

HOUSE / SENATE FINANCE COMMITTEE MINUTES - 1967-1982 2791

3/23/81

FEDERAL PROJECTS MANDATED UNDER ALASKA LANDS BILL
INVOLVING STATE PARTICIPATION
GOVERNOR'S PRIORITY #2 (continued)

PROGRAM COMPONENT 2 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
4 years	<u>Periodic Reports Concern- ing Subsistence Manage- ment and Use</u> - The Secre- tary is required to submit a report to Congress with- in 4 years of the date of enactment, and every 3 years thereafter, con- cerning implementation of the subsistence title. The report must include comment by the State and advisory councils.	2428	813	DOI	DF&G Lead ~~BPDP~~					M S	
Ongoing	<u>Regulations on Subsis- tence Management</u> - The Secretary is authorized to promulgate any re- gulations necessary to implement the provisions of the subsistence title.	2429	814	DOI	DF&G Lead DNR DOT/PF ~~BPDP~~					H F	
Ongoing	<u>Subsistence Land Use Decisions</u> - No Federal agency may withdraw, re- serve, lease or dispose of land in any manner that would significantly re- strict subsistence use without prior notice and consultation with the appropriate State agency.	2427	810(a)	DOI	DF&G Lead ~~BPDP~~					H F	
	<u>Closure of Parks to Sub- sistence Uses</u> - The Secretary may temporarily close any public lands to subsistence use only after consultation with the State and adequate notice and hearing.	2430	816	DOI	DF&G Lead ~~BPDP~~					H F	

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FEDERAL PROJECTS MANDATED UNDER ALASKA LANDS BILL
INVOLVING STATE PARTICIPATION
GOVERNOR'S PRIORITY #3

PROGRAM COMPONENT 3

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
	3. BRISTOL BAY AREA PLAN This is a cooperative Federal and State preparation of a comprehensive management plan. Upon agreement, the plan will take effect by 12/1/83.				DNR Lead DF&G DEC DOT/PF DC&RA ~~DDP~~	Design and organize Bristol Bay Plan; coordinate planning team (DNR, DF&G local Bristol Bay agencies) for issues analyses, map prep.(DNR)	Assess resource values & suitability for development strategies with other State agencies (DNR)	112.2	456.3	New 1	New 2 Cont. 1
							Technical assistance and input to DNR (DF&G)	0	Portion of Operating 35.8 CIP 720.0	0.5	↑
3 months	<u>Bristol Bay Cooperative Management Plan - Gov.</u> must notify Secretary of Interior within 3 months of State's election to participate in Federal- State preparation and implementation of comprehensive management plan.	2470	1203(c)	DOT			H F				
3 years	<u>Bristol Bay Cooperative Management Plan - Co-</u> operative Federal and State preparation of comprehensive and systematic cooperative management plan. Upon agreement, the plan will take effect within 3 years after date of enactment.	2470	1203(c)	DOI			H F				

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FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
INVOLVING STATE PARTICIPATION
GOVERNOR'S PRIORITY #4

PROGRAM COMPONENT 4

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
	4. LAND SELECTIONS										
	A major purpose of the ANILCA is to speed conveyance of lands to the State, Native Corporations and other individuals. It amends the Statehood Act to facilitate the land selections process including a 10-year extension of the selection period. This title conveys nearly all of the State land to State ownership. Conveyance of Native Corporation's land choices made under the ANCSA are also expedited. Lastly, the Act establishes special procedures to speed land transfers from the federal government to previously qualified homesteaders, Native allottees and other specified public land entrants.			DNR Lead DF&G DEC DOT/PF ~~BPDP~~		Prepare & present to Dept. of Interior draft regs to implement changes in State land selection procedures (DNR)	Review & prepare final comments on Dept. of Interior final regs regarding State land selection procedures (DNR)	0	0	0	0
10 years	<u>State Selections</u> - The Statehood Act is amended to provide the State with an additional 10 years in which to select lands to fulfill its entitlement.	2437 2435	906(a)(2)								
	B. Native Land Claims, Allotments & Settlement Entries - Section 905			DNR Lead DOT/PF DF&G ~~BPDP~~		Review and monitor new and revised federal regs relating to ANCSA amendments (DNR)	Complete reviews of proposed ANCSA regs and pending land transfers (DNR)	Portion of 160.0	Portion of 275.0	0	New 2

H S

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FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
INVOLVING STATE PARTICIPATION
GOVERNOR'S PRIORITY #4 (continued)

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PROGRAM COMPONENT 4 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State FY 81	Action FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
State Selections											
	B. Native Land Claims, Allotments & Settlement Entries - Section 905 (continued)						Identify & document land and access required for field sites; review land transfers for DF&G impact (DF&G)			Portion of Operating 80.0 CIP 30.0	
6 months	<u>Amending Land Description</u> - The Secretary may allow allotment applicants to amend their land descriptions only after notification to the State and all interest parties, in which such parties shall have 180 days from date of Act, or 60 days after notice, to protest such amendment.	2437	905(c)	DOI						H S	
6 months	The State must file within 180 days to protest any allotment application eligible for approval under the expedited process, stating such lands are necessary for access to Federal, State or municipally-owned lands, resources, or water bodies used for transportation.	2435	905(1)(5)	DOI	DNR Lead DF&G DC&RA DOT/PF ~~DDP~~	Identify before May 30 all Native allotments restricting use of access to State lands and water bodies (DNR)	Follow protests files before May 30 through adjudication procedures (DNR)			H S	0 2
6 months	<u>Native Allotment Applications</u> - Some applications pending prior to passage of ANCSA will be approved in 180 days unless the Secretary determines lands may be valuable for minerals, or unless State has selected land prior to 12/13/71, and it was not later withdrawn for Village core township selection.	2435	905(a)	DOI	DNR Lead DOT/PF DC&RA ~~DDP~~					H S	

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FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
INVOLVING STATE PARTICIPATION
GOVERNOR'S PRIORITY #4 (continued)

PROGRAM COMPONENT 4 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
	<u>Conflicting Allotment Applications</u> - When there is a conflict between 2 or more allotment appli- cations, the Secretary must adjust the descrip- tions to eliminate any conflict.	2436	905(b)	DOI	~~BPDP Coord~~ DNR - <u>Lead</u> DF&G DOT/PF DC&RA						
	C. ANCSA Land Reviews Titles IX & XIV				DNR Lead	Review & monitor new & revised federal regs relating to ANCSA amends	Complete reviews of proposed ANCSA regs and pending land transfers	14.0	14.0	0	0
2 years	<u>Implementation of ANCSA</u> - Any judicial review of determinations of owner- ship of submerged lands, must be initiated within 2 years after the day the Secretary's decision be- comes final or date of en- actment of this Act, whichever is later. Party seeking review must exhaust all administrative appeals first.	2433	902(a)	DOI	DNR Lead DF&G DOT/PF DC&RA ~~BPDP~~						
20 years	<u>Tax Moratorium Extension on Native Conveyances</u> - Undeveloped Native lands, conveyed pursuant to this Act, and used solely for exploration, shall be exempt from State and local real property taxes for 20 years from vesting of title or date of issuance of an interim conveyance, whichever is earlier.	2434	904		DC&RA - <u>Lead</u> ~~BPDP~~						

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**FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
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GOVERNOR'S PRIORITY #4 (continued)**

PROGRAM COMPONENT 4 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
Ongoing	Implementation of ANCSA - <u>Use of Protraction Dia-</u> <u>grams</u> - The Secretary may base a patent to lands issued under this title on a protraction diagram in lieu of field surveys upon agreement with the patentee. How- ever, the recipient of the patent will bear any gain or loss of acreage due to errors in the protraction diagram.	2477	909	DOI	DNR Lead ~~DF&G~~	DNR Continuation				M	P
	Implementation of ANCSA - <u>Judicial review of deci-</u> <u>sions</u> by a Village Corp. to reconvey lands must be initiated within 1 year after filing a boundary map.	2433	902(b)	DOI	DNR Lead DF&G DC&RA DOT/PF ~~DF&G~~	DNR Continuation				H	P
	D. Conveyances & Easements Sections 903, 905, 906, 1302, 1327, 1415-1437.				DF&G Lead	Identify and document land & access required for field sites; review land trans- fers for F&G im- pacts (DF&G)		Portion of Operating 80.0 CIP 30.0		0	27.7

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**FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
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GOVERNOR'S PRIORITY #4 (continued)**

PROGRAM COMPONENT 4 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
3 months	<u>Doyon-State Land Exchange</u> Upon relinquishment by Doyon, Ltd., of selections in Charley River Water- shed, which must occur within 90 days from date of enactment, certain selected lands shall be conveyed to the State.	2509	1421	DOI	DNR Lead DF&G ~~SP&P~~					H	S
	The Secretary must identify and adjudicate any record entry or title application made under an Act other than the Native Allotment Act or ANCSA, prior to issuing any certificate for allotment.	2437	905(e)	DOI	DNR Lead DOT/PF DC&RA DF&G ~~SP&P~~	Identify and document land & access required for field sites; review land transfers for F&G impacts (DF&G)				H	S
Ongoing	<u>Koniag Village & Corp. Lands</u> - Each Koniag Village Corporation, to which conveyances specified in this title have been made, must convey 20 acres to the State to be held in trust for any future Municipal Corp. established in the Native Village for community expansion.	2522	1427(e) (3)(B)	DOI	DNR Lead DF&G DC&RA ~~SP&P~~	DNR Continuation	Identify and document land & access required for field sites; review land transfers for F&G impacts (DF&G)			M	P
Ongoing	<u>Effect of Prior Withdrawals</u> - State's relinquishment of selections made on 11/14/78, will trigger revocation of the Federal Govt's reservations and withdrawals made in Nov., Dec. 1978, 1979, and 1980.	2487	1322	DOI	DNR Lead DOT/PF ~~SP&P~~	DNR Continuation				H	P

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**FEDERAL PROJECTS MANDATED UNDER ALASKA LANDS BILL
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GOVERNOR'S PRIORITY #4 (continued)**

PROGRAM COMPONENT 4 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
	<u>Conveyance of Property in Lien of Land to Cook Inlet Reg. on, Inc. - An Amend- ment to P.L. 94-402 allows the Native association to accept surplus property in exchange for acres of land. Prior to any such disposi- tion, the Administrator of GSA must notify the governing body in the locality in which property is located & any appropri- ate State agency to allow for any formal objection within 90 days to such dis- position.</u>	2545	1435	DOI; GSA	DNR Lead DC&RA ~~DDP~~					H P	
Ongoing	<u>Boundaries - The Secre- tary must comply with notice and reporting requirements, and receive State concurrence prior to any extension of coastal boundaries of conservation system units beyond the high tide line to include State-owned lands.</u>	2396	103(a)	DOI	DNR Lead DF&G ~~DDP~~	DNR Continuation	Identify & doc. land & access required for field sites; review land transfers for F&G impacts (DF&G)			H P	
Ongoing	<u>Admiralty Island Land Exchange - In connection with any land conveyance by the Federal Govt to Shee Atika, Inc., the Secretary must reserve those easements, as de- signated by the Secretary of Agriculture, necessary to maintain public access & utilization of adjacent Federal lands.</u>	2407	506(c)(2)	DOI; DOA	DNR Lead DF&G DOT/PF ~~DDP~~	DNR Continuation	Identify & doc. land & access required for field sites; review land transfers for F&G impact (DF&G)			H S	

