1/27/10 FAIRBANKS ANNEXA-TION: LEGIS. REVIEW

ALASKA STATE LEGISLATURE

SENATOR DONALD C. OLSON, CHAIR

SENATOR ALBERT KOOKESH
SENATOR JOE THOMAS
SENATOR HOLLIS FRENCH
SENATOR LINDA MENARD

ALASKA STATE CAPITOL
ROOM 514
JUNEAU, ALASKA 99801-1182
907) 465-3877
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SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

MEMORANDUM

DATE: **January 27, 2010**

TO: **Members of the C&RA Committee**

FROM: **Senator Donald Olson, Chair** D.O.
Senate Community and Regional Affairs Committee

RE: **Committee Correspondence**
Fairbanks Annexation, Legislative Review of Local Boundary Commission Decision

Committee Members, attached for your review is the Local Boundary Commission decision to annex several parcels into the City of Fairbanks.

This correspondence is presented for informational proposes only.

No committee action is scheduled. Please contact me or committee staff you would like to take up this issue in committee.

Alaska State Legislature

Senate

Office of the Secretary

Official Business

State Capitol, Room 211
Juneau, Alaska 99801-1182
Phone: (907) 465-3701
Fax: (907) 465-2832
Email:senate_secretary@legis.state.ak.us

Memorandum

TO: Senator Olson, Chair, Community and Regional Affairs Committee
FROM: Kirsten Waid, Secretary of the Senate

DATE: January 20, 2010

SUBJECT: Referral to Community and Regional Affairs Committee

President Stevens referred the following to the Community and Regional Affairs Committee:

Local Boundary Commission Statement of Decision and Dissenting Opinion
from Lynn Chrystal, Chair
Department of Commerce, Community and Economic Development
in accordance with Article 10, section 12 of the Alaska Constitution

Attachment

KW:lc

rcd 1/20

State of Alaska
Local Boundary Commission

550 West Seventh Avenue, Suite 1770 • Anchorage, Alaska 99501
Telephone: 907-269-4559 • Fax 907-269-4539

January 15, 2010

JAN 19 2010

The Honorable Gary Stevens
President
Alaska State Senate
Alaska State Capitol
Juneau, Alaska 99801-1182
ATTN: Senate Secretary Kirsten Waid

Subject: Legislative Review Annexation by the City of Fairbanks

Dear President Stevens:

The Local Boundary Commission ("commission") presents to the Second Session of the Twenty-Sixth Alaska State Legislature the commission's decision to approve the annexation of approximately 0.05 square miles to the City of Fairbanks ("City"). This presentation is done pursuant to article X, section 12, of Alaska's constitution. Under article X, section 12, the commission "may present proposed changes to the legislature during the first ten days of any regular session. The change shall become effective forty-five days after presentation or at the end of the session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of each house."

Alaska's constitutional framers expected that local boundary changes could be controversial. The Fairbanks North Star Borough ("Borough") opposed the annexation. Many community members were concerned about the annexation petition. Commissioner Lavell Wilson recused himself due to a potential conflict of interest, and did not participate in any of the proceedings.

After careful review, the commission approved the annexation of the territory referred to as the "enclave lots" by a vote of 4-0. The commission also approved the annexation of the territory referred to as the "Fred Meyer subdivision" by a vote of 3-1.

On December 10, 2009, the commission issued its written decisional statement to the public. Commissioner John Harrington wrote a narrow dissenting opinion regarding the annexation of the Fred Meyer territory. Both the decisional statement and the dissenting opinion are enclosed for your reference. These documents and all public materials regarding this annexation petition can also be found at: http://www.commerce.state.ak.us/dca/lbc/fairbanks_2.htm.

Members: Lynn Chrystal, Chair;
John Harrington, First Judicial District; Robert Harcharek, Second Judicial District;
Larry Semmens, Third Judicial District; Lavell Wilson, Fourth Judicial District

Should you have any questions, please contact Local Boundary Commission staff at 907-269-4559 (Brent Williams), 907-269-4587 (Brian Bitzer), or at LBC@alaska.gov. Thank you for your consideration.

Sincerely,

LOCAL BOUNDARY COMMISSION

Lynn Chrystal
Chair

Enclosures:

(1) LBC *Statement of Decision*, City of Fairbanks' annexation
(2) Commissioner John Harrington's *Statement of Dissent*, City of Fairbanks' annexation

Local Boundary Commission

Statement of Decision

In the Matter of the December 10, 2008, Petition by the City of Fairbanks to Annex 0.05 Square Miles

Members

Lynn Chrystal
Chair
At Large

John Harrington
Member
First Judicial District

Bob Harcharek
Vice Chair
Second Judicial District

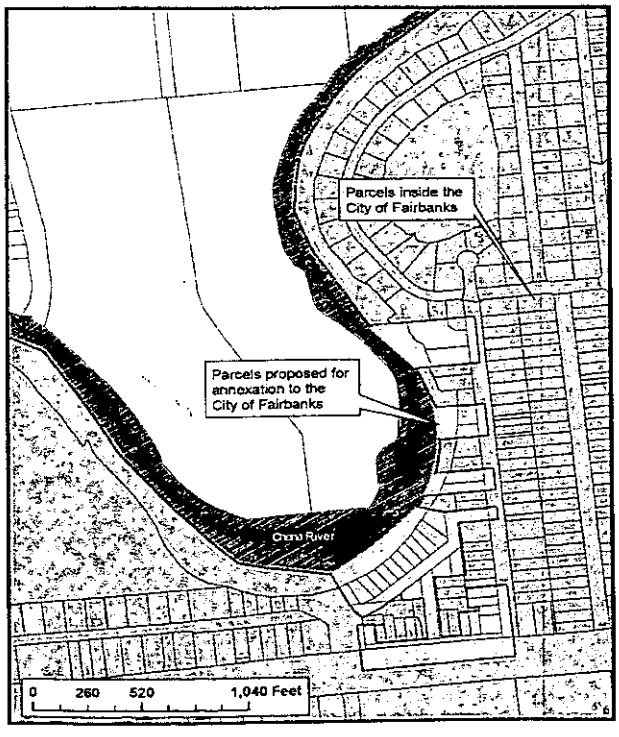
Larry Semmens
Member
Third Judicial District

Lavell Wilson
Member
Fourth Judicial District
(Recused)

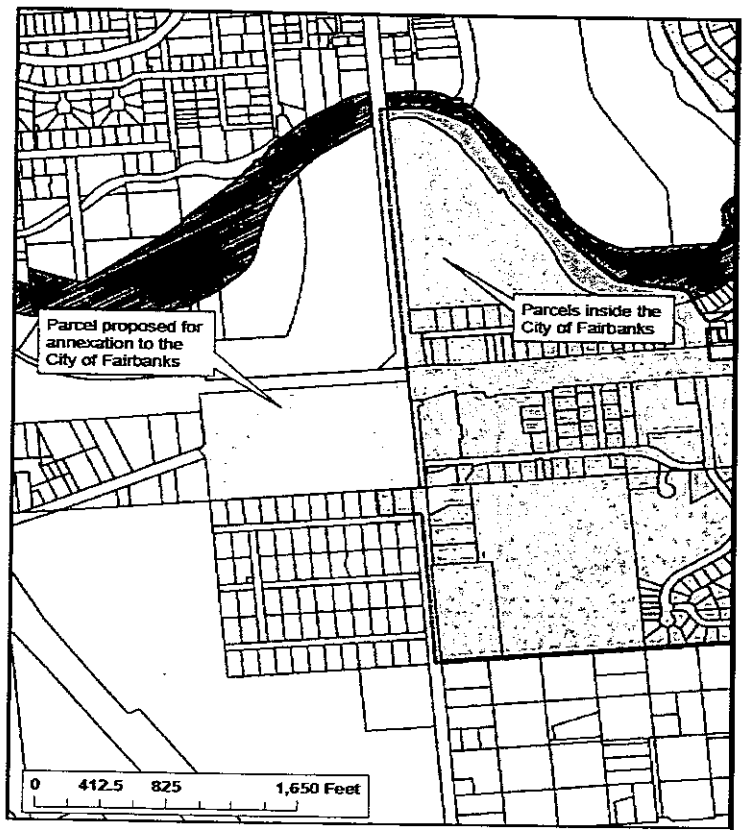
Section I
Introduction

On December 10, 2008, the City of Fairbanks petitioned the Local Boundary Commission (also referred to as "LBC" or "commission") to annex 0.05 square miles comprised of two separate territories. The territories proposed for annexation are described as follows and are shown on the maps below:

Area 1 – Territory known as the enclave lots. This site includes lots on Park and Riverside Drives, Bartlett Avenue, and Airport Access Road comprising approximately 0.02 square miles and was authorized for annexation by Ordinance #4335.



Area 2 – Territory known as the Fred Meyer subdivision (also referred to as "Fred Meyer"). This site includes a large Fred Meyer retail center, a Taco Bell, and Mt. McKinley Bank. This territory comprises approximately 0.03 square miles and was authorized for annexation by Ordinance #4335.



SECTION II
PROCEEDINGS

- **Deposit of Petition**

  On July 23, 2008, the City of Fairbanks provided a copy of the City's prospective petition in notebooks at the following locations:

  - Clerk's Office, City of Fairbanks City Hall, 800 Cushman Street, Fairbanks;
  - Noel Wien Library Lobby, 1215 Cowles Street, Fairbanks; and
  - Clerk's Office, Fairbanks North Star Borough Administrative Office Building, 809 Pioneer Road, Fairbanks.

STATE OF ALASKA

LOCAL BOUNDARY COMMISSION

In the Matter of the)
Petition for Annexation)
of 0.05 Square Miles to)
the City of Fairbanks)

STATEMENT OF DISSENT BY
COMMISSIONER JOHN HARRINGTON

INTRODUCTION

This dissent in the annexation of the Fred Meyer Subdivision is limited to a narrow issue. The essential problem in this annexation is the mixed effect that the action will have on the delivery of services to the subdivision. I believe the Commission erred in only one aspect of the annexation process. It made a mistake by not requiring the City of Fairbanks and the Fairbanks North Star Borough execute an agreement allowed by 3 AAC 110.900(d) regarding the delivery of Fire and EMS services.

The City can provide police service and building code enforcement more efficiently and more effectively than can the Borough or the State of Alaska. But the Borough, exercising nonareawide EMS powers and service area fire suppression powers, is providing more efficient and more effective fire and EMS service than can the City. The presentation by the City lauded its more highly trained EMS and fire staff, but training cannot make up for the significantly longer response time. The current delivery of service from a station just 0.3 miles from the subdivision will be changed to a response from a station several miles away.

STATEMENT OF DISSENT

The Fred Meyer Subdivision has a reasonable need for city government. That need is partially met by the exercise of nonareawide EMS powers of the Borough and fire suppression through the University Fire Service Area. If it were not for the lack of several essential municipal services available from the Borough (e.g. police, and building code enforcement), this subdivision would not meet the applicable standards for annexation.

> 3 AAC 110.090. Need
> (a) The territory must exhibit a reasonable need for city government. . . .
> (b) Territory may not be annexed to a city if essential municipal services can be provided more efficiently and more effectively by another existing city or by an organized borough, on an areawide basis or nonareawide basis, or through a borough service area that, in the determination of the commission, was established in accordance with art. X, sec. 5, Constitution of the State of Alaska.

Because of the emphasis in 3 AAC 110.090 on *"services provided more efficiently and more effectively..."* the Commission was required to address the relative efficiency and effectiveness in the delivery of Fire and EMS services to the subdivision. During the hearings the Commission heard testimony regarding the City's attempt to come to an agreement with the Borough regarding the University Fire Service Area, specifically, the financial impact on the service area. The financial impact on the service area is significant, but the more important impact is the degradation of service delivery.

It is within the power of the commission (3 AAC 110.900(d) Transition) to prescribe an agreement between the City and the Borough.

> 3 AAC 110.900. Transition
>
> ...
>
> (d) Before approving a proposed change, the commission may require that all boroughs, cities, unorganized borough service areas, or other entities wholly or partially included within the boundaries of the proposed change execute an agreement prescribed or approved by the commission for the assumption of powers, duties, rights, and functions, and for the transfer and integration of assets and liabilities.

One possible agreement would provide for the retention of the Fred Meyer Subdivision within the University Fire Service Area until such time as the City can provide a more comparable response time.

It is in the best interest of the subdivision, the community of Fairbanks, and the State that essential services are delivered efficiently and effectively. In this annexation action the degradation in delivery of fire and EMS services can be avoided, and as such, should be.

It is in this very limited area that I dissent from the action taken by the Commission. In all other aspects of the Commission's approval of the annexation, I concur.

Approved in writing this 2nd day of December, 2009.

By: _____ x

John Harrington,
Commissioner
First Judicial District

Attest:

By _____ x

Brent Williams, Staff

On February 27, 2009, the City updated those notebooks to include the submitted petition, public notice, and copies of the laws establishing standards and procedures for city annexation. They have been subsequently updated.

- **Petitioners Pre-Petition Public Hearing**

  On November 21, 2008, the City of Fairbanks conducted a duly noticed public hearing, as required by 3 AAC 110.425. At the hearing, 17 individuals provided oral comments regarding the proposed annexation.

- **Submission and Review of Petition**

  The petition was submitted to LBC staff (also referred to as "Commerce") on December 10, 2008, and accepted for filing on January 26, 2009.

- **Posting of Notice**

  On February 2, 2009, notice was posted at the following locations within the territories proposed for annexation:

  - On Riverside Drive, just north of Ping's Laundry;
  - At the intersection of Park Drive and Airport Frontage Road;
  - At the north end of Park Drive, just south of the Park Drive and Kiska intersection;
  - On the light pole at the northeastern entrance/exit to Fred Meyer subdivision;
  - On the light pole at the northwest corner of Fred Meyer subdivision, intersection with Old Airport Way; and
  - On the utility pole at the southeastern entrance/exit to Fred Meyer subdivision.

  On February 2, 2009, notice of the filing of the Petition was also posted within the existing boundaries of the City:

  - Clerk's Office, City of Fairbanks City Hall, 800 Cushman Street, Fairbanks;
  - Noel Wien Library Lobby, 1215 Cowles Street, Fairbanks;
  - Clerk's Office, Fairbanks North Star Borough Administrative Office Building, 809 Pioneer Road, Fairbanks;
  - United States Post Office, 315 Barnette Street, Fairbanks; and
  - Rabinowitz State Court House, 101 Lacey Street, Fairbanks.

- **Public Notice**

  Notice of the petition was published in the *Fairbanks Daily News-Miner* on February 2, 2009, February 9, 2009, and February 16, 2009.

  On February 27, 2009, a public service announcement was sent to the following radio stations to broadcast for 14 days:

  KUAC-FM, KAKQ, KFBX, KIAK, KKED, KSUA, KFAR, KWLF, KTDZ, KXLR, and KCBF.

  On March 6, 2009, a shortened version of the public service announcement was provided to the above radio stations to broadcast over the next 14 days.

- **Service of Petition**

On February 20, 2009, the Fairbanks North Star Borough and the City of North Pole were served, via United States Postal Service, complete copies of the petition.

On February 20, 2009, a copy of the Notice of Petition was mailed by City employee Amber Courtney to the individuals and organization whose names and addresses are listed in Exhibit No. 3, attached to the March 13, 2009, City affidavit.

- **Deadline for Initial Comments and Responsive Briefs**

The notice of filing invited written public comment concerning the proposed annexation by April 17, 2009. The Fairbanks North Star Borough submitted a timely received responsive brief on April 17, 2009, before 4:30 p.m., via an internet link. Staff received 23 public comments.

A few technical errors have occurred which the staff would like to bring attention to. First, under 3 AAC 110.480(d), LBC staff should have informed potential commenters that the commenters needed to either serve a copy of the comments upon the petitioner, and file a statement that service was made, or to notify staff of their inability to do so. Upon realizing this error, staff sent the petitioner copies of the comments.

Second, under 3 AAC 110.700(d), when notice for public comment went out it should have told each potential commenter that if he or she filed electronically, which most of them did, he or she would also need to follow up with an original. Upon realizing the omission, staff contacted each commenter to inform him or her of the error and request that he or she file an original as well, to comply with the regulation. All but four did. The four comments that did not have an original filed do not comply with the regulation.

Lastly, under 3 AAC 110.490, the reply brief must be accompanied by an affidavit of service at the time the reply brief was timely filed. The reply brief was filed on time; however, the affidavit of service was submitted later, which did not comply with the regulation.

To ensure the fairness of the process and to allow every commenter the opportunity to have his or her comments addressed, staff requested that the LBC relax the relevant regulations to allow in the four comments that were submitted on time (but without an original on file) and the reply brief. This request was part of an item on the agenda for the duly noticed June 2, 2009, LBC public meeting titled "Relax procedural regulations to allow emailed comments and reply brief affidavits to be considered." Both the Fairbanks North Star Borough and the City of Fairbanks were notified and attended the meeting telephonically. Staff and the LBC did not know the four commenters' identity or position on the proposed annexations when the LBC considered the relaxation of the regulations. Staff felt it was in the interest of justice to allow all comments to be considered regardless of its position.

Both the Borough and the City had an opportunity to comment or object before the commission voted on the issue. The borough stated it did not object to relaxing the regulations. The city chose not to comment on the issue at that time. After lengthy discussion, the LBC took the following actions: (1) relaxed 3 AAC 110.480(d), which required that comments be served on the petitioner; (2) relaxed 3 AAC 110.490 which required that the reply brief be accompanied by an affidavit of service at the time the reply brief was timely filed, and (3) relaxed 3 AAC 110.700(d) which required any comment regarding the petition filed electronically to be followed by an original document.

Relaxation was approved by three votes yes to one vote no. This allowed comments made by Craig Compeau, Shawnee Dunham, John Havard, and Bartholomew Roberts to

be considered by the staff and the LBC, as well as the reply brief.

- **Petitioner's Reply Brief Filed**

  On May 11, 2009, the City of Fairbanks filed a 139-page reply brief.

- **LBC Meeting**

  On August 4, 2009, the LBC held a public meeting. One of the items on the agenda was the rescheduling of future petition proceedings dates. The meeting was duly noticed.

- **Preliminary Report Distribution**

  On August 17, 2009, Commerce distributed copies of its 204 page *Preliminary Report Regarding the Proposal to Annex Approximately 0.05 Square Miles of Territory to the City of Fairbanks by Legislative Review* to interested parties including the petitioner, respondent, property owners, commenters, Local Boundary Commission members, and others.

- **Appointment of Two New Members to the Local Boundary Commission**

  On September 10, 2009, Governor Sean Parnell appointed two individuals to fill vacancies on the Local Boundary Commission. John Harrington of Ketchikan and Larry Semmens of Soldotna joined previously appointed commission members Robert "Bob" Harcharek of Barrow, Lynn Chrystal of Valdez, and Lavell Wilson of Tok. That same day Governor Parnell appointed Lynn Chrystal to serve as the LBC's chair.

- **Commerce Informational Meeting**

  On September 11, 2009, Commerce conducted a duly noticed public informational meeting concerning the city of Fairbanks' annexation proposal and future petition proceedings.

- **Receiving Timely Comments on Preliminary Report**

  The public comment period for the preliminary report was from August 17, 2009, until September 16, 2009. Commerce received six timely submitted comments, including comments from the City of Fairbanks and the Fairbanks North Star Borough.

- **Final Report Distribution**

  On October 13, 2009, Commerce distributed copies of its *Final Report to the Local Boundary Commission Regarding the Proposal to Annex Approximately 0.05 Square Miles of Territory to the City of Fairbanks by Legislative Review* to interested parties including the petitioner, respondent, property owners, commenters, Local Boundary Commission members, and others.

- **Notice of Local Boundary Commission Public Hearing and Decisional Meeting**

  After Commerce conferred with the City of Fairbanks and the Fairbanks North Star Borough, the Local Boundary Commission chair scheduled a public hearing regarding the City of Fairbanks' annexation petition. The hearing was held on Monday, November 9, 2009, beginning at 12:00 p.m. in the Fairbanks North Star Borough School District's board room. The decisional meeting occurred at the same place on Tuesday, November 10, 2009, at 3:00 p.m.

Formal notice of the hearing had been given by Commerce under 3 AAC 110.550. Commerce published the full notice in a display ad in the *Fairbanks Daily News-Miner* on October 5, 2009. It was also published on October 19, 2009, and November 3, 2009. The notice was also posted on the internet through the state's *Online Public Notice System*, on the Division of Community and Regional Affair's website, and on the LBC website.

Additionally, notice of the hearing was provided to the Petitioner's representative (Mayor Terry Strle) and to the Respondent's representative (Mayor Jim Whitaker). The City posted the notice where the petition documents available for public review are (Fairbanks City Hall, Fairbanks North Star Borough Administrative Office Building, and the Noel Wien Public Library); at the United States Post Office and at the Rabinowitz State Courthouse; and at the six street locations specified on page 3 under "Posting of Notice."

- **LBC Tour of the Territories Proposed for Annexation**

On Monday, November 9, 2009, the Local Boundary Commission (all members were present except for Commissioner Wilson who is recused from proceedings) and staff conducted a tour of the territories proposed for annexation by automobile at 10 am. The tour was conducted and recorded in accordance with 3 AAC 110.550(f).

- **LBC Public Hearing Regarding the City of Fairbanks' Annexation Petition**

In accordance with 3 AAC 110.550 and 3 AAC 110.560 the Local Boundary Commission held a duly noticed public hearing on Monday, November 9, 2009, regarding the City of Fairbanks' annexation petition. The commission heard sworn testimony from witnesses for the City of Fairbanks and for the Fairbanks North Star Borough, as well as comments by numerous public members both for and against the proposed annexations.

- **LBC Decisional Meeting Regarding the City of Fairbanks' Annexation Petition**

In accordance with 3 AAC 110.570 the Local Boundary Commission held a duly noticed decisional meeting on Tuesday, November 10, 2009, regarding the City of Fairbanks' annexation petition. The commission voted 4 to 0 to vote on the two territories proposed for annexation (the enclave lots and the Fred Meyer subdivision) separately, as allowed under 3 AAC 110.570(c)(1). The commission approved by a vote of 4 to 0 the territory referred to as the enclave lots for annexation into the City of Fairbanks. The commission also approved by a vote of 3 to 1 the territory referred to as the Fred Meyer subdivision for annexation by the City of Fairbanks. Commissioner John Harrington dissented on approving the Fred Meyer subdivision for annexation.

SECTION III
FINDINGS AND CONCLUSIONS

The record in this proceeding includes the City of Fairbanks' annexation petition and supporting materials, written comments received on the petition, the Fairbanks North Star Borough's responsive brief, the City of Fairbanks' reply brief, Commerce's preliminary report, comments received on Commerce's preliminary report, Commerce's final report, and testimony received at the LBC's November 9, 2009, public hearing on the petition.

Alaska law requires the Local Boundary Commission to apply the standards for annexation to cities found at 3 AAC 110.090 – 3 AAC 110.140 and 3 AAC 110.900 – 3 AAC 110.982. Section III of this decisional statement recounts such application by the commission. Based on the evidence in the record relating to the subject petition, the Local Boundary Commission has reached the findings and conclusions set out in this section.

A. 3 AAC 110.090. Need.

Two standards relate to the need for city government in the territory proposed for annexation. First, 3 AAC 110.090(a) states that a territory may be annexed to a city provided the commission determines that there is a reasonable need for city government in the territory. Second, 3 AAC 110.090(b) states that territory may not be annexed to a city if the commission determines that essential municipal services can be provided more efficiently and more effectively by another existing city or by an organized borough, on an areawide basis or nonareawide basis, or through a borough service area.

1. 3 AAC 110.090(a)

Regarding the first standard, the commission finds that there is clearly a reasonable need for city government for the enclave lots. There is currently no fire service being provided to lots in the enclave located outside of the city's limits. Further, the enclave lots are in a patchwork of lots in which some homes receive fire services and some do not. This poses a danger if a house in the enclave lots catches fire and the fire spreads to a house within the city limits. Commission members expressed that there is also a need for street services and police services.

While there are no permanent residents of Fred Meyer subdivision, thousands of borough and city residents work, shop, bank, and eat at businesses in the territory every day. Commissioners were concerned with the lack of building code enforcement in the territories proposed for annexation. Some commissioners expressed that a developed commercial area could use the services of an urban police force, the City of Fairbanks police department, compared to a traditionally rural police force, the Alaska State Troopers. The Fred Meyer subdivision is in reasonable need of an enhanced level of municipal services.

The LBC finds that the petition meets 3 AAC 110.090(a)'s criteria for both the enclave lots and the Fred Meyer subdivision.

2. 3 AAC 110.090(b)

With respect to the second standard relating to the need for city government, 3 AAC 110.090(b) provides that territory may not be annexed to a city if essential city services can be provided more efficiently and more effectively by another existing city, by an organized borough, or through a borough service area. Neither the enclave lots nor Fred Meyer are in close proximity to the City of North Pole, the only other city within the Fairbanks North Star Borough and are not suitable for annexation to that more distant city government.

The LBC finds that neither the Borough nor the University Fire Service Area (also referred to as the "UFSA") can provide essential municipal services more efficiently and more effectively than can the City because neither the borough nor the UFSA is currently providing the enclave lots with police, fire/EMS, code enforcement, or other services.

There were mixed feelings expressed as to whether the UFSA or the City provided more efficient and more effective fire and EMS services to the Fred Meyer subdivision. The UFSA's stations are closer to Fred Meyer, and it has a better ISO rating. The City's paramedics receive more training than the UFSA's EMTs.

A majority of commission members felt it necessary to consider essential municipal services in a broad sense. The Fairbanks North Star Borough cannot provide police services, or building and fire code inspection and enforcement. The City of Fairbanks provides these services within its limits and has the capability to extend essential municipal services into the territories proposed for annexation. When considering the basket of essential municipal services, the commission finds that no other city, borough, or borough service area can provide essential municipal services on a more efficient and more effective basis.

The LBC finds that the petition meets 3 AAC 110.090(b)'s criteria for both the enclave lots and the Fred Meyer subdivision.

B. 3 AAC 110.100. Character.

Alaska law allows a territory to be annexed to a city provided, in part, that the territory is compatible in character with the annexing city. (3 AAC 110.100).

The view, "if it looks like a city it is a city" was expressed in testimony and public comment. Commissioners felt that both areas looked like a city and that they were compatible in several areas. The enclave lots are part of an established neighborhood of predominately residential properties with a few commercial properties. This land use is consistent with similarly located lots within the City's boundaries.

Fred Meyer is the only box store outside of the city limits. Similar commercial properties are found within the City of Fairbanks including the Safeway retail center directly across University Avenue.

We find that the petition satisfies 3 AAC 110.100's requirements for both territories because both the enclave lots and the Fred Meyer subdivision are compatible in character to the City of Fairbanks.

C. 3 AAC 110.110. Resources.

Alaska law allows a territory to be annexed to a city provided, in part, that the commission determines that the economy within the proposed post-annexation boundaries of the city has the human and financial resources necessary to provide essential city services on an efficient, cost-effective level. (3 AAC 110.110).

Commissioners expressed that the resources of the territory would be able to provide essential city services on an efficient, cost-effective level. The budget information provided shows that the revenues the City will be able to collect from the existing tax structure exceeds the projected expenses for providing city services. The commission heard testimony that there would not be a problem meeting the increased need for police or fire services. Annexation would also expand the economic base of the City of Fairbanks.

Given the above circumstances, the commission concludes that the economy within the proposed post-annexation boundaries of the City of Fairbanks has the human and financial resources necessary to provide essential city services to the territories proposed for annexation on an efficient, cost-effective level. Thus, the requirements of 3 AAC 110.110 are satisfied by the annexation petition.

D. 3 AAC 110.120. Population.

3 AAC 110.120 states that "[t]he population within the proposed expanded boundaries of the city must be sufficiently large and stable to support the extension of city government."

The 2007 population estimate for the City of Fairbanks is 31,627 persons. The enclave lots are mainly residential, with a few businesses. The Fred Meyer subdivision is exclusively commercial with no residents. There are approximately 35 residents in the enclave lots, and no known permanent residents of the Fred Meyer subdivision. Fairbanks is Alaska's second most populous community, and is the most populous of Alaska's incorporated cities. The population density of the City of Fairbanks will not be significantly affected by this annexation petition. The commission heard testimony that the City of Fairbanks has the capability of extending police and fire services to the territories proposed for annexation.

Given the small size of the territories proposed for annexation and the stability of the City's population, the LBC concludes that the population within the proposed post-annexation boundaries of the City of Fairbanks is sufficiently large and stable to support the extension of city government. Thus, the standard set out in 3 AAC 110.120 is satisfied.

E. 3 AAC 110.130. Boundaries.

There are five standards related to boundaries that the commission must consider. We find that the petition has satisfied 3 AAC 110.130's requirements based on the rationale below.

1. 3 AAC 110.130(a)

3 AAC 110.130(a) states that the proposed expanded boundaries of the city must include the land and water necessary to promote developing essential municipal services in an efficient, cost-effective manner.

Both the enclave lots and the Fred Meyer subdivision are developed territories. There has been nothing presented to suggest the proposed expanded boundaries of the City of Fairbanks does not contain all the land and water necessary to provide development of essential municipal services on an efficient, cost-effective level.

The LBC finds that the proposed boundaries of the city include all land and water necessary to develop essential municipal services in an efficient and cost-effective manner. This applies to both territories.

2. 3 AAC 110.130(b)

3 AAC 110.130(b) states that territory that is noncontiguous to the annexing city, or that would create enclaves in the annexing city, does not include all land and water necessary to develop essential municipal services in an efficient, cost-effective manner (absent a specific and persuasive contrary showing).

The enclave lots and Fred Meyer subdivision are both contiguous to the City of Fairbanks. Annexation of the enclave lots would eliminate an enclave currently within the city. As the enclave lots are contiguous to the annexing city, and because annexing them does not create an enclave, we need not address the land and water issue.

While the Fred Meyer subdivision could arguably create an enclave, the territory is already fully developed and receiving services. The expanded City of Fairbanks would contain all land and water necessary to allow for the development of essential municipal services on an efficient, cost-effective manner.

We find that 3 AAC 110.130(b)'s requirements have been met for both territories.

3. 3 AAC 110.130(c)(1)

The expanded boundaries of the City of Fairbanks must be on a scale suitable for city government, and may include only that territory comprising an existing local community, plus reasonably predictable growth, development, and public safety needs during the ten years following the effective date of annexation.

For both the enclave lots and the Fred Meyer subdivision, there is no reasonably anticipated future growth or anticipated public safety needs for the next ten years. As was discussed in 3 AAC 110.100, it is difficult to distinguish among the enclave lots, the Fred Meyer subdivision, and the City of Fairbanks as separate communities. These areas seem to comprise a single community, socially and economically.

For 3 AAC 110.130(c)(1) we find that the proposed expanded boundaries of the city, including both territories, are on a scale suitable for city government and only include an existing local community, plus reasonably predictable growth, development, and public safety needs during the ten years after the effective date of annexation.

4. 3 AAC 110.130(c)(2)

The proposed expanded boundaries of the City of Fairbanks may not include entire geographical regions or large unpopulated areas, except if those boundaries are justified by the application of standards in 3 AAC 110.090 – 3 AAC 110.135 and are otherwise suitable for city government.

Both the enclave lots and Fred Meyer are small (only comprising 0.05 square miles) and are highly developed territories. They do not contain entire geographical regions or large unpopulated areas. There are approximately 35 residents in the enclave lots. While there are no permanent residents of the Fred Meyer subdivision, thousands of borough and city residents work, shop, bank, and eat in the territory.

For 3 AAC 110.130(c)(2), we find that neither the enclave lots nor the Fred Meyer subdivision includes entire geographical regions or large unpopulated areas.

5. 3 AAC 110.130(d)

3 AAC 110.130(d) states that "if a petition for annexation to a city describes boundaries overlapping the boundaries of an existing organized borough, the petition for annexation must also address and comply with the standards and procedures for either annexation of the enlarged city to the existing organized borough or detachment of the enlarged city from the existing organized borough. If a petition for annexation to a city describes boundaries overlapping the boundaries of another existing city, the petition for annexation must also address and comply with the standards and procedures for detachment of territory from a city, merger of cities, or consolidation of cities."

This annexation petition does not describe boundaries overlapping the boundaries of an existing organized borough or another existing city. For that reason the petition does not need to address the standards and procedures for annexation of the enlarged city to the existing organized borough, detachment of the enlarged city from the existing organized borough, detachment of territory from an existing city, merger of cities, or consolidation of cities.

We find that the overlapping boundary standard is satisfied for both the enclave lots and the Fred Meyer subdivision.

F. 3 AAC 110.135. Best Interests of the State.

Alaska's constitution promotes maximum local government with a minimum of local government units and prevention of duplication of tax levying jurisdictions. (Article X, §1).

The commission finds that the proposed annexation would have no effect upon the number of local government units. It is important to note that the Fairbanks North Star Borough is a second class borough, whereas the City of Fairbanks is a home rule city. Annexation of the enclave lots and Fred Meyer would promote the principles of maximum local self-government because the territories would receive the benefits of belonging to both the City and the Borough. We found in analyzing 3 AAC 110.140(7) that both annexations would meet the constitutional mandate of maximum local self-government and a minimum number of local government units.

Annexation would meet even a broader interpretation of best interests of the state than merely the impact upon the state budget. The commission finds that the proposed annexation of the enclave lots would help improve the boundaries of the City of Fairbanks and extend city police protection to territories which are now served by the Alaska State Troopers, and in the case of the enclave lots, extend fire protection where such protection is not currently provided. Also, building and fire code enforcement and inspection is currently provided by the state. The state would be relieved of the responsibility of providing building and fire code enforcement and inspecting. Even if the buildings were already built, code inspections are in the best interests of the state. The commission believes with better code enforcement comes better safety and better buildings.

While this annexation will probably not reduce the state's budget for the Alaska State Troopers, annexing Fred Meyer and the enclave lots will allow the troopers to provide better service to the other areas they are responsible for.

While it is not required that the commission review the financial impact on the Borough or the UFSA, commissioners expressed opinions on the financial impact this annexation will cause. All revenue losses cause pain to municipalities. It is a normal course of events that service areas will provide services near a city's boundaries. The fact that a service area exists should not impede a city from expanding. The financial impacts to the borough and the UFSA were not significant enough for this annexation to be viewed as not being in the best interests of the state.

We find that the petition satisfies 3 AAC 110.135's requirements for both territories.

G. 3 AAC 110.140. Legislative Review.

For territory to be annexed under the legislative review method the commission must determine that one of eight circumstances enumerated in 3 AAC 110.140 exists.

We find for the enclave lots that circumstance (1), whether "the territory is wholly or substantially surrounded by the annexing city" is met because the enclave lots are substantially surrounded by the City and the Chena River.

Circumstance (7) exists if the commission determines that "annexation will promote (A) maximum local self-government, as determined under 3 AAC 110.981; and (B) a minimum number of local government units, as determined under 3 AAC 110.982 and in accordance with art. X, sec. 1, Constitution of the State of Alaska."

The commission finds that the residents and property owners of the territories proposed for annexation would benefit from belonging to both the Fairbanks North Star Borough (second class borough) and the City of Fairbanks (home rule city). The commission finds that this

annexation will not affect the number of local government units. The commission, based on previous decisions, does not believe this standard is so stringent that it requires that the proposal reduce the number of local government units. Rather it means that no new local government unit will be created unless it is justified. We find that annexing both the enclave lots and the Fred Meyer subdivision promotes maximum local self-government and a minimum number of local government units.

As at least one circumstance has been found to exist for both the enclave lots and the Fred Meyer subdivision, we find that the petition meets 3 AAC 110.140's requirements.

H. 3 AAC 110.900. Transition.

3 AAC 110.900 concerns whether the transition plan contains all the required information, and that all required actions were undertaken to prepare for a smooth transition. There are six parts to 3 AAC 110.900 that the commission reviewed.

The commission considers the prospective transition of extending essential city services into the territories proposed for annexing to be elementary and uncomplicated. In particular, the commission notes that annexation would not involve the transfer of assets or liabilities from one local government to another. The petition states that the City will provide fire, police, and other essential municipal services to both of the territories proposed for annexation. City officials testified that the City consulted with Borough and UFSA officials concerning the proposed annexation.

The commission finds that 3 AAC 110.900's requirements have been satisfied with respect to the current annexation proposal based on the rationale below.

1. 3 AAC 110.900(a)

3 AAC 110.900(a) requires the petition to include a practical plan demonstrating the capacity of the annexing city to extend essential city services into the territories proposed for annexation in the shortest practical time after the effective date of the proposed annexation. The City of Fairbanks included the required transition plan as Exhibit E of its petition. The City of Fairbanks stated in its transition plan that it was ready to extend municipal services to the territories immediately after the effective date of the proposed annexation.

We find that the petition has met 3 AAC 110.900(a)'s requirements.

2. 3 AAC 110.900(b)

3 AAC 110.900(b) requires that the petition include a practical plan for the assumption of all relevant and appropriate powers, duties, rights, and functions presently exercised by an existing borough, city, unorganized borough service area, or other appropriate entity located within the boundaries proposed for change.

The plan must be prepared in consultation with borough officials. The City stated that it is prepared to assume all relevant and appropriate powers, duties, rights, and functions to expand essential city services to the Fred Meyer subdivision and the enclave lots promptly upon the annexations' effective date.

We find that the petition has met 3 AAC 110.900(b)'s requirements.

3. 3 AAC 110.900(c)

3 AAC 110.900(c) requires that the petition must include a practical plan for the transfer and integration of all relevant and appropriate assets and liabilities of an existing borough, city, unorganized borough service area, and other entity located within the boundaries proposed for annexation. Here, a plan to transfer assets and liabilities is a moot subject because there are no assets or liabilities that would be affected by the annexations.

4. 3 AAC 110.900(d)

3 AAC 110.900(d) allows the LBC to condition approval upon executing an agreement for assuming powers, duties, rights, and functions, and for the transfer and integration of assets and liabilities.

The commissioners discussed whether it was necessary to require that the City and Borough execute an agreement prescribed or approved by the commission for the City to assume the powers, duties, rights, and functions, and for the transfer and integration of assets and liabilities from the Borough. Commissioner Harrington expressed concern that annexation of the Fred Meyer subdivision would increase response time for fire and EMS services to employees and patrons of the commercial business located there. A majority of the commission felt that it was not necessary to require such an agreement, but wished the City and Borough would continue dialogue regarding the financial impact to the Borough and the UFSA.

3 AAC 110.900(d) is optional, and the commission did not act upon it.

5. 3 AAC 110.900(e)

The transition plan did state the names and titles of all officials consulted by the petitioner as required by 3 AAC 110.900(e). While the petition did not state the dates and subjects of these meetings, all required entities were aware of the petition. There is no question from testimony given by the Borough and the City at the November 9, 2009, public hearing that consultation occurred.

The commission finds that the spirit of 3 AAC 110.900(e) has been met.

6. 3 AAC 110.900(f)

If a petitioner has requested consultation, and borough officials have declined to consult or were unavailable during reasonable times, the petitioner may ask the LBC to waive that requirement. As no such request was received, no such waiver was granted.

I. 3 AAC 110.910. Statement of Nondiscrimination

As provided by 3 AAC 110.910, an annexation proposal may not be approved by the commission if the effect of the annexation would deny any person the enjoyment of any civil or political right, including voting rights, because of race, color, creed, sex, or national origin.

We find no evidence that the effect of the proposed change denies any person the enjoyment of any civil or political right, including voting rights, because of race, color, creed, sex, or national origin.

J. 3 AAC 110.920. Determination of Community.

3 AAC 110.920 applies to determining whether a settlement comprises a community. Given the City's size, and that the commission sees the two territories as part of the City of Fairbanks' social and economic community, the LBC determines that this regulation was not relevant to this petition.

K. 3 AAC 110.970. Determination of Essential Municipal Services.

Essential municipal services were discussed under 3 AAC 110.090. The commission sees fire and EMS services, police services, fire and building code enforcement and inspection, and dispatch as being essential municipal services deserving highest consideration. It is important to note that the Fairbanks North Star Borough, as a second class borough, does not have its own police force. Also, it does not provide building and fire code enforcement and inspection. The state is currently responsible for providing those services. The City of Fairbanks has demonstrated its ability to provide and extend these services to the territories proposed for annexation. We find that the petition has met 3 AAC 110.970's requirements.

L. 3 AAC 110.981. Determination of Maximum Local Self-Government.

This standard has been discussed in consideration of best interests of the state and whether this annexation is appropriately sought under legislative review. The commission finds that the residents and property owners of the territories proposed for annexation would benefit from belonging to both the Fairbanks North Star Borough (second class borough) and the City of Fairbanks (home rule city) because the territories will continue to receive areawide services which only the Borough can provide. The territories would also receive additional essential municipal services which the City can provide but the Borough and the UFSA cannot, such as police enforcement, and building and fire code enforcement and inspection.

We find that annexing the enclave lots and the Fred Meyer subdivision would extend local government needs (police enforcement, building and fire code inspections and enforcement) which cannot be met by the borough on an areawide or nonareawide basis, by annexation to another existing city, or through an existing borough service area. We find that the petition has met 3 AAC 110.981's requirements.

M. 3 AAC 110.982. Minimum Number of Local Government Units.

This standard has been discussed in consideration of best interests of the state and whether this annexation is appropriately sought under legislative review. The commission finds that this annexation will not affect the number of local government units. The commission, based on previous decisions, does not believe this standard is so stringent that it requires that the proposal reduce the number of local government units. Rather it means no new local government unit will be created unless it is justified.

We find that enlargement of the city's boundaries is more appropriate than promoting the incorporation of a new city or the creation of a new borough service area. We find that the petition has met 3 AAC 110.982's requirements.

SECTION IV
ORDER OF THE COMMISSION

The commission concludes that all of the relevant standards and requirements for annexation of both territories (the enclave lots and Fred Meyer) are satisfied by the City of Fairbanks' petition. Therefore, the Commission approves the December 10, 2008, petition of the City of Fairbanks for the annexation of approximately 0.05 square miles.

The LBC in the past has held the view that multiple piecemeal annexations do not necessarily serve optimum public policy. The current commission supports this view. Notwithstanding, the commission reaffirms its conclusion that both territories, while small in nature, do meet all relevant standards and requirements.

Approval of the proposed annexation by the Local Boundary Commission will result in boundaries for the City of Fairbanks described as follows:

CITY OF FAIRBANKS CORPORATE BOUNDARIES

Commencing at the south 1/4 corner of Section 36, T1N, R1W, F.B. & M. which is located on the Fairbanks Base Line, being the true point of beginning of this description; thence west along the Fairbanks Base Line to the northwesterly corner of Section 3, T1S, R1W, F.B. & M.; thence in a southerly direction along the section line common to Sections 3 and 4, T1S, R1W, F.B. & M., to an intersection with the thread of the Noyes Slough; thence downstream along the thread of the Noyes Slough to the easterly 1/16 line of Section 4, T1S, R1W, F.B. & M.; thence in a northerly direction along said easterly 1/16 line to the southerly boundary of Johnston Subdivision, filed in the Fairbanks Recorder's Office October 4, 1954, as Instrument No. 151.674; thence in northerly, northeasterly and northerly directions, respectively, along the easterly boundary of Johnston Subdivision filed in the Fairbanks Recorder's Office on October 4, 1954, as Instrument No. 151.674, to the southernmost right of way limit of College Road, State of Alaska Project S-SG-0644(5); thence in a northwesterly direction along the southernmost right of way limit of College Road, State of Alaska Project S-SG-0644(5), to the Fairbanks Base Line; thence west along said Base Line to the thread of Noyes Slough; thence downstream along the thread of Noyes Slough to the northerly extension of the lot line common to Lots 1 and 11 of the Fairbanks Industrial Park Subdivision filed in the Fairbanks Recorder's Office on October 15, 1976, as Instrument No. 76-165; thence in a southerly direction along the westerly boundaries of Lots 1 through 6 and 9 and the southerly extension of said line to the southernmost right of way limit of Hanson Road, shown on the plat of Fairbanks Industrial Park Subdivision filed in the Fairbanks Recorder's Office on October 15, 1976, as Instrument No. 76-165; thence in a westerly direction along the southernmost right of way limit of Hanson Road to the northwesterly corner of Lot 21, Fairbanks Industrial Park Subdivision filed in the Fairbanks Recorder's Office on October 15, 1976, as Instrument No. 76-165; thence in a southerly direction along the westerly boundary of said Lot 21 to the southwesterly corner of Lot 21, Fairbanks Industrial Park Subdivision filed in the Fairbanks Recorders Office, on October 15, 1976, as Instrument No. 76-165; thence easterly and northeasterly along the southerly boundaries of Lots 21, 20 and 24 to the southeasterly corner of Lot 24, Fairbanks Industrial Park Subdivision filed in the Fairbanks Recorder's Office on October 15, 1976, as Instrument No. 76-165; thence easterly, normal to the section line, to said section line common to Sections 5 and 4, T1S, R1W, F.B. & M.; thence in a southerly direction along said section line common to Sections 4, 5, 8 and 9, T1S, R1W, F.B. & M. to an intersection with the easterly extension of the southernmost right of way limit of Phillips field Road as shown on the plat of Doyon Estates subdivision, filed in the Fairbanks Recorders Office on October 16, 1997 as Instrument No. 97-100 ; thence in a westerly direction along said easterly extension of the southernmost right of way limit of Phillips Field Road to an intersection with the westernmost right of way limit of Mouton Street as shown on the plat of Doyon Estates subdivision, filed in the Fairbanks Recorders Office on October 16, 1997 as Instrument No. 97-100 ; Thence southeasterly and southwesterly along said westernmost right of way limit of Mouton Street to the northern most boundary of Government Lot 10, Section 8, T1S, R1W, F.B.& M.; thence in a westerly direction along the northerly boundary of Government Lot 10, Section 8, T1S, R1W, F.B.& M. extended to intersect with the thread of the

Chena River; thence downstream along the thread of the Chena River to the section line common to Sections 7 and 8, T1S, R1W, F.B. & M.; thence in a southerly direction along said section line to the easterly extension of the northerly boundary of Fred Meyer Subdivision as filed in the Fairbanks Recorder's Office as Plat No. 91-55; thence westerly, southerly and easterly along the boundary of said Fred Meyer Subdivision to the northwesternmost corner of Lot 2, Block 1, Fairwest Subdivision West Addition filed in the Fairbanks Recorder's Office January 24, 1964, as Instrument No. 64-486; thence in a southerly direction along the westerly lot line of said Lot 2, Block 1, to the northernmost right of way limit of Mitchell Avenue as shown on said plat of Fairwest Subdivision West Addition; thence in an easterly direction along the northernmost right of way limit of Mitchell Avenue as shown on said plat of Fairwest Subdivision West Addition extended to the section line common to Sections 17 and 18, T1S, R1W, F.B. & M.; thence in a southerly direction along the section line common to Sections 17 and 18, T1S, R1W, F.B. & M. to the northernmost 1/16 corner common to Sections 17 and 18, T1S, R1W, F.B. & M.; thence in an easterly direction along the northernmost east-west 1/16 line to the northerly 1/16 corner on the centerline (north-south) of Section 17, T1S, R1W, F.B. & M.; thence in a southerly direction along the centerline (north-south) of Section 17, T1S, R1W, F.B. & M. to the center 1/4 corner of Section 17, T1S, R1W, F.B. M; thence in a easterly direction along the centerline (east-west) of Section 17, T1S, R1W, F.B. & M. to an intersection with the westernmost right of way limit of Peger Road, State of Alaska Project S-0665(2); thence in a southerly direction along the westernmost right of way limit of Peger Road, State of Alaska Project S-0665(2), to a point on the extended southernmost right of way limit of Van Horn Road, State of Alaska Project S-0665(2), thence in an easterly direction along the southernmost right of way limit of Van Horn Road, State of Alaska Project S-0665(2), to the easternmost limit of Schacht Street as shown on the plat of Metro Industrial Airpark subdivision filed in the Fairbanks Recorders Office on December 12, 1969, as instrument No. 69-12194; thence in a southerly direction along the easternmost limit of said Schacht Street to the southwest corner of Lot 1-A as shown on the replat of Lot 1, Block 7, Metro Industrial Air Park filed in the Fairbanks Recorders Office on June 18, 1985, as Instrument No. 85-96; thence in a easterly direction along the southerly boundary of said Lot 1-A to the southeasterly corner of said Lot 1-A at the westerly boundary of the Subdivision of the Arvo A. Joki Property in the SE 1/4 of Section 21, T.1S. R.1 W. F.M., filed in the Fairbanks Recorder's Office on May 31, 1973, as instrument No. 73-34; thence in southerly easterly and northerly directions around the perimeter of the Avro A. Joki Property encompassing Tract A and Tract B to the southernmost right of way limit of Van Horn Road, State of Alaska Project S-0665(2); thence in an easterly direction along the southernmost right of way limit of Van Horn Road, State of Alaska Project S-0665(2) to the easternmost limit of South Lathrop Street, a 66 foot section line easement centered on the section line common to Sections 21 and 22, T1S, R1W, F.B. & M.; thence in a southerly direction along the easternmost limit of South Lathrop Street, a 66 foot section line easement centered on the section line common to Sections 21 and 22, T1S, R1W, F.B. & M. to the northwesterly corner of Lot 1, as shown on the Amended Plat of D-5 Subdivision filed in the Fairbanks Recorder's Office on September 19, 1980, as Instrument No. 80-160; thence in an easterly direction along the northerly boundary of Lot 1, as shown on the Amended Plat of D-5 Subdivision filed in the Fairbanks Recorder's Office on September 19, 1980, as Instrument No. 80-160; thence in a southerly direction along the easterly boundary of Lot 1, as shown on the Amended Plat of D-5 Subdivision filed in the Fairbanks Recorder's Office on September 19, 1980, as Instrument No. 80-160 common to the westerly boundary of Lot 6, Block 1, King Industrial Park Subdivision filed in the Fairbanks Recorder's Office on July 22, 1981, as Instrument No. 81-114 to the southwesterly corner of Lot 6, Block 1, King Industrial Park Subdivision filed in the Fairbanks Recorder's Office on July 22, 1981, as Instrument No. 81-114; thence in an easterly direction along the southerly boundary of Lot 6, Block 1, King Industrial Park Subdivision filed in the Fairbanks Recorder's Office on July 22, 1981, as Instrument No. 81-114 to the westernmost right of way limit of Royal Road, as shown on the plat of King Industrial Park Subdivision filed in the Fairbanks Recorder's Office on July 22, 1981, as Instrument No. 81-114; thence in a northerly direction along the westernmost right of way limit of Royal Road, as shown on the plat of King Industrial Park Subdivision filed in the Fairbanks Recorder's Office on July 22, 1981, as Instrument No. 81-114 to the northeasterly corner of Lot 7, Block 1, King Industrial Park Subdivision filed in the Fairbanks Recorder's Office on July 22, 1981, as Instrument No. 81-114; thence in an easterly direction along the westerly extension of and continuing along the southerly boundary of Lot 2, Block 2, King Industrial Park Subdivision filed in the Fairbanks Recorder's Office on July 22, 1981, as Instrument No. 81-114 to the southeasterly corner of Lot 2, Block 2, King Industrial Park Subdivision filed in the Fairbanks Recorder's Office on July 22, 1981, as Instrument No. 81-114;

thence northerly along the easterly boundary of Lots 1 and 2, Block 2, King Industrial Park Subdivision filed in the Fairbanks Recorder's Office on July 22, 1981, as Instrument No. 81-114 to the southernmost right of way limit of Van Horn Road, State of Alaska Project S-0665(2); thence in an easterly direction along the southernmost right of way limit of Van Horn Road, State of Alaska Project S-0665(2), to an intersection with the westernmost right of way limit of South Cushman Street; thence in a southerly direction along the westernmost right of way limit of South Cushman Street as shown on the plat of Tennessee Miller Industrial Park recorded in the Fairbanks District Recorders Office on March 14, 1986 as instrument number 86-35; thence continuing along the southerly extension of said westernmost right of way limit of South Cushman Street to the section line common to Sections 22 and 27, T1S, R1W, F. B. & M; thence in an easterly direction along the section line common to Sections 22, 27, 23 and 26, to the ¼ common to Sections 23 and 26, T1S, R1W, F.B. & M.; thence in a northerly direction along the north-south centerline of Section 23, to the northernmost 1/16 corner on said north-south centerline of Section 23, T1S, R1W, F.B. & M.; thence in an easterly direction along the northernmost eastwest 1/16 line of said Section 23 to the northernmost 1/16 corner common to Sections 23 and 24, T1S, R1W, F.B. & M.; thence in a southerly direction along the section line common to Sections 23 and 24 to the southerly limit of Parcel B of Exhibit A to the Special Warranty Deed recorded in the Fairbanks Recorder's Office on February 27, 1985, in Book 414, Pages 331 through 337, as Instrument Number 85-4616; thence North 8959'52" East along the southerly boundary of said Parcel B a distance of 330.14 feet; thence North 002'05" West a distance of 330.22 feet to a point on the southerly boundary of said Parcel B; thence North 8959'59" East a distance of 690.39 feet to a point on the southerly boundary of said Parcel B; thence South 000'01" East a distance of 660.40 feet to a point on the southerly limit of said Parcel B; thence North 8959'46" East a distance of 300.44 feet to the southeasternmost corner of said Parcel B which lies on the westerly 1/16 line of Section 24, T1S, R1W, F.B. M; thence in a southerly direction along the westerly 1/16 line of Sections 24 and 25, T1S, R1W, F.B. & M., to the meander of the north bank of the Tanana River; thence in northeasterly and southeasterly directions along the meanders of the north bank of the Tanana River to an intersection with the section line common to Sections 32 and 33, T1S, R1E, F.B. & M.; thence in a northerly direction along the section line common to Sections 33, 28, 29 and 32, T1S, R1E, F.B. & M., to the section corner common to Sections 21, 28, 29 and 20, T1S, R1E, F.B. & M.; thence in an easterly direction along the section line common to Sections 28 and 21, T1S, R1E, F.B. & M., to the westerly 1/16 corner common to Sections 28 and 21, T1S, R1E, F.B. & M.; thence in a northerly direction along the westerly 1/16 line of Section 21, T1S, R1E, F.B. & M., to the southernmost right of way limit of the Old Richardson Highway, FAP 62-4; thence in a northwesterly direction along the southernmost right of way limit of the Old Richardson Highway, FAP 62-4, extended to the westernmost right of way limit of Badger Road, State of Alaska Project S-0620(2); thence in a northerly direction along the westernmost right of way limit of Badger Road State of Alaska Project S-0620(2) to an intersection with the westerly 1/16 line of Section 21, T1S, R1E, F.B. & M.; thence in a northerly direction along the westerly 1/16 line of Section 21, T1S, R1E, F.B. & M., to the westerly 1/16 corner common to Sections 21 and 16, T1S, R1E, F.B. & M.; thence in an easterly direction along the section line common to Sections 21 and 16, T1S, R1E, F.B. & M. to the centerline of Badger Road State of Alaska Project RS-0622(6); thence in a northerly direction along the centerline of Badger Road State of Alaska Project No. RS-0622(6) to the centerline of Holms Road State of Alaska Project RS-0622(1) /63872; thence in a southeasterly direction along the centerline of Holms Road to a point of tangent at centerline station 24+59.63; thence South 02°32' 10" West (basis of bearing for this call is Holms Road State of Alaska Project RS-0622(1) /63872) to the section line common to Sections 21 and 16, T1S, R1E, F.B. & M; thence in an easterly direction along said section line to the section corner common to Sections 22, 21, 16 and 15, T1S, R1E, F.B. & M.; thence in a northerly direction along the section line common to Sections 15 and 16, T1S, R1E, F.B. & M., to the section corner common to Sections 10, 15, 16 and 9, T1S, R1E, F.B. & M.; thence in a westerly direction along the section line common to Sections 9 and 16, T1S, R1E, F.B. & M., to the 1/4 corner common to Sections 9 and 16, T1S, R1E, F.B. & M.; thence in a northerly direction along the centerline (north-south) of Section 9, T1S, R1E, F.B. & M., to the 1/4 corner common to Sections 9 and 4, T1S, R1E, F.B. & M.; thence in an easterly direction along the section line common to Sections 9, 4, 3 and 10, T1S, R1E, F.B. & M., to the westerly 1/16 corner common to Sections 10 and 3, T1S, R1E, F.B. & M.; thence in a northerly direction along the westerly 1/16 line to the mid 1/16 corner located in the SW 1/4 of Section 3, T1S, R1E, F.B. & M.; thence in an easterly direction along the southerly 1/16 line to the southerly 1/16 corner on the centerline (north-south) of Section 3, T1S, R1E, F.B. & M.; thence in a northerly direction

along the centerline (north-south) of Section 3, T1S, R1E, F.B. & M., to the 1/4 corner of Section 3, T1S, R1E, F.B. & M., located on the Fairbanks Base Line; thence east along the Fairbanks Base Line to the southerly 1/4 corner of Section 34, T1N, R1E, F.B. & M.; thence in a northerly direction along the centerline (north-south) of Section 34, T1N, R1E, F.B. & M., to the 1/4 corner common to Sections 34 and 27, T1N, R1E, F.B. & M.; thence in a westerly direction along the section line common to Sections 27, 34, 33 and 28, T1N, R1E, F.B. & M., to the section corner common to Sections 29, 28, 33 and 32, T1N, R1E, F.B. & M.; thence in a southerly direction along the section line common to Sections 32 and 33, T1N, R1E, F.B. & M., to the 1/4 corner common to Sections 32 and 33, T1N, R1E, F.B. & M.; thence in a westerly direction along the centerlines (east-west) of Sections 32 and 31, T1N, R1E, F.B. & M., to the 1/4 corner of Section 31, T1N, R1E, F.B. & M., located on the Fairbanks Meridian; thence north along the Fairbanks Meridian to the northernmost 1/16 corner of Section 36, T1N, R1W, F.B. & M., thence in a westerly direction along the northerly 1/16 line of Section 36, T1N, R1W, F.B. & M., to the mid 1/16 corner located in the NE 1/4 of Section 36, T1N, R1W, F.B. & M.; thence in a southerly direction along the easterly 1/16 line to the easterly 1/16 corner on the centerline (east-west) of Section 36, T1N, R1W, F.B. & M.; thence in a westerly direction to the interior 1/4 corner of Section 36, T1N, R1W, F.B. & M.; thence in a southerly direction along the centerline (north-south) of Section 36, T1N, R1W, F.B. & M., to the 1/4 corner common to Section 36, T1N, R1W, F.B. & M., and located on the Fairbanks Base Line, the true point of beginning of this description. This description encompasses an area of 33.85 square miles.

Approved in writing this 2nd day of December, 2009.

LOCAL BOUNDARY COMMISSION

By: Lynn Chrystal x
Lynn Chrystal, Chair

Attest:

By: R. Brent Williams x
Brent Williams, Staff

RECONSIDERATION BY THE COMMISSION

Per 3 AAC 110.580(a) "within 18 days after a written statement of decision is mailed under 3 AAC 110.570(f), a person may file an original and five copies of a request for reconsideration of all or part of the decision, describing in detail the facts and analyses that support the request for reconsideration."

Per 3 AAC 110.580(e) "the commission will grant a request for reconsideration or, on its own motion, order reconsideration of a decision only if the commission determines that

(1) a substantial procedural error occurred in the original proceeding;
(2) the original vote was based on fraud or misrepresentation;
(3) the commission failed to address a material issue of fact or a controlling principle of law; or
(4) new evidence not available at the time of the hearing relating to a matter of significant public policy has become known."

Additionally, per 3 AAC 110.580(f) "if the commission does not act on a request for reconsideration within 30 days after the decision was mailed under 3 AAC 110.570(f), the request is automatically denied."

Also, per 3 AAC 110.580(f) "if the commission orders reconsideration or grants a request for reconsideration within 30 days after the decision was mailed under 3 AAC 110.570(f), the commission will allow a petitioner or respondent 10 days after the date reconsideration is ordered or the request for reconsideration is granted to file an original and five copies of a responsive brief describing in detail the facts and analyses that support or oppose the decision being reconsidered."

JUDICIAL APPEAL

Per 3 AAC 110.620, "a final decision of the commission made under the Constitution of the State of Alaska, AS 29.04, AS 29.05, AS 29.06, or this chapter may be appealed to the superior court in accordance with the Administrative Procedure Act (AS 44.62)." Please note that AS 44.62.560 requires that "the notice of appeal shall be filed within 30 days after the last day on which reconsideration can be ordered, and served on each party to the proceeding."

Christina Apathy

From: Natalie and Tim [wynfromere@alaska.net]
Sent: Thursday, February 04, 2010 11:39 AM
To: Natalie and Tim <wynfromere@alaska.net>
Subject: LBC Annexation Proposal
Attachments: FNSB_2008-35.pdf; FNSB_2010_08.pdf; ATT00001.txt

Dear Representative,

The Fairbanks North Star Borough Assembly voted, on two separate occasions, to oppose the annexation proposal that is now before you in the Local Boundary Commission Report. Attached are the FNSB Assembly's resolutions.

Please consider introducing a resolution to disapprove the LBC report at your earliest convenience.

Sincerely,

Natalie Howard
720 Bennett Road
Fairbanks, AK 99712
907 457-7902

By: Hank Bartos
Introduced: 01/21/2010

FAIRBANKS NORTH STAR BOROUGH

RESOLUTION NO. 2010 – 08

A RESOLUTION TO ENCOURAGE THE SUPPORT OF OUR INTERIOR STATE DELEGATION AND THE ALASKA LEGISLATURE TO OPPOSE THE LOCAL BOUNDARY COMMISSION'S DECISION REGARDING THE FRED MEYER SUBDIVISION ANNEXATION

WHEREAS, the City of Fairbanks proposed an annexation of the Fred Meyer Subdivision and on December 2, 2009, the Local Boundary Commission approved the proposed annexation, and

WHEREAS, the University Fire Service Area has a fire substation with an ambulance only a few blocks from the Fred Meyer subdivision and a Main Station closer than any city fire station, thereby providing these properties with a quicker response time to any fire or ambulance call than the city can provide; and

WHEREAS, the annexation is not in the best interest of the state, the borough or the citizens utilizing the facilities on the subject property.

NOW, THEREFORE, BE IT RESOLVED that the Assembly of the Fairbanks North Star Borough strongly encourages our Interior State Delegation, and Alaska Legislature, to oppose the Local Boundary's decision.

PASSED AND APPROVED THIS __ DAY OF _____, 2010.

_____

Mike Musick
Presiding Officer

ATTEST:

_____

Mona Lisa Drexler, MMC
Municipal Borough Clerk

By: Guy Sattley
Introduced: 09/11/08
Adopted: 09/11/08

FAIRBANKS NORTH STAR BOROUGH

RESOLUTION NO. 2008 - 35

A RESOLUTION OPPOSING THE CITY OF FAIRBANKS' PROPOSED ANNEXATION OF THE FRED MEYER SUBDIVISION

WHEREAS, the City of Fairbanks has proposed an annexation of two very different and distinct areas resulting in a proposal that is confusing due to the mixing of two entirely separate and different issues into one annexation proposal; and

WHEREAS, the businesses located within the Fred Meyer Subdivision are satisfied with the services provided by the University Fire Service Area/University Fire Department and have no desire to be annexed into the City of Fairbanks; and

WHEREAS, the University Fire Service Area has a fire substation with an ambulance only a few blocks from the Fred Meyer subdivision and a Main Station closer than any city fire station, thereby providing these properties with prompt and adequate response to any fire or ambulance call; and

WHEREAS, the University Fire Service Area enjoys a more desirable Insurance Services Office rating of a Class 2 while the City of Fairbanks has a lower insurance rating; and

WHEREAS, the proposed annexation will financially impact Borough taxpayers through an annual loss of over $378,000 in taxes including Nonareawide EMS, Nonareawide Economic Development, Solid Waste, and Alcohol Taxes, but will not reduce the services provided by the Borough.

NOW, THEREFORE, BE IT RESOLVED that the Assembly of the Fairbanks North Star Borough opposes the City of Fairbanks' proposed annexation of the Fred Meyer Subdivision; and.

BE IT FURTHER RESOLVED that copies of this resolution shall be sent to the City of Fairbanks' Mayor and Council and to the Local Boundary Commission.

PASSED AND APPROVED THIS 11th DAY OF SEPTEMBER 2008.

Nadine Winters
Presiding Officer

ATTEST:

Mona Lisa Drexler, MMC
Municipal Borough Clerk

Ayes: Frank, Musick, Sattley, Stringer, Hopkins, Foote, Winters
Noes: Brown, Beck

4/13/10 INFORMA-TIONAL HEARING: ARCTIC INDUSTRIAL ACTIVITY...

ALASKA STATE LEGISLATURE

SENATOR DONALD C. OLSON, CHAIR

SENATOR ALBERT KOOKESH
SENATOR JOE THOMAS
SENATOR HOLLIS FRENCH
SENATOR LINDA MENARD

ALASKA STATE CAPITOL
ROOM 514
JUNEAU, ALASKA 99801-1182
907) 465-3877
FAX: (907) 465-4821

SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

TO: All Committee Members

FROM: Senator Donald Olson

RE: Committee Agenda

LOCATION: Beltz Rom 105 (TSB)

DATE/TIME: Tuesday April 13 – 3:30 p.m.

AGENDA

I. Committee Hearings

1. Arctic Industrial Activity & Prevention Systems, Informational Hearing

TESTIMONY BY INVITATION ONLY

North Slope Borough

OFFICE OF THE MAYOR

P.O. Box 69
Barrow, Alaska 99723
Phone: 907 852-2611 or 0200
Fax: 907 852-0337 or 2595
email: edward.itta@north-slope.org

Edward S. Itta, Mayor

April 4, 2008

Board of Marine Pilots:

Robert J. Arts, Agent/Manager, Alaska Maritime Agencies
Joe Austerman, Commissioner/DCCED/Designee, Department of Commerce
Dale O. Collins, Pilot, SouthEast Alaska Pilot's Association
Leslie A. Cronk,, Agent, Southeast Stevedoring Corporation
Joseph V. Miller, Public
Michael J. O'Hara, Pilot/SWAPA
Jack G. Poulson, Public

Dear Sirs:

The North Slope Borough has a long record of opposition to offshore development in the Chukchi and Beaufort Seas. As Mayor of the North Slope Borough, protection of the cultural and subsistence resources, and our Inupiat heritage are my greatest priorities when considering both the short- and long-term views on outer continental shelf activity off Alaska's Arctic coastline. Two major concerns are the impacts this industrial activity will have on the migratory path of the bowhead whale and the risk of oil spills associated with both increased shipping activity, and oil exploration and development.

With regard to spills, I find no comfort in today's technology of responding to and cleaning up oil once it gets released into our oceans. This task becomes impossible when you factor in the remoteness of our region and the presence of sea ice that occurs in the Arctic waters. I feel that a focus on prevention is imperative for protecting the environment and our traditional culture. While continuing to oppose offshore development I would ask that this state do all within its jurisdiction to implement preventive measures that will help reduce the risk of incidents associated with the increased shipping activity being experienced from increased energy exploration.

Having met the members of Alaska Marine Pilots we have learned about the importance of state pilotage and the level of protection and independent oversight it brings to commercial shipping operations throughout the state. In my opinion having marine pilots serving aboard commercial vessels that will operate in the Arctic will greatly reduce the risks associated with offshore oil and gas exploration and development. We support the current proposed regulation by the Board of Marine Pilots that seeks to expand the State of Alaska's compulsory pilotage waters.

Further, the state currently requires Compulsory Marine Pilotage in all areas of the state where there is commercial marine traffic. If oil and gas exploration goes forward in the Arctic, that will

lead to commercial marine traffic in one of the most sensitive marine environments on earth. I urge the Board of Marine Pilots to adopt regulations to compel the use of Alaska based marine pilots.

In the unfortunate event you elect not to expand current boundaries in Arctic waters I would request that you provide the North Slope Borough with a response as to why compulsory pilotage cannot be implemented to protect our waters as it does elsewhere in this state.

Please consider our concerns as you discuss measures that will protect our waters. Again I feel that compulsory pilotage is a good first step toward implementing policies that will continue to preserve our traditional way of life.

Sincerely,

Edward S. Itta

Edward S. Itta
Mayor

cc: Robert J. Arrts, Board of Marine Pilots, State of Alaska
Joe Austerman, Board of Marine Pilots, State of Alaska
Dale O. Collins, Board of Maine Pilots, State of Alaska
Leslie A. Cronk, Board of Marine Pilots, State of Alaska
Joseph W. Miller, Board of Marine Pilots, State of Alaska
Michael J. O'Hara, Board of Marine Pilots, State of Alaska
Jack G. Poulson, Esq., Board of Marine Pilots, State of Alaska
Jun Maiquis, Regulations Specialist, Department of Commerce
Sarah Palin, Governor, State of Alaska
Emil Notti, Commissioner
Joe Balash, Special Staff Assistant
Donald Olson, State Senator, Nome
Reggie Joule, State Representative, Kotzebue

NORTH SLOPE BOROUGH
RESOLUTION SERIAL NO. 5-2009

A RESOLUTION SUPPORTING THE EXPANSION OF COMPULSORY MARINE PILOTAGE IN AREAS OFFSHORE OF NORTHERN ALASKA.

WHEREAS, commercial and all other shipping operations in arctic waters carry with them increased risks to human life and property and the marine environment; and

WHEREAS, commercial shipping operations in the Beaufort and Chukchi Seas are becoming more frequent and intensive; and

WHEREAS, marine pilotage provides a high level of protection and independent oversight to commercial shipping operations; and,

WHEREAS, compulsory marine pilotage helps to protect the environment and our traditional Iñupiaq culture; and,

WHEREAS, the Alaska Board of Marine Pilots (Board) has jurisdiction over marine pilotage and the licensing of marine pilots, to prevent the loss of lives and property and to protect the marine environment of the state; and,

WHEREAS, in January, 2009, the Board will consider proposed regulatory changes which would expand the state's compulsory pilotage areas, to include sections of prospective OCS lease sale areas in the Beaufort and Chukchi Seas; and,

WHEREAS, the expansion of the boundaries of compulsory pilotage waters of Alaska would help protect our waters and so our way of life.

NOW, THEREFORE, BE IT RESOLVED:

That the North Slope Borough Assembly supports the proposed expansion of the compulsory pilotage boundaries for the State of Alaska, in order to preserve the safety of arctic waters and preserve our traditional Iñupiaq culture.

INTRODUCED: January 6, 2009
ADOPTED: January 6, 2009

C. Eugene Brower

C. Eugene Brower, President
Date: 01-06-09

ATTEST:

Sheila H. Burke

Sheila H. Burke, Borough Clerk
Date: 1-6-09

Edward S. Itta

Edward S. Itta, NSB Mayor
Date: 1-6-09

NSB MAYOR'S OFFICE
APR 2 2008
MAL # 55606

STATE OF ALASKA
DEPARTMENT OF
COMMERCE
COMMUNITY AND
ECONOMIC DEVELOPMENT
Office of the Commissioner

Sarah Palin, Governor
Emil Notti, Commissioner

April 24, 2008

RECEIVED
JUN 23 2008
NORTH SLOPE BOROUGH

Mayor Edward S. Itta
North Slope Borough
P.O. Box 69
Barrow, Alaska 99723

Dear Mayor Itta:

Thank you for your letter expressing concern for increased oil and gas exploration in the Chukchi and Beaufort seas. For many years we have witnessed the expansion of development into remote places. The offshore oil and gas exploration into the Arctic is another example.

I appreciate your concerns regarding the environmental risks associated with the development off Alaska's arctic coast line.

The extension of Alaska's marine pilotage boundaries to include the area of the new exploration is a responsible step toward assuring protection of the marine environment.

At this point, the Board of Marine Pilots has voted to consider the expansion of compulsorily waters. This proposed regulatory change is currently under review and the public comment period has been extended to October 15th.

DCCED will be monitoring the progress of the board's initiative and we are hopeful for a positive outcome that is mutually beneficial for all parties concerned.

Thank you once again for including me in you letter.

Sincerely,

Emil Notti
Emil Notti

Cc: Lynne Smith, Special Assistant, Office of the Governor

550 W. 7th Avenue, Suite 1770, Anchorage, Alaska 99501-3510
Telephone: (907) 269-8100 Fax: (907) 269-8125 Text Telephone: (907) 465-5437
Website: http://www.commerce.state.ak.us/

NSB MAYOR'S OFFICE

APR 2 ? 2008

AL # 57606

STATE OF ALASKA
DEPARTMENT OF
COMMERCE
COMMUNITY AND
ECONOMIC DEVELOPMENT
Office of the Commissioner

Sarah Palin, Governor
Emil Notti, Commissioner

Andy Hoekstra

April 24, 2008

RECEIVED
JUN 23 2008
NORTH SLOPE BOROUGH

Mayor Edward S. Itta
North Slope Borough
P.O. Box 69
Barrow, Alaska 99723

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Emil Notti
Emil Notti

Cc: Lynne Smith, Special Assistant, Office of the Governor

550 W. 7th Avenue, Suite 1770, Anchorage, Alaska 99501-3510
Telephone: (907) 269-8100 Fax: (907) 269-8125 Text Telephone: (907) 465-5437
Website: http://www.commerce.state.ak.us/

ALASKA STATE LEGISLATURE

SENATOR DONALD C. OLSON

ALASKA
STATE CAPITOL
ROOM 514
JUNEAU, ALASKA 99801-1182

(907) 465-3707
FAX (907) 465-4821

February 8, 2010

Dear Honorable Governor Parnell,

Given the great potential for finding and developing new energy resources in Alaska's offshore waters of the Arctic Ocean, we believe it would be prudent for this state to implement compulsory marine pilotage (CMP) within these areas. Please allow us to explain.

