

HJR

41

SENATE COMMITTEE REPORT

DATE: 04/8/04

FURTHER: Resources

DATE TURNED IN TO OFFICE: 4/30/04

State Affairs Committee considered **CS FOR HOUSE JOINT RESOLUTION NO. 41(RES)**

HJR 41 LAND RECREATIONAL VISITOR PROTECTION ACT

Relating to support for the Federal Land Recreational Visitor Protection Act.

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:

- Same Title
- New Title

House Bill:

- Same Title
- Technical Title Change
- New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
H. Res.	3/21/04			✓	1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>John Casadeu</i>			✓	
<i>Rep. ...</i>			✓	
<i>...</i>	✓			
CHAIR: <i>[Signature]</i>			✗	

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSHJR 41(RES)
 (H) Publish Date: 4/1/04

Revision Date/Time (Note if correction): _____ Dept. Affected: _____
 Title Relating to Support for the Federal BRU _____
Land Recreational Visitor Protection Act Component _____
 Sponsor Rep. Kertula _____
 Requester _____ Component No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
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 EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Rachel Essen Phone 465-3783
 Division: House Resources Date/Time 3/31/04 3:00 PM
 Approved by: Representative Nancy Dahlstrom, Co-Chairman Date 3/31/2004
 Agency: House Resources Committee



Representative Beth Kerttula

Alaska State Legislature District 3

Sponsor Statement House Joint Resolution 41 Land Recreational Visitor Protection Act

Winter recreation is an important part of most Alaskan's lives. Unfortunately, Alaska has the highest avalanche death rate in the nation, but there is virtually no avalanche forecasting. Unlike other states with a significant number of deaths from avalanches, Alaska has no federally funded program for forecasting and education. The Legislature has recognized the importance of avalanche awareness and safety by designating November as Avalanche Awareness Month. However more can and should be done to reduce the threat of avalanches to Alaskans and visitors to our great state.

In April 2003, U.S. Senator Ted Stevens introduced the Federal Land Recreational Visitor Protection Act of 2003 (S 931), which is sitting in the Senate Committee on Energy and Natural Resources awaiting its first hearing. S 931 would direct the Secretary of the Interior to work with the Secretary of Agriculture to establish an avalanche protection program that provides early identification of potential avalanches that could endanger the safety of visitors to public lands and to reduce the risks of avalanches to visitors, recreational users, neighboring communities, private operations, and transportation corridors. It also would authorize federal grants to be used for preventing, forecasting, detecting and mitigating avalanches, including the use of artillery or explosives for avalanche control; maintaining essential transportation and communications that could be affected by avalanches; and assisting public or private research on avalanche control methods.

Alaska would get a large percentage of the grant money available, which could be used by avalanche safety groups, private industry, communities, and transportation entities as well as government programs.

House Joint Resolution 41 affirms our support for this important federal legislation. I would appreciate your support.

Southeast Alaska Avalanche Center

PO Box 20578, Juneau, Alaska 99802 (907) 586-5699 ph & fax e-mail: seavalanche@gci.net

An educational nonprofit corporation <http://www.avalanche.org>; click on Southeast Alaska link

March 25, 2004

Rep. Beth Kerttula
Alaska House of Representatives
State Capitol, Room 430
Juneau, Ak 99801-1182

Letter of Support for HJR 41

Alaska loses more people to avalanches than any other state, regardless of population, yet we are the one state with no federally funded statewide program to reduce that death toll.

Senator Stevens' S.931 sets up the programs and funding that will make a concrete difference, and Representative Kerttula's HJR 41 helps support and move that bill toward passage.

S.931 directs the Secretaries of Interior and Agriculture to coordinate with the US Forest Service National Avalanche Center to develop a program of grants to governments, communities, transportation systems, and private businesses affected by avalanches to set up the safeguards they need to maintain public safety and the flow of commerce, and apportions funding by each state's area of avalanche zones, which ensures that Alaska will get the large share of the funding that it needs and deserves to address our problem.

As a nonprofit dedicated to avalanche education, we strongly support both bills.

thank you

Bill Glude
SAAC Director & lead avalanche specialist



B.A.A.R.T.

BACKCOUNTRY AVALANCHE AWARENESS & RESPONSE TEAM

3-26-04

Subject: HJR 41

MISSION STATEMENT

Backcountry Avalanche Awareness and Response Team (B.A.A.R.T.) is a partnership of backcountry travelers and their families that provides Education, support, training and response throughout Alaska.

