or otherwise conveyed before 10 years after the date the contract of sale is signed by the purchaser (5) 38.05.095(b) and 38.05.097 - (See #19)

- b. HB 193 - Repeals 38.05.077(b)(2), 38.05.078(b), 38.05.078(d)(1), Also repeals 38.05.047(e) - (See #10); and 38.05.078(f)- definition of "habitable dwelling".

Miscellaneous Amendments Contained In HB 193 Only:

1. When considering the classification of State land for disposal, the Director must taken into account the existing and potential opportunities for other uses of the land which will be lost as of the result of this disposal - Fish and Game Proposal (Section 1).
2. Land withdrawn from the land disposal bank which has not been conveyed within five years may be reclassified for any purpose. Now the land must be reclassified for purposes associated with private use settlement and development - Fish and Game Proposal (Section 6).
3. Allow State agencies to nominate State land for classification or reclassification for other private ownership or State retention - Fish and Game Proposal (Section 8).
4. Estimates of the cost of land disposals must include administrative costs overhead, expenses of providing financing term for land sale contracts and costs from administering the land disposals and maintaining capital improvements - Fish and Game Proposal Plans (Section 9).

5. Provides that the Commissioner must consult with effected State agencies and local governments before disposing of State land for private use in order to establish lakefront development standards. Official regional or area land use plans adopted by the Commissioner must be consistent with the lakeshore development standards established above - Fish and Game Proposals (Sections 10 and 11).
6. The Bill would also modify the requirement in existing law that the local subdivision authority must approve a State subdivision plat before the plat may be recorded and lot sold by the State. Plat approval authority would be retained in this Bill. However, if municipality fails to take action on a plat submitted by the Department of Natural Resources within 60 days after submitted or places conditions on plat approval which are unacceptable to the Department, the Department may deduct the amount of land in that subdivision plat from the total financed for disposal that year.
7. Adds "protection from geophysical hazards" to list of "multi-use" categories listed in A.S. 38.05.047.

**\*\*PLEASE NOTE\*\***

THE ORIGINAL FILE CONTAINS AN OVERSIZED DOCUMENT THAT IS UNSUITABLE FOR FILMING. PLEASE REFER TO THE ALASKA STATE ARCHIVES TO VIEW THE ORIGINAL.

WICHE BROCHURE

"YOUR STATE CAN HELP YOU OBTAIN  
PROFESSIONAL EDUCATION IN ..."

WICHE Student Exchange

ELIGIBILITY. An applicant is eligible to apply for participation in the WICHE Student Exchange Program if the applicant is an Alaska resident of at least a two-year duration.

## CHIROPRACTIC MEDICINE

- Currently 2 fully accredited western schools:

Western States Chiropractic College in Portland  
Los Angeles College of Chiropractic

- One other school is a candidate for accreditation with full accreditation expected in 1983:

Cleveland Chiropractic College in Los Angeles

- 3 other Chiropractic schools have recently been established in California, so a definite development of training resources in this field.

- WICHE estimates that support would be \$2500 - 3500 per student per year

- Western States tuition for example is \$1150 per quarter (\$3450 per year)

- This is a 4 year program leading to a Doctor of Chiropractic degree (with a 2 year preprofessional requirement)

- Western States currently has 8 Alaskan students enrolled

- With other inquiries, we estimate supporting at least 10 students the first year at \$1500 = \$15,000 total fee

- WICHE would consider requesting the addition of Chiropractic to the regular exchange program in December, 1981 making 1982-81 the earliest first year of support (unless bilateral agreement established for 1981-82)

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. 110  
 Title An Act relating to WICHE Student Exchange  
 Requested by HESS Date 2/17/81

II. FISCAL DETAIL  
 Agency Affected Education  
 Program Category Affected Alaska Commission on Postsecondary Education  
 BRU, Program, or Subprogram(s) Affected ACPE - Grants, WICHE Student Exchange  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
20 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.	N.A.	15.0	45.6	57.4	66.0	72.0
<b>TOTAL</b>	<b>N.A.</b>	<b>15.0</b>	<b>45.6</b>	<b>57.4</b>	<b>66.0</b>	<b>72.0</b>

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND		15.0	45.6	57.4	66.0	72.0
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME		-0-	-0-	-0-	-0-	-0-
PART TIME						
TEMPORARY						

III ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Estimated Based Upon	FY 82	FY 83	FY 84	FY 85	FY 86
Support Level	1.5	1.8	4.1	14.4	4.8
Eligible Students	10	2	18	15	15
<b>Total</b>	<b>15.0</b>	<b>45.6</b>	<b>57.4</b>	<b>66.0</b>	<b>72.0</b>

\*AC (last 18) Inflation each year

IV. DATE 2/17/81 PREPARED BY [Signature]  
 AGENCY Alaska Commission on Postsecondary Education  
 PHONE 465-2824  
 Original Legislative Finance  
 cc. Budget and Management  
 Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 139  
 Title \_\_\_\_\_  
 Requested by \_\_\_\_\_ Date \_\_\_\_\_

II. FISCAL DETAIL

Agency Affected Education  
 Program Category Affected Alaska Commission on Postsecondary Education  
 BRU, Program, or Subprogram(s) Affected ACPE - Grants, WICHE Student Exchange  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)  
EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, LEASES, ETC.		26.0	35.0	45.0	49.2	62.7
TOTAL						

FUNDING (Thousands of Dollars)

GENERAL FUND		26.0	35.0	45.0	49.2	62.7
FEDERAL FUNDS						
OTHER (City, Fund, Special)						

POSITIONS

FULL TIME						
PART TIME						
EMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions Section III)

Estimate Based Upon	FY 82	FY 83	FY 84	FY 85	FY 86
Support Expenditures	0.5	7.0	7.0	8.2	8.0
Estimated Student	1	5	0	0	
Total	20.0	35.0	45.0	49.2	62.7

IV. DATE February 2, 1981 PREPARED BY Scott D. [Signature]  
 AGENCY Alaska Commission on Postsecondary Education  
 Original: Legislative Finance; PHONE 360-2851  
 cc: Budget and Management  
 Prime Sponsor (if not Legislator Named)

2-27-81

2-24-81 by <sup>Dept. of</sup> CTRA

Test. on Land Disposal Fee  
presented to H. Res. Com

Don't get The Bor. involved in the subsid. business.