Having worked with the members of Alaska Marine Pilots over the years we have learned about the importance of state pilotage and the level of protection and independent oversight it brings to commercial shipping operations throughout the state. In our collective opinion, having marine pilots serving aboard commercial vessels that will operate in the Arctic will greatly reduce the risks associated with offshore oil and gas exploration and development. With this in mind we support the current proposed regulation by the Board of Marine Pilots that seeks to expand the State of Alaska's compulsory pilotage waters.

Compulsory marine pilotage is currently limited, by administrative rule, to waters within three-miles of the coast of Alaska. In general a state has considerable authority to regulate the waters off its coast, even beyond this traditional three-mile boundary. In fact, courts in other jurisdictions have allowed states to assert their pilotage regulations as far as 50 miles offshore, and beyond. The main consideration in these cases has been the courts' consideration of local needs and conditions. As Alaska addresses the development in the arctic that is on the horizon, we feel that it must keep in mind the intimate connection that many of the state's residents have with the Beaufort and Chukchi Seas. While the extension of CMP to cover the vast area that will see economic development is admittedly unprecedented, so is the development of this fragile and important marine environment.

Protection of life, property and the marine environment must go hand in hand with any future development in our offshore waters. To that end we respectfully ask that your administration give its full support to the expansion of CMP in the Arctic.

Thank you,

Senators;

Donald Olsen

Lyman Hoffman

Representatives;

Reggie Joule

Neal Foster

Bryce Edgmon

Bob Herron

CITY OF UNALASKA
P.O. BOX 610
UNALASKA, ALASKA 99685-0610
(907) 581-1251 FAX (907) 581-1417

March 5, 2010

Sean Parnell, Governor
Third Floor State Capitol
P.O. Box 110001
Juneau, Alaska 998811-0001

Dear Governor Parnell,

The purpose of this letter is to introduce you to the skills, experience and mission of the Alaska Marine Pilots (AMP). I have become professionally very well acquainted with these gentlemen over the past 20 years and can speak with firsthand experience about the extraordinarily high value of the service they provide the State of Alaska, the City of Unalaska, and the entire Aleutian Island Chain, from Cold Bay to Attu.

Their mission is simple: "To be good stewards over the waters which we are licensed to protect." I can state unequivocally that this mission statement is the foundation upon which they collectively stand here in Western Alaska. The AMP have been passionate and productive participants in the Potential Ports of Refuge (PPOR) study conducted by ADEC, and the currant Aleutian Island Risk Assessment (AIRA) conducted by ADEC, the USCG, and the Fish and Wildlife Service as a result of the *Selendang Ayu* grounding in 2004. AMP was instrumental in the successful design and implementation of the Aleutian Island Emergency Towing System (ETS) in August 2007 and has been a leader in the planning and co-ordination of the annual towing exercise every year since. AMP offers their time and service to this effort on a volunteer basis, and, along with the USCG and our local emergency response tugs, has become an integral part of the ETS response plan for Unalaska's near-shore waters and the greater Aleutian Islands.

Setting Arctic Policy is going to be complex, both politically and operationally, for many different reasons. As Mayor of the only deep-water, ice-free port in Western Alaska from Nome to Adak, I know that my community will have a role to play in the response and support arena as that policy is designed. In the past 30 years, I have worked directly with vessels of tonnages under and over 50,000 dwt with crews at various levels of local maritime experience, and I have learned a very essential and straightforward lesson: without the Marine Pilots' direct involvement in marine shipping activities, safety is compromised. They are the gate watcher, the hall monitor, the coach, and the cop. Here in the Western Aleutians they make the decisions that protect the marine environment yet do not stifle economic activity – a sometime delicate balance to achieve. They are the most familiar with the weather patterns, the sea state, and the underwater characteristics of many moorage/anchorages that often have outdated or inadequate information listed in the charts available to mariners. This is their backyard, and they know every inch of it.

I absolutely believe that the experience and mission of the Alaska Marine Pilots in Western Alaska will be uniquely and significantly useful regarding Arctic Policy discussions in the near future, and I encourage the State of Alaska to give them their full consideration as you move forward. I have seen the independent and successful promotion of safe shipping practices and prevention measures from the members of the AMP work in tandem with a thriving maritime transportation sector to everyone's satisfaction, and I strongly believe the same is possible in the Arctic.

Respectfully,

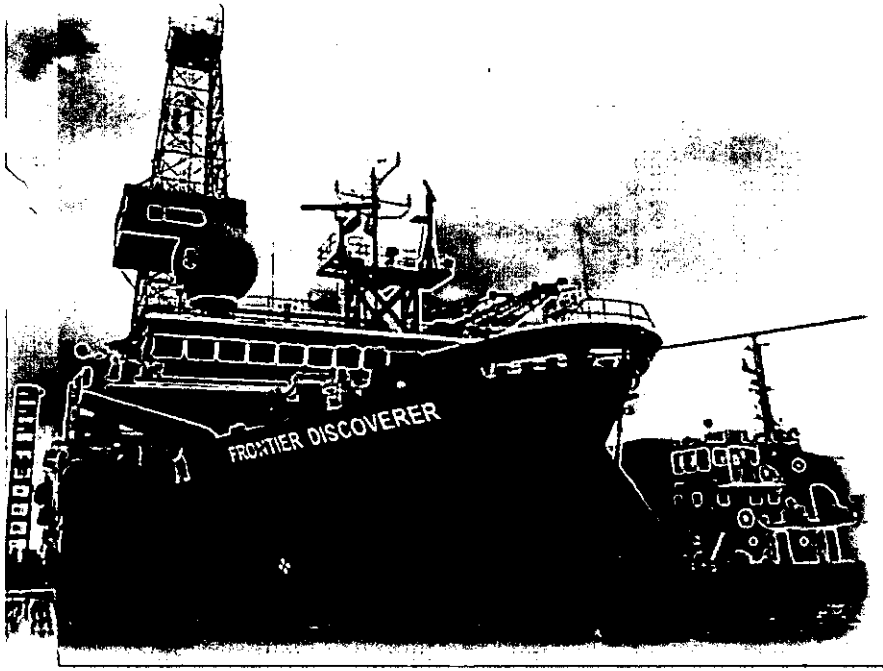
Shirley Marquardt
Mayor, City of Unalaska/Port of Dutch Harbor

CC: Senator Lisa Murkowski
Senator Mark Begich
Congressman Don Young
John Katz, Office of the Governor
Kin Elton, Dept. of the Interior

SENATE COMMUNITY & REGIONAL AFFAIRS HEARING

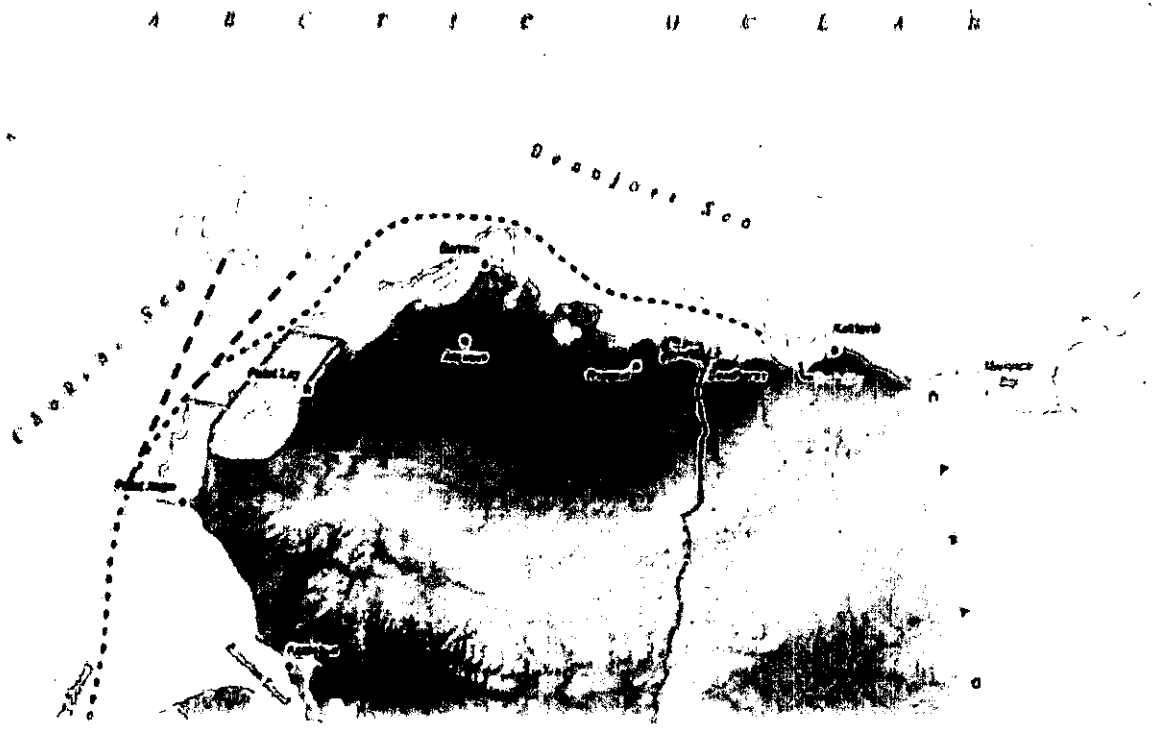
Juneau, Alaska
Tuesday, April 13th

OVERVIEW



- **OPERATIONS**
  - Location, Type
  - Agency Involvement / Jurisdiction
  - Marine Resource
- **PREVENTION**
- **MITIGATION**
  - People, Procedures, Equipment
  - Regulatory, Industry & Shell Standards

OPERATIONS



LOCATION

- Offshore – between vessels offshore assets
- In ports - Dutch Harbor, Nome

ACTIVITIES

- Rig moves
- Supply
- Science/Research

SUPPLY TYPES

- Fuel
- Water
- People
- Cargo

OPERATIONS

AGENCY INVOLVEMENT / JURISDICTION

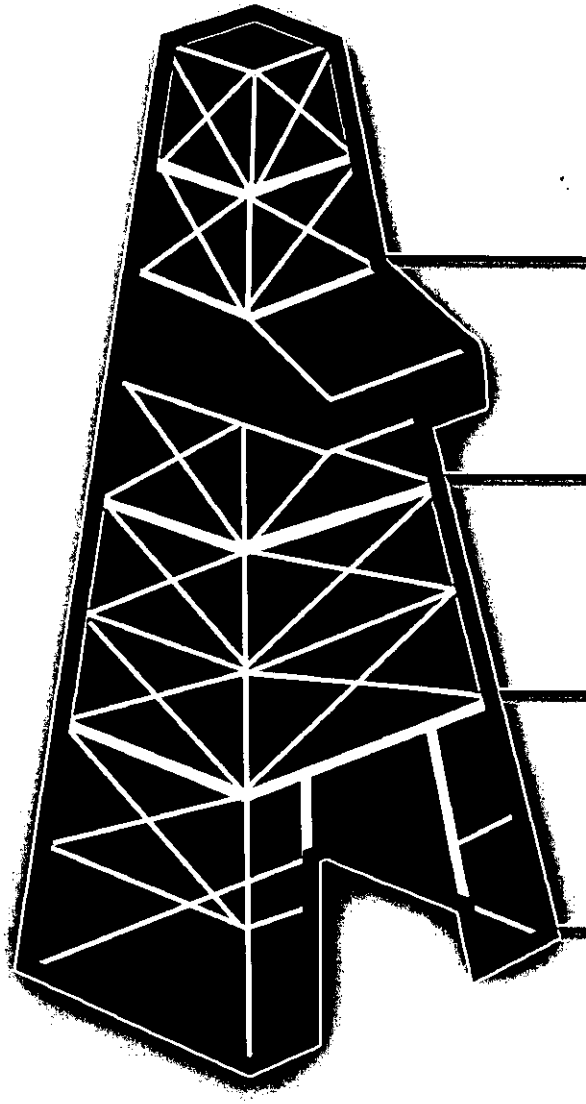
- < 3 Nautical Miles – State, Federal
- > 3 Nautical Miles – Federal (U.S. Coast Guard)
- Other – International Maritime Organization

MARINE RESOURCE

	2007	2008	2009	2010
Vessels	26	17	5	approx 26
Communication Centers	Point Lay Point Hope Wainwright Barrow Deadhorse Kaktovik	Point Lay Point Hope Wainwright Barrow Deadhorse Kaktovik	Non-Shell	Shared Communications Centers Based on Operations
Weather	Impact Weather ASRC Ice Forecast Vessel Specific Forecasts	Impact Weather ASRC Ice Forecast Vessel Specific Forecasts	Impact Weather ASRC Ice Forecast Vessel Specific Forecasts	Impact Weather ASRC Ice Forecast Vessel Specific Forecasts
Oil Spill Response	New Build - Nanuq Shell Specific Equipment	Shell Specific Equipment	No Operations	Offshore, Nearshore, Onshore Shell Specific Equipment
Aviation	3 Fixed Wing 2 Helicopters	3 Fixed Wing 2 Helicopters	1 Fixed Wing 2 Helicopters	4 Fixed Wing 3 Helicopters
Missions	2 SAR	6 SAR 3 SAR Support	1 SAR	0

PREVENTION

LAYERS OF PREVENTION



Layer IV – On-site Response
Contingency plans in place for Beaufort & Chukchi

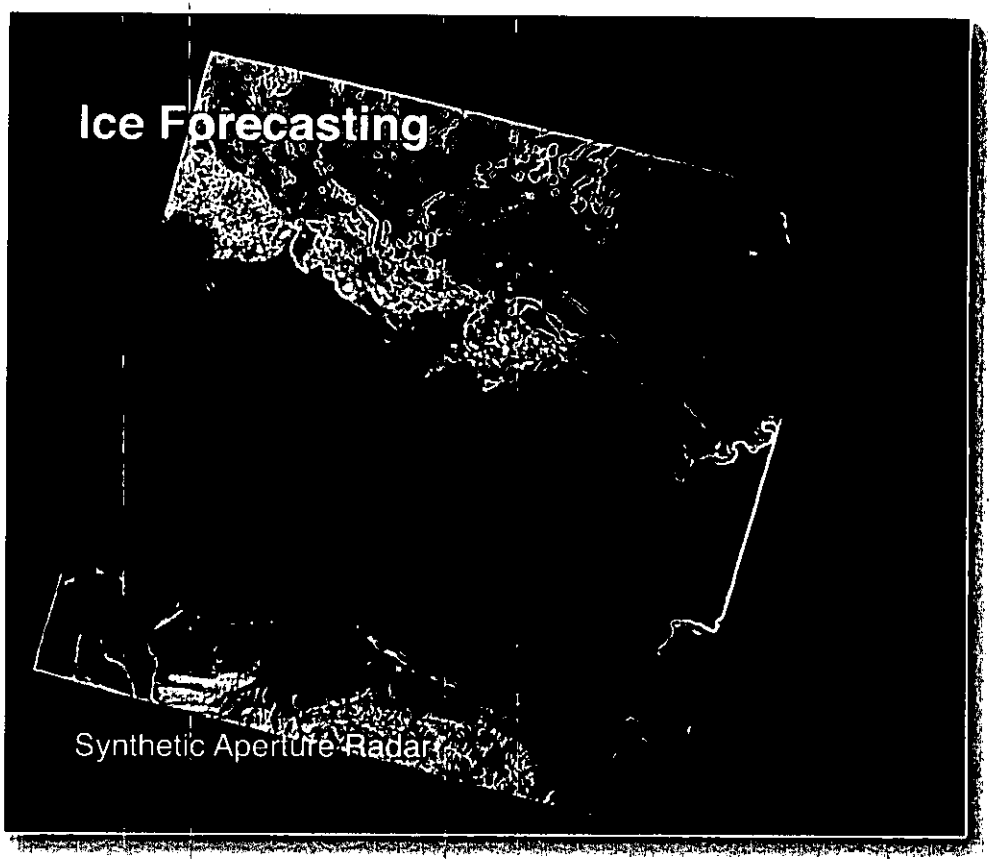
Layer III – On-site Mechanical Barriers
Including special arctic barriers and booms (Nanuq)

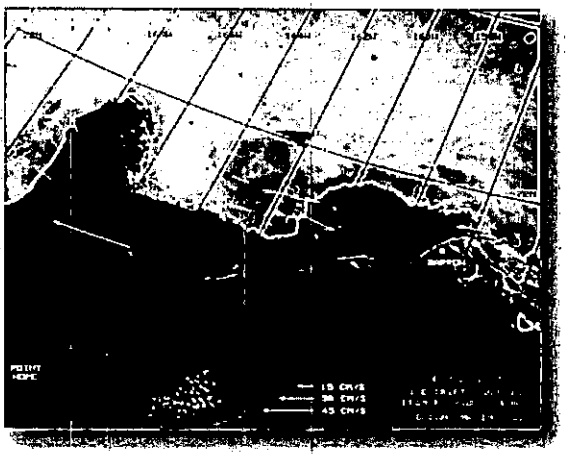
Layer II – Procedures and Standards
DP Vessels, 500 meter safety zone, weather state

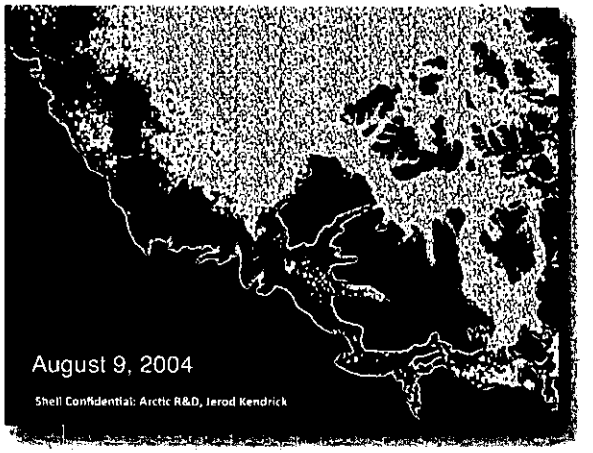
Layer I – Planning, Training and Preparation
Hazard Identification

PREVENTION

- **Long Range Forecast (4-6 Months)**
  Breakup Prediction
- **Short Range Weather**
  Daily Forecasting
- **Ice Motion Tracking with GIS** software
- **Real-Time Ice Positioning**
- **Short Range Ice Edge**
  Predictions
- **Blue Sky Vessel Tracking**
- **Visual Reporting**
- **Marine Mammal Observers on Every Vessel**





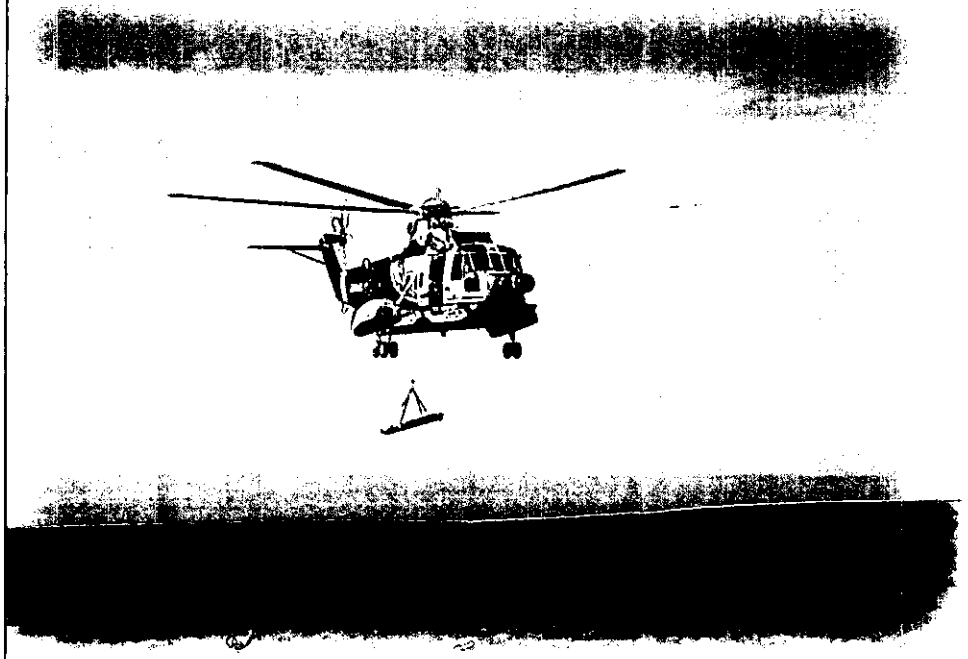


MITIGATION

PEOPLE

- **Beaufort Response/ASRC**
- **Chukchi Response/UIC**
- **Vessel Crews and Ice Advisors**
  Marine Mammal Observers – trained, experienced, competent
- **Oil Spill Response personnel are local hires via Village or Regional Corporations**
- **Alaska : Incident Command to include:** Shell, Coast Guard, State of Alaska, North Slope Borough
- **People/Vessel Crews** – Alaska specific regime including training and vetting

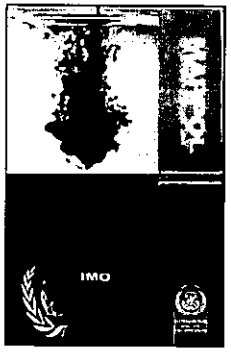
MITIGATION

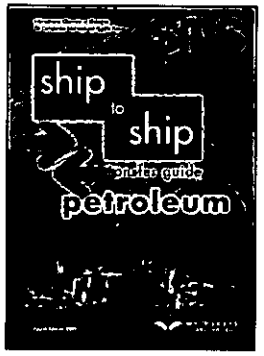


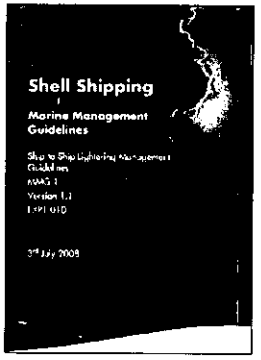
PROCEDURES

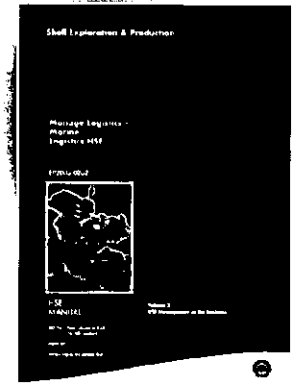
- Vessel Owner Requirements and prequalifications – flag state, classification society approved, inspections
- Shell – multiple stakeholder input and agency approvals by Coast Guard
- Emergency – Oil Discharge Prevention and Contingency Plans (C-Plans) State and Federal Approved
- Emergency Response Plans, including dedicated Search and Rescue helicopter

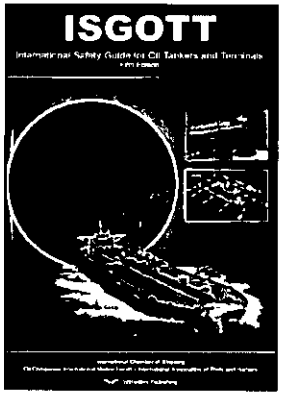
MITIGATION











Regulatory, Industry, Shell Standards

- INTERNATIONAL MARITIME ORGANISATION (IMO): MARPOL
- US : 33CFR156 – Oil or Hazardous Material Transfer Operations
- US : 46CFR35 – Tank Vessel Regulations
- US : Other CFR's – 3, 7, 9, 14, 29, 30, 47 (C-Plans)

Industry Guidance

- ISGOTT
- Ship to Ship Transfer Guide
- NWEG (Offshore Oil & Gas Industry)

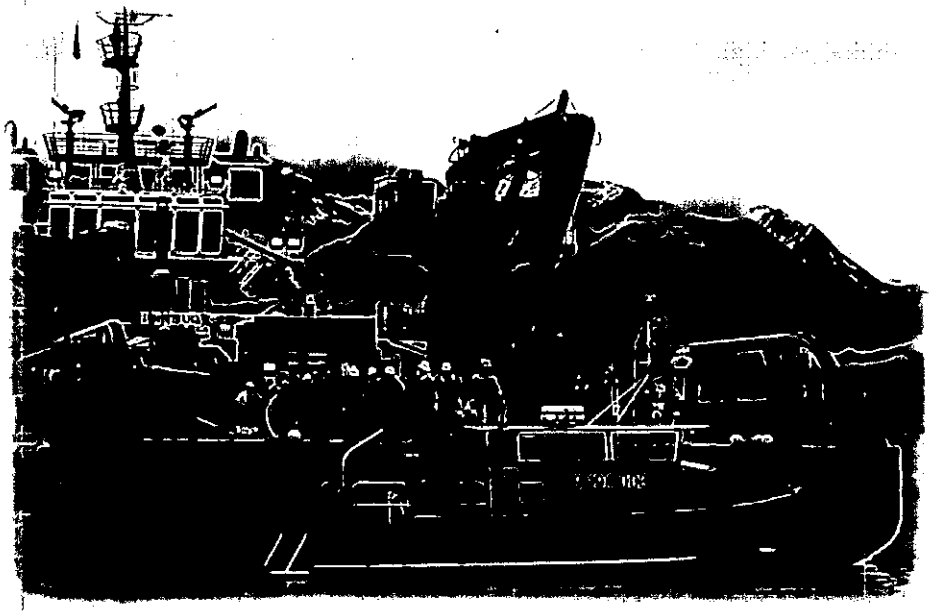
Shell Standards - General

- EP2005-0262 : Marine Standard
- OPS0011 – Marine Transportation Standard
- Ship to Ship Lightering Management Guidelines

Shell Standards - Alaska – Specific

- Fuel Transfer, Ice Management
- Vessel Minimum Specification
- HSE 0101 – Alaska Venture Emergency Response Plans

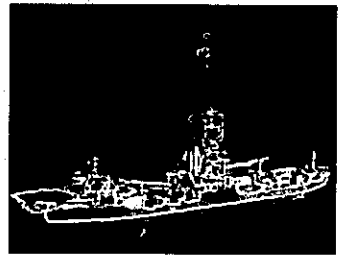
MITIGATION



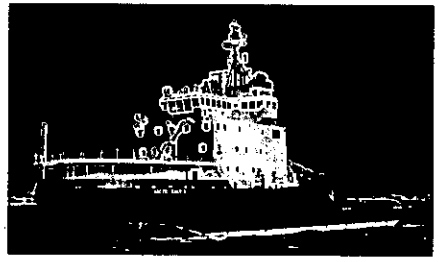
EQUIPMENT

- Purpose-built vessels and onboard equipment – modern, ice-class, inspected
- On-scene Oil Spill Response
- Communications Centers
- Onshore Response base (Wainwright)

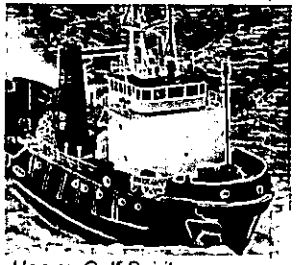
2010 ALASKA PROJECT VESSEL DATA SHEET



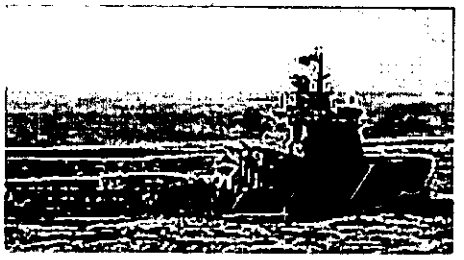
Frontier Discoverer, a drillship



Vladimir Ignatyuk, an ice-breaker

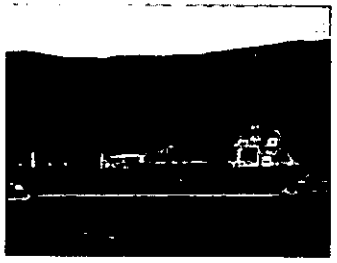


Harvey Gulf Spirit

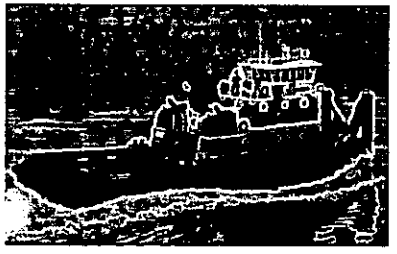


Tor Viking, an anchor-handling tug/ supply boat

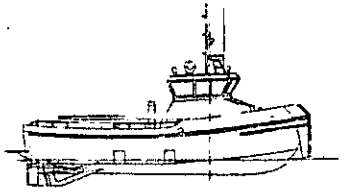
Nanuq, a contingency response and anchor handling vessel



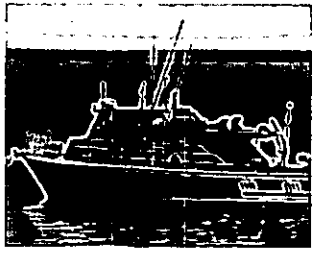
Affinity, an Arctic tanker (This is a picture of a similar vessel, the Marilee)



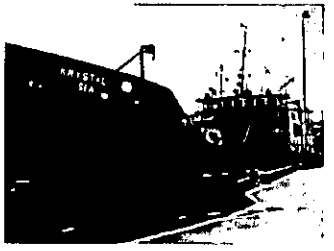
Arctic Endeavor barge and Point Barrow tug, a storage platform for oil spill response



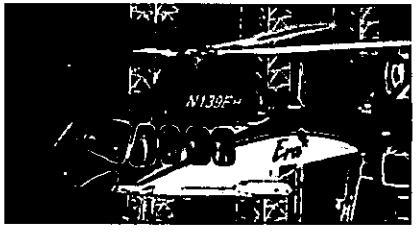
Oil Spill Response workboats



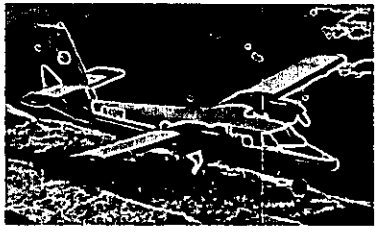
Annika Marie, a research vessel



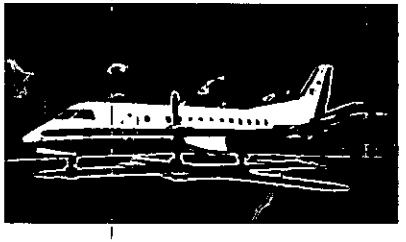
Arctic Seal, a landing craft



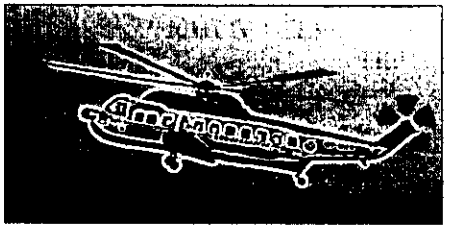
Sik S-92, personnel transportation



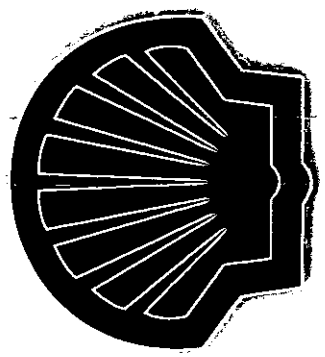
Twin Otter, MMO overflight fixed-wing aircraft



Saab 340, land-based transportation

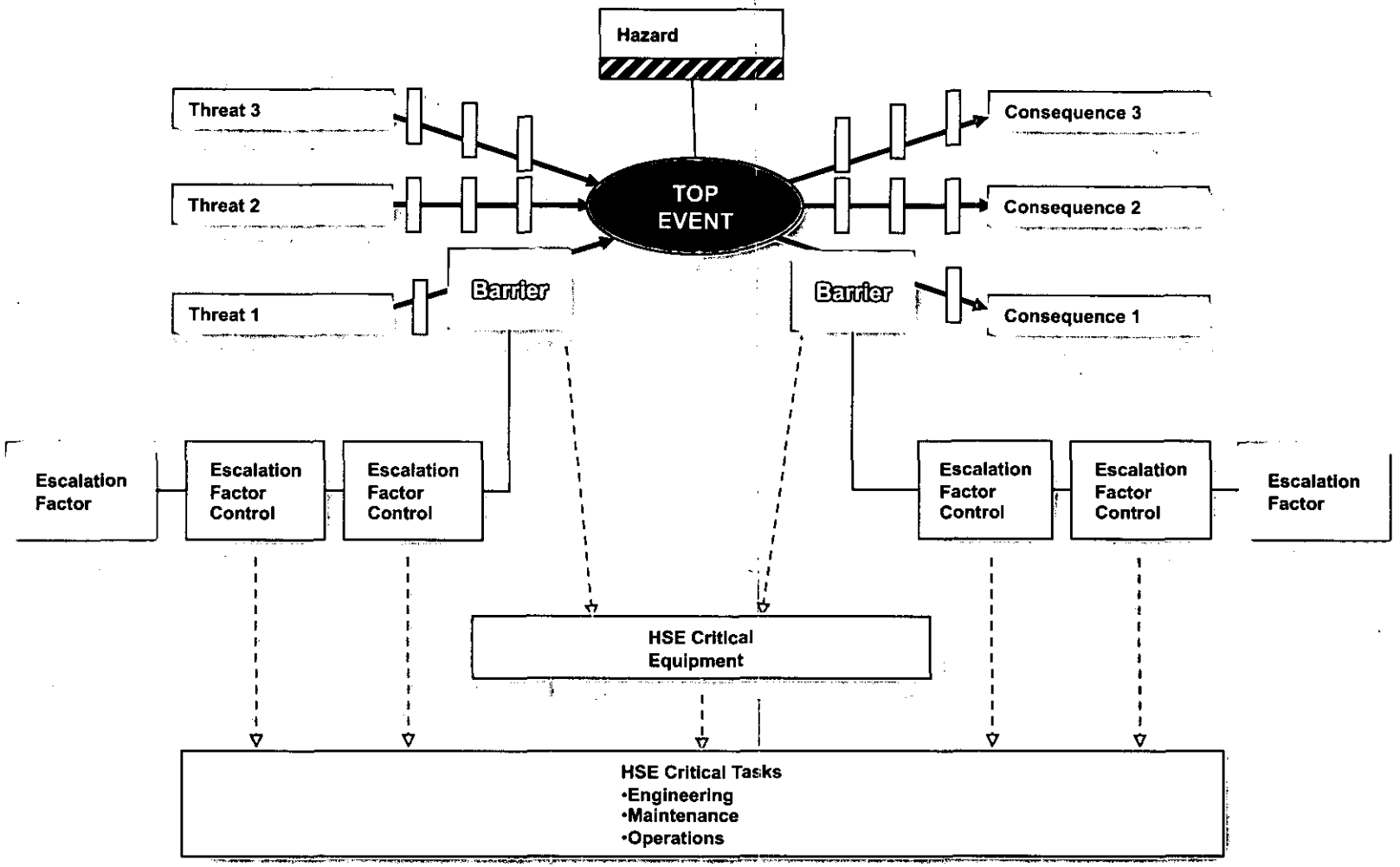


Sikorsky S-61, search and rescue rotary wing aircraft



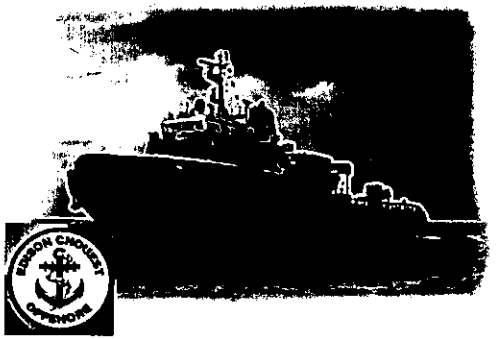
MARINE RISK IDENTIFICATION

General Bowtie *Used to ID risks and mitigation in all operations*

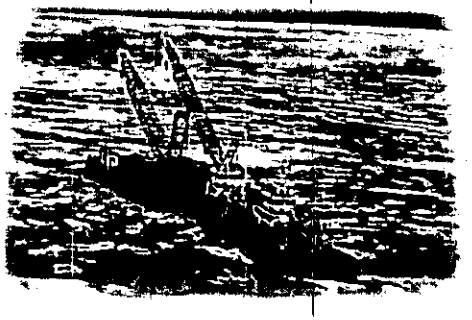


PREVENTION

Immediate Response Equipment

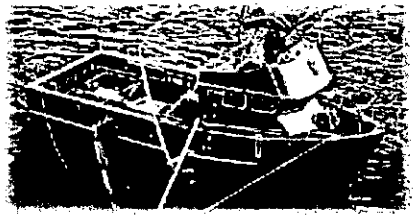


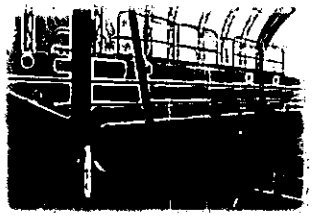
Nanuq



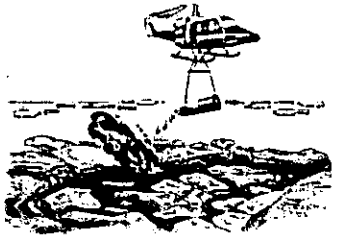
Arctic Endeavor

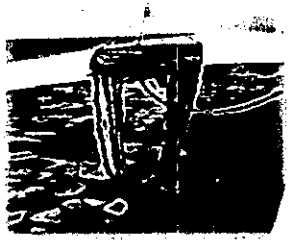
Arctic Tanker





Vessels Stored on Deck





Skimmers, Boom, Heli-torch, etc.

SB

3

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 1/21/09

FURTHER: (Resources)

Date of 5-Day Notice: Thurs. Jan 29, 2009
(in accordance with Uniform Rule 23)

DATE TURNED IN TO OFFICE: 2/5/09

Community and Regional Affairs Committee considered SENATE BILL NO. 3

SB 3 CFEC AS INFORMATION RESOURCE

"An Act authorizing an Alaska regional development organization to use the Alaska Commercial Fisheries Entry Commission as an informational resource."

and recommends:

[ ] be **replaced** with [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] adopt **previous** [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] attached amendment(s)

[ ] adopt _____ Letter of Intent

[ ] 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#
CED	2/2			✓	1
DFG	2/2			✓	2

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet	Zero	FN#

[ ] **APPROPRIATION - no fiscal note**

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	French	X			
	Thomas	✓			
	Kookesh			✓	
	MENARD	✓			
CHAIR:	OLSON			✓	

ALASKA STATE LEGISLATURE

SENATOR DONALD C. OLSON

ALASKA
STATE CAPITOL
ROOM 514
JUNEAU, ALASKA 99801-1182

(907) 465-3707
FAX (907) 465-4821

Senate Bill 3 – C.F.E.C. As An Information Source

Version 26-LS0018/A, January, 2009

STAFF: Tim Benintendi, 465-4989

SPONSOR STATEMENT and SECTIONAL ANALYSIS

SPONSOR STATEMENT:

SB 3 would allow ARDORs to benefit from commercial fishery and related information generated by the Commercial Fisheries Entry Commission (CFEC), at no cost. No confidential information may be disclosed, per AS 16.05.815.

There are eleven ARDORs (Alaska Regional Development Organizations) established under AS 44.33.895. These are non-profit organizations comprised of representatives of the economic, political, and social interests in each region. Their purpose is to encourage and assist economic development in their specific areas.

Eight ARDORs would especially benefit from this legislation: Southwest Alaska Municipal Conference, Bering Strait Development Council, Lower Kuskokwim Economic Development Council, Northwest Arctic Borough Economic Development Commission, Kenai Peninsula Borough Economic Development District, Mat-Su Resource Conservation & Development, Inc., Prince William Sound Economic Development District, and the Southeast Conference.

For these organizations, commercial fishing activities provide a substantial portion of their regions' economic base. To illustrate, the wholesale value of the 2005 commercial fishery exceeded $3 billion. Earnings of the 27,700 participating fishermen accounted for $1.2 billion. Another 22,500 persons participated in the seafood processing workforce, earning $277 million in wages. For coastal communities, approximately 37% of private-sector workers were employed in fish harvesting and seafood processing activities. CFEC information

can be critical for ARDOR understanding of economic trends in their regions, and development opportunities which may emerge.

The CFEC supports Senate Bill 3, and regards the loss of fees under this bill as negligible.

SECTIONAL ANALYSIS:

SECTION 1: Would amend AS 16.43.100(a) by adding to CFEC responsibilities, providing without charge to regional development organizations formed under AS 44.33.895, public information relevant to fisheries, participants in fisheries, permit holders' harvests, and earnings data. No confidential information would be released under Senate Bill 3.

FISCAL NOTE: Zero note from CFEC.

STATE OF ALASKA

COMMERCIAL FISHERIES ENTRY COMMISSION

SARAH PALIN, GOVERNOR

8800 GLACIER HWY, #109
P.O. Box 110302
JUNEAU, AK 99811-0302

(907) 789-6150 Licensing Calls
(907) 789-6160 Other Business
(907) 789-6170 FAX
(907) 789-6180 BBS

INTERNET: www.cfec.state.ak.us

January 30, 2009

The Honorable Donny Olson
Alaska State Senator
State Capitol, Room 514
Juneau, AK 99801-1182

RE: SB 3 "An Act authorizing an Alaska regional development organization to use the Alaska Commercial Fisheries Entry Commission as an informational resource"

Dear Senator Olson:

We have reviewed SB 3 and support this legislation.

We understand that the intent of SB 3 is to allow Alaska Regional Development Organizations (ARDORS) established under AS 44.33.895 to request public information from the Commercial Fisheries Entry Commission (CFEC) fishery database without charge. As you know, CFEC has a wealth of public information regarding Alaska's commercial fisheries that we regularly make available upon request to any person or entity. However, there may be a fee required depending on the extent of the effort needed to provide the data. Under SB 3 we would provide data to ARDORS just as we would without this bill, however, without charge.

As a clarification, any CFEC public information available from CFEC data sources must comply with AS 16.05.815 "Confidential nature of certain reports and records." (See enclosed) Basically this statute prohibits the release of any individual fisherman's earnings and harvests obtained from fish ticket information unless aggregated to protect confidentiality. That prohibition is not affected by SB 3.

We do not believe SB 3 would be a significant impact on CFEC resources since there are a limited number of ARDORS and not all represent coastal areas.

Thank you for the opportunity to comment on SB 3.

Sincerely,

Frank Homan
Chairman

Enclosure

(1) during the first full 10 days after the time when a taking is prohibited, except as provided in (3) of this section;

(2) if the fish or game or part of fish or game is in a preserved condition whether frozen, smoked, canned, salted, pickled, or otherwise preserved; or

(3) with respect to crab aboard a commercial crab fishing vessel, during the first full three days after the time when a taking is prohibited. (§ 26 art I ch 94 SLA 1959; am § 1 ch 42 SLA 1974)

Sec. 16.05.815. Confidential nature of certain reports and records. (a) Except as provided in (b) and (c) of this section, records required by regulations of the department concerning the landings of fish, shellfish, or fishery products, and annual statistical reports of fishermen, buyers, and processors required by regulation of the department are confidential and may not be released by the department or by the Alaska Commercial Fisheries Entry Commission except as set out in this subsection. The department may release the records and reports set out in this subsection to the Alaska Commercial Fisheries Entry Commission. The department and the Alaska Commercial Fisheries Entry Commission may release the records and reports set out in this subsection to the recipients identified in this subsection if the recipient, other than a recipient under (5) — (9) of this subsection, agrees to maintain the confidentiality of the records and reports. The department and the Alaska Commercial Fisheries Entry Commission may release

(1) any of the records and reports to the National Marine Fisheries Service and the professional staff of the North Pacific Fishery Management Council as required for preparation and implementation of the fishery management plans of the North Pacific Fishery Management Council within the exclusive economic zone;

(2) any of the records and reports to the professional staff of the Pacific States Marine Fisheries Commission who are employed in the Alaska Fisheries Information Network project for the purpose of exchanging information with users authorized by the department;

(3) any of the records and reports to the Department of Revenue to assist the department in carrying out its statutory responsibilities;

(4) records or reports of the total value purchased by each buyer to a municipality that levies and collects a tax on fish, shellfish, or fishery products if the municipality requires records of the landings of fish, shellfish, or fishery products to be submitted to it for purposes of verification of taxes payable;

(5) such records and reports as necessary to be in conformity with a court order;

(6) on request, the report of a person to the person whose fishing activity is the subject of the report, or to a designee of the person whose fishing activity is the subject of the report;

(7) on request, annual statistical reports of a fisherman, buyer, or processor to the fisherman, buyer, or processor whose activity is the subject of the report, or to a designee of the fisherman, buyer, or processor whose activity is the subject of the report;

(8) any of the records and reports to the Department of Public Safety for law enforcement purposes;

(9) fish tickets, fish ticket information, records required of sport fishing guides, and annual statistical reports of fishermen, buyers, and processors and information in those reports to the law enforcement personnel of the National Marine Fisheries Service and the National Oceanic and Atmospheric Administration for the purpose of enforcing fishery laws in waters of this state and in waters of the exclusive economic zone adjacent to this state;

(10) fish tickets, fish ticket information, and records required of sport fishing guides regarding halibut to the International Pacific Halibut Commission;

(11) any of the records and reports to the child support services agency created in AS 25.27.010, or the child support enforcement agency of another state, for child support purposes authorized under law; and

(12) any of the records and reports to the Department of Natural Resources to assist the department in carrying out its statutory responsibilities in regard to sport fishing operations and sport fishing guides within the Kenai River Special Management Area under AS 41.21.500 — 41.21.514.

(b) Except as provided in (c) of this section, records or reports received by the department which do not identify individual fishermen, buyers, or processors or the specific locations where fish have been taken are public information.

(c) Crab stock abundance survey information that reveals crab catch by sampling location is confidential and is not subject to inspection or copying under AS 40.25.110 — 40.25.120 until the close of the fishing season for which the survey was conducted.

(d) Except as otherwise provided in this section, the department shall keep confidential (1) personal information contained in fish and wildlife harvest and usage data; and (2) the records of the department that concern (A) telemetry radio frequencies of monitored species; (B) denning sites; (C) nest locations of raptors that require special attention; (D) the specific location of animal capture sites used for wildlife research or management; and (E) the specific location of fish and wildlife species. The department may release records and information that are kept confidential under this subsection if the release is necessary to comply with a court order, if the requestor is a state or federal agency, if the requestor is under contract with the state or federal agency to conduct research on a fish or wildlife population, or if the requestor has been authorized by the department to perform specific activities and agrees to use the records and information only for

purposes as provided under a contract or agreement with the department. After 25 years, the records and information that are kept confidential under this subsection become public records subject to inspection and copying under AS 40.25.110 — 40.25.140 unless the department determines that the release of the records or information may be detrimental to the fish or wildlife population. In this subsection, "personal information" has the meaning given in AS 40.25.350. (§ 1 ch 117 SLA 1970; am § 1 ch 117 SLA 1974; am § 1 ch 66 SLA 1980; am §§ 1, 2 ch 72 SLA 1982; am § 1 ch 84 SLA 1985; am §§ 1, 2 ch 115 SLA 1988; am § 1 ch 32 SLA 1989; am § 10 ch 200 SLA 1990; am § 1 ch 89 SLA 1994; am § 19 ch 87 SLA 1997; am § 1 ch 59 SLA 1999; am § 1 ch 119 SLA 2002; am § 5 ch 70 SLA 2004; am § 1 ch 41 SLA 2007)

Revisor's notes. — In 2000, in subsection (c), "AS 40.25.110 — 40.25.120" was substituted for "AS 09.25.110 — 09.25.120" and in subsection (d) "AS 40.25.110 — 40.25.140" was substituted for "AS 09.25.110 — 09.25.140" to reflect the 2000 renumbering of AS 09.25.110 — 09.25.140.

In 2004, "child support enforcement agency created in AS 25.27.010" was changed to "child support services agency created in AS 25.27.010" in paragraph (a)(11) of this section in accordance with § 12(a), ch. 107, SLA 2004.

In 2007, "AS 40.25.350" was substituted for "AS 44.99.350" in subsection (d) to reflect the 2004 renumbering of AS 44.99.350.

Cross references. — For exceptions to this section related to the weathervane scallop fishery, see AS 16.43.911(c) and to other fisheries, see AS 16.43.520(i); for reporting of wholesale canned salmon prices, see AS 43.80.050 — 43.80.100.

Effect of amendments. — The 2002 amendment, effective July 6, 2002, in subsection (a) inserted "fishermen" in the first sentence and updated an internal reference, added the language beginning ", or to a designee" to the end of paragraph (6), added present paragraph (7) and redesignated former paragraphs (7)-(10) as paragraphs (8)-(11), rewrote paragraph (8), in paragraph (9) inserted ", and annual statistical reports of fishermen, buyers, and processors and information in those reports"; and made stylistic changes.

The 2004 amendment, effective January 1, 2005, in subsection (a), substituted "department" for "Department of Revenue" in paragraph (3), rewrote paragraph (8), and added paragraph (12).

The 2007 amendment, effective July 4, 2007, inserted "records required of sport fishing guides" in paragraphs (a)(9) and (a)(10), and made related changes.

Editor's notes. — The delayed amendments to this section by § 148(c), ch. 87, SLA 1997, as amended by § 53, ch. 132, SLA 1998, which were to take effect July 1, 2001, were repealed by § 15, ch. 54, SLA 2001.

Sec. 16.05.820. Research by the federal government. The Secretary of the Interior, the Secretary of Commerce, or the Secretary of Agriculture of the United States and their authorized agents or other appropriate federal agencies may conduct fish cultural operations and scientific investigations in the state in the manner and at the times jointly considered necessary or proper by the Board of Fisheries and the secretary and their authorized agents. (§ 29 art I ch 94 SLA 1959; am § 14 ch 206 SLA 1975; am § 10 ch 208 SLA 1975)

Sec. 16.05.822. Transplanting of musk oxen. The board may transplant surplus musk oxen from Nunivak Island to appropriate areas on the mainland of the state, when good management practices dictate the action. The board shall determine which transplant sites are appropriate and whether a surplus of animals exists. (§ 1 ch 220 SLA 1975)

Revisor's notes. — Formerly AS 16.05.865. Renumbered in 2008.

Sec. 16.05.825. State upland game bird release program. (a) In addition to any other program for the stocking or propagation of game birds that the department has as of July 23, 1974, the department shall establish a special program for the raising, maintenance, and release of upland game birds in the state. Birds raised under this program may be released in an appropriate area of the state, at any time, but may be harvested only during regular hunting seasons, as specified by the board under AS 16.05.255(a)(2). The board shall adopt regulations necessary to implement this section.

(b) The department shall establish an appropriate facility for the raising and maintenance of upland game birds to be located at an appropriate place, as determined by the commissioner, in interior Alaska.

(c) The department shall employ a method of tagging game birds released under this section and compile harvest statistics.

(d) In this section, "upland game bird" means a game bird for which a season is established under AS 16.05.255(a)(2) as of July 23, 1974, excluding waterfowl. (§ 1 ch 31 SLA 1974; am § 15 ch 206 SLA 1975; am § 7 ch 126 SLA 1994)

Sec. 16.05.826. Waterfowl conservation stamp program. (a) The waterfowl conservation tag authorized in AS 16.05.340(a)(17) shall be produced annually in stamp form by the department in an amount the commissioner considers appropriate. The department shall make stamps available for the creation of waterfowl conservation limited edition prints and shall provide for the sale of stamps and prints to the public.

(b) The department shall provide by appropriate means for the selection of the design of the annual waterfowl conservation stamp and for the production and sale of the stamps.

(c) The department may contract to others the performance of the department's responsibilities under this section. Contracting under this subsection is governed by AS 36.30 (State Procurement Code), except that a contract may include provisions for advance payment or reimbursement for services performed under the contract. All costs incurred under this section may be paid from the fish and game fund.

(d) *[Repealed, § 28 ch 90 SLA 1991.]* (§ 5 ch 71 SLA 1984; am § 8 ch 106 SLA 1986; am § 31 ch 138 SLA 1986; am E.O. No. 73 § 12 (1989); am § 28 ch 90 SLA 1991)

PRINCE WILLIAM SOUND
ECONOMIC DEVELOPMENT DISTRICT

Chenega Bay
Cordova
Tatitlek
Valdez
Whittier

January 26, 2009

Senator Donald Olson
State Capitol, Room 514
Juneau, AK 99801-1182

RE: SB3 – Commercial Fisheries Entry Commission

Dear Senator Olson:

Prince William Sound Economic Development District became an ARDOR (Alaska Regional Development Organization) in 1991, and a federal economic development district in 2001. Our region is comprised of Chenega Bay, Cordova, Tatitlek, Valdez, and Whittier.

The fishing industry is of great importance to our regional economy, and therefore we are requesting that ARDORs have free access to economic data gathered by the Commercial Fisheries Entry Commission, as described in SB3, public information relevant to fisheries, participants in fisheries permit holders' harvests, and earnings data.

Thank you for considering our request.

Sincerely,

Sue Cogswell

Sue Cogswell
Executive Director

ALASKA REGIONAL DEVELOPMENT ORGANIZATION
ARDOR
[illegible] Suite 207 • Anchorage, Alaska 99503 • Phone (907) 222-2400 • FAX (907) 222-2411 • Cell (907) 223-7972 • Email pwsedd@gci.net

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: **SB 3**
() Publish Date:

Identifier (file name): SB3-CED-OED 02-02-09
Dept. Affected: DCCED
Title: CFEC AS INFORMATION RESOURCE
RDU: Economic Development
Component: Office of Economic Development
Sponsor: Senator Olson
Requester: Senate Community and Regional Affairs
Component Number: 2743

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2010**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**
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**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2009) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

This bill would allow the Commercial Fisheries Entry Commission to share fisheries information and data with regional Alaska Regional Development Organizations (ARDORs). Currently there is an ongoing charge for this information from the Department of Fish and Game.

There is zero fiscal impact on the Department of Commerce, Community and Economic Development.

Prepared by: Tyson Fick — Phone 465-2503
Division: Legislative Liaison, DCCED — Date/Time 02-02-09/ 8:30am
Approved by: Emil Notti, Commissioner — Date 2/2/2009
Department of Commerce, Community and Economic Development

(Revised 9/10/2008 OMB)

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: **SB0003A**
() Publish Date:

Identifier (file name): SB003-DFG-CFEC-02-02-09
Dept. Affected: Fish and Game
Title: An Act authorizing an Alaska regional development organization to
RDU: Comm Fisheries Entry Commission
Component: Comm Fisheries Entry Commission
Sponsor: Senator Olson
Requester: Senate Community and Regional Affairs Committee
Component Number: 471

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2010**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
CAPITAL EXPENDITURES	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
CHANGE IN REVENUES ( )	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Other Interagency Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2009) cost: 0.0

POSITIONS

Full-time	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
Part-time	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
Temporary	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

ANALYSIS: *(Attach a separate page if necessary)*

There are no significant fiscal impacts for CFEC associated with this bill.

Prepared by: Shirley Penrose, Administrative Officer
Phone 907-790-6960
Division: Commercial Fisheries Entry Commission
Date/Time 2/2/09 7:25 AM
Approved by: Frank M. Homan, Chairman
Date 2/2/2009
Commercial Fisheries Entry Commission

(Revised 9/10/2008 OMB)

Kenai Peninsula Economic Development District, Inc.

BUSINESS INNOVATION CENTER

January 30th, 2009

FAXED 1/30/09

Senator Donny Olson
Alaska Legislature
Juneau, Alaska 99811

SENT BY FAX 907-465-4821

Reference Senate Bill No. 3

Dear Senator Olson: Donny

The Kenai Peninsula Economic Development District is an Alaska Regional Development Organization, (ARDOR) and also a federally recognized Economic Development District.

Our region includes the ports in Seward, Homer, Seldovia, Port Graham and other parts of the Cook Inlet.

Part of our responsibilities as an ARDOR is to do research, analysis and planning for our region. A large part of that is to have the free flow of information from other State and Federal agencies of the data that each is responsible to collect.

Your proposed legislation, Senate Bill No. 3, goes a long way to ensure that this data exchange is open and free flowing.

The Kenai Peninsula Economic Development District is in full support of this legislation.

Thank you for taking a leadership role in providing this economic data to the effective ARDORS.

John Torgerson
Executive Director

14896 KENAI SPUR HWY, SUITE 103-A, KENAI, AK 99611-7014
PHONE: (907) 283-3335 **FAX:** (907) 283-3913
EMAIL: info@kpedd.org www.kpedd.org www.exportalaska.com

SWAMC
Southwest Alaska Municipal Conference
3300 Arctic Boulevard, Suite 203 Anchorage, AK 99503 p: 907.562.7380 f: 907.562.0438 www.swamc.org
Alaska Peninsula
Aleutian Chain
Bristol Bay
Kodiak Island
Pribilof Islands

January 23, 2009

Senator Donny Olson
Alaska Legislature
Juneau, AK 99811

Re: Senate Bill 3

Dear Senator Olson:

The Southwest Alaska Municipal Conference is an Alaska Regional Development Organization (ARDOR) and also a federally recognized Economic Development District. Our region includes three of the biggest seafood ports (2006) in the nation for total volume landed: Dutch Harbor (#1), Kodiak (#4), Naknek (#12) and includes the world's largest sockeye run – Bristol Bay. This region also includes three of the most valuable seafood ports (2006) in the nation for total landed value: Dutch Harbor (#2), Kodiak (#3), and Naknek (#8). The fisheries of Alaska have just been rated as the ninth largest fishery in the world and account for sixty two percent (62%) of the nation's total seafood catch.

Much of our region's economic vitality and development potential is based on commercial fisheries and their health. We do a lot of research and analysis of fisheries data for the region to assist in our efforts to promote development opportunities in the region. So for SWAMC to have free access to commercial fisheries data from the Commercial Fisheries Entry Commission is vital to our mission and the quality of work.

On behalf of our Board of Directors and staff we fully support your efforts to allow ARDORs free access to this critical economic data that is vital to our economic development efforts.

Sincerely,

Michael Catsi
Executive Director

Lower Kuskokwim Economic Development Council
PO Box 2021, Bethel, Alaska 99559 * 907 543-5967

Jan 29, 2009

Senator Donny Olson
Alaska State Senate
Juneau, AK 99801

Dear Sen. Olson: re: Senate Bill 3

This letter is written in support of your Senate Bill 3, introduced in the current session, that will provide Alaska fisheries information to Alaska Regional Development Organizations (ARDORs), and other economic development organizations that provide assistance to Alaskan commercial fishermen.

By providing current fisheries information to these organizations, the State of Alaska will provide timely and appropriate assistance to these self employed entrepreneurs and help to strengthen Alaskan commercial fisheries for the long term benefit of all Alaskans.

Very truly,

Carl Berger

Carl Berger
Executive Director

MENORANDUM

DATE: January 30, 2009

TO: Kendri

FROM: Tim

SUBJ: Senate Bill 3 Packet Materials

I am attaching materials for this bill, for the hearing Feb. 5th. Here are the sponsor statement (including the sectional analysis), the most recent version of the bill, support letters, and a script for Donny and you to use once discussion has begun on the bill.

Since this is the original version of the bill, there are no changes to explain with other versions.

The fiscal note will come from the Commercial Fisheries Entry Commission (CFEC) next week, and can then be added to the packets.

Since the bulk of the hearing time on Thursday will be devoted to SB 4, the coastal management bill, the teleconference lines will already be open, but I do not expect anyone to testify over the t/c.

There may be a few members in the committee room who are from the ARDORs, because they will be in town for a meeting, but I expect no one testifying from that group. Still, if they want to get up to testify, they may do so.

The person I have committed to testify, in support, is FRANK HOMAN of the CFEC. He has told me that TYSON FRICK from the Dept. of Commerce, Community, and Economic Development, may also testify in support.

That's about it for now. Let me know if you have any questions.

Tim

SB

4

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 1/21/09

FURTHER: (Resources) Finance

Date of 5-Day Notice: Thurs, Jan 29, 2009
(in accordance with Uniform Rule 23)

DATE TURNED IN TO OFFICE: 2/5/09

Community and Regional Affairs Committee considered SENATE BILL NO. 4

SB 4 COASTAL MANAGEMENT PROGRAM

"An Act relating to the Alaska coastal management program; and establishing the Alaska Coastal Policy Board."

and recommends:

[✓] be **replaced** with [ ] **SCS** or [✓] **CS** : SB4 (CRA)

[ ] adopt **previous** [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] attached amendment(s)

[ ] adopt _____ Letter of Intent

[ ] 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#
DEC	2/3/09	✓			1
DNR	2/2/09	✓			2

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet	Zero	FN#

[ ] **APPROPRIATION - no fiscal note**

SIGNATURES AND RECOMMENDATIONS	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	French			X	
	Thomas	✓			
	Kookesh	✓			
	MENARD			X	
CHAIR:	Olson	✓			

ALASKA STATE LEGISLATURE

SENATOR DONALD C. OLSON

ALASKA
STATE CAPITOL
ROOM 514
JUNEAU, ALASKA 99801-1182

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CSSB 4 (CRA) – Coastal Management Programs

Version 26-LS0019/R, January, 2009
STAFF: Tim Benintendi, 465-4989

SPONSOR STATEMENT

In 2003, HB 191 instituted significant changes to the Alaska Coastal Management Program (ACMP). It unduly impacted local participation in development reviews and approvals affecting both state and federal actions in the coastal zone. Prior to 2003, the program was not felt to be significantly problematic. Currently, there are 28 management districts either approved, or under review for approval. For a list of current districts, see the Alaska Coastal Management Program website at (http://alaskacoast.state.ak.us/district/html/progressfinal.htm). To identify a community within a particular coastal district, see http://alaskacoast.state.ak.us/explore/communityindex.pdf .

The authority for a Consistency Review Process, used to implement the ACMP, is found at 11 AAC 110. This process reviews proposed development activities for conformity with state laws and regulations,, and district enforceable policies. 11 AAC 112 and 11 AAC 114 also apply. The governing statutes are AS 46.39 and AS 46.40. With the changes from 2003, regulations adopted by the Department of Natural Resources severely limited the ability of coastal districts to establish enforceable policies regarding the eventual effects of development on coastal resources and uses. So dramatic were the changes that the federal Office of Oceans and Coastal Resource Management formally reviewed state actions for compliance, and took two years to determine acceptance.

Since the 2003 changes, Alaska's coastal districts have dealt with controversy and delay by DNR where achieving suitable district management plans are concerned. Formerly, disputes over approval of district plans were resolved by the Coastal Policy Council. Disbanding the Council under HB 191 concentrated all decision-making power within DNR.

CSSB 4 (CRA) would establish the Alaska Coastal Policy Board within the Department of Natural Resources, and restore an authoritative role for local residents, one that was working acceptably prior to 2003. The new board would be much trimmer than the pre-2003 panel of seventeen members. Nine members would compose the new board, including five public members appointed by the governor. One of the five would be at-large from any of the coastal districts, and the others would be appointed from four defined regions: Northwest Alaska, Southwest Alaska, Upper Cook Inlet, and Southeast Alaska. Filling out the board membership

would be the commissioners of DEC, F&G, DNR, and CCED. DNR would continue to provide day-to-day management and support.

This bill would also reinstate locally-generated enforceable policies, streamline project reviews, provide Board approval of agency-generated regulations, provide for district management plan approvals, allow for receiving grants and other monies, and empower the Board with other authorities.

The primary thrust of CSSB 4 (CRA) is to return significant authority to local district residents by sharing power over the Alaska Coastal Management Program ,between them and the identified commissioners. Since 2003, all authority has rested solely with the Commissioner of the Department of Natural Resources.

ALASKA STATE LEGISLATURE

SENATOR DONALD C. OLSON

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Senate Bill 4 – Coastal Management Programs

Version 26-LS0019/A, January, 2009

STAFF: Tim Benintendi, 465-4989

SPONSOR STATEMENT

In 2003, HB 191 by Governor Murkowski instituted significant changes to Alaska's coastal management program. Within an initiative to enhance resource development in the state, the governor unduly impacted local participation in development activity reviews and approvals affecting both state and federal actions. Prior to 2003, no consensus existed that the program was problematic.

Regulations adopted by the Department of Natural Resources severely limited the ability of coastal districts to establish enforceable policies regarding the eventual effects of development on coastal resources and uses. So dramatic were the changes that the federal Office of Oceans and Coastal Resource Management formally reviewed state actions for compliance, and took two years to determine acceptance.

With these changes, Alaska's coastal districts have dealt with controversy, confrontation, and delay by DNR's Office of Program Management and Permitting (OPMP) where achieving suitable district management plans are concerned. Formerly, disputes over approval of district plans were resolved by the Coastal Policy Council, a body made up of state and coastal district representatives. Disbanding the Council under HB 191 concentrated all decision-making power within a single agency, DNR.

Senate Bill 4 would re-establish the Alaska Coastal Policy Board within the Department of Natural Resources, and restore a traditional role for local residents, one that was working acceptably prior to 2003. The bill would also reinstate locally-generated enforceable policies, streamline project reviews, and provide for district management plan approvals.

ALASKA STATE LEGISLATURE

SENATOR DONALD C. OLSON

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SECTIONAL ANALYSIS

Senate Bill 4 – Coastal Management Programs

Version 26-LS0019/A, January, 2009

STAFF: Tim Benintendi, 465-4989

SECTION 1: Establishes the ALASKA COASTAL POLICY BOARD, composed of four coastal district members and the commissioners of DNR, F&G, and DEC. One co-chair will come from the district membership, and one co-chair from the commissioners. Also provides administrative guidelines.

SECTION 2: Allows but does not mandate that regulations approved by the Board may be adopted by DNR.

SECTION 3: Establishes powers for the Board, including taking reasonable action to carry out provisions of AS 46.39 (administration) and AS 46.40 (ACMP).

SECTION 4: Establishes the duties of the Board.

SECTION 5: Makes the Board subject to the Administrative Procedures Act, AS 46.39.900.

SECTION 6: Establishes authority for the Board to approve ACMP program changes and to evaluate the effectiveness of district plans.

SECTION 7: Adds "subsistence" to the list of values included in the ACMP objectives.

SECTION 8: Makes a conforming amendment requiring approval of ACMP regulations adopted by DNR, and exclusion of DEC from the ACMP. This provides that permits issued by DEC are automatically considered "consistent" with ACMP requirements.

SECTION 9: Retains DEC's authority for determining consistency of matters it regulates. It also requires public notice for DEC consistency findings for projects located on federal lands and waters when there are no DEC authorizations.

SECTION 10: Moves language deleted from AS 46.40.040(a) to a new section outlining the responsibilities of the Board. Subsection (d) clarifies that aspects of air and water discharges not covered by DEC laws or regulations may be reviewed for consistency with the statewide standards and district enforceable policies. DEC retains authority to determine a project's consistency with its laws.

SECTION 11: Establishes authority for the Board to approve coastal district plans that are required to be submitted every ten years, as well as outlining criteria for new coastal district management plans.

SECTION 12: Establishes authority for the Board to approve coastal district plans if it finds the plans meet the district plan criteria. It also establishes the Board's role in mediation of decisions on the approval of district plans.

SECTION 13: Outlines requirements for Board approval of district plans, and amends three criteria for approval of enforceable policies to clarify what policies may address.

SECTION 14: Clarifies the legislative intent of HB 191 (Chapter 24 SLA 03) to allow districts to establish enforceable policies for activities that may affect a coastal use or resource.

SECTIONS 15, 16, 17: Make conforming amendments regarding approval of ACMP regulations by the Board.

SECTION 18: Makes a conforming amendment regarding approval of ACMP regulations by the Board and replaces the term "subsequent review" with the commonly used term "elevation." This section also requires the concurrence of resource agencies for resolutions of elevations of a proposed consistency determination.

SECTION 19: Clarifies that the aspect of an activity covered by a general or nationwide permit is removed from the scope of an ACMP consistency review while allowing individual review of aspects of an activity not covered by the general or nationwide permit. It also eliminates the exemption of air and water quality permits from the coordinated ACMP review process.

SECTION 20: Makes a conforming amendment regarding Board approval of coastal district plans.

SECTION 21: Clarifies that the ACMP regulations shall address activities on federal waters, and that seismic surveys in federal Outer Continental Shelf waters are subject to ACMP reviews.

SECTION 22: Makes a conforming amendment regarding approval of ACMP regulations by the Board, including regulations listing which authorizations trigger a consistency review and the list of activities that are categorically or generally consistent (i.e., activities that do not require an individual ACMP review).

SECTION 23: This section exempts federal activities and federally-permitted activities from the 90-day review schedule. This exemption allows extension of reviews for projects with federal approvals which tend to be more complex reviews. It also requires suspension of the 90-day time frame when an applicant is required to provide additional information.

SECTION 24: Establishes the Board's role in reviewing a petition regarding non-implementation of a coastal district program.

SECTION 25, 27, 28: These sections make conforming amendments to Board action on a petition regarding non-implementation issues. Ties to SECTION 24.

SECTION 26: Provides that the Superior Courts have jurisdiction to enforce orders of the Board.

SECTION 29: Makes a confirming amendment to Board approval of district plans including areas meriting special attention.

SECTION 30: Makes a conforming amendment to the definition of "coastal zone" regarding the Board's role in approving coastal boundary changes.

SECTION 31: Makes a conforming amendment to the definition of "district coastal management plan" regarding the Board's role in approving district plans.

SECTION 32: Makes a conforming amendment to the definition of "enforceable policy" regarding the Board's role in approving policies included in district plans.

SECTION 33: Defines "Board."

SECTION 34: Repeals AS 46.40.096(i) because DEC authorizations are no longer removed from the consistency review process.

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: **SB 4**
() Publish Date:

Identifier (file name): SB4-DEC-CO-1-30-09
Dept. Affected: Dept. of Environmental Conservation
Title: Coastal Management Program
RDU: Administration
Component: Office of the Commissioner
Sponsor: Senator Olson
Requester: Senate Community and Regional Affairs Committee
Component Number: 633

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2010**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**
Personal Services	86.8		86.8	86.8	86.8	86.8	86.8
Travel	12.5		12.5	12.5	12.5	12.5	12.5
Contractual	10.4		10.4	10.4	10.4	10.4	10.4
Supplies	6.9		0.5	0.5	0.5	0.5	0.5
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	**116.6**	**0.0**	**110.2**	**110.2**	**110.2**	**110.2**	**110.2**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts	116.6	0.0	110.2	110.2	110.2	110.2	110.2
TOTAL	**116.6**	**0.0**	**110.2**	**110.2**	**110.2**	**110.2**	**110.2**

Estimate of any current year (FY2009) cost: 0.0

POSITIONS

Full-time							
Part-time	0.5	0.5	0.5	0.5	0.5	0.5	0.5
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

This legislation amends Alaska statutes related to the Alaska Coastal Management Program (ACMP). The bill requires that the Department of Environmental Conservation process its permits in accordance with the ACMP coastal consistency review procedures where permits are currently processed independent from those procedures. The increased work load for existing staff is estimated at one-half of the salary cost of a Range 19 position.

In addition to increasing the effort required to process a permit, the changes require a new half-time position to serve as ACMP lead for DEC with responsibility for internal and external coordination of ACMP matters. The fiscal note reflects the personnel and support costs of a new, part-time (0.5 FTE, Range 20) position to serve as DEC's ACMP Program Coordinator. First-year costs include one-time supply costs that are not reflected in subsequent years.

Prepared by: Marit Carlson-VanDort — Phone 465-5065
Division: Commissioner's Office — Date/Time 2/2/09 12:00 AM
Approved by: Dan Easton — Date 2/3/2009
Deputy Commissioner

(Revised 9/10/2008 OMB)

ALASKA STATE LEGISLATURE

SENATOR DONALD C. OLSON

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SECTIONAL ANALYSIS

CSSB 4 (CRA) Coastal Management Programs

Version 26-LS0019/ R, February 5, 2009

STAFF: Tim Benintendi, 465-4989

(Compared to SB 4)

Section 1: Establishes the ALASKA COASTAL POLICY BOARD, composed of five coastal district members and the commissioners of DNR, F&G, DEC, and COMMERCE. One co-chair will come from the district membership, and one co-chair from the commissioners. This board is smaller than the 17-member panel prior to the 2003 changes. Differences from SB 4 are: Added one district member, and added commissioner of CCED to Board.

Section 2: Clarifies that DNR coordinates all project consistency reviews for projects with only departmental permits or for projects that involve two or more other state resource agency permits. Not included in SB 4.

Section 3: Allows but does not mandate that regulations approved by the Board may be adopted by DNR. Same provision is in SB 4, Section 2.

Section 4: Establishes powers of the Board, including taking reasonable action to carry out provisions of AS 46.39 (administration) and AS 46.40 (ACMP). Same provision is in SB 4, Section 3.

Section 5: Provides for the Board to approve statewide ACMP standards and criteria, as developed by the department, for district plan approval.

Section 6: Defines "Board" in AS 46.39.900. Same provisions in SB 4, Section 5.

Section 7: Provides for approval of ACMP program changes by the Board. Same provisions in SB 4, Section 6.

Section 8: Adds "subsistence" to the list of values included in the ACMP objectives. Same provisions in SB 4, Section 7.

Section 9: Subsection (a) removes requirement for district enforceable policies to meet the statewide standards. Clarifies that district enforceable policies apply to all land and water issues subject to the plan. Removes requirement to describe proper and improper uses. Changes the term "areas meriting special attention" to "special management areas." Subsection (b) requires district enforceable policies to be clear and concise, either prescriptive (how to proceed toward goal) or performance-based (goal achievement by various methods), and stricter or more specific policy than state or federal laws. If stricter, support may include traditional, local knowledge. This section was not included in SB 4.

Section 10: Makes conforming changes for Board approval of ACMP regulations. Deletes language in AS 46.40.040(a)(2) – (5); moved to a new subsection (d). Compares to SB 4, Section 8, changing "areas of the coast that merit special attention," to "special management areas."

Section 11: Moves language deleted from Section 10, to a new section outlining responsibilities of the Board. Not included in SB 4.

Section 12: Makes conforming amendments to clarify that district plans must be approved by the Board. Not included in SB 4.

Section 13: Establishes the review and approval process for coastal district plans, including provisions for districts to work with DNR to resolve issues before the Board approves a plan. Allows districts to request mediation of the Board's decision. Not included in SB 4.