BAART is a non-profit organization.

BAART helps backcountry travelers and their families by offering information, training, support, and field response equipment services.

BAART works with the Alaska State Troopers, Alaska State Parks, and Alaska Mountain Safety Center as well as individuals to promote safe backcountry travel and to provide trained response team members to the site of an incident.

BAART believes that education and training is the best response to the increasing number of Alaskans dying as a result of avalanches.

As an organization dedicated to reducing Alaska's highest number of annual avalanche deaths among all the states, we support HJR 41."

Regards,

Bob Schmidt
President

PMB 403 1830 E. PARKS HWY. A-113
WASHILA, AK 99654
(907) 352-3777

From: smith.blaine@att.net
Date: March 27, 2004 7:48:43 AM AST
To: Juli_Lucky@legis.state.ak.us
Cc: snownerd@mac.com

Representative Kerttula,

As a long time educator of avalanche hazard recognition, avoidance, and rescue, I see the need, and support your efforts to provide increased avalanche services to the State of Alaska through HJR41.

Thank you.

Blaine Smith
32789 Cumulus Road
Eagle River Alaska 99577
(907) 696-3480

Subject: support for HJR41
Date: Wed, 31 Mar 2004 14:32:13 -0900
From: W Joe Westfall CSP / CSSI <Joe@Westfalia-Werke.US>
To: Juli_Lucky@legis.state.ak.us
CC: 'Bill Glude' <snownerd@mac.com>, Rep_Beth_Kerttula@legis.state.ak.us

Hello Juli.

I was contacted by Bill Glude to ask for support on the bill introduced by Rep Kerttula. I understand this is a support effort that will additionally help federal Senate bill S.931 for funding.

As the co-founder of the Alaska Snowmachine Search Rescue & Recovery Team, I am very much in favor of legislation that would potentially reduce the number of avalanche fatalities in Alaska (as well as any other state).

Personally, I am sick and tired of going out on missions to recover the 'death by avalanche' victims. I would much rather our team be able to focus on rescuing live people that are happy to see us.

I teach numerous avalanche awareness, avoidance, and rescue classes throughout the winter seasons. I have concentrated on the snowmachine community, as they are the highest fatality rate and the least educated about the risks they bring upon themselves.

Only in the last few years has the cost of this instruction and expenses been somewhat offset by a grant from the Alaska State Troopers. Prior to that is has all been out of mine and my co-founders' pockets. It is way past time to consider both federal and state funding for avalanche issues in the state.

As an educator and rider dedicated to reducing Alaska's highest number of annual avalanche deaths among all the states, I support HJR 41.

Best Regards...

W Joe Westfall CSP(ICCP) CSSI(IASA)
907.333.0739(voice) 413.473.5503(fax)
Bluffs on Susitna & Anchorage Alaska
Joe @Westfalia-Werke.US

108TH CONGRESS
1ST SESSION

S. 931

To direct the Secretary of the Interior to undertake a program to reduce the risks from and mitigate the effects of avalanches on visitors to units of the National Park System and on other recreational users of public land.

IN THE SENATE OF THE UNITED STATES

APRIL 29, 2003

Mr. STEVENS (for himself, Mr. CAMPBELL, Mr. DOMENICI, Mr. HATCH, Mr. INOUE, and Ms. MURKOWSKI) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To direct the Secretary of the Interior to undertake a program to reduce the risks from and mitigate the effects of avalanches on visitors to units of the National Park System and on other recreational users of public land.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Federal Land Rec-
5 reational Visitor Protection Act of 2003".

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) PROGRAM.—The term “program” means
2 the avalanche protection program established under
3 section 3(a).

4 (2) SECRETARY.—The term “Secretary” means
5 the Secretary of the Interior.

6 **SEC. 3. AVALANCHE PROTECTION PROGRAM.**

7 (a) ESTABLISHMENT.—The Secretary shall establish
8 a coordinated avalanche protection program—

9 (1) to provide early identification of the poten-
10 tial for avalanches that could endanger the safety of
11 visitors to units of the National Park System and
12 recreational users of public land, including skiers,
13 backpackers, snowboarders, and campers; and

14 (2) to reduce the risks and mitigate the effects
15 of avalanches on visitors, recreational users, neigh-
16 boring communities, and transportation corridors.

