

HB

327

SENATE COMMITTEE REPORT

FURTHER

4/14/88

DATE TURNED INTO OFFICE \_\_\_\_\_

Mr. President:

Resources \_\_\_\_\_ Committee considered CSHB 327 (FIN)

penalties for violating the Alaska Historic Preservation Act; efd

and recommended

[ ] replace with \_\_\_\_\_ CS \_\_\_\_\_ ) [ ] same title  
[ ] or adopt \_\_\_\_\_ CS \_\_\_\_\_ ) [ ] new title

[ ] attached amendment(s) and

[ ] do pass

[ ] do not pass

[ ] no recommendation

[  ] individual recommendations

[ ] further referral to \_\_\_\_\_

[ ] letter of intent adopted \_\_\_\_\_

Committee [ ] attached or [  ] adopted fiscal note(s)

[ ] new [ ] updated or [ ] previous  
[  ] zero [ ] fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

*[Signature]*  
*[Signature]*

*Don't think so*

*[Signature]* Do Pass  
Chairman Signature and recommendation

[ ] Committee Backup attached



# Alaska State Legislature

Representative Mike Davis

District 19

P.O. Box V  
Juneau, Alaska 99811  
(907) 465-4930/4941

Interim Office  
P.O. Box 81435  
Fairbanks, Alaska 99708  
(907) 456-8161

## MEMORANDUM

TO: Members of Senate Resources Committee

FROM: Rep. Mike Davis *Mike Davis*

DATE: April 22, 1988

RE: HB 327: An Act relating to penalties for violating the Alaska Historical Preservation act; and providing for an effective date.

The Alaska Historic Preservation Act protects historic, prehistoric and archeological resources, including deposits, structures, ruins, sites, buildings, graves, artifacts, fossils, or other objects of antiquity which provide information pertaining to the historical or prehistorical culture of the people in the state as well as the state's natural history. This protection exists only on state land. The act does not pertain to federal or private land. HB 327 provides a higher level of protection for historical resources by increasing the penalties for violating the act.

Alaska has an unusually rich and largely undisturbed reserve of historic objects. These resources are often sought by collectors undeterred by current penalties or the need to preserve these objects for the public good. It is no exaggeration that ivory and bone tools used by Eskimos, great wood carvings of the Tlingits, dinosaur bones found on the North Slope and World War II relics strewn around the state and across the Aleutians are priceless.

Current law provides penalties of a \$1,000 fine, six months imprisonment or both for violating the act--penalties inadequate to protect the state's historical resources. HB 327 would increase the criminal penalties for violation of existing law to those of a Class A misdemeanor, no more than a \$5,000 fine, one year imprisonment, and adds civil penalties of up to \$100,000.

Passage of HB 327 would provide an effective deterrent against unauthorized destruction or theft of historic objects protected by the Alaska Historic Preservation Act on state lands and would heighten awareness among Alaskans and visitors of the value of these unique and diverse resources.

STATE OF ALASKA  
1988 LEGISLATIVE SESSION

BILL VERSION CSHB 327 (FIN)  
PUBLISH DATE: HOUSE 1/29/88

(66)

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_ Agency Affected: Dept. of Corrections  
 Title: "An Act relating to penalties for BRU: \_\_\_\_\_  
violating the Alaska Historic Preservation Act  
 Sponsor: Representative Davis & Koponen Components: \_\_\_\_\_  
 Requestor: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

This legislation would have minimal impact on the Department of Corrections.

*Susan E. Knighton*

Prepared by: Susan Knighton Phone: 465-3376  
 Division: Director of Administrative Services Date: 1-15-88

Approved by Commissioner: Susan Humphrey-Barnett Date: \_\_\_\_\_  
 Agency: Department of Corrections

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

STATE OF ALASKA  
1988 LEGISLATIVE SESSION

BILL VERSION: HB 327  
PUBLISH DATE: HOUSE 1/18/88

FISCAL NOTE

REQUEST:

Revision Date: 05/17/87  
Title: An act relating to penalties for violating the AHPA  
Sponsor: Davis, Koponen  
Requestor: House Judiciary

Agency Affected: Natural Resources  
BRU: Parks and Recreational Management  
Components: Historic Resource Management

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Because HB 327 is an upgrade in existing penalties, there should be no additional costs incurred by the Department of Natural Resources.