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**FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
INVOLVING STATE PARTICIPATION:
GOVERNOR'S PRIORITY #4 (continued)**

PROGRAM COMPONENT 4 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State FY 81	Action FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
	<u>Patent on Lands Having Prior Tentative Approval-</u> If the State elects to receive patent to lands on the basis of protraction surveys instead of field surveys, the Secretary must issue patent to the State within 6 months after notice of such election.	2438	906(c)(3)	DOI	DNR Lead DF&G LAW ~~OP&P~~	DNR Continuation	Identify and document land & access required for field sites; review land transfers for F&G impacts (DF&G)			H	P
	<u>Relinquishment of Selec- tions Within CSU - The</u> State may relinquish any portion of a valid selec- tion lying partly in a conservation system unit & in lieu thereof select equal acreage of other available lands. The validity of the remainder of any selection outside a CSU boundary shall not be adversely affected.	2499	1415	DOI	DNR Lead DF&G DEC DOT/PF DC&RA ~~OP&P~~	DNR Continuation				H	P
	<u>Tentative Approval of Prior State Selections -</u> As soon as is practicable after the date of enact- ment the Secretary is to issue tentative approval on prior State selections. Section 906(h)(2) provides for issuance of tentative approval on specified lands.	2439	906(d)(3)	DOI	DNR Lead ~~OP&P~~	DNR Continuation	Identify & doc. land & access required for field sites; review land transfers for F&G impacts (DF&G)			H	P

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GOVERNOR'S PRIORITY #4 (continued)

PROGRAM COMPONENT 4 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
	<u>Future Top Filings</u> - The State may file future land selection applications on land not presently available, & these will become valid selections at such time as the land becomes available.	2439	906(e)	DOI	~~DNR Lead~~ OK DF&G DEC DOT/PF DC&RA DC&ED ~~DPDP~~	DNR Continuation				H P	
	<u>Future Executive Withdrawals</u> - No future executive branch may withdraw more than 5,000 acres of public lands without a Congressional joint resolution approving such action within 1 year after notice of such withdrawal. No future studies for purposes of establishing a conservation system unit or for related purposes may be conducted without further Congressional action.	2488	1326	DOI	DPDP Lead DF&G DEC DOT/PF DC&RA DNR	DNR Continuation				H P	

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**FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
INVOLVING STATE PARTICIPATION
GOVERNOR'S PRIORITY #5**

PROGRAM COMPONENT 5

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State FY 81	Action FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
	5. NAVIGABILITY/SUBMERGED LANDS						Obtain judicial clar- ification & re- cognition of State supported navigability criteria and claims (DNR)	184.5	900.0	New 7	New 2 Cont. 7
							Identify areas to be defended, develop supporting docu- mentation (DF&G)	0	103.3	0	2½
12 months	<u>Submerged Lands Statute of Limitations</u> - Any civil action to contest subject matter juris- diction must be filed within 1 year of the date of enactment.	2433	901(h)	DOI	DNR Lead DF&G DEC ~~OP&P~~		H S				
5 years	<u>Submerged Lands Statute of Limitations</u> - In order to challenge the Secre- tary's determination of the non-navigability of a water body and subsequent ownership of the submerged lands by a Native Corp., the State must file a civil action within 5 years after execution of an interim conveyance executed after date of enactment of Act or within 7 years if the interim conveyance was executed prior to the date of this Act.	2430	901(a)	DOI	DNR Lead DF&G LAW DEC DOT/PF ~~OP&P~~		H F				

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FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
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GOVERNOR'S PRIORITY #6

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State FY 81	Action FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
	6. CHUGACH REGIONAL STUDY										
12 months	<u>Chugach Region Study - Secretaries of Interior and Agriculture, the Alaska Land Use Council, and the State, if it elects to participate, are directed to study land use & ownership patterns within the Chugach region. The study is to be completed within one year of date of enactment of this Act.</u>	2531	1430(a)	DOI;	DNR Lead DF&G DEC DOT/PF DC&RA ~~SP&P~~	Inventory of existing data and expertise; identify preliminary resource potential on State lands (DNR)	Prepare estim. of economic potential of resources in Chugach area; identify impacts on State's land & resource mgmt. programs; develop recom. for conveyances exchanges & cooperative mgmt. agreements (DNR)	55.3	84.1	0	0

190.0
CIP

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FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
INVOLVING STATE PARTICIPATION
GOVERNOR'S PRIORITY #7

PROGRAM COMPONENT 7

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
	7. CONSERVATION SYSTEMS UNIT MANAGEMENT PLANS TITLES II-VI			DOI	DF&G Lead DNR DEC DOT/PF ~~DDPP~~		Initiate 3 year CSU plans; review wild & scenic river candidates; represent State positions respecting key management issues; analyze Fed. CSU management plans (DNR)	25.0		0	0
							Review of Refuge & Parks Conserv. plans. Present strong State position via data & technical input (DF&G)	<u>Operating</u> 100.0 CIP 1,115.0			1.5
							Review of Refuge and Parks con- servation plans (DEC)	Portion of 48.2		1	1
3 years	<u>Comprehensive Conservation Plans for Wildlife Refuges</u> The Secretary must develop a comprehensive conserva- tion plan for each refuge, which must be prepared in consultation with appro- priate State agencies. Plans for at least 5 refuges must be com- pleted within 3 years after date of enact- ment; plans for at least 10 refuges must be com- pleted within 5 year from date of enactment. In any event, all plans for re- fuges must be completed within 7 years from date of enactment. Prior to adoption of any plan, the Secretary must issue public notice in the Federal Register and make copies of the plan avail. for public review & comment.	2394	304(g)(4)	DOI	DF&G Lead DNR DEC DOT/PF ~~DDPP~~		H F				

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GOVERNOR'S PRIORITY #7 (continued)

PROGRAM COMPONENT 7 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
3 years	<u>Studies on Potential Wild and Scenic Rivers - The Secretary must conduct studies on 12 specific rivers with regard to designating them as part of the Wild and Scenic Rivers System. Reports must be transmitted to Congress within 3 years from date of enactment. Studies on the Utikok and Kanektok Rivers must be submitted to Congress concurrently with the Bristol Bay Cooperative Region Plan.</u>	2415	604	DOI	DF&G Lead DNR DEC DOT/PF ~~BPDP~~					H	F
3 years	<u>Establish Boundaries and Management Plans for Wild & Scenic Rivers - Within 3 years, the Secretary must establish boundaries and prepare detailed development & management plans for the Alagnak, Beaver Creek, Birch Creek, Delta, Fortymile, Gulkana & Unalakleet components.</u>	2416		DOI	DNR Lead DF&G DEC DOT/PF ~~BPDP~~					H	F
5 years	<u>Land Use Plans for National Conservation Area and National Recreation Area - Secretary must develop a land use plan for the Steese National Conservation Area & White Mountain National Recreation Area within 5 years from date of enactment.</u>	2396	402(a)	DOI	~~BPDP Coord~~ DNR - Lead DEC DF&G DOT/PF					H	P

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GOVERNOR'S PRIORITY #7 (continued)

PROGRAM COMPONENT 7 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
5 years	<u>National Parks Service Plans</u> - The Secretary is required to develop, within 5 years from date of enactment, a conservation and management plan for each unit of the National Park System that was established or to which an addition was made. Development of these plans is to include, to the extent practicable, participation by the State and the Land Use Council, as well as provide for comment through public hearings.	2472	1301(a)	DOI	DF&G Lead DEC DOT/PF DNR ~~DDP~~					H F	
Ongoing	<u>Kenai Fjords National Park</u> - The Secretary is authorized to develop access to the Harding Icefield and allow use of mechanized recreation equipment.	2379	201(5)	DOI	DOT/PF Lead DNR DF&G ~~DDP~~					M S	
Ongoing	<u>Administrative Provision of Wild & Scenic Rivers</u> - The Secretary will determine the necessary access allowable to permit commercial development of asbestos deposits in the North Fork drainage.	2415	605(b)	DOI	DOT/PF Lead DNR DF&G DEC ~~DDP~~					M P	

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FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
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GOVERNOR'S PRIORITY #7 (continued)

PROGRAM COMPONENT 7 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
Ongoing	<u>Restrictions on Commercial Fishing Rights</u> - The Secretary may not restrict the exercise of any valid commercial fishing rights in Cape Krusenstern Nat'l Monument, Wrangell - St. Elias National Preserve, or Glacier Bay National Preserve without first conducting a public hearing and finding a significant expansion of park use beyond the 1979 level.	2384	205	DOI	DF&G Lead ~~DDP~~					H	S
Ongoing	<u>New Facilities Within Conservation System Units</u> - The establishment of any new federally-operated facility within a CSU will be permitted upon consultation with the Secretary of the Interior or Agriculture.	2481	1310(b)	DOI; DOA						H	S
Ongoing	<u>Regulations Regarding Mineral Assessments</u> - The Secretary must promulgate regulations regarding mineral assessment activities in conservation system units.	2457	1010(b)	DOI	~~DDP Coord.~~ ~~DDP DWR~~ DF&G DEC DOT/PF DC&RA DC&ED					H	P

FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
INVOLVING STATE PARTICIPATION
GOVERNOR'S PRIORITY #8

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PROGRAM COMPONENT 8

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
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8. MINING

This program component covers the resource management plans that will be developed on each of the Conservation System Units. This will include National Wildlife Refuges, Wild & Scenic rivers, National Conservation areas, National Recreation Areas, National Parks, National Forest, Monuments and Wilderness. The development of these plans is not independent of other sections of the Act. For example, subsistence issues will be dealt within each of the Conservation Systems Unit management plans.

Develop options to accomplish development w/o wildlife damage; accumulate data (DF&G)

CIP
25.0

0

Portion of
48.2



Review impact statements & permits for mining operations (DEC)



Provides review and research needed to support the State's recomm. (DF&G)

Portion of
CIP
190.0

A. Southeast Alaska

15. STUDIES, EIS's, & RECOMMENDATIONS

9 months

Unperfected Mining Claims 2403
in Misty Fjords & Admiralty
Island National Monuments -
 The Secretary will issue an exploration permit for an unperfected mining claim if application has been submitted within 270 days after date of enactment and satisfies the other requirements of this section and Section 504(d).

