

HB

30

A M E N D M E N T

OFFERED IN THE HOUSE

BY MACLEAN

TO: HB 30

Page 1, line 29, after "Borough":

Insert "may nominate to the governor and the governor"

Page 2, lines 4 - 5:

Delete "The mayor may serve ex officio as one of the members appointed under this subsection."

Insert "The governor may reject a nominee and request an additional nomination."



Alaska State Legislature

HOUSE OF REPRESENTATIVES

Official Business

HOUSE BILL 30

P.O. Box V
State Capitol
Juneau, Alaska 99811

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STATE OF ALASKA
1989 LEGISLATIVE SESSION

#1

BILL VERSION: HB 30
PUBLISH DATE: _____

FISCAL NOTE

REQUEST:

Revision Date: 30-Jan-89 Agency Affected: Natural Resources
 Title: An Act relating to membership on BRU: Land & water Management
the Recreation River Advisory Board
 Sponsor: Larson Components: _____
 Requestor: Community & Regional Affairs

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND&STRUCTURES						
GRANTS,CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0.0					

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Larry Ostrovsky Phone: 465-2400
 Division: Commissioners Office Date: 30-Jan-89

Approved by Commissioner: Lennie Gorsuch Date: 30-Jan-89
 Agency: Department of Natural Resources

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

Alaska State Legislature

2

Session Address
STATE CAPITOL BUILDING
BOX V
JUNEAU ALASKA 99811
(907) 465-3727

Interim Address
BOX 53
PALMER, ALASKA 99645
(907) 745-1828 - Palmer
(907) 376-6828 - Wasilla

Representative Ronald L. Larson
District 16B

TO: House Community & Regional Affairs members
FROM: Ronald L. Larson *R.L.*
DATE: February 2, 1989
RE: HB 30

Currently before you for consideration is House Bill 30, an Act relating to membership on the Recreation Rivers Advisory Board. I appreciate this opportunity to share with you some of my thoughts on this legislation.

The Recreation Rivers system was created during the Fifteenth Legislature. In short, six management units within the Matanuska-Susitna Borough were given a new classification of recreational rivers. An eleven member advisory board was established to gather public input, and to draft a management plan for the Department of Natural Resources.

Of the eleven people initially appointed, only three members were residents of the Mat-Su Borough, none of which represented local government concerns, or the Mat-Su Borough's overall planning process. Judging from the many comments received during the interim, Mat-Su residents have concerns with their degree of representation on the board, along with the coordination between the advisory board and local governments.

In conclusion, House Bill 30 is merely an effort to provide local representation and coordination to the Recreation Rivers Advisory Board.

Thank you for your time and consideration.

STEVE COWPER, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

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

January 31, 1989

The Honorable Eileen MacLean
Chair, House Community and Regional
Affairs Committee
P.O. Box V
Juneau, AK 99811

Dear Representative MacLean:

Subject: HB 30, An Act relating to membership on the Recreation Rivers Advisory Board.

Background: The Governor appointed the original eleven member board. Six of these representatives are from Anchorage, three from the borough, and one from Glennallen. One representative from Kenai recently resigned because of time constraints. The Governor's Office is in the process of appointing a new representative who may be a borough resident. The Mat-Su Borough mayor, assemblymen, and some borough residents are concerned that there is inadequate borough representation on the advisory board.

Position: The Department of Natural Resources supports public participation in our planning process, and this bill would allow more people to participate in the process. A broad spectrum of interests are currently represented on this board. All parties should be involved as early as possible. Public comments from the first round of public meetings will be reviewed over the next few weeks. Issues will be identified during early February, and working groups will begin work on the resource assessment beginning in late February. All advisory board members should be involved in this part of the process. As required by law, the plan must be completed for review by the Legislature by December 1990.

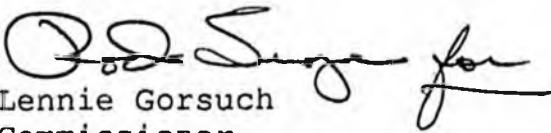
Currently, government agencies are represented on the planning team, and interest groups on the advisory board. The planning team is the decision-making body, and the borough has a seat on this team. Some of the meetings will be held jointly with the planning team and the advisory board. If assembly members are added to the planning team, they will be the sole organization represented on both bodies. The Department of Natural Resources

January 31, 1989

will work closely with the advisory board whatever the final configuration may be and will cooperate with the borough to coordinate state and borough policies for the river corridors.