FREEMAN - don't give loans to mun. !  
38M value re calculations were given to Katchikan,  
so if city can't or won't sell or dispose of it,  
then take it back.

Bethisworth -

→ STATE IN subsid. is too expensive.  
NOT competitive with private deal.

NB #2

Page 1 line 13

You need to do something about the 40 acre figure. In some parts of the state 40 is more than needed. Besides land is so ~~scarce~~ scarce that it would be better to give 8 people 5 acres than one 40 and 7 nothing.

Page 2 line 20

This section doesn't really "turn me on". If a person doesn't want to live on it, build on it, develop it or something, what practical justification for ownership?

H B

143



## YAKUTAT CITY SCHOOL DISTRICT

BOX 227  
YAKUTAT, ALASKA 99689

JOHN NOVAK, SUPERINTENDENT  
LIZ BOARIO, ELEMENTARY PRINCIPAL

907 784-3318  
907 784-3394

YAKUTAT CITY SCHOOL BOARD  
RESOLUTION 81-2  
January 5, 1981

WHEREAS, the High School gym floor is original equipment in the building, being seven years old, and

WHEREAS, the facility is both a school and community facility, being used frequently up to 14 hours per day, and

WHEREAS, the floor has been splitting and cracking for the past two years, causing a serious safety hazard, and

WHEREAS, the cost of replacement of the floor is far beyond the resources of the District,

THEREFORE, BE IT RESOLVED THAT the School Board of the Yakutat City School District requests the Legislature of the State of Alaska provide funds for the replacement of the gym floor and related gym renovation in the amount of \$60,000.00, to be made available during the summer months of 1981, or as soon thereafter as possible.

Passed on unanimous vote, January 5, 1981

ARCHITECTURAL/CIVIL  
RECOMMENDATIONS AND PRELIMINARY COST ESTIMATES

Village & Building Description Yakutat - St. Elias High School

Code Reference	Deficiency Description	Work Required	Preliminary Cost Estimate
None	Door seals and deteriorating Gym Floor.	Remove existing materials and properly prepare subfloor. Install polyurethane, thermoset gym flooring.	\$ 35,000
None	Damaged Walls in Gymnasium.	Patch/repair and add perforated masonite wall above wainscot. Replace plywood wainscot panels.	2,500
None	Damaged and missing 2' x 4' acoustical ceiling tile.	Provide and install new 2' x 4' lay-in acoustical ceiling tile as required.	700
None	Water penetrating areas of roofing.	Cut bubbles of membranes to drain off trapped water - replace if necessary - reroof areas of sagging asphalt with non-sag type.	2,500
None	Damaged carpet in Room 12 (Business).	Replace carpet. (60 sq. yd.)	900
Subtotal			41,600
Mobilization and Gen. Cond. (10%)			8,320
Subtotal			49,920
Prime Contractors O & P (15%)			7,488
Subtotal			57,408
Contingency (10%)			5,741
Total			\$ 63,149

FACILITY SUMMARY SHEET

St. Elias High School  
Yakutat

St. Elias High School was constructed in 1972. The building construction type is classified as Type VN, housing a group E1 occupancy. The building has a gross area of 17,525 SF, all on one level. The facility is owned and used by the Yakutat School District. The actual occupant load at the time of survey was 65.

The building is in fair condition and does require some immediate remodeling and maintenance type work. Of primary importance are the following three items: Replacing the gym floor surfacing; upgrading the corridor, janitor and mechanical rooms to comply with fire resistance codes and repairing the roof and flashings where leaks occur. In addition, handicap toilet facilities should be constructed and other maintenance/repair work is required.

The heat generation equipment consists of two oil-fired hot water boilers that appear to be in very good condition. There are no major mechanical deficiencies or code violations.

Lack of emergency lighting and handicap code violations in connection with fire alarm signals are the major electrical deficiencies.

Summary of deficiency costs by discipline:

Architectural/Civil	-	\$ 63,149
Fire/Life Safety	-	25,806
Handicap	-	14,400
Mechanical	-	2,353
Electrical	-	<u>17,131</u>
TOTAL		\$ 122,839

## ARCHITECTURAL/CIVIL DESCRIPTIONS OF DEFICIENCIES

St. Elias High School  
Yakutat

### FLOORING

Open seams and deteriorating gym floor material. Areas have been repaired and patched; however, the deficiency is so severe that spot patching is not satisfactory. Playing on this surface could be dangerous.

Carpet in Room 12 (Business) is worn and damaged.

### WALLS

Gymnasium walls damaged from hard usage. They are very unsightly.

### CEILING

At a number of locations, the 2' x 4' acoustical ceiling tile has been removed and not replaced, or has been damaged.

### ROOF

Along the roof edge and at the junction of the equipment room, water has penetrated into the roofing membranes. Appears to be from the use of "soft" plastic cement; most of the areas are on sloped surfaces.

H B

144

An act making a special appropriation for the installation of a sprinkler system in the Yakutat Schools and providing for an effective date.

- \* Amend by inserting a new section 2 and renumbering section 3 [2] and section 4 [3].

Section 2. The sum of \$130,000 is appropriated from the general fund for payment as a grant to the City of Cordova for purchase and installation of a sprinkler system and fire escape for the Mt. Eccles School in Cordova.

HB 144

Amendment Explanation:

- According to the state Fire Marshall's office, this must be completed before the start of the 1981/1982 school year.
- The building was built in 1956.
- It is 3 stories tall.
- It accomadates 225 students, (some as young as 5 years old).
- The building houses the maintenance facility for the school district.
- The building houses the kitchen facility for the district.
- The building is also frequently used by the general public for large assemblies for meetings, public programs, plays, and displays.