Prepared by: Lawrence Ostrovsky, Special Assistant  
Division: Commissioner's Office

Phone: 465-2400  
Date: 01/14/88

Approved by Commissioner: *Judith M. Bouchard*  
Agency: Department of Natural Resources

Date: 01/14/88

Distribution (by preparer):  
Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)

# STATE OF ALASKA

STEVE COWPER, GOVERNOR

## DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

400 WILLOUGHBY AVE.  
JUNEAU, ALASKA 99801-1796  
PHONE: (907) 465-2400

January 14, 1988

The Honorable John Sund  
Chairman, House Judiciary Committee  
State House of Representatives  
P.O. Box V  
Juneau, Alaska 99811

Dear Representative Sund:

Subject: HB 327 relating to penalties for violating  
the Alaska Historic Preservation Act.

### Background

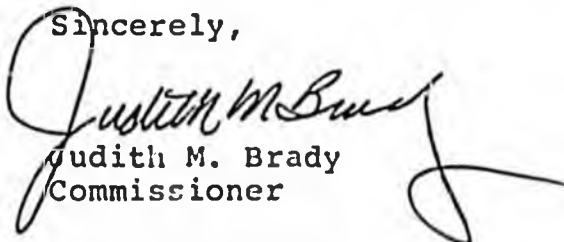
HB 327 increases criminal penalties for appropriating, destroying or otherwise harming any historic, prehistoric or archeological resources of the state. HB 327 provides that violations will be a Class A misdemeanor and provides for a civil penalty of up to \$100,000.

Introduction of a civil penalty will provide a substantial monetary deterrent which does not exist under present law, as archeological artifacts and items such as historic aircraft parts often have substantial monetary value.

### Recommendation

The Department of Natural Resources supports HB 327 and recommends its passage out of the House Judiciary Committee.

Sincerely,



Judith M. Brady  
Commissioner

cc: Rod Swope  
Bob Evans  
Bill Sponsors  
Committee Members  
Department of Law

vices of experts and other persons who may be needed. (§ 1 ch 130 SLA 1971)

**Sec. 41.35.200. Unlawful acts.** (a) A person may not appropriate, excavate, remove, injure, or destroy, without a permit from the commissioner, any historic, prehistoric or archeological resources of the state.

(b) A person may not possess, sell, buy or transport within the state, or offer to sell, buy or transport within the state, historic, prehistoric or archeological resources taken or acquired in violation of this section or 16 U.S.C. 433.

(c) A person may not unlawfully destroy, mutilate, deface, injure, remove or excavate a gravesite or a tomb, monument, gravestone or other structure or object at a gravesite, even though the gravesite appears to be abandoned, lost or neglected.

(d) An historic, prehistoric or archeological resource which is taken in violation of this section shall be seized by any person designated in AS 41.35.220 wherever found and at any time. Objects seized may be disposed of as the commissioner determines by deposit in the proper public depository. (§ 1 ch 130 SLA 1971; am § 8 ch 112 SLA 1974)

**Sec. 41.35.210. Penalties.** A person who violates a provision of this chapter is guilty of a misdemeanor, and upon conviction is punishable by a fine of \$1,000, or by imprisonment for not more than six months, or by both. (§ 1 ch 130 SLA 1971)

**Sec. 41.35.220. Enforcement authority.** The following persons are peace officers of the state and shall enforce this chapter:

- (1) an employee of the department authorized by the commissioner;
- (2) a peace officer in the state;
- (3) any other person authorized by the commissioner. (§ 1 ch 130 SLA 1971)

**Cross references.** — For definition of "peace officer," see AS 01.10.060(6).

**Sec. 41.35.230. Definitions.** In this chapter, unless the context otherwise requires,

- (1) "commissioner" means the commissioner of natural resources;
- (2) "committee" means the Historic Sites Advisory Committee;
- (3) "department" means the Department of Natural Resources;
- (4) "historic, prehistoric and archeological resources" includes deposits, structures, ruins, sites, buildings, graves, artifacts, fossils, or other objects of antiquity which provide information pertaining to the historical or prehistorical culture of people in the state as well as to the natural history of the state. (§ 1 ch 130 SLA 1971)

# MEMORANDUM

# State of Alaska

Department of Natural Resources, Division of Parks and Outdoor Recreation

TO: Tom Moyer  
Legislative Aide  
Representative Davis' Office  
Alaska State Legislature

FROM: Judith E. Bittner *JB*  
Chief, Office of History & Archaeology  
Department of Natural Resources

REF: Changes to  
ACC.11.16

APR 24 REC

The Alaska Historic Preservation Act, (AS 41.35.010) formulates as state law the preservation and protection of Alaska's historic, prehistoric and archaeological resources from loss, desecration and destruction. Title 11, Chapter 16 of the Alaska Administrative Code, establishes implementing regulations to deal with jurisdiction, title to collected items, the permitting process, reports, etc. related to these resources.