We look forward to working with you and the members of the committee on this legislation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lennie Gorsuch for". The signature is written in dark ink and is positioned above the typed name and title.

Lennie Gorsuch
Commissioner

cc: Committee Members
Bill Sponsors
Bob Evans
Denby Lloyd
Gary Gustafson

RECREATIONAL RIVERS ADVISORY

MEMBER	APPT	REAPT	REAPPT	TERM
Allen Bingham 301 West Northern Lights, #601 Anchorage 99503 Mining	88/11/07	0/00/00	0/00/00	89/06/09
Ray Craig Box 154 Glennallen 99588 Subsistence	88/11/07	0/00/00	0/00/00	90/06/09
Carl L. Dixon Riversong Lodge Skwentna 99667 Private Property Owner	88/11/07	0/00/00	0/00/00	91/06/09
H. Clifton Eames 705 "H" Street, No. 4 Anchorage 99501 Conservation	88/11/07	0/00/00	0/00/00	91/06/09
Charles Heath 425 Klouda Wasilla 99687 Rec-oriented/comm.users	88/11/07	0/00/00	0/00/00	93/06/09
Noel H Kopperud 351 West Swanson Ave., Suite 3 Wasilla 99687 Other Recreational	88/11/07	0/00/00	0/00/00	93/06/09
David W Law 300 East Fireweed Lane Anchorage 99503 Sportfishing	88/11/07	0/00/00	0/00/00	92/06/09
Ron McAlpin 8341 East 11th Court Anchorage 99504 Sporthunting	88/11/07	0/00/00	0/00/00	90/06/09
Donald E Sherwood 1640 Brink Avenue Anchorage 99504 Powerboat Users	88/11/07	0/00/00	0/00/00	89/06/09

RECREATIONAL RIVERS ADVISORY

MEMBER	APPT	REAPT	REAPPT	TERM
Drew Sparlin 37010 Cannery Road Kenai 99611 Commercial Fishing	88/11/07	0/00/00	0/00/00	92/06/09
Richard W Tindall 6821 Sherwood Avenue Anchorage 99504 Forest Products	88/11/07	0/00/00	0/00/00	89/06/09

... have not been
... Many res-
... fallbelt hunt
... and rabbits for
... said that the be-
... the food chain,
... water, she says.
... al, which is an
... here in the area,
... the herbicides
... other environ-
... ide page 6)

560,000 acres will be offered for drilling.
The areas in lease sale 67-A were selected based upon nominations by oil companies of sites they think have potential. However, the names of the companies and their technical data are confidential.
Land within the Mat-Su borough could bring in local revenue through real estate and personal
(See Oil page 6)



Red indicates lease area.

#5
2-14
FtSMN

m questioning suspect

... twin.
... that you want, lit-
... in replied.
... videotape shows
... Baldwin out of his
... by the face and
... ping him on the
... 20 minutes or so,
... question the finally
... handcuffed sus-
... hing wrong with

you?" Baldwin repeatedly asked the officer. "Pardon me, sir, are you under the influence of drugs and alcohol?" he parroted to Crim.
After being read his rights, Baldwin insisted he didn't understand them and asked Crim to read them again. The second time he said he still didn't understand them.
"How much did you drink?" Crim asked Baldwin.

"You mean water?" the suspect replied. "Specify yourself."
Then the large man's demeanor seemed to change. He leaned toward Crim and told him he had a cute face. He said he'd like to give him a "big, wet kiss."
Saying "I love you," several times, he aimed loud kisses at the officer. Pushing Baldwin away, Crim grabbed him by his shirt, and shoved the man into a file
(See Videotape page 12)



FRONTIERSMAN/ERIC TROYER

Borough Mayor Dorothy Jones listen to Gov. Steve ... ed about the upcoming state budget, education and ... attended by the Borough Assembly and a number of

Officials want more seats on boards

By ERIC TROYER

Frontierman staff
Valley officials have asked Gov. Steve Cowper to consider putting more Valley residents on state advisory boards.
"We call Palmer Alaska's best kept secret, but sometimes I think the whole borough is considered that," said Palmer Mayor George Carte.
The Cowper administration was criticized recently for having only three Valley residents on the advisory board for the state recreational rivers plan, which will affect many of the Susitna Valley rivers.
Boards dealing with forestry management and tourism, important aspects of the Valley economy, also lack Valley representa-
(See Boards page 6)

Herbicides

(Continued from Page 1) mental issues," Sheldon says. They took the railroad to court and successfully stopped the railroad from using the herbicides before, she said.