Phone: (907) 424-3437  
or 424-3236

# CITY OF CORDOVA

Box 1210 602 Railroad Ave.

CORDOVA, ALASKA 99574

"The Friendly City"

Reply to:

March 3, 1981

To: Mayor & City Council  
From: City Manager  
Subject: Fire Marshall Survey of Mt. Eccles School

Attached is a copy of the survey report prepared by Jack V. Oxford, DFM of the State Fire Marshall's office.

The items of concern are Item 2 - Exits and Items 4 & 7 concerning sprinklers. The school has been reviewed annually by the Fire Marshall and this is the first time that these items have been noted. I have contacted the State Fire Marshall, and it appears that some of the comments should have been suggestions. The Fire Marshall will have a representative in Cordova on March 10th to make a tour of the school with the Fire Chief and myself to determine exactly what must be done and the best method to accomplish the modifications.

cc: William Fairall, School Superintendent

# CORDOVA PUBLIC SCHOOLS

BCX 140

CORDOVA, ALASKA 99574

PHONE (607) SA 4-3265

RECEIVED FEB 20 1981

February 20, 1981

Manager, City of Cordova  
Cordova, Alaska

Dear Mr. Lovatt,

The attached notification 'Notification to Remove or Remedy Fire Hazards and Improve Fire Safety' contains a number of items that fall within the City's responsibility. Those items that are routine maintenance and can be accomplished by our maintenance staff will be corrected.

Your attention to the remaining items will be appreciated.

Sincerely,



William Fairall, Superintendent

RECEIVED FEB 10 1981

JAY S. HARRISON, GOVERNOR

William Nix

Commissioner

DEPARTMENT OF FIRE PREVENTION

DIVISION OF FIRE PREVENTION

5333 Fairbanks Street Suite No 11  
Anchorage, Alaska 99502  
Phone: 272-2404

February 4, 1981

Notification to Remove or Remedy Fire Hazards and Improve Fire Safety

CERTIFIED MAIL #609566

RETURN RECEIPT REQUESTED

Mr. William Fairall, Supt.  
Cordova Public Schools  
P.O. Box 140  
Cordova, Alaska 99574

Subject: Mt. Eccles School  
UBC Group: E-1  
Date of Survey: January 28, 1981  
Surveyors: Jack V. Oxford, DFM I  
Dewey Whetsell, Chief, Cordova  
Volunteer Fire Department.

Dear Mr. Fairall:

The following deficiencies were noted during the above survey and are required to be corrected as indicated.

- 1. EXITS The first floor classrooms have only one approved exit.

A minimum of two approved exits are required and they shall be so arranged that it is possible to go in either direction from any point in a corridor to a separate exit, except for dead-ends not exceeding 20 feet in length.

Uniform Building Code Section 3304 (e) and Table #33-A.

1970 ✓  
1979 ✓

COMPLIANCE DATE: Before start of 1981/82 school year.

- 2. There shall be no change in elevation of less than two (2) feet in a corridor or exterior balcony unless ramps are used (first floor corridor).

UBC Sec. 3317 (e)

1970 ✓  
1979 ✓

COMPLIANCE DATE: Before start of 1981/82 school year.

- 3. The basement has only one approved exit.

Basements shall have not less than two exits.  
UBC Sec. 3302 (a).

1970 ✓  
1979 ✓

COMPLIANCE DATE: Before start of 1981/82 school year.

Mr. William Farrell, Supt.  
Cordova Public Schools  
February 4, 1981

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4. In Group E Occupancies, basements larger than 1500 square feet in area, shall have an automatic sprinkler system installed.  
UBC Sec. 3802 (b) (3)

1970 ✓  
1979 ✓

COMPLIANCE DATE: Before start of 1981/82 school year.

5. The kitchen hood fire extinguishing system shall be serviced at least twice a year by a qualified person.  
National Fire Protection Association Standard #96 Section 8.2.1.

6. The kitchen hood fire extinguishing system does not have an automatic fuel shut-off valve installed as required by NFPA #96 Sec. 7.3.1.3.

7. An approved automatic sprinkler system throughout the building is required by the 1979 Edition of the Uniform Building Code Section 3317 (b) as amended, which states:

"Rooms in a group E, division 1 occupancy used by students must have either direct exit to the exterior of the building or to an exterior exit balcony, or the building must be equipped throughout with an approved automatic sprinkler system; the sprinkler system must be electronically interconnected with the school fire alarm system."

1979 STATE  
AMENDMENT  
RETROACTIVE

COMPLIANCE DATE: Before start of 1981/82 school year.

8. The propane storage tank is located too close to the building.

Containers shall be located with respect to the building and adjacent property lines in accordance with Table #32.105 and the Uniform Fire Code Section 82.105 (d) (copy enclosed)

COMPLIANCE DATE: Before start of 1981/82 school year.

The above listed deficiencies constitute violations of the Alaska Fire Safety Code.

These deficiencies not having a specific compliance date shall be corrected by March 15, 1981.

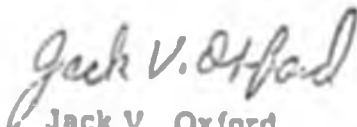
Mr. William Fairall, Supt.  
Cordova Public Schools  
February 4, 1981

page 3

It is requested that a letter certifying the above listed deficiencies have been corrected shall be sent to this office by March 20, 1981 and August 1, 1981, respectively.

Sincerely,

RONALD A. HENDRIE  
~~Director, State Fire Marshal~~

  
By: Jack V. Oxford  
Deputy Fire Marshal I

RAH/SVO/lmc

cc: Chief, Cordova Vol. Fire Dept.

enclosure

THE FOLLOWING DOCUMENT(S) MAY NOT FILM  
LEGIBLY BECAUSE OF POOR QUALITY OF THE  
ORIGINAL.

by means of approved construction, or (ii) protected by an approved system for application of water, or (3) protected by other approved means. Where one of these forms of protection is provided, the separation shall not be less than 25 feet between such container groups.

