

ALASKA STATE LEGISLATURE  
**SENATE RESOURCES COMMITTEE**

March 6, 2002  
3:37 p.m.

**MEMBERS PRESENT**

Senator John Torgerson, Chair  
Senator Gary Wilken, Vice Chair  
Senator Robin Taylor  
Senator Ben Stevens  
Senator Kim Elton  
Senator Georgianna Lincoln

**MEMBERS ABSENT**

Senator Rick Halford

**COMMITTEE CALENDAR**

SENATE BILL NO. 279

"An Act authorizing the commissioner of fish and game to issue complimentary sport fishing licenses and tags to September 11 emergency responders and their spouses; and providing for an effective date."

MOVED CSSB 279(RES) OUT OF COMMITTEE

CS FOR HOUSE BILL NO. 263(RES)

"An Act relating to water quality standards applicable to flow-through hot springs."

MOVED CSHB 263(RES) OUT OF COMMITTEE

SENATE BILL NO. 329

"An Act authorizing community development quota groups to hold commercial fishing permits."

SCHEDULED BUT NOT HEARD

**PREVIOUS COMMITTEE ACTION**

SB 279 - No previous action to record.  
HB 263 - No previous action to record.  
SB 329 - No previous action to record.

**WITNESS REGISTER**

SENATE RES COMMITTEE

-1-

March 6, 2002

Mr. Yuri Morgan  
Staff to Senator Wilken  
State Capitol Bldg.  
Juneau AK 99811

**POSITION STATEMENT:** Commented on SB 279 for sponsor.

Mr. Jim Low  
142 Frog Pond Circle  
Fairbanks AK 99712

**POSITION STATEMENT:** Supported SB 279.

Ms. Mary Siroky, Legislative Liaison  
Department of Environmental Conservation  
410 Willoughby, Ste 303  
Juneau AK 99801-1795

**POSITION STATEMENT:** Supported on SB 279.

#### **ACTION NARRATIVE**

#### **TAPE 02-9, SIDE A**

Number 001  
#SB279

#### **SB 279-SPORT FISH LICENSES FOR 9/11 RESPONDERS**

**CHAIRMAN JOHN TORGERSON** called the Senate Resources Committee meeting to order at 3:37 p.m. and announced SB 279 to be up for consideration.

SENATOR WILKEN, sponsor of SB 279, said his staff, Yuri Morgan, would help him answer questions.

SENATOR WILKEN said he was approached by Jim Low from Fairbanks, a former brown shirt with the Troopers who recently retired. He has a stellar reputation around Fairbanks and proposed this bill to him, which allows complimentary fishing licenses to the responders in New York and Washington D.C. on 9/11. He said that's what this bill does and the offer expires on December 31, 2003. He noted, "This bill is a gesture in kind. It's a small gift and will allow Alaska to honor and recognize those brave men and women who served in such admirable fashion."

Other states have shown their appreciation. The State of Iowa sent 1,500 quilts to the responders and three fire trucks; Texas sent 26,000 grapefruits; the town of Naples, Italy, sent a one-ton nativity scene; the State of Hawaii has offered free vacations for the police, fire fighters and relatives of rescue

workers that perished in the attack; California sent a Manhattan-shaped Bonsai Tree; and the people of North Dakota sent 229,300 servings of macaroni. Japan sent 1,000 origami paper cranes as an indication of peace and good will.

CHAIRMAN TORGERSON asked how they were going to know if these people were actual responders.

MR. YURI MORGAN, staff to Senator Wilken, replied that the department would issue a letter to the commissioners of the three departments - fire, police and EMT - in both cities, along with a form drafted by [ADF&G] that would require a signature by one of the commissioners or one of the people verifying that these people acted on that day.

CHAIRMAN TORGERSON asked if the people had to be residents of New York.

MR. MORGAN replied yes, New York City and Washington D.C. on that day - September 11.

SENATOR LINCOLN said she had similar questions and added that she didn't care if they responded on September 11 or to say that they were just a provider at the site of the World Trade Center or the Pentagon. She would prefer to extend this gesture to anyone who responded, including and especially the folks that volunteered from Alaska. She questioned what "for use in any one season" meant and whether a license could be used in 2007.

MR. MORGAN replied that the intent is to have the licenses validated on or before December 31, 2003.

SENATOR LINCOLN asked what the statement on page 1, line 12 meant, "for use in any one season in their visit to the state."

MR. MORGAN replied, "Between now and then. So this season and next year's season."

SENATOR LINCOLN encouraged them to expand the gesture to include the people who worked at the site without giving a specific date so that it be available to all who worked there.