Burgoyne said the herbicides "are labeled for use in the entire United States, including Alaska. He. azinone is essentially a grass killer and triclopyr is a brush killer."

Sheldon said that governmental approval does not necessarily mean that a pesticide is safe. "The govern-

ment has been known in the past to approve things that turned out later to be toxic or harmful to humans and wildlife. And there is a lack of trust now in this kind of approval."

She believes local residents would prefer the railroad control vegetation through cutting.

However, she is willing to look at the results of this new test with an open mind. "I certainly wouldn't have a problem with anything where they are trying to reach the truth."

Oil

(Continued from property taxes. A 100,000 acres are Health Lands, an of hundred acre University land.

Also proposed are tracts on the of Anchorage, a the northwestern Kenai Peninsula large section of off-shore acreage Trading Bay and Bay on the west Cook Inlet.

The tracts are over a wide area. eas extend to the northern edge clude the upper L

Boards

(Continued from Page 1) tion, Borough Mayor Dorothy Jones and others have complained.

After meeting with officials in Palmer on Saturday, Cowper said there are sometimes fluctuations in regions being represented on advisory boards and that his administration runs totals from time to time to

check out representation.

"I think in time that it will even itself out," he said, adding that he worked with the Valley's legislative delegation in choosing the recreation advisory board. He said he had thought there were five Valley residents on the board.

"I think it's a valid point," he said.

Cowp

(Continued from separate from, but along with, the Fund. Earnings fr ucation fund wi into that fund.

The education l not be tapped and then only the



Lordy, Lordy
Betty-Betty is
40
Happy
Birthday
yesterday
Luv ya,
C.A.B.



Celebrate with

Experience the colors. Colors this new year

Gorilla Firewh half way between

★ NOW OPEN thru

Gorilla Firewh



WINTER

Valley officials criticize makeup of river board

By CHARLES P. WOHLFORTH
Daily News reporter

PALMER — A board appointed by the governor to decide how the Sustina Valley's recreational rivers will be used is under fire from Mat-Su officials for not representing the Valley.

Only three of eleven members of the board have Valley addresses.

The Mat-Su Borough Assembly passed a resolution Tuesday calling for the board to be restructured so that the majority of members are Valley residents.

Wednesday, Rep. Ron Larson, D-Palmer, released a bill he will file to add two members to the board who would be appointed by the borough mayor.

Gov. Steve Cowper could not be reached for comment Wednesday. Terence O'Malley, a spokesman, said Cowper would take the matter under advisement.

The assembly's resolution passed unanimously.

Larson's bill would add two members to the board to represent the borough government, from the assembly or the planning commission. The mayor would choose them, and could be a member.

"My intent is not to infringe of the governor's power to appoint, but to provide more representation from the borough on this important committee," Larson said.

The board already has begun holding hearings on a management plan for the Sustina River.

Man pleads no contest to killing brother

The Associated Press

JUNEAU — A Juneau man pleaded no contest to second-degree murder Monday for the fatal shooting of his older brother following a drinking party at the home they shared Dec. 10.

Brent A. Brockway, 20, agreed to enter the plea to the reduced charge, but there was no agreement concerning a sentence, said Margot Knuth, an assistant district attorney. No sentencing date was set.

Brockway originally was charged with first-degree murder shortly after the slaying of Kevin Brockway, 24. Knuth said the shooting resulted in part from Kevin's attacks on Brent.

Kevin struck Brent in the face at least twice during the party and Brent went into his bedroom. After the party was over and Kevin went to bed.



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2-PFAFF 1229 Electronics	from \$1199	1-VIKING 940
2-NEW HOME Memory 7's	Reg \$1299 \$799 ea.	2-BERNINA Swing Box Nova 9C
1-VIKING 999 Computer		1-BERNINA - Matic 810
		BERNINA - Zoo-Zag 800
		NEW HOME Combi
		SERGER
		1-SINGER 3-4 thread & more

The Planning Commission has passed the enclosed resolution recommending changes in the structure of the Rec Rivers Advisory Board to give a majority of representation to residents of the Borough; including residents of the upper Susitna drainage.