17 (b) COORDINATION.—

18 (1) IN GENERAL.—In developing and imple-
19 menting the program, the Secretary shall consult
20 with the Secretary of Agriculture, and coordinate the
21 program, to ensure adequate levels of protection for
22 recreational users of public land and forests under
23 the jurisdiction of the Secretary of Agriculture, in-
24 cluding National Recreation Areas, wilderness and
25 backcountry areas, components of the National Wild

1 and Scenic Rivers System, and other areas that are
2 subject to the potential threat of avalanches.

3 (2) RESOURCES.—In carrying out this section,
4 the Secretary and the Secretary of Agriculture—

5 (A) shall, to the maximum extent prac-
6 ticable, use the resources of the National Ava-
7 lanche Center of the Forest Service; and

8 (B) may use such other resources as the
9 Secretary has available in the development and
10 implementation of the program.

11 (c) ADVISORY COMMITTEE.—

12 (1) IN GENERAL.—The Secretary and the Sec-
13 retary of Agriculture shall jointly establish an advi-
14 sory committee to assist in the development and im-
15 plementation of the program.

16 (2) MEMBERSHIP.—

17 (A) IN GENERAL.—The Advisory Com-
18 mittee shall consist of 11 members, appointed
19 by the Secretaries, who represent authorized
20 users of artillery, other military weapons, or
21 weapons alternatives used for avalanche control.

22 (B) REPRESENTATIVES.—The membership
23 of the Advisory Committee shall include rep-
24 resentatives of—

1 (i) Federal land management agencies
2 and concessionaires or permittees that are
3 exposed to the threat of avalanches;

4 (ii) State departments of transpor-
5 tation that have experience in dealing with
6 the effects of avalanches; and

7 (iii) Federal- or State-owned railroads
8 that have experience in dealing with the ef-
9 fects of avalanches.

10 (d) CENTRAL DEPOSITORY.—The Secretary, the Sec-
11 retary of Agriculture, and the Secretary of the Army shall
12 establish a central depository for weapons, ammunition,
13 and parts for avalanche control purposes, including an in-
14 ventory that can be made available to Federal and non-
15 Federal entities for avalanche control purposes under the
16 program.

17 (e) GRANTS.—

18 (1) IN GENERAL.—The Secretary and the Sec-
19 retary of Agriculture may make grants to carry out
20 projects and activities under the program—

21 (A) to assist in the prevention, forecasting,
22 detection, and mitigation of avalanches for the
23 safety and protection of persons, property, and
24 at-risk communities;

1 (B) to maintain essential transportation
2 and communications affected or potentially af-
3 fected by avalanches;

4 (C) to assist avalanche artillery users to
5 ensure the availability of adequate supplies of
6 artillery and other unique explosives required
7 for avalanche control in or affecting—

8 (i) units of the National Park System;
9 and

10 (ii) other Federal land used for recre-
11 ation purposes; and

12 (iii) adjacent communities, and essen-
13 tial transportation corridors, that are at
14 risk of avalanches; and

15 (D) to assist public or private persons and
16 entities in conducting research and development
17 activities for cost-effective and reliable alter-
18 natives to minimize reliance on military weap-
19 ons for avalanche control.

20 (2) APPORTIONMENT OF FUNDS.—

21 (A) IN GENERAL.—Subject to subpara-
22 graph (B), for each fiscal year for which funds
23 are made available under section 4, the Sec-
24 retary shall apportion the amount of funds
25 made available for the fiscal year among States

1 with avalanche zones based on the ratio that
2 the total area of avalanche zones located in
3 each State bears to the total area of all ava-
4 lanche zones in all States.

5 (B) PRIORITY.—In providing grants under
6 this subsection, the Secretary shall give priority
7 to projects and activities carried out in ava-
8 lanche zones—

9 (i) with a high frequency or severity
10 of avalanches; or

11 (ii) in which deaths or serious injuries
12 to individuals, or loss or damage to public
13 facilities and communities, have occurred
14 or are likely to occur.