(c) The storage and transportation of liquefied petroleum gas and the installation of all pertinent equipment shall be installed and maintained in accordance with U.F.C. Standard No. 62-1 and subject to the approval of the chief. These orders shall apply to all persons and places within the jurisdiction except as herein provided.

(d) Containers shall be located with respect to buildings or line of adjoining property which may be built upon in accordance with the following table.

TABLE NO. 62-105

CONTAINER CAPACITY (in Gallons)	MINIMUM DISTANCE
Less than 100	5 feet
100 to 250	10 feet
250 to 1,000	25 feet
Over 1,000	50 feet

NOTE: At the discretion of the chief, containers may be located a lesser distance to buildings if such buildings are of fire-resistive construction in accordance with the Building Code, provided the above distances applied to openings in buildings are maintained and the relief valves will not discharge in the direction of a means of egress or against the building.

(e) A stationary storage tank shall be not less than 10 feet from the nearest street line or sidewalk.

**Parking and Garaging**

Sec. 62.106. (a) The parking and garaging of tank vehicles used for the transportation of liquefied petroleum gases shall be in accordance with Article 77.

(b) During the unloading or transfer of liquefied petroleum gas, the tank truck shall be located or parked clear of a public thoroughfare, unless:

1. The failure to transfer would create a hazard.
2. It is impossible due to topography.

**Prohibited Use of Liquefied Petroleum Gas**

Sec. 62.107. (a) Liquefied petroleum gas shall not be used for the purpose of operating any device or equipment unless such equipment is specifically designed for use with a liquefied petroleum gas.

(b) Liquefied petroleum gas shall not be released to the atmosphere except through an approved liquid level gauge or other approved device.

**Overfilling**

Sec. 62.108. A person shall not fill or maintain a liquefied petroleum gas

container with liquefied petroleum gas in excess of the fixed outage 25 installed by the manufacturer or the weight stamped on the tank.

**Safety Devices**

Sec. 62.109. A person shall not tamper with or make ineffective the safety devices of any liquefied petroleum gas container.

**Smoking and Open-Flame Devices**

Sec. 62.110. (a) The chief may require the posting of "NO SMOKING" signs. No person shall smoke within 25 feet of any LP gas container 1200 gallons capacity or less, nor within 50 feet of any such container over 1200 gallons capacity.

(b) A person shall not install or maintain any open-flame device outside of buildings within 25 feet of any LP gas container having a capacity 1200 gallons or less, nor within 50 feet of any such container having capacity over 1200 gallons.

(c) A person shall not install or maintain any LP gas container with capacity of 1200 gallons or less within 25 feet of any open-flame device outside of buildings, nor shall any person install or maintain any such container with a capacity in excess of 1200 gallons within 50 feet of any such open-flame device.

**Clearance of Combustibles**

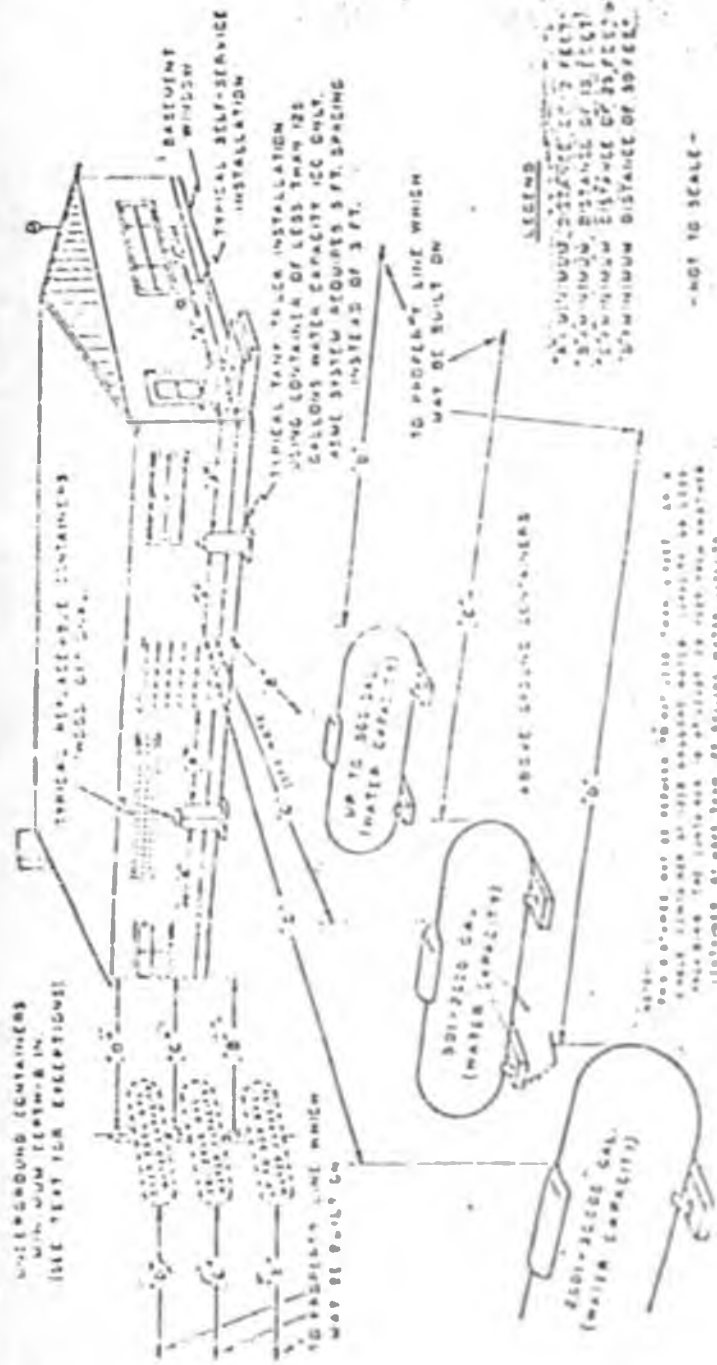
Sec. 62.111. All weeds, grass, brush, trash, or other combustible material shall be kept a minimum of 10 feet away from all LP gas tanks or containers.