RS/pmg1039

MATANUSKA-SUSITNA BOROUGH
RESOLUTION SERIAL NO. 88-249

A RESOLUTION OF THE ASSEMBLY OF THE MATANUSKA-SUSITNA BOROUGH REQUESTING ALTERATIONS IN THE MEMBERSHIP OF THE SUSITNA BASIN RECREATION RIVERS MANAGEMENT PLAN ADVISORY BOARD

WHEREAS, the State of Alaska is developing a management plan for certain rivers designated recreational rivers in the Susitna Area Plan; and

WHEREAS, the Governor has appointed an advisory board to assist in the development of the management plan; and

WHEREAS, a majority of the membership of that advisory board are not residents of the Matanuska-Susitna Borough; and

WHEREAS, each of the subject rivers lies wholly within the boundaries of the Matanuska-Susitna Borough; and

WHEREAS, the effects of management recommendations resulting from the plan will be most directly felt by residents and land owners within the Borough; and

WHEREAS, the economy and environment of the Matanuska-Susitna Borough will bear the brunt of impacts of the plan; and

WHEREAS, residents of the area would be most knowledgeable of the area and most acquainted with issues related to planning in the area;

NOW THEREFORE BE IT RESOLVED that the Assembly of the Matanuska-Susitna Borough requests that the Governor of the State of Alaska restructure the membership of the Susitna

Basin Recreation Rivers Management Plan Advisory Board so that a majority of the members are residents of the Matanuska-Susitna Borough.

BE IT FURTHER RESOLVED that the Assembly requests that some representation on the committee be given to residents of the upper Susitna River drainage area.

PASSED AND APPROVED by the Assembly of the Matanuska-Susitna Borough this 20 day of December, 1988.

Dorothy A. Jones
Dorothy A. Jones, Mayor

ATTEST:

Linda Dahl
Linda Dahl, Borough Clerk

(SEAL)

RS/pwy1040

Reso: 88-249
Am: 88-590

Reso: 88-249
Am: 88-590

STATE OF ALASKA THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU ALASKA 99811
907 465 1800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

January 18, 1989

SUBJECT: CSHB 58 (C&RA)

TO: Representative Eileen MacLean, Chair
Community and Regional Affairs Committee

FROM: Theresa Bannister *tb*
Legislative Counsel

This memo accompanies the committee substitute that you requested for HB 58. The draft contains the title change made in the prior draft as well as two other changes.

1. TITLE CHANGE. The title is different from HB 58. The main purpose of the title change is to give notice that the bill covers fireworks and hazardous substances that are not ignitable.
2. SUBSTITUTION FOR "THIS CHAPTER". "This chapter" in secs. 1 and 2 of HB 58 has been replaced by citations for AS 18.70.010 - 18.70.100 and 18.70.300 - 18.70.310 (articles 1 and 3 of the chapter). A reference to "this chapter" pulls in article 2, relating to mutual fire aid agreements. Since the purpose of using the chapter reference was to include hazardous substances under AS 18.70.310, there is no need to reference article 2. Limiting the reference to articles 1 and 3 also avoids any possible confusion that the enforcement and penalty provisions apply in some way to mutual fire aid agreements. The new reference does include AS 18.70.300 since that section contains a definition that is used in the first article of the chapter.
3. DELETION OF FORMER SEC. 3. The present draft does not include sec. 3 of HB 58. Section 3 adds a subsection to AS 18.70.310 that indicates that a violation of the section or a regulation adopted under the section is punishable under AS 18.70.100. Since AS 18.70.100 already accomplishes what sec. 3 states, the cross-reference is unnecessary, and there is a slight possibility that the proposed subsection could be interpreted to limit the application of

Representative Eileen MacLean
Page 2
January 18, 1989

AS 18.70.100.

If I may be of further assistance, please advise.

TB:kb
wkk1/049

Attachment

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 9, 1989

The Honorable Sam Cotten
Speaker of the House
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Representative Cotten:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to fire protection laws.