It is unlawful for a person to appropriate, excavate, remove, injure, or destroy without a permit from the Commissioner, any historic, prehistoric or archaeological resources of the state. There is, quite properly, a broad definition given to "historic, prehistoric and archaeological resources" under 41.35.230 ("deposits, structures, ruins, sites, buildings, graves, artifacts, fossils, or other objects of antiquity which provide information pertaining to the historical or prehistorical culture of people in this state as well as to the natural history of the state.") Penalties are established under Section 41.35.200 for possessing, selling, buying or transporting within the state, or offering to sell, buy or transport within the state, historic, prehistoric or archaeological resources taken or acquired in violation of this section. Violators are guilty of a misdemeanor and, upon conviction, are punishable by a fine of \$1,000, or by imprisonment for not more than six months, or by both. (AS 41.35.210)

I am certain that aircraft and parts thereof are adequately covered under AS 41.35.230. Alaskan historic aircraft have been accorded recognition as historic artifacts and/or objects of antiquity by the Governor's Historic Sites Advisory Committee (established under AS 41.35.110) in nominations to the National Register of Historic Places and by award of grants to recover rare, endangered aircraft. I would suggest that changes should not be made to Section 11.16.110, a portion of the implementing regulations that define administrative responsibility for historic sites as being within the Division of Parks and Outdoor Recreation. Any changes in State law should, more appropriately, be made to AS 41.35.200. Mr. Long's efforts are in the right direction; as State Historic Preservation Officer I would support efforts to increase the penalty for violation of 41.35.200 from a misdemeanor to a felony.

MOYER. REP

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# Protecting the heritage of aviation in Alaska

We are losing part of our aviation and state heritage. Artifacts of Alaska's aviation history are continually scavenged by Outside private interests. It's unfortunate, but aviation artifacts have become something of value.

Three public, nonprofit organizations are concerned with keeping Alaska's aviation heritage in Alaska. They are the Museum of Alaska Transportation and Industry in Palmer, The Alaskan Historical Aircraft Society in Anchorage, and the Interior and Arctic Alaska Aeronautical Foundation in Fairbanks.

Other organizations also are concerned with recovery of historic aircraft, but their efforts are structured to private use or gain.

The United States Historical Aircraft Preservation Museum, with Paul A. Fox as president, has interfered considerably with other legitimate recovery and preservation efforts.

Fox issued public notices claiming ownership to all downed military aircraft that were no longer claimed by the military. He then issued threats of legal action against any other organization that tried to salvage these aircraft. The notice was published in the Western Flyer, a Tacoma, Wash., aviation newspaper.

Fox's claim was denied by The U.S. Department of the Interior, which wrote, "We have reviewed those public notices and find them legally insufficient to establish any claim of ownership to the downed aircraft. Under any interpretation of applicable law, mere publication of claimed ownership is not sufficient to establish ownership of downed aircraft. Consequently, we are of the opinion that public notices may simply be ignored as legally innocuous."

The problems have not stopped with the Department of Interior's decision. Seven Curtis P-40 crash sites have been scavenged in recent months; the Nome site was allegedly picked over by a member of Fox's organization.

The P-40 is a World War II fighter that was staged in Alaska during the war years. Like most WWII fighters, the P-40 is a rare airplane, worth about \$100,000 in flying condition. The destination of its recovered parts is Texas, not Alaska.

Site locations include federal, Native lands and land still in question. Alaska's state Department of Natural Resources and the U.S.

Everett Long

Pilot's  
Corner



Commentary

"We are investigating (the theft or trespass) because two wrecks were on federal land," said Larry Hood, an agent with the USFWS. The fine is \$250 to \$500. A wrecked P-40 is worth over \$100,000.

