

**ALASKA STATE LEGISLATURE
HOUSE RESOURCES STANDING COMMITTEE**

March 22, 2002

1:10 p.m.

MEMBERS PRESENT

Representative Beverly Masek, Co-Chair
Representative Hugh Fate, Vice Chair
Representative Joe Green
Representative Mike Chenault
Representative Lesil McGuire
Representative Gary Stevens
Representative Mary Kapsner
Representative Beth Kerttula

MEMBERS ABSENT

Representative Drew Scalzi, Co-Chair

COMMITTEE CALENDAR

CS FOR SENATE BILL NO. 255(RES)

"An Act approving an exchange of land between the state and Gold Cord Development Corporation; and providing for an effective date."

- MOVED CSSB 255(RES) OUT OF COMMITTEE

HOUSE BILL NO. 462

"An Act relating to the release of certain confidential records and reports concerning fishing, fish buying, or fish processing; and providing for an effective date."

- MOVED CSHB 462(RES) OUT OF COMMITTEE

PREVIOUS ACTION

BILL: SB 255

SHORT TITLE:LAND EXCHANGES: GOLD CORD DEVELOPMENT

SPONSOR(S): SENATOR(S) GREEN BY REQUEST

Jrn-Date	Jrn-Page		Action
01/23/02	2018	(S)	READ THE FIRST TIME - REFERRALS
01/23/02	2018	(S)	RES
02/08/02		(S)	RES AT 3:30 PM BUTROVICH 205

02/08/02		(S)	Moved CS(RES) Out of Committee
02/08/02		(S)	MINUTE(RES)
02/11/02	2153	(S)	RES RPT CS 6DP NEW TITLE
02/11/02	2154	(S)	DP: TORGERSON, HALFORD, STEVENS,
02/11/02	2154	(S)	WILKEN, LINCOLN, ELTON
02/11/02	2154	(S)	FN1: ZERO(DNR)
03/01/02		(S)	RLS AT 10:30 AM FAHRENKAMP 203
03/01/02		(S)	MINUTE(RLS)
03/01/02	2342	(S)	RULES TO CALENDAR 3/1/02
03/01/02	2345	(S)	READ THE SECOND TIME
03/01/02	2345	(S)	RES CS ADOPTED UNAN CONSENT
03/01/02	2345	(S)	ADVANCED TO THIRD READING UNAN CONSENT
03/01/02	2345	(S)	READ THE THIRD TIME CSSB 255(RES)
03/01/02	2346	(S)	PASSED Y17 N- E2 A1
03/01/02	2346	(S)	EFFECTIVE DATE(S) SAME AS PASSAGE
03/01/02	2351	(S)	TRANSMITTED TO (H)
03/01/02	2351	(S)	VERSION: CSSB 255(RES)
03/04/02	2459	(H)	READ THE FIRST TIME - REFERRALS
03/04/02	2459	(H)	RES
03/22/02		(H)	RES AT 1:00 PM CAPITOL 124

BILL: HB 462

SHORT TITLE:CONFIDENTIALITY OF FISHING RECORDS

SPONSOR(S): REPRESENTATIVE(S)STEVENS

Jrn-Date	Jrn-Page		Action
02/19/02	2312	(H)	READ THE FIRST TIME - REFERRALS
02/19/02	2312	(H)	FSH, RES
03/04/02		(H)	FSH AT 3:30 PM CAPITOL 124
03/04/02		(H)	Moved Out of Committee
03/06/02	2486	(H)	FSH RPT 2DP 3NR
03/06/02	2486	(H)	DP: SCALZI, STEVENS; NR: COGHILL,
03/06/02	2486	(H)	KAPSNER, KERTTULA
03/06/02	2486	(H)	FN1: ZERO(DFG)
03/06/02	2486	(H)	FN2: ZERO(DPS)
03/15/02		(H)	RES AT 1:00 PM CAPITOL 124
03/15/02		(H)	Heard & Held
03/22/02		(H)	RES AT 1:00 PM CAPITOL 124

WITNESS REGISTER

JERRY BURNETT, Staff
to Senator Lyda Green
Alaska State Legislature
Capitol Building, Room 125
Juneau, Alaska 99801

POSITION STATEMENT: Presented CSSB 255(RES) on behalf of
Senator Green, sponsor of SB 255 by request.

CAROL CARROLL, Director
Division of Support Services
Department of Natural Resources (DNR)
400 Willoughby Avenue, 5th Floor
Juneau, Alaska 99801-1724

POSITION STATEMENT: Urged passage of CSSB 255(RES).