The bill does four things: (1) it assists the division of fire prevention by allowing fire code enforcement to be handled by fire departments "recognized" by the Department of Public Safety, rather than just "city" fire departments; (2) it corrects an oversight that has left violations of hazardous materials laws unenforceable; (3) it requires compliance with a department order unless a motion for a stay has been filed with the court (current law permits noncompliance simply by filing a notice of appeal); and (4) makes enforcement of fireworks regulations more feasible.

Section 1 of the bill amends AS 18.70.090 to allow fire departments that are not city fire departments to be "recognized" under regulations adopted by the Department of Public Safety which provide standards and qualifications for that recognition. Non-city fire departments would then be able to enforce state fire safety regulations. Given the limited resources of the division of fire prevention, this change is needed to provide meaningful enforcement in many areas of the state. City fire departments would, of course, be "recognized" under those regulations and would continue to enforce state fire safety regulations.

Section 1's amendments to AS 18.70.090 also change two section-specific citations to include instead all of AS 18.70. This change will make certain provisions in AS 18.70.090 applicable to AS 18.70.310, regarding hazardous materials and wastes placards.

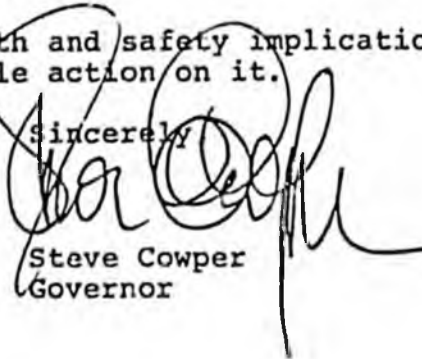
Sections 2 and 3 amend AS 18.70.100(a) and AS 18.70.310, respectively, to apply penalty provisions to violations of AS 18.70.310, regarding hazardous materials and wastes placards. Current law provides no penalty, leaving AS 18.70.310 essentially unenforceable.

Section 2 also amends AS 18.70.100(a) to make it a misdemeanor to be in noncompliance with a department order relating to fire protection, unless a motion for stay has been filed with the court. The existing language of AS 18.70.100(a) permits noncompliance with an order by merely filing a notice of appeal, thus unnecessarily delaying correction of life-threatening situations.

Finally, sec. 4 amends AS 18.72.040 to make prosecution of fireworks violations more feasible by allowing a conviction if the person "recklessly" fails to comply with fireworks laws. This change is consistent with other provisions of law which prohibit reckless creation of risks of injury and which provide that ignorance of the law is no excuse. See AS 11.41.250 (reckless endangerment) and AS 11.81.620(a). The current language of AS 18.72.040 requires proof that the person knew what the law was, and "willfully" violated it, which is often impossible to prove.

This bill has important health and safety implications and I urge your prompt and favorable action on it.

Sincerely,



Steve Cowper
Governor

6-0346E
Bradley
2/7/89

Rep. Larson

Original sponsor: Larson

1 IN THE HOUSE

2 CS FOR HOUSE BILL NO. 30 ()

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to membership on the Recreation
7 Rivers Advisory Board; and providing for an effective
8 date."

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

10 * Section 1. AS 41.23.430(a) is amended to read:

11 (a) A 13-member [AN ELEVEN-MEMBER] Recreation Rivers Advisory
12 Board is established [AND SHALL BE APPOINTED BY THE GOVERNOR]. Board
13 members serve without compensation and are not entitled to per diem
14 and travel expenses authorized by law for boards and commissions under
15 AS 39.20.180. The governor shall appoint members representing [THE
16 FOLLOWING USER GROUPS:]

- 17 (1) commercial fishing;
- 18 (2) sport fishing;
- 19 (3) sport hunting;
- 20 (4) conservation;
- 21 (5) subsistence;
- 22 (6) forest products;
- 23 (7) mining;
- 24 (8) powerboat users;
- 25 (9) recreationally-oriented commercial users;
- 26 (10) other recreational users; [AND]
- 27 (11) private property owners within the recreation river
- 28 corridor;

29 (12) the Matanuska-Susitna Borough Planning Commission from

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the membership of the planning commission; and

(13) the mayor of the Matanuska-Susitna Borough or the
designee of the mayor.

* Sec. 2. This Act takes effect immediately under AS 01.10.070(c).