504(c)

DOA

~~DF&G Coord.~~
 DNR *Lead*
 DF&G
 DEC

11 S

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FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
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GOVERNOR'S PRIORITY #8 (continued)

PROGRAM COMPONENT 8 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State FY 81	Action FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
3 months	<u>Notice of Requirements for Exploration on un- perfected Mining Claims in Misty Fjords and Admiralty Island Nat'l Monuments - The Secretary must provide public notice of the requirements for exploration permits, means of obtaining mineral patents, & leases within 90 days from date of en- actment.</u>	2405	504(h)	DOA	DDP-lead DNR DF&G DEC DOT/PF DC&RA DC&ED					H	S
6 months	<u>Study of Quartz Hill Area- The Secretary of Agric. in consultation with other Federal agencies and the State, must prepare an analysis of mineral development in Quartz Hill area. The report must be available for public comment in draft form within 6 months after date of enactment, and analysis must be completed within 9 months from the date of enactment.</u>	2400	503(h)(2)	DOA	DDP-lead DNR DF&G DEC DOT/PF DC&ED DC&RA					H	P
12 months	<u>EIS for Quartz Hill Area- Secretary must prepare an EIS concerning the access road and bulk sampling phase of the Borax mining proposal in the Quartz Hill area. The draft EIS must be completed within 1 year after date of enact- ment.</u>	2400	503(h)(3)	DOA	DDP-lead DNR DF&G DEC DOT/PF DC&RA DC&ED					H	P

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FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
INVOLVING STATE PARTICIPATION:
GOVERNOR'S PRIORITY #8 (continued)

PROGRAM COMPONENT B (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
16 months	Review of Quartz Hill Mining Proposal - The Secretary must conduct and complete any admini- strative review of the decision concerning the Borax proposal for development of a molybdenum mine within 4 months after publication of the final EIS. If the pro- posal is approved, the Secretary must issue a special use permit for a surface access road for bulk sampling. The Sec- retary may not issue such permit unit after deter- mination of a full field season of work for gather- ing 1981 baseline data has ended.	2400	503(h)(4)	DOA	DDP-Lead- DNR DF&G DEC DC&ED		H P				
	B. Other than Southeast Alaska										
Ongoing	Approval of Plan of Operations for Mining Activities - All mining operations that will create a significant surface disturbance are required to obtain approval of their plan of operations. The Secretary of Agricul. shall approve these plans in consultation with the State and other Federal agencies. Such plans and mining activities are to be reviewed on an annual basis by the Secretary.	2406	505(b)	DOA	DEC Lead DNR DF&G ~~DDP~~		H P				

Provides review and
research needed to
support the State's
recommendations
(DF&G)

15.0

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FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
INVOLVING STATE PARTICIPATION:
GOVERNOR'S PRIORITY #8 (continued)

PROGRAM COMPONENT 8 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
Ongoing	<u>Mineral Assessments - The Secretary must assess mineral potential on all public lands and consult and exchange such info. with the State regarding Federal responsibilities and similar State programs.</u>	2457	1010(a)	DOI	DNR Lead DF&G DEC DOT/PF DC&ED ~~OPDP~~					M P	

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FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
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PROGRAM COMPONENT 9

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81 FY 82	Cost FY 81 FY 82	Positions FY 81 FY 82		
	9. OIL AND GAS					DNR Continuation	Portion of 26.0	Portion of 137.0	New 2	Cont. 2
	This component includes activities related to oil and gas exploration and development. The first two categories are directly related to oil and gas matters; one includes the North Slope and one includes the remainder of the State. The third category includes studies of the natural resources present in areas of interest for their oil and gas potential.					DF & G		Portion of 190.0 CIP		
	A. North Slope Oil and Gas Studies					Provide assistance to Feds. in establishing regs & preparation of EIS for seismic exploration of ANWR coastal plain (DNR)				
2 years	<u>Guidelines for Exploratory Activity in ANWR</u> - The Secretary must promulgate regulations establishing guidelines governing exploratory activities in ANWR within 2 years from date of enactment. An EIS, prepared by the Secretary, must accompany the initial guidelines.	2449	1002(d)	DOI.	DDDP-Lead DNR DF&G DEC DOT/PF				H S	

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FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
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PROGRAM COMPONENT 9 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
5 years, 9 months	<u>Congressional Report on Oil and Gas Development on the Coastal Plain -</u> The Secretary must report to Congress not earlier than 5 years and 9 months as to areas in coastal plain having oil and gas potential and the effects of future mineral develop- ment on the resources in the area.	2451	1002(h)	DOI	DNR Lead DF&G DEC ~~DPDP~~ DOT/PF					H F	
Ongoing	<u>Exploration Plans for ANWR - The Secretary</u> shall determine within 120 days after applica- tion if a plan for ex- ploration of the coastal plain is consistent with establishment guidelines. Prior to any determination of consistency and subse- quent approval, the Secre- tary must publish notice and text of plan in the Federal Register and in a newspaper of general cir- culation within the State, and hold at least 1 public hearing for comment.	2450	1002(e)	DOI	DPDP - Lead DNR DF&G DEC DOT/PF DC&RA					H S	
	B. Other Than North Slope Oil and Gas Studies										

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PROGRAM COMPONENT 9 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action		Cost		Positions	
						FY 81	FY 82	FY 81	FY 82	FY 81	FY 82
Ongoing	<u>Regulations for Oil and Gas Leasing Program -</u> The Secretary is authorized to promulgate regulations regarding the issuance of competitive oil and gas leases on non-North Slope Federal lands. Discovery of economic quantities of oil and gas under a non-competitive lease pursuant to the Mineral Leasing Act of 1920 will cause the Secretary to suspend further noncompetitive leasing & require him to determine the nearest favorable petroleum geological province to the discovery.	2455	1008(d)	DOI	DPDP ~~Coord.~~ <i>Lead</i> DNR DF&G DEC DOT/PF DC&RA					H S	
	Prior to any exploration or subsequent production and development on a lease, the Secretary must approve a plan if he finds that the activities could be conducted in a manner consistent with protection of the area. The Secretary must monitor the performance of the lessee.	2455	1008(f)	DOI						H S	
	<u>Oil and Gas Lease Applications -</u> The Secretary must issue a statement of reasons as to his decision regarding the approval or disapproval of any lease application. If an EIS is not necessary, the Secretary must render a decision within 6 months after receipt of the lease application, or within 6 months after publication of the final EIS, if required.	2456	1009	DOI	DPDP ~~Coord.~~ <i>Lead</i> DNR DF&G DEC DOT/PF DC&RA					H P	

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FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
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PROGRAM COMPONENT 9 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State FY 81	Action FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
	B. Resource Studies						Participate in estab- lishing oil & gas leasing program for non-North Slope federal lands by 10/81 (DNR)			DNR Portion of 26.0	DNR Portion of 137.0
18 months	<u>Baseline Study of Coastal Plain of ANWR - Secretary in consultation with Gov. will conduct a continuing study of fish & wildlife resources, & their habitat, on the coastal plain of the ANWR. Results of such study are to be published within 18 months after date of enactment.</u>	2449	1002(c)	DOI	DF&G Lead DNR ~~DDP~~					H P	
8 years	<u>North Slope Land Studies-</u> The Secretary must con- duct a study and make findings of all Federal land in the North Slope to assess mineral poten- tial, transportation systems, wildlife re- sources, and potential wilderness designation. The Secretary must consult with the State and provide an opportunity for public review and comment. This study must be conducted within 7 years from date of enactment, and results must be submitted to the President and Congress. Annual progress reports must also be submitted as to implementation of this title.	2448	1001	DOI	DDP Coord. Lead DF&G DEC DOT/PF DNR					H P	

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INVOLVING STATE PARTICIPATION

PROGRAM COMPONENT 9 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
12 months	<u>Oil and Gas Leasing Program for Federal Lands Other Than on North Slope</u> Secretary is required to develop a program for oil and gas leasing on the non-North Slope lands. In doing so, he shall seek the views of the Governor, local governments, Natives, and the Land Use Council. The Secretary must report to Congress by 10/1/81, and annually thereafter with regards to the exploration, development, and leasing activities on these lands.	2455	1008(a)	DOI	DNR DF&G DEC DOT/PF DC&RA	Participate in establishing oil and gas leasing programs for non-North Slope Fed. lands by 10/81 (DNR)	DNR Continuation H P	Portion of 26.0	Portion of 137.0		
Ongoing	<u>Associated Lands Study -</u> The State will be encouraged to undertake similar studies of oil and gas potential on lands associated with Federal land either geologically or because of transportation needs.	2455	1008(b)(3)		DNR Lead DF&G DEC DOT/PF DC&ED DPDP	DNR Continuation	M P				

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FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
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PROGRAM COMPONENT 10

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal Agencies Involved	State Agencies To Be Involved	State FY 81	Action FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
	10. TRANSPORTATION, UTILITY SYSTEMS AND ACCESS										
	This component represents a collection of all those activities which directly involve transportation and access issues. These involve transportation corridors, general access and access to inholdings.										
	A. System Approval Process										
6 months	<u>Consolidated Application Forms - The Secretaries of Interior, Agriculture, and Transportation and other appropriate Fed. agencies must publish within 180 days from date of enactment a consolidated application form to be used when seeking approval of a transportation or utility system unit.</u>	2459	1104(b)(1)	DOI; DOA; DOT	DOT/PF Lead ~~OPDP~~ DNR DF&G DEC					H S	
Ongoing	<u>Access in Gates of the Arctic National Park - Secretary must give 30 day notice in the Fed. Register upon application for access across the western unit of the Gates of the Arctic National Preserve to allow other applicants to apply.</u>	2379	201(4)(c)	DOI	DOT/PF <i>Lead</i> DNR DF&G ~~OPDP~~ DEC					H P	

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FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
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PROGRAM COMPONENT 10 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
	<u>Access in Gates of the Arctic National Park - (continued)</u>										
	Secretary of the Interior and Secretary of Trans. must jointly prepare an environmental & economic analysis to determine a route for the right-of- way, as well as terms and conditions required for issuance of the right- of-way. Such analysis must be prepared in draft form within 9 months from receipt of application, & must be complete within 1 year thereof.	2379	201(4)(d)	DOI;						H	P
	Both Secretaries must jointly agree upon a route for issuance within 60 days from completion of the analysis.										
Ongoing	<u>Transportation System - Agency Notice - Within 60 days after application for approval of a trans- portation system has been made, the head of the Federal agency must respond to the applicant in writing as to whether the application contains sufficient information.</u>	2459	1104(c)	DOI; DOA; DOT	DOT/PF Lead ~~DDP~~					H	P