Section 14: Establishes criteria for Board approval of district plans and clarifies that district enforceable policies may not address matters pre-empted by state or federal laws. Rewritten from SB 4.

Section 15: Makes conforming changes for Board approval of ACMP regulations governing the consistency review and determination process. Same provision is in SB 4, Section 15.

Section 16: Changes the term "subsequent review" to the commonly used term "elevation" and clarifies that the three state resource agencies make the final decision on a project elevation. Modifies SB 4, Section 18, by allowing more autonomy for state resource agencies in preparing a consistency review and determination.

Section 17: Clarifies that aspects of an activity covered by a general or nationwide permit are excluded from a consistency review (rather than the entire activity). Same provision is in SB 4, Section 19.

Section 18: Makes conforming changes for Board approval of district enforceable policies. Same provision is in SB 4, Section 20.

Section 19: Allows for ACMP consistency reviews of projects inland of the coastal zone, if there would be direct and significant effects to coastal uses or resources. Clarifies that seismic survey activities in federal waters are subject to consistency reviews. Differences from SB 4, Section 21, are the inclusion of activities and impacts "inland from the coastal zone," in federal "waters," and "seismic survey activity" on the Outer Continental Shelf. DNR currently exempts this activity from review.

Section 20: Clarifies that categorically or generally consistent activities are for routine projects. From SB 4, Section 22 of this version, deletes a reference mandating Board approval.

Section 21: Exempts federal activities and federally-permitted projects from the 90-day consistency review time limit. Allows extension of the time limit for adjudication of coastal district permits. Differs from SB 4, Section 23 by adding language for a 30-day extension period for an affected coastal resource district to accommodate the adjudication process.

Section 22: Clarifies that the term "affected coastal resource district" includes districts with a publicly-reviewed draft plan or approved plan. Not included in SB 4.

Section 23: Requires an individual consistency review for each Outer Continental Shelf lease sale. Not included in SB 4. Would make each lease sale a separate consistency review.

Section 24: Gives the Board authority to act on a petition regarding non-implementation of a coastal district plan. Same provision is in SB 4, Section 24.

Sections 25, 27, 28: Make conforming amendments regarding Board action on a petition regarding non-implementation of a coastal district plan. Ties to Section 24. Same provisions are in SB 4, Sections 25, 27, 28.

Section 26: Provides that the Superior Courts have jurisdiction to enforce orders of the Board, as well as the department. Same provision is in SB 4, Section 26.

Section 29: Clarifies that a coastal resource service area (CRSA) may accept new matter submitted by a city or village into its coastal management plan. Not included in SB 4.

Section 30: Clarifies that municipalities are part of a CRSA unless they choose to be excluded. Not included in SB 4. There are currently no 3rd class boroughs in Alaska.

Section 31: Removes language about boroughs that do not exercise planning and zoning authority. Not included in SB 4.

Section 32: Makes a conforming amendment clarifying the board's role in coastal boundary changes. Same provision is in SB 4, Section 30.

Section 33, 34: Make conforming amendments regarding the Board's role in approving district plans and district enforceable policies. Same provisions are in SB 4, Sections 31, 32.

Section 35: Clarifies that the term "project" applies to federal activities and federally-permitted activities, including individual lease sales. Not included in SB 4.

Section 36: Adds new definitions for the terms "Board" and "special management areas." Definition of "special management areas" was not included in SB 4.

Section 37: Repeals the exemption for DEC permits from consistency reviews (eliminates DEC carve-out) (AS 46.40.040(b)–(c), not included in SB 4,

and AS 46.40.096(i)). Only this reference was included in SB 4.

Removes the requirement for re-submittal of district plans every 10 years (AS 46.40.050(a)). Not included in SB 4.

Removes the exemption of shallow gas projects from ACMP reviews (AS 46.40.205). Not included in SB 4.

Removes the definition for "areas meriting special attention" (AS 46.40.210(1)). Not included in SB 4.

CS Senate Bill 4 (CR&A)
Alaska Coastal Management Program (ACMP)

January 26, 2009

Streamlines Project Reviews and District Plan Approvals

- Brings DEC permits back into the coordinated ACMP project review process
  - Eliminates need for a separate DEC review to determine ACMP consistency
  - Reduces confusion with current process about scope of ACMP review
- Promotes interagency cooperation and issue resolution
  - Encourages coordination of municipal Title 29 permitting with the ACMP process
    - Meaningful district policies will encourage local participation and resolution of issues during the state-coordinated ACMP review[1]
  - Reduces chances for conflicting permit conditions (federal, state and local permits)
  - Encourages early resolution of project issues
- Allows coastal districts to have performance-based enforceable policies[2]

Restores Checks and Balances

- Establishes streamlined Coastal Policy Board (CPB)
  - The 9-member CPB represents coastal districts, DNR, DEC, ADF&G, and DCCED[3]
  - Board provides guidance on 3 matters by approving:
    - 1) District coastal plans, 2) Grant programs, & 3) ACMP regulations
  - DNR retains day-to-day management of all ACMP matters
  - DNR retains responsibility for project consistency reviews
- Involves all 3 state resource agencies in project elevations (pre-decision appeals)
- Allows districts to keep their existing plan (no requirement to amend plan as in 2003 legislation)
- Encourages districts to resolve issues with DNR before their plan is reviewed by the CPB

Restores Traditional Role of Coastal Districts

- Allows districts to establish local enforceable policies that do not conflict with state or federal law or address matters preempted by state or federal agencies
- Restores intent of the ACMP
  - Original 1977 Alaska Coastal Management Act emphasized role of local coastal districts
  - The 2004 Murkowski Administration ACMP regulations conflicted with 2004 legislation by eliminating ability to establish district enforceable policies for matters not adequately addressed by state or federal law

Restores States' Rights

- Reinstates provisions eliminated by the 2003 legislation to assert state rights
  - Allows extension of the 90-day review limit for reviews with federal permits
  - Allows review of projects inland of the coastal zone if there are coastal effects
  - Allows for review of individual oil and gas lease sales in federal OCS waters

[1] Before the 2003 ACMP changes, less than 1% of projects were appealed.

[2] Performance-based policies are preferred by industry (rather than policies that prescribe a specific action)

[3] The former Coastal Policy Council was originally a 17-member body that had responsibility for project reviews.

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: **CSSB 4 (CRA)**
() Publish Date:

Identifier (file name): **SB004CS(CRA)-DNR-DCOM-02-02-09**
Dept. Affected: Natural Resources
Title: An Act relating to the Alaska Coastal Management Program.
RDU: Resource Development
Component: Coastal and Ocean Management
Sponsor: Sen. Donny Olson
Requester: Senate Community and Regional Affairs Committee
Component Number: 2680

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2010**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel	82.0	0.0	82.0	82.0	82.0	82.0	82.0
Contractual	80.0	0.0	30.0	30.0	30.0	30.0	30.0
Supplies	3.0	0.0	3.0	3.0	3.0	3.0	3.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	**165.0**	**0.0**	**115.0**	**115.0**	**115.0**	**115.0**	**115.0**
CAPITAL EXPENDITURES	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
CHANGE IN REVENUES ( )	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	165.0	0.0	115.0	115.0	115.0	115.0	115.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Other Interagency Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	**165.0**	**0.0**	**115.0**	**115.0**	**115.0**	**115.0**	**115.0**

Estimate of any current year (FY2009) cost: 0.0

POSITIONS

Full-time	0	0	0	0	0	0	0
Part-time	0	0	0	0	0	0	0
Temporary	0	0	0	0	0	0	0

ANALYSIS: *(Attach a separate page if necessary)*

CSSB 4(CRA) will have the following fiscal impact:

1. Travel - It is expected that the Coastal Policy Board (CPB) will need to meet at least four times annually to fulfill the obligations and provide the services outlined in CSSB 4 (CRA). Travel (including air, hotel, and per diem) for appointed members, designated members, and state agency staff is included.
2. Contractual - In order to re-write the guiding regulations, DNR must secure contractual services for the promulgation and final Department of Law review of the regulations (FY 2010 only). In addition, contractual services for the CPB meetings must be procured, and will be an annual expense.
3. Supplies - The CPB meetings will require some level of supplies for ensuring the members have proper materials.

Prepared by: Randy Bates, Director — Phone 465-8797
Division: Coastal and Ocean Management — Date/Time February 2, 2009
Approved by: Tom Irwin, Commissioner — Date February 2, 2009
Natural Resources

(Revised 9/10/2008 OMB)

STATE OF ALASKA
2009 LEGISLATIVE SESSION

BILL NO. CSSB 4 (CRA)

ANALYSIS CONTINUATION

4. Although not contemplated above as an additional expense, it is expected that coastal districts will choose to revise, amend, and seek approval for their coastal district plans. No funding is included in this fiscal note for Coastal District Plan revisions. DNR does not typically set aside any funding for plan revisions.

Alaska Coastal Management Program

Program Goals and Objectives

The Alaska Coastal Management Program (ACMP) oversees the responsible development of coastal uses and resources, federal activities within the coastal zone, and activities on the Outer Continental Shelf.

ACMP Structure and Organization

The ACMP is a voluntary State program, authorized by the Coastal Zone Management Act of 1972, as amended. The Division of Coastal and Ocean Management (DCOM), within the Department of Natural Resources, is the lead agency for the ACMP. Several State departments and agencies participate in the implementation of the ACMP. In addition, several coastal municipalities and service areas (collectively known as coastal districts) voluntarily participate in the implementation of the ACMP. This structure and organization of State agencies and coastal districts provides for a networked implementation scheme designed to comprehensively manage coastal uses and resources.

The primary tool used to implement the ACMP is the consistency review process at 11 AAC 110. Through this process, proposed resource development activities are reviewed for consistency and compliance with the State's coastal management program which includes State laws, State standards, and district enforceable policies.

Value of ACMP

Having a federally-approved coastal management program allows the State the opportunity to:

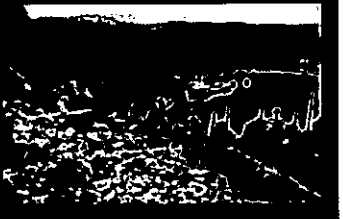
- Balance the need for economic investment and development in coastal areas with the need to protect and manage the uses and resources of coastal areas
- Act as the State's liaison to federal agencies (1) conducting/permitting activities within the State's coastal area and the Outer Continental Shelf; (2) involving federal laws/initiatives that effect development of the coastal zone, waters, uses or resources of the State
- Act as the department's lead on issues affecting or addressing the coastal waters affecting the State
- Apply State ACMP enforceable policies to federal agency activities
- Provide project applicants with a single point of contact for the State's review of resource development permit applications
- Incorporate coastal district input and knowledge for reasoned decisions

Key FY 2008 and FY 2009 Priorities and Needs

- Educate and train participants on implementation of ACMP
- Re-evaluate the ACMP Statutes (AS 46.39 and 40) and Regulations (11 AAC 110, 112, 114), so to strengthen the ACMP as a State program
- Implement the approved Coastal Impact Assistance Program (CIAP) and act as the liaison between the federal government and the State of Alaska

A Program of the Division of Coastal and Ocean Management

"The Alaska Coastal Management Program provides stewardship for Alaska's rich and diverse coastal resources to ensure a healthy and vibrant Alaskan coast that efficiently sustains long-term economic and environmental productivity."



ALASKA DEPARTMENT OF NATURAL RESOURCES · DIVISION OF COASTAL AND OCEAN MANAGEMENT ·
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WWW.ALASKACOAST.STATE.AK.US

Alaska Coastal Management Program

Key 2008 Calendar Year Accomplishments

- In June 2008, DNR/DCOM initiated a series of workshops to review the current ACMP statutes (AS 46.39 and 46.40) and regulations (11 AAC 110, 112, and 114). The purpose of the re-evaluation is to strengthen the ACMP as a State program, that will benefit applicants and the public in the coordinating project reviews and that will enhance coastal district participation regarding activities occurring in the coastal area and on the outer continental shelf.

- DNR is currently revising the list of expedited consistency reviews using the ABC List. This revision was initiated to meet the legislative intent of identifying and broadening categories of activities subject to the expedited consistency review process. AS 46.40.096(m) SB 102 (2005) requires that DNR establish in regulation the state resource agency permits and federal permits that would trigger a consistency review. The ABC List categorizes development activities in the Coastal Zone according to expected levels of impact on uses and resources in the Zone. The last time the ABC List was substantively amended was in 1995. The current revision initiative will clarify the review process for certain resource development projects that are "de minimis" in nature or that are routine and can be made consistent with standard alternative measures. By updating the ABC List and developing new expedited consistency reviews for routine activities, DNR expects to reduce the workload for State agencies and coastal districts.

- In September 2008, the federal Minerals Management Service approved the State of Alaska Coastal Impact Assistance Program (CIAP) plan, making Alaska eligible to receive approximately $9.7 million in federal funds under the CIAP initiative. Due to an increase in OCS revenue off the coast of Alaska, the state's portion of CIAP funds will increase by more than $53 million in the next two fiscal years. DCOM is currently working on amending the CIAP plan to reflect Alaska's new allocation. A portion of the funds will go to 8 municipalities that are within 200 nautical miles of OCS development, and a portion will be offered to State agencies and the public through a competitive grant process.

- During the 2008 calendar year, nine more coastal district plans went into effect, bring the total of approved coastal district management plans to 25.

- During the 2008 calendar year, DCOM performed 262 coordinated or expedited consistency reviews, issued 415 No Additional Reviews and 29 Single Agency Reviews for resource development projects within the coastal zone.

ACMP Originally Approved:
1979

Coastal Population in 1979:
330,960

Coastal Population in 2004:
538,332

Miles of Coastline:
44,500

CZMA Funds:
$2,503,000

State and Other Matching Funds:
$1,967,000

Total:
$4,470,000

ACMP State Contact

Randy Bates, Director - DCOM, T: 907.465.8797, F: 907.465.3075
E-mail: randy.bates@alaska.gov

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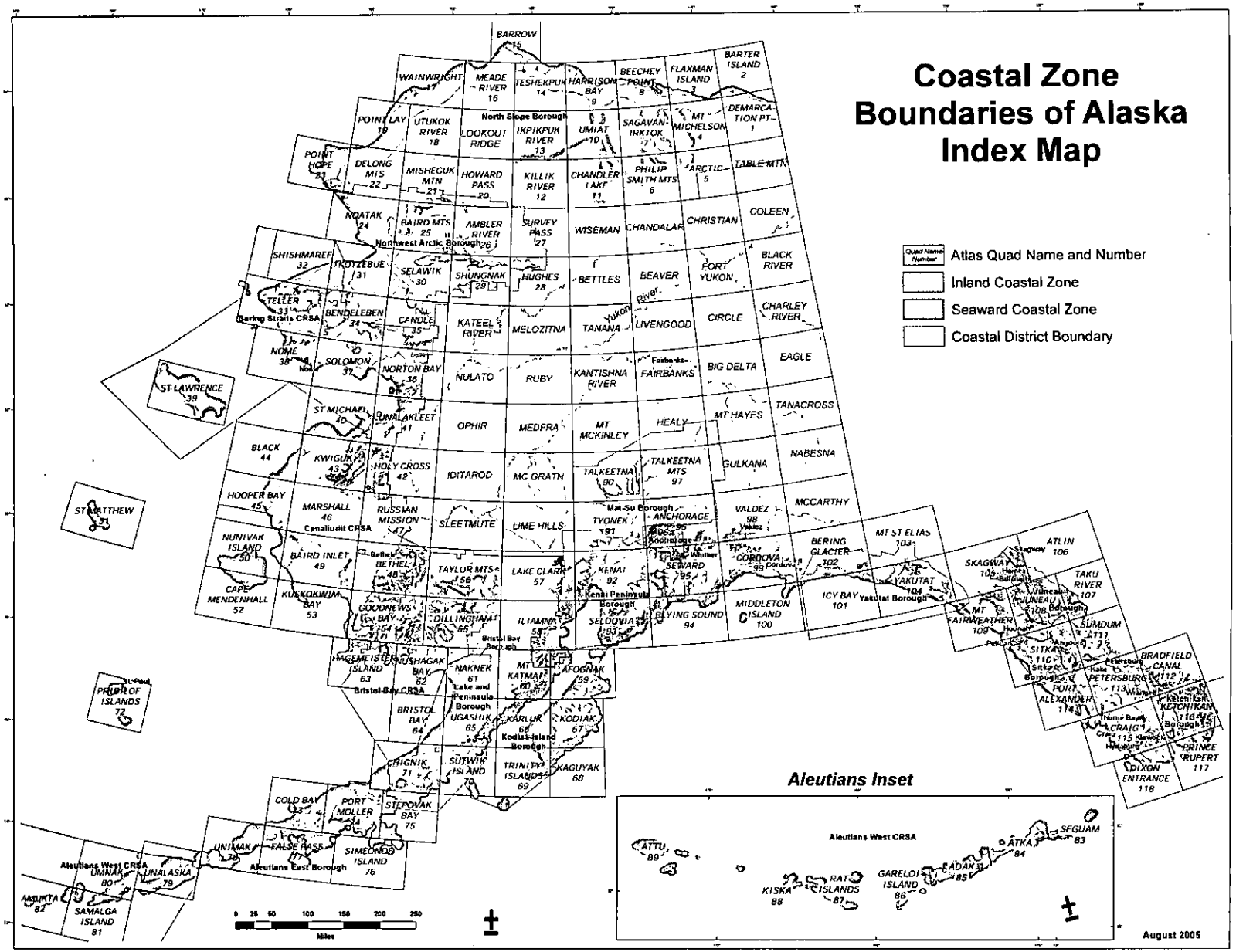

Quad Name	Number
ADAK	85
AFOGNAK	59
AMBLER RIVER	26
AMUKTA	82
ANCHORAGE	95
ANCHORAGE INSET	95a
ARCTIC	5
ATKA	84
ATLIN	106
ATTU	89
BAIRD INLET	49
BAIRD MTS	25
BARROW	15
BARTER ISLAND	2
BEECHEY POINT	8
BENDELEBEN	34
BERING GLACIER	102
BETHEL	48
BLACK	44
BLYING SOUND	94
BRADFIELD CANAL	112
BRISTOL BAY	64
CANDLE	35
CAPE MENDENHALL	52
CHANDLER LAKE	11
CHIGNIK	71
COLD BAY	73
CORDOVA	99
CRAIG	115
DE LONG MTS	22
DEMARCATION PT.	1
DILLINGHAM	55
DIXON ENTRANCE	118
FALSE PASS	77
FLAXMAN ISLAND	3
GARELOI ISLAND	86
GOODNEWS BAY	54
HAGEMEISTER IS.	63
HARRISON BAY	9
HOLY CROSS	42
HOOPER BAY	45
HOWARD PASS	20
HUGHES	28
ICY BAY	101
IKPIKPUK RIVER	13
ILIAMNA	58
JUNEAU	108
KAGUYAK	68
KARLUK	66
KENAI	92
KETCHIKAN	116
KISKA	88
KODIAK	67
KOTZEBUE	31
KUSKOKWIM BAY	53
KWIGUK	43
LAKE CLARK	57
MARSHALL	46
MEADE RIVER	16
MIDDLETON IS	100
MISHEGUK MTN	21
MT FAIRWEATHER	109
MT KATMAI	60
MT MICHELSON	4
MT ST ELIAS	103
NAKNEK	61
NOATAK	24
NOME	38
NORTON BAY	36
NUNIVAK ISLAND	50
NUSHAGAK BAY	62
PETERSBURG	113
PHILIP SMITH MTS	6
POINT HOPE	23
POINT LAY	19
PORT ALEXANDER	114
PORT MOLLER	74
PRIBILOF ISLANDS	72
PRINCE RUPERT	117
RAT ISLAND	87
RUSSIAN MISSION	47
SAGAVANIRKTOK	7
SAMALGA ISLAND	81
SEGUAM	83
SELAWIK	30
SELDOVIA	93
SEWARD	95
SHISHMAREF	32
SHUNGNAK	29
SIMEONOF IS.	76
SITKA	110
SKAGWAY	105
SOLOMON	37
ST LAWRENCE	39
ST MATTHEW	51
ST MICHAEL	40
STEPOVAK BAY	75
SUMDUM	111
SURVEY PASS	27
SUTWIK ISLAND	70
TAKU RIVER	107
TALKEETNA	90
TALKEETNA MTS	97
TAYLOR MTS	56
TELLER	33
TESHEKPUK	14
TRINITY ISLANDS	69
TYONEK	91
UGASHIK	65
UMIAT	10
UMNAK	80
UNALAKLEET	41
UNALASKA	79
UNIMAK	78
UTUKOK RIVER	18
VALDEZ	98
WAINWRIGHT	17
YAKUTAT	104

Index Map

NORTHWEST ARCTIC BOROUGH

P.O. Box 1110

Kotzebue, Alaska 99752

(907) 442.2500 or (800) 478.1110

Fax: (907) 442.3740 or 2930

ACMP now, our only re-course for a fair review is again to go back to the DNR commissioner for re-consideration of a decision that has already been made by the commissioner and his staff. As you can see, the ability to obtain a third party review that involves the public is not possible under the current program, and the new provisions in this bill will help prevent such a future problematic situation and provide state staff the clear criteria and direction for approval of coastal district policies with involvement of the coastal policy board.

The NWAB also supports the addition of subsistence to the ACMP objectives in AS 46.40.020. Until changes made by the Murkowski Administration, the ACMP has been an effective tool balancing resource development and protection of our coastal resources that support healthy subsistence. It is very important that Alaskans have the ability to propose local policies that demonstrate the real life connection of people and communities to coastal areas and actually reflect the close relationship Alaskan residents have to this land, the coastal zones and our valuable subsistence way of life. For the NWAB, the ability to cooperatively work with developers and the state to address subsistence impacts is the primary reason for participating in the ACMP so that development honors our long-time and permanent Alaskans lifestyles.

We also support provisions in the bill that would bring activities covered by the Alaska Department of Environmental Conservation back into the ACMP consistency review process. Impacts to air and water quality also affect habitat and subsistence, and it makes sense to address these issues together in a consolidated format during a single consistency.

The NWAB encourages responsible development of our natural resources. We recognize the economic importance of development in providing new revenues to fund local public services and facilities, and to provide steady employment opportunities in rural areas. However, it is important that local coastal districts have a role in voicing valid concerns and potential impacts to subsistence and other coastal uses and resources - all to ensure that we are doing resource development the right way.

In closing, these bills restore a meaningful role for coastal districts to facilitate effective future development opportunities. I appreciate your interest in improving the ACMP, and I look

NORTHWEST ARCTIC BOROUGH

P.O. Box 1110

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forward to working with you during this legislative session. Please contact me or Ukallaysaaq Tom Okleasik if you have any questions about our proposed plan at (907) 442-2500.

Sincerely,

Silkauraq Whiting, Mayor

Cc: Ukallaysaaq Tom Okleasik, Planning Director
Alagiaq Grant Hildreth, Deputy Planning Director
Kill'aq John Chase, Community Planner & Coastal Area Specialist

Roger D. (Dale) Summerlin
Vice President
Health, Safety & Environment

P.O. Box 100360
Anchorage, AK 99510-0360
Phone 907.263.4682
Fax 907.263.4438

ConocoPhillips
Alaska, Inc.

February 4, 2009

The Honorable Donald Olson
Chairman, Senate Committee on Community & Regional Affairs
Alaska State Legislature
Alaska State Capitol, Room 514
Juneau, Alaska 99801

VIA FAX TO (907) 465-4821
& Next Day UPS Delivery

RE: Proposed Senate Bill No. 4
An Act Relating to the Alaska Coastal Management Program (ACMP)
Establishment of the Alaska Coastal Policy Board
State Statutes AS 46.39 and AS 46.40

Dear Senator Olson:

ConocoPhillips Alaska, Inc. (CPAI) has prepared this formal response to proposed Senate Bill No. 4, an act relating to the Alaska Coastal Management Program (ACMP) and establishment of an Alaska Coastal Policy Board, and offers the following comments for your consideration.

Retention of the Current Program

CPAI has been, and remains, a supporter of the centralized ACMP process which resulted from the passage of House Bill (HB) 191 in 2003 and was later implemented by regulations and statutory amendments. In 2003, the Alaska Legislature concluded that "the Alaska coastal management program (ACMP) is intended to function with a minimum of delay and avoid regulatory confusion, costly litigation, and uncertainty regarding the feasibility of new investment." In addition, the legislature stated that statewide standards "be clear, and concise and provide the needed predictability as to the application, scope, and timing of the consistency review process of the program."

Proposed changes in Senate Bill (SB) No. 4 would allow districts to restrict selected activities within their coastal district; these activities will undoubtedly involve uses of state concern and/or may involve matters already adequately addressed by existing regulatory programs. Decision-making authority concerning the management and use of state resources vests with the State.

The current program's approach eliminates enforceable policies which may be conflicting between coastal districts, state, and federal agencies, and which could result in a loss of

conformity of district policies that currently exists in the ACMP program. The existing statewide standards provide clear and concise predictability to the ACMP process. Coastal districts are still afforded the ability to propose enforceable policies that conform to the district plan approval criteria and requirements outlined in 46.40.040 and 46.40.070; or those that are not duplicative, restate existing state or federal policies, and do not redefine, replace, or otherwise modify existing standards. From an applicant's perspective, the retention of the centralized ACMP will provide applicants with assurances of an efficient permitting process.

Elimination of the Alaska Department of Environmental Conservation (ADEC) Carve Out (AS 46.40.040 and 46.40.096)

CPAI believes the ADEC carve out should be retained in its present form and the carve out should not be eliminated from the ACMP program. CPAI believes there is significant misunderstanding by many stakeholders on this matter. Approvals for air, water, and C-Plan permits require public notice and public comment periods which allow for public input. The public notice and comment periods for these permits were not negatively affected by carving out the ADEC permits. Timelines associated with these approval processes are at least six months in duration, far longer than the existing 50- to 90-day ACMP coordination process. In addition, the timelines for public participation do not align with the intent or the process of the ACMP program which is one of thoughtful timely coordination and decision-making.

Eliminating the ADEC carve out will re-introduce conflicting regulatory mandates between ADEC and the ACMP process, and will delay the start of the consistency review process. Adequate public participation and opportunities for review by coastal districts is provided in the existing program. Adequate environmental protection is being provided by ADEC, regardless of whether or not their approvals are part of a consistency review process.

In closing, as we look at the substantial nature of the changes proposed in SB 4, we ask the question: Why? Since the passage of HB 191, have resource development projects been permitted by the state where a coastal district's input and concerns have not been accommodated? Is this change going to help motivate resource development projects in this state? We suggest that the current program is working as intended and changes are neither necessary nor desirable.

Sincerely,

Dale Summerlin

Roger D. (Dale) Summerlin

cc: All Legislators

North Slope Borough

OFFICE OF THE MAYOR

P.O. Box 69
Barrow, Alaska 99723
Phone: 907 852-2611 or 0200
Fax: 907 852-0337 or 2595
email: edward.itta@north-slope.org

Edward S. Itta, Mayor

February 3, 2009

Senator Donny Olson
Alaska State Legislature
State Capitol, Room 514
Juneau, Alaska 99801

Sent by fax: _____ .

RE: **SB 4 Alaska Coastal Management Program**

Dear Senator Olson:

Thank you for pre-filing SB 4 about the Alaska Coastal Management Program (ACMP). I understand the Senate Community and Regional Affairs Committee will be considering adopting a committee substitute similar to the version of this bill in the House. The North Slope Borough (Borough) supports the committee substitute because it will restore meaningful local involvement in the ACMP, implement checks and balances and streamline project reviews.

The Borough appreciates the sections of the proposed committee substitute that clarify the ability of coastal districts to establish enforceable policies, especially the provisions in AS 46.40.030 and 070. While the 2003 legislative changes to the ACMP allowed coastal districts to establish policies for matters not adequately addressed by state or federal law, many of our proposed enforceable policies were denied on the basis that they addressed an agency's authority. We made an extra effort to focus our proposed policies on matters that were not addressed by existing laws, but still they were denied.

The committee substitute for SB 4 would restore checks and balances to the ACMP by establishing the Coastal Policy Board. This body would represent coastal districts and state agencies. It would be responsible for approving changes to ACMP regulations, amendments to coastal district programs and overall grant programs. This body is similar to the former Coastal Policy Council except that it has fewer members and it is not responsible for project consistency reviews. Restoring the responsibility for project elevations to the three state resource agencies will ensure these agencies have a seat at the table.

The Borough also supports the sections of the proposed committee substitute that streamline project reviews. The ACMP used to be an effective program that resolved issues among local, state and federal agencies, but changes to the program statutes and regulations reduced its effectiveness. Bringing the Alaska Department of Environmental Conservation back into the consistency review process will bring air and water quality issues back into ACMP project reviews. Likewise, allowing coastal districts to have meaningful policies will encourage their participation in the coordinated consistency review process. These changes will streamline project reviews because issues can be resolved early in the process by all parties. The changes will also encourage permitting agencies to ensure their permit stipulations are compatible and reasonable.

Again, the North Slope Borough thanks you for introducing SB 4, and I look forward to testifying on this bill as it moves through the committee process.

Sincerely,

Edward S. Itta

Edward S. Itta
Mayor

cc Johnny Aiken, NSB Director Planning & Community Services
Karla Kolash, NSB Mayor's Office
Andy Mack, NSB Mayor's Office

SB 4

Which Coastal District is Your Community In?

CITY	DISTRICT
Adak	Aleutians West CRSA
Akhiok	Kodiak
Akiachak	Ceñaliulriit CRSA
Akiak	Ceñaliulriit CRSA
Akutan	Aleutians East
Alakanuk	Ceñaliulriit CRSA
Aleknagik	Bristol Bay CRSA
Alexander Creek	Mat-Su Borough
Ambler	Northwest Arctic
Amchitka	Aleutians West CRSA
Anaktuvuk Pass	North Slope Borough
Anchor Point	Kenai Peninsula
Anchorage	Anchorage
Angoon	Angoon
Aniak	Ceñaliulriit CRSA
Atka	Aleutians West CRSA
Atmautluak	Ceñaliulriit CRSA
Atqasuk	North Slope Borough
Attu	Aleutians West CRSA
Barrow	North Slope Borough
Bethel	Bethel
Big Lake	Mat-Su Borough
Bird Creek	Anchorage
Brevig Mission	Bering Straits CRSA
Buckland	Northwest Arctic
Candle	Northwest Arctic
Cape Chiniak	None*
Cape Pole	None*
Cape Yakataga	None*
Chefornak	Ceñaliulriit CRSA
Chenega Bay	None*
Chevak	Ceñaliulriit CRSA
Chickaloon	Mat-Su Borough
Chignik	Lake and Peninsula Borough
Chignik Bay	Lake and Peninsula Borough
Chignik Lagoon	Lake and Peninsula Borough
Chignik Lake	Lake and Peninsula Borough
Chugiak	Anchorage
Clam Gulch	Kenai Peninsula
Clark's Point	Bristol Bay CRSA
Coffman Cove	None*
Cohoe	Kenai Peninsula
Cold Bay	Aleutians East
Cooper Landing	Kenai Peninsula
Cordova	Cordova
Council	Bering Straits CRSA
Craig	Craig
Cube Cove	None*
Deadhorse	North Slope Borough
Deering	Northwest Arctic
Dillingham	Bristol Bay CRSA
Diomede	Bering Straits CRSA
Dora Bay	None*
Douglas	Juneau
Dutch Harbor	Aleutians West CRSA
Eagle River	Anchorage
Edna Bay	None*
Eek	Ceñaliulriit CRSA
Egegik	Lake and Peninsula Borough
Ekuk	Bristol Bay CRSA
Ekwok	Bristol Bay CRSA
Elfin Cove	None*
Elim	Bering Straits CRSA
Elmendorf AFB	Anchorage
Emmonak	Ceñaliulriit CRSA
English Bay	Kenai Peninsula
Excursion Inlet	None*
Eyak	Cordova
False Pass	Aleutians East
Fortuna Ledge	Ceñaliulriit CRSA

*Note: "None" means a coastal community not within a coastal district.

— 1

CITY	DISTRICT
Ft. Richardson	Anchorage
Funter Bay	None*
Gambell	Bering Straits CRSA
Girdwood	Anchorage
Golovin	Bering Straits CRSA
Goodnews Bay	Ceñaliulriit CRSA
Gravina Island	Ketchikan
Gustavus	None*
Haines	Haines
Halibut Cove	Kenai Peninsula
Happy Valley	Kenai Peninsula
Hawkins Island	None*
Hinchinbrook Island	None*
Hobart Bay	None*
Hollis	None*
Homer	Kenai Peninsula
Hoonah	Hoonah
Hooper Bay	Ceñaliulriit CRSA
Hope	Kenai Peninsula
Houston	Mat-Su Borough
Hydaburg	Hydaburg
Igiugig	Lake and Peninsula Borough
Iliamna	Lake and Peninsula Borough
Indian	Anchorage
Ivanof Bay	Lake and Peninsula Borough
Juneau	Juneau
Kachemak	Kenai Peninsula
Kake	Kake
Kaktovik	North Slope Borough
Kalgin Island	Kenai Peninsula
Karluk	Kodiak
Kasaan	None*
Kasigluk	Ceñaliulriit CRSA
Kasilof	Kenai Peninsula
Kenai	Kenai Peninsula
Ketchikan	Ketchikan
Kiana	Northwest Arctic
King Cove	Aleutians East
King Salmon	Bristol Bay Borough

CITY	DISTRICT-
Kipnuk	Ceñaliulriit CRSA
Kivalina	Northwest Arctic
Klawock	Klawock
Klukwan	None*
Kobuk	Northwest Arctic
Kodiak	Kodiak
Kokhanok	Lake and Peninsula
Kokhanok Bay	Lake and Peninsula
Koliganek	Ceñaliulriit CRSA
Kongiganak	Ceñaliulriit CRSA
Kotlik	Ceñaliulriit CRSA
Kotzebue	Northwest Arctic
Koyuk	Bering Straits CRSA
Kuiu Island	None*
Kupreanof	None*
Kwethluk	Ceñaliulriit CRSA
Kwigillingok	Ceñaliulriit CRSA
Labouchere Bay	None*
Lake Louise	Mat-Su Borough
Larsen Bay	Kodiak
Levelock	Lake and Peninsula
Long Island	None*
Lower Kalskag	Ceñaliulriit CRSA
Manokotak	Bristol Bay CRSA
Marshall	Ceñaliulriit CRSA
Mekoryuk	Ceñaliulriit CRSA
Metlakatla	None*
Meyers Chuck	None*
Moose Pass	Kenai Peninsula
Mountain Village	Ceñaliulriit CRSA
Mt. Edgecumbe	Sitka
Naknek	Bristol Bay Borough
Nanwalek	Kenai Peninsula
Napakiak	Ceñaliulriit CRSA
Napaskiak	Ceñaliulriit CRSA
Naukati	None*
Nelson Lagoon	Aleutians East
New Stuyahok	Bristol Bay CRSA
Newhalen	Lake and Peninsula

*Note: "None" means a coastal community not within a coastal district.

CITY	DISTRICT
Newtok	Ceñaliulriit CRSA
Nightmute	Ceñaliulriit CRSA
Nikiski	Kenai Peninsula
Nikolski	Aleutians West CRSA
Ninilchik	Kenai Peninsula
Noatak	Northwest Arctic
Nome	Nome
Nondalton	Lake and Peninsula
Noorvik	Northwest Arctic
Nuiqsut	North Slope Borough
Nunapitchuk	Ceñaliulriit CRSA
Old Harbor	Kodiak
Oscarville	Ceñaliulriit CRSA
Ouzinkie	Kodiak
Palmer	Mat-Su Borough
Pedro Bay	Lake and Peninsula Borough
Pelican	Pelican
Pennock Island	Ketchikan
Perryville	Lake and Peninsula Borough
Petersburg	Petersburg
Pilot Point	Lake and Peninsula Borough
Pilot Station	Ceñaliulriit CRSA
Pitkas Point	Ceñaliulriit CRSA
Platinum	Ceñaliulriit CRSA
Point Baker	None*
Point Hope	North Slope Borough
Point Lay	North Slope Borough
Polk Inlet	None*
Port Alexander	None*
Port Alsworth	Lake and Peninsula
Port Armstrong	None*
Port Clarence	Bering Straits CRSA
Port Graham	Kenai Peninsula
Port Heiden	Lake and Peninsula Borough
Port Lions	Kodiak
Port Moller	Aleutians East
Port Protection	None*
Portage	Anchorage
Post Lake	Mat-Au Borough

CITY	DISTRICT
Prudhoe Bay	North Slope Borough
Quinhagak	Ceñaliulriit CRSA
Red Mountain	Kenai Peninsula
Ridgeway	Kenai Peninsula
Rowan Bay	None*
Russian Mission	Ceñaliulriit CRSA
Sand Point	Aleutians East
Savoonga	Bering Straits CRSA
Sawmill Bay	None*
Saxman	Ketchikan
Scammon Bay	Ceñaliulriit CRSA
Security Bay	None*
Selawik	Northwest Arctic
Seldovia	Kenai Peninsula
Seward	Kenai Peninsula
Shaktoolik	Bering Straits CRSA
Sheep Mountain	Mat-Su Borough
Sheldon Point	Ceñaliulriit CRSA
Shemya AFS	Aleutians West CRSA
Shishsmaref	Bering Straits CRSA
Shungnak	Northwest Arctic
Sitka	Sitka
Skagway	Skagway
Skwentna	Mat-Su Borough
Soldotna	Kenai Peninsula
South Naknek	Bristol Bay Borough
Squaw Harbor	Aleutians East
St. George Island	None*
St. Mary's	Ceñaliulriit CRSA
St. Michael	Bering Straits CRSA
St. Paul	St. Paul
Stebbins	Bering Straits CRSA
Sterling	Kenai Peninsula
Sunrise	None*
Sutton	Mat-Su Borough
Talkeetna	Mat-Su Borough
Tatitlek	None*
Tazlina	None*
Teller	Bering Straits CRSA

*Note: "None" means a coastal community not within a coastal district.

CITY	DISTRICT
Tenakee Springs	None*
Thorne Bay	Thorne Bay
Tin City	Bering Straits CRSA
Togiak	Bristol Bay CRSA
Toksook Bay	Ceñaliulriit CRSA
Tolstoi Bay	None*
Trapper Creek	Mat-Su Borough
Tuluksak	Ceñaliulriit CRSA
Tuntutuliak	Ceñaliulriit CRSA
Tununak	Ceñaliulriit CRSA
Tutka Bay	Kenai Peninsula
Twin Hills	Bristol Bay CRSA
Two Moon Bay	None*
Tyonek	Kenai Peninsula
Ugashik	Lake and Peninsula
Umiat	North Slope Borough
Unakwik Inlet	None*
Unalakleet	Bering Straits CRSA
Unalaska	Aleutians West CRSA
Ungalik	Bering Straits CRSA
Valdez	Valdez
Wainwright	North Slope Borough
Wales	Bering Straits CRSA
Wasilla	Mat-Su Borough
Whale Pass	None*
White Mountain	Bering Straits CRSA
Whittier	Whittier
Willow	Mat-Su Borough
Wrangell	Wrangell
Yakutat	Yakutat

For more information contact:

The Alaska Coastal Management Program
Juneau — 907- 465-3075
Anchorage — 907-269-7470

*Note: "None" means a coastal community not within a coastal district.

Division of Coastal and Ocean Management

CZMA fund summary

State Fiscal Year 2008 (federal FY 2007)

Section 306- Program Implementation	Federal Funds	State Funds (match)	Total	Notes
Requires 1:1 Match				
DCOM Admin/Implementation of program	$769,500.00	$1,214,500.00	$1,983,999.00	DCOM overmatches federal funds to make up for coastal district match (see below)
Coastal District Plan Development and Implementation	$710,000.00	$265,000.00	$975,000.00	DCOM meets the additional match requirements of $445,000.00
State Agency Implementation	$487,500.00	$487,500.00	$975,000.00	State agencies meet required 1:1 match
Total 306 Funds	**$1,967,000.00**	**$1,967,000.00**	**$3,933,999.00**	

Section 309 - Result in Program Change	Federal	State Funds (match)	Total	Notes
No Match Required				
DCOM Publications/Communications	$103,248.00	$0.00	$103,248.00	Outreach & Education
Competitive Grants	$272,000.00	$0.00	$272,000.00	Coastal districts and state agencies compete for funds to make a program change or implement a change to the ACMP.
Information Tech	$97,759.00	$0.00	$97,759.00	Business Information System for DNR
Coastal Nonpoint Source Pollution	$62,993.00	$0.00	$62,993.00	Sub-Awarded out to District(s)
Total 309 Funds	**$536,000.00**	**$0.00**	**$536,000.00**	

SB 19

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 1/21/09

FURTHER: (State Affairs)
Judiciary

Date of 5-Day Notice: Thurs. Jan 29, 2009
(in accordance with Uniform Rule 23)

DATE TURNED IN TO OFFICE: 2/5/09

Community and Regional Affairs Committee considered SENATE BILL NO. 19

SB 19 COMPLAINTS AGAINST PEACE OFFICERS/VPSOS

"An Act relating to complaints concerning peace officers and village public safety officers and to notification to persons filing complaints concerning peace officers and village public safety officers."

and recommends:

[✓] be **replaced** with [ ] **SCS** or [✓] **CS** SB 19 (CRA)

[ ] adopt **previous** [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] attached amendment(s)

[ ] adopt _____ Letter of Intent

[ ] 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#
DPS	2/3/09			✓	1

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet	Zero	FN#

[ ] **APPROPRIATION - no fiscal note**

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	French	✓			
	Thomas	✓			
	Kookesh	✓			
	MENARD	✓			
CHAIR:	Olson			✓	

Alaska State Legislature

Senator Hollis French

SB 19 - Complaints Against Peace Officers/VPSOs

Senate Bill 19 establishes a framework that allows the Department of Public Safety to provide investigation status updates to complainants about grievances they file against peace officers. The legislation protects personnel information and the confidentiality of investigative processes while also allowing the department to provide evidence that a complaint is being taken seriously and getting reviewed for potential disciplinary action.

When a citizen files a complaint against a peace officer, the law must balance the confidentiality of the process with the legitimate need to inform the complainant about the status of the department's investigation. In instances where wrong doing has actually occurred, silence by the department may result in greater mistrust of the system, particularly if it lasts for months.

This legislation provides citizens with more information about how their government responds to their concerns, without reducing protections on confidential personnel files or hindering the objective of completing unbiased investigation processes. I ask for your support on this important piece of legislation.

Relevant Statutes:

Sec. 39.25.080. Personnel records confidential; exceptions.

(a) State personnel records, including employment applications and examination and other assessment materials, are confidential and are not open to public inspection except as provided in this section.

(b) The following information is available for public inspection, subject to reasonable regulations on the time and manner of inspection:

(1) the names and position titles of all state employees;

(2) the position held by a state employee;

(3) prior positions held by a state employee;

(4) whether a state employee is in the classified, partially exempt, or exempt service;

(5) the dates of appointment and separation of a state employee;

(6) the compensation authorized for a state employee; and

(7) whether a state employee has been dismissed or disciplined for a violation of AS 39.25.160 (l) (interference or failure to cooperate with the Legislative Budget and Audit Committee).

(c) A state employee has the right to examine the employee's own personnel files and may authorize others to examine those files.

(d) An applicant for state employment who appeals an examination score may review written examination questions relating to the examination unless the questions are to be used in future examinations.

(e) In addition to any access to state personnel records authorized under (b) of this section, state personnel records shall promptly be made available to the child support services agency created in AS 25.27.010 or the child support enforcement agency of another state. If the record is prepared or maintained in an electronic data base, it may be supplied by providing the requesting agency with access to the data base or a copy of the information in the data base and a statement certifying its contents. The agency receiving information under this subsection may use the information only for child support purposes authorized under law.

(c) The division may not assemble, or provide information respecting, individual records for commercial purposes that are outside the scope of this chapter. [Emphasis added].

It appears that this statute is inartfully drafted because it does not require a "governmental agency" that wishes to obtain an employee's medical records to establish any showing of necessity for the records. This issue arose in the present case when it was thought that someone in Governor Palin's office may have obtained copies of Trooper Michael Wooten's workers' compensation file. As drafted, any state governmental agency may obtain medical records of an injured employee by simply making the request. No showing of necessity is required. The problem is compounded because AS 23.30.395, the statute that defines terms of use for Chapter 30, does not define the term "governmental agency."

For this reason, the legislature should consider amending AS 23.30.107 (b)(1) to require that a "governmental agency" that seeks to acquire medical or rehabilitation records of an employee first establish a reasonable relationship between the request for the records and the purpose for obtaining the records.

THE SECOND RECOMMENDATION

The legislature should consider amending AS 39.25.080 to permit those who file complaints against peace officers to receive some feedback about the status and outcome of their complaint.

Sec. 39.25.080 Personnel records confidential; exceptions.

(a) State personnel records, including employment applications and examination and other assessment materials, are confidential and are not open to public inspection except as provided in this section.

(b) The following information is available for public inspection, subject to reasonable regulations on the time and manner of inspection:

(1) the names and position titles of all state employees;

(2) the position held by a state employee;

(3) prior positions held by a state employee;

(4) whether a state employee is in the classified, partially exempt, or exempt service;

(5) the dates of appointment and separation of a state employee;

(6) the compensation authorized for a state employee; and

(7) whether a state employee has been dismissed or disciplined for a violation of AS 39.25.160 (l) (interference or failure to cooperate with the Legislative Budget and Audit Committee).

(c) A state employee has the right to examine the employee's own personnel files and may authorize others to examine those files.

(d) An applicant for state employment who appeals an examination score may review written examination questions relating to the examination unless the questions are to be used in future examinations.

(e) In addition to any access to state personnel records authorized under (b) of this section, state personnel records shall promptly be made available to the child support services agency created in AS 25.27.010 or the child support enforcement agency of another state. If the record is prepared or maintained in an electronic data base, it may be supplied by providing the requesting agency with access to the data base or a copy of the information in the data base and a statement certifying its contents. The agency receiving information under this subsection may use the information only for child support purposes authorized under law.

AS 39.25.900. is captioned "Penalties" and provides as follows:

(a) A person who wilfully violates a provision of this chapter or of the personnel rules adopted under this chapter is guilty of a misdemeanor.
(b) A state employee who is convicted of a misdemeanor under this chapter or the personnel rules adopted under this chapter immediately forfeits the employee's office or position.

Discussion

In this case, there has been much said about the level of frustration that existed on the part of Sarah Palin's father Chuck Heath who filed the original complaint against Trooper Michael Wooten, and on the part of Sarah and Todd Palin, who attempted to learn the status of the investigation only to be told by Colonel Grimes that the matter was confidential by reason of AS 39.25.080. I believe their frustration was real as was their skepticism about whether their complaints were being zealously investigated. The irony is that the complaints were taken very seriously, and a thorough investigation was underway. However, the law prevented the Troopers from giving them any feedback whatsoever.

When a citizen files a complaint against a peace officer, there should be a balance in our law that on the one hand seeks to protect the confidentiality of the investigative process, but on the other recognizes that someone may have been aggrieved. At the very least, the law should provide for the release of some information to the complainant regarding the status of the case. When citizens are told no information can be released, it has the potential of engendering skepticism about whether the complaint

was taken seriously. There is likewise a great potential that the confidence we need to have in our law enforcement agencies will be undermined, and respect for those institutions will be eroded. This is especially so because in most instances, as was the case here, the officer is an employee of the very same agency that was conducts the investigation.

In sum, AS 39.25.080 should be studied to determine whether some relaxation of the law is possible to allow some feedback to a person who files a complaint against a law enforcement officer.

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: **SB 19**
() Publish Date:

Identifier (file name): **SB019-DPS-DET-02-02-09**
Title: COMPLAINTS AGAINST PEACE OFFICERS/VPSOS
Sponsor: Senator French
Requester: Senate Community and Regional Affairs

RDU: Public Safety
Component: Alaska State Troopers
Component Number: AST Detachments
2325

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2010**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**
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**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2009) cost: 0.0

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

This bill amends AS 18.65 by adding a new section (AS 18.65.120) requiring the department to provide procedures for filing complaints against peace officers employed by the department and VPSO's. It also requires the department to notify the complainant of the status or completion of the investigation and whether the complaint was found to be valid. This bill also amends AS 39.25.080 by adding a subsection which states that the disclosures made to a complainant under AS 18.65.120 are not confidential.

Passage of this legislation will have no fiscal impact on the department.

Prepared by: Lt. Rodney Dial
Division: Alaska State Troopers
Approved by: Joseph Masters, Commissioner
Department of Public Safety

Phone 907-247-4480
Date/Time 2/3/09 9:10 AM
Date

(Revised 11/19/2007 OMB)

SB 43

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 1/21/09

FURTHER: State Affairs

Date of 5-Day Notice: _____
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: _____

Community and Regional Affairs Committee considered SENATE BILL NO. 43

SB 43 SECOND VERSE OF ALASKA'S STATE SONG

"An Act adding a second verse to the official Alaska state song."

and recommends:

[ ] be **replaced** with [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] adopt **previous** [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] attached amendment(s)

[ ] adopt _____Letter of Intent

[ ] 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#

[ ] **APPROPRIATION - no fiscal note**

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
Albert Kookesh	KOOKESH	X			
Bert K. Stevens	MENARD	X			
Joe J. Thomas	THOMAS	✓			
CHAIR:	OLSON	✓			

passed out 1-28-10

Senator Linda Menard

Session
State Capitol, Room 9
Juneau, Alaska 99801
Phone: (907) 465-6600
Fax: (907) 465-3805

Interim
600 E. Railroad Ave.
Wasilla, Alaska 99654
Phone: (907) 376-3370
Fax: (907) 376-3157

Alaska State Legislature

Senate Bill 43 Sponsor Statement

Senate Bill 43 will add a second verse to the Alaska Flag Song, finally giving recognition to the history of the state flag and the contributions of the wonderful Native community.

Written by the late **Carol Beery Davis**, the second verse of Alaska's Flag Song adds **12 lines** and pays tribute to not only the aforementioned subjects but, indirectly, to the young lad who designed the flag: **Benny Benson**. Benson, of course, came up with the **eventual design** of Alaska's flag, the **Big Dipper** and **North Star** against a **dark blue background**.

After Davis wrote the **second verse** she gifted the **words** to the **University of Alaska Foundation** in **1987**. This bill will effectively pull the second verse of Alaska's Flag Song from **obscurity** and bring it to the forefront of this great state's **heritage**.

Already, Fran Ulmer, the chancellor of the University of Alaska, has endorsed **Senate Bill 43**. Ulmer, who introduced **a similar bill** when she was in the **Legislature**, summed up a major intent of **my legislation**: the first verse of the song did not recognize the **contributions Alaska Native people have made to the state**. The bill sailed through the House of Representatives, but stalled in the Senate.

The Senate had the chance to hear the Flag Song performed with both versus as we **gaveled in** on the first day of session this year. I think we can all agree the **second verse not only added a special touch,** but highlighted **music teachers' desire** to have a second verse to **teach** their choirs.

Please join me in supporting a long overdue addition of a second verse to Alaska's Flag Song.

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: SB 43
() Publish Date:

Identifier (file name): SB043-GOV-OMB-1-26-10
Dept. Affected: All
Title: Adding a second verse to the official Alaska state song
RDU
Component
Sponsor: Sen. Menard
Requester: Sen. Community & Regional Affairs Committee
Component Number

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
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**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

This legislation will not have a significant fiscal impact on any State agency.

Prepared by: Jack Kreinheder, Senior Analyst — Phone 465-4676
Division: Office of Management and Budget — Date/Time 1/26/09 9:35 AM
Approved by: Karen Rehfeld, Director — Date 1/26/2009
Office of Management and Budget

(Revised 11/6/2009 OMB)

"Alaska's Flag"

Written by Marie Drake
Composed by Elinor Dusenbury

Adopted on February 23 1955.

Sheet Music | MIDI Tune | Realaudio Song

1st Verse of Alaska's Flag Song

Eight stars of gold on a field of blue,
Alaska's flag, may it mean to you,
The blue of the sea, the evening sky,
The mountain lakes and the flowers nearby,
The gold of the early sourdough's dreams,
The precious gold of the hills and streams,
The brilliant stars in the northern sky,
The "Bear," the "Dipper," and shining high,
The great North Star with its steady light,
O'er land and sea a beacon bright,
Alaska's flag to Alaskans dear,
The simple flag of a last frontier.

2nd Verse of Alaska's Flag Song
-- Words by Carol Beery Davis

A Native lad chose the Dipper's stars
For Alaska's flag that there be no bars
Among our culture. Let it be known
Through years the Native's past has grown
To share life's treasures, hand in hand,
To keep Alaska our Great-Land;
We love the northern midnight sky,
The mountains, lakes and streams nearby.
The great North Star with its steady light
Will guide all cultures, clear and bright,
With nature's flag to Alaskans dear,
The simple flag of the last frontier.

• *Source* : *Alaska Blue Book 1993-94*, 11th ed., Juneau, Department of Education, Division of State Libraries, Archives &

Origin of Song:

The words to the song Alaska's Flag were written by Marie Drake, The Territorial Legislature adopted Alaska's Flag as Alaska's official song in 1955.

"Alaska's Flag" written by Marie Drake a long-time employee of the Alaska Department of Education, and set to music composed by Elinor Dusenbury, who husband was commander of Chilkoot Barracks at Haines from 1933 to 1936 was adopted as the official state song in 1955, and was gifted to the University of Alaska in April 1960. Carol Beery Davis wrote the second verse to "Alaska's Flag" and gifted the words (protected by copyright) to the University of Alaska Foundation in February 1987.

Carol Beery Davis, an Alaskan pioneer and poet laureate, as the maker of the second verse. While the official Alaska state song recognizes and describes Alaska's flag, the words of Davis in the second verse of "Alaska's Flag", "A Native lad chose the Dipper's stars, For Alaska's flag that there be no bars", provides recognition of Bennie Benson who designed Alaska's official flag in 1927. Benny Benson described his design of the flag:

"The blue field is for the Alaska Sky and the forget-me-not, an Alaskan flower. The North Star is for the future of Alaska, the most northerly in the union. The Dipper is for the Great Bear - symbolizing strength."

Marie Drake:

Marie Drake, author of the words to *Alaska's Flag*, the state song, was born Feburary 11, 1888. In 1907 she married James Drake in Van Wert, Ohio, where she was engaged in social work with the Y.W.C.A. and the Red

Museums.

- Copyright for *Alaska's Flag* is held by the University of Alaska. For further information contact the University Archivist at the Rasmuson Library, University of Alaska Fairbanks, Fairbanks, Alaska 99775-6808.
- Verse 2 by Carol Beery Davis. 1986.

Cross. They came to Alaska when her husband was assigned to work with the Bureau of Public Roads. In 1917, Lester Henderson was appointed first commissioner of education, and he hired Marie Drake as his secretary. She remained with the Department for 28 years, retiring July 1, 1945.

Marie Drake assumed the post of assistant commissioner of education in 1934. She edited and wrote most of the material for the department's *School Bulletin*, that was circulated throughout the territorial school system. The poem that later provided the words for the official state song first appeared on the cover of the October 1935 *School Bulletin*. In recognition of her devotion to the young people of Alaska, Marie Drake received an honorary Doctor of Letters degree from the University of Alaska in 1958. She died March 5, 1963.

- *Source : Alaska Blue Book 1993-94, 11th ed., Juneau, Department of Education, Division of State Libraries, Archives & Museums*

Benny Benson chose the background color of the flag to represent both the blue sky and the forget-me-not. The Legislature later named the forget-me-not as the official State flower. This provides another symbolic link, one between the official State flag, the official song and the official flower.

Carol Beery Davis, a longtime Juneau resident and musician, wrote a second verse to the Alaska Flag song and gifted the words (protected by copyright) to the University of Alaska Foundation in February 1987. It has been unsuccessfully proposed as an addition to the official lyrics twice. The last time, in 2002, House Bill 285 sought to officially incorporate Davis' second verse into the Alaska state song. The bill passed the Alaska House, but it died in the Senate. Because of the copyright restrictions, it is not shown here. Instead, a link to it and more detailed information is provided at the bottom of the page

Source: Wikipedia

PALACE

Dear Senator Menard,
I am delighted that you are proposing the second verse of the Alaska Flag song be adopted by the state as part of the official state song. I introduced that legislation many years ago; it passed the House but stalled in the Senate. I have long felt it important that both verses be sung on all occasions. Alaska Poet Laureate Carol Berry Davis wrote the second verse because she felt that the first verse did not recognize the contributions that Alaska Native people have made to our state. She asked me to introduce the bill, which I did and there were many people who supported it.

Years ago Carol Berry Davis gave the second verse to the University. I am not sure what rules might apply to the copyright. I am happy to have my staff look into this and help you with whatever contacts or permission is necessary in order to pursue this legislation.

Thank you so much for your work promoting the adoption of the second verse of the Alaska Flag song.

Best regards,
Fran Ulmer
Chancellor

SB 48

2/5/09 2/10/09

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 1/21/09

FURTHER: (Transportation) Judiciary

Date of 5-Day Notice: 2/5/09
(in accordance with Uniform Rule 23)

DATE TURNED IN TO OFFICE: 2/10/09

Community and Regional Affairs Committee considered SENATE BILL NO. 48

SB 48 MEETINGS OF ROAD SERVICE AREA BOARDS

"An Act exempting municipal service area boards from the requirements of conducting meetings open to the public when meeting about road conditions affected by harsh weather."

and recommends:

[√] be **replaced** with [ ] **SCS** or [√] **CS** SB 48 (CRA)

[ ] adopt **previous** [ ] **SCS** or [ ] **CS** (forthcoming CS) (_____)

[ ] attached amendment(s)

[ ] adopt _____

[ ] further referral to _____

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#
DCCED	2/9/09			√	

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet	Zero	FN#

[ ] **APPROPRIATION - no fiscal note**

SIGNATURES AND RECOMMENDATIONS	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	French			X	
	Thomas	✓			
	Kookesh	X			
	MENARD	✓			
CHAIR:	OLSON	✓			

SENATOR
GENE THERRIAULT
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Fax: (907) 488-4271

Alaska State Legislature

Senate

While in session
State Capitol
Juneau, Alaska
99801-1182
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SENATE DISTRICT F

Committee Substitute for Senate Bill 48 Sectional Analysis

AS 44.62.310(d):

(8) ...meetings by municipal boards, committees, commissions, or other similar bodies when meeting solely to act on matters that are administrative or managerial in nature.

Explanation: This committee substitute expands SB 48's original road conditions exemption to now include administrative and managerial duties which fall within a municipality's purview.

AS 44.62.310(h)(2):

(B) ...more than three members or a majority of the members, whichever is less, are present,...

Explanation: AS 44.62.310(2) defines the constitution of an "open public meeting" between members of a governmental body. AS 44.62.310(2)(A) mandates that "...more than three members or a majority of the members, whichever is less..." constitutes a meeting for governmental bodies responsible for formulating and establishing public policy. However, AS 44.62.310(2)(B) does not require this same prerequisite for advisory-only bodies; the meeting needs only to be pre-arranged. Consequentially, meeting requirements for advisory bodies (e.g.: local service district) are more stringent than those for policy making bodies (e.g.: borough assembly). The above proposed language established uniform meeting requirements for both advisory and policy making governmental bodies.

Email: Senator_Gene_Therriault@legis.state.ak.us

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SENATE DISTRICT F

Sponsor Statement

Senate Bill 48

"An Act exempting municipal service area boards from the requirements of conducting meetings open to the public when meeting about road conditions affected by harsh weather."

Alaska Statute AS 44.62.310(d) exempts certain governmental bodies from conducting meetings in accordance to the rules and guidelines governing public meetings. Senate Bill SB 48 extends this exemption to road service area board members so they may discuss and take action on adverse road conditions caused by unforeseen weather events without violating Alaska's open meetings act.

Established under Article X Section 5 of the Alaska State Constitution and AS 29.35.450-490, service area districts provide essential road maintenance, fire protection, and park and recreation services to residents living within an established city or borough. In keeping with America's federalist foundations, service areas promote local governance by encouraging residents to join together and take responsibility for providing basic community services.

AS 44.62.310-312 currently limits a service area's ability to efficiently respond to adverse weather related road conditions. Unless a public meeting is first scheduled and held, board members cannot discuss and act upon time sensitive issues. Successful passage of SB 48 will grant service area districts the necessary legal authority to expeditiously initiate crucial road maintenance or repairs.

Email: Senator_Gene_Therriault@legis.state.ak.us

25th ALASKA STATE LEGISLATURE
SENATE REPUBLICAN CAUCUS

www.aksenateminority.com

SENATOR GENE THERRIAULT, MINORITY LEADER
STATE CAPITOL, ROOM 427, 465-4797 (FAX 465-3884)

SENATOR CON BUNDE
SENATOR FRED DYSON
SENATOR TOM WAGONER

Fact Sheet for : Senate Bill 48 **Contact: Ernest Prax, 465-4797**
Sponsor: Senator Gene Therriault

Short Title: Open Meetings Act: Road Service Exemption

Summary:

- Exempts road service areas from the state's open public meetings requirement (AS 44.62.310-312) so that members may hold meetings to discuss and take action on matters pertaining to road conditions affected by adverse and unforeseen weather events.

Benefits:

- Allows service districts to quickly respond to and counter weather-related road conditions without violating the statutory language of Alaska's open meetings act.

Background:

- Established under Article X Section 5 of the Alaska State Constitution and AS 29.35.450-490, service area districts provide essential road maintenance, fire protection, and park and recreation services. In keeping with America's federalist foundations, service districts promote local governance through residents joining together and taking responsibility for providing basic community services.

  AS 44.62.310-312 limits a road service area's ability to efficiently respond to road conditions caused by adverse weather. Unless a public meeting is first scheduled and held, board members cannot discuss time sensitive issues. SB 48 grants road service districts the legal authority to take any necessary action to respond quickly to unforeseen road conditions that may cause damage to the road system or inconvenience or danger to the driving public.

Created on 1/23/2009 2:28:00 PM

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SENATE DISTRICT F

SB 48 Committee Hearing Testimony List

Rene Broker: Fairbanks North Star Borough Attorney

Luke Hopkins: Fairbanks North Star Borough Assemblyman

Email: Senator_Gene_Therriault@legis.state.ak.us

Fairbanks North Star Borough

Request for Legislation

AMEND THE OPEN MEETINGS ACT FOR MUNICIPAL ADVISORY BOARDS AND COMMISSIONS WHILE PRESERVING THE INTENT AND PURPOSE OF THE ACT

The proposed legislation attempts to solve two typical problems encountered by volunteer advisory boards and commissions when attempting to comply with the Open Meetings Act. The proposed changes make the law more workable while maintaining the intent and purposes of the Act.

1. The first issue arises because some municipal volunteer boards and commissions perform managerial and administrative functions. Examples include both fire and road service area commissioners who are responsible, once the assembly approves the service area budget, to supervise and manage the affairs of the service area. These include decisions concerning when to plow the streets, whether a pothole needs to be fixed, etc. In implementing these duties commissioners are really fulfilling the role of municipal employees.

Current state law exempts most administrative and managerial activities by exempting staff meetings and gatherings. This exemption recognizes that it would be impossible to apply the Act to the everyday transactions of governmental employees confronting day-to-day issues and problems. This exemption, however, does not currently extend to members of governmental bodies that also have administrative and managerial responsibilities. Thus, volunteer boards and commissions that try to supervise and manage the affairs of a governmental entity, like a service area, often find that they must choose between complying with the Act or providing delayed and unresponsive services.

Exempting these boards and commissions when they meet only to fulfill their administrative and managerial functions allows them to effectively conduct business without harming any of the purposes or intent of the Open Meetings Act. These advisory bodies are still required to comply with the Act whenever they meet to make or discuss legislative or policy decisions, including recommending their annual budget and tax levy, adopting strategic plans, or discussing any other legislative policies.

2. The second issue arises due to an anomaly in state law. Although state law prescribes a minimum number of members necessary to constitute a meeting for policy-making bodies, this exception does not exist for advisory-only bodies. All that is required for a meeting of an advisory body is that the meeting be prearranged. Accordingly, a meeting exists under the Act if only two of a 12 member advisory body decide to meet to discuss to consider the business of the body. In this circumstance the rule for advisory bodies is **more** stringent than the rule governing actual policy-making bodies. The proposed change removes this anomaly by allowing two members of an advisory board to have a prearranged meeting as long as it does not result in a violation of the "three or a majority" rule applicable to policy-making bodies.

Article 06. OPEN MEETINGS OF GOVERNMENTAL BODIES

AS 44.62.310. Government meetings public

(d) This section does not apply to

(1) a governmental body performing a judicial or quasi-judicial function when holding a meeting solely to make a decision in an adjudicatory proceeding;

(2) juries;

(3) parole or pardon boards;

(4) meetings of a hospital medical staff;

(5) meetings of the governmental body or any committee of a hospital when holding a meeting solely to act upon matters of professional qualifications, privileges or discipline;

(6) staff meetings or other gatherings of the employees of a public entity, including meetings of an employee group established by policy of the Board of Regents of the University of Alaska or held while acting in an advisory capacity to the Board of Regents; or

(7) meetings held for the purpose of participating in or attending a gathering of a national, state, or regional organization of which the public entity, governmental body, or member of the governmental body is a member, but only if no action is taken and no business of the governmental body is conducted at the meetings.

(8) meetings by boards, committees, commissions or other similar bodies when meeting solely to act upon matters that are administrative or managerial in nature.

(h) In this section,

(1) "governmental body" means an assembly, council, board, commission, committee, or other similar body of a public entity with the authority to establish policies or make decisions for the public entity or with the authority to advise or make recommendations to the public entity; "governmental body" includes the members of a subcommittee or other subordinate unit of a governmental body if the subordinate unit consists of two or more members;

(2) "meeting" means a gathering of members of a governmental body when

(A) more than three members or a majority of the members, whichever is less, are present, a matter upon which the governmental body is empowered to act is considered by the members collectively, and the governmental body has the authority to establish policies or make decisions for a public entity; or

(B) the gathering is ***either*** *(i) prearranged* ***by more than two members, or (ii) more than three members or a majority of the members, whichever is less, are present*** *for the purpose of* considering a matter upon which the governmental body is empowered to act and the governmental body has only authority to advise or make recommendations for a public entity but has no authority to establish policies or make decisions for the public entity;

(3) "public entity" means an entity of the state or of a political subdivision of the state including an agency, a board or commission, the University of Alaska, a public authority or corporation, a municipality, a school district, and other governmental units of the state or a political subdivision of the state; it does not include the court system or the legislative branch of state government.

Fairbanks Daily News-Miner

The voice of Interior Alaska since 1903

Open and effective

Published September 3, 2008

A request by some local **road service area** commissioners for greater leeway under the state **open meetings** law seems worthy of consideration. Newspapers usually opine in favor of greater openness in government and tighter rules to make it happen. Strict application of the current law, though, causes nearly impossible problems for the small, volunteer commissions that keep many of our borough **roads** passable.

Wet summers, such as the one just concluding, can make a mess of the **roads**, especially those with gravel surfaces. Potholes are unavoidable. Washouts and soft spots are common.
Some of these problems must be fixed rapidly to avoid accidents and damage to vehicles.
Legally, commissioners must discuss and make decisions at quarterly **meetings** that are **open** to the public and announced in advance. That's reasonable and advisable.

However, Mother Nature doesn't play by the same rules. Rain clouds don't advertise in the newspaper.
Those clouds can cause damage that requires immediate work. That work may be too expensive to fit within the agreed-upon plan. Commissioners cannot legally talk with each other to reach a consensus about what to do in such situations, though, without holding a public **meeting**.

The Fairbanks North Star Borough's guidelines for **service area** commissioners explain the rules: 'If you need to speak to each other, you have enough business for a public **meeting**. To discuss work and make decisions about what will be done in the **service area** outside of a public **meeting** is a violation of the **Open Meetings** Act.'
Perhaps the problem could be solved by giving the commissions authority to delegate some actions. If not, the law may need some tweaking, because the current situation obviously doesn't provide the kind of flexibility that **road service** commissions need to do their jobs.
The revisions should be limited in scope, though. Not all **road service areas** are informal little neighborhood operations. Some spend large amounts of money. For those reasons, their actions should be not only effective but **open** to public scrutiny.

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By: Randy Frank
Introduced: 08/21/08
Adopted: 08/21/08

FAIRBANKS NORTH STAR BOROUGH

RESOLUTION NO. 2008-34

A RESOLUTION URGING THE ALASKA STATE LEGISLATURE TO REQUEST A STATE LAW CHANGE TO THE OPEN MEETINGS ACT WITH REGARDS TO ROAD SERVICE AREA COMMISSIONS

WHEREAS, there are a variety of rules, regulations, and procedures in Alaska State Law governing the conduct of public meetings, which are intended to ensure that decisions made and actions taken are public knowledge and represent the will of the public that the governing body serves. One of these is the state's Open Meetings Act; and

WHEREAS, the Open Meetings Act requires that all meetings of public bodies are open to the public and that the public body must provide reasonable notice of its meetings. In essence, the Open Meetings Act protects the public's right to know. To accomplish this, the act requires that:

- All deliberations and action taken by a public entity must be done in public view, with limited exceptions;
- The public must be provided prior knowledge of all steps occurring in the decision making process, with limited exceptions; and
- Individual actions of an official are made known.

WHEREAS, in order for these requirements to have full effect, meetings must occur as provided in the notice; and, with few exceptions, the public must be allowed to involve itself in the meeting; the public must also have access to materials being considered during the meeting; and

WHEREAS, with regard to advisory only bodies such as the Fairbanks North Star Borough Road Service Area Commissions, current law dictates that a meeting is:

- a gathering
- of any number of members of the body
- prearranged
- for the purpose of considering any matter upon which the body is empowered to act; and

WHEREAS, Service Area Commissions have management and maintenance duties to perform, requiring some discussion between commissioners thus making compliance with current state law difficult to comply with; and

WHEREAS, exemption from and/or amendments to the following areas of the Act are requested:

- Specify the number of members of an advisory body required for action to constitute a meeting as defined in AS 44.62.310(h)(2)(B);
- Include an exemption in AS 44.62.310(d) when governmental bodies such as Service Area Commissions meet to act on behalf of the borough to supervise and manage the affairs of the service area, to implement policies and programs to protect the safety of the public and preserve the service area's capital assets in a fiscally prudent manner, and other duties considered managerial in nature;

NOW, THEREFORE, BE IT RESOLVED by the Fairbanks North Star Borough Assembly requests that a recommendation be made to the Alaska State Legislature to amend state law to change the Open Meetings Act to allow Road Service Area Commissions to effectively conduct business within their areas.

BE IT FURTHER RESOLVED that the FNSB Assembly Road Service Area Committee supports a change to the Open Meetings Act.

BE IT FURTHER RESOLVED that a copy of this resolution shall be forwarded to the Alaska Interior Delegation.

PASSED AND APPROVED THIS 21st DAY OF AUGUST 2008.

Nadine Winters
Presiding Officer

ATTEST:

Mona Lisa Drexler, MMC
Municipal Borough Clerk

Ayes: Brown, Beck, Frank, Musick, Sattley, Stringer, Hopkins, Foote, Winters
Noes: None

SB 85

STATE OF ALASKA

DEPARTMENT OF LAW
CRIMINAL DIVISION CENTRAL OFFICE

SARAH PALIN, GOVERNOR

Mailing: PO Box 110300
Juneau, AK 99811-0300
Physical: 123 4th Street, Ste 717
Juneau, AK 99801
Phone: (907) 465-3428
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January 27, 2009

Senator Donald Olson, Chair
Senate Community and Regional Affairs Committee
Alaska State Capitol, Room 514
Juneau, Alaska 99801

Re: An act relating to limitation on transporting alcohol to local option communities, minor consuming, and civil fines for licensees.

Dear Chairman Olson:

I am writing to respectfully request that you schedule the referenced bill for hearing in the Senate Community and Regional Affairs Committee at your earliest convenience. The bill builds on the recent alcohol enforcement efforts made by the legislature, by reducing the amount of alcohol a person may possess in or transport to a damp community before raising the presumption that the possession or transportation was for illegal sale of the alcohol. The bill makes conforming changes to the amount of alcohol that package stores may send to damp communities, and the penalties for bootlegging alcohol.

The bill also would impose civil penalties on a liquor licensee whose agents or employees are convicted of furnishing alcohol to a minor on the licensee's premises. For a first conviction, the ABC Board would send a warning letter to the licensee. For second and subsequent convictions, the Board would impose a civil fine of $1,000. Most liquor licensees are very responsible in emphasizing the importance of refusing to sell alcohol to minors. For the few that are not, this would encourage them to stress the importance of the law to their employees and agents.

Last, the bill makes two corrections in legislation adopted last year. The legislation that changed the probation period for minor consuming had a minor error. Second, the legislation that adopted mandatory minimum penalties for bootlegging needs amendment to conform to the mandatory minimum penalties for drunk driving.

In support of this bill we plan to have witnesses from the Division of Behavioral Health, the ABC Board, and a participant in the Rural Justice Commission.

Thank you for your consideration of this request.

Sincerely,

TALIS J. COLBERG
ATTORNEY GENERAL

By: Richard Svobodny
Richard A. Svobodny
Deputy Attorney General

RAS:ADC: sf

SENATE BILL 85
Sectional Analysis

Section 1 addresses the amount of alcohol that a person may possess in or send to a damp community, the possession or sending of which would create a rebuttable presumption that it was for the purpose of illegal sale of the alcohol. A damp community is one that has elected to allow possession but not the sale of alcohol in their community.

Current law provides that a person may possess in or send to a damp community 10 ½ liters (or 14 fifths) of distilled spirits; 24 liters (or 32 bottles) of wine; and 12 gallons (about 21 - 12 ounce six packs) of malt beverages each calendar month before giving rise to the rebuttable presumption that the possession or transporting is for the illegal sale of the alcohol.