GORDY WILLIAMS, Legislative Liaison
Office of the Commissioner
Alaska Department of Fish & Game (ADF&G)
PO Box 25526
Juneau, Alaska 99802-5526

POSITION STATEMENT: Answered questions regarding CSHB 462,
Version F.

ACTION NARRATIVE

TAPE 02-18, SIDE A
Number 0001

CO-CHAIR BEVERLY MASEK called the House Resources Standing
Committee meeting to order at 1:10 P.M. Representatives Masek,
Fate, Green, McGuire, Stevens, Chenault, and Kerttula were
present at the call to order. Representative Kapsner arrived as
the meeting was in progress.

SB 255-LAND EXCHANGES: GOLD CORD DEVELOPMENT

Number 0010

CO-CHAIR MASEK announced the first order of business before the
committee, CS FOR SENATE BILL NO. 255(RES), "An Act approving an
exchange of land between the state and Gold Cord Development
Corporation; and providing for an effective date."

Number 0102

JERRY BURNETT, Staff to Senator Lyda Green, Alaska State Legislature, presented CSSB 255(RES) on behalf of Senator Green, sponsor of SB 255 by request. Noting that the bill relates to legislative approval of an unequal land exchange, Mr. Burnett offered the following sponsor statement:

Alaska "State Parks" [Division of Parks & Outdoor Recreation] has been working since 1978 to develop an opportunity for private reuse and management of historic buildings at Independence Mine State [Historical] Park (IMSHP). To make such a private venture economical, the state has already completed or has in the works several projects. [State] Parks completed paving the road to IMSHP, secured the underground mine tunnel [in a previous exchange] to allow for underground tours, and will complete rehabilitation of foundations and roofs on seven buildings beginning in 2002 - and that's being paid for with federal funds - and several TRAAK [Trails and Recreation Access for Alaska] projects to improve the trail system, parking lots, Americans with Disabilities Act [ADA] access to existing visitor center, and interpretive panels on the mine's history. They will be releasing an RFP [request for proposals] seeking a private partner, ... scheduled for release in ... February [2002].

To facilitate the road access to the underground mine tour, the State of Alaska sought an exchange with Gold Cord [Development Corporation], the owner of a critical section of the road. The state held an easement across the property, but it was not of sufficient size to provide the bus access necessary. In addition, Gold Cord held a federal mining claim that extended into the existing park boundaries.

The exchange has been agreed to by all parties. The reason you need a legislative approval is because the state land that's being traded ... away is worth about \$63,000 - that Gold Cord gets. And the state will be receiving about \$68,[5]00 worth of land. So, there's about a \$5,500 advantage to the state, here. And since it's unequal, the legislature needs to approve it.

Number 0328

REPRESENTATIVE FATE inquired whether the mining claims held by Gold Cord are patented.

MR. BURNETT replied no.

REPRESENTATIVE FATE expressed concern with the process with these federal mining claims that aren't patented, because the negotiations might have to occur with the federal government rather than with Gold Cord.

Number 0446

CAROL CARROLL, Director, Division of Support Services, Department of Natural Resources (DNR), clarified that the federal government is part of this exchange. The state is unable to obtain the selected land due to the unpatented federal mining claims. Therefore, Gold Cord is going to give up the mining claims, and the federal government is going to give the land to the state; then the exchange between the state and Gold Cord will occur. The department supports this; the Division of Parks [& Outdoor Recreation] has worked hard to obtain this agreement. There were few comments [during the public process], she noted, and those didn't illustrate any controversy. Therefore, she urged passage of the bill.

MS. CARROLL, in response to Representative Green, explained that the [double] dotted line on the map in the committee packet refers to the road. Directing attention to where the road crosses over the corner of the [parcel] labeled "Gold Cord No. 9," she explained that this portion is what the state will receive in order to straighten the road. The state will also receive the southern half of the [parcel] labeled "Gold Cord Add No. 2." That is the exchange.

Number 0686

MS. CARROLL, in response to Representative Stevens, explained that the Independence Mine, located in the Hatcher Pass area of the Matanuska-Susitna region, was a famous gold mine in the Gold Rush era. Some buildings remain, and the area is picturesque. The [Division of Parks & Outdoor Recreation] would like to obtain a contractor to maintain the area and open up some of the underground mining tunnels for tours.

REPRESENTATIVE FATE asked how long the RFPs have been out, and what the response has been.