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FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
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PROGRAM COMPONENT 10 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
Ongoing	<u>EIS for Transportation Systems</u> - The draft of any EIS, required to be filed in conjunction with an application, must be completed 9 months from date of filing by the Federal agency having lead responsibility. The final EIS must be completed within 1 year from time of filing, after public review and comment.	2459	1104(e)	DOI; DOA; DOT	~~OPDP Coord.~~ DNR DF&G DEC DOT/PF - Lead					H	P
Ongoing	<u>Federal Consideration of State Views Concerning Approval of Transportation Systems</u> - In determining application approval of transportation systems, the Secretary must consider the views of the State, the Land Use Council, and Natives.	2459	1104(f)	DOI; DOA; DOT	DOT/PF Lead DNR DF&G DEC DC&RA ~~OPDP~~					H	P
	<u>Agency Decision</u> - Each Federal agency with jurisdiction to review applications must make a decision, supported by detailed findings, to approve or disapprove each aspect of the transportation system falling within its jurisdiction within 4 months after the final EIS.	2460	1104(g)	DOI; DOA; DOT	~~OPDP Coord.~~ DNR DF&G DEC DOT/PF - Lead DC&RA					H	P
	<u>Standards for Approval of Transportation Systems</u> - Each Secretary must make his decisions in accordance with applicable law. If no applicable law exists, the Secretary must make recommendations to grant authorization upon finding the transportation system compatible and that no feasible, alternative route exists.	2461	1105	DOI; DOA; DOT	DOT/PF Lead DNR DF&G DEC DC&RA ~~OPDP~~					H	P

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FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
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PROGRAM COMPONENT 10 (continued)

Decision- Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
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Standards for Approval of
Transportation Systems -
(continued)

If all involved Federal agencies give their approval, the system will be approved and each agency must promptly issue all necessary authorizations. Upon disapproval of an application, the applicant may appeal to the President, who will have 4 months to consider the appeal. Upon Presidential approval, each Federal agency must issue the necessary authorization. If the President denies the application, the applicant may file suit in Federal court.

Standards for Approval of
Transportation Systems
Involving Wilderness

Areas - In cases in which no applicable law exists or a wilderness area is involved, each Federal agency must notify the President of their decision regarding approval of the application. Within 4 months after receiving such notification, the President must approve or deny the application. The President must submit his decision to approve the application to Congress for approval by joint resolution within the first 120 days of continuous Congressional session.

2461 1105(b)

DOI;
DOA;
DOT

DOT/PF Lead
DNR
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FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
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PROGRAM COMPONENT 10 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
	<u>Terms of Right-of Way in Wilderness Areas</u> - Either the Secretary of the Interior or Agriculture must include use require- ments pursuant to any issuance of right-of-ways to protect and maintain resources in any wilder- ness area.	2463	1107(a)	DOI; DOA	DOT/PF Lead DNR DF&G DEC DC&RA ~~DDP~~		H P				
	B. Special Access, Access to Inholdings and Tem- porary Access										
	<u>Access to Inholdings</u> - The Secretary must permit access to inholdings by the State and private landowners via non- motorized transportation methods, subject to rea- sonable regulation. Such access cannot be pro- hibited without prior notice and hearing.	2464	1110	DOI	DOT/PF Lead DNR DF&G DEC ~~DDP~~	DF&G	H P				Portion of 15.0 UP
	C. North Slope Haul Road										
	<u>North Slope Haul Road</u> - The Secretary of the Interior and Transporta- tion, in conjunction with the State, are to deter- mine the number of vehicles and seasonality of use on this road.	2465	1112(a)	DOI; DOT	DOT/PF - Lead DNR DF&G DEC ~~DDP~~		M P				

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PROGRAM COMPONENT 10 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
	D. Stikine River Region Study										
5 years	<u>Stikine River Region Study</u> - Within 5 years, the President must con- sult with the Canadian government regarding access by Canada in the Stikine River region and report his findings to Congress.	2466	1113	DOI; DOT	DOT/PFLed DNR OF&G DEC DC&RA ~~BP&P~~						

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Portion of
190.0

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PROGRAM COMPONENT 11

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State FY 81	Action FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
11. TONGASS TIMBER STUDIES											
These studies address timber supply and demand, yields, utilization, or loans designed to assist purchasers of federal timber in their acquisition of equipment. The principal focus is National Forest land in Southeast Alaska.											
A. Tongass Forest Harvest Study											
5 years	<u>Study of Timber Supply and Demand</u> - Study is required to be undertaken by the Secretary, but shall be conducted in cooperation & consultation with the State, Alaska Land Use Council, Natives, and other interested parties. The report is to be conducted within 5 years from the date of enactment of the Act and every 2 years thereafter.	2420	706(b)	DOA	DNR Lead DF&G DEC ~~DDP~~		Provide State participation in USFS report to Congress on timber cuts, employment and figures in SE Alaska (DNR)	H P	0	26.0	0 1
B. Tongass Timber Yield Study											
	<u>National Forest Timber Utilization Program</u> - The Secretary of Ag. must establish a program to maintain the timber supply at the specified rate from the Tongass National Forest to dependent industry.	2420	705(a)	DOA	~~DDP~~ ~~Lead~~ DNR - <i>Lead</i> DF&G	0	Provide State participation in USFS report to Congress on opportunities to increase timber yields on Nat'l Forest Lands in S.E. Alaska	H S	0	Portion of 48.5	0 1

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PROGRAM COMPONENT 11 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
	<u>Guaranteed Loan Program -</u> The Secretary of Ag. must establish a program of insured or guaranteed loans to purchasers of national forest materials to assist in equipment acquisition & implementation of new wood-utilization technologies.	2420	705(b)(1)	DOA	DNR Lead DC&ED ~~DDP~~		L P				
	<u>Study of Increasing Timber Yields - Within</u> 5 years, the Secretary must transmit to Congress a study of methods of increasing timber yields on national forests in Alaska.	2420	705(c)	DOA	DDP - Lead DNR DF&G DEC	Provide State participation in USFS report to Congress on increased timber yields (DNR)	H S	0		0	1
	C. Enhancement Planning					Provide for review and research needed to support State's recommendations (DF&G)			Portion of CIP 190.0		
	<u>Fisheries on National Forest Lands - The Sec-</u> retary of Ag., in consul- tation with the State and Secretaries of Commerce & the Interior, shall promul- gate regulations regarding the maintenance of anadro- mous fish habitats and populations when such habitats and populations are affected by mining activities on National Forest lands.	2405	505(a)	DOA; DOC; DOI	DF&G - lead DNR ~~DDP~~		H F				

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PROGRAM COMPONENT 11 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action		Cost		Positions	
						FY 81	FY 82	FY 81	FY 82	FY 81	FY 82
	<u>Cooperative Fisheries</u> <u>Planning</u> - Secretary of Ag. is directed to imple- ment a cooperative planning process for development of fisheries resources with the State and nonprofit aquaculture corps. Each revision of National Forest Management Plans must include a report on the status of this planning process, including an analysis of current pro- jects and a prioritized list of future projects.	2412	507(a)	DOA	DF&G Lead ~~BPDP~~					H F	

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PROGRAM COMPONENT 12

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
	12. ALASKA LAND BANK/ COOPERATIVE EXCHANGES										
	<u>Alaska Land Bank</u> - The Secretary is authorized to establish a Land Bank Program and enter into agreements with private landowners whose land use affects Federal or State lands. The State has the option of participating in the program, but if the agreement is between the Secretary and a private party, the State must be given the opportunity to become a party to the agreement and enter into negotiations.	2444	907	DOI	DNR Lead DF&G DOT/PF DC&RA ~~DDP~~					H P	

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PROGRAM COMPONENT 13

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
	13. WILDERNESS STUDY AREAS										
	This component calls for a general wilderness review to be conducted within 5 years on all lands within National Parks and Refuges and 3 years within the National Forest System.							0	0.0		
									35.0		
3 years	<u>Wilderness Study Within National Forest - Within 3 years, the Secretary of Ag. shall report to Presid. and Congress his recommendations for wilderness preservation in the Nellie Jaun-College Fjord area of Chugach National Forest.</u>	2419	704	DOA	DPDP <u>Lead</u> ~~DPDP Coord.~~ DNR DF&G					H P	
5 years	<u>General Wilderness Review- Within 5 years from date of enactment, the Secretary must review all lands within national parks and refuges as to their suitability for wilderness designation. Such review must include review by the State as well as public comment.</u>	2486	1317(a)	DOI	<u>Lead</u> DPDP <u>Coord.</u> DF&G DEC DOT/PF					H P	
7 years	<u>Presidential Recommend. for Wilderness - The President must advise Congress as to his recommendations with respect to lands reviewed for wilderness designation within 7 years from date of enactment.</u>	2486	1317(b)	DOI	<u>Lead</u> ~~DPDP Coord.~~ DNR DF&G DEC DOT/PF DC&RA					H S	

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PROGRAM COMPONENT 13 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
Ongoing	<u>Wilderness Management</u> <u>Structures</u> - The Sec. of the Interior or Ag. must notify the appropriate Congressional Committees prior to the removal or construction of any public use structures within wilderness areas.	2485	1315(d)	DOI; DOA	DPDP DF&G	~~Coord.~~ <i>Lead</i>				M P	

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PROGRAM COMPONENT 15

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
	15. STUDIES, EIS's, & RECOMMENDATIONS								Portion of CIP 190.0	0	0
12 months	Arctic Research Study - The Secretary, along with the Sec. of Defense and Energy, shall conduct a study of the Naval Arctic Research Laboratory (NARL), in consultation with the State and other interested parties. The study and recommendations shall be submitted to Congress, after public review and comment, no later than one year after date of enactment.	2453	1007(a)	DOI; DOE; DOD	DPDP ~~Coord.~~ DF&G DNR DEC DOT/PF	Provides for review and the research needed to support the State's recom.				H P	
2* years	Presidential Transmittal of Mineral Information - The President must transmit to Congress before 10/1/82, and annually thereafter, all public information obtained by all Fed. agencies regarding minerals in Alaska.	2457	1011	USGS; DOM	DNR Lead ~~DDP~~					M S	

*Legislation designates action by October 1, 1982, therefore 2 year decision-making period assumes legislation will be enacted around October 1980.

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INVOLVING STATE PARTICIPATION

PROGRAM COMPONENT 15 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
	Ecological Study of <u>Barren-Ground Caribou</u> - The Secretary, in cooper- ation with the Governor, must conduct an ecolog- ical study of the caribou herds.	2396	306(b)	DOI	DF&G Lead ~~DDP~~	0					H P

Provides for
review and the
research needed
to support the
State's recom.