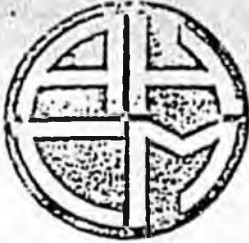
"It's a big question of ownership after the fines have been paid," Hood said. The state and the three legitimate aircraft museum organizations are trying to have the P-40 seized and kept in Alaska. There are enough parts to make three complete restored aircraft. They would become part of the air museum displays in Fairbanks, Palmer, and Anchorage.

Paul Chattey, who represents the Department of Natural Resources' Office of History and Archeology, is among those who'd like to see more cooperation among the various preservation groups.

"We are concerned with aircraft that are covered by the Alaska Historic Preservation Act," Chattey said. "But that only applies to aircraft on state land. At the moment we need the cooperation of all groups, like the IAAAF, the museum in Palmer, and the Alaskan Historical Aircraft Society. "Our position is this: If those P-40 parts are seized, they would be moved to storage at Palmer—and used for all Alaskans."

The Palmer museum has contacted U.S. Sen. Ted Stevens for help in seizing and keeping these aircraft in Alaska. The IAAAF and the AHAS support these efforts, and encourage people to express their views to Sen. Stevens. Locally, Rep. Mike Davis also is working to assist the effort.

It looks grim concerning saving the P-40s. Most of the salvaged parts are presently stored at Unalaska and Unalak Island. This "Gold Rush" on irreplaceable historic aircraft has got to be stopped. If not stopped, nothing will remain for educational and exhibit value



ALASKA HISTORICAL and TRANSPORTATION MUSEUM

Box 920 • Palmer, Alaska 99645 • Tel: (907) 745-4493

Honorable Ted Stevens  
United States Senator  
147 Russell Office Building  
Washington, D.C. 20510

11/14/85

Dear Senator Stevens,

We need your help!!! We have been working with the State of Alaska Office of History and Archeology, the Governors Office, The Army Corps of Engineers and aviation historical groups across Alaska to formulate and expedite a rational plan for the assessment, recovery and exhibit placement, in Alaska, of World War II aircraft wrecks.

It has been a difficult process, but substantial progress has been made. The Governor of Alaska requested a plan dealing with the W.W. II aircraft recovery and exhibit from a coalition of groups in October of this year and the plan was produced and submitted on time. In cooperation with the mentioned state or federal agencies initially the coalition of non profit groups included this museum, as an established " physical " museum facility in Palmer, the Alaskan Aviation Committee of Anchorage and has expanded to include the Interior Alaska and Arctic Aeronautical Foundation of Fairbanks, which at this time is developing an aviation collection within the Gold Dome at Alaskaland.

At this critical time when we are getting an " Alaskans for Alaska " effort well underway a potentially major disaster is in the making. A combined group of in state and " outside " salvors has gone to both Unalaska and Umnak Islands and gathered up the remains of at least seven P-40 W.W.II fighter aircraft for shipment to the Lower 48 states. This involves federal lands and has been done without the necessary federal permits which should have been obtained from the U.S. Fish and Wildlife Service. It is also the second violation by the same group within several months as similar violations recently occurred on Amchitka Island and were documented by the U.S. Fish and Wildlife Service.

Our concern arises from the fact that the U.S. Fish and Wildlife Service has been forming a position on this particular instance which maintains that the violators will be fined ( \$250 ) for their trespass, but that they can have these historically important aircraft!!! For your information a rock bottom price for a flyable P-40 at this time is in the range of \$400,000. As useful parts alone the assembled wrecks represent, we estimate , a figure substantially in excess of \$400,000. Not a bad return for a couple of \$250 fines!!!

762-

Per Dave Olson of the U.S. Fish and Wildlife Office in Anchorage his agency is about to claim ownership of all other documented wrecks on their lands, but as these particular wrecks have been moved it would be difficult to prove ownership.

This is an indefensible position!! We have photographs of the wrecks in question as they were in place on federal land and this documentation has existed for years, these wrecks were included in our plan which was requested by the Governor of Alaska and the helicopter pilot in Dutch Harbor who actually airlifted these wrecks for the salvors has pointed out the origin points to Alaska State Troopers.