MS. CARROLL recalled that the RFPs went out in February, but aren't due until October. She indicated although there may have been some proposals, she wasn't aware of any.

REPRESENTATIVE FATE remarked that he has been to [IMSHP], which he called a delightful place with tremendous opportunity.

Number 0883

REPRESENTATIVE FATE moved to report CSSB 255(RES) out of committee with individual recommendations and the accompanying zero fiscal note. There being no objection, CSSB 255(RES) was moved out of the House Resources Standing Committee.

HB 462-CONFIDENTIALITY OF FISHING RECORDS

CO-CHAIR MASEK announced the final order of business, HOUSE BILL NO. 462, "An Act relating to the release of certain confidential records and reports concerning fishing, fish buying, or fish processing; and providing for an effective date."

Number 0961

REPRESENTATIVE GREEN moved to adopt CSHB 462, version 22-LS1401\F, Utermohle, 3/21/01, as the working document. There being no objection, Version F was before the committee.

REPRESENTATIVE STEVENS, sponsor of HB 462, informed the committee that the only change is to insert "fishermen," [on page 1, line 7], in order to ensure that fishermen who are catchers and exporters are covered by this.

Number 1043

GORDY WILLIAMS, Legislative Liaison, Office of the Commissioner, Alaska Department of Fish & Game (ADF&G), began by thanking the committee for holding the bill over so that the department could work on some definitions. He pointed out that the word "fishermen" had been included in the new language regarding the annual statistical report, the Commercial Operators Annual Report (COAR) discussed on page 1, line 7, and on page 2, paragraphs (7), (8), and (9). Before the first hearing on HB 462, he recalled, there was an issue with regard to whether catcher-exporter fishermen who also submit a COAR would be covered under the confidentiality. The report [under Version F] would be able to be returned to this group, and would be

available to the [Department of] Public Safety and the National Marine Fisheries Service (NMFS). This is merely a technical change, he added.

Number 1191

REPRESENTATIVE GREEN asked why fishermen need to be brought in under this confidentiality.

MR. WILLIAMS answered that [Version F] doesn't bring fishermen in under the confidentiality aspect any more than they technically already are. Of those who submit a COAR, the catcher-exporter group doesn't really fit well as a buyer or processor. However, this group is submitting a COAR; thus the desire is to provide clarity that the catcher-exporter's COAR will also be held confidential. No new reports from fishermen are being required, he pointed out.

REPRESENTATIVE GREEN asked why it's important to fishermen that their COARs remain confidential.

MR. WILLIAMS explained that the COARs have fairly proprietary information with regard to what was bought, and in some cases lists the wholesale price. This is information submitted to ADF&G and the Department of Revenue for the purposes of statistical analysis and good fisheries management. The department wants to hold these reports confidential because they contain information that isn't available to the general public. Mr. Williams pointed out that on the fish ticket there is some discreet information with regard to the location of the catch; that information is desired [by the fishermen] to be kept confidential.

Number 1415

REPRESENTATIVE FATE announced that he gets fish tickets, and yet everyone on his stretch of the river knows what he caught, where he caught it, and how much he was paid for it. Therefore, he said he didn't understand the confidentiality issue. He questioned the good of enforcing confidentiality that [to his belief] doesn't even exist.

REPRESENTATIVE STEVENS pointed out that it is different in the rivers versus the ocean. He explained that the real point of the bill is to allow fishermen to get the reports returned to them for various reasons.

MR. WILLIAMS agreed. He said that once the information is received by the state, the [department] feels that those reports should be held confidential because they do include proprietary and discreet information. What fishermen or processors choose to do with their own information is their business.

REPRESENTATIVE FATE proposed that there are two different fisheries in the state: a "blue water" fishery and a smaller "brown water" fishery. It seems often things are done with regard to fishing that don't consider the latter, he said, although he acknowledged that this particular bill wouldn't hurt it. He expressed hope that future bills will consider that there is more than one fishery in the state.

MR. WILLIAMS affirmed that this legislation is generic to all fisheries.

CO-CHAIR MASEK, noting that no one wanted to testify, announced that public testimony was closed.

Number 1726

REPRESENTATIVE GREEN moved to report CSHB 462, version 22-LS1401\F, Utermohle, 3/21/02, out of committee with individual recommendations and the accompanying zero fiscal note. There being no objection, CSHB 462(RES) was moved out of the House Resources Standing Committee.

ADJOURNMENT

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at 1:35 p.m.