1000

5/4/81

3/23/81

FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
INVOLVING STATE PARTICIPATION

PROGRAM COMPONENT 16

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
	16. KANTISHNA HILLS/ DUNKLE MINE STUDY										
3 years	Kantishna Hills & Dunkle Mine Area Study - The Alaska Land Use Council, in cooperation with the Secretary, is mandated to evaluate resources in this area of Mt. McKinley Nat'l Park and make recommenda- tions within 3 years from date of enactment of this Act concerning the mineral potential in the area.	2383	202(3)(b)	DOI	DNR Lead DF&G DEC			0 (Funding in Land Use Council Budget)	0	0	0

Provide
input/tech.
expertise to
Land Use Council
on mineral res.
located in Mt.
McKinley Nat'l
Park (DNR)

H P

DF&G

Portion of
M.O.
C.F.

1001

5/4/81

FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
INVOLVING STATE PARTICIPATION

3/23/81

PROGRAM COMPONENT 17

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
	17. EKLUTNA LAND EXCHANGES										
	Eklutna-State Agreements- The Secretary must accept relinquishments and make conveyances of selections executed by the State, the Municipality of Anchorage, and Eklutna, Inc.	2515	1425	DOI	DNR Lead DF&G DC&RA ~~DOO~~			0	200.0	0	New 1
							II F				

1002

5/4/81

3/23/81

FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
INVOLVING STATE PARTICIPATION

PROGRAM COMPONENT 18

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State FY 81	Action FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
	18. DENALI HIGHWAY STUDY							0	101.1	0	0
							Develop recom. for location of campgrounds, secondary road access, gravel sites, view- points (DNR)				
					(DOT/PF) Par- ticipation on Denali Scenic Hwy Study Team		Continuation of FY 81 (DOT/PF)	Portion of 50.0	Portion of 200.0	0	0
	<u>Scenic Highway Study -</u> The Secretary shall conduct a study regarding establishment of a Denali Scenic Highway, in which the study team consists of representatives from the State, Natives, and Federal agencies. The study is to be conducted within a 3-year period beginning on the date of enactment of the Act.	2481	1311(b)	DOI	DNR Lead DOT/PF Lead DEC DF&G DC&ED ~~DP&P~~						

H P

DF&G

Portion of
190.0
CIP

1003

5/4/81

3/23/81

FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
INVOLVING STATE PARTICIPATION

PROGRAM COMPONENT 19

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State FY 81	Action FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82	
	19. MAP PRODUCTION/RECORDS NOTATION				DNR Lead DF&G		Automate map production to note D-2 boundaries on State land records (DNR)	(one time project)	55.0	0	0	0
	<u>Map and Legal Description</u> of CSU - As soon as prac- ticable after enactment, the Secretary must publish in the Federal Register and file both houses of Congress a map and legal description of all changes in land status.	2374	103(b)	DOI								

H F

1004

5/4/81

3/23/81

FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
INVOLVING STATE PARTICIPATION

PROGRAM COMPONENT 20

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State FY 81	Action FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
	20. INCREASE ADMINISTRA- TIVE SUPPORT				DNR		Provide for Budget Analyst to accomodate anticipated d-2 work load.	7.9	35.4	New 2	Cont. 2
	Although two specific activities are indicated, the thrust of the com- ponent and all the funds requested are designed to cover the overall administrative costs of agency involvement in implementing the Act. These funds are separate from those requested under other components.				DF&G			0	~~206.2~~ 194.2	0	1
					DPS		Crime I.D. & Apprehension illegal trespass, landowner rights related problems. Initiate trooper training program for D-2 mandates	46.7	315.0	New 2	Cont. 2 New 3
					LAW		Provides increased non- attorney staffing to assume routine legal tasks cur- rently performed/ anticipated for D-2 (LAW)	65.7	163.9	New 4	Cont. 4
	<u>Judicial Enforcement</u> - If the Secretary determines based on requests from local or regional advisory committees, that pre- ferences for subsistence use are not adequately provided for, he can ask that the State make ade- quate and timely provision for such susistence perference. If this is not done, the Secretary may bring an expedited suit in Federal court, in which the State must bear the burden of showing why its subsistence management provisions should not be enjoined.	2476	807	DOI	DF&G Lead LAW ~~DF&G~~					H F	

1005

5/4/81

FEDERAL PROJECTS MANDATED UNDER THE ALASKA LANDS BILL
INVOLVING STATE PARTICIPATION

3/23/81

PROGRAM COMPONENT 20 (continued)

Decision-Making Period From Date of Enactment of Act	Program Component (numbered) Element (underlined)	Page Number	Section Number	Federal ¹ Agencies Involved	State Agencies To Be Involved	State Action FY 81	FY 82	Cost FY 81	FY 82	Positions FY 81	FY 82
	<u>Local Hire Program - The Secretary, in consultation with the Office of Personnel Management, must establish a program to provide for special hiring practices to employ local persons with special knowledge or expertise concerning a CSU. The Secretary must report periodically to Congress as to the implementation of this program.</u>	2480	1308	DOI; OPM; DOL	DOL Lead ~~DDP~~					L P	

1000
5/4/81

D-2 FUNDING SUMMARY

a1

FY 82 Budget AmendmentIV. RECOMMENDAGENCY REQUESTSGOV. RECOMMEND

1) GF Positions

(\$000) GF Positions

(\$000) GF Positions

- -0-

\$ 110.5 2 PFT

\$ 110.5 2 PFT

- -0-

157.1 3 PFT

147.1 3 PFT

1- -0-

3,461.9 43 PFT
11 Seas.2,477.2 27 PFT
12 PPT

1- -0-

13,875.0 -0-

5,000.0 -0-

1- -0-

163.9 4 PFT

163.9 4 PFT

19.3 3 PFT

2,860.9 35 PFT
1 PPT

2,314.0 19 PFT

1- -0-

2,000.0 GF
2,000.0 Other

-0- -0-

1- -0-

597.4 7 PFT

351.0 5 PFT

1- -0-

200.0 -0-

200.0 -0-

19.3 3 PFT

\$21,426.7 Op. 94 PFT
1 Seas.
1 PPT\$5,763.7 Op. 60 PFT
5,000.0 CIP 12 PPTCIP { \$2,000.0 GF
\$2,000.0 Other

Attachment 4a

1007

5/4/81

D-2 FUNDING SUMMARY

AGENCY	FY 81 Supplemental				FY 82 Budget Amendment			
	AGENCY REQUESTS		GOV. RECOMMEND		AGENCY REQUESTS		GOV. RECOMMEND	
	(\$000) GF	Positions	(\$000) GF	Positions	(\$000) GF	Positions	(\$000) GF	Positions
Office of the Gov.	\$ 31.3	2 PFT	-0-	-0-	\$ 110.5	2 PFT	\$ 110.5	2 PFT
Environmental Conserv.	-0-	-0-	-0-	-0-	157.1	3 PFT	147.1	3 PFT
Fish and Game								
- Operating	248.5	3 PFT	-0-	-0-	3,461.9	43 PFT 11 Seas.	2,477.2	27 PFT 12 PPT
- CIP	-0-	-0-	-0-	-0-	13,875.0	-0-	5,000.0	-0-
Law	62.7	4 PFT	-0-	-0-	163.9	4 PFT	163.9	4 PFT
Natural Resources								
- Operating	779.3	19 PFT 1 Seas.	399.3	3 PFT	2,860.9	35 PFT 1 PPT	2,314.0	19 PFT
- CIP	-0-	-0-	-0-	-0-	2,000.0 GF 2,000.0 Other	-0-	-0-	-0-
Public Safety	81.7	2 PFT	-0-	-0-	597.4	7 PFT	351.0	5 PFT
DOT/PF	50.0	-0-	-0-	-0-	200.0	-0-	200.0	-0-
	\$1,253.5	30 PFT 1 Seas.	\$399.3	3 PFT	\$21,426.7 Op.	94 PFT 1 Seas. 1 PPT	\$5,763.7 Op. 5,000.0 CIP	60 PFT 12 PPT
					CIP { \$2,000.0 GF \$2,000.0 Other			

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HOUSE FINANCE COMMITTEE

May 5, 1981

9:35 a.m.

(Tape HFC 81-73, side 1 #200.)

PRESENT

All Members of the Committee were present. Also present were Fiscal Analysts Bob Schroeder, Don Fisher and Elmer Lindstrom, Legislative Finance Division.

CSSB 321 (fin)

CSSB 321 (fin) -- "An Act amending, adjusting and repealing appropriations; and providing for an effective date."

Chairman Cotten called the meeting to order. He said there are two amendments to the proposed House Finance CS for CSSB 321 (new title) ("An Act making, a mending, adjusting, and repealing appropriations and extending lapse dates on certain appropriations; and providing for an effective date.") He briefly explained the amendments and MOVED to add them to the HCS. There being NO OBJECTION, it was so ordered.

Chairman Cotten MOVED AND ASKED UNANIMOUS CONSENT to adopt the HCS for CSSB 321 (fin). There being NO OBJECTION, it was so ordered.

Chairman Cotten said the total new money for the Bill is zero. He asked if there were any objections to reporting the bill out of Committee. There being NO OBJECTION, HCS CSSB 321 was reported out with a "do pass" recommendation.

RECESS

A recess was called at 9:50 a.m., and Chairman Cotten recalled the meeting to order at 10:40 a.m.

DEVELOPMENT BUDGET CATEGORY

Chairman Cotten said there was one change to be made before the Development budget category could be closed out.

DEPARTMENT OF COMMUNITY & REGIONAL AFFAIRS

Community Assistance Grants, Municipal Revenue Sharing. Chairman Cotten MOVED to increase the figure to \$51,900.0 to fully fund the municipalities for FY 81. There being NO OBJECTION, it was so ordered. Representative Malone recommended including intent that the municipalities shall adopt a resolution asking for their share of AS 43.21 funding before they can get it. There was

brief discussion. Representative Adams asked if these grants go all over the State. Chairman Cotten said yes, this is the municipal grant program. Representative Adams requested that a formula be designed so that the dollar value is less in rural areas than it is in Anchorage and Fairbanks. He commented further. There was no objection to developing the intent language.

Chairman Cotten said the DEVELOPMENT BUDGET CATEGORY is CLOSED.

PUBLIC PROTECTION BUDGET CATEGORY

There was brief discussion on which items had been accepted when the PUBLIC PROTECTION category was last discussed.

DEPARTMENT OF PUBLIC SAFETY

Driver Vehicle Services, Field Operations. Representative Malone MOVED to add \$48.3 to set up a new full time position, Driver Improvement Specialist in Fairbanks. He said that amount is the total position cost. There being NO OBJECTION, it was so ordered.