15 (f) SURPLUS ORDINANCE.—Section 549(c)(3) of title
16 40, United States Code, is amended—

17 (1) in subparagraph (A), by striking “or” after
18 the semicolon at the end;

19 (2) in subparagraph (B), by striking the period
20 at the end and inserting “; or”; and

21 (3) by adding at the end the following:

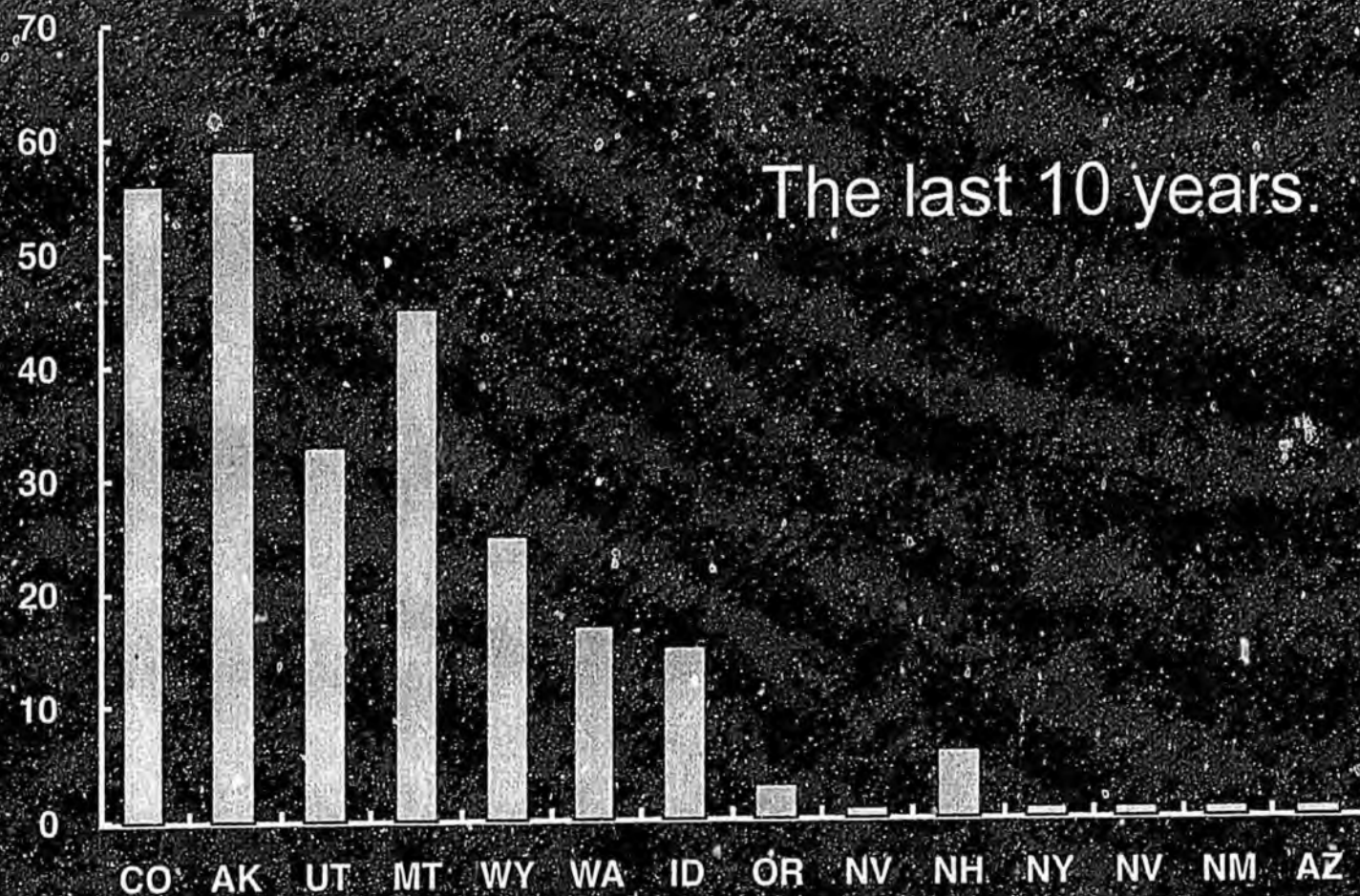
22 “(C) in the case of surplus artillery ordi-
23 nance that is suitable for avalanche control pur-
24 poses, to a user of such ordinance.”.

1 SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

2 There are authorized to be appropriated such sums
3 as are necessary to carry out this Act.

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US Avalanche Fatalities By State



Colorado Avalanche Information Center

1993/94 to 2002/03