**Abandonment of Liquefied Petroleum Gas Equipment**

Sec. 62.112. Whenever the use of liquefied petroleum gas equipment has been discontinued, it shall be abandoned in an approved manner within period of 30 days.

All of the following procedures may be used when approved by the chief:

1. Removal of all liquefied petroleum equipment.
2. Burn-off of contents of container.
3. Venting contents of container to atmosphere when discharge of gas can be led to a safe point of discharge.
4. All service openings shall be capped or plugged after contents has been removed from container.



Appendix F. Container Spacing

THE PRECEDING DOCUMENT(S) MAY NOT FILM  
LEGIBLY BECAUSE OF POOR QUALITY OF THE  
ORIGINAL.



## YAKUTAT CITY SCHOOL DISTRICT

BOX 227  
YAKUTAT, ALASKA 99657

JOHN NOVAK, SUPERINTENDENT  
LIZ BOARIO, ELEMENTARY PRINCIPAL

907 784-3318  
907 784-3394

YAKUTAT CITY SCHOOL BOARD  
RESOLUTION 81-3  
January 5, 1981

WHEREAS, the District school buildings are of wood frame construction, and

WHEREAS, the school buildings' first line of fire suppression consists only of fire extinguishers, and

WHEREAS, the school has experienced one small fire during the present fiscal year in which the damage would likely have been minimized had an additional suppression system been in operation, and

WHEREAS, the cost of fire insurance has skyrocketed in the past few years due to the fire rating of the buildings,

THEREFORE, BE IT RESOLVED THAT the School Board of the Yakutat City School District requests that the Legislature of the State of Alaska provide funds in the amount of \$100,000.00 for the purchase and installation of a water sprinkler system in the School District buildings.

Passed on unanimous vote, January 5, 1981

STATE OF ALASKA  
DEPARTMENT OF PUBLIC SAFETY

JAY S. HAMMOND, GOVERNOR

William R. Nix  
Commissioner

DIVISION OF FIRE PREVENTION

POUCH N  
JUNEAU, ALASKA 99811

February 23, 1981

CERTIFIED - RRR

Mr. John Novak, Superintendent  
Yakutat City School District  
P.O. Box 227  
Yakutat, Alaska 99689

Subject: Yakutat High School  
Yakutat Elementary School  
UBC Occupancy E-1  
(Uniform Building Code, 1979  
Edition, Section 3317 (b)  
as amended by 13 AAC 50.020)

Dear Mr. Novak:

On January 21, 1981, I conducted a fire and life safety survey of your educational facilities located in Yakutat.

During my exit interview with your assistant, Mr. Jerry Schernberger, I indicated to him that additional correspondence could possibly be forthcoming from our office.

The above referenced section of the Uniform Building Code, as amended, reads as follows: "Rooms in a Group E, Division 1 occupancy used by students must have either direct exit to the exterior of the building or to an exterior exit balcony, or the building must be equipped throughout with an approved automatic sprinkler system; the sprinkler system must be electronically interconnected with the school fire alarm system.

Classrooms having openable windows which may be used for emergency escape purposes, and with a sill height of the openable section not more than 36 inches above the floor and not more than six feet (6') above the adjacent grade level are not required to have direct exits to the exterior and are not required to have an automatic sprinkler system unless a system is required by other provisions of this chapter".

Educational facilities which do not have direct exits to the exterior of the building for each room used by students or do not have openable windows as specified above must install approved automatic sprinkler systems throughout each non-complying building.

Approved automatic sprinkler systems must be installed by August 19, 1981.

You are requested to furnish written certification to this office of the compliance with the above item within 10 days after the date listed above.

Mr. John Novak, Superintendent  
Yakutat City School District

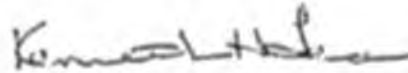
Subject: Yakutat High School  
Yakutat Elementary School  
UBC Occupancy E-1  
(Uniform Building Code, 1979 Edition, Section 3317 (b) as amended  
by 13 AAC 50.020)

It must be understood that compliance with state fire safety regulations does not preclude the necessity of complying with the requirements of local codes, regulations and ordinances.

Should you desire additional information, please feel free to contact this office at 465-4331 or write Pouch N, Juneau 99811.

Very truly yours,

RONALD A. HENDRIE, Director  
State Fire Marshal



By: Kenneth H. Lea  
Deputy Fire Marshal I

RAH:KHL:vrh

c: Yakutat Volunteer Fire Department

February 13, 1979

Yakutat City School District  
P. O. Box 227  
Yakutat, Alaska 99580

Subject: Contract Proposal  
Yakutat Elementary School

Gentlemen:

Enclosed is our contract proposal in the amount of THIRTY FIVE THOUSAND EIGHT HUNDRED FORTY ONE DOLLARS ONLY (\$35,841.00) for the Yakutat City School Districty concerning the Yakutat Elementary School.

If this meets with your approval, please sign one copy and return to my attention; retaining the second copy for your records.

We are looking forward to hearing from you soon.

Very truly,

TINNELL FIRE PROTECTION SYSTEMS COMPANY, INC.

  
L. G. Heckel  
Branch Manager

cc: Paul O'Connor, District General Manager

LSH/ldr

INNE  
COMM



**PROPOSAL/CONTRACT  
FOR SAFEGUARDING YOUR  
PROPERTY FROM FIRE**

**GRINNELL  
FIRE  
PROTECTION  
SYSTEMS  
COMPANY, INC.**

AGREEMENT dated February 11, 1979, between GRINNELL FIRE PROTECTION SYSTEMS COMPANY, INC. referred to herein as the "Seller", and Yakutat City School District P. O. Box 227, Yakutat, Alaska 99689 referred to herein as the "Purchaser".