SENATOR WILKEN replied that they struggled a bit with not knowing how big a response this would have and agreed to a 250 cap. He suspected that the filter wouldn't be too stringent for anyone who applies. They figure 250 is two and a half times the number of people they expect to take advantage of it. He doubted [ADF&G] would split hairs about the people who responded if they are

qualified through the commissioner system in New York and Washington D.C.

SENATOR LINCOLN said she would like those who responded from Alaska to be able to participate in this effort.

SENATOR WILKEN replied that that gesture is noble, but he is concerned about how to identify those people. He would see if there is a way to contact those folks. He said if there were 50 to 100 Alaskans, they might come up against the cap quicker than they care to.

CHAIRMAN TORGERSON asked him to look at that possibility before the bill gets to Finance. Senator Wilken indicated he would. He agreed with Senator Lincoln as long as they keep the 250-cap.

SENATOR TAYLOR asked if they have to be residents of New York or Washington D.C. and said his concern is that he didn't see that language in the bill. He thought that a lot of the responders who worked in New York lived across the river in New Jersey or in the bedroom communities of Washington D.C. in Virginia and Maryland.

CHAIRMAN TORGERSON added that they might even find some military people at the Pentagon who could be residents of anywhere.

SENATOR WILKEN said they didn't want this to be a big administrative burden and directed the committee to page 2, lines 2 and 3 "The commissioner shall". [ADF&G] has asked him to amend the bill to allow them to do this administratively so they don't have to go through the process of promulgating regulations. He would bring the bill back with that change.

MR. JIM LOW, Fairbanks resident, supported SB 279.

CHAIRMAN TORGERSON thanked him.

SENATOR TAYLOR moved on page 1, line 2 to delete beginning with "The Commissioner" through to the end of the period on line 4.

CHAIRMAN TORGERSON said he didn't think that would cover it, because the last time he went through this they had to actually give the commissioner the power not to adopt the regulations. He noted, "We actually had to say it." He asked Senator Wilken to check on that.

There were no further objections and amendment 1 was adopted.

SENATOR TAYLOR moved to pass CSSB 279(RES) from committee with

individual recommendations. There were no objections and it was so ordered.

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#SB329

CHAIRMAN TORGERSON announced that SB 329 would not be heard today.

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#HB263

**HB 263-REGULATION OF HOT SPRINGS WATER**

CHAIRMAN TORGERSON announced HB 263 to be up for consideration.

REPRESENTATIVE FATE, sponsor of HB 263, said that DEC supported this bill, which makes sure that a flow-through hot springs body of water complies with the state standards for pollutants, chemicals, or pathogens. As long as those standards are met, the introduction of a chemical such as chlorine, which would detract from the natural mineral content or the aesthetic experience or the perceived medicinal experience of the hot spring, would not be altered. He noted that hot springs contribute to the economy of rural Alaska where they are located. The testing of the waters will occur as frequently as DEC deems necessary.

SENATOR TAYLOR asked why DEC couldn't just do this through regulation.

REPRESENTATIVE FATE replied that they literally felt it was incumbent upon them to treat these bodies of water as pools. The problem they had was considering the hot springs where people went to bathe as pools. That connotes a swimming pool. Changing "pool" to "body of water" got away from that swimming pool connotation.

SENATOR WILKEN asked him to expand on "further water quality regulation" on line 6. He asked if "further" referred to chlorination.

REPRESENTATIVE FATE said it does under AS 44.46. - chlorine or any other chemical that DEC deems appropriate to make those pathogen levels safe for humans to enter.

SENATOR LINCOLN asked if DEC supports this bill.

REPRESENTATIVE FATE said it does.

MS. MARY SIROKY, legislative liaison, DEC, said that the department worked with Representative Fate and resolved all their concerns.

SENATOR ELTON asked if DEC would still maintain the fecal coliform checks in these bodies of water.

MS. SIROKY said it would.

SENATOR TAYLOR said they wouldn't get to further water quality regulation until a triggering event occurs, which is the discovery of more than 100 colonies or less per 100 millimeters of water in the pool.

MS. SIROKY said that was correct with the caveat at the second part of the sentence, which is, "free from dangerous levels of disease causing pathogens or chemicals." What they are talking about with "further water quality regulation" are things like total dissolved solids.

SENATOR TAYLOR moved to pass CSHB 263(RES) from committee with individual recommendations. There were no objections and it was so ordered.

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CHAIRMAN TORGERSON adjourned the meeting at 4:00 p.m.