Section 1 of Senate Bill 85 reduces the amounts that give rise to the rebuttable presumption to three liters (or four fifths) of distilled spirits; 12 liters (or 16 bottles) of wine; and six gallons (about 11 - 12 ounce six packs). A person could possess or transport these amounts each month without giving rise to the rebuttable presumption.

Section 2 amends the law that requires package store liquor licensees who send alcohol to persons living in damp communities to check a statewide database before sending alcohol to a person. The licensee may not send alcohol if the person has already received the amount of alcohol that gives rise to the rebuttable presumptions described in Section 1. Section 2 amends the law to conform to the changes in the presumptive amounts described in Section 1.

Section 3 adopts civil penalties for liquor licensees whose agents or employees are convicted of furnishing alcohol to a minor on the licensee's premises. Under current law there are no certain legal consequences for the owner of a bar or liquor store if an employee sells alcohol to a minor. The bill requires Alaska Alcoholic Beverage Control Board to send a warning letter to the licensee the first time the licensee's agent or employee is convicted of furnishing alcohol to a minor on his or her premises. For a second or subsequent conviction by an agent or employee, the ABC board would impose a civil fine of $1,000.

Sections 4 and 5 correct a minor error in legislation adopted last year that reduced the probation period for minors convicted of consuming alcohol. The law addressing minor consuming in Alaska places progressive penalties on minors who consume alcohol. These sections clarify that the penalties imposed for second and third

convictions will be imposed on all minors who have the requisite prior conviction or convictions.

Section 6 addresses the penalties for bootlegging, that hinge on the amount of alcohol illegally transported into a local option community. Under current law a bootlegger commits a class A misdemeanor (maximum term of incarceration one year) if the amount of alcohol illegally transported is less than 10 ½ liters of distilled spirits, 24 liters of wine, or 12 gallons of malt liquor. The bill would reduce the amount that delineates a class A misdemeanor to less than three liters of distilled spirits, 12 liters of wine, and six gallons of malt liquor.

Section 6 makes conforming changes for felony bootlegging. Bootlegging more than the amounts described above would be a class C felony. A third conviction of bootlegging the lower amounts within 15 years of the two prior convictions is also a class C felony.

Section 7 corrects a provision in legislation enacted last year that intended to adopt mandatory minimum penalties for bootlegging that are similar to the mandatory minimum penalties for drunk driving. Because the definition of prior conviction for bootlegging is different from that for drunk driving, the legislation did not adopt a mandatory minimum for the first time conviction of felony bootlegging. Senate Bill 85 amends the penalties for felony bootlegging so that the penalties are the same as those for felony drunk driving.

Sections 8 and 9 include applicability and effective date provisions.

Patty Krueger

From: Lucy Apatiki [vbclucy@yahoo.com]
Sent: Monday, February 16, 2009 3:56 PM
To: Sen. Donny Olson
Subject: SB85

Community and Regional Affair Chairman
Senator Donald Olson

Dear Senator Olson,

This is a letter of support for SB 85. As you may recall we had the great honor of meeting with you on February 12 regarding this important bill. I want to thank you for giving us opportunity to voice our concerns. I am in total support of this bill. We in rural Alaska deal with too many tragedies related to alcohol abuse. Anything that will lessen the problem will be helpful. I believe as we continue to work together we can be a part of the solution.

Again, thank you for your time.

Sincerely,

Lucy Apatiki, SW student

RE: HB 91 – SB 85 Box 2114 Bethel

From: Kent Harding – Bethel, Alaska – kharding@unicom-alaska.com

In contrast to the many logical arguments in favor of local options to limit importation or prohibit alcohol, the one decisive argument against such a measure is purely pragmatic, local option and prohibition doesn't work. It should work, but it doesn't. What brought about the Twenty First Amendment Repeal was the slowly dawning awareness that alcohol prohibition wasn't working. The Alaska Legislature should not amend the Local Option Statue because: People will still get drunk, still become alcoholics, still suffer delirium tremens. Drunken drivers will remain a frequent menace on the highways. Drunks will continue to commit suicide, to murder others, and to be murdered by others. The courts, jails, hospitals, and mental hospitals will still be filled with drunks.

Instead of consuming alcoholic beverages manufactured under the safeguards of state and federal standards, for example, people will drink homebrew, rotgut, or white lightening, some of it adulterated, some of it contaminated. Some will use methyl alcohol, a poison, because ethyl alcohol is too costly, it can lead to blindness and death; adulterants most often found in bootleg beverages, can produce paralysis and death.

There most likely will be a shift from relatively mild light wines and beers to hard liquors that are less bulky and therefore less hazardous to manufacture, transport, and sell.

Some will argue that all that is wrong is lack of effective law enforcement. So enforcement budgets may be increased, more Alcohol Agents may be hired, arrests can be facilitated by giving agents more power, penalties can be escalated. But prohibition still won't work.

The use of other drugs will increase, The list is long and can be lengthened, but we need not belabor the obvious.

The Twenty-first (Repeal) Amendment left power in the states to retain statewide alcohol prohibition, and made it a federal offense to ship alcoholic beverages into a dry state. Statewide alcohol prohibition, however, failed like national prohibition. State after state repealed its statewide alcohol prohibition laws; Mississippi's, in 1966, was the last to go.

All drugs, including alcohol, have important medicinal or social uses. All are subject to the same kinds of misuse. Establishing a social policy designed to maximize the benefits and to minimize the damage done by these drugs is a challenge for all of us.

But the first step is to make known the simple fact that the widely publicized perils of barbiturates are in fact the perils of alcohol, and that other drugs in this class are not without hazard. When the Alaska Legislature eventually arrives at a sound law or statue for any of these drugs, this law or statue should be a consistent for all of them.

"Consider one of the most perplexing questions of our time: Where do' solutions go when a candidate gets elected?"

A Alaska Legislator was once asked about his attitude toward whiskey. "If you mean the demon drink that poisons the mind, pollutes the body, desecrates family life, and inflames sinners, then I'm against it. But if you mean the elixir of Christmas cheer, the shield against winter chill, the taxable potion that puts needed funds into public coffers to comfort little crippled children, then I'm for it. This is my position, and I will not compromise."

To:(907) 465-4821 From:(907) 452-3812

Petition Against
S.B. 85

Thank
you!!

1	Craig Berg	FBKS AK 99701
2	Mickie Beer	FBKS AK 99701
3	Melodee Weber	FBKS AK 99701
4	Tanya Capps	FBK. AK 99701
5	Dennis Chilkis	Fbks Ak 99707
6	Dale Imus	FBKS AK 99706
7	Dan F Radenbaugh	NORTH POLE AK 99705
8	Tom Lynch	2509 AISTON RD Fairbanks
9	Merlyn Alden	3010 Picket FBKs AK
10	Joseph Smith	9910 Picket Fly FAIRBKS AK
11	Carol J. Podkaas	FAIRBANKS, AK 99701
12	Collin Wadnick	North Pole 99705
13	Randy Boyer	FB Ak 99701
14	Robert Thronsen	F.B.ks Ak. 99701
15	Art Thorness	North Pole 99705-5019
16	B Sanborn	FBKS AK 99701
17	Douglas R Cook	FBKS AK 99709
18	Mary Jilken	Fbks Ak 99705
19		North Pole Ak 99705
20		PUBLIC 72202 FBKS AK 99701, 99701
21	W Howe	229 EUREKA AVE.
22		PO BOX 10903 FBKS 99710
23	Robin Osborn	FBKS, 99708

2/17/09

I appose to the passing of SB 85. Which would decrease the Limit of alcohol sent to damp communities. I believe strongly that the passing of this bill would only increase the amount of bootlegging and other problems. there are in damp communities. The increase in bootlegging would increase in the amount of people going to prison, in which in the long run increase taxes, to keep up on the prisons growing number of people to take care of, so PLEASE vote NO to SB 85.

We only had a Few hours to get this many signatures. Just think of how many signatures we could have gotten with more time. This bill is not just effecting the Few damp communities this is going to everyone that lives in this state. All the businesses that ship to these towns. All the tax payers. Everyone!!

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: SB 85
(S) Publish Date: 1/26/09

Identifier (file name): 0009-DOA-PDA-1-15-09
Dept. Affected: Administration
Title: Bill relating to limitation on possessing, sending, shipping or or bringing alcoholic beverages
RDU: Legal and Advocacy Services
Component: Public Defender Agency
Sponsor: Rules Committee
Requester: Governor
Component Number: 1631

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2010**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	***	0.0	***	***	***	***	***
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							
FUND SOURCE		(Thousands of Dollars)					
1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	***	0.0	***	***	***	***	***

Estimate of any current year (FY2009) cost:

POSITIONS							
Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

This bill lowers the amount of alcohol that may be possessed or shipped in local option communities without a presumption that a person possessed or imported the alcohol with intent to sell it. This may increase the costs of providing criminal defense representation in alcohol importation cases, although it may also reduce the costs associated with other types of alcohol related crimes. The fiscal impact of this legislation cannot be accurately determined, and therefore, the Agency submits an indeterminate fiscal note.

Prepared by: Quintan Steiner, Director — Phone 907 334-4414
Division: Public Defender Agency — Date/Time 1/15/2009, 4:00 PM
Approved by: Rachael Petro, Deputy Commissioner — Date
Department of Administration

(Revised 9/10/2008 OMB)

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: SB 85
(S) Publish Date: 1/26/09

Identifier (file name): 0009-DOA-OPA-1-20-09
Dept. Affected: Administration
Title: An Act relating to limitations on possessing, sending, shipping, transporting, or bringing alcoholic beverages . . . .
RDU: Legal and Advocacy Services
Component: Office of Public Advocacy
Sponsor: Rules Committee
Requester: Governor
Component Number: 43

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2010**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	***	0.0	***	***	***	***	***
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	***	0.0	***	***	***	***	***

Estimate of any current year (FY2009) cost: _____

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

This bill lowers the amount of alcohol that may be possessed or shipped in local option communities without a presumption that a person possessed or imported the alcohol with intent to sell it. This may increase the costs of providing criminal defense representation in alcohol importation cases, although it may also reduce the costs associated with other types of alcohol related crimes. The fiscal impact of this legislation cannot be accurately determined, and therefore, OPA submits an indeterminate fiscal note.

Prepared by: Rachel Levitt, Director — Phone (907) 269-3504
Division: Office of Public Advocacy — Date/Time 1/20/09, 3:30 p.m.
Approved by: Rachael Petro, Deputy Commissioner — Date
Department of Administration

(Revised 9/10/2008 OMB)

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: 3
Bill Version: SB 85
(S) Publish Date: 1/26/09

Identifier (file name): 0009-DOC-OC-1-16-09
Dept. Affected: DOC
Title: An Act relating to limitations on possessing, sending, shipping transporting, or bringing alcoholic beverages . .
RDU: Adminstration & Support
Component: Office of the Commissioner
Sponsor: Rules Committee
Requester: Governor
Component Number: 694

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2010**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	***	***	***	***	***	***	***
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	***	***	***	***	***	***	***

Estimate of any current year (FY2009) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

The intent of this bill is to reduce the illegal importation of alcohol with a subsequent reduction in other associated crimes, such as assault and domestic violence. Criminal justice professional opinions and anecdotal information link the majority of assault arrests and convictions to alcohol abuse.

While this legislation would increase the number of offenders incarcerated for bootlegging, locking up bootleggers, especially repeat offenders, could result in a decrease in the incarceration rate for alcohol-related assaults and other crimes. Although the fiscal impact is indeterminate, it is anticipated that the overall impact could be a net zero if not a reduction in the total number and cost of incarcerated offenders. (continued on page 2)

Prepared by: Leslie Houston, Director — Phone (907) 465-3339
Division: Administration and Support — Date/Time 1/16/09 3:45 PM
Approved by: Dwayne Peeples, Deputy Commissioner — Date 1/16/2009
Department of Corrections

(Revised 9/10/2008 OMB)

FISCAL NOTE #3

STATE OF ALASKA
2009 LEGISLATIVE SESSION

BILL NO. SB 85

ANALYSIS CONTINUATION

Data is not available for the department to calculate the number of offenders that would be sentenced and for what length of time under Section 6 of the bill.

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: **SB 85**
() Publish Date:

Identifier (file name): **SB085-DPS-DET-02-02-09**
Title "An Act relating to limitations on alcohol."
Sponsor Rules by request of the Governor
Requester Senate Community and Regional Affairs

Public Safety
RDU Alaska State Troopers
Component AST Detachments
Component Number 2325

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2010**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**
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**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2009) cost: 0.0

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

This bill amends AS 04.11.010(c) (Presumption concerning possession / alcohol) by lowering the amount of alcohol a person may possess, import or transport in a local option community; adds new subsections to AS 04.11.575 (Civil fine) regarding the violation of AS 04.16.052(a) (Furnishing / Minor) penalties for a licensee . This bill also makes procedural changes to AS 04.16.050 (C) (Minor in possession / alcohol) concerning probation. Finally, this bill amends 04.16.200 (e) (Penalties) by adjusting the limits in conformance with the aforementioned changes requested for AS 04.11.010(c).

The Department does not anticipate a fiscal impact as a result of this bill.

Prepared by: Lt. Rodney Dial — Phone 907-247-4480
Division Alaska State Troopers — Date/Time 2/3/09 9:11 AM
Approved by: Joseph Masters, Commissioner — Date
Department of Public Safety

(Revised 11/19/2007 OMB)

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: 5
Bill Version: SB 85
(S) Publish Date: 1/26/09

Identifier (file name):
Dept. Affected: LAW
Title: An Act relating to limiting the possession, importation, shipping, or transporting of alcoholic beverages into a local option area.
RDU: CRIMINAL
Component: Criminal Justice Litigation
Sponsor: Rules Committee
Requester: Governor
Component Number: 2202

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2010**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	***		***	***	***	***	***
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	***		***	***	***	***	***

Estimate of any current year (FY2009) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

This bill imposes new limits on the possession, importation, shipping, or transporting of alcoholic beverages into a local option area. The bill also reduces the amount of alcohol a package store may send to a person living in a local option area each month, and would make a similar change in the threshold amount of alcohol necessary to incur penalties for bootlegging alcohol. Finally, the bill imposes new sanctions for liquor licensees whose agents or employees furnish alcoholic beverages to a person under age 21. It is difficult to predict with any certainty what additional criminal prosecutions will result with passage of the bill; however, when considered in combination with the potential reduction in alcohol related crime such as assualt, domestic violence, etc. the fiscal impact can only be described as indeterminate at best.

Prepared by: Robert Meiners, Deputy Director — Phone 907-465-5427
Division: Administrative Services Division — Date/Time 1/20/09 4:00 PM
Approved by: Talis Colberg, Attorney General — Date 1/20/2009
Department of Law

(Revised 9/10/2008 OMB)

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: **SB085**
() Publish Date:

Identifier (file name): **SB085-DHSS-BHA-02-02-09**
Dept. Affected: Health & Social Services
Title: Alcohol: Local Option/Licensing/Minors
RDU: Behavioral Health
Component: Behavioral Health Administration
Sponsor: Rules by Request of the Governor
Requester: Senate CRA
Component Number: 2665

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2010**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**
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**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES (0)							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2009) cost: 0.0

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

This bill will have no significant fiscal impact on Behavioral Health. The activities and strategies outlined in the bill, while significantly assisting Behavioral Health in the work of preventing and treating alcohol use, abuse and dependency among our citizens, will not directly impact our fiscal needs or operating budget.

Prepared by: Melissa Stone
Phone 269-3410
Division: Behavioral Health
Date/Time 1/30/09 5:00 PM

Approved by: Alison Elgee, Assistant Commissioner
Date 2/2/2009
DHSS Finance Management Services

(Revised 9/10/2008 OMB)

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 1/26/09

FURTHER: (Judiciary) Finance

Date of 5-Day Notice: 1/29/09
(in accordance with Uniform Rule 23)

DATE TURNED IN TO OFFICE: 2/17/09

Community and Regional Affairs Committee considered SENATE BILL NO. 85

SB 85 ALCOHOL: LOCAL OPTION/LICENSING/MINORS

"An Act relating to limitations on possessing, sending, shipping, transporting, or bringing alcoholic beverages to a local option area and to penalties for violations of those limitations; relating to probation for minor consuming or in possession or control of alcoholic beverages; relating to civil fines for liquor licensees whose agents or employees furnish alcoholic beverages to a person under 21 years of age; and providing for an effective date."

and recommends:

[✓] be **replaced** with [ ] **SCS** or [✓] **CS** SB 85 (CRA)

[ ] adopt **previous** [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] attached amendment(s)

[ ] adopt _____ Letter of Intent

[ ] 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#
DHS	2/2/09			✓	6
DPS	2/3/09			✓	7

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet	Zero	FN#
ADM	1/15/09		✓		1
ADM	1/20/09		✓		2
COR	1/16/09		✓		3
LAW	1/20/09		✓		5

[ ] **APPROPRIATION - no fiscal note**

SIGNATURES AND RECOMMENDATIONS	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	French			X	
Senator Menard	MENARD	X			
Senator Kookesh	KOOKESH	X			
CHAIR:	OLSON			✓	

SB 93

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 2/4/09

FURTHER: Finance

Date of 5-Day Notice: _____
(in accordance with Uniform Rule 23)

DATE TURNED IN TO OFFICE: 2/12/09

Community and Regional Affairs Committee considered SENATE BILL NO. 93

SB 93 MUNICIPAL AIR QUALITY PROPERTY TAX CREDIT

"An Act relating to a municipal property tax credit for an improvement that aids in improving air quality."

and recommends:

[ ] be **replaced** with [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] adopt **previous** [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] attached amendment(s)

[ ] adopt _____ Letter of Intent

[✓] 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#
DCCED	2/9/2009			✓	

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet	Zero	FN#

[ ] **APPROPRIATION - no fiscal note**

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	French	X			
	Thomas	✓			
	MENARD	✓			
CHAIR:	OLSON			✓	

Senator Joe Paskvan

Alaska State Senate • District E • Fairbanks • Ft Wainwright

Senate Bill 93 - Municipal Air Quality Property Tax Credit

Sponsor Statement

Some communities in Alaska have been designated as non-attainment areas for PM 2.5 by the EPA. Based on the requirements of the Clean Air Act, the state and those impacted local governments have three years to develop attainment plans designed to bring air quality into compliance with federal air standards.

SB 93 is needed as a first step to allow local municipalities the latitude in developing tax credit programs to address the important public health and community compliance issues that result from poor air quality.

Senate Bill 93 is designed to provide optional tools to municipalities that can be used to create incentives for individuals to take actions that will improve local air quality and reduce fuel consumption.

SB 93 expands the discretion of municipalities in a manner that allows, by ordinance, the creation of programs that will offer property tax credits for actions that the local governing body determines will improve air quality. This bill requires that eligibility, conditions and other criteria for the tax credits be established by ordinance.

Examples of how this proposed legislation might be used by a municipality include:

- Incentives to residents to exchange old-style wood stoves for EPA certified wood stoves. Data show that EPA certified wood stoves significantly reduce fine particulate emissions over non-EPA stoves. It is in the interest of any community with air quality nonattainment issues to have citizens who choose to heat with wood do so in the most environmentally friendly way.

- Incentives to residences or commercial businesses to improve the energy efficiency of their property. Reduced fuel consumption would lead to reduced emissions from area heating or electricity generation. Incentives could be based on calculated BTU savings, MW reductions, etc.

- Incentives to convert from carbon based energy consumption to alternative energy generation. This could involve tax credits for construction and use of a solar array or wind turbine to power/heat residential or commercial facilities.

The proposed legislation would create a full range of options for a local municipality to address air quality issues, rather than just restriction and enforcement based options.

In Juneau:
State Capitol, Juneau, AK 99801
(907) 465-3709 Office • (907) 465-4714 Fax

senator_joe_paskvan@legis.state.ak.us

In Fairbanks:
1292 Sadler Way, Ste. 308 Fairbanks, AK 99701
(907) 451-4347 Office • (907) 451-4348 Fax

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: **SB93**
() Publish Date:

Identifier (file name):SB93-CED-CRA-2-9-09
Dept. Affected: DCCED
Title: Municipal Air Quality Property Tax Credit
RDU: Community and Regional Affairs
Component: Community and Regional Affairs
Sponsor: Senator Paskvan
Requester: Senate Community and Regional Affairs Committee
Component Number: 2879

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2010**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**
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**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2009) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

This bill would allow municipalities to provide a property tax exemption based on a percentage of verifiable air quality improvement costs on a property.

The Department of Commerce, Community and Economic Development does not foresee a fiscal impact to DCCED as a result of this bill.

Prepared by: Tyson Fick, Legislative Liaison — Phone 465-2503
Division: DCCED — Date/Time 02/09/09 1:00pm
Approved by: Emil Notti, Commissioner — Date 2/9/2009
Department of Commerce, Community and Economic Development

(Revised 9/10/2008 OMB)

Achieving a healthy and affordable energy future, for itself and its fellow Alaskans, is Fairbanks' goal. Recognizing the probable negative ramifications of inaction—or wrong action—is what drives Fairbanks to pursue this goal.

4. FNSB Air Quality (PM 2.5)

Monitoring of particulate levels in urban areas within the Fairbanks North Star Borough continues to show daily exceedances of Federal limits, particularly during periods of temperature inversions. This chapter describes the status of the FNSB's particulate emissions issue.

4.1 Particulate Matter (PM) 2.5 Non-Attainment

The Fairbanks area is surrounded by hills on three sides and is susceptible to severe surface-based temperature inversions during the winter that stratify cold air near the ground. Coupled with low wind speeds, pollutants in the air get trapped up to weeks at a time and concentrate resulting in periods of poor air quality. Particulate matter is one of those pollutants. Fine particles that are 2.5 micrometers in diameter and smaller (PM 2.5) are unhealthy to breathe and have been associated with serious lung and heart problems. These particles are a mixture of microscopic solids and liquid droplets suspended in air. Sources of fine particles include all types of combustion activities (motor vehicles, power plants, wood burning, etc.) and certain industrial processes. Cold weather (near 0 degrees F and below) seems to increase the PM 2.5 levels in the Fairbanks area during temperature inversions.

In 1997, the EPA issued standards for PM 2.5 based on health studies and extensive peer review. The annual standard of 15 micrograms per cubic meter and 24-hour standard of 65 micrograms per cubic meter (µg/m3) is based on a three-year average of annual mean PM 2.5 concentrations. In September 2006, the EPA issued revised national air quality standards for PM 2.5. The daily PM 2.5 particle standard has been reduced from 65 to 35 µg/m3 of air.

In March 2007, EPA issued a rule defining requirements for states to clean the air in areas with levels of fine particle pollution that do not meet national air quality standards. EPA designates an area as "non-attainment" if it violates the fine particle standards over a three-year period. Once an area is designated as non-attainment, the Clean Air Act requires a state to submit an implementation plan to EPA within three years. This plan must include enforceable measures to reduce air pollutant emissions that form the fine particles in the atmosphere. The plan must also provide enforceable steps to attain the PM 2.5 standards and show how it will make reasonable progress toward meeting them.

States must meet the new PM 2.5 standard by 2010. In their 2008 implementation plans, states may propose an attainment date extension for up to five years. Those areas for which EPA approves an extension must achieve clean air as soon as possible, but no later than 2015.

In August 2007, the Alaska Dept. of Environmental Conservation (ADEC) published "Alaska's 2008 Air Monitoring Network Program." This document included the following statements concerning Fairbanks:

- "Fairbanks had consistently experienced the highest PM 2.5 values measured in the State."

- "Based on winter PM 2.5 levels, Fairbanks had been flirting with exceeding the annual fine particulate standard (set at 15 µg/sm3) for the past seven years. If [they are] exceeded, Fairbanks will need to control year-round PM pollution."

- "To address the needs of an Alaska PM 2.5 State Implementation Plan (SIP), the Fairbanks North Star Borough is expanding its monitoring network to better identify the magnitude, extent, and source of its winter PM 2.5 problems. This effort will see the addition of between three and five new monitoring sites operated during the winter months."

- "The 2007 PM 2.5 network so far only monitored the fine particles at the State Office Building."

4.1.1 FNSB Non-Attainment Boundary (PM 2.5)

In December 2007, ADEC sent a letter to EPA recommending that, based on the past three years of ambient air monitoring data, EPA designate all areas of the State in attainment with the annual PM 2.5 standard of 15 µg/m3. The letter also stated that Fairbanks was the only Alaska community that had exceeded EPA's new 35 µg/m3 (24-hour) standard. Enclosed with the letter was supporting information that included a recommended boundary for a Fairbanks PM 2.5 (24-hour) non-attainment area. Following are excerpts from that document concerning the proposed PM 2.5 non-attainment boundary:

- "Ambient air monitoring has been conducted at one site in downtown Fairbanks since the PM 2.5 network was established in 1999. While this site does represent the level of fine particulates in the downtown area, there is nothing to confirm that PM 2.5 concentrations exceed State and Federal fine particulate standards outside of the urban center."

- "EPA recommends that states consider nine factors in making non-attainment boundary recommendations. These nine factors include: emission data, air quality data, population density and degree of urbanization (including commercial development), traffic and commuting patterns, growth rates and patterns, meteorology (weather/transport patterns), geography/topography (mountain ranges or other air basin boundaries), jurisdictional boundaries (e.g. counties, air districts, reservations, metropolitan planning organizations [MPOs]), and level of control of emission sources."

- "Based on a number of these factors, the department (ADEC), in consultation with the Fairbanks North Star Borough, has developed a recommended boundary for a PM 2.5 non-attainment area in Fairbanks. The proposed boundary captures the air shed most likely contributing to the exceedances in Fairbanks resulting in non-attainment of the health standard based on existing monitoring data and other factors listed above."

- "Because there is only one monitoring site in Fairbanks, the monitoring data and source characterization work derived from that site is most likely not representative of the source contributions throughout the entire area."

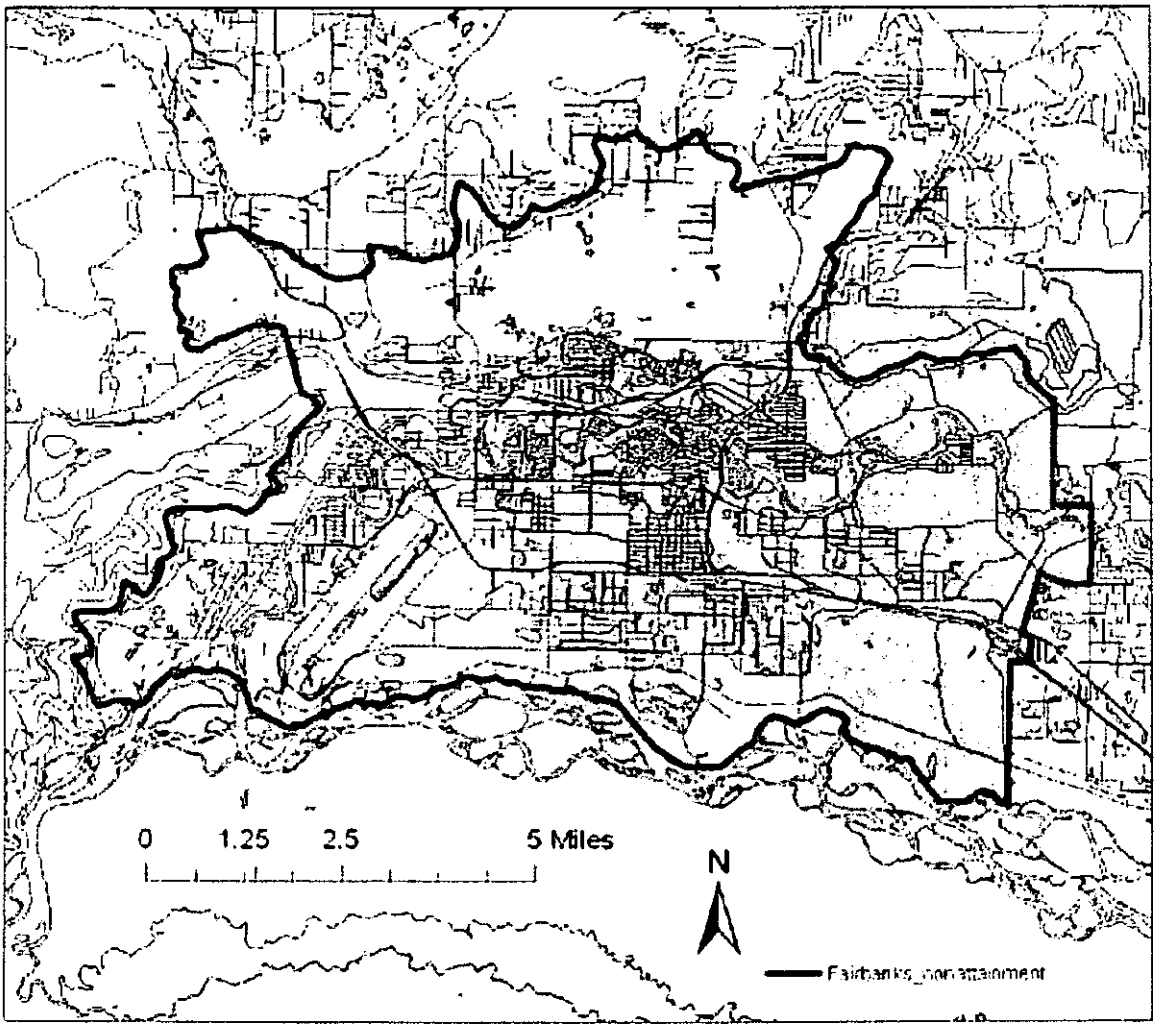
- "At this time, no monitoring data exist for the city of North Pole or other residential areas in the outlying valleys to the north of Fairbanks. At this time, there is insufficient information to suggest that North Pole or these other outlying populated areas have an air quality problem or are significantly contributing to the air quality violations occurring in downtown Fairbanks. Furthermore, some of the outlying populated areas are located at higher levels that are frequently above the inversion layer. Therefore, PM 2.5 concentrations are most likely lower than in downtown Fairbanks because areas above the inversion experience good exchange

with air masses aloft. For these reasons, they have been excluded from the proposed boundary."

- "As supplemental information and data are collected over the next several years, this boundary could be further refined. "

Figure 4-1 shows a map of the PM 2.5 non-attainment boundary originally proposed by ADEC and FNSB.

Figure 4-1: FNSB's Proposed PM 2.5 Non-Attainment Boundary



In 2007, FNSB installed a particle monitor at Nordale School and uses a mobile sniffer, known as the RAMS trailer, to gather air samples throughout the FNSB.

In April 2008, ADEC issued an updated "State Air Quality Control Plan." This document included the following statements concerning PM 2.5 emissions:

- "In a recent rulemaking with an effective date of December 18, 2006, EPA revised the level of the 24-hour PM 2.5 standard from 65 to 35 µg/m3. A review of monitoring data collected in Fairbanks in recent years shows summer values are generally low, approximately 7 µg/m3 (24-hour average), except when smoke from wildfires is transported into the downtown area (i.e., the location of the borough's PM 2.5 monitor). When this occurs, concentrations can become quite high (many multiples of the recently adopted 35 µg/m3 standard). Concentrations resulting from these conditions, however, can qualify as exceptional events. Winter values average approximately 23 µg/m3 (24-hour average), but episodically can exceed 50–60 µg/m3."

- "The entire State of Alaska is currently classified as in attainment of the PM 2.5 standard; however, barring a substantial change in wintertime concentrations, it is likely the State will recommend to EPA that Fairbanks be designated non-attainment of the revised 24-hour PM 2.5 standard in 2008/2009."

During the past three years, the Fairbanks area has exceeded the 2006 revised EPA PM 2.5 (24-hour) standard of 35 µg/m3 numerous days during the winter. Figure 4-2 shows the number of days the PM 2.5 (24-hour) standard was exceeded during the past five calendar years. The graph in Figure 4-3 shows the daily PM 2.5 (24-hour) levels in Fairbanks during the four winter months of November 2005 through February 2006.

Figure 4-2: PM 2.5 Exceedances (2003-2008)

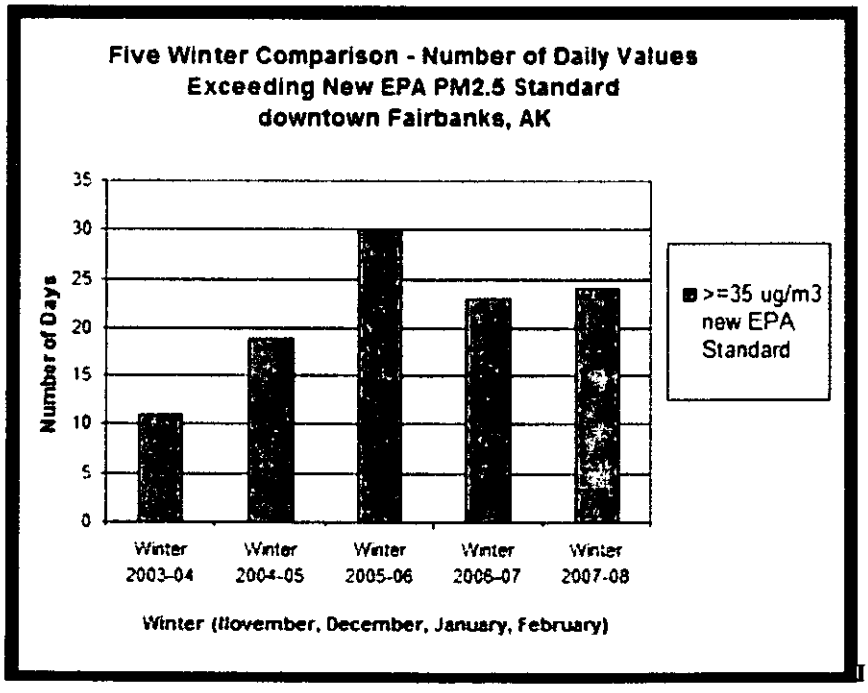
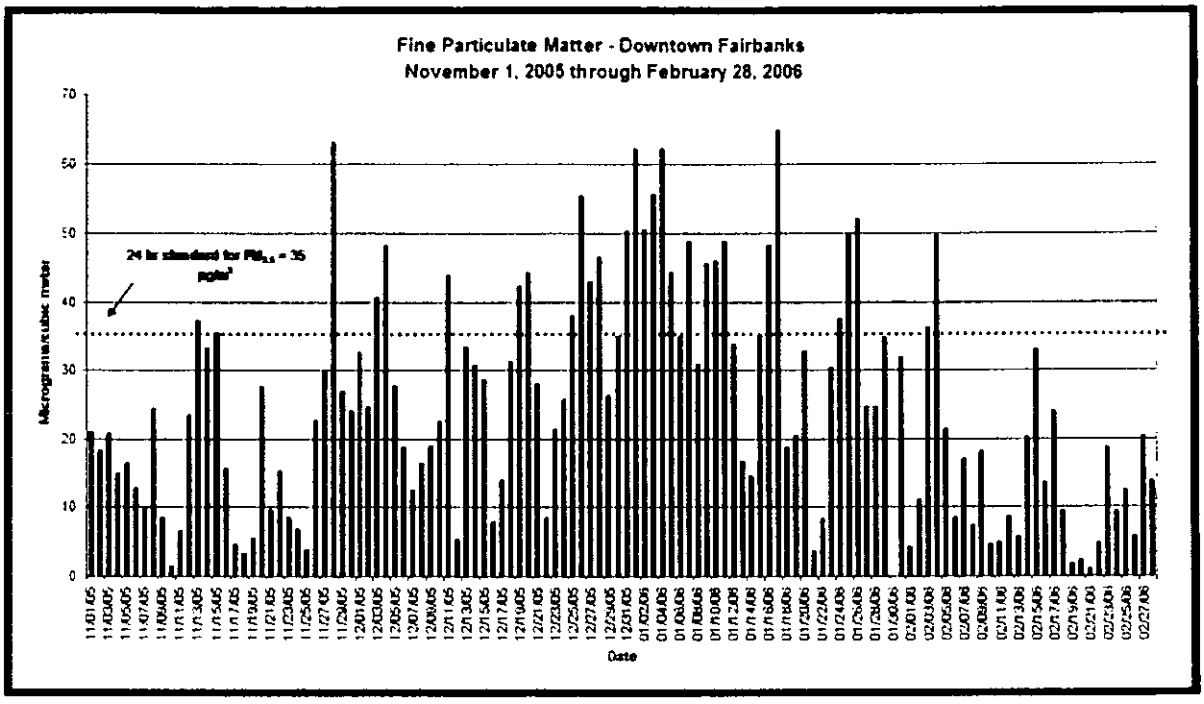
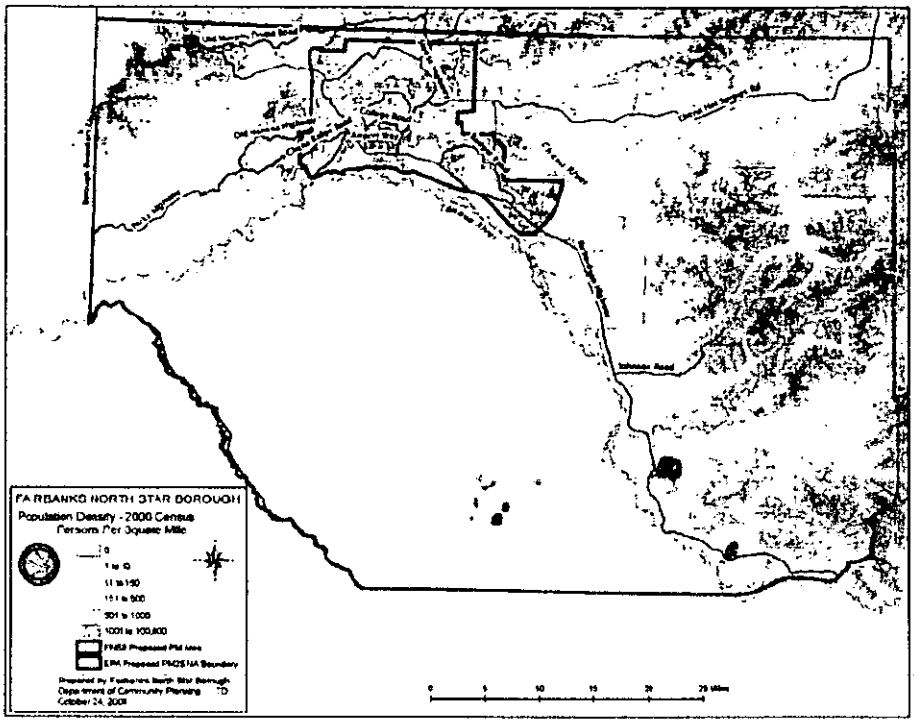


Figure 4-3: Fairbanks Daily PM 2.5 Levels (Winter 2005-2006)



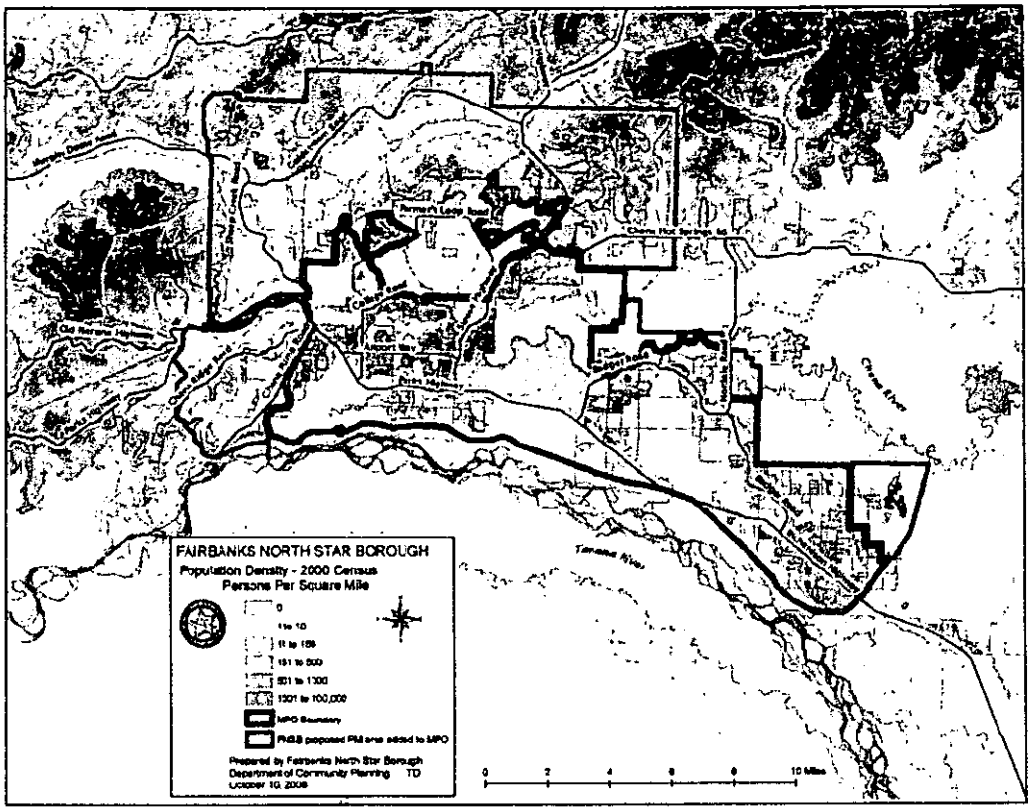
In August 2008, EPA sent a letter notifying the State of its intent to designate a portion of the Fairbanks North Star Borough (FNSB) as non-attainment and to modify Alaska's recommended FNSB non-attainment boundary. EPA encouraged the State to submit any additional information that EPA should consider concerning the FNSB PM 2.5 non-attainment boundary before October 20, 2008. Figure 4-4 shows EPA's proposed boundary. It encompasses a large area of the borough that has few or no people, such as the Tanana Flats. EPA plans to publish a notice in the Federal Register to solicit public comments on its decision and make final designation decisions for the 2006 PM 2.5 (24-hour) standard by December 18, 2008.

Figure 4-4: EPA's Proposed PM 2.5 Non-Attainment Boundary



In October 2008, the FNSB proposed a smaller PM 2.5 (24-hour) non-attainment boundary to EPA that is shown in Figure 4-5. An EPA decision on the non-attainment boundary is pending.

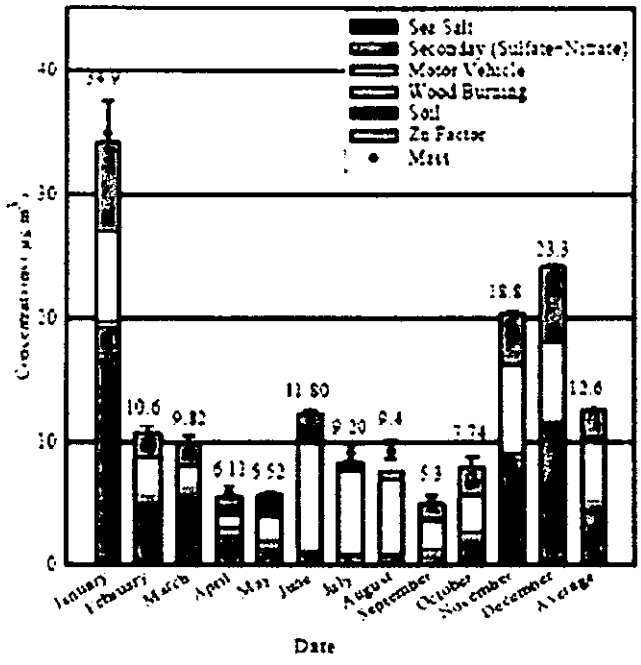
Figure 4-5: FNSB's Adjusted PM 2.5 Non-Attainment Boundary



4.2 PM 2.5 Particle Analysis

ADEC and FNSB have analyzed the samples collected in the ambient air monitors and identified possible sources of the PM 2.5 particles. They found that the winter samples contained about 40 to 55 percent of the fine PM 2.5 particles made of secondary sulfate and nitrate aerosols. Most of the remaining aerosol was contributed equally from wood burning emissions and an unknown zinc-related factor. Trace amounts were also identified as sea salt, motor vehicle emissions, and soil. Figure 4-6 summarizes these results.

Figure 4-6: PM 2.5 Particle Analysis Results



Sulfite and Nitrate Aerosols: The source of the sulfur and nitrate aerosols is most likely burning fuels that contain sulfur. Fairbanks vehicles burn significant amounts of gasoline and diesel fuel; however, the sulfur content of both fuels has been reduced dramatically in recent years. Low-sulfur diesel fuel contains 0.007 percent sulfur by weight. The sulfur content of fuel oil used for building heating contains about 0.22 percent sulfur. Although there are numerous sources in Fairbanks that burn fuel containing sulfur, the distillate fuel oils used in space heating could be a dominant source of the atmospheric sulfite and nitrate aerosols in Fairbanks during the winter.

Wood Burning Emissions: Heating fuel oil prices in Alaska have increased significantly during the past four years, and data from ADEC-sponsored building heating surveys show that more households and businesses have installed supplemental wood-burning heaters. The EPA estimates that wood stoves emit more pollutants than oil-fired furnaces—generally 30 to 250 times more particulates on a heat-equivalent basis.

Zinc-based Emissions: The source of the zinc found in the Fairbanks PM 2.5 particles is unknown at this time. Possible sources include burning of waste lubricating oils, motor vehicles burning lube oil, or distant sources of zinc mining and ore handling. Zinc is widely used as an additive in lubricating oils for diesel engines and, in lower concentrations, for gasoline-powered engines.

4.2.1 Expanded PM 2.5 Sampling Program

Starting in 2007, the FNSB expanded monitoring to determine the extent of the elevated PM 2.5 emissions. This effort continued last winter (2007-08) with three new fixed monitoring sites, a re-locatable trailer, and a mobile monitor. One of the fixed sites was placed in the Hamilton Acres area to characterize the PM 2.5 in a neighborhood setting. The FNSB placed another fixed site downtown near the State Office Building, to support those monitors with new types of monitors

that will help differentiate the sources of the PM downtown such as mobile sources. The third fixed site is on south Peger Road and monitors the roadway contributions and the effect of mobile sources such as cars and commercial vehicles.

The trailer was placed in eleven different locations in and around the Fairbanks and North Pole areas, including varying altitudes to better assess the spatial extent and inversion/particulate layer height for PM 2.5 particles.

The mobile monitor drove extensively through neighborhoods and industrial areas throughout the Fairbanks and North Pole area as well as Goldstream Valley. FNSB is using these data to assess the spatial extent as well as the local effects of hot spots (outdoor wood boilers [OWBs], poorly running woodstoves, and high-emitting vehicles).

During 2008, the FNSB Air Quality Department refined and expanded its studies further with a new fixed site in North Pole and the addition of new "speciation" monitors that provide data on the chemical types within the collected PM particles. These new instruments will help apportion the source mixture of the PM and indicate the best way to reduce and maintain PM emissions in the future. The FNSB has also expanded its meteorological monitoring to help assess any transport of PM from outside the downtown area. New meteorological measuring equipment has been set up at the South Peger and Hamilton Acres sites, and will soon operate at the North Pole site.

These new "speciation" monitors will provide data to be input into the EPA's UNMIX model as well as a Chemical Mass Balance model to help differentiate between mobile source contributions and space heating. In addition to those analyses, the information from those monitors will be analyzed for key tracers of wood burning. This should allow us to separate the wood burning sources from the rest of the sources.

A better understanding of the Fairbanks basin microclimate and the meteorological patterns that cause severe inversions is necessary so we can prevent exceedances of the PM 2.5 by applying cost-effective emission reduction practices.

4.3 PM 2.5 Standard Non-Compliance Consequences

Areas that EPA classifies as non-attainment are subject to a Federal measure known as "transportation conformity." It requires local transportation and air quality officials to coordinate planning to ensure transportation projects (road construction, etc.) do not hinder an area's ability to achieve and maintain clean air standards. Non-attainment areas also become subject to "new source review" requirements, which is a Federal permitting program designed to ensure that pollution from new and modified industrial facilities does not impede progress toward clean air.

Some of the potential negative consequences for the Fairbanks North Star Borough of not meeting and maintaining EPA's PM 2.5 (24-hour) standard could include the following:

- Unhealthy air quality during winter inversion periods leading to increased health care costs for residents, also deterring future population growth in the Fairbanks area and discouraging new businesses from locating in the Interior
- Loss of Federal highway funds along with other Federal funding streams

- Denials on submitted projects to Federal review due to continuation of non-attainment days after program implementation

- Reduced military staffing at Fort Wainwright and Eielson Air Force Base

4.3.1 Fairbanks PM 2.5 Implementation Plan

The FNSB, City of Fairbanks, City of North Pole, ADEC, and Alaska Department of Transportation and Public Facilities (DOT&PF) are working together to develop an implementation plan that will achieve and maintain the current EPA standards by reducing PM 2.5 air pollutant emissions by 2014. Population growth and increased fuel combustion in the Fairbanks area are most likely responsible for the area's PM 2.5 violations during winter months.

Following are some possible methods of reducing PM 2.5 (24-hour) levels during peak winter inversion periods:

Reduce Open Burn Periods: The FNSB currently bans open burning from November 1 through the last day of February in areas designated as Urban, Urban Preferred Commercial, Light or Heavy Industrial, or Perimeter area, with campfires as an exception. The length of the winter ban could increase and the affected area could be expanded to encompass the PM 2.5 boundary.

Reduce Distillate Fuel Emissions: The following could reduce particulate emissions from existing fuel oil-fired heating systems:

- Switch to a lower-sulfur fuel for all oil-fired building heating systems in the Fairbanks urban areas.

- Introduce annually required inspections and tune-ups on oil-fired furnaces similar to the I/M program to ensure optimum burning efficiency and low particulate emissions.

- Collaborate with other non-attainment northern tier communities across the U.S. to pursue subsidies, exceptions, waivers, retrofits, new regulatory requirements for manufacturers, etc., from Federal agencies. For example, as part of the process of reaching attainment for carbon monoxide (CO) standards in Alaska, Alaskan research conducted in the early 1980s documented that motor vehicle emissions reductions for CO were not achieved at cold temperatures because EPA tested vehicle emissions at room temperature ranges only. Efforts by Alaska and other local and state governments were successful in getting Congress to require EPA to test vehicular emissions at 20 degrees F to make sure auto manufacturers were improving combustion efficiency and the performance of pollution control devices to reduce CO emissions during cold starts. A similar effort could determine if the full benefits of the motor vehicle pollution control program are accrued at low temperatures for PM 2.5. Control of poorly tuned or broken vehicles may be necessary to address the hydrocarbon emissions that increase dramatically with low temperatures.

Reduce Wood Stove Emissions: Investigate methods of improving or restricting wood stove operation during winter inversion periods. EPA has published information on the efficiency and PM 2.5 emission rates of various wood stoves, summarized in the following two tables:

Table 4-1: Efficiencies by Stove Type

Appliance Type	Efficiency
Conventional Cordwood Stove	54%
Non-catalytic Cordwood Stove	63%
Catalytic Cordwood Stove	63%
Pellet Stove	78%

Table 4-2: Cordwood and Pellet Stove PM 2.5 Emission Factors

	Conventional Woodstove (lb/ton)	Catalytic Certified Woodstove (lb/ton)	Non-catalytic Certified Woodstove (lb/ton)	Pellet Stove	
				Exempt (lb/ton)	Certified (lb/ton)
AP-42 Emission Factors	30.6	16.2	14.6	8.8	4.2

According to EPA, certified pellet stoves had the highest fuel efficiency and the lowest PM 2.5 emission rates. Conventional wood stoves were much less efficient with the highest PM 2.5 emission rates.

Following are potential wood stove strategies that could help reduce their PM 2.5 emissions:

Restrict Wood Stoves: Restrict the installation and use of wood-burning or waste-oil heating appliances during winter inversions. This would require more information to quantify their contribution to PM 2.5 emissions in the Fairbanks and surrounding area during winter.

Wood Stove Buy-Out: Rapidly develop a trade-out of older wood stoves through a locally bonded, State, or Federally funded program that provides affordable upgrading for residents who own older or unapproved new simple wood heaters or the non-EPA approved wood boilers. Through local education, it would create an incentive to trade out rather than not comply. A successful trade-out program in Libby, Montana, could be used as a model.

Retrofit Wood Stoves: Investigate possible improvements in modes of operation or equipment modifications that could retrofit existing wood stoves to produce fewer PM 2.5 emissions.

Encourage Dry Wood Use: Discourage late season harvesting of green standing trees. Wet wood burns inefficiently and could increase particulate emissions. The FNSB could work with the State to provide residents access to supplies of dry seasoned firewood.

Reduce Waste Oil Heater Emissions: Consider restricting the use of waste oil burners during winter inversions. More information will be needed to verify that burning waste oil is the actual source of zinc-based PM 2.5 emissions in the area during the winter. Investigate whether using micron filtration can remove zinc compounds and unwanted impurities from waste oils before they are burned in the heaters.

Expand District Heating: Aurora Energy provides district heat to downtown Fairbanks through buried steam and hot water heating systems from its power plant. Expanding the existing district steam and hot water heating systems could replace individual oil-fired furnaces throughout the downtown area and surrounding subdivisions and lower PM 2.5 emission levels.

Expand Natural Gas Use: Switch existing residential and commercial oil-fired building heaters in the urban area to natural gas to reduce PM 2.5 emission levels. Fairbanks Natural Gas (FNG) has been expanding its buried distribution system and is providing heat to many Fairbanks-area buildings.

In the short term (2008-2010), we expect that implementing a combination of the methods listed above will help the Fairbanks region move toward achieving the new EPA PM 2.5 (24-hour) emission standard. We also believe that switching existing building heaters to natural gas and expanding district heat would provide the FNSB a long term solution for achieving and maintaining its air quality in compliance with EPA's PM 2.5 standards.

5. Alternatives for Energy

Though this Report's primary focus is on the use of in-state natural gas, a brief review of other alternative energy sources is appropriate. Alternative energy options are likely to be considered by individual homeowners. The most obvious is residential space heating with wood or coal stoves, which has already increased substantially in Fairbanks. These are, however, causing increased PM 2.5 air pollution problems and will require replacement of inefficient units or improvement of smoke emissions if they are to address one problem without exacerbating the other. They also cannot be considered a 50-year solution until forestry and horticultural techniques are devised and implemented on a commercial scale that might ensure sustainable cultivation of dedicated biomass-for-energy crops.

Solar panels (both photo-voltaic and solar-hydronic) for Interior Alaska are in the trial stage at homes, businesses, and the Cold Climate Housing Research Center. The cost of solar panel production must drop by a factor of at least five to be economically competitive with other potential energy sources. .

Increased wind power may be a good prospect in some areas, if priced competitively, but cannot replace more than 20 percent of total electrical needs because of base load requirements and the unpredictability of wind. In some Alaska locations, wind-generated electricity can help heat homes and reduce overall diesel fuel usage but, like solar, we cannot rely on it as a sole solution.

Because of the above constraints, the introduction of alternative energy options will be incremental and evolutionary, and will not solve the energy shortages of Alaskans in the near to medium term (2014-2034). We believe from the 100-year perspective, however, electricity from hydroelectric, geothermal, and possibly nuclear reactors will heat residences and commercial buildings, and power transport vehicles. Other alternatives may also contribute, depending on the economics, but remain outside the bounds of this analysis.

In this section we discuss four major energy alternative scenarios (here defined as energy sources other than those predominating in a particular locality, such as Cook Inlet gas in Southcentral or oil in the Interior), which assumes that Alaska natural gas is not made available

1) **Can you give an example of what kind of program might be established?**

One likely example that would be considered is a wood stove change-out program. This would allow the FNSB to provide credits to people who replace old style (higher polluting) wood stoves with EPA certified wood stoves (that have catalytic converters to re-burn combustion gases). It would likely be administered by the FNSB Air Quality staff.

2) **How much do the wood boilers cost? Can they be converted to meet EPA standards?**

Wood Boilers cost 8,000 – 12,000. Right now there is no "conversion" mechanism. We're working to see if one can be developed – but there would be no way to predict success in the near future of developing a conversion unit. If there was an identified conversion method that consumed exhaust gases – that would be another likely example.

3) **How many households are there in FNSB?** About 30,000

   a. **How many use wood boilers?** Estimate is about 1,000 (Cold Climate Housing Research currently researching this)

   b. **How many use non-EPA approved wood stoves?** Estimate is about 5-6000 woodstoves total, with an estimate of 20%-33% non-EPA. (Also on CCHRC task list)

4) **Brief history of increased EPA Standards & why?**

This provides great background on fine particulate matter.
http://www.dec.state.ak.us/air/anpms/pm/pm_bckgrd.htm

This provides specific information on Fairbanks and PM 2.5.
http://www.dec.state.ak.us/air/anpms/pm/pm2-5_fbks.htm

5) **Economic study / impact of increased EPA standards on Fairbanks/Interior - evidence of impact?**

None currently exist.

6) **EPA Timeline for compliance?** 3 years to have a Mitigation plan approved and in place.

7) **FNSB efforts toward compliance – examples (in addition to this legislation)**

$2M research effort across winters on 2008-9 and 2009-10 to characterize and identify contributing sources and control measures to work into a program.

8) **Other Allies in support of the bill: I understand Juneau is in the same situation. Anywhere else in Alaska?**

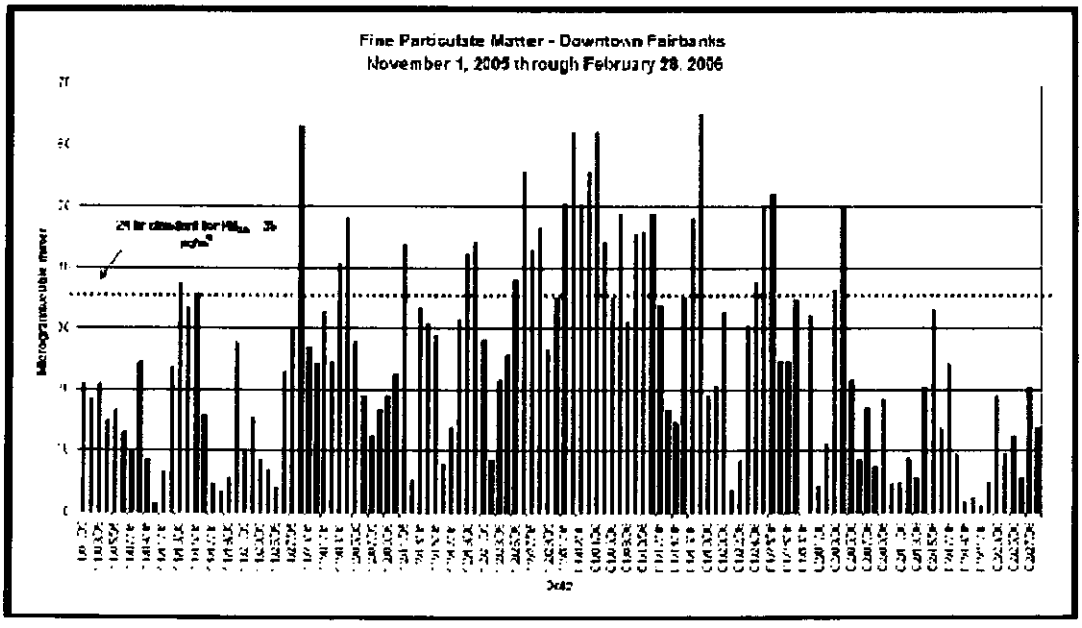
State DEC , City & Borough of Juneau are the main two on AQ.

PM2.5 and Fairbanks

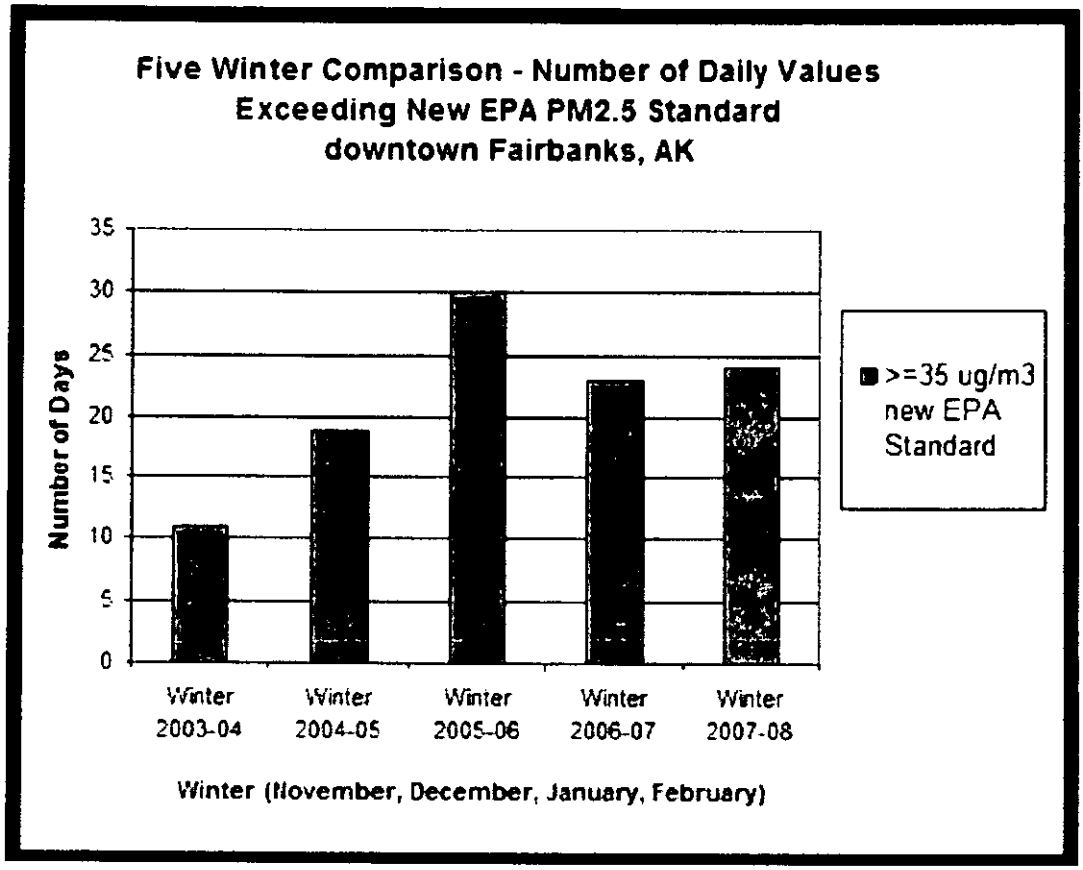
Fairbanks already has years of experience with programs associated with being in nonattainment for carbon monoxide. The reasons for Fairbanks problems with PM 2.5 may be similar. Surrounded by hills on three sides, Fairbanks is susceptible to temperature inversions which trap a layer of cold air close to the ground. Even relatively small amounts of pollution can be trapped for days, even weeks, at a time. This leads to episodes of poor air quality. Cold weather (below -10 or -15F) also seems to increase the PM2.5 levels. Fine particulates are products of combustion - burning more fuel, be it fuel oil or wood, when it is colder produces more PM2.5.

Fairbanks can be pro-active during the non-attainment process. The community can conduct studies, determine how to decrease the PM2.5 levels, and work to come into compliance prior to the attainment deadline. Should Fairbanks come into compliance, the community would not have to add control measures. This would avoid the need for the PM conformity process for federal projects.

The graph below shows the number of times PM2.5 levels in Fairbanks exceeded the September 2006 revised EPA particulate matter standard during the winter of 2005-2006. Fairbanks will likely exceed the PM2.5 standard in the years to come. Population growth, and a likely increase in use of woodstoves, seem responsible for the increasing number of PM2.5 violations.



The following chart shows the number of days the September 2006 PM2.5 Standard was exceeded in Fairbanks over the past five calendar years.



Particulate Matter - Background Information

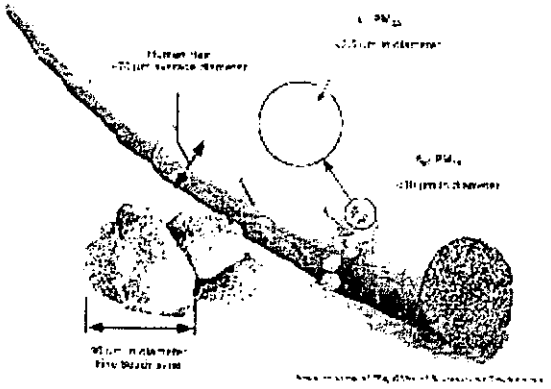
According to the Environmental Protection Agency (EPA), Particulate Matter (PM) is a "mixture of extremely small particles and liquid droplets."

Air quality professionals pay attention to particulate matter because these very small particles can cause health problems when inhaled. Specifically, particles less than 10 micrometers in diameter can pass the nose and throat and enter the lungs. A micrometer is one millionth of a meter.

Size is important to understand because the EPA classifies particulate matter as two types based on size. Alaska has problems with both types of particulate matter.

- **Coarse Particulate Matter (PM10)** is less than 10 micrometers in diameter. It primarily comes from road dust, agriculture dust, river beds, construction sites, mining operations, and similar activities. Most people in Alaska experience PM10 as dust.

- **Fine Particulate Matter (PM2.5)** is less than 2.5 micrometers in diameter. PM2.5 is a product of combustion, primarily caused by burning fuels. Examples of PM2.5 sources include power plants, vehicles, wood burning stoves, and wildland fires.



A single human hair is approximately 70 micrometers or seven of the largest PM10 particles in diameter. A single human hair is almost 30 times larger than the largest fine particle, PM2.5.

Air pollution standards are given as a mass of material in a volume of air: micrograms per cubic meter (µg/m3). A microgram is one millionth of a gram. A paper clip weighs about a gram. Imagine chopping the paperclip into a million equally sized pieces. One of those pieces would weigh about a microgram. A cubic meter (approximately 39" X 39" X 39") describes a volume of air that is about the size of a washing machine. If you place one of the million pieces of the paper clip in the space occupied by the washing machine, you would have 1 µg/m3.

NEW PARTICULATE MATTER REGULATIONS

The EPA recently updated the national standards for Particulate Matter. For PM10, the EPA retained the current 24 hour PM10 standard of 150 µg/m3 and eliminated the annual PM10 standard. The EPA increased the stringency of the PM2.5 standard by lowering the previous 24 hour standard of 65 µg/m3 to 35 µg/m3. EPA left the annual PM2.5 standard of 15 µg/m3 in place.

CONTROLLING PARTICULATE MATTER

Violations of air quality standards mean the state government and impacted communities must work together to formulate a plan to reduce particulate emissions.

PM10 - The state may recommend EPA designate areas violating the PM10 standard as "nonattainment." If EPA agrees, a process of planning and rulemaking begins for transportation related problems; these areas gain access to federal highway funds dedicated to air quality improvement. A second option might be for state and impacted communities to sign a "Memorandum of Agreement" with EPA for a pollution reduction plan. A Memorandum Of Agreement (MOA) avoids the stigma of being in "nonattainment" and provides some flexibility and timeliness in formulating a pollutant reduction plan, but does not allow special access to the air quality transportation funds.

PM2.5 - With the new PM2.5 standard, the EPA expects and is looking for states to designate communities in violation of the standard as nonattainment areas. The state may recommend designating the Fairbanks North Star Borough as a nonattainment area for PM2.5.

What does "nonattainment" status mean?

The state may recommend either a community or a region as a PM non-attainment area. Exactly how the state will group or classify portions of Alaska is still being discussed.

If the state submits an area as "nonattainment" for PM, the EPA has 18 months to approve or disapprove the request. The state begins forming plans to reduce PM levels. This is done in close cooperation with local and regional governments as pollution controls are generally enacted at a local level. If EPA approves the state's request for designating an area as "nonattainment," the state has 18 months to submit an "attainment" plan which includes all the controls and programs agreed to by the state and local governments. Two 18 month periods means it can take 3 years from submittal of the state recommendation to when controls are put into place. The state and local governments then have five years to bring nonattainment areas into attainment.

Next Steps

The state is in the early stages of planning a strategy to comply with EPA's new PM rules. The state will work with communities to determine the most effective controls. At this point, the state does not know how the areas will be designated, or what the controls might be. As the state works with communities and is given permission from communities to publicize information on PM levels and control strategies, the state will post updates on this website.

Fairbanks North Star Borough Office of the Mayor
809 Pioneer Road P.O. Box 71267 Fairbanks, Alaska 99707-1267 907/459-1300
Fax 907/459-1102
Email mayor@co.fairbanks.ak.us

February 9, 2009

The Honorable Donald Olson, Chair
Senate Community & Regional Affairs Committee
State Capitol
Juneau, Alaska 99811

Dear Senator Olson:

The Fairbanks North Star Borough appreciates Senator Joe Paskvan's effort to address a very serious issue facing our community by introducing SB 93. This letter is being offered in support of the change to Alaska Statutes, Title 29 proposed by SB 93, "An Act relating to a municipal property tax credit for an improvement that aids in improving air quality." This bill, if enacted by the legislature, will provide tools to local municipalities that can be used to create incentives for individuals to take actions that will improve local air quality and reduce fuel consumption. Local taxation policy and discretion is governed by Title 29 of the Alaska Statutes. Tax exemptions and tax credits are only permitted within the authority of this section of state law.

The proposed legislation expands the discretion of local municipalities in a manner that allows, by ordinance, creation of programs that will offer tax credits for actions that the local governing body determines will improve air quality. The language proposed requires that eligibility, conditions, and other criteria for the tax credits be established by ordinance.

Example of how this proposed legislation might be used by a municipality include:

- Incentives to residents to exchange old-style wood stoves for EPA certified wood stoves. Data show that EPA certified wood stoves reduce fine particulate emissions by approximately 67% over non-EPA stoves. It is clearly in the interest of any community with air quality nonattainment issues to have citizens who choose to heat with wood do so in the most environmentally friendly way possible.

- Incentives to residences or commercial businesses to improve the energy efficiency of their property. Reduced fuel consumption would lead to reduced emissions from area heating or electric generation. Incentives could be based on calculated BTU savings, MW reductions, etc.

- Incentives to convert from carbon based energy consumption to alternative energy generation. This could involve tax credits for construction and use of a solar array or wind turbine to power/heat residential or commercial facilities.

As the Fairbanks North Star Borough and the State of Alaska look to find solutions that will help the borough and the state come into compliance with the clean air act, there exists a clear lack of ability to provide incentives at the local level. Compliance efforts will ask individuals to take and pay for actions to benefit the air quality of the entire community. Enactment of this bill will allow local municipalities the ability to lessen the individual cost of action through creation of a tax credit program not presently allowed by state law.

The Fairbanks North Star Borough Assembly passed a resolution including this item as an FNSB legislative priority for 2009 on December 11, 2008. We support this bill and urge its passage as drafted and introduced on February 4, 2009.

Thank you.

Jim Whitaker, Mayor

Nadine Winters, Presiding Officer

JW:csm

ALASKA MUNICIPAL LEAGUE
Alaska Conference of Mayors

217 Second Street, Suite 200 • Juneau, Alaska 99801
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ALASKA MUNICIPAL LEAGUE
BOARD OF DIRECTORS

RESOLUTION #BOD2009-02

A RESOLUTION OF THE ALASKA MUNICIPAL LEAGUE BOARD OF DIRECTORS ADVOCATING FOR AMENDING TITLE 29 TO ALLOW LOCAL GOVERNEMNT OPTION TO CONSIDER PROPERTY TAX CREDITS FOR IMPROVEMENTS TO AIR QUALITY CONDITIONS AND FUEL CONSUMPTION

WHEREAS, Alaska Municipal League Board of Directors supports the issue of local governments being able to develop local responses to Alaska's energy solutions; and

WHEREAS, municipalities should have the ability to adopt local incentives to encourage individuals to make their homes and businesses more energy efficient thereby improving local air quality; and

WHEREAS, local taxation policy determined by Title 29 currently allows a property tax credit only for river bank habitat protection; and

WHEREAS, by providing for an optional tax credit, local municipalities will be able to consider providing property tax credits for actions, such as reducing fuel consumption, that councils or assemblies determine will improve air quality; and

WHEREAS, the Alaska Municipal League Board of Directors believes it is in the best interest of Alaska to allow local government to encourage its citizens to make improvements to their home and businesses that positively impact the community's air quality and to heat their homes and businesses in the most environmentally responsible way possible.

NOW, THEREFORE BE IT RESOLVED that the Alaska Municipal League Board of Directors supports an amendment to Title 29 that provides local municipalities with the ability to provide tax incentives for residences or commercial businesses to improve the energy efficiency of their property, convert from carbon based energy consumption to alternative energy generation or to take other steps that positively impact their community's air quality; and

NOW, THEREFORE BE IT RESOLVED that the Alaska Municipal League Board of Directors supports legislation authorizing an air quality improvement tax credit that allows specific eligibility, conditions, and other criteria for the tax credits to be established by local ordinance so that governments will have flexibility in crafting appropriate tax incentives that meet their individual community's needs.

PASSED AND APPROVED by the Alaska Municipal League Board of Directors on this 30th day of January, 2009.