Is the U.S. Fish and Wildlife Service acting in an ethical, professional and non biased manner on this issue?? We believe not particularly when their past performance, please see the enclosed information, indicates that at least some U.S. Fish and Wildlife personnel in Alaska seem to have played favorites with Lower 48 collectors in the past. An Alaskan group long on the field definitely came out second best to the Confederate Airforce, in Texas. Does perhaps someone or a number of people in Alaskas U.S. Fish and Wildlife Service have a vested interest in the outside sale of these materials? Perhaps this question should also be examined.

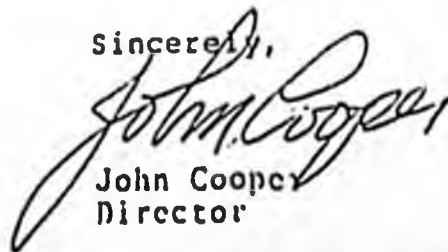
What we want at this time is your help in stopping the drain of historical materials from Alaska which in turn will help us get in place an Alaskan system for dealing with these materials. We want the authority for collection or disposal of W.W.II aircraft, or any important aviation materials, on federal lands to be turned over to the State of Alaska Office of History and Archeology. At this moment we specifically want authority for the P-40s in question to be turned over to the State of Alaska Office of History and Archeology. That agency can then in turn work with our museum and its allied preservation groups to insure quality exhibits within Alaska and perhaps a funding base, via sales of aviation materials deemed surplus, for other important aviation history preservation activities.

We have included a letter we wrote to another historical group recently as part of our effort to include Alaskan interests in the current Army Corps of Engineers Aleutians/W.W.II cleanup impact study. It should clearly illustrate our position on historical aviation preservation in Alaska.

In closing I would like to add that after a great deal of effort and real pain on the part of Alaskans the proposed U.S. Fish and Wildlife stand on the P-40s in question will set a precedent which will virtually open Alaska up to a salvors "Gold Rush". Irreplaceable historical aircraft remains of high educational and exhibit value, worth virtually millions of dollars, will disappear and what will be left for our people, our children?

Please contact us for whatever additional information you might need.

Sincerely,



John Cooper  
Director

THE ALASKAN  
HISTORICAL AIRCRAFT  
SOCIETY

2397 East 47th Court  
Anchorage, Alaska 99507  
907-276-1807

June 7, 1979

Dear Sir:

The Alaskan Historical Aircraft Society would like to ardently protest the occurrence of a situation and the conduct of certain federal agencies. During April and May a group of gentlemen representing the Confederate Air Force of Harlingen Texas arrived in Alaska with a DC-3 cargo aircraft and a helicopter. Their intent was to salvage as much WWII aircraft or aircraft parts as was feasible. Their journeys took in the Alaskan Peninsula (King Salmon - Cold Bay - Chernofski) and eventually to Adak, a restricted entry Navy base in the Aleutians. There they spent five days and flew on government O.A.S. aircraft in the company of FWS personnel to areas containing actual or reported WWII aircraft wreckage. The survey aircraft was originally chartered to serve the native population at Atka Village, through the BIA. In questioning John Moore, Director of BIA in Juneau, he claims that BIA did not authorize the flying excursions by Confederate Air Force people. He indicates that the flights were FWS authorized as "refuge survey flights." He feels that the "truth" would never have come to light except that the aircraft got stuck in the sand at Tanaga Bay ( a rich historical area) and was 18 hours overdue for doing BIA work. The Coast Guard was called out for a search mission.

The FWS refuge manager in Adak, Mr. John Martin, indicates he thought that the flights had been authorized by BIA and the Office of Aircraft Services claims it doesn't know exactly what went on or who paid for the flights. All they did was fly the airplane and land it where ever the CAF indicated. The Confederate Air Force maintains the largest

# THE ALASKAN HISTORICAL AIRCRAFT SOCIETY

2397 East 47th Court  
Anchorage, Alaska 99507  
907-276-1807

Page 2

group flying WWII aircraft in the world and is a major salvager of aircraft, world wide.