A. Seller agrees to furnish and install in premises located at Yakutat Elementary School, a fire protection system and auxiliary equipment in accordance with the General Conditions of sale set out herein and with the attached "Specifications" consisting of 2 sheets, all of which are made a part hereof.

B. The price for said installation is THIRTY FIVE THOUSAND EIGHT HUNDRED FORTY ONE Dollars (\$35,841.00) to be paid by Purchaser as follows:

PAYMENT

This price for said installation is to be paid in monthly installments on the fifth day of each month based on invoices presented on or before the twenty-fifth of the preceding month. The invoices will be based on the value of materials delivered and work performed during the month.

This proposal/contract is based on all fire protection work included, being completed by September 1, 1979. If the work is not completed by this date, due to delays which are not the fault of Seller, the contract price will be increased by the amounts of the increases which Seller has to pay after this date for material, labor, rentals, etc., and by a 10% markup of such increases for overhead and profit.

Taxes have  have not  been included in the above price

The above price is based on the installation of 267 sprinklers. If more or less than this number are required, the difference will be charged at \$10.00 each or credited at \$10.00 each. The unit price shall not be used for additional sprinklers or work required by reason of any changes including but not limited to, changes in the specifications in the building, type of occupancy, additional sprinkler valves, other devices, or underground piping required.

C. Unless accepted by the Purchaser within 30 days from the above date, this proposal, at the option of the Seller, will be considered null and void.

D. Title to said system and equipment (whether or not attached to the realty) shall remain in Seller until payment in cash in full of the price.

E. Water requirements are the responsibility of the Purchaser in the event there is inadequate water pressure or volume for purposes of obtaining approvals of the sprinkler system by the authorized approving authority or obtaining a certificate of occupancy, Purchaser shall be responsible for all additional costs to correct said inadequacy.

F. In the event the requirements of approving authorities differ from the work proposed in the scope of work and specifications, Purchaser shall be responsible for the additional costs incurred by Seller to meet such requirement.

G. This agreement is subject to written acceptance by an Executive Officer of Seller.

GRINNELL FIRE PROTECTION SYSTEMS COMPANY, INC.  
BY: [Signature] L. G. Herold  
TITLE: Branch Manager  
ADDRESS: 4425, Yukon Ave, Anchorage, AK 99502

ACCEPTED BY  
NAME  
BY  
TITLE  
ADDRESS

DATE ACCEPTED BY EXECUTIVE OFFICER  
BY  
TITLE

DATE SIGNED  
WITNESS

DRAIN PIPING

Drain piping to properly drain system. If necessary to discharge drains to sewer, Buyer to provide properly trapped sewer connections and receptacle conforming to local plumbing requirements and leave threaded, capped outlets at points designated by the Seller.

EARTHQUAKE BRACING

Necessary earthquake bracing and flexible couplings in place.

EXTRA SPRINKLER CABINET

Sprinkler cabinet with Dunspeed sprinklers and sprinkler wrench to be provided for emergency use.

FIRE DEPARTMENT CONNECTION

2 1/2 x 2 1/2 x 4 Grinnell flush siamese fire department connection to be installed and connected to the sprinkler system.

WATER CONNECTION

Seller to start at 4 x 9 inch cast iron flange approximately twelve (12) inches above finished floor. Buyer to flush and test underground mains, in accordance with the requirements of the insurance authorities having jurisdiction.

FREIGHT AND HAULING

Deliver all materials on Buyer's premises.

MASON AND CARPENTER

Openings for proper installation of the work specified in walls, floors, ceilings, partitions, stairways, etc., and Buyer to do patching and repainting.

PAINTING

Repainting of sprinkler piping is included in this proposal.

SPECIAL PROVISIONS

Yakutat Elementary School  
Yakutat, Alaska

Work and apparatus as described herein to be furnished by the Seller except when clauses specify Buyer to furnish.

#### SPRINKLERS

A wet pipe system of Grinnell Duraspeed brass Sprinklers to be installed throughout all areas of the building. No sprinklers are included for any exterior canopies or overhangs.

Buyer to provide sufficient heat throughout all portions of the building to be equipped with a wet pipe system to prevent any freezing of water in the pipes.

Piping for sprinklers to be installed exposed below all ceilings and roof area.

Installation to be in accordance with the rules and regulations governing Light Hazard Occupancy.

#### SPECIAL SPRINKLERS

No coated sprinklers, plated sprinklers or sprinkler guards are included in this proposal.

#### ALARM VALVE

Four inch Grinnell Alarm valve and connections in supply to wet pipe system, without electric alarm switch.

#### ALARM

Grinnell water motor alarm to be furnished and connected to alarm valve; gong to be located on exterior wall of building with drain extended through wall of building for discharge.

#### GATE VALVE

Four inch gate valve to be installed controlling alarm valve.

#### HANGERS

Necessary Underwriters Approved hangers in place for supporting the sprinkler piping.

## ENTIRE CONTRACT

The provisions herein contained constitute all of the terms and conditions of this contract. No changes or additions hereto shall be binding upon Seller unless in writing and signed by an authorized representative of Seller. Any terms or conditions of Purchaser's order inconsistent herewith or in addition hereto shall be of no force and effect and are hereby expressly rejected and Purchaser's order shall be governed by only the terms and conditions appearing herein.

## PROPOSALS AND CONTRACT

Seller's proposal, when accepted, and any resulting contract, are not subject to cancellation, suspension or reduction in amount, except with Seller's written consent and upon terms which reimburse Seller for work performed, reasonable overhead and lost profit.

## PAYMENT

Terms of payment have been set out in Paragraph B of the AGREEMENT. Final payment shall be in all cases due and payable within thirty (30) days after substantial completion of the installation, or, if approved prior thereto, to then upon approval. A service charge will be charged and added to the prices on all payments past due and owed by the Purchaser under this contract, at a rate of 10% per annum, or if such rate is prohibited under applicable law, then at such maximum rate as is permitted under applicable law. Purchaser shall pay any reasonable attorney's fees incurred in the collection of past due accounts.