Signed: _____

Denise Michels, President, Alaska Municipal League

Attest: Kathie Wasserman

Kathie Wasserman, Executive Director, Alaska Municipal League

SB 109

SENATE COMMITTEE REPORT

DATE: 2/3/10

FURTHER: Finance

DATE TURNED IN TO OFFICE: 2/17/10

Community and Regional Affairs Committee considered

SENATE BILL NO. 109

SB 109 REPEAL SECONDARY SCHOOL EXIT EXAM

"An Act repealing the secondary student competency examination and related requirements; and providing for an effective date."

and recommends:

[ ] be **replaced** with [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] adopt **previous** [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] attached amendment(s)

[ ] adopt _____Letter of Intent

[ ] 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#
EEO	1/26/10	✓			1

[ ] **APPROPRIATION - no fiscal note**

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	French			✓	
	Thomas	✓			
	MENARD	✓			
CHAIR:	MENARD	✓		✓	

OLSON

Alaska State Legislature

Interim: (May - Dec.)
716 W. 4th Ave
Anchorage, AK 99501
Phone: (907) 269-0144
Fax: (907) 269-0148

Session: (Jan. - May)
State Capitol, Suite 7
Juneau, AK 99801-1182
Phone: (907) 465-3822
Fax: (907) 465-3756
Toll free: (800) 770-3822

Senator_Bettye_Davis@legis.state.ak.us
http://www.akdemocrats.org

Office of Senator Bettye Davis

MEMORANDUM

DATE: February 11, 2010
TO: Senator Bettye Davis
FROM: Thomas S. Obermeyer
RE: Comments concerning SB 109, 26-LS0527\A "An Act repealing the secondary student competency examination and related requirements; and providing for an effective date."

I cannot anticipate the final disposition of the Senate Community and Regional Affairs Committee regarding SB 109, as it will be continued next Tuesday, 2/16/2010 at 3:30 p.m., but I have noted that there has been no discussion on record of the impact on the exit exam of the continuing *Moore v. State* decision and order by Judge Gleason (See 3AN-04-9756 CI). You will find pertinent parts of this decision in your (S)CRA hearing package. It seems counterintuitive that DEED and the Board of Education continue to require the exit exam in rural or sub-standard districts identified in violation of Constitutional Due Process and failing to provide students an adequate education under *Moore* – at least while a final decision is pending. Marcy Herman, EED Legislative Liaison, said she would ask Deputy Commissioner Les Morse about the time and effect of a new ruling which should be issued by the Court shortly.

Furthermore, I am also concerned that there has been no discussion by the Department about accommodations or waivers for rural or sub-standard districts in violation of *Moore*, or for disadvantaged minorities and English Language Learners, which may or may not be offered, similar perhaps to students with severe disabilities. Also, I am unaware of any alternatives offered by the Department concerning the repeal which might allow the exit exam to be continued for assessment purposes throughout the state without denying diplomas – at least until the expiration of the present contract with Data Recognition Corporation (DRC) in 2015-2016.

Cc: Senate Community & Regional Affairs Committee per Senator Davis

Alaska Student Performance Data
2005 - 2009

DROPOUT COUNTS AND RATES				
	ALL		SPED	
School Year	#	%	#	%
2004-2005	**3,791**	**6.0%**	**361**	**5.0%**
2005-2006	3,642	5.8%	441	6.0%
2006-2007	3,434	5.5%	451	6.1%
2007-2008	3,232	5.2%	466	6.4%
2008-2009	**3,146**	**5.2%**	**418**	**5.9%**

GRADUATION COUNTS AND RATES				
	ALL		SPED	
School Year	#	%	#	%
2004-2005	**6,905**	**61.4%**	**426**	**39.1%**
2005-2006	7,361	61.6%	468	38.9%
2006-2007	7,666	63.0%	510	39.4%
2007-2008	7,855	62.6%	532	40.1%
2008-2009	**8,008**	**67.5%**	**587**	**43.6%**

****

Class of 2008 Analysis

- Number of grade 12 non-graduates 2787
- Number of grade 12 students coded by district as drops 1250
- Number of grade 12 continuing students (intend to attend in 08-09) 1537

- Number of grade 12 non-graduates passing all parts of exam 1926 (69.1%)

- Number of grade 12 students who earned certificate of achievement 270*
  **Number not included in grade 12 non-graduates*

- Of the students enrolled as 12th graders in the fall of 2007 91.9% passed all parts of the exam between the first opportunity they had to take the exam through the spring of 2008 test administration.

10th Grade Pass Rates on the High School Graduation Qualifying Examination (HSGQE)

READING - GRADE 10 - SPRING						
School Year	All	Caucasian	AKN/AMI	SWD	ED	LEP
2005	69.1%	81.5%	42.5%	25.6%	46.5%	25.7%
2008	85.2%	93.2%	69.1%	47.7%	72.6%	49.9%
2009	90.0%	95.8%	76.3%	60.1%	80.5%	58.2%

WRITING - GRADE 10 - SPRING						
School Year	All	Caucasian	AKN/AMI	SWD	ED	LEP
2005	84.1%	90.4%	70.3%	42.8%	70.9%	61.5%
2008	76.3%	84.3%	59.9%	31.7%	61.4%	42.5%
2009	78.8%	86.4%	60.8%	36.2%	65.6%	45.1%

MATH - GRADE 10 - SPRING						
School Year	All	Caucasian	AKN/AMI	SWD	ED	LEP
2005	71.9%	80.8%	52.9%	28.2%	54.8%	43.0%
2008	76.3%	84.8%	59.6%	35.0%	61.8%	42.2%
2009	80.2%	88.4%	63.5%	41.3%	66.5%	42.0%

AKN/AMI: Alaska Native/American Indian
SWD: Students with Disabilities
ED: Economically Disadvantaged
LEP: Limited English Proficient

-----Original Message-----
Diana and Stuart McElhinney
From: McElhinney [mailto:smcelhinney@yahoo.com]
Sent: Tuesday, February 09, 2010 2:23 PM
To: Sen. Davis
Subject: RE: Senate Bill 109: "Repeal Secondary School Exit Exam"

I sent the below written testimony to Senator Davis this morning but am not sure if it was received or not, so will resend to you:

Exit Exam Requirement Response

Our names are Diana and Stuart McElhinney, parents of Keegan McElhinney, who is a 9th grade student at South Anchorage High School and we would like to provide a response to the Exit Exam Requirement.

We recently moved here from out of state and had a meeting with South Anchorage High School staff last Tuesday, February 02, 2010 to discuss a 504 Plan for Keegan, who has been tested and diagnosed with severe dyslexia. During this meeting, we found out that an Exit Exam is given covering topics of reading, writing, and math and that this exam must be passed or the student will NOT receive a diploma, even if that student has completed class credit requirements. Further discussion brought out the fact that the 504 accommodations a student has for class work are NOT allowed when taking the Exit Exam. This situation will most certainly set up our son for failure and we have very serious concern regarding this matter.

Keegan has been in and out of extra reading programs and Special Education classes throughout his years of schooling. We have been told on two separate instances at two different grades/schools that Keegan was "not bad enough" to qualify for these extra classes, even though he is years behind grade level in reading. We have provided private tutoring twice a week since 2002 at a running total of $20,310 to date (none of which is tax deductible by the way) and it was the tutors that taught Keegan to read, not the school system.

The current situation leaves us with the 504 Plan option, although we can reevaluate in the current school to see if Keegan does qualify for Special Education classes. Keegan's 504 Plan covers such things as allowing assignments to be turned in typed, so that he can use the tools of spelling and grammar check and the thesaurus and allowing extra time for assignments, etc. The 504 Plan is designed to help him develop tools that will help in both getting class work done at a higher quality and preparing him for work situations outside of a class setting. Putting Keegan in a testing situation that does not allow the same kinds of accommodations puts Keegan at a great disadvantage and the dyslexia is enough of a hardship all by itself. He will have to use whatever tools he can, along with his personal strengths, to be successful in life. Not receiving a High School degree would be a tremendous set-back.

As parents we would like to see the Exit Exam requirement eliminated for all students and the money used to provide appropriate resources in the school system to help students like Keegan. We have been blessed to be able to provide the

private tutoring for Keegan but not all families are able to do so. It would be wonderful to have such resources in the school system, as well as books on tape/CD for all English, Science, History/Social Studies assignments because dyslexic students' comprehension level and vocabulary level are much higher than their reading level would point to. The teaching and testing methods that work for regular students will not work for students like Keegan because they are based on the written word that has little meaning. Students with dyslexia learn best using oral and visual aides (multi-sensory learning/testing), rather than reading text. Even math story problems affect the results of testing because dyslexic students will expend tremendous mental concentration to read the math problem and not focus on working the solution to that math problem.

We found it interesting to note that the State of Alaska Driver Manual states the following regarding the written test for a driver's license, "If you can understand the English language, but are unable to read or have difficulty reading, you may bring someone who may read the questions to you but you must independently answer the questions." It seems the state can allow oral testing in this forum but does not allow the same accommodation for students taking the Exit Exam. Please consider the ramifications of the Exit Exam and eliminate this as a requirement for graduation from High School.

Thank you for your time and attention to this matter.

Diana and Stuart McElhinney
smcelhinney@yahoo.com

February 10, 2010
Attn: Senate Bill 109: Removal of the Exit Exam Requirement

As high school counselors, we are in support of Senate Bill 109: Removal of the Exit Exam Requirement. We agree that by removing the Exit Exam Requirement, it would remove the risk that a student can be denied a diploma after 12 years of education by one exam. We are in favor of encouraging youth to stay in school long enough to get a diploma and reduce the dropout rate.

We believe that the resources and staff that are utilized in administering the HSGQE are tremendous. Classroom instructional time, staff training, administrative planning, and direct counseling services to students in the personal/social/academic domains have suffered due to the time required to prepare and administer the HSGQE.

The HSGQE favors the left-brained students, who tend to learn by lecture, memorize easier, and don't become confused with the answer choices. Right-brained students don't do as well on these tests in spite of knowing the topic; rather, they see every answer as a possibility under the right conditions. In spite of knowing the information, they are likely to select an incorrect answer.

Finally, we feel that the HSGQE does not truly reflect the knowledge students hold. It does not prepare the students for the real world where they are allowed to use resources, manuals, ask questions, and are not allowed to perform at the 50% percentile.

Thank you for considering our comments.

Sincerely,

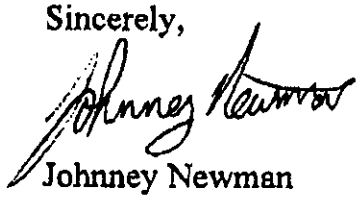
Margaret Griffin and Micki Dunn
School Counselors, Skyview High School
907-260-2300

P. 02 FAX NO. 907 283 3075 FEB-16-2010 TUE 01:20 PM KENAI LIO

2/16/10
Concerning Senate Bill 109

Hi my name is Johnney Newman. I believe that the High School Qualifying exams should be taken. But the test shouldn't determine whether the student could graduate or not. In my situation the test helped me figure out where I stood academically. I think the test should be more like a placement test than a qualifying test. Students should take the test with out having to worry whether there going to pass, because it's a great learning experience that I believe will help student through out high school.

Sincerely,



Johnney Newman

2/15/10

Concerning Senate Bill 109: Repeal Secondary School Exit Exam

I think that the High School Graduation Qualifying Exam should not be required to pass in order to actually receive your diploma from high school. The following reasons will be stated below to explain my point of view on the discussion.

First of all, I think that it puts to much pressure on students, especially seniors, because students are already trying to pass the required classes that they are taking. Along with the finals students have to take just to pass those other six or so classes, is just not right to do. There is already a lot of pressure for students to pass the class and should not have more put on them. If students already pass all of their required classes, then they should be allowed to graduate. For me this will be my third time taking the test. Last year I was just focusing on my regular classes and trying to finish them, I could not properly prepare for the High School Graduating Qualifying, Exam which led to me rushing through it so I could be done with it.

Test anxiety is my second reason why students should not have to take the High School Graduation Qualifying Exam. Being so nervous from testing anxiety can mess up a student's performance during tests. Test Anxiety could lead to failing the test, which would not let that student graduate from high school.

My last reason is that seniors in high school should focus on what they are doing now and in the future, like college or trade schools. They need to start focusing on what they need to do for the future, and not worry about a test.

Sincerely,

Daniel Franklin

Daniel Franklin
Student at Homer Flex High School
4122 Ben Walters Lane
Homer, AK 99603

2/16/2010
Concerning Senate Bill 109: Repeal Secondary School Exit Exam

I think the High School Graduation Qualifying Exam should be required.

The stress of the schoolwork and test preparations should teach the students an important life skill, multitasking. Going between schoolwork and test prep is very stressful, it also provides the experience of managing two very important events so you would be ready for anything.

Sincerely,

Mihael Kuzmin

Alaska State Legislature

Please enter into the record my testimony to the Senate Community & Regional Affairs
committee name

Committee on SB 109, dated 2-16-2010
bill # / subject — public hearing date

Senate Bill 109: Removal of the High School Qualifying (HSQE) Exams

As a Career Guidance Liaison for the Kenai Peninsula School District I would like to support SB 109. In my opinion the time taken to prepare for and administer the test, has caused school counselor's valuable time in assisting students with immediate and long-term social, scholastic and planning needs.

I also believe students who do not test well may be more motivated to drop out of school if they feel their efforts are not worthwhile. I believe there are probably better assessments available that would link student's high school efforts to future careers or training options.

Please support SB 109 and remove the HSQE exam requirement from our schools.

Signed: Loretta Knudson-Spalding, Career Guidance Liaison
Testifier

Kenai Peninsula Borough School District
Representing (optional)

148 N Binkley Soldotna, AK 99669
Address

Phone number

Alaska State Legislature

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Senator_Bettye_Davis@legis.state.ak.us
http://www.akdemocrats.org

SB 109 Exit Exam
Bullet Points

- **The Exit Exam is the only exam which denies diplomas to hundreds of students after 12 years of schooling.**
- **Even if all credits have been satisfied for graduation, a student failed on the Exit Exam receives a worthless, non-marketable "certificate of achievement," lowering morale, self-confidence, and self-respect, discouraging continuing in school.**
- **Exit exam encourages dropouts both by those who pass think they can drop out of school without earning a diploma, and those who fail and see no future in continued education.**
- **Exit Exam disadvantages poor and non-white students and English Language Learners who might not have access to high-quality schools.**

- **Passage rates of Alaska natives and other minorities in Alaska are much lower than whites.**
- **Delivery of education in Alaska is unique and does not need to follow a national testing model. Roughly half the states primarily in high density population areas covering about 2/3-3/4 of all students have an Exit Exam. Alaska is not high density education with 53 school districts spread over vast areas, and many districts with few students.**
- **Despite a court order that the State in *Moore v. State* is still in violation of Constitutional Due Process and Equal Protection in a number of districts, DEED and the Board of Education still retain the Exit Exam without alternative.**
- **The slight improvement in graduation rates touted by DEED since introducing the Exit Exam likely has less to do with motivation of individual students on the Exit Exam than renewed emphasis on achievement and assessment per NCLB and other assessment standards.**
- **The Exit Exam has been "watered down" over the years and only tests 8^{th}-9^{th} or 10^{th} grade proficiency in a few subjects. It is unneeded.**
- **The trend is toward End of Course Exams which more accurately test achievement and progress throughout high school years.**

- **THE EXPENSE OUTWEIGHS ANY BENEFIT – THIS MONEY COULD BE BETTER SPENT IN OTHER AREAS OF EDUCATION**

- **The Alaska Exit Exam costs over $1.5 million per year, *i.e.*, over $123 per student, or about 20% of the $48 million 7 –year contract with Data Recognition Corporation (DRC).**
- **The long contract with DRC creates a disincentive to eliminate the Exit Exam which has been combined with NCLB. DEED has no reason to wait for a replacement of the Exit Exam which is no longer needed. The Exit Exam was introduced before NCLB requirements. The only other exam on the horizon is Workkeys to be given to 11th graders in 2011 at a reported cost of $795,000 and is not a comparable substitute for the Exit Exam.**
- **Hidden and indirect costs of the Exit Exam have not been adequately calculated by DEED including:**
  - **remediation in the millions of dollars not only to the state, but to individual districts**
  - **teacher and administrator training time and expense**
  - **teaching to the exam while skipping substantive subjects in the curriculum.**

- **school disruption during Exit Exam**
- **lost days of instruction and learning while students prepare for and take or retake the exam**

- **17%** decrease in the number of dropouts statewide when comparing 2005 to 2009
- **16%** increase in the number of dropouts statewide when comparing 2005 to 2009

DROPOUT COUNTS AND RATES				
	ALL		SPED	
School Year	#	%	#	%
2004-2005	**3,791**	**6.0%**	**361**	**5.0%**
2005-2006	3,642	5.8%	441	6.0%
2006-2007	3,434	5.5%	451	6.1%
2007-2008	3,232	5.2%	466	6.4%
2008-2009	**3,146**	**5.2%**	**418**	**5.9%**

2005 to 2009 -17.0% -0.8%
-645

- **16%** increase in the number of graduates statewide
- **38%** increase in the number of SWD receiving diplomas over that time period (2005 to 2009)
- More than 1,100 more diplomas in 2009 than were issued in 2005.
- For SWD that number increased by 161.
- Enrollments have declined about 2% of this time period

GRADUATION COUNTS AND RATES				
	ALL		SPED	
School Year	#	%	#	%
2004-2005	**6,905**	**61.4%**	**426**	**39.1%**
2005-2006	7,361	61.6%	468	38.9%
2006-2007	7,666	63.0%	510	39.4%
2007-2008	7,855	62.6%	532	40.1%
2008-2009	**8,008**	**67.5%**	**587**	**43.6%**

<u>Senior Class analysis</u>
- Over **67%** of the seniors in 2008 that completed the school year but did not receive a diploma had already pass all three parts of the HSGQE
- 1,549 seniors

<u>HSGQE Cohort Analysis</u>
- 2008 senior cohort class had a combined cumulative pass rate of over 90%
Over 90% of class passed all three parts of the HSGQE during their 3 year testing window

<u>End of Course Exams</u>
5 states require EOC in 2009
All 5 states require EOC's as a requirement for graduation (MD, MS, NY, TN, VA)
10 states are transitioning to EOC's (*by 2015 - 15 EOC & 14 Comprehensive exams*)
3 states will require Graduation Exam AND EOC (MA, SC, WA)
Typical EOC content areas – Algebra I, Algebra II, Geometry, English 9, 10, Biology

Current Grade 10 HSGQE Pass Rates (Spring 2009):

Reading – 90%
Writing – 79%
Math – 80%

Achievement Gaps

READING - GRADE 10 - SPRING						
School Year	All	Caucasian	AKN/AMI	SWD	ED	LEP
2005	69.1%	81.5%	42.5%	25.6%	46.5%	25.7%
2008	85.2%	93.2%	69.1%	47.7%	72.6%	49.9%
2009	90.0%	95.8%	76.3%	60.1%	80.5%	58.2%

WRITING - GRADE 10 - SPRING						
School Year	All	Caucasian	AKN/AMI	SWD	ED	LEP
2005	84.1%	90.4%	70.3%	42.8%	70.9%	61.5%
2008	76.3%	84.3%	59.9%	31.7%	61.4%	42.5%
2009	78.8%	86.4%	60.8%	36.2%	65.6%	45.1%

MATH - GRADE 10 - SPRING						
School Year	All	Caucasian	AKN/AMI	SWD	ED	LEP
2005	71.9%	80.8%	52.9%	28.2%	54.8%	43.0%
2008	76.3%	84.8%	59.6%	35.0%	61.8%	42.2%
2009	80.2%	88.4%	63.5%	41.3%	66.5%	42.0%

Sean Parnell, Governor
State of Alaska

GOVERNOR'S COUNCIL ON DISABILITIES AND SPECIAL EDUCATION

P.O. Box 240249 • Anchorage, Alaska 99524-0249 • Phone: 907-269-8990 • Fax: 907-269-8995 • Toll Free 888-269-8990

January 27, 2010

Senator Donald Olson
120 4th St, State Capitol, Rm 3
Juneau, Alaska 99801

Re: Senate Bill 109: Removal of the requirement to pass the High School Graduation Qualifying Exam (HSGQE) in order to receive a diploma

Senator Olson,

The Governor's Council on Disabilities and Special Education formally endorses Senate Bill 109 which removes the requirement to pass the High School Graduation Qualifying Exam (HSGQE) in order to receive a diploma.

In 1997, the Alaska legislature passed a law that requires students to pass the High School Graduation Qualifying Exam (HSGQE) in order to receive a diploma. Students began taking the HSGQE in 2000, but implementation of this law was postponed until 2004. As a result of a lawsuit, students with disabilities were not required to pass until 2005. In 2007, the HSGQE was changed to make the writing portion more challenging and the reading portion less challenging. Students must take the HSGQE for the first time in the spring of their 10th grade year. The HSGQE takes 3 days to complete. Students who do not pass can take the exam each fall and spring. Students who do not pass the HSGQE can miss up to 6 days of instruction each year retaking this exam.

Passing the HSGQE is not required by federal law. The No Child Left Behind Act (NCLB) requires that high school students be tested but does not require students pass an exam in order to receive a diploma. Alaska tests students in 9th and 10th grade. The HSGQE is a minimum competency exam and is not designed to test college readiness or work-related skills. The HSGQE is not a nationally recognized exam and is not used in determining University admission.

Dropout rates increased after the implementation of the HSGQE and had not reached pre-HSGQE levels by 2008. The 2003 dropout rate was 4.9%; it increased to 6% in 2004 and was 5.2% in 2008. The dropout rate for students with disabilities has increased from 4.9% in 2004 to 6.4% in 2008.

While the Council understands and supports the need for accountability in the education system, we feel a high stakes exam in high school is not the correct way to address accountability. Intervention follows the point of accountability, thus it makes more sense to provide intervention in 2nd or 3rd grade when a student is 1 or 2 years behind instead of waiting until 10th grade when they are 3 to 5 years behind. The Council recommends a system of accountability that communicates student skill level without the high stakes component of the exam (e.g., Work Keys assessment).

The Department of Education and Early Development (EED) has been successful in working with low performing schools in rural Alaska using data-driven instruction to bring student academic skills up to grade level. EED should expand this program and insist schools focus on earlier intervention instead of requiring the HSGQE as a requirement for a diploma.

Sincerely,

Donna Swihart, Chair

Donna Swihart, Chair

Creating Change That Improves the Lives of People with Disabilities

Alaska State Legislature

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Senator Bettye Davis

SB 109, 26-LS0527\A

"An Act repealing the secondary student competency examination and related requirements; and providing for an effective date."

Sponsor Statement

SB 109 repeals the Alaska secondary student competency examination, also known as the High School Graduation Qualifying Exam (HSGQE) or "Exit" exam. The HSGQE was initiated in 2001 and became fully effective in 2004, following the trend for more assessment in the No Child Left Behind Act of 2001. It was never clear that the Alaska HSGQE would improve performance and measure whether students would be better prepared for college, much less determine conclusively that students were receiving diplomas but lacking basic skills. The HSGQE has become a "high stakes" hurtle that has harmed many students in Alaska while exacerbating a court finding in 2007 that the State was violating students' constitutional rights to an education without providing proper assistance and direction. (See *Moore, et al. v. State of Alaska*, 3AN04-9756).

It may be argued that State does not need the HSGQE, as the State and all school districts already require many assessment tests to determine student progress and competency. At the same time there is a trend away from exit exams. The Center on Education Policy (CEP) report in August, 2008 that most states are moving toward end-of course exams which assess mastery of content of a specific high school course in lieu of exit exams. The current Alaska HSGQE reportedly has been changed by the Board of Education and made less difficult than at inception. As a result, the HSGQE has become somewhat redundant, time-consuming, and expensive to administer. To save time and money, beginning in the spring of 2006 sophomores took a test that combined the HSGQE with a standards-based reading and math assessment required by the federal No Child Left Behind Act. Although students took one only exam, some questions counted for one or the other or both exams to satisfy state requirements. (*See Legislative Research Report 06.233, " History, Results, and cost of the HSGQE," June 28, 2006*). The HSGQE reportedly has detracted from the standard curriculum and has also promoted "teaching to the test."

The Department reported in 2007 that over 1,100 students statewide failed to pass the HSGQE after five opportunities, while 8,524 passed. See *Moore*, supra, exhibit 2514, p. 13 of 58, "Findings of Fact, Conclusions of Law and Order." These numbers excluded all students who had dropped out or transferred to another school before passing. The court in *Moore* determined that the State was violating the substantive due process rights of students by denying high school diplomas to students in chronically underperforming school districts. Students were failing the High School Graduation Qualifying Exam, while the State was failing to provide the oversight, assistance, and direction with clear standards to guide districts attempting to meet content and performance standards. As a result, the court concluded that the Department was ultimately failing to "maintain a system of public schools" as required under the Alaska Constitution, Article VII, Section 1. Finding insufficient proof of compliance with its 2007 court order, the court in *Moore* on February 4, 2009 gave the Department 60 days to establish compliance with its constitutional duties and to file with the court "revised district intervention plans that address and incorporate as appropriate remedial measures related to each of the problem areas identified in these Findings."

Alaska's experience with high school exit exams is not new but widespread. Fearful that hundreds of thousands of students would be left behind by one set of standardized, time-pressured tests in New York, an article appeared in the *New York Times* headed "Albany Legislators Seek to Dilute New, Tougher Graduation Exams." It was stated in the article that "an unusual bipartisan coalition of state lawmakers, whose constituents ranged from inner-city residents to affluent suburbanites, is pushing to scale back new more stringent graduation requirements for nearly all pubic high school students." *New York Times*, May 12, 1999.

The Center on Education Policy (CEP) reported in August, 2008 that in the 2007-2008 school year 23 states required students to take and pass exit exams to receive a high school diploma. Three more states, Arkansas, Maryland, and Oklahoma, will begin withholding diplomas within the next few years, leading to a total of 26 states with such policies by 2012. Additionally, Connecticut, Pennsylvania, and Oregon are considering exit exams, but Oregon and Pennsylvania are opting to use multiple measures. The CEP reported that 68% of the nations' public high school students attend school in the 23 states with such policies. By 2012 approximately 75% of the nation's public high school students will be affected, including 84% of low income students and students of color.

The Center on Education Policy (CEP) recommends more funding should be allocated to research aimed at better understanding the impact of exit exams, considering the vast number of students affected by state-mandated high school exit exams. State governments, the CEP reports, should move immediately to collect and release data on final passage rates on these and the rate of students using alternative paths to graduation. As they implement more end-of-course exams, the CEP recommends that states address the need for greater rigor in the content of their exams and provide for greater coordination of high school requirements with college preparedness and work readiness demands.

While dropping the HSGQE does not remedy underlying problems in delivering quality education in underperforming districts already identified by other assessments, it does remove the risk that a student can be denied a diploma after 12 years of education by one exam. Eliminating the HSGQE may also encourage youth to stay in school long enough to get a diploma and reduce the dropout rate. After complying with court-ordered requirements in *Moore*, and perhaps after experience with other on-going assessments, the Department and the Board of Education may better determine whether an exit exam or HSGQE Exam is in the best interests of the state, recognizing that more states seem to be moving away from exit exams toward end-of-course exams.

LEGAL SERVICES

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LEGISLATIVE AFFAIRS AGENCY
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Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM February 27, 2009

SUBJECT: Sectional Summary of SB 109 (Work Order No. 26-LS0527\A)

TO: Senator Bettye Davis
Attn: Thomas Obermeyer

FROM: Jean M. Mischel
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Deletes the high school competency examination reference in the Department of Education and Early Development's annual report to the legislature.

Section 2. Deletes the high school competency examination reference in the Department of Education and Early Development's annual report to the public on school performance.

Section 3. Deletes the high school competency examination reference in the Department of Education and Early Development's school accountability system.

Section 4. Deletes the high school competency examination reference in the charter school operational requirements.

Section 5. Repeals the high school competency test requirements.

Section 6. Provides a July 1, 2011, effective date.

JMM:ljw
09-124.ljw

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: SB109
() Publish Date:

Identifier (file name): SB109-EED-TLS-1-26-10
Dept Affected Education & Early Development
Title "An Act repealing the secondary student competency examination and related requirements; and providing for an effective date."
RDU Teaching & Learning Support
Component School & Student Achievement
Sponsor Sen. Bettye Davis
Requester Senate Education
Component Number 2796

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services							
Travel							
Contractual		0.0	(1,338.5)	(1,518.2)	(1,574.3)	(1,602.8)	(508.0)
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	**0.0**	**0.0**	**(1,338.5)**	**(1,518.2)**	**(1,574.3)**	**(1,602.8)**	**(508.0)**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF		0.0	(1,338.5)	(1,518.2)	(1,574.3)	(1,602.8)	(508.0)
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**(1,338.5)**	**(1,518.2)**	**(1,574.3)**	**(1,602.8)**	**(508.0)**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

This bill would repeal those statutes and language related to secondary students taking the competency examination which was required in order to graduate from high school. [AS 14.03.075 & AS 14.07.165(5)] This would take effect beginning July 1, 2011.

The EED entered into a contract in FY'09 with the test contractor and has 7, one year renewal options which expires on 12/31/15. FY16 savings are only for the Fall test and the retake -- does not include the Spring test and retake.

Prepared by: Eddy Jeans, Director — Phone 465-8679
Division School Finance — Date/Time 1/26/10 12:00 AM
Approved by: Larry LeDoux — Date 1/26/2010
Commissioner

(Revised 10/13/2009 OMB)

(e) In addition to the grades enumerated in (a) of this section, an elementary school consists of a pre-elementary program supervised by the department under AS 14.07.020(a)(8), operated by the department as a head start program under AS 14.38.010, or located in a public school for federal funding purposes. Except for a child with a disability who is receiving special education or related services under AS 14.30.180 — 14.30.350, pre-elementary students may not be counted in a school's average daily membership under AS 14.17. (§ 1 ch 98 SLA 1966; am §§ 1, 2 ch 117 SLA 2008)

Effect of amendments. — The 2008 amendment, effective October 21, 2008, added "Except as provided in (e) of this section" at the beginning of subsection (a), and added subsection (e).

Collateral references. — Zoning regulations as applied to public elementary and high schools. 74 ALR3d 136.

Sec. 14.03.070. School age. A child who is six years of age on or before September 1 following the beginning of the school year, and who is under the age of 20 and has not completed the 12th grade, is of school age. (§ 1 ch 98 SLA 1966; am § 1 ch 1 FSSLA 1987; am § 19 ch 85 SLA 1988; am § 1 ch 101 SLA 2004)

Effect of amendments. — The 2004 amendment, effective July 1, 2004, substituted "on or before September 1" for "before August 15."

Collateral references. — Power of public school authorities to set minimum or maximum age requirements for pupils in absence of specific statutory authority. 78 ALR2d 1021.

Sec. 14.03.075. Secondary student competency testing. (a) A student may not be issued a secondary school diploma unless the student passes a competency examination in the areas of reading, English, and mathematics or receives a waiver from the governing body. A governing body may not grant a waiver to a student before the student's final semester of attendance. The department shall determine the form and contents of the examination and shall score completed examinations.

(b) A student who fails the examination required under this section shall be retested at least once during a school year on those portions of the examination that the student has not passed. A student who passes any portion of the test may not retake that portion of the test. A student who, when retested, passes the portions of the test not previously passed and who meets any other graduation requirements shall receive a diploma from the school district. This subsection does not apply to a student who is a child with a disability if the student's individualized education program team recommends that the student not be retested.

(c) Notwithstanding (a) of this section,

(1) a student who is a child with a disability and who does not achieve a passing score on the examination required under (a) of this section, with or without accommodation, is eligible to receive a diploma if the student successfully completes an alternative assessment program required by the student's individualized education program or required in the education plan developed for the student under 29 U.S.C. 794; an alternative assessment program must, to the maximum extent possible, conform to state performance standards established for the competency examination required under (a) of this section; this paragraph does not apply to a student unless the department determines that the student has taken and failed to pass the competency examination with or without accommodations and the department approves the student's alternative assessment program described under this paragraph; and

(2) a student who transfers into a public high school in this state shall receive a diploma if the student

(A) meets graduation requirements imposed by the governing body and the state; and

(B) has passed a competency examination in the state from which the student transferred.

(d) A student who fails to qualify for the issuance of a diploma under (a) of this section or a retest under (b) of this section by the end of the student's final semester of

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attendance, but who has met all other graduation requirements of a governing body and the state, shall be awarded a certificate of achievement. A certificate of achievement may include the following information:

(1) the portions of the examination described under (a) of this section that were passed;

(2) the student's attendance record; and

(3) other information indicating the qualifications of the student that the governing body determines appropriate.

(e) The department shall by regulation establish uniform standards for

(1) pre-examination study materials; and

(2) procedures to be followed during administration of an examination.

(f) The department shall by regulation establish uniform standards for an alternative assessment program required under (c)(1) of this section. The alternative assessment program required under (c)(1) of this section applicable to an individual student may not be changed after February 1 of the student's junior year of study.

(g) In this section,

(1) "child with a disability" has the meaning given in AS 14.30.350;

(2) "individualized education program team" has the meaning given in AS 14.30.350. (§ 1 ch 58 SLA 1997; am § 2 ch 94 SLA 2001; am § 24 ch 35 SLA 2003)

Effect of amendments. — The 2001 amendment rewrote subsections (a) and (b) and added subsections (c)-(g). The amendment to subsections (a) and (b) by section 2, ch. 94, SLA 2001 amended those subsections before they became effective. Sections 7 and 11, ch. 94, SLA 2001 amend §§ 3, ch. 58, SLA 1997 to make this entire section effective February 1, 2004.

The 2003 amendment, effective February 1, 2004, at the end of paragraph (1) of subsection (g), substituted "in AS 14.30.350" for "'children with disabilities' in AS 14.30.350".

Effective dates. — Section 3, ch. 58, SLA 1997 made this section effective January 1, 2002. However, § 7, ch. 94, SLA 2001 changes the effective date of the section to February 1, 2004.

Editor's notes. — AS 14.30.350, cited in (g)(2) of this section, was repealed by § 41, ch. 67, SLA 2001.

Sec. 14.03.077. High school diploma for certain veterans. (a) Notwithstanding other provisions of this chapter, the commissioner shall award a high school diploma to a person who

(1) makes application under (b) of this section; if a person is deceased or incapacitated, an immediate family member may apply on behalf of the person;

(2) never received a high school diploma; and

(3) actively served in the United States armed forces or the Alaska Territorial Guard during the period of August 7, 1940, through July 25, 1947, and

(A) died in active service;

(B) was honorably discharged; or

(C) was released from active duty because of a service-related disability.

(b) The commissioner shall provide a form or electronic format for a person to apply under this section. The commissioner may accept an affidavit to support the award if documentation is not readily available from the military or other sources. (§ 1 ch 13 SLA 2001)

Sec. 14.03.078. Report. The department shall provide to the legislature by February 15 of each year an annual report regarding the progress of each school and school district toward high academic performance by all students. The report required under this section must include

(1) information described under AS 14.03.120(d);

(2) the number and percentage of students in each school who pass the examination required under AS 14.03.075, and the number who pass each section of the examination;

(3) progress of the department

(A) toward implementing the school accountability provisions of AS 14.03.123; and

(B) in assisting high schools to become accredited;

- **17%** decrease in the number of dropouts statewide when comparing 2005 to 2009
- **16%** increase in the number of dropouts statewide when comparing 2005 to 2009

DROPOUT COUNTS AND RATES				
	ALL		SPED	
School Year	#	%	#	%
2004-2005	**3,791**	**6.0%**	**361**	**5.0%**
2005-2006	3,642	5.8%	441	6.0%
2006-2007	3,434	5.5%	451	6.1%
2007-2008	3,232	5.2%	466	6.4%
2008-2009	**3,146**	**5.2%**	**418**	**5.9%**
2005 to 2009	-17.0%	-0.8%		
	-645			

- 7-12
- limited to 12 month window
- ⅕ dropouts are repeat dropouts

- **16%** increase in the number of graduates statewide
- **38%** increase in the number of SWD receiving diplomas over that time period (2005 to 2009)
- More than 1,100 more diplomas in 2009 than were issued in 2005.
- For SWD that number increased by 161.
- Enrollments have declined about 2% of this time period

GRADUATION COUNTS AND RATES				
	ALL		SPED	
School Year	#	%	#	%
2004-2005	**6,905**	**61.4%**	**426**	**39.1%**
2005-2006	7,361	61.6%	468	38.9%
2006-2007	7,666	63.0%	510	39.4%
2007-2008	7,855	62.6%	532	40.1%
2008-2009	**8,008**	**67.5%**	**587**	**43.6%**

<u>Senior Class analysis</u>

- Over **67%** of the seniors in 2008 that completed the school year but did not receive a diploma had already pass all three parts of the HSGQE left about 500 not passing
- 1,549 seniors

<u>HSGQE Cohort Analysis</u>

- 2008 senior cohort class had a combined cumulative pass rate of over 90%

Over 90% of class passed all three parts of the HSGQE during their 3 year testing window

<u>End of Course Exams</u> CEP- Center on Educational Policy

5 states require EOC in 2009

All 5 states require EOC's as a requirement for graduation (MD, MS, NY, TN, VA)
10 states are transitioning to EOC's (*by 2015 - 15 EOC & 14 Comprehensive exams*)
3 states will require Graduation Exam AND EOC (MA, SC, WA)
Typical EOC content areas – Algebra I, Algebra II, Geometry, English 9, 10, Biology

Current Grade 10 HSGQE Pass Rates (Spring 2009):

Reading – 90%
Writing – 79%
Math – 80%

Achievement Gaps

READING - GRADE 10 - SPRING						
School Year	All	Caucasian	AKN/AMI	SWD	ED	LEP
2005	69.1%	81.5%	42.5%	25.6%	46.5%	25.7%
2008	85.2%	93.2%	69.1%	47.7%	72.6%	49.9%
2009	90.0%	95.8%	76.3%	60.1%	80.5%	58.2%

WRITING - GRADE 10 - SPRING						
School Year	All	Caucasian	AKN/AMI	SWD	ED	LEP
2005	84.1%	90.4%	70.3%	42.8%	70.9%	61.5%
2008	76.3%	84.3%	59.9%	31.7%	61.4%	42.5%
2009	78.8%	86.4%	60.8%	36.2%	65.6%	45.1%

MATH - GRADE 10 - SPRING						
School Year	All	Caucasian	AKN/AMI	SWD	ED	LEP
2005	71.9%	80.8%	52.9%	28.2%	54.8%	43.0%
2008	76.3%	84.8%	59.6%	35.0%	61.8%	42.2%
2009	80.2%	88.4%	63.5%	41.3%	66.5%	42.0%

WRCR

Anchorage School District

5530 E. Northern Lights Blvd.
Anchorage, Alaska 99504-3135
(907) 742-4000

February 2, 2009

Mr. Larry LeDoux
Commissioner of Education and Early Development
Department of Education and Early Development
P.O. Box 110500
Juneau, Alaska 99811-0500

Attention: Dottie Knuth
Via FAX (907) 465-4156

Dear Commissioner LeDoux: Larry

In response to the request for review and public comment on the proposed regulation changes on the timeline for the mandated WorkKeys/WIN assessments and on the Quality Schools application and reports for small districts, the Anchorage School District submits the attached comments.

I appreciate the opportunity to forward our comments as they relate to the proposed changes in Department of Education and Early Development regulations.

My staff and I are available to answer any questions regarding our responses and will forward any additional remarks to the proposed changes, as you deem necessary.

Sincerely,

Carol

Carol Comeau
Superintendent

Attachment

cc: Anchorage School Board
Rhonda Gardner, Assistant Superintendent, Instruction
Laurel Vorachek, Director, Assessment and Evaluation
Jane Berglund, Chief Information Officer

cc: Mark Eddy

SUBJECT: 4 AAC 06.715 Work ready/college ready transitional skills curriculum and benchmark assessments; 4 AAC 06.717 Work ready/college ready transitional skills assessment

The Anchorage School District believes the WorkKeys exam is a quality assessment that provides important information for students and families, educators, employers, and universities about student achievement related to college and work readiness. Further, the WIN curriculum and benchmark assessments provide opportunities for students to advance their studies in and awareness of work related proficiencies.

However, at minimum, the Anchorage School District supports the proposed regulation to delay the mandated use of these assessments by one year. These tools and assessments are available to students and districts ready to access them, and a delay in implementing the mandate doesn't limit a school or district's ability to more forward. The delay would enable districts that have technological or other implementation challenges to continue to work through them to ensure a smooth roll out should the mandate come.

Under the current system of assessment, the Anchorage School District does not believe the WorkKeys/WIN assessments should be mandated. Between the mandated Standards Based Assessments, HSGQE, TerraNova, NAEP, ELPA, Kindergarten Profile, etc., and district-specific formative, benchmark, and progress monitoring assessments that are a critical part of any instructional program, districts do not have the time or resources to invest in another mandated exam.

The Anchorage School District proposes bolder action, however. We propose that the State Board and the Department of Education of Early Development work with the Alaska Legislature and districts to replace the essential skills High School Graduation Qualifying Exam with the much more robust and meaningful WorkKeys Exam at the 10th grade.

The requirement for the HSGQE was created in response to concern that some students were graduating high school without the essential skills necessary to be productive in the world of work. An unintended consequence of that action has been that many students now set their sights too low – only on passing the HSGQE rather than reaching toward even higher levels of proficiency and achievement. Many students question why they should be required to continue high school when they have already passed the exam as 10th graders. Unfortunately, since the exam is essential skills, the students' perception that they have met necessary levels of achievement for life-long success is misguided.

The Anchorage School District believes there is a much better alternative that would provide businesses and universities information they need about the academic preparation of graduated students, that would inspire students to continue their studies rather than end them prematurely, and that would provide students invaluable information about career fields available to them as well as their relative preparation for them. That alternative is WorkKeys.

In addition, WorkKeys is part of the ACT continuum of assessments accessed by many schools and students that includes, among others, the Explore (8th grade), PLAN (10th grade), and ACT (11th and 12th grade). For students and their advisors to be able to plan the student's education over a series of years with information from these exams would be much more valuable than a pass/fail score on the HSGQE. Because of the availability of these exams, we do not believe the WIN assessments need ever be mandated. Rather, we suggest the assessments and very valuable curriculum remain available for those who choose to use them to augment their existing system of assessment.

Because WorkKeys is designed expressly to reflect what businesses expect of entering workers and the ACT is designed expressly to reflect what colleges expect of entering students, the two assessment programs are unique in what they measure and in the scores they report. But there are also commonalities in the expectations for readiness in the two tests.

ACT conducted a statistical concordance between the respective college and workforce training readiness levels in reading and mathematics. They found that the concordance between ACT College Readiness Benchmarks and WorkKeys Level 5 shows that the levels of readiness in reading and mathematics are comparable.

Comparability between WorkKeys Job Profile Level 5 and ACT College Readiness Benchmarks in Reading and Mathematics[4]

WorkKeys Test	WorkKeys Readiness Level	Comparable ACT Score Range and College Readiness Benchmark
Reading for Information	5	19–23 Benchmark = 21
Applied Mathematics	5	18–21 Benchmark = 22

This statistical concordance adds value to the assessment from the perspective of the individual student for course planning and post-secondary guidance. The

student receives information about their readiness to make successful transitions to college and work after high school from one assessment. If a student scores below a 5 in the Reading for Information and/or Applied Mathematics test, it provides critical information in terms of necessary coursework to be completed during the student's remaining time in high school in order to be prepared for first-year college courses. The student also receives information about whether he or she has the skills that businesses expect of entering workers through the WorkKeys Readiness Level. This also provides valuable information in course planning so, if necessary, students can take the coursework to ensure that they have the workforce skills when they graduate from high school. Since it is a national exam, WorkKeys results and certificates are also portable throughout our highly mobile country and mean the same thing regardless of the state in which our students ultimately choose to work or attend post-secondary programs.

The bottom line is that the WorkKeys exam has the potential to inspire and encourage students to higher levels of achievement while providing desired accountability and information for prospective employers and universities, whereas the HSGQE encourages apathy and low expectations. Further, the HSGQE causes significant harm to the small number of students who, largely due to special needs or language acquisition challenges, are unable to pass and are thus denied a diploma.

Rather than artificially set a pass/fail mark on this exam for which such a distinction was never intended, we propose instead that the final scores received by the student, after however many attempts the student makes while in high school to achieve higher scores, be placed on the transcript and the diploma. The diploma could also be printed in such a way that an explanation of those scores is printed on the back of the diploma or transcript to provide that information to prospective employers.

We encourage the State Board of Education and Early Development, along with Alaska legislators, to take this bold step in increasing both the academic expectations and the relevancy of state assessments for Alaska's students.

SUBJECT: 4 AAC 33.310 Applications; 4 AAC 33.320 Grant Awards; 4 AAC 33.330 Reporting Requirements, Regarding Quality School Funding Grants

This regulation does not directly impact the Anchorage School District as our Quality School Grant exceeds $10,000. We have never found the required application and report to be particularly onerous for our district.

Commissioner Roger Sampson
Department of Education
& Early Development
801 W. Tenth Street, Suite 200
Juneau, Alaska 99801-1894
www.eed.state.ak.us

Date: April 7, 2004

N • E • W • S R • E • L • E • A • S • E

More information Harry Gamble, Information Officer, 465-2851

State Enters Stipulation In Disabilities Class Action Lawsuit

Students with Disabilities Can Get Diplomas in 2004 Without Passing Exit Exam

Attorney General Gregg Renkes and Education Commissioner Roger Sampson announced the filing of a joint stipulation today in U.S. District Court that would allow students with disabilities in the Class of 2004 to get a diploma without passing the state's high school exit exam. The stipulation was based on an agreement by the State of Alaska and the lawyers who filed a class action lawsuit in U.S. District Court.

As many as 500 high school seniors with disabilities have not passed all three parts of the high school exam – reading, writing and math. Under the injunction, the students still need to complete all other state and district graduation requirements. About 800 seniors have disabilities.

The lawsuit was filed March 16 against the State Board of Education & Early Development, two Department of Education & Early Development officials and the Anchorage School District.

"We have stated from the outset that we have concerns any time the State Board and Department of Education & Early Development are implicated in treating students unfairly," said Education Commissioner Roger Sampson. "Our aim is exactly the opposite. We are working to provide a top rate education for each and every child in the state and to help them make a successful transition to life after graduation." Sampson added: "The agreement with the plaintiffs will allow both sides to negotiate in good faith the issues raised in the suit to reach a resolution that is fair for all involved."

Sampson and Attorney General Gregg Renkes said the stipulation will provide time for the State to seek guidance from the Legislature and the State Board of Education regarding options for settling the lawsuit. "We need to know whether the legislature will act on pending legislation affecting this case before we can engage in meaningful settlement negotiations," said Renkes.

The key points of the stipulation are:

- Members of the class action lawsuit include all students who have an Individualized Education Program (IEP) under the federal Individuals with Disabilities Education Act or a Section 504 Plan under the Rehabilitation Act of 1973 and who have taken or who must the high school graduation qualifying exam. About 18,000 students statewide at all grade levels have IEPs.
- The high school exam will not be used to deny a class member a high school diploma in the spring of 2004 if the student has met all other requirements for a diploma.
- The State of Alaska will notify secondary school principals and special education directors about the stipulation. Schools will be required to notify parents, special education teachers and affected students.
- The State of Alaska and the plaintiffs' lawyers will enter into negotiations to try to resolve the issues raised in the lawsuit. The first negotiation is expected to be May 18.
- The State of Alaska and lawyers for the plaintiffs will report to the court progress on the negotiations no later than July 9.

###

ASSESSED PERFORMANCE STANDARDS

HIGH SCHOOL GRADUATION QUALIFYING EXAMINATION

READING PERFORMANCE STANDARDS FOR THE HSGQE

R4.1 Apply knowledge of syntax, roots, and word origins, and use context clues and reference materials, to determine the meaning of new words and to comprehend text.
R4.2 Summarize information or ideas from a text and make connections between summarized information or sets of ideas and related topics or information.
R4.3 a. Identify and assess the validity, accuracy, and adequacy of evidence that supports an author's main ideas. b. Critique the power, logic, reasonableness, and audience appeal of arguments advanced in public documents.
R4.4 Read and follow multi-step directions to complete complex tasks.
R4.7 Express and support assertions, with evidence from the text or experience, about the effectiveness of a text.
R4.8 Analyze and evaluate themes across a variety of texts, using textual and experiential evidence.

WRITING PERFORMANCE STANDARDS FOR THE HSGQE

W4.1 Write a coherent composition with a thesis statement that is supported with evidence, well-developed paragraphs, transitions, and a conclusion.
W4.2 Demonstrate understanding of elements of discourse (purpose, speaker, audience, form) when completing expressive (creative, narrative, descriptive), persuasive, research-based, informational, or analytic writing assignments.
W4.3 Use the conventions of Standard English independently and consistently including grammar, sentence structure, paragraph structure, punctuation, spelling, and usage.
W4.4 Revise writing to improve style, word choice, sentence variety, and subtlety of meaning in relation to the purpose and audience.

MATHEMATICS PERFORMANCE STANDARDS FOR THE HSGQE

NOTE: Clarifying comments for the HSGQE are in italics. Some performance standards are not in the full versions found in the Alaska Standards booklet; if certain aspects of a performance standard are not assessed on the HSGQE, they are not included in this document.

Numeration

M1.3.1 Read, write, model, and order real numbers, explaining scientific notation *(read only)*, exponents (*square and cube only*) and percents.
M1.2.2 Use, model, and identify place value positions from 0.001 to 1,000,000.
M1.4.3 Compare and contrast the relationship between various applications of the same operation.
M1.3.3 Translate between equivalent representations of the same number, *including simple exponents.* Select a representation that is appropriate for the situation.
M1.3.4 Describe and model the relationship of fractions to decimals, percents, ratios and proportions.
M1.3.5 Use, explain, and define the rules of divisibility, prime and composite numbers, multiples, and order of operations.
M1.4.5 Recognize, describe, and use properties of the real number system.

Measurement

M2.3.1 Estimate and measure various dimensions to a specified degree of accuracy.
M2.4.2 Estimate and convert measurements between different systems.
M2.2.3 Use a variety of measuring tools; describe the attribute(s) they measure.
M2.3.4 Describe and apply the relationships between dimensions of geometric figures to solve problems using indirect measurement; describe and apply the concepts of rate and scale.
M2.3.5 Apply information about time zones and elapsed time to solve problems.
M2.2.6 Read, write, and use money notation, determining possible combinations of coins and bills to equal given amounts; count back change for any given situation.

These standards are clustered for reporting purposes.

Estimation and Computation

M3.4.1 Use estimation to solve problems and to check the accuracy of solutions; state whether the estimation is greater or less than the exact answer.
M3.3.2 Apply basic operations efficiently and accurately, using estimation to check the reasonableness of results.
M3.4.2 Add and subtract real numbers using powers.
M3.4.3 Multiply and divide real numbers in various forms including powers.
M3.3.5 Convert between equivalent fractions, decimals, percents, and proportions. Convert from exact to decimal representations of irrational numbers.
M3.4.5 Use ratios and proportions to model and solve fraction and percent problems with variables.

Functions and Relationships

M4.3.1 Identify numeric and geometric patterns to find the next term and predict the nth term.
M4.4.2 Create and solve linear equations and inequalities.
M4.4.3 Create and solve simple systems of equations.
M4.3.4 Translate among and use tables of ordered pairs, graphs on coordinate planes, and linear equations as tools to represent and analyze patterns.
M4.3.5 Find the value of a variable by evaluating formulas and algebraic expressions for given values.

Geometry

M5.3.1 Identify, classify, compare, and sketch regular and irregular polygons.
M5.2.2 Compare and contrast plane and solid figures (e.g., circle/sphere, square/cube, triangle/pyramid) using relevant attributes, including the number of vertices, edges, and the number and shape of faces.
M5.3.3 Apply the properties of equality and proportionality to solve problems involving congruent or similar shapes.
M5.3.4 Estimate and determine volume and surface areas of solid figures using manipulatives and formulas; estimate and find circumferences and areas of circles.
M5.2.6 Locate and describe objects in terms of their position with and without compass directions; identify coordinates for a given point or locate points of given coordinates on a grid.
M5.2.7 Sketch and identify line segments, midpoints, intersections, parallel, and perpendicular lines.

Statistics/Probability

M6.3.1 Collect, analyze, and display data in a variety of visual displays including frequency distributions, circle graphs, histograms, and scatter plots.
M6.3.2 Interpret and analyze information found in newspapers, magazines, and graphical displays.
M6.3.3 Determine and justify a choice of mean, median, or mode as the best representation of data for a practical situation.
M6.3.4 Make projections based on available data and evaluate whether or not inferences can be made given the parameters of the data.
M6.1.4 Find and record the possibilities of simple probability experiments; explain differences between chance and certainty, giving examples.
M6.2.5 Conduct simple probability experiments using concrete materials and represent the results using fractions and probability.

* Process Skills
(Problem Solving, Communication, Reasoning, Connections)

M8.3.3 Use appropriate vocabulary, symbols, and technology to explain, justify, and defend mathematical solutions.
M7.2.2 Select and apply a variety of strategies including making a table, chart or list, drawing pictures, making a model, and comparing with previous experience to solve problems.
M10.3.1 Apply mathematical skills and processes to science and humanities.
M10.3.2 Apply mathematical skills and processes to situations with peers and community

*Process skills are assessed but not separately reported on individual student reports.

These standards are clustered for reporting purposes.

Larry LeDoux
Commissioner
P.O. Box 110500
Juneau, AK 99811-0500
www.eed.state.ak.us

STATE OF ALASKA
DEPARTMENT OF EDUCATION
AND EARLY DEVELOPMENT

Eric Fry
Information Officer
907.465.2851
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Media Advisory

COMMISSIONER'S OFFICE

FOR IMMEDIATE RELEASE
AUGUST 3, 2009

Annual AYP Results to be Announced

The Alaska Department of Education & Early Development on Friday, August 7, in Anchorage will release the school-level results of the No Child Left Behind accountability system. These are the "adequate yearly progress" reports for public schools.

Alaska Education Commissioner Larry LeDoux and Director of Assessment, Accountability & Information Management Erik McCormick will hold a news conference on August 7, starting at 10 a.m., in the Governor's Office conference room at the Atwood Building in Anchorage. It is located at 550 West 7th Ave., Suite 1700.

The news conference also will be available by teleconference. Call 1-800-315-6338. The code is 0707#.

The press packet will be available at www.eed.state.ak.us at 8:30 a.m. on August 7. Copies will be available at the news conference.

Contact: Information Officer Eric Fry at 907-465-2851 or eric.fry@alaska.gov.

###

EDUCATION
& EARLY DEVELOPMENT

Graduation Rates in Alaska
Fact Sheet

The Graduation Rate is reported as a fraction. The numerator is the sum of the number of graduates receiving a regular diploma before June 30. The denominator is the sum of the number of graduates, plus the number of dropouts in grade nine three school years prior, plus the number of unduplicated dropouts in grade ten two school years prior, plus the number of unduplicated dropouts in grade eleven in the prior school year, plus the number of unduplicated dropouts in grade 12 during the current year, plus the number of grade 12 continuing students.

A **graduate** is defined as a student who was received a regular diploma from a state- or district-approved education program, as evidenced by receipt of a secondary school diploma from school authorities. Any student who receives a diploma under a waiver from the competency examination required under AS 14.03075 (a), as specified by the state board is considered to be a graduate. This does not include an individual who:

- receives a certificate of completion;
- receives a certificate of attendance;

The statewide Graduation Rate has remained relatively consistent over the last five years, however the number of graduates has increased for four consecutive years:

School Year	Graduation Rate	Graduate Count
2004	62.9%	7,270
2005	61.4%	6,905
2006	61.6%	7,361
2007	63.0%	7,666
2008	62.4%	7,796

The Alaska Native/American Indian Graduation Rate has shown improvement over the same five year time period:

School Year	Graduation Rate	Graduate Count
2004	46.1%	1,327
2005	43.2%	1,233
2006	45.1%	1,442
2007	51.2%	1,689
2008	47.8%	1,508

Please note that the new Graduation Rate required by the Final Title 1 Regulations under NCLB will use a different calculation. The new Graduation Rate, also known as the Four-Year Adjusted Cohort Rate, will follow an actual group of students across four years of high school. Alaska will no longer be incorporating prior years' counts of dropouts to calculate the Graduation Rate.

Thomas Obermeyer

From: McCormick, Erik A (EED) [erik.mccormick@alaska.gov]
Sent: Wednesday, March 18, 2009 12:06 PM
To: Thomas Obermeyer
Cc: Jeans, Eddy (EED); Herman, Marcy J (EED)
Subject: SB 109 Hearing 03/16/09
Attachments: Erik McCormick (erik.mccormick@alaska.gov).vcf; HSGQESpring2008Statewide.pdf; Graduation Rate Fact Sheet.doc; 2008 Graduation Rates by Subgroup.xls

Mr. Obermeyer,

Attached are three documents in support of the SB 109 Hearing hearing on Monday, chaired by Senator Davis.

- HSGQESpring2008Statewide.pdf
Spring 2008 HSGQE statewide results showing trend data from the Spring administrations 2006 through 2008. Subgroup information is provided as promised.

- Graduation Rate Fact Sheet.doc
This document provides our regulatory definition and calculation for the current Graduation Rate that we use in Alaska. NCLB requires us to report a graduation rate that measures a percentage of students graduating over a four year period. The document brings to attention that although the statewide Graduation Rate has remained relatively consistent over the last five years, the number of graduates has increased for four consecutive years. This is due largely to the efforts of public school districts to retain those students that may need more than four years to graduate.

- 2008 Graduation Rates by Subgroup.xls
In the hearing I stated that in 2008, there were 1,500 seniors identified as continuing seniors and that did not receive a diploma. Of those 1,500 seniors I stated that 69% of them had passed all three parts of the exam. The 1,500+ seniors were identified in the denominator of the Graduation Rate and represent those seniors that completed the school year but did not receive a diploma.

Please don't hesitate to contact me if you have any questions or concerns.

Thank you.
Erik

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Graduation Rate

2008 High School Graduates	2008 Grade 12 Continuing Students	2008 Grade 12 Dropouts	2007 Grade 11 Dropouts	2006 Grade 10 Dropouts	2005 Grade 9 Dropouts	2008 Graduation Rate
7,855	1,549	1,038	776	693	638	62.6%

= Grads / (Grads + continuing + dropouts 9-12)

= 20% grads

3145 = 40% Grad.

	2008 High School Graduates	2008 Grade 12 Continuing Students	2008 Grade 12 Dropouts	2007 Grade 11 Dropouts	2006 Grade 10 Dropouts	2005 Grade 9 Dropouts	2008 Graduation Rate
Male	3833	910	590	413	378	349	59.2%
Female	4022	639	448	363	315	289	66.2%
African American	262	86	49	48	29	36	51.4%
Alaska Native	1453	453	359	254	261	247	48.0%
American Indian	70	11	12	11	14	24	49.3%
Asian/Pac. Islander	575	111	76	52	28	24	66.4%
Caucasian	4742	713	423	336	327	277	69.6%
Hispanic	389	68	65	32	19	26	64.9%
Two or More Races	364	107	54	43	15	4	62.0%
SWD	532	351	109	105	102	58	42.3%
SWOD	7323	1198	929	671	591	580	64.9%
LEP	616	276	150	112	97	93	45.8%
NCON. DIS	1832	650	349	259	233	131	53.0%
AK Nat./Amer. Ind.	1523	464	371	265	275	271	48.1%

SPRING 2008 HSGQE

Total Numbers and Percentages of Students Scoring Above and Below Proficiency

		Grade 10					
Subject	Test Year	Proficient Count	Proficient Percentage	Not Proficient Count	Not Proficient Percentage	Enrollment	Participation Rate
READING	Spring 2006[3]	7,097	73.7%	2,529	26.3%	10,389	92.7%
READING	Spring 2007	8,534	90.9%	857	9.1%	10,040	93.5%
READING	Spring 2008	8,021	85.2%	1,396	14.8%	9,990	94.3%
WRITING	Spring 2006[3]	8,591	89.9%	967	10.1%	10,389	92.0%
WRITING	Spring 2007	7,622	81.2%	1,766	18.8%	10,040	93.5%
WRITING	Spring 2008	7,194	76.3%	2,239	23.7%	9,990	94.4%
MATHEMATICS	Spring 2006[3]	7,395	77.1%	2,201	22.9%	10,389	92.4%
MATHEMATICS	Spring 2007	7,563	80.6%	1,815	19.4%	10,040	93.4%
MATHEMATICS	Spring 2008	7,162	76.3%	2,226	23.7%	9,990	94.0%

[1] Percent Proficient and Percent Not Proficient rates only include students that participated in the exams.

[2] Participation rate is calculated by dividing the total count of students tested by the enrollment on the first day of testing.

[3] Proficiency scores were adjusted and these changes are reflected beginning 2007.

Note: 2006 is the first year both a 10th grade SBA and 10th grade HSGQE test was administered. 10th graders' results represent both populations using only the HSGQE questions. The Participation Rate may not include all of these students as some may be 2nd year 10th graders.

STATEWIDE SPRING 2008 HSGQE

GRADE 10

Statewide Results by Ethnicity, Gender, and Groups

READING	Proficient Count	Proficient Percentage	Not Proficient Count	Not Proficient Percentage	Enrollment	Participation Rate
rican American	245	78.8%	66	21.2%	336	92.6%
aska Native/American Indian	1,490	69.1%	665	30.9%	2,317	93.0%
ian/Pacific Islander	531	78.1%	149	21.9%	717	94.8%
aucasian	4,926	93.2%	361	6.8%	5,575	94.8%
spanic	385	79.7%	98	20.3%	516	93.6%
vo or more races	444	88.6%	57	11.4%	526	95.2%
emale	4,090	87.6%	581	12.4%	4,943	94.5%
ale	3,931	82.8%	815	17.2%	5,047	94.0%
sabled	439	47.7%	481	52.3%	1,066	86.3%
on Disabled	7,582	89.2%	915	10.8%	8,924	95.2%
nited English Proficient	553	49.9%	555	50.1%	1,190	93.1%
w Income	2,184	72.6%	825	27.4%	3,306	91.0%
t Low Income	5,837	91.1%	571	8.9%	6,684	95.9%
grant	453	74.9%	152	25.1%	635	95.3%
WRITING	Proficient Count	Proficient Percentage	Not Proficient Count	Not Proficient Percentage	Enrollment	Participation Rate
rican American	206	65.6%	108	34.4%	336	93.5%
aska Native/American Indian	1,294	59.9%	867	40.1%	2,317	93.3%
ian/Pacific Islander	496	73.4%	180	26.6%	717	94.3%
aucasian	4,473	84.3%	831	15.7%	5,575	95.1%
spanic	343	71.3%	138	28.7%	516	93.2%
vo or more races	382	76.9%	115	23.1%	526	94.5%
emale	3,974	85.0%	704	15.0%	4,943	94.6%
	3,220	67.7%	1,535	32.3%	5,047	94.2%
	292	31.7%	628	68.3%	1,066	86.3%
on Disabled	6,902	81.1%	1,611	18.9%	8,924	95.4%
nited English Proficient	471	42.5%	636	57.5%	1,190	93.0%
w Income	1,849	61.4%	1,162	38.6%	3,306	91.1%
t Low Income	5,345	83.2%	1,077	16.8%	6,684	96.1%
grant	402	66.2%	205	33.8%	635	95.6%
MATHEMATICS	Proficient Count	Proficient Percentage	Not Proficient Count	Not Proficient Percentage	Enrollment	Participation Rate
rican American	192	61.1%	122	38.9%	336	93.5%
aska Native/American Indian	1,278	59.6%	866	40.4%	2,317	92.5%
ian/Pacific Islander	515	76.1%	162	23.9%	717	94.4%
aucasian	4,482	84.8%	801	15.2%	5,575	94.8%
spanic	327	68.1%	153	31.9%	516	93.0%
vo or more races	368	75.1%	122	24.9%	526	93.2%
male	3,528	76.0%	1,117	24.0%	4,943	94.0%
ale	3,634	76.6%	1,109	23.4%	5,047	94.0%
sabled	320	35.0%	593	65.0%	1,066	85.6%
n Disabled	6,842	80.7%	1,633	19.3%	8,924	95.0%
nited English Proficient	465	42.2%	636	57.8%	1,190	92.5%
w Income	1,842	61.8%	1,138	38.2%	3,306	90.1%
t Low Income	5,320	83.0%	1,088	17.0%	6,684	95.9%
grant	410	67.7%	196	32.3%	635	95.4%

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SPRING 2008 HSGQE

Total Numbers and Percentages of Students Scoring Above and Below Proficiency

HSGQE STUDENT RETESTS

		Grade 11			
Subject	Test Year	Proficient Count	Proficient Percentage	Not Proficient Count	Not Proficient Percentage
READING	Spring 2006[2]	863	43.3%	1,129	56.7%
READING	Spring 2007	590	58.6%	416	41.4%
READING	Spring 2008	283	47.2%	316	52.8%
WRITING	Spring 2006[2]	419	62.8%	248	37.2%
WRITING	Spring 2007	380	41.9%	526	58.1%
WRITING	Spring 2008	328	34.9%	613	65.1%
MATHEMATICS	Spring 2006[2]	669	40.7%	976	59.3%
MATHEMATICS	Spring 2007	472	35.4%	860	64.6%
MATHEMATICS	Spring 2008	321	32.0%	682	68.0%

[1] Percent Proficient and Percent Not Proficient rates only include students that participated in the exams.

[2] Proficiency scores were adjusted and these changes are reflected beginning 2007.

STATEWIDE SPRING 2008 HSGQE

GRADE 11

Statewide Results by Ethnicity, Gender, and Groups

READING	Proficient Count	Proficient Percentage	Not Proficient Count	Not Proficient Percentage
African American	17	58.6%	12	41.4%
Alaska Native/American Indian	64	29.8%	151	70.2%
Asian/Pacific Islander	17	26.2%	48	73.8%
Caucasian	137	68.8%	62	31.2%
Hispanic	17	39.5%	26	60.5%
Two or more races	10	71.4%	4	28.6%
Female	148	56.7%	113	43.3%
Male	135	39.9%	203	60.1%
Disabled	35	22.0%	124	78.0%
Non Disabled	248	56.4%	192	43.6%
Limited English Proficient	36	20.3%	141	79.7%
Low Income	56	36.8%	96	63.2%
Not Low Income	227	50.8%	220	49.2%
Migrant~	n/a	n/a	n/a	n/a
WRITING	**Proficient Count**	**Proficient Percentage**	**Not Proficient Count**	**Not Proficient Percentage**
African American	23	33.8%	45	66.2%
Alaska Native/American Indian	89	26.3%	250	73.7%
Asian/Pacific Islander	23	31.1%	51	68.9%
Caucasian	141	43.8%	181	56.2%
Hispanic	14	21.9%	50	78.1%
Two or more races	15	42.9%	20	57.1%
Female	148	46.8%	168	53.2%
Male	180	28.8%	445	71.2%
Disabled	53	19.9%	214	80.1%
Non Disabled	275	40.8%	399	59.2%
Limited English Proficient	45	18.6%	197	81.4%
Low Income	68	25.9%	195	74.1%
Not Low Income	260	38.3%	418	61.7%
Migrant~	n/a	n/a	n/a	n/a
MATHEMATICS	**Proficient Count**	**Proficient Percentage**	**Not Proficient Count**	**Not Proficient Percentage**
African American	24	31.2%	53	68.8%
Alaska Native/American Indian	70	20.3%	274	79.7%
Asian/Pacific Islander	25	28.4%	63	71.6%
Caucasian	152	41.6%	213	58.4%
Hispanic	16	27.1%	43	72.9%
Two or more races	13	37.1%	22	62.9%
Female	173	34.4%	330	65.6%
Male	148	29.6%	352	70.4%
Disabled	61	21.3%	226	78.7%
Non Disabled	260	36.3%	456	63.7%
Limited English Proficient	34	14.2%	206	85.8%
Low Income	55	20.3%	216	79.7%
Not Low Income	266	36.3%	466	63.7%
Migrant~	n/a	n/a	n/a	n/a

[1] Percent Proficient and Percent Not Proficient rates only include students that participated in the exams.

~ Figure suppressed due to confidentiality standards.

SPRING 2008 HSGQE

Total Numbers and Percentages of Students Scoring Above and Below Proficiency

HSGQE STUDENT RETESTS

		Grade 12			
Subject	Test Year	Proficient[1] Count	Proficient[1] Percentage	Not Proficient[1] Count	Not Proficient[1] Percentage
READING	Spring 2006[2]	389	41.7%	543	58.3%
READING	Spring 2007	200	48.4%	213	51.6%
READING	Spring 2008	134	49.4%	137	50.6%
WRITING	Spring 2006[2]	138	52.3%	126	47.7%
WRITING	Spring 2007	105	34.9%	196	65.1%
WRITING	Spring 2008	213	60.9%	137	39.1%
MATHEMATICS	Spring 2006[2]	339	42.6%	457	57.4%
MATHEMATICS	Spring 2007	215	35.3%	394	64.7%
MATHEMATICS	Spring 2008	152	33.7%	299	66.3%

[1] Percent Proficient and Percent Not Proficient rates only include students that participated in the exams.

[2] Proficiency scores were adjusted and these changes are reflected beginning 2007.

STATEWIDE SPRING 2008 HSGQE
GRADE 12
Statewide Results by Ethnicity, Gender, and Groups

READING	Proficient Count	Proficient Percentage[1]	Not Proficient Count	Not Proficient Percentage[1]
African American	4	57.1%	3	42.9%
Alaska Native/American Indian	23	21.9%	82	78.1%
Asian/Pacific Islander	12	33.3%	24	66.7%
Caucasian	64	82.1%	14	17.9%
Hispanic	9	50.0%	9	50.0%
Two or more races	4	50.0%	4	50.0%
Female	70	56.5%	54	43.5%
Male	64	43.5%	83	56.5%
Disabled	10	14.7%	58	85.3%
Non Disabled	124	61.1%	79	38.9%
Limited English Proficient	18	18.8%	78	81.3%
Low Income	18	29.0%	44	71.0%
Not Low Income	116	55.5%	93	44.5%
Migrant~	n/a	n/a	n/a	n/a
WRITING	**Proficient Count**	**Proficient Percentage[1]**	**Not Proficient Count**	**Not Proficient Percentage[1]**
African American	8	57.1%	6	42.9%
Alaska Native/American Indian	64	47.8%	70	52.2%
Asian/Pacific Islander	22	55.0%	18	45.0%
Caucasian	79	73.1%	29	26.9%
Hispanic	16	66.7%	8	33.3%
Two or more races	5	45.5%	6	54.5%
Female	94	73.4%	34	26.6%
Male	119	53.6%	103	46.4%
Disabled	51	45.9%	60	54.1%
Non Disabled	162	67.8%	77	32.2%
Limited English Proficient	49	48.0%	53	52.0%
Low Income	43	49.4%	44	50.6%
Not Low Income	170	64.6%	93	35.4%
Migrant~	n/a	n/a	n/a	n/a
MATHEMATICS	**Proficient Count**	**Proficient Percentage[1]**	**Not Proficient Count**	**Not Proficient Percentage[1]**
African American	11	37.9%	18	62.1%
Alaska Native/American Indian	33	19.2%	139	80.8%
Asian/Pacific Islander	11	23.9%	35	76.1%
Caucasian	65	46.4%	75	53.6%
Hispanic	9	37.5%	15	62.5%
Two or more races	6	28.6%	15	71.4%
Female	82	36.6%	142	63.4%
Male	70	30.8%	157	69.2%
Disabled	18	14.3%	108	85.7%
Non Disabled	134	41.2%	191	58.8%
Limited English Proficient	18	14.4%	107	85.6%
Low Income	23	19.3%	96	80.7%
Not Low Income	129	38.9%	203	61.1%
Migrant~	n/a	n/a	n/a	n/a

[1] Percent Proficient and Percent Not Proficient rates only include students that participated in the exams.
~ Figure suppressed due to confidentiality standards.

Moore v. Alaska, decision 6-21-07

RE: HSGQE – Exit Exam

p. 33 #81. "This reform was a reaction by the legislature to frustration that children were receiving high school diplomas but were lacking in basic skills."

p.34 #83. "State acknowledges that 'children have a property interest in their prospective diploma, and cannot be deprived of that property interest by a test that is unfair to them because they have not had notice of the content of the test.'"

p. 36 #92 'Bering Strait's graduation rate has fallen significantly since 2002-2003, when it was 59.4%. This may be due to the introduction of the exit exam requirement since that date, but also may be due in part to the "Quality Schools" program in place there that allows students additional time to complete their studies past 12th grade."

p. 38 #95 "While the dropout rate may be some indication as to whether an educational program is meeting a student's need, the evidence showed that not all students drop out because of low academic achievement. Family and work commitments, among other reasons, may also be factors."

p.38 #96 "Some students drop out because they are unable to pass the exit exam.

p.56 #164 Mr. Morgan was concerned about the exit exam and the impact may have on students dropping out: "There's so much focus to pass [the exit exam] and I think there's more to life than just passing the exist exam."

p. 56 #165 Mr. Morgan ... had classes in photography, foreign languages and pottery, which have not been available to his children. He also believes there were more teachers. And he remembered that everyone graduated then. Now, he is 'saddened by the kid who [does not] get the diploma but still walks.

p. 72. #226 "Dr. Davis (BSSD) testified that small schools in Alaska should not be expected to offer all of the course available in large schools. Instead, his position is that "we should offer an adequate education."

p. 72. #229 Dr. Davis defines an adequate education as an "education that gives young people the tools to succeed in whatever live they choose." He testified that BSSD students are receiving an adequate education due in part to supplemental activities and education from families. He does not think they meet state standards but they are successful based on their own standards and the improvements they have made.

p. 77. Note: Bering Strait School District has some of the highest paid teachers and highest funding per student (Kuspuk School District: received $21,758 per student in 2005).

p. 79 #246 Dr. Laster testified that "we are in good faith really working to try to get those core competencies to students: reading, writing and math. But it's really important to have an interdisciplinary approach; an approach that respect the community that kids come from, the culture that they come from, that engages them in a way that grabs them and engages them and has them working on stuff that that is rally meaningful to them."

26. No evidence was presented that the State has redirected any district supervisory personnel or any school district appropriations, except that in the 2007-2008 school year, the State required the school districts in which it had intervened to pay for the cost of the district coaches.