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

Commissioner's Office. Representative Meekins said he has a request to add \$115.0 to set up a film and television section in the Commissioner's Office. There was brief discussion on which BUDGET CATEGORY this should be placed in. The General Consensus of the Committee was to place this \$115.0 as a new page, Office of the Commissioner, in the DEVELOPMENT BUDGET CATEGORY.

Chairman Cotten MOVED to close both the PUBLIC PROTECTION and DEVELOPMENT budget categories. There being no OBJECTION, it was so ordered.

GENERAL GOVERNMENT BUDGET CATEGORY

OFFICE OF THE GOVERNOR

Elective Operations, Elections. Representative Malone said the Subcommittee recommended no new positions. He MOVED to fund the positions #4 and #5 which are full time positions, at a six month level. He said this would add \$54.9 to the budget and a position count of 13. He FURTHER MOVED to include legislative intent that these positions are to be filled for six months only in the next fiscal year. There being NO OBJECTION, it was so ordered.

DEPARTMENT OF ADMINISTRATION

Data Processing, Computing Services. Representative Malone advised they received a governor's budget amendment adding 5 Telecommunications Specialists in Data Processing. He said the Subcommittee was not sure what they were doing here that would require these new positions to be added. Representative Malone

said in reviewing Telecommunications the Subcommittee recommended reducing some of the positions requested for the planning section, and it looks like the Department is coming in as a result of those Subcommittee reductions and adding the people into this section. There was brief discussion. Representative Malone said his suggestion is to cut the amendment in half, and accept three of the positions. There being NO OBJECTION. Chairman Cotten instructed the fiscal analyst to reduce this page from 75 to 72 positions, and to reduce personal services and the other associated costs of these positions.

DEPARTMENT OF REVENUE

Child Support Enforcement Agency. Representative Malone recommended that for the time being this budget figure be left as it is. He recommended considering any changes in funding as a fiscal note to new legislation. There was NO OBJECTION to this approach.

(Tape change, HFC 81-73, Side 2.)

OFFICE OF THE GOVERNOR

DPDP. Representative Malone said about \$600.00 in OCS Development funds were taken out of this budget. He said they received budget amendments in the amounts of \$35.8 and \$200.0 for OCS studies, and the Subcommittee didn't put any of that money in. He said the recommendation is that these funds would be better used if they were contracted out by the Department of Natural Resources in the NRMEC budget category instead. Chairman Cotten asked if they reviewed what was actually going to be done with the money and whether or not it was a correct figure. Representative Malone commented in the case of the \$200.0 budget amendment, there was not a lot of budget detail. He said the feeling of the Subcommittee was that changes in state decisions by the Governor's Office or the Legislature were not much impacted by recommendations that came from DPDP.

Representative Rogers said he has spent a great deal of time going over the OCS issue. He said some of the leases scheduled, i.e. Bristol Bay and Norton Sound, are very critical. He said funding should be made available to do base line research on those leases. He recommended placing the money in the Council on Science and Technology budget, since they are charged by law with coordinating research. Chairman Cotten asked how he would decide how much to appropriate. Representative Rogers said somewhere between \$5 million and \$7 million is probably necessary for research. Chairman Cotten asked if any OCS funding was left in DEVELOPMENT. Representative Rogers said they left in money for the OCS task force. There was discussion on funding. Chairman Cotten APPOINTED A SUBCOMMITTEE of Representatives Rogers, Adams and Haugen, to come back with a specific recommendation on the dollar amount, and where the OCS leasing money should be placed.

DEPARTMENT OF ADMINISTRATION

Alaska Statehood Commission. Representatives Rogers and Malone recommended accepting the Governor's budget amendment. Chairman Cotten MOVED to accept the budget amendment for a new total of \$98.6. There being NO OBJECTION, it was so ordered.

ALASKA STATE LEGISLATURE

Representative Malone said the budget recommended by the Subcommittee included funding for a legislative session at the 120-day length. In addition, he said the Subcommittee included \$170.0 for telecommunications work. Representative Malone advised that neither of these were Legislative Council recommendations. There was brief discussion on the legislative budgets, and staffing for interim work by legislative committees. The Subcommittee recommendations were accepted.

Chairman Cotten said the GENERAL GOVERNMENT BUDGET is CLOSED.

ADJOURNMENT

The meeting adjourned at 11:30 a.m.

Tape HFC 81-73, side 1 #200 to end
side 2 #001 to 310

HOUSE FINANCE COMMITTEE

May 6, 1981

8:40 a.m.

{Tape HFC 81-73, Side 2, #310}

PRESENT

Chairman Cotten called the meeting to order at 8:40 a.m. All members of the Committee were present, except Representatives Buchholdt and Meekins. Representative Rogers arrived later in the meeting. Also in attendance: Jerry Schilz, Fiscal Analysts, Division of Legislative Finance.

HEALTH BUDGET CATEGORY

Chairman Cotten announced the Committee would continue with the HEALTH BUDGET closeouts--Representative Carney, subcommittee chairman.

Representative Carney advised the subcommittee took a 6% reduction overall. There was discussion on the positions, with Jerry Schilz noting a net increase of 15 new positions over FY 81 and six positions less than in 1980.

(Representative Rogers arrived at this time.)

There was discussion on the increase in grants and a majority of them being categorized this year.

Child and Family Health--Special Education Grants, p 42: Representative Montgomery noted a large increase here. Referring to the Infant Learning Programs, Mr. Schilz stated many were funded in HB 60, but many more requests were received to fund this program statewide. He advised this is being funded in lump-sum/block grant form, and each will have to apply for the money--it is not specified.

Public Health Administration--Designated Grants, p 62: Mr. Schilz explained the two programs named here are the only ones they couldn't get into existing programs.

Medicaid--Indian Health Service, p 86: Last year, Mr. Schilz explained, there was a 60-day lag, and it was decided it was time to revise downward to actual amounts. This was done in cooperation with the Department, he said. Representative Freeman asked how many positions were put on through RPs, and Mr. Schilz answered 20 positions, but some were eliminated because of long-term vacancy.

SHPDA--Health Clinics, p 176: Representative Carney advised the \$750.0 added here, to be used to carry out the programs until next session, represents legislative requests. Representative

Montgomery wondered why this was done here and not in the other budgets. Representative Carney responded it is based on the number of legislative requests, and Mr. Schilz added it is an attempt to prevent these clinics from closing until next session.

Chairman Cotten moved to revise the INTENT statement to read:

"It is the Legislature's intent that funds provided for health clinics be allocated by the Department on an as-needed basis during fiscal year 1982. It is further intended that the Department provide a report to the Legislature, by January 31, 1982, that details the impact of federal reductions for health clinics throughout the state."

Representative Carney indicated his approval of the revision. There was no objection.

Commissioner's Office, p 180: Representative Moss questioned why the \$65.7 to fund the existing Medical Care Advisory Committee was not funded by the Governor at one-half general/federal funds. Mr. Schilz suggested this be transferred to Public Assistance Admin/Coll--Administration, p 104, with INTENT that it be used to fund the Medical Care Advisory Committee. Chairman Cotten so moved. There was no objection.

Alcohol and Drug Abuse--Alcohol Abuse Grants, p 115: Representative Malone brought this up on behalf of Representative Meekins' request. Chairman Cotten explained that request was for \$2.4 million, and the subcommittee allowed \$1.4 million. He pointed out there are funds that will lapse; therefore, the funding will total \$2.4 million with the lapse funding and legislative funding.

Information Systems--Data Services/Vital Statistics, p 160-162: Representative Moss asked if this has been moved, and Mr. Schilz indicated it has been transferred in its entirety to Administration (DHSS)--Vital Statistics, p 198.

Representative Moss moved the HEALTH BUDGET CATEGORY be closed. There was no objection.

Chairman Cotten announced the agenda (see attachment) for the 1:30 p.m. meeting this afternoon.

ADJOURNMENT

The meeting adjourned at 9:20 a.m.

Tape HFC 81-73, Side 2, #310 - End
HFC 81-74, Side 1, #001 - #096

HOUSE FINANCE COMMITTEE

Wednesday, May 6, 1981

1:30 p.m.

AGENDA

HB 478 - "An Act appropriating to the Department of Transportation and Public Facilities the amount of money necessary to settle the claims of Modern Construction, Inc., against the Lower Kuskokwim Regional Education Attendance Area; and providing for an effective date."

HB 487 - "An Act relating to the Alaska Industrial Development Authority; and providing for an effective date."

Other issues to be considered:

1. Chukchi Community College
2. Capital 82
3. OCS - General Government/NRMEC Budgets
4. D-2
5. Violent Crime recommendations
6. Justice Budget
7. University Budget

HOUSE FINANCE COMMITTEE

May 6, 1981

1:40 p.m.

(Tape HFC 81-74, side 1 #096.)

PRESENT

All Members of the Committee were in attendance except Representative Cotten. (Representatives Moss, Malone and Carney arrived later in the meeting.) Present to testify was Ross Atkins, representing Modern Construction.

HB 287.

Vice Chairman Freeman called the meeting to order and brought HB 287 up for consideration.

HB 287 -- "An Act relating to domestic violence."

Vice Chairman Freeman said the Chairman has assured him there is no fiscal impact from this bill.

Representative Meekins MOVED to report out CSHB 287 (Judiciary) with a zero fiscal note. There was brief discussion. There being NO OBJECTION, it was so ordered.

HB 478

The next bill to be considered was HB 478.

HB 478 -- "An Act appropriating to the Department of Transportation and Public Facilities the amount of money necessary to settle the claims of Modern Construction, Inc., against the Lower Kuskokwim Regional Education Attendance Area; and providing for an effective date."

Vice Chairman Freeman said the Committee would receive testimony on the bill, but not report it out at this time. Representative Rogers explained that problems occurred during the construction of a facility which resulted in some large cost overruns. He said this went to a conciliator, and ended up with an award to Modern Construction. He said the Lower Kuskokwim School District has not agreed to that. Representative Rogers said as a result of this situation a number of his constituents will be out of work this year. He asked Mr. Ross Atkins to explain why this bill was necessary.

MR. ROSS ATKINS, former president of Modern Construction, explained that Modern Construction is completely out of business, not just because they have no resources to remain in business, but because this problem is so large that bonding and banking

have become a problem. He explained Modern Construction built schools all over the state, and most of their employees (\$40 million dollars worth a year) will be losing their jobs because of this situation.

Mr. Atkins said this began in 1978 when the legislature appropriated money for bush schools, and allowed school districts to accept the grant and build schools themselves rather than going through the Department of Transportation. He said Lower Kuskokwim School District finally accepted the grant in November, 1978. He said the decision was made to do the engineering and get the job under contract by March, 1979, so the school would be ready for occupancy in July 1980. He said this resulted in the engineering for 16 schools and \$26 million worth of work being done in 30-45 days. He said the soils information for these 16 schools was gained in February through drilling at that time at each site.