The Alaskan Historical Aircraft Society has been working long and hard in a volunteer effort to preserve WWII aircraft in Alaska as valuable historic objects. These machines relate to an important stage of Alaska's development, not to mention the commendable services and events of human courage and sacrifice during the Aleutian Campaign. We're up against the fact that these museum objects are worth tens of thousands of dollars each on vintage aircraft market. Our complaint is this: why is a major aircraft salvager from the states afforded an expeditious tour of Aleutian wreckage sites apparently with government assistance and at government expense when the Alaskan Historical Aircraft Society cannot get similar accommodation when seeking to do the federal mandated task of gathering information for the National Register of Historic Places. This nomination work is necessary to get recognition of these aircraft as historic objects and thus cause them to be preserved in the interest of future generations of Alaskans. It is reflected in Executive Order 11593, and 36 CFR800 \_\_\_\_\_, that the various federal agencies have a responsibility to do this work. These machines are rare and are historic in the finest sense of historic value. We have established this with the submission and acceptance by the State of Alaska of our nominations of the P-38 on Attu and B-24D at Atka...nominations we put together from photos gleaned from private citizens in Nevada and Massachusetts; information that should have been provided by the federal government in light of Executive Order No. 11593 and 36 CFR800. The work is recognized and endorsed by the Manager of Federal Antiquities of the Heritage Conservation Recreation Service in Wash. D.C. Even though the nomination work is the responsibility of the federal agencies, our small group has endeavored to do it out of pocket and in spare time. We do this because the FWS Service in particular claims to have no time, manpower or funds to conduct such a survey and furthermore cannot offer us any assistance whatsoever in doing their job. They say only that they will issue us a special use permit. They cannot spare any people to assist or accompany us. When we ask what assurance we have that the machines are properly protected until a proper evaluation is done, the FWS claims no one can get into Adak without security clearance and must have legitimate interest there and that, according to Mr. Owen Vivian of the FWS, no salvage

# THE ALASKAN HISTORICAL AIRCRAFT SOCIETY

2397 East 47th Court  
Anchorage, Alaska 99507  
907-276-1807

Page 3

personnel would have entry to refuge lands. Yet the people with FWS in Adak can get aircraft together and find time to visit sites with prominent aircraft salvagers.

We feel this historical resource is being compromised by someone in the federal government. Aviation represents a fourth of Alaska's 20th Century development and not much has been done to save it in a heritage sense. The Alaska Historical Aircraft Society is trying desperately to preserve this history. Would you please earnestly investigate this matter? What we want to know is this:

1. Who sponsored the Confederate Air Force with the Navy at Adak.
2. Who paid for the accommodations and the government aircraft for the CAP survey team. Who authorized the aircraft's use. (FWS; USN; BIA; OAS) (aircraft costs: \$324/day + \$247/hr. for fuel + Misc.
3. Where exactly did the crew from the CAF fly to and what did they take away.
4. Why does FWS personnel have time to accompany the people on permit (PA1-179-9 for Max Hoffman; CAF 116-S Ridge Ct. Ft. Collins, Col) and cannot assist the Alaskan Historical Aircraft Soc. personnel trying to perform federal mandated duties.
5. What part did the OAS play in this and what did pilot Dave Macelroy experience during the flights (i.e. log books)
6. Why cannot the AHAS get similar cooperation in their efforts to save this resource for Alaska.
7. Why are efforts to do nominations on valuable WWII aircraft being blocked by federal apathy.

If we cannot get some assistance, soon these historic aircraft will be scattered and broken down for parts and used to line the pockets of a few entrepreneurs. It's going to look bad if it is done with government assistance. Thank you for your time and energy concerning this situation. We know that you are busy.

Sincerely,

Dale Jackson

Sheila Dewey

Ted Spencer  
President

Vice President

Treasurer

BENJAMIN B. TALLEY  
BRIG. GEN. U. S. ARMY, RETIRED  
STAR ROUTE BOX 600  
ANCHOR POINT, AK 99556  
(907) 235-7473

3 February 1986

The Honorable Mike Davis  
Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

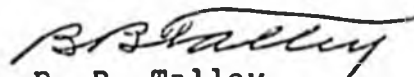
Dear Representative Davis:

I have just learned through Admiral James S. Russell that you have introduced legislation to protect World War II artifacts in Alaska.

There is a dire need for such protection, and I give this legislation my whole hearted support.

It would be appreciated if you would send me a copy of your bill so that I may discuss it with others.