## DELAYS

Seller shall not be liable for any damage or penalty for delays in work due to acts of God, acts or omissions of the Purchaser, acts of civil or military authorities, Government regulations or priorities, fires, floods, epidemics, quarantine restrictions, war, riots, strikes, differences with workmen, access to machinery, car shortages, inability to obtain necessary labor, materials or manufacturing facilities, delay in transportation, defaults of Seller's subcontractors, failure of delay in furnishing correct or complete information by Purchaser with respect to location or other details of work to be performed hereunder, impossibility or impracticability of performance or any other cause or causes beyond the control of Seller, whether or not similar to the foregoing. In the event of any delay caused as aforesaid, the completion shall be extended for a period equal to any such delay, and this contract shall not be void or voidable as a result of any such delay. In case work is temporarily discontinued by reason of any of the foregoing, all unpaid installments of the contract price less an amount equal to the value of material and labor not furnished shall be due and payable upon receipt of invoice by Purchaser.

## EXCAVATION

In the event the work herein includes excavation, the Purchaser shall pay as an extra to the contract price the cost for any additional work performed by the Seller due to water, quicksand, rock or other unforeseen obstruction encountered or if shoring is required.

## SITE FACILITIES

Purchaser shall furnish all necessary facilities for performance of its work by Seller, adequate space for storage and handling of material, light, water, heat, local telephone, watchman and crane and elevator service, if available, and necessary permits. Where wet pipe system is installed, Purchaser shall supply and maintain sufficient heat to prevent freezing of the system.

## STRUCTURE AND SITE CONDITIONS

While employees of Seller will exercise reasonable care in this respect, Seller shall be under no responsibility for loss or damage due to the character, condition or use of foundations, walls or other structures not erected by it or resulting from excavation in proximity thereto, nor for damage resulting from concealed piping, wiring, fixtures or other equipment or condition of water pressure. All shoring or protection of foundations, walls or other structures subject to being disturbed by any excavation referred hereunder shall be the responsibility of the Purchaser unless otherwise specified. Purchaser warrants the sufficiency of the structure to support the sprinkler system and its related equipment (including tanks). The Purchaser shall have all things in readiness for installation, including, but not limited to: other materials, floor or suitable working base, connections and facilities for erection at the time the materials are delivered. In the event the Purchaser shall fail to have all things in readiness for erection at the time of receipt of the materials at the place of erection the Purchaser shall reimburse Seller for any and all expenses caused by such failure to have such things in readiness. Failure to make areas available to Seller during performance in accord with schedules which are the basis of Seller's proposal, shall be considered a failure to have all things in readiness for erection in accord with the terms of this contract.

## INTERFERENCES

Purchaser shall be responsible to coordinate the work of other trades (including piping, electrical, etc.) and Purchaser shall be responsible for additional costs incurred by Seller arising out of interferences to Seller's work caused by such other trades.

## LIMITATIONS OF LIABILITY

In no event shall Seller be liable for special or consequential damages and Seller's liability on any claim whether or not based in contract or in tort or occasioned by Seller's active or passive negligence for loss or injury arising out of or connected with this contract, or any obligation resulting therefrom, or from the manufacture, fabrication, sale, delivery, installation or use of any materials covered by this contract, shall be limited to that set forth in the paragraph entitled "Warranty".

## WARRANTY

Seller agrees that for a period of one (1) year after completion of and installation it will, at its expense, repair or replace any defective materials or workmanship supplied or performed by Seller. Upon completion of the installation, the system will be turned over to the Purchaser for its acceptance and in operative condition. As it is thereafter the responsibility of the Purchaser to maintain it in operative condition, it is understood that Seller does not guarantee the operation of the system. Seller further warrants the products of other manufacturers supplied hereunder, to the extent of the warranty of the respective manufacturer.

## ALL OTHER EXPRESS OR IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS OR OTHERWISE ARE HEREBY EXCLUDED.

## MODIFICATIONS AND SUBSTITUTIONS

Seller reserves the right to modify material of Seller's design, sold hereunder and/or the drawings and specifications relating thereto, or to substitute material of later design to fulfill this contract providing that the modifications or substitutions will not materially affect the performance of the material, or lessen in any way the utility of the material to the Purchaser.

## SEVERABILITY

Should any part, term or provision of this agreement be found by the courts to be illegal or in conflict with any law of the state where made, the validity of the remaining portions or provisions shall not be affected thereby.

## ASSIGNMENT

Any assignment of this contract by Purchaser without the written consent of Seller shall be void. Seller may assign this contract to its subsidiaries and affiliates.

## CHANGES, ALTERATIONS, ADDITIONS

Changes, alterations and additions to the plans, specifications, or construction schedule for this contract shall be invalid unless approved in writing by Seller. Changes approved by Seller which increase or decrease the cost of work to Seller, shall constitute a corresponding increase or decrease in the contract price as herein provided. The value of additional work shall be agreed upon in writing prior to the performance of said work. However, if no agreement is reached prior to the performance of additional work approved in the manner herein described, and Seller elects to continue performance so as to avoid delays, then the estimate of Seller's Estimating Department as to the value of the work shall be deemed accepted by the Purchaser.

## PRICES

In addition to the prices specified herein, Purchaser shall pay for all extra work requested by Purchaser or made necessary because of incompleteness or inaccuracy in plans or other information submitted by Purchaser with respect to location, type of occupancy, or other details of work to be performed hereunder. In the event the cost of Purchaser's facilities has been altered, or is altered by Purchaser prior to completion of this contract, Purchaser shall advise Seller, and prices, delivery and completion dates quoted herein shall be changed by Seller as may be required.

## LEGAL NOTICE

For the purpose of any notice permitted or required to be given hereunder, such notice or notices shall be deemed given when received.

## CLAIMS

All claims against Seller arising hereunder shall be deemed waived unless they are presented in writing, with particulars, within ten (10) days after they arise.