III. HSGQE Remediation Plans

27. This Court's June 2007 decision held that because the State had failed to meet its constitutional oversight responsibilities, the State was violating the substantive due process rights of students by deny high school diplomas to students in chronically underperforming school districts who had failed the High School Graduation Qualifying Exam (HSGQE).[24]

28. Following this Court's 2007 decision, the State Board adopted a regulation that requires all school districts to have a HSGQE remediation plan in place for all high school juniors and seniors who had not passed one or more section of the HSGQE.[25] For intervention districts, the regulation provides that the remediation plans must be reviewed and approved by the Commissioner and must "begin no later than the start of the second semester of the students' 11th grade year."[26] Remediation is defined as "additional instruction and study that targets the skills tested on the HSGQE."[27]

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[24] Decision and Order at 191-194.

[25] 4 AAC 06.759.

[26] 4 AAC 06.759(b)(1)(B).

[27] 4 AAC .06.759(f).

29. In December 2007, each of the intervention districts submitted remediation plans to the Department. [Exs. 2548-2552]

30. Of the five intervention districts, the Department has approved one remediation plan -- the plan submitted by the Yupiit School District. [Ex. 2548]

31. The interim Commissioner wrote to each of the four other intervention districts in December 2007 that the district's plan needed further information before Departmental approval would be forthcoming. [Exs. 2549-52] However, there is no indication in the record before this Court that the Department has done any additional follow up on the remediation plans since that time. [Tr. 10/7/08 at 88; *see also* ex. 436]

32. This Court has reviewed each of the remediation plans from the intervention districts. [Exs. 2548-2552] The plans do not appear to require that each student who has failed the exam who is in 11th or 12th grade has an individualized plan that focuses on the student's area(s) of deficiency in an effort to maximize that student's likelihood of passage of the exam. And the plans do not insure that each such student has an assigned professional to monitor that student's progress toward proficiency on the exam. Nor is there any evidence that the Department has taken steps to confirm that the districts actually have the plans in operation for each of these students.

33. The Department presented a detailed analysis of HSGQE results at the evidentiary hearing in June 2008. [Exs. 2514-2522] The analysis focused on how many students in the classes of 2006 and 2007 had passed all three sections of the exam by their senior year. [Tr. 6/10/08 at 39-41] The analysis showed that a substantial majority of students who stay in school are passing the exit exam, including

students in the intervention districts. However, the Department's analysis excluded all those students who had dropped out or transferred to another school before passing all three sections. Superintendents from intervention and plaintiff districts testified that those students who remain in school have the opportunity to learn the material tested on the HSGQE. [*See, e.g.*, tr. 10/21/08 at 147-148] Yet a review of the Department's statistics demonstrates that numerous students throughout the state are unable to pass the exam even after five opportunities. According to the Department's statistics, and excluding all students who have dropped out before they passed the exam, in 2007 over 1,100 students statewide failed to pass the HSGQE exam after five opportunities, while 8,524 students passed. [Ex. 2514 at 8]

IV. Findings Regarding the Components of the District Level Interventions

A. The Northwest Lab Evaluation

34. An evaluation of the State's improvement process prepared by Timothy Speth of the Northwest Regional Educational Laboratory, in partnership with the Alaska Comprehensive Center, was admitted as an exhibit at the October 2008 evidentiary hearing. [Ex. 477][28] The Lab is a federally-funded research institution with a reputation for performing quality research. Both former Commissioner Sampson and Dr. John Davis were on the Lab's Board for many years, and Commissioner LeDoux is currently on the Lab's Board. [Tr. 10/6/08 at 114; 10/8/08 at 71, 129] Dr. Darling-Hammond

[28] Although the report is entitled an evaluation of the "District Improvement Coaches Project," it also addressed other aspects of the district improvement process. [Ex. 477]

thereby negatively impacting the likelihood of prompt and significant improvement in student achievement.

155. The evidence indicated that the Department is currently undertaking some efforts to expand its capacity to provide assistance to the districts. But no evidence was presented that the Department has undertaken any effort to assess its capacity to determine what it would require to effectively assist districts and schools to provide students with a constitutionally adequate education. Yet Eddy Jeans, the Department's legislative liaison, testified that "the legislature gave us a very clear message that when we determine what additional resources we need, we are to come back to them and ask for them." [Tr. 10/7/08 at 46]

CONCLUSIONS OF LAW

1. This Court's June 2007 Decision and Order concluded that the Department was not fulfilling its constitutional oversight responsibility in chronically underperforming districts and schools, and ordered the Department to take adequate remedial measures to establish compliance. The State asks this Court to now find that the deficiencies identified in the June 2007 Order have been cured, and that this Court should accept "the State's system as compliant with the Education Clause."[46] But the Plaintiffs ask this Court to find that the State's current intervention efforts fail to comply with the requirements of the Court's June 2007 Order and that the Department continues to be

[46] State's Proposed Findings of Fact and Conclusions of Law at 53, ¶ 22.

out of compliance with the oversight duties imposed by the Education Clause of the Alaska Constitution."[47]

2. In an order issued near the outset of this case in June 2006, this Court held that under the Education Clause, it is the Court's responsibility "to determine a constitutional floor with respect to educational adequacy, and to determine if that constitutional floor is currently being met."[48]

3. The District Plaintiffs remaining in this action now seek to have this Court expressly hold that the Education Clause establishes a fundamental right to education. But at this juncture, where the issue is the adequacy of the State's oversight of and assistance to chronically underperforming school districts, and no individual student plaintiffs are asserting that they are not being accorded their constitutional right to an education, this Court will instead maintain the "constitutional floor" analysis first set out in this case in June 2006 and determine whether the State's current efforts to comply with the Education Clause are adequate. Stated differently -- has the State now demonstrated that it is fulfilling its constitutional responsibility to "maintain a system of public schools?"[49]

4. Because the State has been ordered to take remedial action to correct an ongoing constitutional breach, it bears the burden of proof on the issue of compliance.

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[47] District Plaintiffs' Proposed Findings of Fact and Conclusions of Law at 54, ¶ 20.

[48] *Order re State's Motion to Establish Standard of Review* at 4, *quoting Campaign for Fiscal Equity, Inc. v. State of New York*, 86 N.Y. 2d 307, 315 (N.Y. 1995).

[49] Alaska Const. Article VII, § 1.

5. The first prong of the June 2007 Order addressed the State's obligation to establish "clear standards" for school districts to retain full local control.[50] Certainly, the Legislature has the authority to delegate its constitutional responsibility to maintain public schools to the Department of Education and Early Development as well as to local school districts.[51] But for the reasons more fully articulated in this Court's June 2007 decision, when making a broad delegation to local school districts of the constitutional responsibility to maintain schools, the State "must establish clear standards" for those districts necessary to retain local control.[52]

6. By clearly describing the boundaries that insure full local control, these standards correspondingly serve to define the threshold that activates the Department's constitutional duty to intervene and provide oversight and assistance to local officials. Clear standards should also reduce the risk of premature and untimely intervention by giving specific and reliable notice to all interested parties of the circumstances that would activate the State's duty to intervene and assist.

7. The State has developed comprehensive desk audit and instructional audit regulations to determine those districts and schools that necessitate State intervention. The District Plaintiffs in this action are not asserting that the State has improperly intervened in certain districts, or that the State should have intervened in other districts. The evidence at the compliance hearings did demonstrate several concerns with the audit process, such as restrictions on the distribution of the narrative audit summaries,

[50] Decision and Order at 189.

[51] Decision and Order at 162-165, 173, ¶ 2.

[52] Decision and Order at 189.

and the lack of clear standards for when an instructional audit will not result in an intervention. But on the current record, this Court agrees with the State with respect to this component of this Court's June 2007 Order, such that any constitutional questions arising from the details of implementing the audit regulations should be asserted by future challenge, and are not directly before this Court at this time. *See State v. Alaska Civil Liberties Union*, 159 P.3d 513, 514-515 (Alaska 2006).[53]

8. For the same reasons, this Court finds that any constitutional questions arising from the implementation of school-level interventions are not now directly before this Court, as to date no such interventions have been undertaken and no party is before this Court at this time asserting a claim of unconstitutionality with respect to those potential school-level interventions.

9. The "clear standards" prong of this Court's June 2007 Decision and Order contains a separate component that is applicable to the intervention districts. The Order also emphasized the need for the State to "insure that each school district has a demonstrated plan to provide children a meaningful opportunity to achieve proficiency in the State's performance standards, and meaningful exposure on the remaining content standards, and insure that the district plan is fully implemented and actually in use in the district classrooms."[54]

10. Although the Department has created a set of content standards, it has not provided clear guidance to school districts as to how much and what kind of exposure to

[53] Likewise, constitutional questions that might arise from SB 285's provisions concerning the potential redirection of appropriations and redirection of school district personnel are not properly before this Court at this time.

[54] Decision and Order at 189, ¶ 41.

those standards must be given in order to insure that students receive an education that is adequately broad in content, as well as adequately demanding in performance.

11. Without clear standards to guide them in attempting to meet the content standards, the underperforming districts focusing their efforts on meeting performance standards have no way of ensuring that their students have an adequate opportunity to obtain a well-rounded education, and not just an education that builds proficiency in a set of narrow, albeit critical, skills. Likewise, the Department has not articulated any standard that it will apply to determine whether and when its oversight duty requires it to give troubled districts assistance in assuring meaningful exposure to the content standards.

12. For the foregoing reasons, this Court finds that the State has not met its constitutional responsibility to "maintain a system of public schools" with respect to this component of the first prong of the June 2007 Order.

13. The second prong of the June 2007 Order focused on the State's oversight responsibility of chronically underperforming districts, and required the State to provide "considerably more" "oversight," "assistance" and "direction" in "a concerted effort to remedy the situation."[55]

14. Strong and persuasive evidence was presented at the compliance hearing demonstrating that, for a variety of reasons, the State's current district-level interventions have fallen considerably short of complying with this oversight requirement in two basic respects: first, because the remedial measures included in the interventions have not been effectively implemented and have not adequately meet the

[55]Decision and Order at 189.

needs they were meant to serve; and, second, because the interventions target an unjustifiably narrow range of problems, while ignoring many other educational problems that these local districts have not adequately addressed on their own.

15. The State's district-level intervention plans provide districts with measurement and assessment tools and some organizational assistance meant to enhance the districts' use of those tools. But the Department underestimated the complexity involved in implementing the use of tools like "Response to Instruction" and AIMSWeb in chronically underperforming districts. As a result, the State has not provided sufficient training and technical support to allow the tools to be effectively and efficiently implemented. Moreover, the State's intervention plans mistakenly assumed that the districts would have the expertise and experience to make appropriate use of the assessment tools after implementation, and as a result did not provide adequate follow up and on-site assistance.

16. The State did not adequately tailor its remedial efforts to the particular needs of the schools and districts in which they were implemented. To the contrary, the Department's only significant effort to assess particularized needs -- its instructional audits -- played no role in the Department's choice of the remedial measures included in its district interventions. Nor did the Department make any systematic effort to monitor and evaluate its intervention efforts so that its remedial measures could be adjusted, refined, and supplemented when information established the need for change.

17. Despite the June 2007 Order's specific mandate of a "concerted effort" to provide "considerably more" assistance in resolving the districts' problems, the State's own

witnesses described the Department's interventions as considerably less. Multiple witnesses described the current intervention components as "somewhat minimalistic," an "initial intervention," a "first step," or a "foundation" for other needed elements. But in chronically underperforming school districts, setting up an initial intervention, then waiting five to seven years as the Department proposes to assess the results is not sufficient to remedy the constitutional violations identified in the June 2007 Order.[56]

18. The State has also failed to adequately address its constitutional responsibility to "insure that its educational standards are being implemented at the local level."[57] Instead, it appears that the State is just beginning to determine the extent to which a curriculum aligned to the State's performance standards is being taught in all the public schools in this state. The State asserts that its approach "to focus the first years of the intervention on changing the delivery of instruction" and then "dealing with the issue of curriculum was based on appropriate professional judgment."[58] But all public schools in this state should be teaching a curriculum that includes (yet certainly should not be limited to) materials aligned with the State's performance standards. The instructional audits of the chronically underperforming districts that the Department undertook in the fall of 2006 -- over two years ago -- clearly demonstrated that was not the case. In these circumstances, an incremental, minimalist initial approach, that is only now beginning to address curriculum, is constitutionally inadequate.

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[56] *See, supra*, Findings at paragraph 141.

[57] Decision and Order at 186.

[58] State's Proposed Findings of Fact and Conclusions of Law at 17, ¶ 22.

19. Positive evidence concerning the interventions has been presented. For example, many of the technical and organizational problems that initially surfaced have been addressed and resolved, collaborative meetings appear to have been quite helpful at many schools, and additional training has been provided. [*See, e.g.*, tr. 10/6/08 at 45-47] Pointing to this progress, the State's expert, Dr. Guthrie, urges that the best thing to do at this juncture is essentially nothing – to wait for several years in order to allow the current remedial measures an opportunity to work. The State echoes this position, urging the Court to conclude that the State is doing enough, that it will continue to assist chronically underperforming schools, and that this action should now be dismissed.

20. A "first step" or "initial intervention" or "somewhat minimalistic" approach may well be the best approach in some settings, as when the Department initiates timely steps to address incipient problems arising well before a district chronically fails. But here, the districts targeted for intervention are districts with chronically underperforming schools -- schools with lengthy histories of failing to overcome the achievement gap for generations of children -- and the Department was ordered to take concerted remedial action because it has violated its constitutional oversight duty by failing to meaningfully intervene before the problems became chronic.

21. The parties do not dispute that the intervention districts face significant hurdles in attempting to correct their students' underperformance, including geographic, cultural, environmental and cultural influences. But the evidence also establishes that there is an array of promising, research-backed remedial measures to address the educational needs of students in these districts which have not yet been successfully implemented.

Such measures could include efforts to build in-house expertise, to increase the level of available teaching capacity, to create meaningful incentives to promote the recruitment and retention of high quality teachers, to provide content specialists, on-site coaches and mentors, targeted educational resources, and more extensive professional development focused on the particularized needs of the intervention districts. They could also include pre-K, curriculum development and alignment, and resources directed at improving student attendance and the school's interface with the local community.

22. Although the State asserted in its closing argument that teaching capacity is a problem for local districts to address, teacher qualifications and training are controlled by the State through the certification process.[59] And the State did not demonstrate an insurmountable conflict between local control/local capacity on the one hand, and State assistance with targeted support on the other hand. The two are complementary, not mutually exclusive: "A more efficient state system operates when the state is able to fulfill its responsibilities well and doesn't leave that to every little local district to try to have to replicate or create because the state hasn't provided some of the foundation that's needed for the districts to be able to proceed effectively." [Tr. 10/9/08 at 65; Dr. Darling-Hammond] And, in any event, "local control does not supersede a child's right to learn." [Tr. 10/8/08 at 185; Dr. John Davis]

23. To date, the State has categorically declined to consider an early-education component such as pre-K in its interventions. In ruling out this option, the State has relied on this Court's holding that the Education Clause does not require pre-K to be included as

[59] AS 14.20.020; 4 AAC 12.200 – 4 AAC 12.900.

an integral part of the system of public education that the Legislature must routinely provide throughout the state.[60] But that ruling was not intended to exempt pre-K from being considered and used as a case-specific measure to remedy a constitutional violation.

24. During the 2008 hearings the State occasionally referred to the problem of children being unprepared to begin school as stemming from problems within the community. These references echoed the report of the State's expert, Dr. Guthrie, who referred to "cultural and community misalignment."[61] But to the extent local conditions create unique educational problems that impair a public school's ability to provide a constitutionally adequate education, then the school district and the Department have a constitutional duty to address the educational aspects of those problems that are amenable to educational solutions. And when a local district lacks the capability to resolve these educational problems on its own, the Department's oversight duty requires it to intervene and provide assistance to the local district in a concerted effort to remedy these problems. This Court finds persuasive the response of a New York court to a similar argument, which "rejects the argument that the state is excused from its constitutional obligations when public school students present with socio-economic deficits."[62] Conditions within a community do not diminish the State's constitutional duty to "maintain a system of public schools open to all children of the State."

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[60] Decision and Order at 177, ¶¶ 11, 12.

[61] Ex. 2584 at 62406-07.

[62] *Campaign For Fiscal Equity v. State*, 719 N.Y.S.2d 475, 516 (Sup. Ct. N.Y. 2001), *aff'd.* 769 N.Y.S.2d 106, 116 (N.Y. 2003).

25. In addition to addressing the Education Clause of Alaska's Constitution, this Court's June 2007 Order held that due process is violated if the State withheld high school diplomas from students in chronically underperforming districts who had not passed the HSGQE but were "not being accorded a meaningful opportunity to acquire proficiency in the very material that is tested on the exam,"[63] when the State had failed to provide adequate oversight and assistance to the district.

26. The State has now required the intervention districts to submit copies of their HSGQE remediation plans to the Department for review. But this Court's expectations were, and are, that in each chronically underperforming school district, the Department would immediately insure that an individualized remedial plan had been developed for each current 11th and 12th grader who has not yet passed the exam, including but not limited to appropriate formative assessments, and that each such student would have a designated professional at the school district (or Department, if necessary) with the responsibility of monitoring that student's remedial plan. In addition, the Department, through on-site visits and follow-up interviews, would insure that such a plan was actually in place for each of the students in chronically underperforming districts who had not yet passed the exam. To date, there is no indication that this has occurred in any of the intervention districts.

27. Based upon all of the evidence presented, this Court finds that the Department, through delegation from the Legislature, is not currently meeting the State's constitutional responsibility to "maintain a system of public schools open to all children of the State." The schools in the chronically underperforming school districts are not constitutionally

[63] Decision and Order at 193-194.

adequate; the Education Clause requires considerably more from the State in the way of oversight and assistance to those districts. And yet, while this Court has identified several shortcomings in the above Findings, it may well be that the requisite constitutional floor could be met without all of those deficiencies being fully rectified. Rather, it is the entirety of the deficiencies which together result in this Court's finding that the requisite constitutional floor has not been met at this time.

28. The Court further concludes, however, that the Department has made good faith efforts to achieve compliance with the June 2007 Order and the Education Clause and that the deficiencies in its efforts to date may well stem from uncertainty about the extent of the requirements in the June 2007 Order and the scope of the Department's oversight responsibilities. Moreover, the dedication to school improvement of the many educators in this process -- including the educators and other personnel within the Department and in the school districts -- is well evident and deserving of considerable respect. For these reasons, this Court will accord to the Department an additional opportunity to comply voluntarily with requirements of the Education Clause and this Court's orders, as further directed below.

ORDER

To establish compliance, IT IS ORDERED that the State shall proceed as follows:

A. Prepare and file with this Court a draft of standards that address the State's constitutional responsibility to insure that chronically underperforming school

districts are providing students in those districts with meaningful exposure to the State's content standards.

B. Review, reconsider, and -- after consulting with the districts and giving due considerations to their views -- file with this Court revised district intervention plans that address and incorporate as appropriate remedial measures related to each of the problem areas identified in these Findings. [*See* Findings of Fact, Parts V, A-E and Part VII]

C. File with this Court a plan of action that addresses the concerns identified in these Findings with respect to the adequacy of the remediation plans in the intervention districts for the High School Graduation Qualifying Exam.

Given the Department's continuing non-compliance with its constitutional duty to date, the time that has already been lost in attempting to establish compliance, and the severe consequences to students in the intervention districts caused by continued non-compliance, time is of the essence at this point in the proceedings. Accordingly, the State shall file and serve the materials described above no later than sixty days from the date of distribution of this Order. The State is strongly encouraged to work closely with each of the intervention districts in preparing these materials. The District Plaintiffs are accorded ten days thereafter to file and serve any objections. Additional proceedings shall be scheduled thereafter as warranted.

IT IS SO ORDERED this 4th day of February, 2009.

Sharon Gleason
Sharon L. Gleason
Judge of the Superior Court

I certify that on 2-4-09 a copy of the above was mailed to each of the following at their address of record (list name if not an agency)
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Albany Legislators Seek to Dilute New, Tougher Graduation Exams

By RAYMOND HERNANDEZ

An unusual bipartisan coalition of state lawmakers, whose constituents range from inner-city residents to affluent suburbanites, is pushing to scale back new, more stringent graduation requirements for nearly all public high school students.

The lawmakers contend that the new graduation standards are being phased in too quickly, do not accurately measure the overall academic performance of students and could result in increased failure and dropout rates in school districts across the state.

The rising concern in the State Legislature comes as the Board of Regents, the body charged with setting educational policy for the state, and the State Education Commissioner press ahead with new standardized tests that all high school students will eventually have to pass to graduate. Some lawmakers fear that as many as 20 percent of seniors may be unable to pass the tests.

Beginning next year, students will have to pass a more rigorous English Regents exam to earn a high school diploma. In later years, students will have to pass similar standardized tests in four other subjects: math; American history and government; global studies, and science.

It is not clear what action the Legislature might take to scale back the new standards, or whether such a move would have the support of Gov. George E. Pataki, whose aides declined to comment today. But one measure has already been proposed in the Assembly to allow school districts to use alternative standards to the Regents exam for graduation. The Democratic-controlled Assembly and the Republican-led Senate are holding joint hearings on the issue around the state.

Aides to the leaders of both chambers say they have heard widespread concerns that the new graduation requirements may deny diplomas to thousands of students.

That the Senate and the Assembly have found common ground on this issue is remarkable, given that their leaders agree on almost nothing else. To date, both houses have jointly passed only about two dozen pieces of legislation this session, none of them major, and budget talks are still deadlocked almost six weeks past the deadline.

"There's growing concern that relying on one set of standardized, time-pressured tests will leave hundreds of thousands of students behind," said Assemblyman Richard L. Brodsky, a Democrat from Westchester County who proposed legislation to allow alternative standards.

"This issue has resonance that goes well beyond the traditional fault lines that have polarized education debates in the past," Mr. Brodsky added. "It affects every community in the state, whether they are in the inner cities or in the suburbs."

Dean G. Skelos, a Republican from Nassau County who is a deputy majority leader in the State Senate, agreed. "There is really universal and bipartisan concern with what they are doing," he said of the new Regents standards. "We are hopeful that the Board of Regents will get the message that the Legislature is not happy with what they have done."

But in an interview late this afternoon, Richard P. Mills, the State Education Commissioner and one of the architects of the new graduation standards, said any move to relax the standards would rob students of the education they need to compete in the workplace. "The reason we raised the standards was in response to a public outcry that the old standards were too low," he said, adding, "We just have to stay the course and insist that children get the education that they need."

Mr. Mills said the new standards had already raised academic performance. He said 78 percent of high school seniors passed the Regents English exam last year, even though it was not required for graduation. "The standards are working," he said.

The Commissioner is chosen by the Regents, who in turn are appointed by the Legislature.

An aide to Mayor Rudolph W. Giuliani said the Mayor favored the tougher standards. The Regents' plan "restores the value of a high school diploma," said the spokeswoman, Sunny Mindel. "To reverse this would be a terrible step backward in time."

The state first offered the Regents exam in 1879 as a standard for colleges to use in evaluating high school graduates. But until now, students only needed to pass a competency test to graduate, and only a minority -- fewer than 25 percent of graduates in New York City -- have taken diplomas showing they passed the more difficult Regents exams.

Mr. Mills and the Board of Regents have contended that the old two-tiered testing system had created two classes of students: high

achievers, who often go on to college, and low achievers, who lack the skills to function well in the workplace.

But Mr. Mills and the Regents are not just requiring students to pass the Regents exams to graduate. They also say that they are making the exams considerably harder. The new exams are being phased in gradually, beginning this June, when 11th graders will be required to take e two-day, six-hour reading, writing and listening test in English. The class of 2003 will be required to take five subject exams: in math, cience, global studies, American history and government, and English.

That has led to widespread concern, if not panic, among parents, teachers and administrators over the prospect of widespread failures.

Lawmakers here are careful to point out that they heartily applaud the Regents' effort to raise the academic performance of students. But they also argue that the tests are just one measure of academic ability, and that many school districts, particularly poor ones, lack the resources to prepare low-achieving students to take the new tests.

Jeffrion L. Aubrey, a Democratic Assemblyman from Queens, said he was particularly troubled that teachers did not have enough time to review the tests. "How can teachers construct a curriculum or conduct classes around a test they haven't really had a chance to see?" Mr. Aubrey asked. "That's not fair. I would raise the curriculum standard first, without tying it to a test that means as much as this one does."

Steven Sanders, a Democrat from Manhattan who is the chairman of the Assembly's Education Committee, expressed similar concerns. "Are we really prepared in this state to witness perhaps as many as 15 or 20 percent of our high school seniors not to graduate, and then to suffer the very real consequences of what that will mean?" he asked.

Senator Michael A. L. Balboni, a Republican from Nassau County, said he supported the effort to enact higher standards, but questioned the reliance on a single series of tests to determine the academic fate of a high school student.

"This is an example of rushing perhaps in the right direction, but not having all the details worked out ahead of time," he said.

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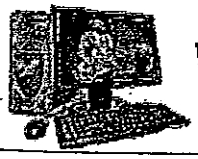
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High school graduation tests have little tie to college, report finds

WASHINGTON (AP) — Many high school graduation tests don't measure whether students are ready for college or work, and some states haven't even made clear what the purpose of their test is, a study finds.

Of the 25 states that have or plan graduation exams, only one, Georgia, says its test ensures students are prepared for higher education or work. Most of the states gear their tests toward 10th or 11th grade learning, and some gauge pre-9th grade skills, according to a study released Wednesday by the Center on Education Policy, a nonprofit research group.

With 20 states now withholding diplomas from students who don't pass tests in English and math, if not other subjects, the common assumption is that the tests measure college readiness, said Keith Gayler, the lead author of the report. That's wrong, he said.

The center found some states had little clarity about the purpose of their tests, which makes the exams harder to explain and defend politically, said director Jack Jennings.

"If they're not clear, then they can't write an exam that's legitimate," Jennings said of state leaders. "We're urging states to re-examine their policies."

High-school graduation now hinges on exit exams for more than half of all public school students, and that number is expected to grow to seven in 10 students by 2009.

Meanwhile, colleges and employers continue to warn that schools are graduating students who cannot communicate, analyze or reason well enough to succeed without remediation. High school exit exams have been promoted as a way to ensure students leave with quality skills.

The graduation exams appear to be encouraging schools to cover more content and to add remedial courses or other help for students at risk of failing the tests, the report said.

But there are drawbacks to the tests, too, it said, such as a narrowing of curriculum and the steering of some students away from a traditional diploma.

The center takes no position on the tests, aiming instead to highlight what's working and what's not as state leaders weigh decisions. For its annual report, the center collected data from the states, reviewed research and convened a national panel on the tests' impacts.

Many state officials said their high schools and colleges have not discussed tying the exit exams to what students need to know in college. Maryland and Washington were exceptions, and several states have moved toward more challenging tests.

With the debate over the exams quieting somewhat, states have a chance to close gaps in achievement for blacks, Hispanics and poor kids, Gayler said. To move right to high school tests that measure college readiness, he said, would yield "so few students passing at this point that the reforms would crumble under their own weight."

Typically, 65% to 85% of students pass their test on their first try. Comparisons between states are inappropriate because tests are different, the report said.

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Thousands of students did not graduate this year because they failed exit tests, but the total number is not available because of appeals and a lack of data tracking, the report said.

Earlier this year, an alliance of education groups called the American Diploma Project warned that high school graduation has lost its meaning. In calling for more rigor, the group said exit exams should be broad enough to test years of high school content, and colleges should use the tests in determining where to place new students.

Few higher education systems do that now. Among the 25 states with current or planned exit exams, only New Mexico, New York and Texas reported that some of their public colleges and universities consider high school exit tests in admitting or placing students.

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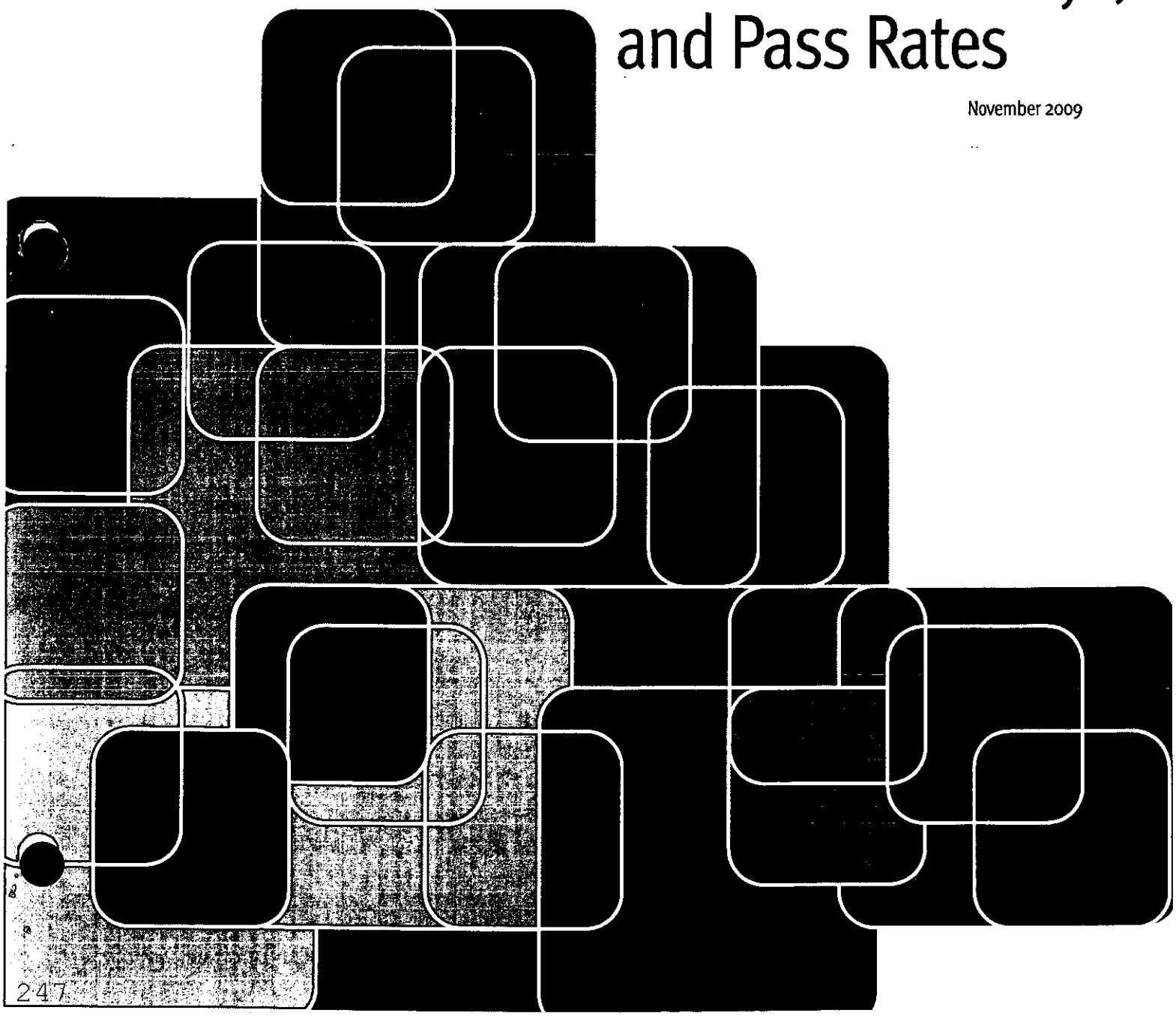
CENTER ON EDUCATION POLICY CEP

State High School Exit Exams: Trends in Test Programs, Alternate Pathways, and Pass Rates

November 2009



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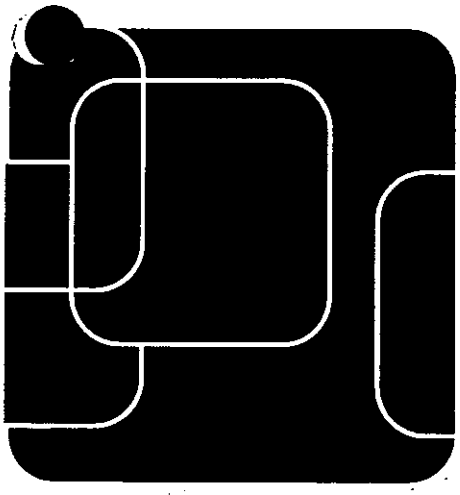

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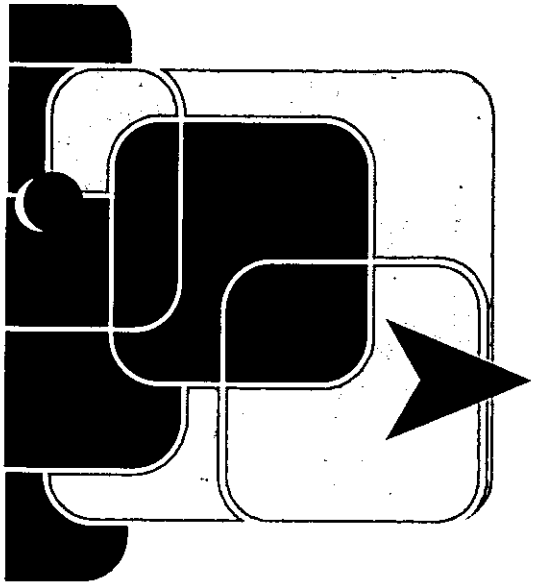


Summary

Since 2002, the Center on Education Policy (CEP), an independent nonprofit organization, has been studying state high school exit examinations—tests students must pass to receive a high school diploma. This is our eighth annual report of findings from this comprehensive study, which is based on a survey of all 26 states with current or planned mandatory exit exams, interviews with officials in three states, and other information.

Unlike our past reports that focused mostly on changes that occurred during a single year, this year's report looks across the entire eight years of the study to identify longer-term trends in state policies and student performance. Chapter 1 describes the evolvement of policies governing state exit exams and the features of these exams over the past eight years. This chapter also examines long-term changes in the types and amount of technical assistance and financial support that states provide to school districts, educators, and students. Chapter 2 examines this year's special topic—alternate pathways to graduation that states offer students who are struggling to pass exit exams. Chapter 3 analyzes trends in students' pass rates on exit exams and gaps in pass rates between different subgroups of students.

Key Findings

Several key findings emerged from this year's study of state high school exit exams.

Policy Changes and Changes in Tests

- **Changes in exit exam policies over the past eight years reflect states' struggles to develop standards and testing systems that are sufficiently demanding but also achievable and fair.** Since 2002, the stakes attached to state high school exit exams have risen for students and schools. Sixteen more states have begun withholding diplomas from students based on their exam performance, and the number of states that also use their high school exit exams for accountability under the federal No Child Left Behind Act (NCLB) has risen from 2 to 24. Many states have changed their exams to reflect new academic standards and curricula. Since 2002, most states have increased the number of subjects tested. And several states have shifted from minimum competency exams to comprehensive or end-of-course (EOC) exams aligned to content at a higher grade level.

- **At the same time, states have sought to soften the sting of exit exam mandates by phasing in requirements and allowing for adjustments.** On average, states with exit exam requirements have waited four years between the time their tests were first administered and the time diplomas were first withheld based on test performance. Some states have also taken a gradual approach to introducing new subjects to be tested. All of the exit exam states have modified their requirements to accommodate students with disabilities. In addition, most states have instituted alternate pathways to graduation that a few students utilize. Exit exam policies continue to be controversial, and future changes are likely.

- **Since 2004, states have expanded the purposes of their exit exams to include improving teaching and monitoring school performance, in addition to assessing whether students are well-prepared academically.** In 2004, most states with exit exams reported that the purpose of these tests was to assess whether students have acquired the competencies expected at the high school level; only a limited number of states also reported using the exams for other purposes. By 2009, most states with exit exams reported that they also used these tests to evaluate school and district performance and encourage early identification of students who needed extra instructional support, among other purposes. Eighteen states reported using performance data from exit exams to inform policy decisions, and 9 used the tests to guide instruction. In 2009, 11 states cited improving students' readiness for work and postsecondary education as a purpose of their exit exams, up from just 1 state in 2004.

- **Even though states have made some similar changes in exit exam policies, the key features of exit exams continue to vary greatly across states, as does data collected to gauge exam impact.** Although all of these exams rely mainly on multiple-choice questions, they differ in the subjects tested, testing time, standards to which they are aligned, cut scores, and the use of test results.

- **States have developed exit exam policies using input from peer and external reviews.** This input includes reviews by third-party testing experts, studies of alignment with state standards, special task forces to address particular concerns such as high failure rates, and peer review by the U.S. Department of Education to ensure the exams comply with NCLB requirements.

- **In recent years, many states have increased technical assistance to districts and schools related to exit exams, but many have also dramatically cut funding for remediation programs.** In 2002, only half the states with exit exams required districts to provide remediation services, and just one-third provided students with study guides to the exams; even fewer states provided teachers with instructional resources related to exit exams. By 2009, the scope of technical assistance tied to exit exams had expanded greatly. For example, 19 of the 26 states with exit exams assist schools in identifying and helping struggling students, 18 provide teachers with professional development to raise pass rates on the exams, and 14 provide districts with direct technical assistance for student remediation programs. At the same time, however, states report a significant decline in state funding for remediation.

Alternate Pathways to Graduation

- **Nineteen states of the 26 states offer alternate pathways to graduation for general education students who have difficulty passing the regular exit exam but can demonstrate mastery of high-school-level knowledge in other ways.** Passing an alternative assessment, such as the SAT, and collecting a portfolio assessment of classroom work are the most common alternate pathways that states offer general education students. Four states offer waivers or flexible cut scores that allow students to graduate if they have failed the exit exam but meet other graduation requirements and comply with very specific criteria, such as completing additional courses or scoring within a certain margin of the cut score on an exit exam. Students who graduate through a waiver, however, do not always receive a regular diploma.

- **Twenty-two of the 26 states also offer specific alternate pathways for students with disabilities, but only two states have alternatives for English language learners.** Fourteen states make available alternative assessments, including portfolio assessments or modified standardized tests, as pathways for students with disabilities who are struggling to pass exit exams. Eleven states offer waiver options specifically for students with disabilities. Most states allow English language learners (ELLs) to take exit exams with accommodations, and most offer ELLs the same alternate pathways available to general education students. Idaho and Minnesota offer alternate pathways aimed at ELLs who have been in the country for a limited number of years.

➤ **States rely heavily on advisory committees to design and implement alternate pathway policies; states also stress the importance of monitoring, training, and communication in implementing these alternatives.** In Maryland, New Jersey, and Washington, the three states where we conducted case study interviews, committees that were broadly representative of stakeholders were involved in the details of designing, implementing, revising, and evaluating state exit exams, including policies for alternate pathways. All three states also faced political challenges in balancing flexibility against rigor and fairness, and technical challenges in developing and implementing alternate pathways with limited state staff. Officials in the three states also emphasized the importance of monitoring the use of alternate pathways, providing training to teachers, and actively communicating with stakeholders about policies concerning alternate pathways.

Trends and Gaps in Exit Exam Pass Rates

➤ **Improvements in initial pass rates varied across states, although increases in pass rates were greater in mathematics than in reading.** Sixteen of the 26 states had three or more years of consecutive data on the percentages of students who passed exit exams on the first try (the "initial" pass rate). Over three or more years, 8 of these 16 states showed average annual growth in the initial math pass rates of more than 2 percentage points, and four more states made gains that exceeded 1 percentage point. In reading, only three states showed growth in initial pass rates of more than 2 percentage points, and five more states had gains that exceeded 1 percentage point. Initial pass rates decreased slightly in a few states.

➤ **Five states (Alabama, Arizona, California, Massachusetts, and Texas) reported the data needed to calculate three-year trends in the percentages of students passing exit exams by the end of grade 12 (the "cumulative" pass rate).** Between 2006 and 2008, Alabama, California, and Massachusetts had cumulative pass rates around 95 percent in both reading and mathematics. The cumulative pass rates in Texas have been consistently higher in reading than mathematics, but the difference has become smaller in the past three years. The difference between initial and cumulative pass rates varies from less than 8 percentage points in Massachusetts to more than 20 percentage points in California. Alabama had a gradual decrease in its initial pass rates in reading, but its cumulative pass rate was steady. Arizona also shows a widened difference in both subjects as its cumulative pass rates grow faster than its initial pass rates.

➤ **Gaps in initial pass rates between subgroups remain large.** Gaps in initial pass rates were evident in all states between Latino and white students, between African American and white students, and between low-income students and the general student population. In most cases, these gaps were wider than 5 percentage points, and in some cases exceeded 30 percentage points.

➤ **In most states, gaps in initial pass rates have narrowed, but at different paces.** States that have made more progress in narrowing gaps in pass rates are not limited to those with relatively large gaps. Rather, some states with relatively small gaps have made great progress in closing initial pass rate gaps. Other states have made no progress in closing these gaps, but their pass rate gaps have remained relatively narrow since they began withholding diplomas. And some states with relatively large gaps in initial pass rates showed no improvement in narrowing the gaps. There is no clear-cut pattern or explanation for these differences.

Profiles with detailed information about exit exams in individual states can be found on CEP's Web site (www.cep-dc.org). **Table 1** summarizes the major characteristics of exit exams in these 26 states. **Figure 1** displays the 24 states that, as of school year 2008-2009, require students to pass exams to receive a high school diploma.

Table 1 **Major Characteristics of State Exit Exams**

State	Current Exam	Year Diplomas First Withheld Based on Current Exam	Subjects Tested	Type of Test	Grade Level of Alignment	Grade Test First Administered	Prior Exit Exam or Exit Exam Being Phased Out
Alabama	Alabama High School Graduation Exam (AHSGE) 3rd Edition[1]	2001	Reading, language, math, science, social studies	Comprehensive	11th	10th	Alabama High School Graduation Exam (AHSGE) 1st and 2nd Editions
Alaska	Alaska High School Graduation Qualifying Exam (HSGQE)	2004	Reading, writing, math	Comprehensive	8th-10th	10th	None
Arizona	Arizona's Instrument to Measure Standards (AIMS)	2006	Reading, writing, math, science	Comprehensive	10th	10th	None
Arkansas	Arkansas Comprehensive Assessment Program	2010	English II, algebra I	End-of-course	Varies	Varies	None
California	California High School Exit Examination (CAHSEE)	2006	ELA, math	Comprehensive	ELA (through 10th), math (6th - 7th and algebra I)	10th	None
Florida	Florida Comprehensive Assessment Test (FCAT)	2003	Reading and math	Comprehensive	10th	10th	High School Competency Test (HSCT)
Georgia	Georgia High School Graduation Tests (GHSGT)	1994	ELA, writing, math, science, social studies	Comprehensive	9th - 11th	11th	Basic Skills Test
Idaho	Idaho Standards Achievement Test (ISAT)	2006	Reading, language usage, math, and science	Comprehensive	10th	10th	None

continues ➤

State	Current Exam	Year Diplomas First Withheld Based on Current Exam	Subjects Tested	Type of Test	Grade Level of Alignment	Grade Test First Administered	Prior Exit Exam or Exit Exam Being Phased Out
Indiana	Graduation Qualifying Exam (GQE)	2000	ELA, mathematics	Comprehensive	9th, including pre-algebra and algebra I	10th	
	End-of-Course Assessments (ECAs)[3]	2012	Algebra I, Algebra II, Biology I, English III	End-of-course	Varies	Varies	Graduation Qualifying Exam (GQE)
Louisiana	Graduation Exit Examination (GEE)	2003	ELA, math, science, social studies	Comprehensive	9th-12th	10th	Graduation Exit Exam
Maryland	Maryland High School Assessment (HSA)	2009	English 2, algebra/data analysis, biology, government	End-of-course	10th	Varies	Maryland Functional Tests
Massachusetts	Massachusetts Comprehensive Assessment System (MCAS)	2003	ELA, math, science (2010)	Comprehensive plus end-of-course exams in science (2010)	10th/high school standards	10th; science will vary	None
Minnesota	Graduation Required Assessments for Diploma (GRAD)[3]	2010	Reading, writing, math	Comprehensive	High School Standards	Varies	Basic Skills Test (BST)
Mississippi	Mississippi Subject Area Testing Program (SATP)	2006	English II (with writing component), algebra I, Biology I, U.S. history from 1877	End-of-course	Aligned to course content	Varies	Functional Literacy Examination (FLE)
Nevada	High School Proficiency Examination (HSPE)	2003	Reading, writing, math, science	Comprehensive	9th-12th	10th, writing in 11th	High School Proficiency Examination (earlier version based on 1994 curriculum)
New Jersey	High School Proficiency Assessment (HSPA)	2003	Language arts literacy, math; end-of-course exam in biology (2011)	Comprehensive plus one end-of-course in biology (2011)	11th	11th	High School Proficiency Test[11]

continues ➤

State	Current Exam	Year Diplomas First Withheld Based on Current Exam	Subjects Tested	Type of Test	Grade Level of Alignment	Grade Test First Administered	Prior Exit Exam or Exit Exam Being Phased Out
New Mexico	New Mexico High School Competency Examination (NMHSCE)[9]	1990	Reading, language arts, written composition, math, science, social studies	Minimum competency	8th	10th	New Mexico High School Competency Examination (NMHSCE)
New York	Regents Examinations	2000	ELA, math, science, global history and geography, U.S. history and government	End-of-course	9th-12th	Varies	Regents Competency Tests
North Carolina	North Carolina Competency Tests and Test of Computer Skills[3]	1981 (math/reading) 2001 (computer skills) 2010 (end-of-course exams)	Reading comprehension, math, computer skills; starting 2010, end-of-course exams in algebra I, English I, U.S. history, civics and economics, biology	Comprehensive In 2010, five end-of-course exams	8th; end-of-course exams (course-specific)	8th; end-of-course exams will vary	North Carolina Competency Test and Tests of Computer Skills
Ohio	Ohio Graduation Tests (OGT)	2007	Reading, writing, math, science, social studies	Comprehensive	10th	10th	9th-Grade Proficiency Tests
Oklahoma	Oklahoma End-of-Instruction (EOI) Exams	2012	Algebra I, English II, and two of the five additional subjects (Algebra II, geometry, English III, Biology I, and U.S. history	End-of-course	High school standards	Varies	None
South Carolina	High School Assessment Program (HSAP)	2006	ELA, math, science (2010)	Comprehensive plus end-of-course exams in science (2010)	Through 10th	10th; end-of-course exam will vary	Basic Skills Assessment Program (BSAP)
Tennessee	Gateway Examinations	2005	English I, II, and III, Algebra I and II, geometry, biology I, chemistry, U.S. history, physics (2013)	End-of-course	10th	Varies	Tennessee Competency Test

continues ➤

State	Current Exam	Year Diplomas First Withheld Based on Current Exam	Subjects Tested	Type of Test	Grade Level of Alignment	Grade Test First Administered	Prior Exit Exam or Exit Exam Being Phased Out
Texas	Texas Assessment of Knowledge and Skills (TAKS)[1]	2005	ELA (reading/ writing), math, science, social studies	Comprehensive	Aligned to course content	11th	Texas Assessment of Academic Skills (TAAS)
Virginia	Standards of Learning (SOL)	2004	English (reading/ writing), algebra I, algebra II, geometry, biology, earth science, chemistry, world history to 1500, world history from 1500 to present, Virginia and U.S. history, world geography	End-of-course	Aligned to course content	Varies	Literacy Passport Test
Washington	Washington Assessment of Student Learning (WASL)[1]	2008	Reading, writing, math (2013), science (2013)	Comprehensive plus end-of-course exams	10th	10th	None

Table reads: Alabama currently administers the Alabama High School Graduation Exam (AHSGE), 3rd Edition, for which consequences began for the class of 2001. The exam assesses reading, language, math, science, and social studies, and is considered by the state to be a comprehensive, standards-based exam aligned to 11th grade standards. The current test replaced the Alabama High School Graduation Exam, 1st and 2nd Editions.

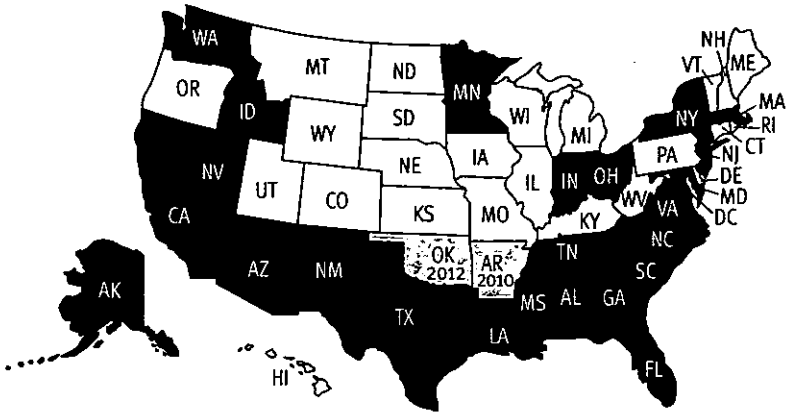
[1] Alabama, Indiana, Minnesota, New Mexico, North Carolina, Texas and Washington will transition to new exams. See state profiles, found in the accompanying CD or online, for detailed information.

Note: This year's report uses the term "comprehensive" to refer to exit exams aligned to state standards in several subject areas and generally targeted to the 9th- or 10th-grade level. Previous CEP reports referred to these as "standards-based" exams.

Note: ELA = English language arts.

Source: Center on Education Policy, exit exam survey of state departments of education, August 2009.

Figure 1 **States with Mandatory Exit Exams**



States with mandatory exit exams in 2009:

AL, AK, AZ, CA, FL, GA, ID, IN, LA, MA, MD, MN, MS, NV, NJ, NM, NY, NC, OH, SC, TN, TX, VA, WA (24 states)

States phasing in exit exams by 2012 but not yet withholding diplomas:

AR (2010), OK (2012) (2 states)

States with no mandatory exit exam:

CO, CT, DE, DC, HI, IL, IA, KS, KY, ME, MI, MO, MT, NE, NH, ND, OR, PA, RI, SD, UT, VT, WV, WI, WY (24 states and DC)

Figure reads: Alabama has a mandatory exit exam and is withholding diplomas from students based on exam performance. Arkansas is phasing in a new mandatory exit exam and plans to begin withholding diplomas based on this exam in 2010. Colorado does not have an exit exam, nor does it plan to implement one.

Source: Center on Education Policy, exit exam survey of state departments of education, August 2009.

Recommendations

In this report we review the development over eight years of state policies affecting high school exit exams, showing both the commonalities and the differences among the states. We also review state policies setting out alternate paths to high school diplomas, and analyze the trends in initial and cumulative pass rates for these exams.

From this work, we have arrived at recommendations both to improve the immediate implementation of state policies in this area and to assist the states in making sounder long-term policies as they seek to ensure that all students are able to earn a diploma.

Immediate Recommendations

- **States should increase funding to ensure that all students are prepared for the exams and are given assistance in preparing for re-takes of the exams if they do not pass on the first try.** In this report we have noted that several states initially provided remediation funds to assist students taking the exams after failing them, and that these states have cut back on this funding. If states want students to pass the exams, they must not only ensure that they are properly prepared for the first try but that they also have access to additional assistance to prepare for re-taking the exams.

- **With alternate pathways, there should be much greater communication to students and their parents about these different ways to secure a diploma.** Although these alternates are always meant to

be for a minority of students, all students should be aware that they can use alternate pathways, especially if they have already passed another qualifying exam or will have great problems taking a standardized multiple-choice exam.

➤ **States need to increase oversight of alternate pathways designed for students with disabilities.** In many states, it is the responsibility of local schools and districts to administer alternate pathways, to decide qualifications for graduation through the pathways, and to keep records of student performance. States have little information about how well the state-designed pathways serve their target student population. Consequently, states are not able to easily apply lessons learned from current policy implementation to inform future decisions.

➤ **States should collect and make public data on cumulative pass rates on these exams.** Trend analyses in this report heavily rely on initial pass rates because cumulative pass rates are not easily accessible in many states. Such information on cumulative pass rates, however, could have been very helpful for the public to understand the effects of these exams.

Long-term Research Recommendations

In Appendix A we summarize recent studies on the effects of these exams. Research is sparse in this area, as shown by the relatively few studies we list; and the findings of these studies are contradictory or at best mixed. Since these exams now affect more than two-thirds of American students, and soon will affect about three-fourths of students (when all the states have carried out their intended policies), much greater attention ought to be paid to understanding the effects of these exams.

Therefore, we recommend that the following questions be addressed comprehensively through research:

- Are these exams helping to prepare students for further education or employment after completion of high school? Since the states vary in their exams, are some state exams better than others in achieving this goal?
- Are students passing these exams in states with these policies better prepared for further education and employment than are students in states without such exam policies? If there are such effects, are they due to demographic factors or to the test policies or to some other factors?
- What impact are these exams having on curriculum, instruction, and student motivation to learn?
- Are students earning diplomas through alternate pathways less well prepared for further education or employment than are students passing the regular exams?
- Are policies requiring passage on these exams for receipt of diplomas leading to higher dropout rates from school?
- How can the rigor of different state exams be examined and publicized to encourage a fuller public understanding of these policies?
- If all or some of the states adopt common academic standards, what is the future for high school exit exam policies?

Study Methods

CEP used the following methods, explained in more detail in this section, to identify issues and collect information for this year's study:

- Conducted a detailed survey of all 26 states with current or planned high school exit exams
- Interviewed officials in Maryland, New Jersey, and Washington State who were familiar with the state high school exit exams
- Reviewed major research conducted by others on exit exams
- Kept abreast of important events related to exit exams

As in previous years of this study, CEP designed and conducted an annual survey of state department of education officials in the 26 states with current or planned exit exams. The survey was piloted with Maryland and was revised further based on comments and suggestions from that state. Respondents were designated by their state's chief state school officer and usually worked in the state assessment department. CEP staff partially filled in the survey, based on information collected and reported in 2008. In February 2009 we asked these designated officials to verify, update, and add information to survey forms for their state. All 26 states responded to our survey.

We used the states' survey responses to develop detailed profiles about exit exams in each of the 26 states, which the state contacts reviewed for accuracy. We also used the survey responses to tally the state exam features, policies, and actions that appear throughout the report. The state profiles are available on CEP's Web site at www.cep-dc.org.

Some states did not answer all the survey questions, often because the data were unavailable or their policies were in flux. (Exam policies are in flux for several reasons, but a main one is that state legislatures are under continuing and significant political pressure to moderate or ameliorate the effects of these exams.) In many states, we followed up with e-mails and phone calls to ensure the information in this report was accurate and up-to-date. However, some statistics or policies will undoubtedly have changed soon after publication because events in this field move quickly.

To further understand how exit exam policies evolve, we conducted open-ended, semi-structured interviews with officials in Maryland, New Jersey, and Washington State. These three states were chosen because of their different designs of alternate pathways, the recent public discussions about their exit exams, and the volatility of high school assessment policies in these states. Interviews were recorded, transcribed, verified by the interviewees, coded, and analyzed for themes.

In addition, we collected state and federal policy documents and reviewed relevant studies that were either published or publicized during the past year. We tracked media coverage of exit exams and searched state and U.S. Department of Education Web sites for exit exam developments and information.

To be included in this study, state exit exams had to meet the following criteria:

1. The state requires students to pass state exit exams to receive a high school diploma, even if the students have completed the necessary course work with satisfactory grades.
2. The exit exams are a state mandate rather than a local option—in other words, the state requires students in all local school districts to pass exit exams, rather than allowing districts to decide for themselves whether to make the exams a condition of graduation.

We have also included states that are phasing in exit exam policies that meet these criteria, referred to in this report as "planned" exit exams. By this we mean that the state has a legislative or state board directive to have a test in place between 2002 and 2012; has already begun developing the tests; and is piloting the tests with students, although diplomas are not yet being withheld.

Chapter 1: Evolution of Exit Exam Policies over the Past Eight Years

Since 2002, the Center on Education Policy (CEP) has been collecting extensive information about high school exit exams, including test characteristics, testing policies related to accountability and state assistance, and student performance on the exams. As the data accumulate, some general trends in exit exam policies have emerged.

This chapter summarizes exit exam policy changes across states over the past eight years (2001-2008 school years). It provides a longitudinal perspective on the evolving nature of state testing policy. In the past, CEP's annual reports focused on the policy changes within a single year. We realize that policy change often involves several years of effort, and an examination of the development of these changes can be instructive to future policy decision making. Unlike the "New Developments" chapters in the previous annual reports, this chapter synthesizes the changes over several years and across states in order to find underlying patterns of policy development. What actions have states taken to improve exit exam policies as they gain experience with the tests? Are there any commonalities in their actions?

The purpose of this report is not to identify the optimal design for high school testing policy. State policies are diverse, and even similar policies may yield divergent outcomes in different contexts. Our goal, therefore, is to acknowledge the diverse policy options and to discuss how each functions in its particular context.

Changes in Exit Exam Policies

For the past eight years, changes in exit exam policies reflect the states' struggles to set high standards and at the same time, make those high standards achievable and fair for schools. Many states have changed their standards and curricula and the way they use exit exams. When implementing the exit exam policies, states have been very careful about the way exit exams are introduced or phased in, making adjustments for students with special needs. In this chapter, we discuss in detail some common actions states have taken to develop exit exam policies, starting with updating standards and test purposes, followed by various phase-in approaches and adjustments for students with special needs. We also look at the role that external and peer review play in shaping policy.

Changes in Standards and Curricula

Many states have changed their high school standards and curriculum in recent years to either meet federal requirements or respond to the public push for high school graduates' readiness for work or postsecondary education. Exit exams have been developed or revised to reflect new standards and curricula and to push the local implementation of these changes.

Changes in standards have inevitably resulted in various changes in exit exams. Alabama, for example, shifted the testing focus from basic skills to 11th-grade state standards in the late '90s as the state set out to pursue higher standards. Arizona introduced new test items in 2005 based on the state's new standards adopted in 2003 for reading and math and in 2004 for writing. North Carolina voted in 2005 to adopt new standards by including requirements for passing additional end-of-course (EOC) exams.[1] Mississippi revised its Algebra I and English II exams in 2007-08 to reflect the state's new curriculum frameworks. Tennessee also reported changes in its high school curriculum in 2008 and the alignment of EOC exams with the new curricula. In 2009, New Jersey approved revised core curriculum standards in six content areas and plans to phase in new graduation requirements to ensure college and work readiness over the next seven years (New Jersey Department of Education, 2009). Colorado, though not currently requiring exit exams, is considering revamping high school assessments in 2010 and changing its diplomas to reflect the new high school standards approved by the state school board and the higher education commission in July 2009 (Brown, 2009). While most changes have been toward increased rigor, some have narrowed the scope of tests. In 2004, California revised the blueprint for its mathematics test by replacing questions with less frequently encountered data display with more frequently encountered data display.

Expanded Purposes of Exit Exams

As accountability for student performance has increased over the years, the purposes of exit exams have expanded to be more relevant to teaching and school monitoring. In 2004, when CEP first began surveying states about the purposes for their exit exams, most states reported that the tests were to assess whether individual students have achieved competencies to be expected at the high school level. Only one state (South Carolina) reported that the purpose of exit exams was to "identify areas in which students need additional support and indicate the academic achievement for schools, districts and the State." By 2009, all states except Alaska and Texas reported using part of the exit exams for federal accountability purposes; nine states use the exams to provide information to guide instruction; eighteen states indicate that they use performance data from high school exit exams to inform policy decisions; and most states reported using exit exams to evaluate school and district performance, encourage early identification of students needing additional instructional support, promote service to minority students, and help schools align curricula with state standards. The expanded use of high school exit exams signifies that exit exams play an increasingly important role in high school accountability.

By 2009, eleven states[2] included readiness for work and postsecondary education as a purpose of their exit exams. (In 2004, only one state, Georgia, indicated that its exit exam was aimed at certifying that students were prepared to enter the work force or college.) However, few external evaluations examine the relationship between student performance on exit exams and performance at work or in college. A study by the Center for Educational Policy Research found that state high school exams were generally at a level of challenge that was not sufficient for test scores to be good measures of student readiness for college (Brown & Conley, 2007). A study by Achieve (2004) also concluded that state exit exams did not adequately measure the necessary knowledge and skills needed for college and the work place.

Phase-in Approaches

States used various types of phase-in approaches to introduce new exit exam policies. The development of exit exams is often shaped by reactions received during early years of implementation; therefore, how exit exams are introduced and phased in sometimes plays an important role in policy formation.

[1] North Carolina fully transitioned to EOC exams in 2009. Please see the state's profile for detailed information.

[2] Arkansas, California, Indiana, Maryland, Minnesota, Nevada, New York, North Carolina, Oklahoma, Texas, and Washington.

Some states phase in exit exam requirements by allowing time between the year tests are first administered and the first year high school diplomas are withheld. Arkansas, for instance, began administering its EOC exams in the 2000-01 school year but will not withhold diplomas until 2010. On average, states start to withhold diplomas four years after the first administration of a new exit exam.

Other states phase in the exit exam policy by gradually increasing the number of subjects tested. English and mathematics are usually the first subjects tested. Though NCLB does not require exit exams for high school graduation, some states, such as Arkansas, Massachusetts, Nevada, and New Jersey, added exit exams in science in recent years to fulfill NCLB requirements for testing science at the high school level. Alabama included social studies as a test subject in 2004; Massachusetts voted in 2006 to test social studies as a required subject in 2012, but the state board voted to waive the requirement in 2009 for the classes of 2012 and 2013 (Valero, 2009).

Idaho exemplifies another phase-in approach that focuses on gradually increasing cut scores and aligning test content to standards at higher grade levels. It began administering the Idaho Standards Achievement Test (ISAT) as an exit exam in 2004. Its phase-in approach allowed the class of 2006 to pass the exam at an 8th-grade proficiency level, the class of 2007 at a 9th-grade level, and the class of 2008 at the full 10th-grade level.

Some states used a phase-in approach to introduce new tests or to transition from old to new tests. For example, Minnesota has been making the transition since 2006 from the Basic Skills Tests (BSTs) to the Graduation Required Assessments for Diploma (GRAD). The GRAD writing test replaced the Basic Skills written composition test in 2007; the GRAD reading tests replaced the Basic Skills reading test in 2008; and the GRAD mathematics test replaced the Basic Skills mathematics test in 2009.[3] Mississippi adopted a similar approach when replacing its Functional Literacy Exams (FLE) with the Mississippi Subject Area Testing Program (SATP).

Adjustment for Special Groups

State exit exams are often under attack for the challenges they present to students with special needs. All states that mandate exit exams have made some modifications to their policy to accommodate students with disabilities. These policy accommodations include alternative assessments, alternative diplomas or certificates, and waivers. In this report, we consider all these modifications to be alternate pathways to graduation. We will discuss the development of alternate pathways in greater detail in Chapter 2.

Input from external and peer review provides important information for the changes described above. Though these different types of review serve distinctively different purposes, both have helped many states establish and consolidate their high school testing systems. While external reviews examine the quality, rigor, and alignment of exit exams with state standards, the peer review from the Department of Education (ED) ensures that exit exams used for NCLB purposes[4] are in compliance with NCLB requirements.

Seventeen states have their exit exams reviewed by a third party, such as testing companies, evaluation specialists, or researchers at local universities. Conducted by specialists or test developers, external reviews report student performance and content alignment and vary widely in study scope and approach (CEP 2006); nevertheless, the review provides empirical evidence for test validity and detailed analysis of student performance. For instance, Virginia conducted an alignment study in which researchers found that the State Standards of Learning (SOLs) for the EOC tests in Algebra I and II and geometry are inconsistent with the cognitive demand of the tests; the EOC reading test emphasizes some SOLs more than others (Abrams & McMillan, 2007). ED recommended in 2007 that the state develop and implement a plan to address the findings of the report.

[3] It is reported in our survey that the state is still administering the BST tests in 2009. The mathematics and reading BSTs are administered as retests until the class of 2009 has graduated and sufficient notice of retirement of the exam has been given.

[4] Of the 26 states, only Alaska and Texas do not use their exit exams for NCLB purposes.

States also organize special task forces and ongoing review by technical advisory committees for advice on specific state concerns. For example, in response to a higher-than-anticipated failure rate on the Graduation Required Assessments for Diploma (GRAD) in late 2008 and early 2009, Minnesota established a legislative task force to review the policy implications of the GRAD and its effect on high school graduation. In 2005, Maryland also established a task force to examine alternative assessment options for special education students and others unlikely to be able to demonstrate their mastery of state standards on the High School Assessments (HSAs), even with continued intervention. As a result, the state approved an alternate pathway to graduation called the Bridge Plan for Academic Validation in November 2007 and administered modified HSAs in 2008.

As 24 of the 26 states use at least part of the exit exams for NCLB accountability, recommendations from the U.S. Department of Education also play an important role in shaping state exit exam policies. The purpose of peer review by ED is to see if the state testing systems are in compliance with NCLB. ED has given full approval to ten[5] of the 26 states through its peer review process. All ten states except Alaska[6] include high school exit exams in the evaluation of state assessment systems.

Another ten states with exit exams earned the status of Full Approval with Recommendations, meaning that the state standards and assessment system meet all statutory and regulatory requirements, but some elements of the system could be improved.[7] Most of the suggestions for improvement concern the use of alternative assessments for special education students and English language learners. For instance, in 2006 ED recommended that Arizona "strengthen its Arizona Instrument to Measure Standards Alternate (AIMS-A), expand the range of accommodations for English language learners and address discrepancies in test participation rates." Another set of recommendations from ED to the states focuses on alignment between tests and standards. Idaho, for instance, was urged by ED in 2006 to conduct an alignment study of Idaho Standards Achievement Tests to examine "the level of success of the State's major revisions and provide a basis for continued improvement." A recommendation was also made to Indiana to "increase the rigor and challenge of the Graduate Qualifying Exam (GQE) in mathematics at grade 10 in terms of alignment to grade-level content standards."

Three states that require exit exams for graduation (Mississippi, Nevada, and New Jersey) have not met the statutory and regulatory requirements of NCLB; they are currently designated as Approval Pending. Specifically pertaining to high school assessment systems, ED recommends that Mississippi and Nevada collect additional evidence for their high school exit exams, since they are used to meet NCLB requirements. In 2007, ED expressed concerns with the alignment of Nevada's High School Proficiency Examination (HSPE) to grade-level content standards. ED also challenged the technical quality of Mississippi's High School Alternative Assessment and its alignment with grade-level content standards.

State-mandated exit exams still face many challenges and are prone to revision. Recently, California's budget crisis has pressured its budget conference committee in 2009 to propose eliminating high school exit exams as a graduation requirement (Mitchell, 2009); the provision was defeated, but California reinstated the exemption for students with disabilities pending development of some alternative form of assessment for these students. Alabama overhauled its graduation exams by replacing its comprehensive high school exit exams with EOC exams and the ACT[8]. Many states are still searching for a valid approach to evaluate the learning of special education students and English language learners. Last but not least, little is known about the connection between passing the high school exit exams and future job and college performance.

[5] Alabama, Alaska, Georgia, Louisiana, Maryland, Massachusetts, Minnesota, Ohio, Oklahoma, and Tennessee.

[6] Alaska uses the Grade 10 Standards-based Assessment for NCLB purposes instead of the Alaska High School Graduation Qualifying Exam.

[7] Decision letters on states' final assessment systems under NCLB can be found at www.ed.gov/admins/lead/account/nclbfinalassess/index.html. All citations in this section are quoted from state letters. All ten states include high school exit exams for peer review. States may use different cut scores for graduation and NCLB purposes.

[8] Information retrieved on September 13, 2009, from www.al.com/news/birminghamnews/metro.ssf?/base/news/1252656964314590.xml&coll=2.

Diversity of Exit Exams

Most of the states in our study were no strangers to state testing before high school assessment was required for federal accountability purposes. Of the 26 states currently or soon to be withholding high school diplomas based on state exit exams, 18 had developed and started administering state tests at the high school level before the enactment of NCLB. Some states had more years of experience in high school testing than others. For example, North Carolina, New York, and Florida administered minimum-competency tests in the 1970s or earlier, while most of the other states started requiring high school testing in the late '90s or right before NCLB.

All 26 states mandated high school exit exams as a way to improve academic rigor and accountability. Since 2002, not only have more states administered high school exit exams, state high school exams have also become increasingly high-stakes for both students and schools. More states began withholding diplomas from individual students and using exit exams for both federal and state accountability at the school level. In 2009, seven states indicated that they use exit exams for both NCLB and additional state accountability purposes.

Exit exams are of three types: 1) minimum-competency tests that measure only a small body of knowledge and skills as defined by the state standards, 2) comprehensive tests that integrate content knowledge in several relevant courses together, or 3) End-of-Course (EOC) tests that gauge student learning at the end of specific courses. CEP (2008) identified a movement toward EOC exams in several states and analyzed the benefits and challenges of using EOC assessments. According to the report, state officials perceived EOC exams as more efficient in assessing content mastery, improving school accountability, and increasing alignment between standards and curriculum. However, because EOC exams involve numerous tests, they tend to present logistical challenges around score reporting and maintenance as well as schedules for tests, remediation, and retests. **Figure 2** illustrates state's use of the three types of exams at different time points.

High school exit exams may be aligned to various grade levels, ranging from 8th to 12th grade. Even if two states test the same subjects, the tests may differ greatly in content and difficulty. In addition to the different test types, the test results are often reported using different achievement levels—advanced/proficient/needs improvement/failing, pass with distinction/pass/low pass, or advanced/mastery/basic/approaching basic/unsatisfactory, to name a few—which reveal varying amounts of information on the level of achievement and the achievement gaps among students.

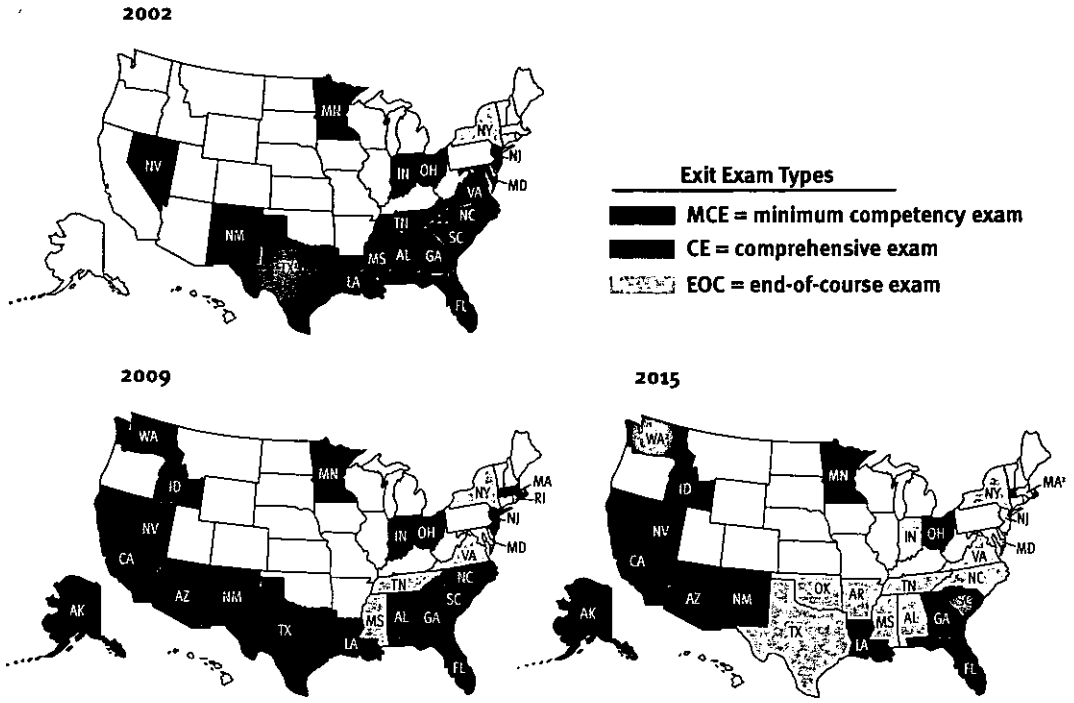
Most of the states require students to pass the exams in certain subject areas with specific cut scores, but some states permit students to graduate without passing every subject. For example, Maryland employs a compensatory scoring system so students may meet the graduation testing requirement by meeting a minimum score on each test (which is lower than the previously set passing score) and achieving a combined passing score. Since May 2008, Alabama has adopted the credit-based endorsement system wherein students are required to take tests in five subject areas, but only need to pass three (reading, mathematics, and one other in science, language, or social studies) to graduate with "diplomas with endorsement."[9] Ohio and Texas also allow students who have passed part of EOC exams to graduate.

The cut scores for passing exit exams are not necessarily the same as the cut scores states use for reporting adequate yearly progress (AYP) under NCLB. As of 2009, of the 24 states that use high school exit exams for NCLB purposes, 14 use the same cut scores for graduation and NCLB proficiency, and 9 use lower cut scores for graduation than for NCLB proficiency.[10] States also differ in terms of which test administration is used for NCLB. The majority of the states use student performance on the first administration of the tests for NCLB accountability purposes, but states such as Nevada, New York, and Tennessee count students' retest performance as well.

[9] A regular diploma requires passage of all five tests. Students earning diplomas with endorsement are counted as graduates for school accountability purposes.

[10] Alaska and Texas do not use high school exit exams to meet NCLB requirements. The cut scores in New Mexico are under consideration.

Figure 2 **Types of Exit Exams States are Using or Plan to Use**



In 2002 (out of 18 states)	In 2009 (out of 24 states)	By 2015 (out of 26 states)
MCE: FL, MD, MN, MS, NV, NM, OH, SC, TN, VA (10 states)	**MCE:** NM (1 state)	**MCE:** (0 state)
CE: AL, GA, IN, LA, NJ, NC, TX[1] (7 states)	**CE:** AL, AK, AZ, CA, FL, GA, ID, IN, LA, MA, MN, NC, NJ, NV, OH, SC, TX, WA (18 states)	**CE:** AK, AZ, CA, FL, GA, ID, LA, MA[2], MN, NM, NV, OH, SC[2], WA[2] (14 states)
EOC: NY, TX[1] (2 states)	**EOC:** MD, MS, NY, TN, VA (5 states)	**EOC:** AL, AR, IN, MA[2], MD, MS, NC, NJ, NY, OK, SC[2], TN, TX, VA, WA[2] (15 states)

Figure reads: In 2002, 10 of the 18 states with fully implemented exit exams, including Florida, used minimum-competency exams, while 7 states, including Alabama, used comprehensive exams, and 2 states, including New York, used end-of-course exams. By 2015, none of the 26 states with mandatory exit exams will use minimum-competency exams, 14 will use comprehensive exams, and 15 will use end-of-course exams. Three states, Massachusetts, South Carolina and Washington will use a combination of comprehensive and end-of-course exams.