Representative Meekins asked who did the engineering and soils testing. Mr. Atkins said in the fall of 1978 Al Weinberg, the superintendent at that time, decided to take the grant and elected to hire Dave Chevan to manage the construction program. He said Dave Chevan let several engineering contracts. One of the contracts was to R & M Engineering to do the soils testing. He said they also did a site study. He said the contract for soils testing is dated January 1979, and the plans were completed by March 1, 1979.

Mr. Atkins said as a consequence of the compressed engineering schedule there were some oversites involving the soils and the foundations design. Mr. Atkins said those oversites were not presented in the bid documents. He said the soils report contained a disclaimer by R & M Engineering, and if all the contractors had read the disclaimer they would have recognized a great deal of risk, and he doubts if the Lower Kuskokwim School District would have received bids with the clause. However, Mr. Atkins said, nobody saw that soils report in its entirety. Mr. Atkins explained shortly after the job was bid Al Weinberg resigned as superintendent, and he was replaced by Mr. Peterson. He said Mr. Peterson did not continue employing Mr. Chevan to manage the project. Mr. Atkins said as a result of this, any knowledge obtained by Mr. Chevan was lost. He said Mr. Chevan was replaced with an engineering company from Anchorage and Seattle, and he does not feel they had management ability in this type of project. He commented further.

(Representative Moss arrived at this time.)

Mr. Atkins said as a consequence, when they excavated for several foundations, instead of being thawed material, they found frozen material, the extent of which was unknown. He said that influenced some major decisions on continuing the construction of those buildings greatly. He said normally everyone recognizes they have to get to the bottom to the technical solution of the problem immediately. He said they can't delay it and decide who

is legally responsible; "ou have to get all the engineers and everybody together to decide what is going to be done about the problem". Mr. Atkins said that process, which is normal to the construction business, was not used because of a lack of experience by the Lower Kuskokwim School District. He said the School District wrote a letter to R & M Engineering, telling them to go to the school sites and determine whether the soils report is correct or not; "and if the soils report was correct then it is Modern Construction's problem; if the soils report is not correct, it's your problem."

Mr. Atkins said that caused R & M Engineering to believe they had jeopardy in the matter and they had to protect themselves. As a consequence, he said this problem was not resolved for a year. He said they did resolve portions of it as they went, but a year later major questions concerning the foundations of the buildings had not been answered, but they had built the buildings.

Mr. Atkins said usually if you introduce a claim or legal matter at the beginning of a construction project, it creates serious problems. He advised that Lower Kuskokwim School District wrote them a letter telling them to do the soils testing at their own expense, and if Modern had difficulty bearing the expense, then they should make claim for it. He said that mean Lower Kuskokwim was denying there was a changed condition. He said they were saying it was Modern's problem, and they had to do the soils testing themselves. He said he believes that decision was made because of the lack of experience by the people handling the project. He said this resulted in a great deal of cost overruns in the schools. He commented further.

(Representative Malone arrived at this time.)

Mr. Atkins said this whole problem effected the cash flow of Modern Construction, and by January they were in bad trouble. He explained the job wasn't proceeding as fast as it should and they had all the material for the job sitting in Bethel or on the sites, they had to pay the front-end costs, and the job wasn't progressing fast enough for them to collect from it. Mr. Atkins said a payment schedule is drastically effected by an adverse situation between a contractor and an owner, so they were being squeezed in their cash flow. He said in January he went to the school district and told them they had serious problems. He said at that time the superintendent said they could help with the cash flow, but they would like to settle the problem.

Mr. Atkins said essentially the Lower Kuskokwim School District is admitting they owe Modern something. He said the last word they got was from the Attorney General's Office, and they admitted they maybe owed \$800,000. Mr. Atkins said if they had been paid \$800,000 in 1979 within a week after it came up, they wouldn't be here today.

Mr. Atkins compared this school with one they did with the Department of Transportation, where they had the same problem,

and settled the problem. He said the problem at this time is that time is on the Lower Kuskokwim School District's side in the legal question. He said Modern feels they have an excellent case; however, they will not get to a solution because of delaying tactics that can be used. He commented further.

Mr. Atkins said in the meantime, Modern Construction has no resources of its own. He said they are sustaining themselves entirely from the personal assets of the owners of Modern Construction. He said they are committed to holding off, but that commitment involves a very intricate relationship with the bank, and the real estate and assets are having to be sold to cover the problem until they can get the resolution. He said if they don't have something done soon, some very substantial assets will have to be sold at a "fire sale" to cover bank notes and other things.

Representative Meekins asked him to explain why bonding is a problem. Mr. Atkins said Modern Construction at this time does not have a bond, and they will not get a bond until there is some financial relief on a bank note. Representative Meekins asked if that was relevant to their decision on this bill. He said his understanding was that Modern needed this bill in order to bond, but as he reads the bill, it will have no effect on the bonding. Mr. Atkins said the bill in its present form does contain a collateralized loan that will relieve the financial problem. Representative Rogers said that is a different version of the bill than the one before the Committee.

In answer to Representative Meekins' question, Mr. Atkins said bonding is one of the main problems, and this bill will resolve their bonding problems, and it will allow them to get back into the construction business this year if it passes. He commented further on bonding.

Representative Rogers said he would not normally be an advocate of a conditional appropriation for an item in court; but the situation is that without this bill a lot of his constituents would be out of work.

In answer to a question from Representative Moss, Mr. Atkins said the buildings are completely finished. He said they used all the assets of Modern Construction to complete the schools. He commented further.

Representative Moss asked what had to be done to put Modern back in business and ready to start working again this summer. Mr. Atkins said they have a bank loan which the bank has demanded be paid, and they have to relieve that situation. He said one of the things they need is a statement that should they settle, the money would be available right away. He said the other thing they have asked for is a collateral loan from the State to get them back in business.

Representative Moss asked how much the loan was for. Mr. Atkins said \$6 million. Representative Moss asked how they arrived at this figure. Mr. Atkins said that is what it will take to pay off the existing bank loan and give Modern enough to get back in business. In answer to questions from Committee members, Mr. Atkins said there are sufficient assets of the owners to cover a \$6 million loan, but if they have to sell the assets immediately to cover the bank loans, they are not going to be able to get the right price for them.

Representative Montgomery asked what the amount of the original contract was. Mr. Atkins said \$9.5 million. Representative Montgomery asked if they had paid off all but \$2.5, and Mr. Atkins said yes. Representative Montgomery said he doesn't understand how they got from \$2.5 million to \$6 million, when the contract for the job is \$9.5 million. Mr. Atkins said they had additional direct and indirect costs of \$3.5 million. He said there was an increased cost to the project. Also, Mr. Atkins said, they have destroyed Modern Construction's business.

Representative Montgomery asked if the contract had a binding agreement. Mr. Atkins said the contract does not provide for arbitration, it calls for litigation.

Representative Montgomery asked if they knew the exact amount they were talking about. Mr. Atkins said the conciliator heard the problem and recommended a \$17 million settlement. He commented further.

Representative Adams asked why they couldn't recoup the money in bonding. Mr. Atkins said a bond does not protect Modern Construction, it simply protects the owner. He said they cannot protect themselves with bonding.

Representative Meekins asked how the \$17 million figure breaks down in damages and cost overruns. Mr. Atkins said they have asked for \$3.5 million in direct cost overruns.

(Tape change, HFC 81-74, side 2.)

Mr. Atkins commented that to his knowledge they did not have any experience in the Lower Kuskokwim School District on school construction. He said the superintendent did not have any construction experience.

(Representative Carney arrived at this time.)

Mr. Atkins commented further on the school. He said they have done a lot of work with the Department of Transportation. He said they do have problems, but they handle technical problems when they come up.

Representative Rogers referred to a letter dated March 31 from the Attorney General's Office (see attachment #1). Mr. Atkins

said he has participated in negotiations with Mr. Condon, and they have come to an agreement. He commented further.

RECESS

Chairman Cotten called for a recess at 2:30 p.m.

Tape HFC 81-74, Side 1 #096 to end
Side 2 #001 to #205

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

POUCH K-STATE CAPITOL
JUNEAU, ALASKA 99811

465-3600

March 31, 1981

Honorable Don Bennett
Honorable Ed Dankworth
Alaska State Legislature
Pouch V
Juneau, AK 99811

Re: Lower Kuskokwim REAA claim
Our file: J-77-149-81

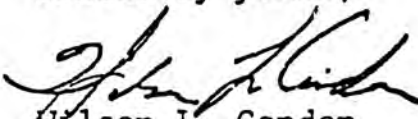
Dear Senators Bennett and Dankworth:

This responds to your request for advice on this matter.

First, there is an arguable basis for ultimate liability on the part of the state for contractor claims arising from school construction projects by a rural educational attendance area. It is our position that the state is, at most, morally obligated to make good on the claim. But a contractor could argue that school construction is a state responsibility and that, assuming the claim to be valid, the state must pay.

Second, notwithstanding the above, legislation for a contingent appropriation for the Lower Kuskokwim claim is not called for at this time. Should the parties get well along in the arbitration process and should a substantial likelihood of a large award emerge, then a contingent appropriation would be appropriate. Until that occurs, and it may well never occur, the legislature's acting on this matter might well constitute an unnecessary intrusion into the dispute resolution process.

Sincerely yours,


Wilson L. Condon
Attorney General

WLC/pjg

cc: Edward A. Merdes, Esq.
Stephen L. Nourse, Esq.
Saul R. Friedman, Esq.

1021

Attachment #1

5/6/81

HOUSE FINANCE COMMITTEE

May 6, 1981

2:40 p.m.

[Tape HFC 81-74, Side 2, #205]

PRESENT

Chairman Cotten recalled the meeting to order at 2:40 p.m. All members of the Committee were present, except Representative Buchholdt. Representative Carney arrived later in the meeting. Also in attendance: Representative Mike Miller; Dave Sears, Administrative Aide to Representative Freeman; Milt Barker, Alison Elgee, Bob Schroeder and Don Fisher, Fiscal Analysts, Division of Legislative Finance.

HB 487

Chairman Cotten advised the Committee would consider HB 487, but it was not his intent to move the bill today:

HB 487 - "An Act relating to the Alaska Industrial Development Authority; and providing for an effective date."

Chairman Cotten addressed his comments to the Finance CS for HB 487 workdraft, which allows for multi-family dwellings. Section 9 is the beginning of the original bill, he explained, and page 5, line 6, contains key language. He called attention to a memorandum (see Attachment 1) from Milt Barker, which explains the provisions. Sections 29 and 30, relating to issuance of revenue bonds by Alaska Housing Finance Corporation (AHFC) and Alaska Industrial Development Authority (AIDA), he stated, are also key provisions.