## TERMS AND CONDITIONS/TECHNICAL SPECIFICATIONS

The terms and conditions specified herein shall be in addition to those set out in Seller's technical specifications and any inconspicuous shall be resolved by Seller's authorized representative.

## ARBITRATION

At the option of the Seller, any controversy or claim arising out of or relating to this contract, or the breach thereof, shall be settled by arbitration in accordance with the Rules of the American Arbitration Association, and judgment upon the award rendered by the Arbitrator(s) may be entered in any court having jurisdiction thereof. Any arbitration proceeding shall be held in Providence, R.I.

## OVERTIME

Unless otherwise specified by Purchaser, all installation work will be performed during regular working hours. If Purchaser shall require any overtime labor, Purchaser agrees to reimburse Seller for the overtime premium cost including all related payroll costs, plus Seller's overhead and profit, payable monthly, one (1) month after overtime expense was incurred.

## INCIDENTAL LOSSES

All loss or damage from any cause not the fault of the Seller to the materials, tools, equipment, work or workmen of the Seller or its agents or subcontractor, while in or about the premises of the Purchaser shall be borne and paid for by the Purchaser.

## DEFAULT

In case of any default by Purchaser, Seller shall be entitled to payment for all work performed, all termination costs incurred, and any other costs incurred by Seller, including overhead and profit. Seller shall also be entitled to shut off the water, gas, and electric system and remove all or a portion of the same. All such remedies of Seller are cumulative and not exclusive.

Default by Purchaser shall consist of failure to pay any installment at the price when due, no down and being necessary, or any act or omission on the part of Purchaser whereby Seller is prevented from completing said installation, or recovering, satisfactorily, assignment for the benefit of creditors, or any other form of insolvency proceeding, by or against Purchaser or in case said premises or said system shall be attached, leased, mortgaged or process of law and such attachment or lien shall not be vacated or a surety furnished within ten (10) days after its occurrence.

## BACKCHARGE

No charge shall be levied by the Purchaser against the Seller unless thirty (30) days prior written notice is given to Seller to correct any alleged work deficiencies or cleaning which necessitates such charges and unless said work deficiencies are the direct fault of Seller.

## OSHA

Purchaser will indemnify and hold harmless the Seller from and against any claims, demands or damages resulting from the enforcement of the Occupational Safety Health Act (Public Law 91-586) unless said claims, demands or damages are a direct result of causes within the control of Seller.

February 13, 1973

Yakutat City School District  
P. O. Box 227  
Yakutat, Alaska 99582

Subject: Contract Proposal  
Yakutat High School

Gentlemen:

Enclosed is our contract proposal in the amount of FORTY THOUSAND TWO HUNDRED FORTY FOUR DOLLARS ONLY (\$40,244.00) for the Yakutat City School District concerning the Yakutat High School.

If this meets with your approval, please sign one copy and return to my attention, retaining the second copy for your records.

We are looking forward to hearing from you soon.

Very truly,

GRINNELL FIVE PROJECTILE SYSTEMS COMPANY, INC.

  
L. G. Heckel  
Branch Manager

cc: Paul O'Connor, District General Manager

LS/1/1r

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# Agreement

AGREEMENT dated February 13, 1979, between GRINNELL FIRE PROTECTION SYSTEMS COMPANY, INC. referred to herein as the "Seller", and Yakutat City School District, P. O. Box 227, Yakutat, Alaska 99689 referred to herein as the "Purchaser".

A. Seller agrees to furnish and install in premises located at Yakutat High School, Yakutat, Alaska, a fire protection system and auxiliary equipment in accordance with the General Conditions of sale set out herein and with the attached "Specifications" consisting of 2 sheets, all of which are made a part hereof.

B. The price for said installation is FORTY THOUSAND TWO HUNDRED FORTY FOUR Dollars (\$ 40,244.00) to be paid by Purchaser as follows:

The price is to be paid in monthly installments of \$ 238 per month for the period of 17 months. The amount will be applied to the cost of materials delivered and work performed by the Seller.

"This proposal/contract is based on all fire protection work included, being completed by September 1, 1979. If the work is not completed by this date, due to delays which are not the fault of Seller, the contract price will be increased by the amounts of the increases which Seller has to pay after this date for material, labor, rentals, etc., and by a 28 % markup of such increases for overhead and profit.

Taxes have  have not  been included in the above price

The above price is based on the installation of 238 sprinklers. If more or less than this number are required, the difference will be charged at \$ N/A each or credited at \$ N/A each. The unit price shall not be used for additional sprinklers or work required by reason of any changes, including but not limited to changes in the specifications in the building, type of occupancy, additional sprinkler valves, other devices, or underground piping required.

C. Unless accepted by the Purchaser within 30 days from the above date, this proposal, at the option of the Seller, will be considered null and void.

D. Title to said system and equipment (whether or not attached to the realty) shall remain in Seller until payment in cash in full of the price.

E. Water requirements are the responsibility of the Purchaser. In the event there is inadequate water pressure or volume for purposes of obtaining approvals of the sprinkler system by the authorized approving authority or obtaining a certificate of occupancy, Purchaser shall be responsible for all additional costs to correct said inadequacy.

F. In the event the requirements of approving authorities differ from the work proposed in the scope of work and specifications, Purchaser shall be responsible for the additional costs incurred by Seller to meet such requirement.

G. This agreement is subject to written acceptance by an Executive Officer of Seller.

GRINNELL FIRE PROTECTION SYSTEMS COMPANY, INC.  
BY: [Signature] L. G. Heckel  
TITLE: Branch Manager  
ADDRESS: 1815 Rugabuck Place  
Anchorage, Ak. 99502  
DATE ACCEPTED BY EXECUTIVE OFFICER: \_\_\_\_\_  
BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_

ACCEPTED BY  
NAME: \_\_\_\_\_  
BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
DATE SIGNED: \_\_\_\_\_  
WITNESS: \_\_\_\_\_