Most sincerely,



B. B. Talley  
Officer in Charge of Army and  
Air Corps Construction in Alaska  
during WWII

cc: Admiral James S. Russell



## North Star Flying Lions, Inc.

F.O. Box 31301, Fairbanks, Alaska  
99708

January 16, 1986

Representative Mike Davis  
Pouch V  
Juneau, Alaska 99811

Dear Mike:

The twenty five members of the North Star Flying Lions wish to lend their support to the proposed amendments of the Alaska Historic Preservation Act. We are deeply concerned regarding the removal of historical artifacts from Alaska.

We appreciate being made fully aware of this problem through Everett Long's recent Pilot's Corner column in the Fairbanks Daily News-Miner. The tragic loss of the planes mentioned in the column diminishes Alaska's aviation heritage, which we feel is incumbent on all of us to protect and preserve.

The proposed legislation to increase the civil penalty from \$1,000 to \$100,000 is a good start in getting the kind of attention that is apparently necessary to stem further acts of criminal removal (theft, if you will) of these rare planes.

Please include our organization as being 100% in favor of your proposed amendment. Members names will be sent on request.

Sincerely yours,

L. Stanley Zielinski  
President, 1985-86

LSZ:mv

CC: Letter to the Editor  
Fairbanks Daily News-Miner

ADMIRAL JAMES S. RUSSELL, USN (RETIRED)  
7734 WALNUT AVENUE SOUTHWEST  
TACOMA, WASHINGTON 98498

29 January 1986

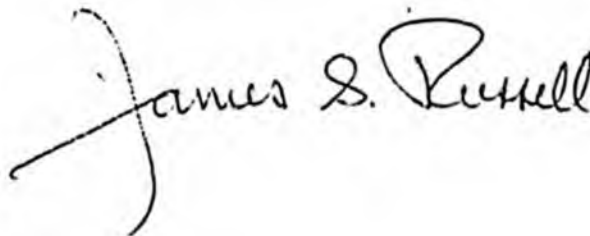
The Honorable Mike Davis  
Member of the State Legislature  
Representative of the 19th District  
Juneau, Ak., 99801

Dear Representative Davis

From one who flew and fought in Alaska in WW II,  
please accept my hearty endorsement of your effort to  
preserve for Alaskans those historic airplanes which,  
due to enemy action or weather, were wrecked and  
abandoned in the State of Alaska.

With all good wishes for your success.

Sincerely,

A handwritten signature in cursive script that reads "James S. Russell". The signature is written in dark ink and is positioned below the typed name "Sincerely,".

Enclosure: News clip from Fairbanks paper

CC; Brig.Gen. Benjamin B. Talley, USA (retired)  
Anchor Point, AK.

Representative Mike Davis  
Interior House Delegation Office  
542 4th Ave, Suite C  
Fairbanks, Alaska 99701

Dear Mr. Davis

This is to express strong support for House Bill 438. It is absolutely essential that the plundering of Alaska's valuable artifacts, in particular historical aircraft or their parts, be stopped. Maximum felony penalties should be imposed on those who would illegally remove or assist in the removal of the artifacts. They are of great and increasing value both historically and monetarily to the people of Alaska. Even a penalty of \$100,00 might not deter the theft of, for example, a World War II airplane with a value of 1/4 to 1/2 a million dollars.

Sincerely yours,



Richard R. Hoopes, President IAAF  
120 Concordia Drive  
Fairbanks, AK 99709

477-6119



KETCHIKAN  
HISTORICAL  
COMMISSION

POST OFFICE BOX 7055  
KETCHIKAN, ALASKA 99901  
907-225-6166

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March 10, 1986

Representative Mike Davis  
Alaska State Legislature  
Pouch V (MS 3100)  
Juneau, AK 99811

Dear Representative Davis:

The Ketchikan Historical Commission met on March 5, 1986 and voted to give support to HB 283 regarding historic preservation.

We have worked diligently in our programs to educate and promote historic preservation and restoration in the Ketchikan area. With the passage of HB 283, additional incentive would be given to those persons wishing to preserve their historic properties throughout Alaska.

We encourage you and your legislative counterparts to give total support to HB 283 during the current session.

Sincerely,

A handwritten signature in cursive script that reads "Bill Lattin".