[1] In 2002, Texas gave students the option to pass either a CE or an EOC exam.

[2] By 2015, Massachusetts, South Carolina and Washington will require students to pass the comprehensive exams plus end-of-course exams.

Source: Center on Education Policy, exit exam survey of state departments of education, August 2009.

The range of tested subjects has evolved since 2002 and varies widely across states. Some states, such as California, test only English language arts and mathematics, while graduation in states such as Tennessee now depends on tests in as many as ten subjects. Most states have increased the number of tested subjects since 2002. A major drive of the expansion is NCLB's requirement for including science in state assessments by 2007-08. In 2003, 8 of the 23 states with high school exit exams reported science as a tested subject for high school graduation purposes; in 2005, 16 of 25 states reported that they would use the existing science exit exams or develop new science exams to meet NCLB's requirement. As of 2009, 22 of the 26 states have tested or plan to test science in high school, though some states do not withhold diplomas for not passing the science tests.

As states test more subjects, the cost of state testing has become a concern. In 2009, the Massachusetts Board of Elementary and Secondary Education voted to waive the history and social science requirement for a Competency Determination (CD) for the classes of 2013 because of budget constraints (Massachusetts Department of Elementary and Secondary Education, 2009). The tests were scheduled for full operation in fall 2009, but officials expect "the FY2010 budget item pertaining to assessment to be lower than the amount in this year's budget, which would make the transition of the history tests cost-prohibitive." Florida has also cut testing budgets in 2009, citing financial pressures (Valero, 2009).

High school exit exams differ across states with regard to how much time a student has to take a test. Of the 26 states, 13 implemented power tests[11] that attach no time constraints at all. In Nevada, though the tests are timed, students are allowed to use as much time as they need to complete the exam. In other states, the total testing time ranges from 97 minutes (North Carolina's math tests[12]) to 194 minutes (Indiana's English language arts test). Some tests have multiple sessions or allow more time as an accommodation, and may continue for days.

One test design feature that states have in common is the use of multiple-choice test items. All states use multiple-choice questions in their tests, and some, such as Alabama, Idaho, Maryland, and Tennessee, use only multiple choice question items. In addition to multiple-choice items, 19 states include essay writing in their writing or English language arts tests. Of the 26 states, 16 use a combination of constructed-response and multiple-choice questions.

Item format is an important consideration for testing policy because it determines cost, communication of test results, teacher training and, most importantly, classroom instruction that prepares students for tests. As the current economic recession crimps state budgets, some states have pared constructed-response or extended-response test items. In 2008, Washington State Superintendent Randy Dorn defeated longtime school chief Terry Bergeson, an ardent supporter of the Washington Assessment of Student Learning (WASL), with a promise to make high school exams shorter and cheaper with fewer extended-response questions to shorten the turnaround time on test results. Computerized scoring, often used with multiple-choice test items, has also been embraced to save time, money, and staffing for the test administration. In 2005, 18 states reported that they relied on testing contractors to score constructed-response questions.

While designing a high-stakes, mandatory test is difficult, attaching consequences to test results is even more fraught with problems. In 2009, the Minnesota legislature decided to repeal the requirement that students must pass the mathematics test to earn a diploma, in fear of a precipitous drop in graduation rates. The daunting prospect of withholding large numbers of diplomas and the challenge of aligning exams to school curricula and state standards, along with public opposition to high-stake assessments, have led some states, such as Alaska, Arizona, California, and Maryland, to postpone the implementation of high school exit exams. States that have not required exit exams, such as Pennsylvania, have also had heated discussion about whether to do so. In June 2009, Pennsylvania put off developing state-mandated EOC exams because consensus could not be reached. The state board of education proposed a revised plan in July and the review board approved the state exit exams in October (Barnes, 2009; Mauriello, 2009; Hardy, 2009).

[11] In so-called "power tests," enough time is given for test takers to answer as many test items as they can.

[12] This high school competency test was eliminated in 2009.

State Assistance for Local Implementation of Exit Exams

The evolution of state exit exams suggests that, as the state testing systems are institutionalized, exit exams have become a powerful policy lever to influence teaching and learning in high schools. Since 2002, many states have reported increased technical support to districts and schools but decreased financial support for remedial programs.

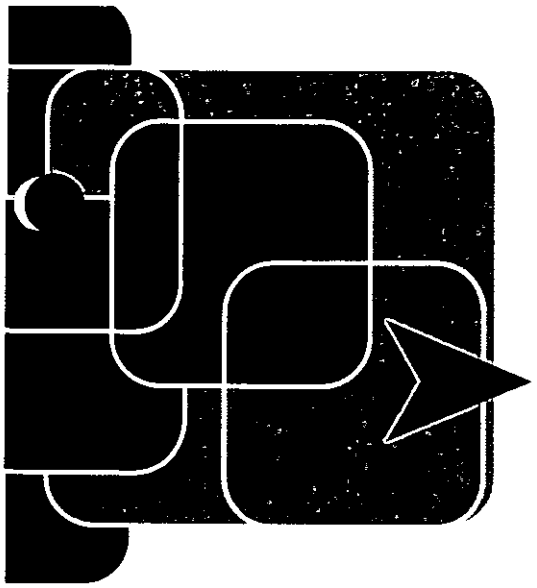
In 2002, only half of the states required districts to have remediation services, let alone provided support with these services. When we first explored state assistance in 2003, most states delivered their support to schools through professional training, with an emphasis on test content, format, and the interpretation of test results. About one-third of the states (8 out of 25), provided students with study guides to tests, and fewer states provided teachers with resources for classroom instruction.

As of 2009, state assistance tied to exit exams that goes to teachers, schools, and districts has expanded dramatically. Some states have become more actively and directly involved in informing instruction, improving school leadership, and influencing curriculum. Eighteen states provide professional development for teachers that goes beyond test preparation, helping teachers become "more proficient in their content areas" to raise initial pass rates on the exit exams. Nineteen states reported that they provide assistance to schools in terms of helping schools identify and target students for assistance and/or implement comprehensive school reform. At the district level, 15 states reported that they assist districts in using formative assessment and/or improving the instructional leadership. Additionally, 14 states provide direct technical assistance for remediation programs for students who have failed the tests, and 10 states provide funding for remediation as well. A recent example is a special summer program sponsored by the Georgia Department of Education in 2009. The Project Exam Preparation for Science and Social Studies (Project ExPreSS) gives two weeks of intense instruction to students who narrowly missed passing the science and social studies portions of the Georgia High School Graduation Tests. Sixty-eight percent of participating students passed the portion they failed before (Fowler, 2009).

On the other hand, state budget data we collected indicates a significant decline in the amount of state funding for remediation programs. For example, Louisiana reported $3 million funding for remediation for 2001-02 school year, and this budget had dropped to $2,039,284 in 2008-09. South Carolina reported that its 2008-09 budget for remediation programs was at $62 million, half of the amount schools received in 2004-05. In Massachusetts, funding for MCAS remediation was cut from $50 million in fiscal year 2003 to $7.65 million in 2005 and $7.58 million in 2006. CEP's high school exit exam report in 2006 suggested that remediation programs can be effective in improving passing rates if provided with adequate funding and efficient management. The decreasing state funding may diminish the benefits these programs offer to struggling students.

Conclusions

This chapter highlighted changes in high school exit exam policies in four different aspects: the changing standards and curriculum the tests are aligned to, the expanded purposes exit exams are designed for, the different phased-in approaches that introduce exit exam policy changes, and the test adjustments for students with special needs. Feedback on exit exams from external and peer review is an important factor shaping these changes. Despite some common changes in exit exam policies across states, exit exams remain diverse in terms of test features, such as grade levels tests are aligned to, tested subjects, test time, test item format, scoring, and the use of test outcomes. Lastly, in a number of states, provision of technical assistance has been increased for local implementation of exit exam policies, but at the same time, in a number of states financial support for remediation programs has decreased.



Chapter 2: Trends in Alternate Pathways to High School Graduation

The stakes for high school exit examinations are so high for students and schools that states are often pushed to employ additional policies to give more flexibility in determining whether students have met graduation requirements. Many states have responded by providing alternate pathways to graduation that give students options of ways to graduate from high school without passing the state-mandated exit exams. These pathways, usually for students with special needs or those with records of failing the exit exams, may give students additional opportunities to demonstrate their levels of knowledge and skills. The main goal of alternate pathways is to provide appropriate and reasonable options for students without creating loopholes that water down the value of the high school diploma. Therefore, discussions about alternate pathways in many states have centered on test equivalence and integrity as understood by the public to make the exit exam system more resilient.

This chapter provides an overview of the various state policies that offer alternate pathways to graduation. It also describes the challenges associated with alternate paths: adding flexibility to accountability while assuring test fairness and maintaining high standards. The term *alternate pathways* refers to options for students to graduate high school without passing the state-mandated regular exit exams. One design of alternate pathways is the use of *alternative tests* (or alternative assessments in some states) where regular exit exams are substituted by other standardized tests with similar or adapted formats and objectives. For instance, the alternate pathways in Washington State allow students to graduate through alternative assessments, such as SAT and ACT; the state's alternate pathways also include other options for graduation, such as portfolio assessment, grade comparison, and scores on Advanced Placement exams.

Multiple forces have shaped the development of alternate pathway policies. First and foremost is the desire to address the needs of students receiving special education services, English language learners, and other students who do not demonstrate their best performance on standardized tests. Unlike remediation, which seeks to prepare students to pass the exit exams after failure, alternate paths allow students to demonstrate their learning using different measures. Ideally, alternate path policies reflect a broader way of thinking about test validity and fairness to these students that goes beyond standardized tests, though some of them can be logistically and technically cumbersome.

A second motivation behind alternate path policy is the need to address concerns about making valid judgments about student learning based on standardized assessments, particularly for students with achievement around the cut score level. Multiple retake opportunities may ease such concerns, but may not be the most effective way for students to spend their learning time as they repetitively prepare for the same exams. States have adopted various approaches, such as alternative or substitute tests, flexible cut scores, and grade comparison, as explained later in this chapter, to ensure decisions made based on test results take other factors into consideration. Some of the alternate pathways, however, make exit exams more norm-referenced than criteria-referenced tests.

Alternate pathways are sometimes employed to avoid redundancy of testing. One example is the use of Advanced Placement (AP) tests as substitutes for exit exams. Maryland waives the exit exams for students who have earned satisfactory scores on corresponding AP exams[13]. The assumption is that satisfying AP scores provide evidence for students' mastery of a subject; therefore, students should not spend time preparing for the exit exams. Washington State offers a similar AP score option, but it does not relieve students of taking multiple tests. Students are not exempt from taking the state's exit exam, the WASL, but if they fail the WASL, they can still graduate if they have earned satisfactory AP scores. Few students take advantage of the AP score option because it is rare for students who score well on AP tests to fail the WASL in the first place. As other substitute tests, AP exams are not necessarily designed based on state content standards; states that adopt this approach need to verify the comparability of AP and exit exams.

Overall, alternate pathways try to address concerns about test validity and fairness, and at the same time to reach the same or a similar level of rigor as the regular state exit exams. Increasing flexibility without loosening standards is the central goal in designing and implementing alternate pathway policies.

We distinguish alternate pathways for general students from those for students receiving special education services because policies designed for these two student groups address different sets of concerns about standardized testing and are usually managed at different institutional levels in the education system. Alternate pathways for general education students can be categorized into four major types of designs: alternative assessments, portfolio assessments, waivers, and flexible cut scores.

Alternative and Portfolio Assessments for General Education Students

Nineteen[14] of the 26 states with exit exams offer alternate pathways for general education students to graduate without earning passing scores in all tested subjects. **Table 2** summarizes the alternate pathways available to general education students in each of these nineteen states. Compared to previous years, more states were able to provide CEP with detailed information about how general education students use different routes to graduate from high school. For example, some states were able to report the specific number of students using each of the multiple pathways. This will contrast somewhat with the data availability for students with disabilities presented later in the chapter.

All substitute and portfolio assessments reported in Table 2 lead to a regular diploma, which indicates that they are most likely to be accepted as comparable to the substituted exit exams. However, the limited number of students who took substitute and portfolio assessments in most states seems to suggest, among other things, that these tests are not necessarily easier than the regular exit exams.

The most commonly used substitute test is published standardized tests, such as Advanced Placement exams, the PSAT, the ACT, the SAT, the CPT, and International Baccalaureate exams. States that picked the same tests may set different cut scores depending on the grade levels in which the replaced state-mandated exit exams are given.

Six states[15] allow general education students to use substitute tests. Virginia and Washington reported less than 1% of students graduating through this route, while Florida reported 4.5% (about 7,110 students) satisfied the graduation test requirement through substitute tests.

New Jersey developed its own alternative assessments, Performance Assessment Tasks (PATs), which consist of all constructed response questions. As part of the state's Special Review Assessments (SRAs)[16], PATs are

[13] Maryland started withholding diplomas in 2008-09 and was not able to report the percentage of students who graduated using AP scores.

[14] These states are: Arizona, Florida, Georgia, Idaho, Indiana, Maryland, Massachusetts, Mississippi, Nevada, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Virginia, and Washington.

[15] The six states are Florida, Maryland, New York, North Carolina, Virginia, and Washington.

[16] In 2009 the SRA was renamed the Alternate High School Assessment (AHSA).

Table 2 **Alternate Pathways for General Education Students to Graduate**

	CEP Classification	State Survey Response	Diploma Eligibility	Number and Percentage of All Students Who Graduated Through Alternate Pathways in 2008
AZ	Class performance	Students who completed high school and failed to pass one or more sections of the assessment can augment their scores with points derived from course grades of C or better.	Regular diploma	1,841 students (3%)
FL	Substitute tests	Criteria for alternate paths to graduation are prescribed in Florida law. Sections 1003.428(4)(b) and 1008.22(10), Florida Statutes, provide for the use of concordant scores from "widely used high school achievement tests" (e.g., PSAT, PLAN, ACT, SAT, CPT) in lieu of FCAT scores to satisfy Florida's graduation test requirements in reading and math. The state's Department of Education identifies concordant scores on applicable examinations for this purpose.	Regular diploma;	7,110 students graduated through an alternative assessment (4.5%)
		Students who do not meet the exit exam requirements may be awarded a certificate of completion instead of diploma.	Certificate of completion	9,299 students graduated with Certificate of Completion (as of Feb. 11, 2009)
GA	Waiver	The state has a waiver process that the student's home school. All students are eligible for the waiver, but the waiver request must include documentation of limitations that would account for failing the test.	Certificate of attendance;	83 waivers (July 1, 2007-June 30, 2008)
	Flexible cut scores	A variance process allows an alternate means of demonstrating academic proficiency for students who have not been rendered incapable of passing a section of the GHSGT or the Georgia High School Writing Test (GHSWT). One of the five criteria for eligibility for a variance is obtaining a scale score that falls within one standard error of measurement of the passing score for the relevant section of the tests.	Regular diploma	1,398 variances (July 1, 2007-June 30, 2008)
ID	Class performance	Board rule allows each district to adopt an alternate route that requires courses to be offered to and completed by students. The courses must be valid and reliable and are required to be standards-based at 10th grade. The board reviews these plans and keeps them on file.	Regular diploma	NA
IN	Waiver	Please see the state's profile at eligibility criteria.	Regular diploma	5061 students (8.4%)

continues ➤

Table 2 continued

	CEP Classification	State Survey Response	Diploma Eligibility	Number and Percentage of All Students Who Graduated Through Alternate Pathways in 2008
MD	Substitute tests	Specific Advanced Placement (AP) and International Baccalaureate (IB) course exams are acceptable substitutes for specific HSAs, provided students receive the specified MSDE-approved scores on the exams.	Regular diploma;	NA
	Portfolio assessment	The Bridge Plan for Academic Validation allows students who repeatedly fail the HSAs to instead complete assigned projects for the assessments that they are unable to pass.	Regular diploma;	NA
			External high school diploma is available for students who have exited high schools	NA
MA	Portfolio assessment	*MCAS Performance Appeals (portfolio and cohort)* The student must demonstrate through course work that he or she meets or exceeds the English language arts and/or mathematics passing standard of 220 on grade 10 MCAS tests.	Regular diploma	314 students granted appeals
MS	Portfolio assessment	Students who fail a subject area test twice may submit an appeal for a evaluation that relies on other evidence to demonstrate their mastery of the subject.	Regular diploma	Less than 1% of students submitted appeals substitute
NV	Portfolio assessment	Students may pursue the alternate route to demonstrate proficiency for writing and science by submitting work completed during high school to meet the HSPE requirements.	Regular diploma	35 students attempted alternative writing assessment (0.13% of a total student other population of 24,954)
		Students who do not demonstrate proficiency on all portions of the high school proficiency examinations can receive a certificate of attendance.	Certificate of attendance	NA
NJ	Alternative assessment	Students who fail one or both sections of the HSPA may go through a special review assessment (SRA) process that is designed to allow students to be assessed in the state standards through a series of extended performance tasks (i.e., all constructed response) aligned to the state content standards.	Regular diploma	11,513 students (11.5% of graduates)

continues ➤

Table 2 continued

	CEP Classification	State Survey Response	Diploma Eligibility	Number and Percentage of All Students Who Graduated Through Alternate Pathways in 2008
NM	Waiver	The state allows districts to grant waivers of the exam requirement.	Certificate of completion	NA
	Portfolio assessment	In the 2010-11 school year, students will have an opportunity to offer an alternate demonstration of competency through a portfolio of standards- based indicators in any subject area that was not passed on the 11th grade standards-based assessment. (22-13-1.1 NMSA)	Regular diploma	NA
NY	Substitute tests	Students who have completed the course in a subject tested by a Regents Examination may substitute a minimum acceptable score on a department-approved alternative examination (such as the SAT II, Advanced Placement, or International Baccalaureate exam) for a Regents Examination score.	Regular diploma	190 students met English language arts requirements (0.1% of graduates); 21 students met math requirements (0.001% of graduates)
	Flexible cut scores	An appeals process is available to students who have entered 9th grade in September 2005 or later, have passed certain courses to prepare for a Regents Examination, have earned a 65 course average, and whose highest score on the Regents Examination is within three points of the 65 passing score.	Local or regents diploma	NA
NC	Substitute tests	For the list of acceptable alternative assessment, please see the state's profile at www.cep-dc.org.	Regular diploma	NA
		Students who do not receive a regular diploma may be awarded a certificate of achievement.	Certificate of achievement	NA
OH	Waiver	Please see the state's profile at www.cep-dc.org for detailed eligibility criteria.	Regular diploma	379 students (0.3% of graduates)
OK	Substitute tests	Alternate tests approved by the state board of education	Regular diploma	NA
	Portfolio assessment	End-of-course projects approved by the state board of education	Regular diploma	NA

continues ➤

Table 2 continued

	CEP Classification	State Survey Response	Diploma Eligibility	Number and Percentage of All Students Who Graduated Through Alternate Pathways in 2008
SC		Students who do not pass the HSAP may receive a certificate of attendance issued by a school district.	Certificate of attendance	NA
		Students may receive a state certificate if they complete all credit requirements but have not passed the exit exams.	State certificate	NA
TN		Students who do not receive a regular diploma because they could not pass the exit exams are eligible to receive a certificate of attendance.	Certificate of attendance	NA
VA	Substitute tests	Students may earn verified credits by taking substitute tests. The substitute tests include the Advanced Placement, International Baccalaureate, SAT II, TOEFL, APIEL, Cambridge International Examination, ACT, and CLEP tests.	Standard diploma, advanced diploma, or a modified standard diploma	Less than 1% of students use the alternative assessments
		Students who do not meet the requirements for a diploma may receive a certificate of program completion, a general achievement diploma or earn a GED.	Certificate of program completion	0.51%
			General achievement diploma	Group below state definition for personally identifiable result
WA	Portfolio assessment	Assembling a collection of classroom-based evidence of a student's learning that includes specified work samples.	Regular diploma	0.3% of graduates in reading, 0.1% in writing, and 1.8% in math
	Class performance	Comparing a student's grades in certain classes with the grades of other students who took the same classes and met the standard.	Regular diploma	0.02% of graduates in reading, 0.02% in writing, and 0.5% in math
	Substitute tests	Meeting a specific cut score on the SAT, ACT, or PSAT tests. Scoring a 3 higher on select graduates in or Advanced Placement (AP) exams.	Regular diploma	Score on the SAT, ACT, or PSAT tests: 0.3% of reading, 0.1% in writing, and 0.9% in math; Advance Placement (AP) exams: 0% of graduates

Table reads: Florida allows general education students to take substitute tests as alternate pathways to graduate from high school. Students graduating through the substitute tests are eligible for a regular diploma. 7,110 students (approximately 4.5% of graduates in 2007-08 school year) satisfied the graduation test requirement through an alternative assessment (e.g., ACT/SAT). Students may also earn a Certificate of Completion. As of February 11, 2009, the state awarded 9,299 students with Certificates of Completion in 2007-08.

Source: CEP High School Exit Exam Survey, 2002-2009, Center on Education Policy, State Department websites, email and phone inquiries with state department staff.

developed by the state and administered by the schools to students who repeatedly fail exit exams, even after additional instruction. Though the state assigns common cut scores, scoring rubrics, and guidelines, district-appointed SRA panels conduct the actual review and scoring. A greater-than-expected number of students have graduated through the SRAs process in the past few years, which raised state concern about the rigor of local policy implementation[17]. To curb increasing reliance on SRAs in the future, effective in 2009-10 the state will allow no more than 10% of students in a district to use this alternate pathway to graduate unless the district submits a plan that will increase the number of graduates using the HSPA. Though a much higher percentage than in most other states, the 10% threshold is considered fairly conservative, since the state SRA rate is about 11.5%. Over a hundred schools met this 10% threshold in 2008.

General education students in seven states[18] also have the option to graduate through portfolio assessments, where students demonstrate mastery through a collection of work. The portfolio assessment in Maryland, called the Bridge Plan for Academic Validation, assigns project modules to students who repeatedly fail the High School Assessments (HSAs). These modules are designed to address areas where students have not fully demonstrated mastery in their HSA performance. The Collection of Evidence option in Washington State allows students who have failed the WASL in math, reading, or writing to show their skills tested on the WASL through a compilation of classroom work samples. These subject-specific work samples are developed under a teacher's supervision and must follow state guidelines for collection. Massachusetts allows students to request a portfolio assessment if they do not belong to a school cohort (6 students or more) that has taken the same sequence of courses. The portfolio includes work collected during one or more years in a subject area. The state specifies minimum components for English language arts, mathematics, and science and technology/engineering. In 2009, the Oklahoma State Board of Education also approved a policy that allows high school freshmen to demonstrate mastery through an end-of-course project. In all four states, the state departments of education determine if the evidence provided in the portfolio qualifies a student to graduate. Starting in the 2010-11 school year, students in New Mexico will also be able to demonstrate competency through portfolio indicators in subjects they failed to pass on the exit exams.

Waivers and Flexible Cut Scores Used By General Education Students

A more controversial set of alternate pathways excuses students from certain exit exams or allows them to graduate with lower cut scores. Georgia, Indiana, New Mexico, and Ohio offer waivers where students may graduate without passing exit exams if they meet all the other graduation requirements. For the waiver option, the eligibility criteria become particularly important to maintain the rigor of the state testing system, so states often attach specific conditions for using the waiver. In Ohio, for instance, diplomas are given to waived students only when they pass four of the five exit exams and the score on the fifth exam is no more than 10 scale-score points below the cut scores. In 2008, only 379 students (0.3%) in Ohio and 83 students in Georgia earned diplomas using the waiver.

Other states take a similar approach to flexible cut scores. The Georgia Board of Education, for instance, offers a variance process that enables students who failed to pass all exit exams to earn a diploma only if they obtained a scale score that falls within one standard error of measurement of the passing score. Students in New York may also appeal for permission to graduate with a local Regents Diploma if their test scores are within three points of the cut scores.

In contrast to substitute and portfolio assessments, waiver and flexible cut score policies often do not lead students to regular diplomas. In Georgia and New Mexico, for example, students who graduate using waivers earn certificates of completion or attendance rather than regular diplomas, which indicate that students met lower than standard high school criteria. Whether or not an alternate pathway results in regular diplomas is an important consideration in designing alternate pathway policies. It influences not only the

[17] For more information, refer to www.njpsa.org/documents/NJDOE_SRA_Paper.doc

[18] Maryland, Massachusetts, Mississippi, Nevada, New Mexico, Oklahoma, and Washington

calculation of graduation rates that are tracked under state accountability systems, but more importantly a student's opportunity to pursue postsecondary education and a future career.

Of the nineteen states with alternate pathways to general education students, eight offer alternative diplomas for general education students who cannot pass all the exit exams or fully meet the state standards. Florida, Maryland, Nevada, New Mexico, North Carolina, and Virginia offer both alternative diplomas and alternate pathways that lead to a regular diploma; South Carolina and Tennessee provide no alternate pathways to a regular high school diploma but grant certificates of attendance to students who fail the exit exams.

Alternate pathways in some states are designed to tie the exit exams more closely to class performance. In Idaho, for example, seniors who are enrolled in the fall semester and have not passed the exit exams may graduate by completing additional courses. The state reviews the course plans to make sure they are aligned to the 10th-grade standards. Arizona's augmentation policy allows students to add to their exit exam scores with points derived from course grades. Washington State uses a "grade comparison" option, where students who failed the exit exams can earn diplomas if they have a grade-point average equivalent to that of students at the same school who took the same course in mathematics or English and pass the exit exams. This option, however, is limited to students who have a 3.2 cumulative grade point average or higher across all courses.

Alternate pathways impact general education students to varying degrees across states. Some alternate pathways, such as the option to substitute Advance Placement scores in Washington State, are barely used, while other pathways, such as the special review process in New Jersey, are used quite widely. Most states reported that a relatively small proportion of students graduated through alternate pathways, but the actual number of students can be quite significant. In Florida, for example, over 7,000 students graduated through an alternative assessment in the 2007-08 school year, although this number represents less than 5% of the overall graduates.

Alternate Pathways for Students with Disabilities

To meet NCLB requirements, students with disabilities must be included in state assessments, and for most of the 26 states mandating exit exams, the state assessments in high schools are exit exams. The alternate pathways, therefore, are mostly applied for *after* students with disabilities fail the exit exams. The remedial, instead of preventative, nature of alternate pathways also applies to general education students, but it tends to impact a higher percentage of students with disabilities because of the low pass rates with this student subgroup.

Compared to general education students, it is harder to collect information on students with disabilities using alternate pathways to graduation because decisions on students' qualifications for waiver or the designs of alternative assessment are often made at the local level, and states do not usually collect this information[19]. For example, the eligibility for waivers is usually determined by individualized education program (IEP) teams, and many states do not collect data on the number or the percentage of students with disabilities graduating with waivers.

Most states provide particular alternate pathways to students with disabilities in addition to the ones available for general education students. States have different policy designs to address the needs of students with disabilities. In tables 3 and 4 we highlight some of the specific alternate pathways. These pathways include variations of three policy designs, alternative assessments, portfolio assessments and waivers.

Fourteen states offer alternative or portfolio assessment options (**table 3**). The alternative assessments in most states are tests with modified questions or aligned to modified standards. Some states, such as Alaska, Maryland, Oklahoma and Washington, make both forms available. Compared to waivers, more states allow students with disabilities to graduate with regular diplomas after passing alternative or portfolio assessments.

[19] For example, Arizona, Minnesota, New Mexico, and North Carolina.

Table 3 **Alternate Pathways for Students with Disabilities: Alternative Assessment, Portfolio Assessments and Flexible Cut Scores**

	CEP Classification	State Survey Response	Diploma Eligibility	Number and Percentage of Students with Disabilities Using Alternative Assessments in 2008
AK	Portfolio assessment	The nonstandardized HSGQE consists of an extensive collection of work that reflects competency in each of the state standards tested in the HSGQE.	Regular diploma	NA
	Alternative assessment	The modified HSGQE is the regular exam, but students with disabilities may use modifications with state approval.	Regular diploma	NA
ID	Portfolio assessment	A student with disabilities may appeal for an alternate measure to reach graduation (district proposed or IEP recommended plan to collect evidence)	Regular diploma	NA
MD	Alternative assessment	A modified HSA, known as the "Mod-HSA" is available to students with disabilities whom the IEP team has determined eligible. The Mod-HSA is based on course level content standards and modified academic achievement standards.	Regular diploma	NA
	Alternative assessment	Those students with the most significant cognitive disabilities, for whom the IEP team has determined eligible, will participate in the Alternate Maryland School Assessment (Alt-MSA). The Alt-MSA is a portfolio assessment tailored to each student's unique instructional needs in reading, mathematics, and science.	Maryland High School Certificate of Program Completion	NA
MA	Portfolio assessment	*The MCAS Alternate Assessment (MCAS-Alt) Competency Portfolio* The student must submit a portfolio that demonstrates knowledge and skills at grade-level expectations for a student in grade 10.	Regular diploma	NA
MN	Flexible cut scores	The individualized education program (IEP) team may set a different passing score on the BST.	Regular diploma	NA
	Alternative assessment	The IEP team may also decide an alternate assessment is best for the student and set performance criteria appropriate for the student.	Regular diploma	Writing: 798 test takers (1.2% of total population tested) Reading: 834 test takers (1.3% of total population tested) Math: 881 test takers (1.4% of total population tested)

continues ➤

Table 3 continued

	CEP Classification	State Survey Response	Diploma Eligibility	Number and Percentage of Students with Disabilities Using Alternative Assessments in 2008
MS	Alternative assessment	Students with disabilities pursuing a regular diploma may participate in the High Stakes Alternative Assessment after their initial participation in subject area testing.	Regular diploma	Less than 1% of students with disabilities submitted a substitute evaluation
NJ	Alternative assessment	Students with severe cognitive disabilities take the alternate proficiency assessment (APA)	Regular diploma	548 (0.06%)
NM	Alternative assessment	Ability pathway: Students must take either the NMHSCE or the New Mexico alternate assessment and meet a competency level determined by the IEP team	Regular diploma	NA
	Flexible cut scores	Career readiness pathway: Students must take the NMHSCE and meet a competency level determined by the student's individualized education program (IEP) team	Regular diploma	NA
NY	Alternative assessment	Regents Competency Test	Regular diploma	Math: 3,284 (1.7%); ELA: 2,958 (1.5%)
OH	Alternative assessment	Students with the most significant cognitive disabilities participate in the OGT Alternate Assessment in all five subjects, which consists of a collection of evidence to demonstrate students' performance aligned to extended grade-level standards.	Regular diploma	2,476 participated (11.4%)
OK	Alternative assessment	Assessments are available based on modified academic achievement standards for eligible students with disabilities in Algebra I, English II, Biology I and U.S. History.	Regular diploma	NA
	Portfolio assessment	A portfolio assessment is available only for students with the most significant cognitive disabilities. The portfolio assessment scored against modified grade-level standards.	Regular diploma	NA
	Flexible cut scores	Students who have an IEP in accordance with IDEA may demonstrate mastery of state academic content standards through a modified proficiency score on the state assessment(s) as established by the IEP Team.	Regular diploma	NA
SC	Alternative assessment	Students with serious cognitive impairments who cannot participate in the HSAP with accommodations or modifications may meet the criteria for taking the SC-Alt, an alternate assessment.	Certificate of attendance	NA

continues ➤

Table 3 **continued**

	CEP Classification	State Survey Response	Diploma Eligibility	Number and Percentage of Students with Disabilities Using Alternative Assessments in 2008
TX	Alternative assessment	TAKS-Modified (TAKS-M), which is based on modified academic achievement standards	Minimum-standard diploma	NA
	Alternative assessment	TAKS-Alternate (TAKS-Alt), which is based on alternate academic achievement standards and designed for students with significant cognitive disabilities.	Minimum-standard diploma	NA
WA	Flexible cut scores	WASL-Basic, in which students take the high school WASL (with or without accommodations) but IEP (individualized education program) teams adjust passing criteria to Level 2-basic proficiency.	Regular diploma	WASL-Basic: 1.0% in reading, 1.0% in writing, and 0.5% in math
	Portfolio Assessment	Washington Alternate Assessment System (WAAS)-Portfolio, in which students unable to take paper-and-pencil tests show their skills and knowledge through a collection of their work.	Regular diploma	WAAS-Portfolio: 0.5% in reading, 0.5% in writing, and 0.5% in math
	Alternative assessment	Developmentally Appropriate WASL (DAW), in which students in grades 11 and 12 only take the WASL (with or without accommodations) at the grade level that best matches their abilities.	Regular diploma	WAAS-DAW: 2.2% in reading, 1.7% in writing, and 2.3% in math

Table reads: Mississippi allows students with disabilities to take an alternative assessment to graduate from high school. Students with disabilites pursuing a regular diploma may participate in the High Stakes Alternative Assessment after their initial participation in subject area testing. Students graduating through the alternative assessment are eligible for a regular diploma. In 2008, less than 1 percent of students with disabilities submitted a substitute evaluation.

Source: CEP High School Exit Exam Survey, 2002-2009, Center on Education Policy, State Department websites, email and phone inquiries with state department staff.

Officials in Washington State revealed in an interview with CEP that portfolio assessments can be costly. The classroom-based evidence option in Washington State, for instance, costs about $600 per collection of student work, while the cost of a standardized WASL exam is about $22 per student.

Twelve of the 26 states have waiver options for students with disabilities so they do not need to earn passing scores on the state exit exams to graduate (**table 4**). As with waivers for general students, some states are very specific about the graduation status that different waiver programs may lead to. Alabama, for instance, has two waivers for students with disabilities that lead to different graduation status. The state waives the requirements for passing exit exams, which results in an occupational diploma upon graduation. The state also allows the local school system to waive one subject area for students with disabilities; with passing scores in the other four areas, students are still able to earn a regular diploma.

Table 4 **Alternate Pathways for Students with Disabilities: Waiver Options and Alternative Diploma**

	CEP Classification	State Survey Response	Diploma Eligibility	Number and Percentage of Students with Disabilities Graduated Through Waiver in 2008
AL	Exempt from passing →	Students with disabilities may receive an Alabama Occupational Diploma, which does not require passing the AHSGE.	Occupational diploma	929 (34.9%)
	Exempt from participation in one subject →	The school system may offer students with disabilities a waiver for one subject-area test in the student's major disability.	Regular diploma	
AK		If a student does not achieve a proficient score on the HSGQE or the alternative assessment program, the student is eligible to receive a certificate of achievement if all other state and local requirements for graduation have been met.[29]	Certificate of achievement	NA
AZ	Exempt from passing	Students with disabilities may be exempted from having to pass AIMS to graduate from high school. Students with disabilities who are not exempt from passing the exam and who complete high school may qualify for AIMS augmentation.	Regular diploma	NA
AR	Exempt from passing	Students with disabilities may graduate based on their individualized education plan.	Regular diploma	NA
CA	Exempt from passing*	Local waiver request. CAHSEE maybe waived for eligible students with disabilities. Students must be permitted to use any modifications specified in their individualized education program (IEP) or Section 504 Plan. Modifications fundamentally alter what the test measures and can affect the comparability of scores.	Regular diploma	4,230 (11.2%)
FL	Exempt from passing	The FCAT requirement may be waived for students with disabilities who have not achieved a passing score on the exam after two attempts and have met all other requirements.	Regular diploma	3,157 (18%)
GA	Exempt from passing	Students with disabilities may apply for the general waiver.	Certificate of attendance	55 students
		A special education diploma is also available for students with disabilities who complete the requirements of their individualized education program.	Special education diploma	NA

[29] www.eed.state.ak.us/tls/assessment/participation_guidelines/ParticipationGuidelinesSept2007.pdf

continues ➤

Table 4 continued

	CEP Classification	State Survey Response	Diploma Eligibility	Number and Percentage of Students with Disabilities Graduated Through Waiver in 2008
MD		For students with disabilities who do not pass the HSA and cannot meet the requirements for a diploma.	Maryland High School Certificate of Program Completion	NA
MS	Exempt from passing	Students with disabilities must participate in subject-area testing for NCLB reporting, but these alternate paths do not require that students pass the subject area tests.	Certificate of completion or an occupational diploma	NA
NJ	Exempt from passing	Some students with disabilities are exempt from passing—but not from taking—the HSPA, based on their individualized education program (IEP). Students who are designated as "IEP-exempt from passing" must take the exempt portions of the test at least once, but their scores will not affect their graduation status.	Regular diploma	NA
NM	Exempt from passing	Standard: Students must meet the district's graduation requirements that apply to all students.	Regular diploma	NA
	Exempt from passing	Career Readiness: Students must take the NMHSCE and meet a competency level determined by the student's individualized education program (IEP) team.	Regular diploma	NA
	Exempt from passing	Ability: Students must take either the NMHSCE or the New Mexico alternate assessment and meet a competency level determined by the IEP team.	Regular diploma	NA
NC	Exempt from passing	Students with disabilities who are following the occupational course of study (OCS) are not required to pass the competency test to receive a diploma. Only certain students with disabilities may participate in OCS, as determined by each student's IEP team.	Regular diploma	NA
	Exempt from participation	An IEP team or section 504 committee may determine that a student with disabilities participating in the college/university, college/technical, or career preparation courses of study will not participate in the competency test.	Graduation certificate	NA

continues ➤

Table 4 continued

	CEP Classification	State Survey Response	Diploma Eligibility	Number and Percentage of Students with Disabilities Graduated Through Waiver in 2008
OH	Exempt form passing	The decision for an exemption is made by the individualized education program (IEP) team on a test-by-test basis because the student has a curriculum that is significantly different in depth and breadth from the general education curriculum.	Regular diploma	NA
SC		Students with or without disabilities who complete all course credit requirements but do not pass the exit examination are eligible for a state certificate.	State certificate	NA
VA		Students with disabilities who do not meet the requirements for a standard or advanced diploma but meet the credit and literacy and numeracy requirements established by the state board of education may receive a modified standard diploma.	modified standard diploma	2,044 (19.53%)
		Students with disabilities who do not meet the requirements for other diplomas but have completed the requirements of their individualized education program (IEP) may receive a special diploma.	special diploma	2,489 (23.79%)

Table reads: Students with disabilities in Alabama may graduate from high school with occupational diplomas without passing the Alabama High School Graduation Exams (AHSGE). In 2008, 929 students with disabilities (34.9% of all graduating student with disabilities) graduated with occupational diplomas. Students with disabilities in Alabama may be exempt from participating in one of the five subjects to graduate from high school with regular diplomas.

*Note: Beginning in the 2009-10 school year, students with disabilities will be exempt from meeting the CAHSEE requirement as a graduation requirement. More information can be found at www.cde.ca.gov/ta/tg/hs/cahseeABx4.asp. For more detailed information on requirements for the local waiver request please contact the California department of education.

Source: CEP High School Exit Exam Survey, 2002-2009, Center on Education Policy, State Department websites, email and phone inquiries with state department staff.

In addition to alternative and portfolio assessments and waivers, some states use lower cut scores for students with disabilities, as in the case of New Mexico's Career Readiness Path, Minnesota's flexible pass scores decided by IEP teams, and Washington's WASL-Basic. Others use modified school curricula, such as North Carolina's Occupational Course of Study program that focuses on post-school employment and independent living. These policy approaches do not hold students with disabilities to the same state standards that are applied to general students, and they lead to a graduation status that may not be comparable to that received by general students who have passed all exit exams.

Comparing tables 3 and 4, we notice some differences between the option of alternative or portfolio assessments and waivers for students with disabilities. As shown in Table 3, three of the four states that reported percentage data, Mississippi, New Jersey, and Washington State, had less than 2.5% of students with disabilities who attempted or graduated through alternative assessment in 2008. In contrast, the three states that reported the percentage data in Table 4 show a much larger student population using waivers to graduate.

Alternate Pathways for English Language Learners

Few states with exit exams offer alternate pathways specifically for ELLs, though many of them allow specific testing accommodations for these students. While most of the states offer ELLs the same alternate pathways offered to general education students, Idaho and Minnesota have policies for students with limited experience in the U.S. education system. ELLs in Idaho may appeal for an alternate measure if they have been in the program for three years or less; if they successfully meet the requirements for this alternate pathway, they will be able to graduate with regular high school diplomas[21]. Minnesota allows districts to exempt ELLs from passing exit exams if they have been in the country for less than four years before graduation.

The Process of Shaping Alternate Path Policy in Three States

To understand the design and implementation of alternate pathways, we interviewed officials working with state high school assessment policies in Maryland, New Jersey, and Washington State. Appendix B explains the rationale for selecting these three states and describes policy background for each state.

The alternate pathway policies in these three states are shaped by recommendations from state advisory committees. The committees in these three states are composed of a broad selection of stakeholders, including representatives from higher education, state and county offices, the business community, advocacy groups, schools, and local education agencies. These committees are involved in the details of designing, implementing, revising, and evaluating the state testing programs. Washington, for example, has multiple advisory committees, and each committee focuses on a particular graduation option in the state testing system. One state official explains the role of advisory committees in Washington as follows:

> *[The committee members] determine if things are running; they will determine the procedural guidelines and recommend to the legislature if things need to be modified. They are our technical advisors in the area... Though the legislature determines whether students are qualified for diplomas, the CAA Option Advisory Committee would determine what strategies we need to take to prove equivalency [of different alternate pathways]. They would recommend to us what procedures are needed and what analyses would be needed to prove [the equivalency].*

Since 2005, Maryland has relied on a special task force to examine alternative options for assessing special student subgroups, such as students with disabilities and English language learners. Since the establishment of its Bridge Plan program, the state's test design group has also worked with teachers to design project modules to ensure the equivalency of its alternate pathways to the regular state exit exams. The advisory committees in New Jersey have been guiding the development of the Special Review Assessment since the 1990s. They help the state education department collect information from the field about the best way to serve students and give advice on policy changes. Recently, the committee has been helping the state respond to criticism of SRA.

Criticisms of alternate pathways policies in these three states have focused on the potential threats alternate pathways pose to the rigor of student testing systems. New Jersey's state department of education issued a report in 2008[22] that revealed its concern regarding the unexpectedly high number of students using the

[21] For more detailed information see adm.idaho.gov/adminrules/rules/idapa08/0203.pdf, p.11.

[22] The report can be found at www.njpsa.org/documents/NJDOE_SRA_Paper.doc.

Special Review Assessment to graduate. This concern has precipitated a series of policy adjustments since the 2008 report. As the SRA heavily relies on districts for appropriate implementation, the state faces the challenge of making sure that the districts take the SRA materials seriously and treat them in a secure and confidential manner. One state official described the state's reliance on local implementation in this way:

> *SRA is locally administered and scored; there is much more latitude and trust invested with local districts. And we try to communicate the validity of diplomas resulting from that path, the validity of results is tied to the credibility of that process. We need them to make sure they take it seriously so that the results can be credible.*

For states such as New Jersey, the monitoring strategy is critical because the implementation of alternate pathways is executed by districts and schools. Maryland has reported some promising monitoring strategies to oversee its Bridge Plan, which is also administered and scored at students' schools. In Maryland, a panel of graders makes recommendations to the local superintendent about students' qualifications for passing, and the state spot-reviews this local decision-making process to ensure that student projects demonstrate sufficient qualifications. The state not only gives specific rubrics for grading but also uses a review system to make sure student projects are graded appropriately and that the objectives of the project module are met as expected.

Maryland and New Jersey also reported providing professional training to strengthen local implementation of alternate pathways. Maryland organizes intensive training and publishes guides to explain the use of rubrics, shows samples of student projects, and specifies goals that need to be met under certain timelines. Similar training was also reported by New Jersey. As New Jersey transitions from comprehensive standardized tests to end-of-course exams, training for SRA will change accordingly. The state is planning to bring teachers together to score anonymous student work in future training sessions. In this way, teachers will be able to see student work in other schools, which may help even out differences in grading.

These strategies, however, do not fully address the challenges posed by locally implemented alternate pathways. All three states experience some degree of technical challenge in designing and developing alternate pathways. In Maryland, the amount of content-specific work involved in developing project modules has created tremendous pressure for state staff:

> *...It's a matter of state belt tightening and this is a whole new set of enormous tasks... of training and developing materials [and] the scoring rubrics. [The projects] require [students] to set up experiments or do significant research; they turn in pretty substantial sets of work ... It's a ton of work to make [projects] fresh and different each time, to also make sure that they're rigorous and in-depth enough to be meaningful.*

Washington expressed similar technical challenges when it comes to specifying and communicating learning objectives for math. It has tried to solve the problem by posting sample problems on the state Web site; however, new concerns have ensued regarding the uniqueness of student work:

> *We have a number of high schools in the state where all the submissions from students are essentially the same, and at this point in time we don't necessarily think that that is teachers deliberately trying to cheat, but we think it's teachers, in a misguided sense of what the target is, thinking that, "So here are some math problems. If I can demonstrate that all the kids can do these math problems, then they will have met the criteria, and so, kids, let me teach you how to do these problems."*

Despite the tremendous amount of work and technical challenges, none of the 26 states assigned more than four full-time equivalent staff members to develop, facilitate, and oversee alternate pathways. In some states, alternate pathways are considered local decisions, and no state staff is involved at all. Staffing needs may

vary due to the diverse policies that require different lengths of time for reviewing evidence collected through alternate pathways. The time to review and make a decision on one student document ranges from an hour to a couple of weeks; the appeal process and communication of the results can further increase the work load and lengthen the time needed for implementing alternate pathways. Some states, such as New Jersey, rely on local staff, particularly when alternate pathways are administered by local schools and districts, but it can be difficult sometimes to recruit teachers to score student work.

Conclusions

Alternate pathways to graduation can serve as a way to address limitations of standardized assessments and to balance the state accountability system with a certain amount of flexibility. We see both strengths and weaknesses in the approaches states have taken with their alternate pathway policies. Portfolio assessments, for example, allow students to demonstrate their learning in a sometimes less stressful environment and pushes them to learn what they may not have mastered, but it is hard to gauge how comparable the portfolios are with the exit exams. The same dilemma exists for substitute tests. It is cheaper and more convenient for states to use the ACT or SAT than to develop state alternative assessments from scratch; however, these tests are not designed to reflect state curricula and standards; therefore, we must be cautious about comparing student performance on substitute tests with exit exams.

Other alternate pathway policies, such as flexible cut scores and waiver programs, may be more straightforward to implement with detailed descriptions of state rules and direct state oversight; unfortunately, they face some criticism that they lower graduation standards and reinforce or widen existing achievement gaps. In light of the important roles advisory committees play, officials in New Jersey recommended that states proactively connect with and consult relevant stakeholders in the early stage of developing alternate pathways to graduation so their approach can be scrutinized through multiple perspectives, preventing unnecessary complications for implementation.

As supplemental policies to add flexibility to state-mandated assessment, alternate pathways may prevent high school exit exams from denying many struggling high school students a bright future. We count on the future development of state data systems to learn more about how alternate pathways serve students with disabilities. We also hope to see more empirical evidence on how the provision of alternate pathways impacts student learning in high school, and how various graduation statuses through alternate pathways influence student development after high school.

Chapter 3: Trends and Gaps in Exit Exam Pass Rates

In this chapter we turn to the question of how student performance on exit exams has changed since the exams became mandatory for graduation. We are particularly interested in the degree to which the student pass rate on exit exams has increased and the extent to which the pass rate gap between different subgroups of students has changed. We use the initial pass rates—the percentage of students passing on their first attempt—as a proxy for student performance on the exit exams.

Given the variety of tested subjects and numerous policy changes in the 26 states studied, we focus on the initial pass rates in 16 states because they have reported their test results in our surveys for at least three consecutive years. We chose to focus on reading[23] and mathematics because both subjects are required for federal accountability purposes.[24] We also limit the data to years in which current exit exams were used to withhold diplomas.[25] Table 1 at the beginning of this report shows the years when the states began withholding diplomas based on their exams.

As discussed in Chapter 1, exit exams across states differ greatly in content, question format, and test difficulty levels. Such diversity makes initial pass rates in various states not directly comparable to one another. For instance, difficult test content and low student performance can both contribute to relatively low initial pass rates, but give completely different implications about the state's exit exams. Therefore, we can only compare a state with itself to see if it makes progress from year to year, and we can only do year to year comparisons in states where the exit exam remains unchanged for the years studied. We calculated the average annual growth by dividing the sum of annual changes in the initial pass rates by the number of years for which we had comparable data.[26] States are categorized by their amount of average annual growth.

Following the longitudinal trend analysis, we examine the average annual change in the initial pass rate gaps between various subgroups of students. Initial pass rates of African American and Latino students are compared to those of white students, and students eligible for free or reduced-price lunch are compared to all students. Initial pass rates of subgroups of students are limited to years when current exit exams were used to withhold diplomas. The average annual change in initial pass rate gaps reveals the pace at which such gaps narrowed on the state's exit exams. The faster the pace, the greater changes between subgroups in gaps and the narrower the state's gaps.

In comparing average growth or change in pass rates, we need to be cautious about drawing appropriate conclusions. A higher growth in initial pass rate may indicate a state's progress in student performance over time, but we cannot simply infer that student performance in the state's exit exams is better than that in other states with lower growth rates. We cannot conclude that students perform better in states with a high average annual change in gaps, because exit exams vary across states.

[23] Reading is called English language arts (ELA) in some states.

[24] Alaska and Texas use high school tests different from exit exams for NCLB.

[25] For more detailed information on the year diplomas were first withheld based on current exit exams, refer to table 1, pp. 5-9.

[26] Years of data vary across states because states first withheld diplomas based on current exit exams beginning in different years.

Initial pass rate is not a flawless measure of student performance. Some states, such as Alabama, allow students to take exit exams before they reach the grade level in which the exams are supposed to be first administered. As a result, the initial rates may include students who have taken tests before reaching the tested grades. Most states do not hold schools accountable for the initial pass rate; therefore, students may not demonstrate their best effort to pass on their first try, which is a limitation of using initial pass rates as a means to measure the outcome of testing policy.

Last but not least, some states show more or less improvement in initial pass rates or gap closing because of a dramatic change (increase or decrease) occurring in one year. Considering that many states started implementing current exit exams only a few years ago, such abrupt and unsustained changes may skew our conclusions about some states' passage rates over time.

On the disk accompanying the printed version of this report and posted on the CEP Web site (www.cep-dc.org) are supplemental figures and tables that provide more detailed state by state information on initial and cumulative pass rates as well as information on the gap in pass rates between different subgroups of students.

Longitudinal Trends in Initial and Cumulative Pass Rates

The 16 states[27] included in the analysis show a wide range of change in initial pass rates over varied periods of time.[28] Some, such as the initial reading pass rate in Florida and Georgia, barely changed, while some, such as the initial math pass rate in Alaska and Nevada, fluctuate more than 10%. Such fluctuation can be either an increase or a decrease in pass rate.

We then took a closer look at the changes in initial pass rates in each subject area. Eleven of the 16 states showed an average annual growth in the proportion of students passing the test in reading and 13 states showed average annual growth in math. For initial pass rates in reading, Alaska and Nevada had an average annual increase of more than 3 percentage points in initial pass rates (**Table 5**). Six states showed average annual gains ranging from 1 to 3 percentage points, while initial pass rates in five states changed slightly over the years studied. The initial pass rates in Alabama, California, and New Mexico showed an average annual decrease of more than 1 percentage point.

In math, Louisiana, Nevada, and Tennessee had average annual increases in initial pass rates of more than 3 percentage points. Nine states showed average annual increases from 1 to 3 percentage points in initial pass rates. Initial pass rates in math decreased in California and slightly decreased in Indiana and New Mexico.

In five states, we also compared the initial and cumulative pass rates on exit exams. (Cumulative pass rates include the percentage of students who passed exit exams by the end of grade 12.) The analysis is limited to five states, due to not enough years of comparable test data or missing data in the other states. Fifteen states provided cumulative pass rate data for 2008, but many of them did not report data for 2006 and/or 2007. Some states report cumulative pass rates by subjects and subgroups; some report only certain subjects; some estimate ranges. Alabama, Arizona, California, Massachusetts, and Texas are included in the cumulative pass rate analysis since they provided both initial and cumulative pass rates from 2006 to 2008 in a consistent form and had relatively few changes in their exit exams and relevant policies.

In reading, cumulative pass rates in Alabama, California, Massachusetts and Texas reached around 95% for the three years we studied. The difference between the initial and cumulative pass rate, however, varied by

[27] Alabama, Alaska, Arizona, California, Florida, Gerogia, Indiana, Louisana, Massachusetts, Nevada, New Jersey, New Mexico, South Carolina, Tennessee, Texas, Virginia.

[28] States began withholding diplomas based on student performance on their current exit exams in different years. Table 1 provides the beginning years we used for calculating annual average changes.

Table 5 Longitudinal Trends of Initial Pass Rate in Reading and Math

Reading	Math
States with more than 3 percentage points of average annual gain in initial pass rate	
AK, NV	LA, NV, TN
States with between 2 and 3 percentage points of average annual gain in initial pass rate	
LA	AK, MA, SC, TX, VA
States with between 1 and 2 percentage points of average annual gain in initial pass rate	
AZ, MA, SC, TX, VA	AL, AZ, FL, NJ
States with less than 1 percentage point of average annual gain in initial pass rate	
FL, NJ, TN	GA
States with average annual decrease in initial pass rate	
AL, CA, GA, IN, NM	CA, IN, NM

Table reads: Initial reading pass rates in Alaska and Nevada increased by an average of more than three percentage points annually. Initial math pass rates in Alaska, Massachusetts, South Carolina, Texas, and Virginia increased by an average of more than two but less than three percentage points annually.

Source: CEP High School Exit Exam Survey, 2002-2009, Center on Education Policy.

state. For example, the difference in California's initial pass rate compared to its cumulative pass rate was about 20 percentage points while the difference in Massachusetts was about 5 percentage points. From 2006 to 2008, the difference between the initial and cumulative pass rates in reading remained at 5 to 6 percentage points in Texas, narrowed from 3 to 1 percentage point in Massachusetts, and widened in Alabama, Arizona and California. Arizona, for example, increased its cumulative pass rate by 8 percentage points, from 80% in 2006 to 88% in 2008, while its initial pass rates increased by 2 percentage points, from 71% to 73%.

In mathematics, the cumulative pass rates in Alabama, California and Massachusetts were also about 95% from 2006 to 2008. The average difference between the initial and cumulative pass rates in Massachusetts was greater in mathematics than in reading—about 10 percentage points in math compared to about 5 percentage points in reading. The difference between California's initial and cumulative pass rates in mathematics was about the same as the difference in reading, about twenty percentage points. Cumulative pass rates were consistently lower in math than in reading in Arizona and Texas. From 2006 to 2008, the difference between the initial and cumulative pass rates in mathematics was kept at 10 percentage points in Alabama, narrowed from 8 to 6 percentage points in Massachusetts, and widened in Arizona, California and Texas. For example, both initial and cumulative pass rates increased from 2006 to 2008 in Texas, but the growth in the initial pass rate over the three years was less than the growth in the cumulative pass rates over the same time period. As a result, the difference between initial and cumulative pass rate in Texas widened from 7 percentage points in 2006, to a difference of 9 percentage points in 2007, to an 11 percentage point gap in 2008.

Detailed tables and figures with information on each of the five states' initial and cumulative pass rates on reading and mathematics exit exams can be found on the disk accompanying this report and on the CEP Web site at www.cep-dc.org.

There are many possible reasons for the differences between initial and cumulative pass rates. For example, if the cumulative pass rate reflects a high proportion of students passing the exam, it may indicate that remediation programs are successful and that greater proportions of students are succeeding on subsequent retakes of the test. It could also mean that some students took the exam before they had completed the appropriate courses that would help prepare them for the test. It may also indicate that students who failed to pass the test the first time they took it are increasingly reliant on pursuing additional preparation to help them past the test. Fifteen states[29] indicated in our survey that they currently use the initial pass rate to determine adequate yearly progress (AYP) under NCLB. The initial pass rate weighs more for school accountability than for students who simply care if eventually they graduate. The deviation of school accountability from student accountability may have contributed to students' reliance on remediation and retake opportunities, which in turn increase the cost of exit exams, and schools' reluctance to communicate with students about state policies regarding alternate pathways (CEP, 2009).

The big difference between initial and cumulative pass rates in some states reveals that, of the high school graduates who pass the state exit exams, quite a few rely on additional help beyond teaching in everyday classes. A growing number of states have taken action in recent years by increasing assistance to the improvement of instruction and school leadership, as reported in Chapter 1. However, the persistence of big differences in pass rates in some states highlights the importance of identifying struggling students early and providing them with assistance before they fail the tests.

Gaps in Initial Pass Rates

The gap analysis[30] focuses on three student subgroups: African American and Latino students as well as students eligible for free or reduced-price lunch. At varying rates, most states have narrowed the gaps; however, initial pass rate gaps remain large for these subgroups.

Gaps Between African American and White Students

In 2008, African-American students in all of the 15 states[31] analyzed have a lower initial pass rate than their white peers by 5 to 36 percentage points in reading and by 7 to 40 percentage points in mathematics across states. Looking across the 15 states, the gap in initial pass rates has narrowed annually by an average of 1.1 percentage points in reading and 1.7 percentage points in mathematics.

Table 6 shows that South Carolina, Louisiana, and Nevada narrowed the initial pass rate gaps in reading by an average of more than 3 percentage points every year. Gaps in seven states changed less than 1 percentage point. Annual changes in initial pass rate gaps have fluctuated in Alabama, Indiana, and Florida, but the average changes across years show widened gaps between African American and white students.

For mathematics, gaps in nine states narrowed by more than one percentage point per year. In three of the nine states, Louisiana, Massachusetts, and Tennessee, the gaps have closed by an average of more than three percentage points per year. Initial pass rate gaps between African American and white students in six other states have stalled for the past few years, four (Alabama, Georgia, Indiana and New Jersey) with average annual gap narrowed by less than 1 percentage point, and two (California and Nevada) with slightly widened gaps. Annual gap changes have fluctuated in Nevada since 2004.

[29] Alabama, Arizona, California, Florida, Georgia, Idaho, Indiana, Louisiana, Massachusetts, Mississippi, New Jersey, Ohio, Oklahoma, Tennessee, Washington. www.eed.state.ak.us/tls/assessment/participation_guidelines/ParticipationGuidelinesSept2007.pdf

[30] Only initial pass rates are used to calculate gaps.

[31] This gap analysis is based on data drawn from 15 of the 16 states. New Mexico is not included in this analysis due to missing data for African American students in reading and math.

Table 6 Initial Pass Rate Gaps Between African American and White Students in Reading and Math

Reading	Math
States with more than 3 percentage points of average annual gain in narrowing the achievement gap	
LA, NV, SC	LA, MA, TN
States with between 1 and 3 percentage points of average annual gain in narrowing the achievement gap	
AZ, AK, MA, TN, VA	AK, AZ, FL, SC, TX, VA
States with less than 1 percentage point of average annual gain in narrowing the achievement gap	
CA, GA, NJ, TX	AL, GA, IN, NJ
States with less than 1 percentage point of average annual loss in narrowing the achievement gap	
AL, FL, IN	CA, NV

Table reads: Louisiana, Nevada and South Carolina narrowed the initial reading pass rate gaps between African American and white students by an average of more than three percentage points annually. Louisiana, Massachusetts, and Tennessee narrowed the initial math pass rate gaps between African American and white students by an average of more than three percentage points annually.

Source: CEP High School Exit Exam Survey, 2002-2009, Center on Education Policy.

Gaps Between Latino and White Students

In 2008, the initial pass rate gaps between Latino students and their white peers ranged from 6 to 27 percentage points in reading and from 5 to 28 percentage points in mathematics. Across the 15 states[32], the gap has narrowed at an average annual rate of 1.5 percentage points in reading and 1.4 percentage points in mathematics.

Table 7 shows the pace at which the initial pass rate gaps in reading have narrowed in the 15 states. The initial pass rate gap between Latino students and their white peers in South Carolina has narrowed at an average annual rate of 6.7 percentage points since the state began withholding diplomas based on its High School Assessment Program (HSAP) in 2006. Initial pass rate gaps in Massachusetts and Nevada have also narrowed by more than an average of 2 percentage points every year. Both Massachusetts and Nevada have used their current exit exams to withhold diplomas since 2003. Indiana had a slightly widened initial pass rate gap in reading between Latino and white students due to their fluctuating annual gap changes.

For most of the 15 states, the average annual progress toward closing the Latino-white initial pass rate gap is greater in mathematics than reading. Gaps between Latino and white students in twelve states narrowed by more than 1 percentage point per year in mathematics. Massachusetts is closing its gap at an average of 3.2 percentage points per year. Three states showed less than a 1 percentage point change in closing the initial pass rate gap.

[32] This gap analysis is based on data drawn from 15 of the 16 states. New Mexico is not included in this analysis due to missing data for Latino students in reading and math.

Table 7 **Initial Pass Rate Gaps Between Latino and White Students in Reading and Math**

Reading	Math
States with more than 2 percentage points of average annual gain in narrowing the achievement gap	
AK, MA, NV, SC	GA, MA, TX
States with between 1 and 2 percentage points of average annual gain in narrowing the achievement gap	
AZ, GA, TX, VA	AL, AK, AZ, FL, NV, NJ, SC, TN, VA
States with less than 1 percentage point of average annual gain in narrowing the achievement gap	
AL, CA, FL, LA, NJ, TN	CA, IN, LA
States with less than 1 percentage point of average annual loss in narrowing the achievement gap	
IN	

Table reads: Alaska, Massachusetts, Nevada and South Carolina narrowed the initial reading pass rate gaps between Latino and white students by an average of more than two percentage points annually. Georgia, Massachusetts and Texas narrowed the initial math pass rate gaps between Latino and white students by an average of more than two percentage points annually.

Source: CEP High School Exit Exam Survey, 2002-2009, Center on Education Policy.

Gaps Between Students Eligible for Free and Reduced-price Lunch (FRL) and All Students[33]

In 2008, the average annual gap in initial pass rate between FRL and all students ranged from 4 to 18 percentage points in reading and from 5 to 18 percentage points in mathematics. Across the 16 states, the gap narrowed by an average of about 1 percentage point per year in both reading and mathematics. Alaska had an average rate of 4 percentage points in closing the gap in reading per year (**Table 8**). Half of the states have made little progress in closing the gap between FRL students and all students in reading. The gap in Alabama widened between 2003 and 2004 and remained steady since 2006. In mathematics, two states closed the gap by more than 2 percentage points, and all 16 states made some progress.

Conclusions

States have made progress in improving the overall initial pass rate and closing initial pass rate gaps between student subgroups, but that progress has varied across states and subject matter. Eight states increased their average annual initial pass rates for all students in mathematics by more than 2 percentage points compared to three states in reading. Five states showed a decrease in their initial pass rates in reading.

The gaps in initial pass rates between different subgroups of students are narrowing, however, remain daunting in both subjects. The average annual change in initial pass rate gaps is a measure that helps illustrate how well states have addressed achievement gaps in high-stakes exit exams. Initial pass rate gaps in most states narrowed, but at different rates. A few recent studies (See Appendix A) provide empirical evidence about the negative effects that exit exams have had on minority and disadvantaged students. It has become a key con-

[33] We compare this subgroup to all students because many states do not report initial pass rates of students who are not eligible for free and reduced-price lunch.

Table 8 Initial Pass Rate Gaps Between FRL and All Students in Reading and Math

Reading	Math
States with more than 2 percentage points of average annual gain in narrowing the achievement gap	
AK, MA, NV, NJ, VA	GA, NJ
States with between 1 and 2 percentage points of average annual gain in narrowing the achievement gap	
AZ, GA, LA	AK, LA, MA, SC, TN, TX
States with less than 1 percentage point of average annual gain in narrowing the achievement gap	
CA, FL, IN, NM, SC, TN, TX	AL, AZ, CA, FL, IN, NV, NM, VA
States with less than 1 percentage point of average annual loss in narrowing the achievement gap	
AL	

Table reads: Alaska, Massachusetts, Nevada, New Jersey, and Virginia narrowed the initial reading pass rate gaps between FRL and all students by an average of more than two percentage points annually. Georgia and New Jersey narrowed the initial math pass rate gaps between FRL and all students by an average of more than two percentage points annually.

Source: CEP High School Exit Exam Survey, 2002-2009, Center on Education Policy.

sideration in the design of effective exit exam policy to mitigate the negative effects of high-stakes assessment on these students.

It would be fallacious to compare the pass rates directly and conclude that exit exams in a state are better simply because it has higher pass rates. Some states, such as Nevada and Arizona, have relatively low initial pass rates but faster average annual growth than some others.

Initial pass rate trends within each state reflect both progress and persistent gaps that need to be addressed more effectively in the future. If the ultimate goal of exit exam policies is to promote achievement of all students, states with initial pass rates that have not improved over time may need to reconsider their exit exam policies, particularly when there is a considerable proportion of students who are failing to pass and who are relying on remediation and re-take opportunities to pass the exams.

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Appendix A: Studies of High School Exit Exams in 2009

A few recent studies have looked at the effects of exit exams on high school graduation and dropout rates (Martorell, 2005; Jacob, 2001; Warren & Edwards, 2005; Ou, 2009). For example, Jacob and Dee's 2009 analysis of the 2000 census data shows that exit exams have a small but statistically significant impact on high school completion; their analysis of Common Core of Data shows that Minnesota's Basic Skills Tests (BST) improved student performance in 9th through 11th grade but increased the dropout rate of 12th graders who, in most cases, have failed the exam repeatedly. Reardon and colleagues (2009) compared district data on student achievement and graduation rates before and after the implementation of the California High School Exit Exam (CAHSEE). They found that the CAHSEE decreases the probability of graduation by 15% for 10th graders in the bottom quartile of achievement. The negative impact is larger on the graduation rate of minority low-achieving students, English language learners, and students eligible for free or reduced-price lunch. We summarize a few recent studies as additional resources for readers.

Warren and colleagues (2008) examined the effect of high school exit exams on labor force status or earnings. They found that the rate of postsecondary schooling was not significantly higher in states that required exit exams than in those that did not. Neither was there a significant difference in employment status and wage between high school graduates in states mandating exit exams and those in states that did not. The authors use data from the 1980-2000 U.S. census and the 1984-2002 outgoing rotation groups of the current population survey.

Ou (2009) analyzed data from the New Jersey High School Proficiency Assessment (HSPA) exam to look at the impact of the state's exit exams on student dropout rates. He found that students who barely fail the exam are more likely to drop out than students who barely pass it, indicating that passage or failure on the exam may sway students with comparable achievement levels toward or away from staying in school. The effect is more pronounced for racial minorities and economically disadvantaged students.

Jacob and Dee (2009) examined the impact of exit exams through analysis of two data sets. Using the 2000 Census Public Use Microdata Sample (2000 PUMS), they found that the presence of exit exams reduced the probability of completing high school among white male students and black students. Their analysis of Common Core of Data (CCD) showed that Minnesota's exit exams reduced the dropout rate in grade 10 and 11 but increased the rate in grade 12, particularly in districts with higher proportions of minority students.

Reardon and colleagues (2009) compared ELA test scores, persistence through 11th and 12th grade, and graduation rates of students who were not subject to exit exams with those of students who were in four large California districts (subject to the CAHSEE). They found that exit exams had modest negative effects or no effects at all on student persistence and achievement, but significant negative effects on graduation rates, particularly for minority students whose scores were in the bottom quartile.

Appendix B: Methods of Study

Multiple sources provide information on the 26 states' exit exams, including CEP's high school exit exam survey in 2009, CEP's annual and special reports on high school exit exams in the past seven years, policy documents from state departments of education, and reports from the U.S. Department of Education.

State profiles in CEP's 2002 report provide baseline information, and policy changes since then have been tabulated by state and year. The 2009 survey was administered from February 2009 to June of 2009 to state officials in the 26 states that mandate high school exit exams. The survey collected information on the features of high school exit exams and alternate pathways policies. All 26 states responded to the survey.

Based on data collected in these profiles, we group policy changes into five areas for analysis: historical policy background, test characteristics, student options, state support, and accountability. Themes of policy changes are identified through inductive coding, where we summarize changes across states and years in each of the five areas and then link these changes to see if common policy trends can be identified. We verify background and update policy status in our survey with designated state contacts, and follow news on high school exit exams—i.e. for this report generally from October 1, 2008 to July 15, 2009.

Selection of Interview States

In addition to the state surveys, CEP staff interviewed state officials in Maryland, New Jersey, and Washington State to examine in greater detail the design and implementation of alternate pathway policy in these states.[34] These three states were selected based on their designs of alternate pathways to graduation, the recent public debate about their high school assessment policy, and the volatility of state policy pertaining to high school exit exams.

Maryland

Beginning in 2009, Maryland requires all students to meet designated cutoff points on state High School Assessments (HSA) to graduate. To earn a high school diploma, students must pass all four grade-level tests in government, biology, English, and Algebra I and earn a combined score of 1602. In the meantime, the state department of education designed and offered an alternate pathway to graduation called the Bridge Plan to Academic Validation.

The Design of Alternate Pathways

The Bridge Plan is an alternative program through which students can earn their diploma if they failed one or more of the HSAs needed to graduate. The program was piloted in summer 2008 and requires students to complete one or more project modules in failed content areas. Students qualify for the Bridge Plan if they:

1. Have passed the HSA related course
2. Have taken the specific HSA or mod-HSA test twice without passing or earning a combined HSA score of 1602
3. Are firmly on the path to completing all other local and state graduation requirements (including attendance), and
4. Have participated in approved assistance

[34] See Appendix C for interview protocols.

After the local school system determines that a student will complete a project, a designated school staff member meets with the student and parent/guardian to design an Academic Validation Project Package. The number of projects required varies from one to seven and is determined based upon the size of the gap between a student's HSA score and the cut score needed to attain proficiency. All projects are linked to the Core Learning Goals and are supposed to be comparable to the HSA. Upon completion, a review panel established by the local school system reviews the project and provides recommendations to the local superintendent, who conducts a final review for approval or refusal of the student's work. If a student's package is refused, written feedback is provided to the student so revised work can be resubmitted at a later date.

Students with disabilities may meet graduation requirements by taking the Modified HSAs (Mod-HSAs), alternative assessments based on the same course content as HSA. They are also eligible to participate in the Bridge Plan, should they fail to meet the standards set for the Mod-HSA.

In December 2008, the Maryland State Board of Education set forth a limited waiver process for seniors who failed to meet the state's new graduation requirements. The waiver is designed for students "who were prevented from fulfilling the HSA requirement because of school system decisions regarding class scheduling, course sequencing, testing, process of interventions, or some other special circumstances."

The school principal may recommend the waiver or the family may request it. Local school systems' superintendents have the authority to either grant or deny the waiver, and the denials may be appealed to the state superintendent.

Maryland refers to a "Parallel Path," meaning that a student may be pursuing more than one pathway at any given time. For example, he or she may be attempting to pass the HSA exam (or Mod-HSA) and completing a Bridge Plan at the same time.

Recent Public Debate

Maryland is the most recent state to impose exit exams as graduation requirements; most of the debate has centered on whether or not there should be such a requirement. Many critics of the exam allege that having a high school exit exam encourages dropouts, a phenomenon that is ultimately detrimental to all involved.

The Bridge Plan is offered to reduce the possibility of misjudgment based solely on HSA requirements. The critics of the plan reflect public concerns over holding all students to the same standards; other critics voiced concern that the requirements of the Bridge Plan seemed unclear.

The Volatility of Policy

Maryland started administering HSAs in 2001. Many parents and students were not convinced that Maryland would enforce the HSA graduation requirement. As the school year progressed and people began to realize that the state was not going to back off the policy, they became concerned. In October 2008, the Maryland Board of Education reviewed the policy to require HSA for graduation and upheld its decision.

At the start of the 2008-09 school year, 50% of students with disabilities and 15% of English language learners had passed all four sections of the HSA exam. At the end of May 2009, fewer than 1,500 seniors had not met the HSA requirement.

New Jersey

New Jersey's High School Proficiency Assessment (HSPA) is a comprehensive standards-based test in language arts, mathematics, and science. The class of 2003 was the first required to pass the HSPA to earn a diploma. In 2009, the board of education voted to phase out the HSPA over time in favor of end-of-course assessments.

The Design of Alternate Pathways

Before Maryland passed the Bridge Plan in the 2008 legislature, New Jersey was the only state that allowed an alternate pathway to be administered and scored at the local level. SRA consists of two components, remedial course work and performance assessment tasks (PATs). Currently, teachers score these tests and districts audit the scoring. The test is untimed and is composed of open-ended questions (tasks). If students fail one task, they are given a chance to review and attempt another question. The SRA will be replaced with the Alternate High School Assessment.

Based on their individualized education program, some students with disabilities are exempt from passing—but not from taking—the HSPA. Students designated with "IEP-exempt from passing" will not be affected by their scores for graduation purposes.

Recent Public Debate

In 2007, 14.7% of graduates obtained a diploma through the SRA path. In some districts, more than three-quarters of students took advantage of SRA. The scoring at the local level caused some concern because there was little or no standardization of scoring and it could be highly subjective. The SRA was branded by critics as a loophole to graduation and as a false inflator of the state's high graduation rates. Businesses and higher education groups argued that SRA had devalued the high school diploma as an indicator of readiness for employment or college.