Representative Rogers pointed out that, in hearings before the subcommittee on the DEVELOPMENT BUDGET, AIDA testified financing for multi-family housing would help meet the demands of the Housing Authority. However, he noted, in the workdraft, this appears under AHFC. He wondered if this might cause problems.

(Representative Carney arrived at this time.)

Representative Rogers commented AHFC is for owner-occupied residential housing, and perhaps the Committee should consider putting apartment loans in AIDA. Chairman Cotten admitted this is a good point, but referred to page 4, Section 7, of the workdraft, and stated the reason he is in favor of AHFC handling apartment loans is that the State is in the business of subsidizing housing loans right now through AHFC, but it is not in the business of subsidizing in AIDA. Representative Rogers stated one of the issues is the interest subsidy. The trigger in Section 7, he said, may mean AHFC and AIDA would be working at cross purposes. But if subsidized loans are allowed through

AHFC, he added he feels some kind of provision should be made for renters. There was further debate.

Representative Malone stated his concern is that, with placing this under AHFC with specific subsidized interest rates for apartment houses, a lot of money in the program would be diverted. Next year will see a lot of people coming in to build apartments, he said, and if left in AHFC, then at least it should specify the maximum amount. He wondered whether it wouldn't be more appropriate to put this in AIDA and leave the subsidy question silent.

Asked to comment, Representative Miller observed his main desire is to create as much shelter as possible, and if the housing shortage is to really be addressed, twice as many dwelling units can be built for the same amount of dollars. The 11% AHFC interest rate amounts to roughly \$50,000 per year, he said, and at least this way people can pay it; but at 13% in AIDA, the money will not be used for apartments.

There was discussion on AIDA's authority to issue tax-exempt industrial development bonds for low income housing.

(Representatives Moss and Adams left the meeting.)

Representative Meekins commented he doesn't see where it would make any difference as AHFC would have all the alternatives and options that AIDA does. In any event, commented Chairman Cotton, 20% of the units have to be for low and moderate income housing to qualify for tax-exempt status. Mr. Barker mentioned both would have options to go to taxable or tax-exempt.

Representative Rogers called attention to the issue relating to energy efficiency. Last year, he explained there was some question as to whether this applies to AHFC. The AHFC board determined that, if you get a loan for alternative energy system, it would be subtracted from the loan.

Referring to the current statute regarding an 18-20 month appropriation, Representative Meekins commented it seems a good reason for additional funding so as not to lose part of the construction season. He thought it a good idea to consider forward-funding a year and to consider a multi-fiscal year.

(Representative Moss returned to the meeting.)

{Tape HFC 81-75, Side 1, #001}

(Representative Adams returned to the meeting.)

HB 487 HELD

EDUCATION BUDGET CATEGORY

At this time, Chairman Cotten advised the Committee would address the Capital 82 issue.

Representative Freeman explained the history of the television news program covering the Legislature, which began in 1977, and the reasons for his dissatisfaction with the program. "The same people always end up with the contract," he said, "for the simple reason that local public broadcasting has a lock on it--it's a farce!" He indicated that is one of the problems; the other is that the Legislature wrote intent specifying control of the staff remain under the direction of the Alaska Public Broadcasting Commission (APBC), which was KTOD-Juneau. "The level of the program relies on the competency or knowledge of the people producing the show," he said; and "there is a different crew of people each year, and the salary levels are low." The solutions, he pondered--"and they all cost money"--one is for the State Legislature to buy the equipment thereby providing the opportunity for more competitive bidding. However, he indicated he has reached the conclusion that probably the proper way is to fund the program for next year with INTENT to Legislative Council that some effort be made to look into this problem and report back to the Legislature next year regarding a better way this could be done. In closing, he stated he can't really fault anyone, and that after examination, he doesn't feel comfortable to make a specific recommendation at this time.

There was discussion on what it would cost--approximately \$300,000--the State to buy the equipment. Dave Sears noted that estimate includes all the services provided by Capital Community Broadcasters, Inc. (CCBI) now, such as production and editing facilities. Representative Malone and Meekins were in agreement with Representative Freeman's suggestion.

Representative Montgomery commented, if the State buys the equipment, "then all you are doing is providing contract labor." Pointing out the written press receives no money from the Legislature, and the news gets back to the respective communities, he questioned the reason for subsidizing television. The only reason television covers news, responded Representative Meekins, is because they must provide some news in order to obtain their licenses. He added he thinks the State is going to have to subsidize if they want the program.

Chairman Cotten moved to transfer 1145.0 for Capital 82 from the GENERAL GOVERNMENT BUDGET to Instructional Television in the EDUCATION BUDGET, with a request that Legislative Council look into this matter. There being no objection, it was so ordered.

Chairman Cotten pronounced the EDUCATION BUDGET closed.

UNIVERSITY OF ALASKA BUDGET CATEGORY

Chairman Cotten stated the next order of business was the Chukchi Community College question. Representative Adams stated it was still his recommendation this be handled through the Northwest REAA. Chairman Cotten moved the figure \$889.0 for the Northwest REAA for operation of Chukchi Community College. There being no objection, it was so ordered.

Chairman Cotten announced the UNIVERSITY OF ALASKA BUDGET is closed.

JUSTICE BUDGET CATEGORY

Chairman Cotten advised of a few changes in the JUSTICE BUDGET worked out with the subcommittee.

DEPARTMENT OF PUBLIC SAFETY, Crime Identification & Apprehension--Detachments & CIB, p 122: Representative Malone stated he feels that, as the four investigator positions in Anchorage are presently filled (by the Governor's contingency fund), those positions should be funded on a 12-month basis. Representative Adams agreed. There was no objection.

Narcotics Unit, p 124: Chairman Cotten advised the chemist position was left in. There was no objection.

DEPARTMENT OF HEALTH & SOCIAL SERVICES, Parole Board, p 95: Representative Rogers pointed out this law goes out of existence June 30, unless legislation is enacted continuing it, and it is his opinion this should be done through the fiscal note process. He noted this would also apply to the Guide Board and the Alcohol Beverage Control Board (which has another year to go).

Representative Rogers moved a ZERO figure in this component. Representative Adams agreed. There was no objection.

ALASKA COURT SYSTEM, p 163: Representative Malone commented the subcommittee was unable to reconcile its differences regarding continuation level funding. There was discussion on the Personal Services figure, with Representative Malone indicating the Judicial Retirement System is below continuation by \$574.6, which doesn't include inflation.

Representative Rogers moved to increase Personal Services by \$600.0, to \$20,602.0.

Representative Adams moved to amend the motion by increasing the Judicial Retirement System by \$574.6. There was no objection.

Representative Malone advised the subcommittee also recommended increasing the position count to cover what the Court System identified as workload increases, which involves 14 positions.

RECESS

(Chairman Cotten called a recess at 4:15 p.m. and reconvened the meeting at 4:30 p.m. All Committee members were present, except Representatives Buchholdt and Carney.)

Representative Malone moved to add to the Alaska Court System budget positions for deputy coroner and engineering technician in Anchorage, Palmer, Juneau, Ketchikan, Kenai and Kodiak, and provide funding in the budget for a judge pro-tempore for seven months and a clerk position to support that judge for seven months--representing those 14 positions identified by the Court System--at a cost of approximately \$409.8. Representative Rogers objected for purposes of discussion.

DEPARTMENT OF PUBLIC SAFETY, Village Public Safety Officer, p 152-156: Mr. Schroeder explained the subcommittee made the following recommendations:

Contracts, p 152, reduction of \$305.9;

Direct VPSO Support, p 154, reduction of \$350.0;

Administration, p 156, reduction of \$55.0.

Chairman Cotten so moved. There was no objection.

Representative Rogers moved intent that overhead costs not exceed 10% and that per diem be at State rates. Representative Adams objected, and moved to amend INIENI that overhead costs be held to 22% with no personnel in contracts and that per diem be paid at prevailing rates. There was no objection.

Representative Rogers brought up the question of shortfunding in those small BRU's regarding the vacancy assessment. Chairman Cotten asked what effect the 5% reduction would have and if it would create a supplemental situation next year. Mr. Schroeder explained they would be adversely affected because they have mandated staffing, and he does not believe they have the latitude in the other line items to handle it. He stated it is his opinion that to shortfund them more than 1% would be futile.

Crime Identification & Apprehension/Training, p 142:

Representative Adams advised the subcommittee's recommendation is not to take the 5% reduction and use the Governor's figure. There was no objection.

Task Force on Violent Crime: Representative Meekins moved to incorporate into the JUSTICE BUDGET the figure \$2,773.1, representing the recommendations of the Task Force contained in a memorandum (see Attachment 2) dated May 6.

Representative Malone moved to amend the figure to include additional funding for the Public Defender's Office of \$316.8, increasing the positions to four attorneys, an investigator and a typist. Representative Adams objected. Representative Meekins noted the \$460.0 Representative Malone is referring to was in the

recommendations of the Task Force at one time. Representative Freeman commented he feels there should be enough attorneys available for those people charged with arrest, and the whole purpose is being defeated if they are not provided. Representative Montgomery wondered why they couldn't overspend and then be given the money, as providing attorneys is mandated under existing statutes; because "if you budget that now, you can bet they are going to spend it."

(Representative Carney returned to the meeting.)

Representative Rogers moved to amend the amendment that the public defenders be placed in locales and areas where there are none. Representative Malone indicated they are presently going to Juneau, Anchorage, Fairbanks and Bethel and are related to caseloads.

The question was called for on the amendment to the amendment (Rogers), and the motion FAILED.

The question was called for on the amendment (Malone) to the motion, and the amendment PASSED (six in favor, four opposed).

The question on the main motion (Meekins) was called for, and the motion PASSED (six in favor, three opposed).

Representative Malone requested funding be restructured to add back some funds for the Judicial Council, p 172, to continue its sentencing studies. He moved the figure \$96.0. The question was called for, and the motion FAILED.

Criminal Justice Planning Agency, p 40: Representative Meekins suggested adding \$511.0, continuation level, here unless it could be taken care of in Free Conference Committee.

Representative Haugen moved the JUSTICE BUDGET be considered closed. There was no objection.

{Tape HFC 81-76, Side 1, #001}

EDUCATION BUDGET CATEGORY

Financial Support - Other/Debt Retirement-Local, p 44: Representative Moss moved the figure \$40,093.5. There was no objection.

Referring to the D-2 issue, Chairman Cotten advised this would take more time to resolve and indicated it will be handled in Free Conference Committee.

NATURAL RESOURCES MANAGEMENT (NRMEC) BUDGET CATEGORY

Calling attention to the issue relating to the Outer Continental Shelf, Chairman Cotten noted this was originally in the GENERAL GOVERNMENT BUDGET, but the subcommittee recommendation is to add