BILL LATTIN  
Chairman

cc: Governor Bill Sheffield

Paul Chatty  
Division of Parks & Recreation

**WUKLD**  
452-7684

**ALL DOWN PARKA, \$125.**

**MARK GAS & diesel heaters for interior & engine cooling systems of cars & trucks. Full repair & service on all types of gas heaters. Roger Lang's Volkswagen Shop. 479-2748.**

**MOVING - NEW BROWN plaid loveseat with oak trim; 1 year old brown naugahyde couch with oak trim, both good condition. 488-0101.**

**MUST SELL!! 1978 CJ-5, 2600 or best offer. 3 1974 Ski-Doo snowmobiles, 3600 or best offer, 1,000 for all. 456-7762, ask for Luann Jerklev.**

**NEW TORO ELECTRIC power snow shovel. 100' cord included. \$75. Call 479-7676.**

**OWATONNA SKID LOADER (like Bob Cat), V-4 Ford propane engine. Gas or propane. Good running condition. \$4,500. 488-2967.**

**PIONEER VIDEO DISC player w/ remote control, 70 movies, \$3,600 value. Must sell. \$1,000. 457-1912 after 5pm.**

**POOL TABLE, \$75. New Scandia lacust. 8'x13'. Pump, filter, used boiler. \$4,000 or best. 457-4318.**

**POOL TABLE WITH accessories. \$225. 2 chrome mag wheels with fair tires. 1975 Chev. \$125. 479-4605.**

**POOL TABLE, 8 sticks, accessories, 3 1/2'x7'. New cover, \$500. Wood typewriter desk. \$2160. \$50. 488-2691.**

**PORTABLE CIRCULAR SAW MILL. Belsaw arbor, 30" and 42" diameter blades. Best offer. 451-4845.**

**REDUCE YOUR HEATING BILLS. Save on your heating bills. Purchase a gas press for your furnace. Purchase a savings. Call 452-4154.**

**REWARD FOR INFORMATION on location of intact World War II aircraft: P-39, P-40, P-47, P-51 or P-43. Dave. 209-438-5406 collect.**

**SALE**

**AMERICAN CAT PANTHER 440 \$2,850**

REGULARLY \$3,499

See at  
**NORTHERN POWER**  
433 2nd St., Cr.  
452-2122

**SATON BEAVER**  
444, under 100 lbs  
blaze end rp  
450 Yamaha  
Cub. fuel

**SHEEP**  
17  
1/2  
10

**REBU**  
Miscellaneous

**440 CHINESE**  
WARN WINCHES  
Snowblows, shovels,  
2 1/2' heavy Rental, etc.

166  
**50 HP EVENRUE outbo**  
Completely rebuilt. Bored. 870-  
size \$1,500. Pierce Enterprises.  
2726 evenings.

**170 Motorcycles—S**

**ALASKA FUN CENTER**

Your motorcycle headgear, helmets, Paris and accessories for all makes.

Yamaha  
Honda  
Kawasaki  
Suzuki

**THREE WHEELS**

1817 COLLEGE RD

**ALI**

December 1,  
17th Hall Drive off  
P... and Skyline.

**LEAVING ALASKA.** Like new winter clothes sizes 10-12, boots and miscellaneous. Saturday, 12/1, 9am-12pm. 4953 Dartmouth #2.

**MOVING SALE:** Saturday, 12/1, 10am-3pm, Mary Kay sell-out plus lots of goodies. Everything priced to go. 100 10th Avenue, 2CA.

**MOVING SALE,** furniture, household items, some tools, lawn furniture. 1228 Denali Way. Saturday only, 9am-3pm, December 1.

**A MOVING SALE.** Plants, Christmas toys, exercise bicycle, desks, shelves, microwave, new bicycle, TV, stereo, collector albums. 452-4855.

**TV, STEREO,** sewing machine, hexagon aquarium, mirrored plant stands, beds, desk, wicker, clothes. Saturday & Sunday, 10am to 4pm, 229 West St.

**2 APT. SALE:** Christmas tree, 50,000 BTU Sears furnace, hand-crafted items, antique sewing machine. 1453 Eielson St. Apt. A & C. 451-0163.

**160 Aircraft & Equipment**

**ALASKA'S WING SPECIAL LIMITED TIME OFFER**

456-4704, Metro Field.

**CESSNA 170B, 180 Lycoming, CS prop, Avcon conversion.** Leaving state and MUST sell this super clean well-equipped bird. See at Fair International. Call for details (in Delta) at noon, or after.

**FLIGHT INSTRUCTION** or yours. FAA design flight test exam. 488-3649.

**FLIGHT ALASKA**

Cut rate OR 18