In 2008, the state department of education started requiring that districts in which 10% or more of the graduates need the SRA to attain their diploma submit a report analyzing their SRA student population and describing their plans to reduce their dependence on the SRA. A contracted vendor will distribute performance tasks directly to high schools and organize the process of scoring. These changes will become effective in 2009-10.

The Volatility of Policy

In order to address the massive criticisms of SRA, the board of education voted in 2006 to completely abolish the alternate pathway. In 2009, the board renamed the alternate pathway the Alternative High School Assessment (available in the 2009-10 school year), and amended the assessment in several ways. The timing of the test administration was shortened from over several months to only a few weeks. Also, districts in which 10% or more of high school students are using an alternate assessment to fulfill graduation requirements will be required to submit a plan that will increase the number of students using the HSPA to demonstrate academic achievement. Since New Jersey will be moving toward an end-of-course assessment program, this will also change the alternate pathway that is available to students. The state has yet to release details about this new plan.

Washington

The Washington Assessment of Student Learning (WASL) was first administered in 2003 and diplomas were first withheld in 2008. Students need to pass reading and writing tests and take the mathematics exam to meet graduation requirements.

The Design of Alternate Pathways

By 2008, the state legislature had approved four alternate methods to graduate from high school with a diploma noted as a Certificate of Academic Achievement (CAA):

1. **Collection of Evidence:** Assembling a collection of classroom-based evidence that includes specified work samples demonstrating that they meet grade-level academic standards;
2. **WASL/Grades Comparison:** Comparing a student's grades in certain classes with the grades of other students who took the same classes and met the standard (available only for 12th-grade students);
3. **College admission tests:** Meeting a specific cut score on SAT or ACT tests; or
4. **Advanced Placement (AP):** Scoring a 3 or higher on select AP exams.

For students with disabilities, the state developed several alternate options for graduation:

1. **WASL-Basic:** Students take the high school WASL (with or without accommodations) and IEP teams adjust passing criteria to Level 2 (basic proficiency);
2. **Washington Alternate Assessment System (WAAS) portfolio:** Students unable to take paper-and-pencil tests show their skills and knowledge through a collection of their work;
3. **Developmentally Appropriate WASL (DAW):** Students in grades 11 and 12 only take the WASL (with or without accommodations) at the grade level that best matches their abilities.
4. **Locally Determined Assessments:** 12th grade students who need modified achievement standards can pursue this option.

Recent Public Debate

The WASL has been a high-priority item after the election of a new state superintendent, Randy Dorn. The superintendent announced in January 2009 that WASL would be replaced in the spring of 2010 with tests that are shorter, have more rapidly reported scores, and contain data that will be more useful to teachers and parents. Little has been said about the future of the state's alternate pathway policy.

The Volatility of Policy

The previous superintendent of education, Terry Bergeson, implemented the WASL after much public debate. Bergeson's support of the WASL was the key issue in the 2008 election. The WASL went through many transformations and revisions before it arrived in its final state.

In 2009, Dorn began plans to change the WASL. Within a month of taking office he held a press conference to announce the changes discussed above. The superintendent has proposed several changes to the state assessment system. In spring 2010, the WASL may be replaced with the High School Proficiency Exams (HSPE). These new computerized exams may become mandatory in 2011. In addition to the sweeping changes that Dorn proposed, he also requested that the math and science graduation requirements for 2013 be removed until adequate standards and assessments are designed.

Appendix C: Interview Protocols

Alternate Paths

1. What is your role with the state department of education? (Previous positions, how long at the state department of education, etc.)

2. Please tell me briefly about the history of the state's alternate paths to graduation. How were alternate paths created? For example, through committees, seeking advice from other states, etc.

3. What is the rationale/premise for the design of these alternate paths? For example, to serve a target population (general students, students with disabilities, ELLs, etc.), to collect information to accommodate exit exam results, etc.

4. What strategies has the state adopted to ensure the proper use of these alternate paths? (Equivalence to regular exit exams, implementation oversight, technical training, and consideration of special student groups, etc.)

5. What are some of the challenges the state faces in implementing alternate paths? What has worked well, and what could be improved? In other words, what are the lessons/policy changes that other states could benefit from knowing? What do you think the state should be doing differently?

Impact of Policy Change

1. What are the rationales for policy changes in the past?

2. How have these changes impacted:
   - Organizational structure
   - Partnerships
   - Capacity (staff, finance, technical support)

3. What are some of the challenges the state is facing to implement exit exams?

4. Does the new graduation rate formula have any impact on high school exit exam policy? For example, data collection and reporting, etc. What changes does the state have to make to use the new graduation formula?

5. How do you envision the future development of exit exams in your state?

CENTER ON EDUCATION POLICY CEP

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SB 120

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 2/20/09

FURTHER: Finance

Date of 5-Day Notice: _____
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: _____

Community and Regional Affairs Committee considered SENATE BILL NO. 120

SB 120 MUNICIPAL PROPERTY TAX EXEMPTION

"An Act relating to an optional exemption from municipal property taxes for residential property."

and recommends:

[✓] be **replaced** with [ ] **SCS** or [✓] **CS** SB 120 (CRA)

[ ] adopt **previous** [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] attached amendment(s)

[ ] adopt _____Letter of Intent

[ ] 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#
CED	2/2/10	✓			
– Fiscal info. forthcoming					

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

[ ] **APPROPRIATION - no fiscal note**

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	French	X			
Linda Menard	MENARD	X			
Mimi Kookesh	Kookesh	X			
Vice-CHAIR:	Thomas	✓			

26-LS0635\R
Cook
2/16/10

CS FOR SENATE BILL NO. 120(CRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY THE SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): SENATORS THOMAS, Ellis

A BILL

FOR AN ACT ENTITLED

"An Act relating to an optional exemption from municipal property taxes for residential property."

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

*** Section 1.** AS 29.45.050(a) is amended to read:

(a) A municipality may exclude or exempt or partially exempt residential property from taxation by ordinance ratified by the voters at an election. An exclusion or exemption authorized by this subsection may be applied with respect to taxes levied in a service area to fund the special services. An exclusion or exemption authorized by this subsection may not exceed the assessed value of **$50,000** [$20,000] for any one residence.

Adopted unanimously S CR2 #A 2-18-10

New Text Underlined [DELETED TEXT BRACKETED]

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: **SB 120**
() Publish Date:

Identifier (file name): SB120-CED-CRA-2-2-10
Dept. Affected: DCCED
Title: Municipal Property Tax Exemption
RDU: Comm. Assist. and Econ. Dev.
Component: Community and Regional Affairs
Sponsor: Senator Thomas
Requester: Senate Community and Regional Affairs Committee
Component Number: 2879

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
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							
CHANGE IN REVENUES ( )	**(1,430.0)**		**(1,500.0)**	**(1,580.0)**	**(1,660.0)**	**(1,740.0)**	**(1,830.0)**

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

SB 120 would allow municipalities to increase the current residential exemption from $20,000 per residence to $100,000. This increase will allow municipalities to shift the tax burden away from residential property to other types of properties, such as commercial, vacant and in those municipalities with oil and gas properties, to AS 43.56 property, upon which the state levies a 20 mill tax and refunds the local municipal mill rate to those municipalities.

By increasing this exemption, municipalities will be forced to increase their mill rate to raise the same amount of revenue if no other source of revenue is found. Increasing the local mill rate will increase the amount of taxes that a municipality will levy against AS 43.56 properties thus reducing that amount to the state.

Prepared by: Steve Van Sant, State Assessor — Phone 465-4605
Division: Community and Regional Affairs — Date/Time 2/2/10 12:00 AM
Approved by: Emil Notti, Commissioner — Date 2/2/2010
Department of Commerce, Community and Economic Development

(Revised 11/6/2009 OMB)

ALASKA STATE LEGISLATURE

SENATOR JOE THOMAS

Sponsor Statement

SB 120 – Residential Property Tax Exemption

Senate Bill 120 increases the ***optional*** municipal property tax exemption for a private residence from $20,000 to up to $100,000. This bill ***does not mandate*** any action by municipalities. This bill only allows local governments the option of increasing their residential property tax exemption.

Currently there are 14 boroughs and 12 cities - with a combined population of over 590,000 Alaskans - which levy property taxes. Each of these is attempting to respond to homeowners struggling under the rising cost of energy across the state. In some instances these issues are coupled with rapidly rising assessed values of private residences. Across the state, these citizens are crying for relief.

SB 120 would not affect a smaller, revenue-strapped community's sources of tax income. Instead, it would give those municipalities with a large enough population the ability to relieve the tax burden largely borne by homeowners. SB 120 would allow local for control in setting the allowable exemption at any amount ***up to $100,000***. A local ordinance would then require voter approval before enactment.

The original option of exempting up to $20,000 was a good idea when it passed both houses of the Alaska Legislature unanimously in 2004, and has been a valuable tool for the municipalities which exercised this option.

As municipalities around our state attempt to diversify their income base and respond to the needs of private citizens struggling under today's rising energy costs, I urge you to support the timely passage Senate Bill 120.

January – May: State Capitol – Juneau, Alaska 99801 – (907) 465-2327 – 1 (800) 336-7383 – Fax (907) 465-5241
June – December: 1292 Sadler Way Ste 203 – Fairbanks, Alaska 99701 – (907) 456-8161 – Fax (907) 456-8163
Senator.Joe.Thomas@legis.state.ak.us

TABLE 1

2009 Municipalities: Class, Populations and Tax Types

Municipality	Type of Municipality	Population	Property Tax	Sales Tax	Special Tax
Adak	Second Class City	178	No	3%	No
Akhiok	Second Class City	48	No*	NR	NR
Akiak	Second Class City	341	No	NR	NR
Akutan	Second Class City	796	No	No	No
Alakanuk	Second Class City	670	No	NR	NR
Aleknagik	Second Class City	242	No	NR	NR
Aleutians East Borough	Second Class Borough	2,699	No	No	2% Raw Fish Tax
Allakaket	Second Class City	96	No	NR	NR
Ambler	Second Class City	259	No	NR	NR
Anaktuvuk Pass	Second Class City	284	No*	NR	NR
Municipality of Anchorage	Unified Home Rule	284,994	Yes	No	12% Bed Tx/ 8%Car Rental/72.6 mill Tobacco
Anderson	Second Class City	295	No	No	8% Utility Tax
Angoon	Second Class City	430	No	NR	NR
Aniak	Second Class City	494	No	2%	No
Anvik	Second Class City	84	No	NR	NR
Atka	Second Class City	73	No	No	2% Raw Fish Tax/ 10% Bed Tax
Atqasuk	Second Class City	219	No*	NR	NR
Barrow	First Class City	4,054	No*	No	5% Room/3%Alcohol/$1Tobacco/12%Smokeless
Bethel	Second Class City	5,665	No	NR	NR
Bettles	Second Class City	22	No	NR	NR
Brevig Mission	Second Class City	350	No	NR	NR
Bristol Bay Borough	Second Class Borough	1,029	Yes	No	3% Raw Fish Tax/8% Bed Tax
Buckland	Second Class City	458	No	6%	No
Chefornak	Second Class City	470	No	2%	No
Chevak	Second Class City	922	No	NR	NR
Chignik	Second Class City	59	No	NR	NR
Chuathbaluk	Second Class City	88	No	No	No
Clarks Point	Second Class City	54	No	NR	NR
Coffman Cove	Second Class City	141	No	No	No
Cold Bay	Second Class City	90	No	No	10% Bed Tax / $.04/gal. Fuel Tax
Cordova	Home Rule City	2,161	Yes	6%	6% Bed Tax/6% Vehicle Rental Tax
Craig	First Class City	1,117	Yes	5%	6% Liquor Tax
Deering	Second Class City	133	No	NR	NR
Delta Junction	Second Class City	1,058	No	No	No
Denali Borough	Home Rule Borough	1,848	No	No	Sev.Tax $.05/yd grvl-$.05 ton-coal; Bed Tax 7%
Dillingham	First Class City	2,347	Yes	6%	10% Bed & Liquor Tax / 6% Gaming Tax
Diomede	Second Class City	128	No	NR	NR
Eagle	Second Class City	129	Yes	No	No
Eek	Second Class City	272	No	2%	No
Egegik	Second Class City	62	No	No	3% Raw Fish Tax
Ekwok	Second Class City	121	No	NR	NR
Elim	Second Class City	280	No	3%	No
Emmonak	Second Class City	794	No	3%	No
Fairbanks	Home Rule City	30,367	Yes	No	8% Bed Tax/ 5% Alcohol Tax/ 8% Tobacco Tax
Fairbanks North Star Borough	Second Class Borough	89,896	Yes	No	8% Bed Tax/ 5% Alcohol Tax/ 8% Tobacco Tax
False Pass	Second Class City	39	No	NR	NR
Fort Yukon	Second Class City	587	No	NR	NR
Galena	First Class City	580	No	3%	No
Gambell	Second Class City	673	No	NR	NR
Golovin	Second Class City	160	No	No	No
Goodnews Bay	Second Class City	225	No	NR	NR
Grayling	Second Class City	152	No	No	No
Gustavus	Second Class City	473	No	NR	NR
Haines Borough**	Home Rule Borough	2,310	Yes	5.5%	4% Bed Tax
Holy Cross	Second Class City	194	No	NR	NR
Homer	First Class City	5,390	Yes	4.50%	No

Note: Municipal populations are from the State Department of Labor

*Indicates that City does not levy property tax, but Borough in which City is located does

** The City of Haines and the Haines Borough consolidated in 2002, into a single Home Rule Government

TABLE 1

2009 Municipalities: Class, Populations and Tax Types - continued

Municipality	Type of Municipality	Population	Property Tax	Sales Tax	Special Tax
Hoonah	First Class City	823	No	6%	No
Hooper Bay	Second Class City	1,160	No	4%	No
Houston	Second Class City	1,755	Yes	2%	Liquor License Tax
Hughes	Second Class City	81	No	No	No
Huslia	Second Class City	277	No	No	No
Hydaburg	First Class City	341	No	NR	NR
Juneau, City & Borough of	Unified Home Rule	30,427	Yes	5%	7% Bed Tx/ 3% Liquor Tx/ 12% Tobacco Tax
Kachemak	Second Class City	453	Yes	No	No
Kake	First Class City	519	No	5%	No
Kaktovik	Second Class City	272	No*	NR	NR
Kaltag	Second Class City	188	No	No	No
Kasaan	Second Class City	54	No	No	No
Kenai	Home Rule City	7,134	Yes	3%	No
Kenai Peninsula Borough	Second Class Borough	52,990	Yes	3%	No
Ketchikan	Home Rule City	7,508	Yes	3.50%	7% Bed Tax
Ketchikan Gateway Borough	Second Class Borough	12,993	Yes	2.5%	4% Bed Tax
Kiana	Second Class City	383	No	NR	NR
King Cove	First Class City	750	No	4%	Fisheries Impact Tax (Flat Amt)
Kivalina	Second Class City	406	No	NR	NR
Klawock	First Class City	785	No	NR	NR
Kobuk	Second Class City	109	No	NR	NR
Kodiak	Home Rule City	5,974	Yes	6%	5% Bed Tax
Kodiak Island Borough	Second Class Borough	13,373	Yes	No	1.05% Severance/5% Bed
Kotlik	Second Class City	610	No	NR	NR
Kotzebue	Second Class City	3,126	No	6%	6% Bed Tax / 6% Alcohol Tax / 6% Gaming Tax
Koyuk	Second Class City	333	No	2%	No
Koyukuk	Second Class City	88	No	NR	NR
Kupreanof	Second Class City	27	No	No	No
Kwethluk	Second Class City	741	No	5%	No
Lake & Peninsula Borough	Home Rule Borough	1,552	No	No	2% Raw Fish Tax / 6% Bed Tax
Larsen Bay	Second Class City	67	No*	3%	$5 per day / per person bed tax
Lower Kalskag	Second Class City	256	No	NR	NR
Manokotak	Second Class City	430	No	NR	NR
Marshall	Second Class City	417	No	4%	No
Matanuska-Susitna Borough	Second Class Borough	82,515	Yes	No	5% Bed Tax, Tobacco Excise Tax 5.29%
McGrath	Second Class City	317	No	NR	NR
Mekoryuk	Second Class City	195	No	NR	NR
Metlakatla	Federal Law	1,318	No	No	No
Mountain Village	Second Class City	765	No	NR	NR
Napakiak	Second Class City	348	No	NR	NR
Napaskiak	Second Class City	435	No	No	No
Nenana	Home Rule City	347	Yes	4%	No
New Stuyahok	Second Class City	491	No	NR	NR
Newhalen	Second Class City	162	No	No	No
Nightmute	Second Class City	249	No	NR	NR
Nikolai	Second Class City	90	No	No	No
Nome	First Class City	3,570	Yes	5%	6% Bed Tax
Nondalton	Second Class City	202	No	NR	NR
Noorvik	Second Class City	642	No	4%	4% Utility Tax / 4% Landfill Tax
North Pole	Home Rule City	2,099	Yes	4%	No
North Slope Borough	Home Rule Borough	6,706	Yes	No	No
Northwest Arctic Borough	Home Rule Borough	7,407	No	No	No
Nuiqsut	Second Class City	383	No*	NR	NR

Note: Municipal populations are from the State Department of Labor

* Indicates that City does not levy property tax, but Borough in which City is located does

TABLE 1

2009 Municipalities: Class, Populations and Tax Types - continued

Municipality	Type of Municipality	Population	Property Tax	Sales Tax	Special Tax
Nulato	Second Class City	274	No	No	No
Nunam Iqua (Sheldon Point)	Second Class City	156	No	4%	No
Nunapitchuk	Second Class City	540	No	NR	NR
Old Harbor	Second Class City	184	No*	3%	No
Ouzinkie	Second Class City	167	No*	3%	No
Palmer	Home Rule City	5,559	Yes	3%	No
Pelican	First Class City	113	Yes	4%	10% Bed Tax
Petersburg	Home Rule City	3,009	Yes	6%	4% Bed Tax
Pilot Point	Second Class City	72	No	No	3% Raw Fish
Pilot Station	Second Class City	587	No	4%	No
Platinum	Second Class City	47	No	NR	NR
Point Hope	Second Class City	689	No*	NR	NR
Port Alexander	Second Class City	51	No	4%	6% Bed Tax
Port Heiden	Second Class City	90	No	No	No
Port Lions	Second Class City	190	No*	NR	NR
Quinhagak	Second Class City	661	No	3%	No
Ruby	Second Class City	160	No	No	No
Russian Mission	Second Class City	362	No	NR	NR
St. George	Second Class City	112	No	NR	NR
St. Mary's	First Class City	541	No	3%	Alcohol Use Tax 3%
St. Michael	Second Class City	434	No	NR	NR
Saint Paul	Second Class City	450	No	3%	Fish Tax 3%
Sand Point	First Class City	958	No	NR	NR
Savoonga	Second Class City	722	No	3%	No
Saxman	Second Class City	420	No*	3.5%	No
Scammon Bay	Second Class City	533	No	NR	NR
Selawik	Second Class City	846	No	NR	NR
Seldovia	First Class City	257	Yes	2%/4.5%	No
Seward	Home Rule City	2,619	Yes	4%	4% Bed Tax
Shageluk	Second Class City	102	No	NR	NR
Shaktoolik	Second Class City	223	No	NR	NR
Shishmaref	Second Class City	587	No	NR	NR
Shungnak	Second Class City	272	No	NR	NR
Sitka, City & Borough of	Unified Home Rule	8,615	Yes	5%/6%	6% Bed Tax/50 mill tobacco
Municipality of Skagway	First Class Borough	846	Yes	3%/5%	8% Bed Tax
Soldotna	First Class City	4,061	Yes	3%	No
Stebbins	Second Class City	577	No	3%	No
Tanana	First Class City	252	No	2%	No
Teller	Second Class City	260	No	NR	NR
Tenakee Springs	Second Class City	99	No	2%	Bed Tax 6%
Thorne Bay	Second Class City	440	No	5%	Bed Tax 4%
Togiak	Second Class City	802	No	2%	2% Raw Fish Tax
Toksook Bay	Second Class City	605	No	NR	NR
Unalakleet	Second Class City	723	No	NR	NR
Unalaska	First Class City	3,551	Yes	2%	2% Raw Fish Tax/ 5% Bed Tx
Upper Kalskag	Second Class City	235	No	NR	NR
Valdez	Home Rule City	4,498	Yes	No	6% Bed Tax
Wainwright	Second Class City	534	No*	NR	NR
Wales	Second Class City	138	No	NR	NR
Wasilla	First Class City	7,176	Yes	2.5%	No
White Mountain	Second Class City	191	No	NR	NR
Whittier	Second Class City	161	Yes	5%	Sales tax summer only / $2.50 Pass. Trans. Tax
Wrangell, City & Borough of	Home Rule Borough	2,112	Yes	7%	6% Bed Tax
Yakutat, City & Borough of	Home Rule Borough	592	Yes	4%	1% Fish Tax/8% Bed & Car Rent/4% Sevr. Tax

Note: Municipal populations are from the State Department of Labor

*Indicates that City does not levy property tax, but Borough in which City is located does

62 Municipalities (reporting) levy a General Sales Tax – Rates range from 1% to 7%

78 Municipalities (reporting) levy either a General Sales Tax , Special Tax (bed tax, fish tax, etc.) or a combination of the two

38 Municipalities (cities & boroughs) levy a property tax

64 Municipalities did not provide a report this year

14 Boroughs & 13 cities within boroughs, levy a property tax

11 Cities in the Unorganized Borough levy a property tax

TABLE 3
2009 Local Property Tax and Oil & Gas Property Tax Revenues

Municipality	Property Tax Revenues ***	Oil & Gas Property Tax Revenues	Total Property Tax Revenues	Chg. From Previous Year	Population	Municipal Per Capita Revenue	**Per Capita Revenue City & Boro
Municipality of Anchorage	$439,467,877	$1,355,207	$440,823,084	14.44%	284,994	$1,547	
Bristol Bay Borough	$1,394,557	$0	$1,394,557	-37.74%	1,029	$1,355	
Cordova	$1,705,531	$131,074	$1,836,605	6.82%	2,161	$850	
Craig	$450,665	$0	$450,665	1.04%	1,117	$403	
Dillingham	$1,941,751	$0	$1,941,751	10.27%	2,347	$827	
Fairbanks, City*	$12,433,930	$0	$12,433,930	-2.10%	30,367	$409	$1,442
Fairbanks North Star Borough	$85,928,976	$6,876,376	$92,805,352	1.01%	89,896	$1,032	
Haines Borough	$2,385,462	$0	$2,385,462	0.45%	2,310	$1,033	
Homer*	$2,980,980	$0	$2,980,980	19.16%	5,390	$553	$1,551
Houston*	$351,204	$0	$351,204	10.49%	1,755	$200	$1,461
City & Borough of Juneau	$40,490,841	$0	$40,490,841	7.34%	30,427	$1,331	
Kachemak City*	$66,737	$0	$66,737	21.93%	453	$147	$1,146
Kenai, City*	$2,550,238	$90,104	$2,640,342	14.76%	7,134	$370	$1,369
Kenai Peninsula Borough	$46,286,259	$6,618,858	$52,905,117	-0.97%	52,990	$998	
Ketchikan, City*	$4,436,520	$0	$4,436,520	12.24%	7,508	$591	$1,208
Ketchikan Gateway Borough	$8,016,451	$0	$8,016,451	1.26%	12,993	$617	
Kodiak, City*	$655,943	$0	$655,943	5.30%	5,974	$110	$899
Kodiak Island Borough	$10,559,405	$0	$10,559,405	6.22%	13,373	$790	
Matanuska-Susitna Borough	$104,020,062	$62,796	$104,082,858	13.54%	82,515	$1,261	
Nenana	$202,615	$0	$202,615	4.40%	347	$584	
Nome	$2,025,256	$0	$2,025,256	-6.33%	3,570	$567	
North Pole*	$909,447	$0	$909,447	5.53%	2,099	$433	$1,466
North Slope Borough	$3,929,114	$235,189,713	$239,118,827	10.94%	6,706	$35,657	
Palmer*	$1,089,518	$0	$1,089,518	-1.76%	5,559	$196	$1,457
Pelican	$85,270	$0	$85,270	40.12%	113	$755	
Petersburg	$2,626,075	$0	$2,626,075	-0.28%	3,009	$873	
Seldovia*	$126,554	$0	$126,554	-20.86%	257	$492	$1,491
Seward*	$953,957	$0	$953,957	9.21%	2,619	$364	$1,363
City & Borough of Sitka	$5,882,939	$0	$5,882,939	8.27%	8,615	$683	
Municipality of Skagway	$1,763,316	$0	$1,763,316	-2.63%	846	$2,084	
Soldotna*	$803,576	$0	$803,576	10.11%	4,061	$198	$1,196
Unalaska	$4,276,777	$0	$4,276,777	-0.40%	3,551	$1,204	
Valdez	$4,843,772	$39,572,945	$44,416,717	5.75%	4,498	$9,875	
Wasilla*	$300	$0	$300	-99.70%	7,176	$0	$1,261
Whittier	$341,674	$4,395	$346,069	9.86%	161	$2,149	
City & Borough of Wrangell	$1,411,471	$0	$1,411,471	6.71%	2,112	$668	
City & Borough of Yakutat	$400,831	$0	$400,831	0.80%	592	$677	
Total Property Taxes	**$797,795,851**	**$289,901,467**	**$1,087,697,318**	**10.01%**	**Overall ***	$1,782	per capita
Overall Chg from Prior Year	8.55%	14.25%	10.01%		**Average ****	$1,342	property taxes

*Includes North Slope & Valdez

**Excludes North Slope & Valdez

The average per capita values are based upon populations only in municipalities that levy a property tax.

Total Local Tax Revenues Generated		Percent Change from Previous Year
Sales Tax Revenues	**$207,558,429**	**5.39%**
Special Tax Revenues	**$85,701,102**	**3.28%**
Local Property Tax Revenues	**$797,795,851**	**8.55%**
Oil & Gas Property Tax Revenues	**$289,901,467**	**14.25%**
Total Local Tax Revenues	**$1,380,956,849**	**8.85%**

* indicates that city is located within a borough that also levies a property tax

**This column adds the borough and city per capita revenues to more accurately reflect the actual per capita tax that a property owner would pay on property located within a city and a borough, both of which levy a property tax.

*** Property Tax Revenues include Motor Vehicle Registration and/or Flat Taxes on airplanes where applicable.

Municipal Residential Property Tax Exemptions Authorized

Source: Alaska Taxable 2009

Alaska Department of Commerce, Community Economic Development

Municipality	Residential Property Tax Exemption (up to $20,000)	2009 Mill Rate
Anchorage	10% of assessed value up to $20,000	15.5
Bristlol Bay	A flat $10,000 exemption regardless of value	13
Fairbanks North Star	20% of assessed value up to $20,000	17.113
Kenai Peninsula	A flat $20,000 exemption regardless of value	9
North Slope	A flat $20,000 exemption regardless of value	18.5
Valdez	30% of assessed value up to $20,000	20

Alaska Municipalities Who Assess Property Taxes & Do Not Grant an Exemption

Ketchikan Gateway	Cordova	Seldovia	North Pole	Wasilla
Kodiak City	Craig	Seward	Palmer	Whittier
Kodiak Island	Dillingham	Sitka	Pelican	Wrangell
Matanuska Susitna	Haines	Skagway	Petersberg	Yakutat
Nenana	Homer	Soldotna	Juneau	Ketchikan City
Nome	Houston	Unalaska	Kenai City	Kachemak City

SB 127

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 2/27/09

FURTHER: Resources

Date of 5-Day Notice: _____
(in accordance with Uniform Rule 23)

DATE TURNED IN TO OFFICE: 3/19/09

Community and Regional Affairs Committee considered SENATE BILL NO. 127

SB 127 SOUTHEAST STATE FOREST

"An Act establishing the Southeast State Forest and relating to the Southeast State Forest; and providing for an effective date."

and recommends:

[ ] be **replaced** with [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] adopt **previous** [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] attached amendment(s)

[ ] adopt _____Letter of Intent

[ ] 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#
DNR	2/9/09			✓	1

[ ] **APPROPRIATION - no fiscal note**

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
Thomas	THOMAS	✓			
Menard	MENARD	✓			
CHAIR:				✓	

STATE OF ALASKA

SARAH PALIN, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

☐ P.O. BOX 111000
JUNEAU, ALASKA 99811-1000
PHONE: (907) 465-2400
FAX: (907) 465-3886

☐ 550 WEST 7TH AVENUE, SUITE 1400
ANCHORAGE, ALASKA 99501-3650
PHONE: (907) 269-8431
FAX: (907) 269-8918

February 27, 2009

Senator Donny Olson, Chairman
Senate Community and Regional Affairs Committee
State Capitol, Room 514
Juneau, Alaska 99801

Re: Senate Bill 127 – Establishing the Southeast State Forest and relating to the Southeast State Forest.

Dear Senator Olson,

Please accept this request for your consideration to schedule SB 127 before the Senate Community and Regional Affairs Committee at your earliest convenience.

This bill would establish a new Southeast State Forest (SESF) in Southeast Alaska. The SESF would be managed as part of the State Forest System under AS 41.17.200-.230. Designated lands include 20 parcels totaling approximately 25,291 acres on Prince of Wales, Tuxekan, Kosciusko, Heceta, Revilla, and Gravina islands, and on the mainland at Crittenden Creek. Lands in the State Forest would continue to be open for multiple uses, including wildlife habitat and harvest and recreational activities. Legislatively designating a State Forest would ensure that some land will remain available for long-term forest management, and enable thinning to increase timber volumes.

The bill is supported by the Alaska State Forest Association, hunting and recreation groups as well as all surrounding land owners. Attached are a Sectional Analysis, DNR's zero fiscal note and background materials and maps.

If you have any questions regarding the bill, or to make arrangements for department to respond to questions please feel free to contact Melanie Lesh, Special Assistant, Department of Natural Resources, and Legislative Liaison at 465-4730, or Marty Freeman, the Forest Resources Program Manager at 269-8473.

Sincerely,

for Thomas E. Irwin
Commissioner

"Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans."

STATE OF ALASKA

SARAH PALIN, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

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ANCHORAGE, ALASKA 99501-3650
PHONE: (907) 269-8431
FAX: (907) 269-8918

February 27, 2009

Senate Bill 127
Establishing the Southeast State Forest and relating to the Southeast State Forest; and providing for an effective date

This bill would establish a new Southeast State Forest (SESF). The SESF would be managed as part of the State Forest System under AS 41.17.200-.230. Lands in the State Forest would continue to be open for multiple uses, including wildlife habitat and harvest and recreational activities. The State Forest designation would not affect the Wrangell Borough municipal entitlement, nor would it affect calculation of entitlement acreage for future municipalities in southeast Alaska.

Section 1 – Southeast State Forest.

Legal descriptions. Section 1, subsections (a) and (d) provide legal descriptions for the lands to be designated as the Southeast State Forest (SESF). Designated lands include 20 parcels totaling approximately 25,291 acres (see chart) on Prince of Wales, Tuxekan, Kosciusko, Heceta, Revilla, and Gravina islands, and on the mainland at Crittenden Creek. These parcels are an important part of the state timber base, but are classified as General Use land, which may be sold in the future. Legislatively designating a State Forest would ensure that some land will remain available for long-term forest management, and enable thinning to increase timber volumes. Designated lands exclude areas identified as important sites for future state land disposals.

Management plan and transportation corridor. Subsection (b) directs DNR to prepare a management plan for the Southeast State Forest. Under AS 41.17.230 a management plan is required within three years after a State Forest is established. State Forest management plans must consider and permit multiple uses, include recreation and tourism, mining, use of fish and wildlife, and other traditional uses, unless the Commissioner issues a site-specific written finding that a use in incompatible with one or more other uses. Public, interagency, and Board of Forestry review is required prior to adoption of a State Forest management plan. As in other state forests, Subsection (c) states that the DNR Commissioner may also establish transportation corridors within the State Forest.

Municipal entitlements. Subsection (e) clarifies the relationship of the Southeast State Forest to current and potential municipal entitlements. State Forests can

affect the amount of land a municipality is entitled to select, and the land available for selection. The amount of land a municipality may select is based on the maximum total acreage of vacant, unappropriated, unreserved (VUU) land in the borough boundaries within two years after the date of incorporation (AS 29.65.030). Municipal selections are limited to VUU land. Land classified as General Use land is VUU land, but State Forests are not.

The SESF is designed to have no impact on Wrangell Borough land selections. The amount of land that Wrangell Borough may select is already fixed by its date of incorporation, and this bill specifies that the Wrangell Borough may select State Forest land within the borough boundary. Three parcels in the SESF are within the Wrangell Borough boundary.

If new municipalities are incorporated before June 30, 2019, the SESF will not affect the amount of land that they can select. The bill specifies that State Forest lands that were VUU land before establishment of the State Forest will be included in the calculation of the entitlement acreage. However, parcels in the SESF may not be selected. If municipalities form after 2019, the amount and location of their entitlement would be based on the VUU land at that time.

Section 2. Regulations. This section authorizes DNR to immediately adopt regulations to implement the bill.

Section 3. Effective date for regulations. Under Section 3 the authority to adopt regulations (Section 2) takes effect immediately.

Section 4. Effective date for State Forest. Section 4 provides for an effective date of July 1, 2008.

Briefing: SB 127

Southeast State Forest

DEPARTMENT OF NATURAL RESOURCES -- DIVISION OF FORESTRY

Alaska Department of NATURAL RESOURCES

February 27, 2009

Background. The state Department of Natural Resources manages over 156,000 acres of forest land in Southern Southeast (SSE) Alaska. Of this land, timber management is allowed on approximately 49,000 acres. The state actively manages this timber base to supply wood to local processors. Remaining land is designated primarily for other uses including land sales, recreation, water resources, and fish and wildlife habitat, including over 25,000 acres of legislatively designated state parks, refuges, and public use areas.

In SSE, demand for state timber exceeds supply. The majority of timber in SSE is on federal land, but federal timber sales have declined drastically. Local mills now depend heavily on state timber for survival. The state is committed to finding long-term solutions by:

- maximizing the sustainable supply of timber from the small state timber base.
- working with the US Forest Service to increase economically feasible federal timber sales, and
- accelerating the transition from old-growth harvesting to harvesting second-growth.

There is broad support for shifting timber harvesting in SE Alaska from old growth to second-growth stands. Actively-managed second-growth stands provide more timber volume per acre on shorter rotations, and have less impact on wildlife. Much of the state timber land was inherited from the USFS with young second-growth stands. We can accelerate the shift to second-growth harvesting and increase timber volume on state land by thinning these stands. However, thinning is a long-term investment, and is only justified if the land will continue to be available for forest management. Legislatively designating a State Forest would ensure that some land will remain available for long-term forest management.

Purpose. This bill would establish a new Southeast State Forest from state lands presently used for timber harvest. The Division of Forestry will be able to manage the State Forest for a long-term supply of timber to local processors, and retain the land in state ownership for multiple uses.

Proposed State Forest land. The proposed Southeast State Forest includes 20 parcels totaling approximately 25,291 acres (see chart). Parcels are General Use lands on Prince of Wales, Tuxekan, Kosciusko, Heceta, Revilla, and Gravina islands, and on the mainland at Crittenden Creek. The Division of Forestry worked with the Division of Mining, Land, and Water Management to identify and exclude lands that are priorities for the state land disposal program.

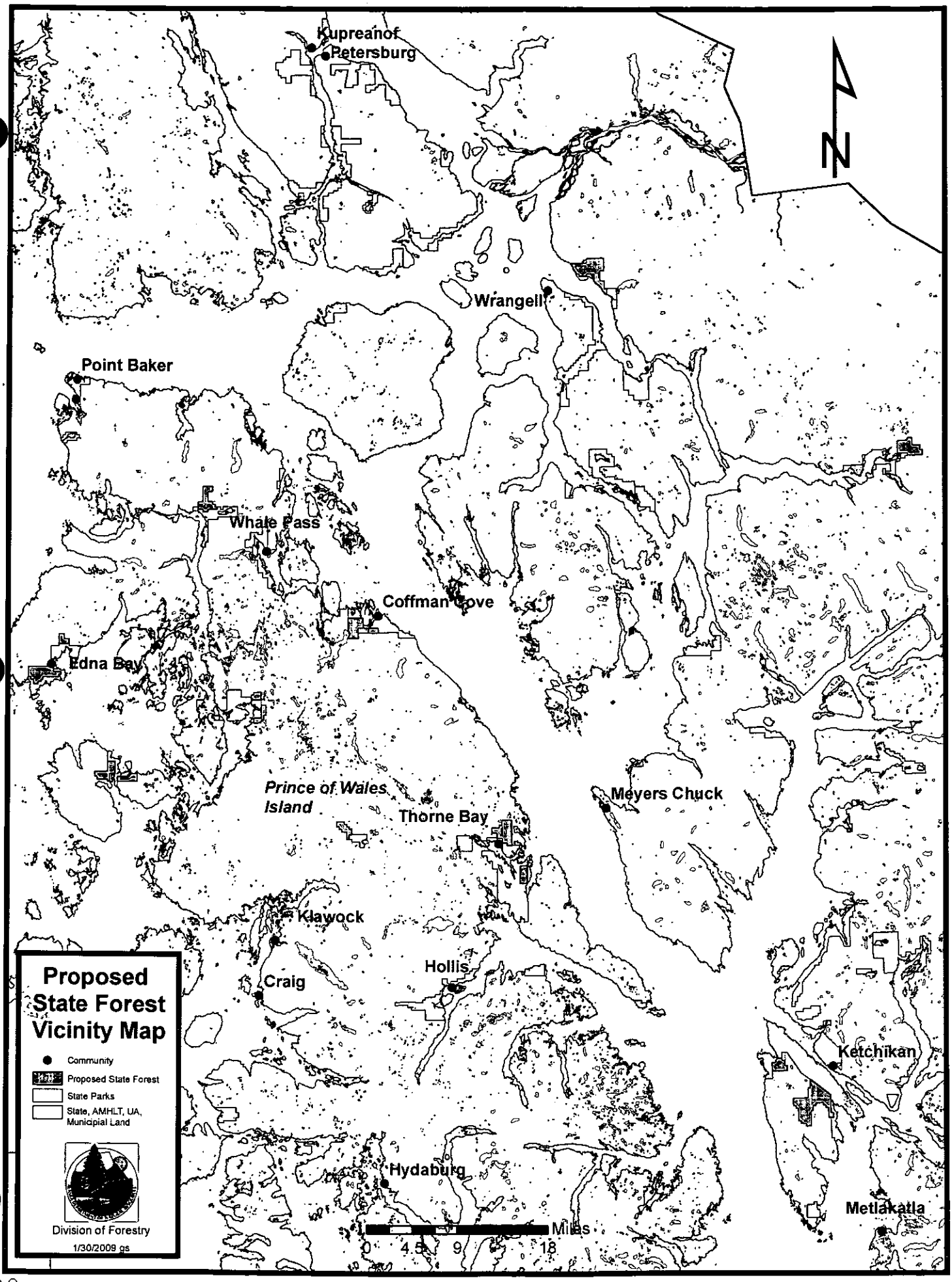
State Forest Management. The Southeast State Forest would be managed as part of the State Forest System under AS 41.17.200-.230. Lands in the State Forest would continue to be open for multiple uses, including wildlife habitat and harvest and recreational activities. State Forest lands would be managed consistent with the management intent under the current Prince of Wales Island and Central Southeast area plans. Changes to management intent would require public and interagency review through adoption of a State Forest Management Plan under AS 41.17.230.

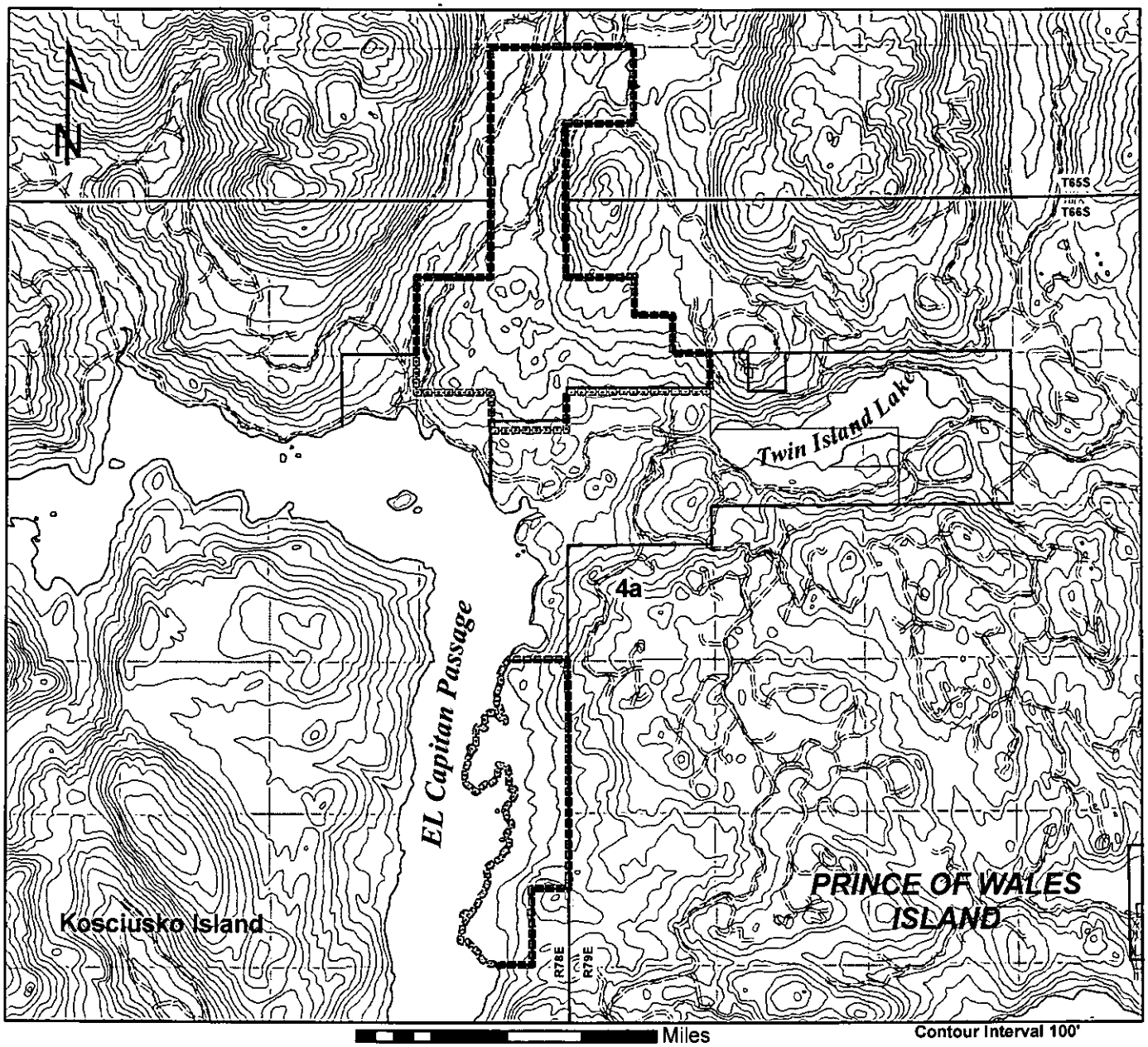
Municipal Entitlements. The City and Borough of Wrangell boundary encompasses three parcels in the proposed state forest (Crittenden Creek and Bradfield Canal East and West). A State Forest designation will not affect the amount or location of land the Wrangell Borough can select. That determination is based on the maximum total acreage of vacant, unappropriated, unreserved land in the borough boundaries within two years after the date of incorporation (AS 29.65.030). However, a borough would not normally be able to select land within a State Forest. To avoid conflicts with the Wrangell entitlement, the Southeast State Forest bill specifies that the Wrangell Borough may select State Forest land within the borough boundary.

If new municipalities are incorporated before June 30, 2019, lands that were vacant, unappropriated, unreserved land before establishment of the State Forest will be included in the calculation of the municipal entitlement acreage, but may not be selected.

PROPOSED SOUTHEAST STATE FOREST

Planning Unit	Acreage	General Location	Island
Prince of Wales Island Area Plan			
4a	1,528.21	El Capitan – North	Prince of Wales
4a	600.44	El Capitan – South	Prince of Wales
6a	1,558.11	Coffman Cove – West	Prince of Wales
6a	320	Coffman Cove – East	Prince of Wales
7b	200	Tuxekan – East	Tuxekan
7c	436.89	Naukati – North	Prince of Wales
7c	640	Naukati – South	Prince of Wales
8b	480	Kosciusko/Edna Bay – North	Kosciusko
8b	2,199.84	Kosciusko/Edna Bay – South	Kosciusko
10a	1,257.92	Heceta Island – West	Heceta
10a	752.8	Heceta Island – East	Heceta
11a	744.32	Control Lake	Prince of Wales
11c	2,040	Thorne Bay – North	Prince of Wales
11c	840	Thorne Bay – South	Prince of Wales
Central Southeast Area Plan			
K-04	324.20	Traitors Cove	Revillagigedo
K-33	901.03	Gravina/Vallenar	Gravina
K-41	4,977.38	Gravina/Bostwick	Gravina
W-01	3,087.72	Crittenden Creek	Mainland
W-19	624.15	Bradfield Canal – West	Mainland
W-20	1,778.56	Bradfield Canal – East	Mainland
TOTAL	**25,291.14**	**20 parcels**	


Kupreanof
Petersburg
N
Wrangell
Point Baker
Whale Pass
Coffman Cove
Edna Bay
Prince of Wales Island
Thorne Bay
Meyers Chuck
Klawock
Craig
Hollis
Ketchikan
Hydaburg
Metlakatla
Proposed State Forest Vicinity Map
Community
Proposed State Forest
State Parks
State, AMHLT, UA, Municipal Land
Division of Forestry
1/30/2009 gs
0 4.5 9 18
Miles



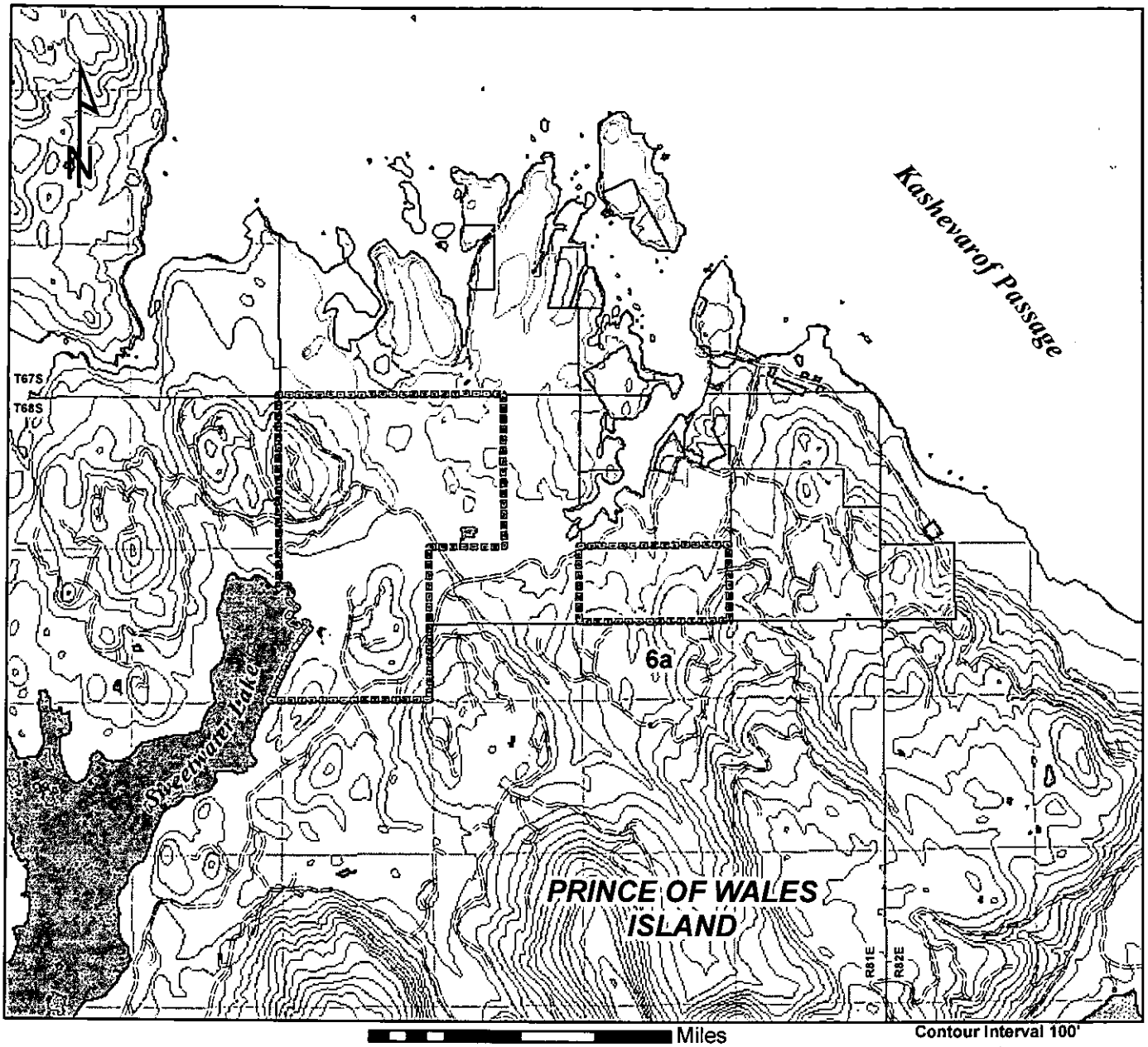
Legend

- Property Line
- Proposed State Forest
- GU
- Disposable
- Recreation
- Habitat
- Roads

Proposed Southeast Alaska State Forest El Capitan

DIVISION OF FORESTRY

1/30/09 gs



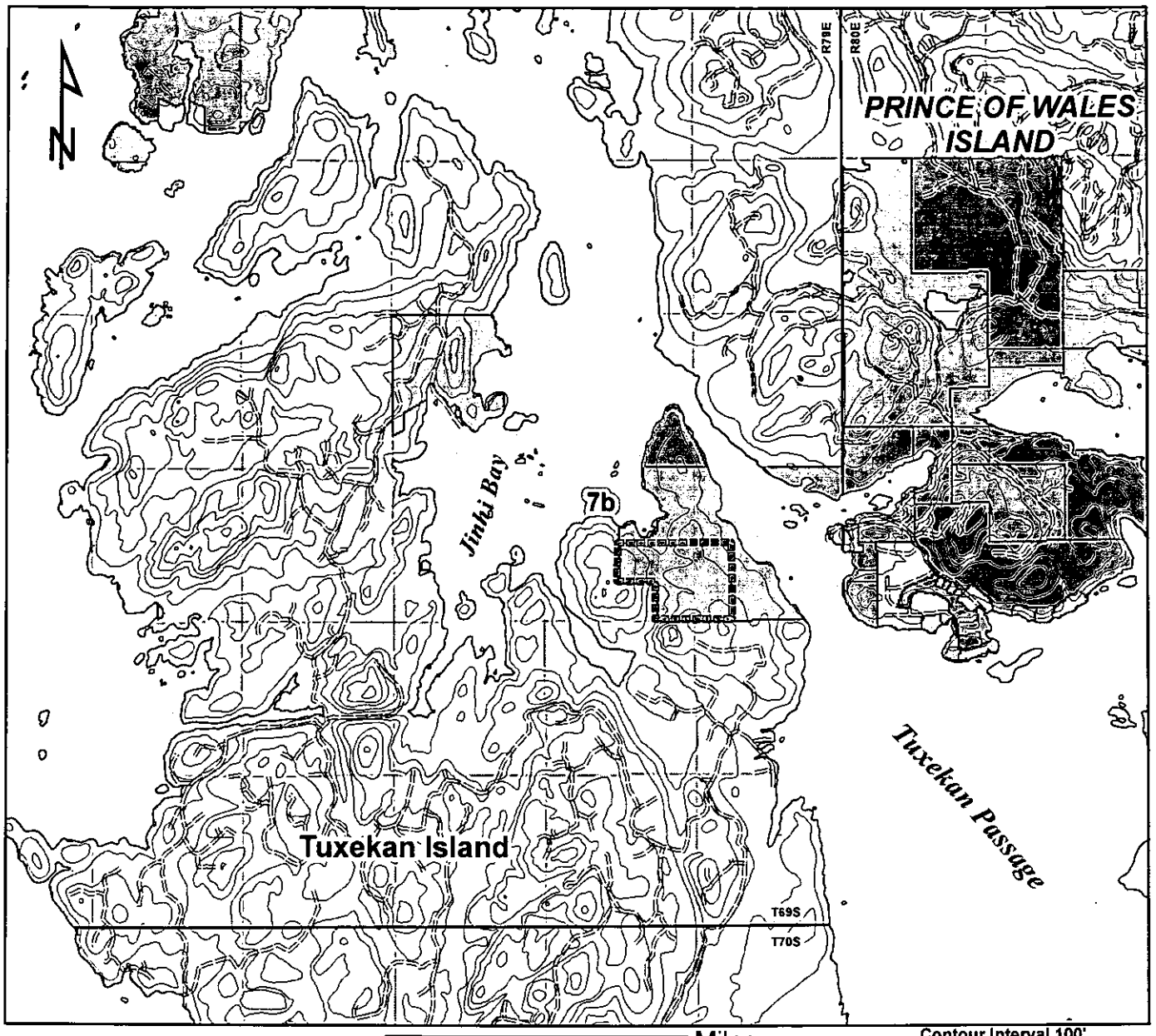
Legend

- Proposed State Forest
- GU
- Disposable
- Recreation
- Habitat
- Roads

Proposed Southeast Alaska State Forest Coffman Cove

DIVISION OF FORESTRY

1/19/2009 gs



Legend

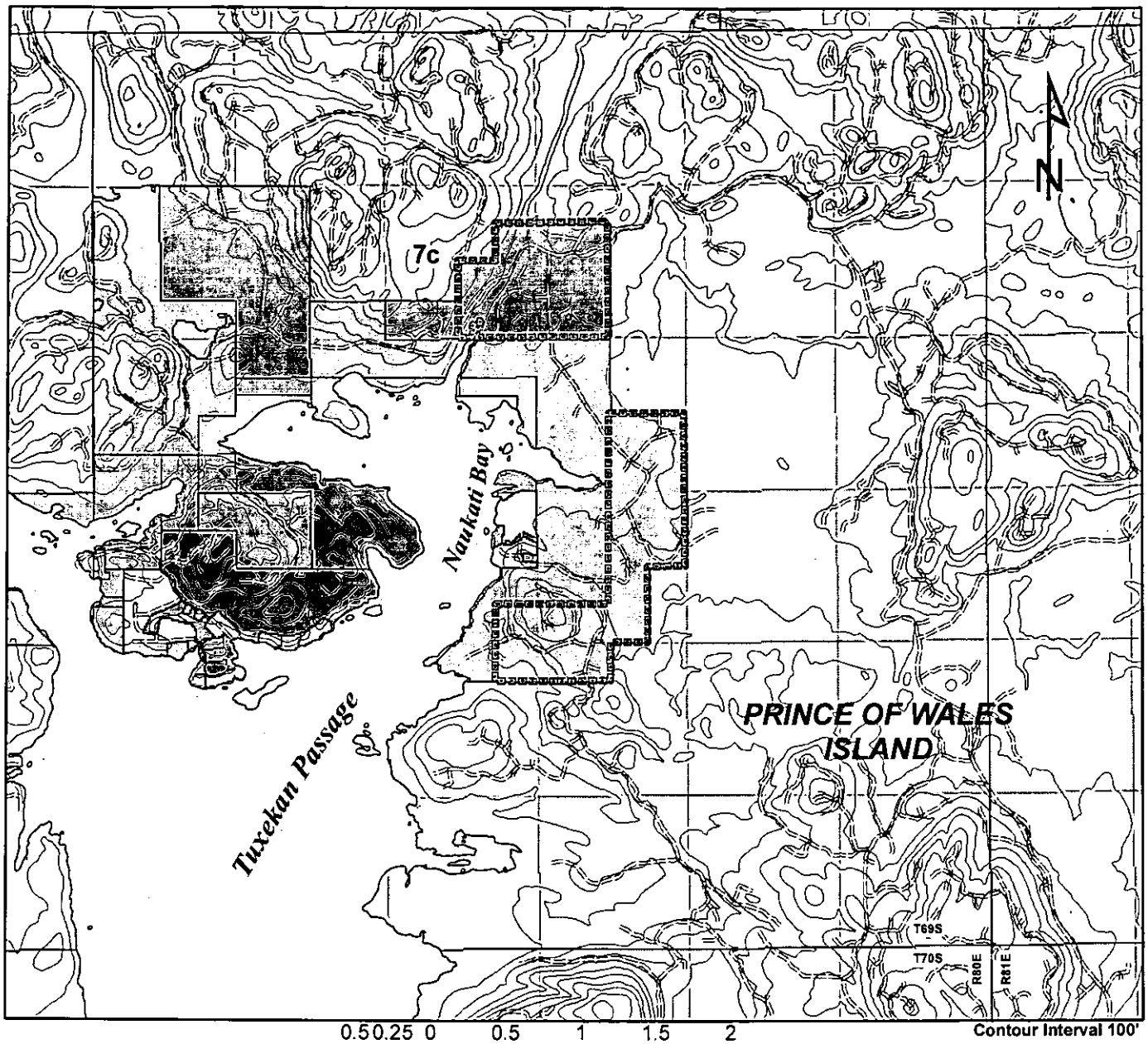
- Proposed State Forest
- GU
- Disposable
- Recreation
- Habitat
- ==== Roads

Proposed Southeast Alaska State Forest Tuxekan

ALASKA DEPARTMENT OF NATURAL RESOURCES

DIVISION OF FORESTRY

1/21/2009 gs



1 inch equals 1 miles

Legend

- Proposed State Forest
- GU
- Disposable
- Recreation
- Habitat

Proposed Southeast Alaska State Forest Naukati

ALASKA DEPARTMENT OF NATURAL RESOURCES

DIVISION OF FORESTRY

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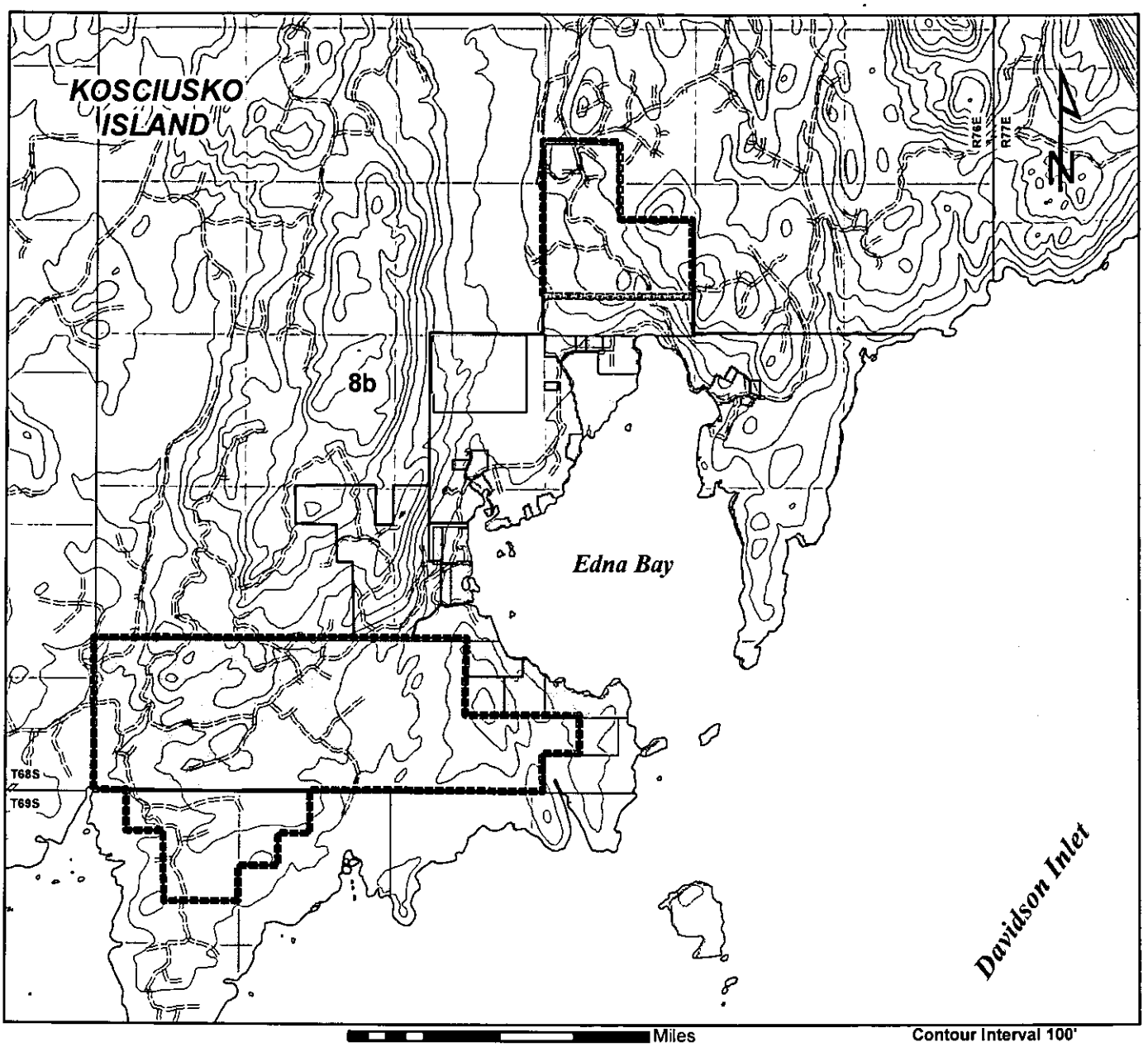

Legend

- Property Line
- Proposed State Forest
- Roads
- GU
- Disposable
- Recreation
- Habitat

Proposed Southeast Alaska State Forest Kosciusko (Edna Bay)

ALASKA DEPARTMENT OF NATURAL RESOURCES

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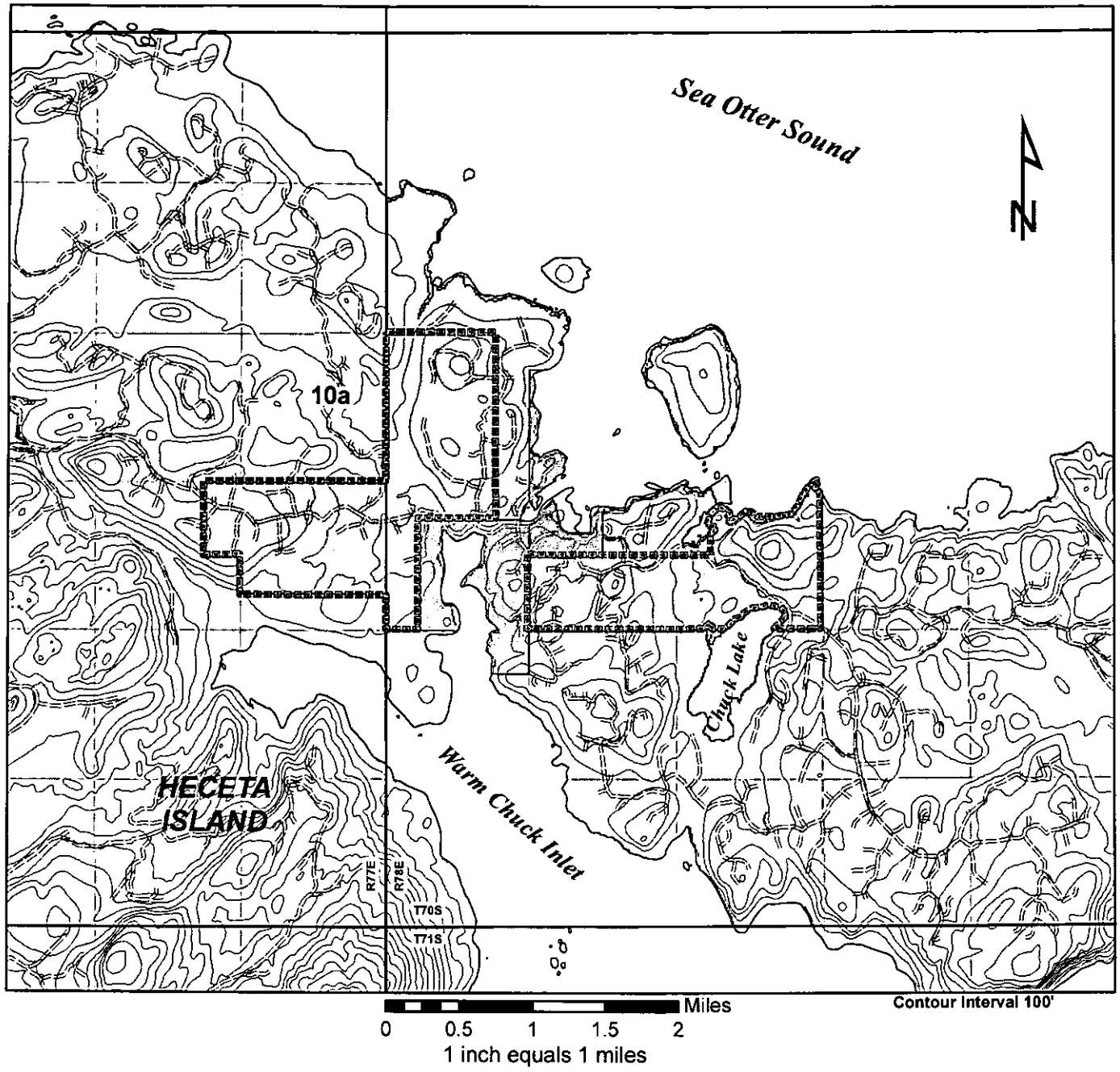
1/30/09 gs



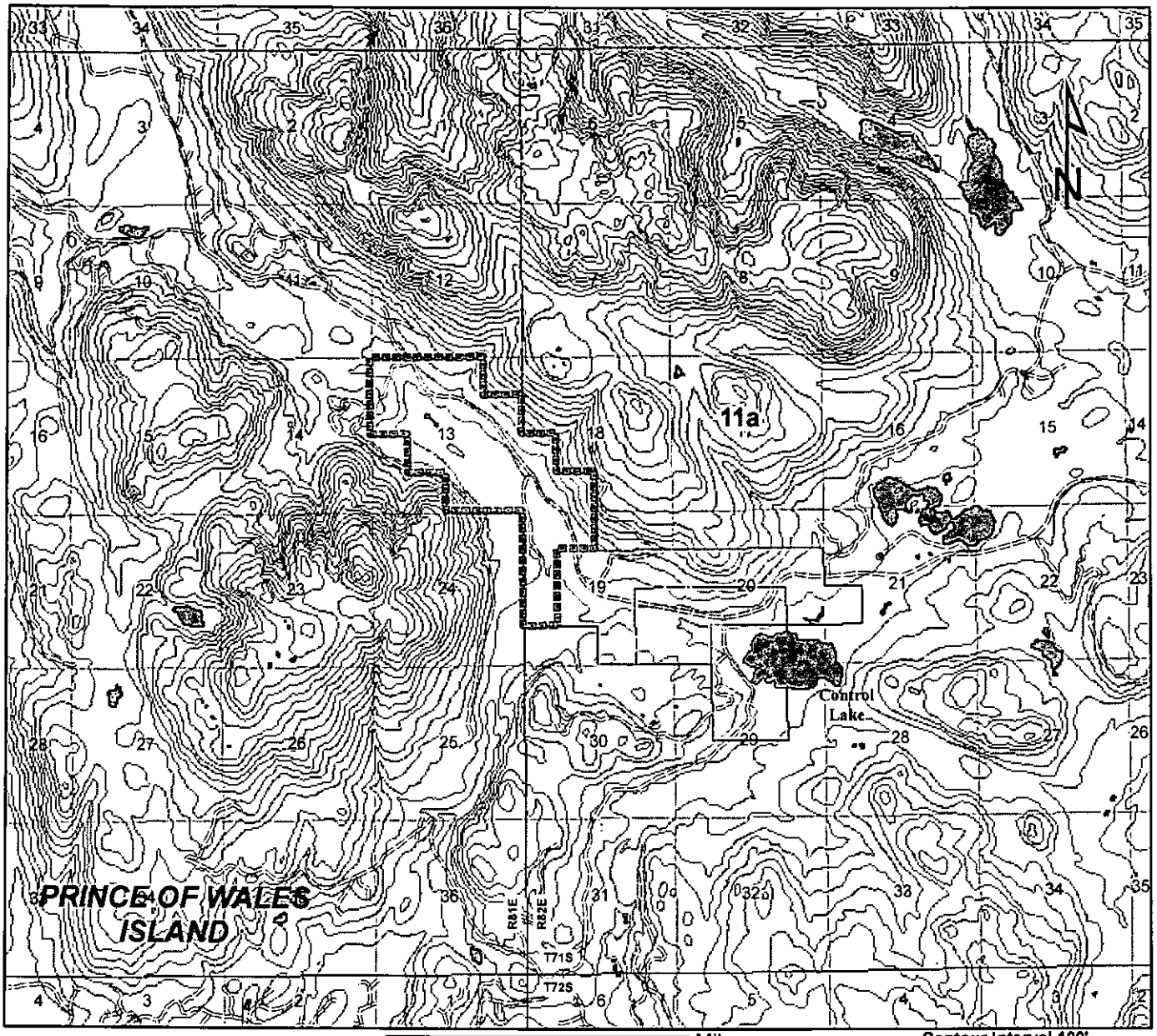
Legend

- Proposed State Forest
- Roads
- GU
- Disposable
- Recreation
- Habitat

Proposed Southeast Alaska State Forest Heceta Island

DIVISION OF FORESTRY

12/03/08 gs



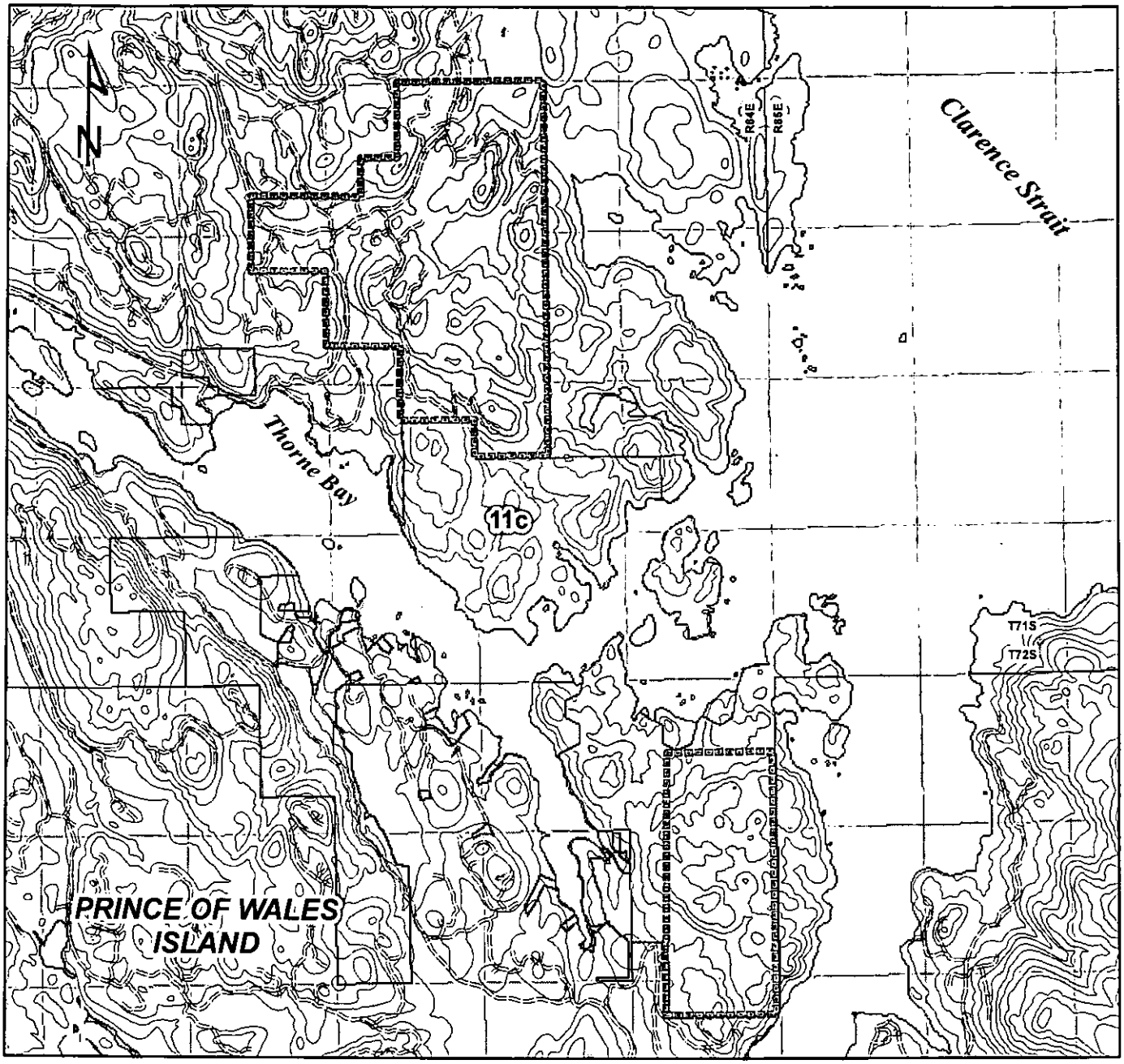
Legend

- Proposed State Forest
- GU
- Disposable
- Recreation
- Habitat
- Roads

Proposed Southeast Alaska State Forest Control Lake

DIVISION OF FORESTRY

1/30/2009 gs



Miles
0 0.5 1 1.5 2
1 inch equals 1 miles

Contour Interval 100'

Legend

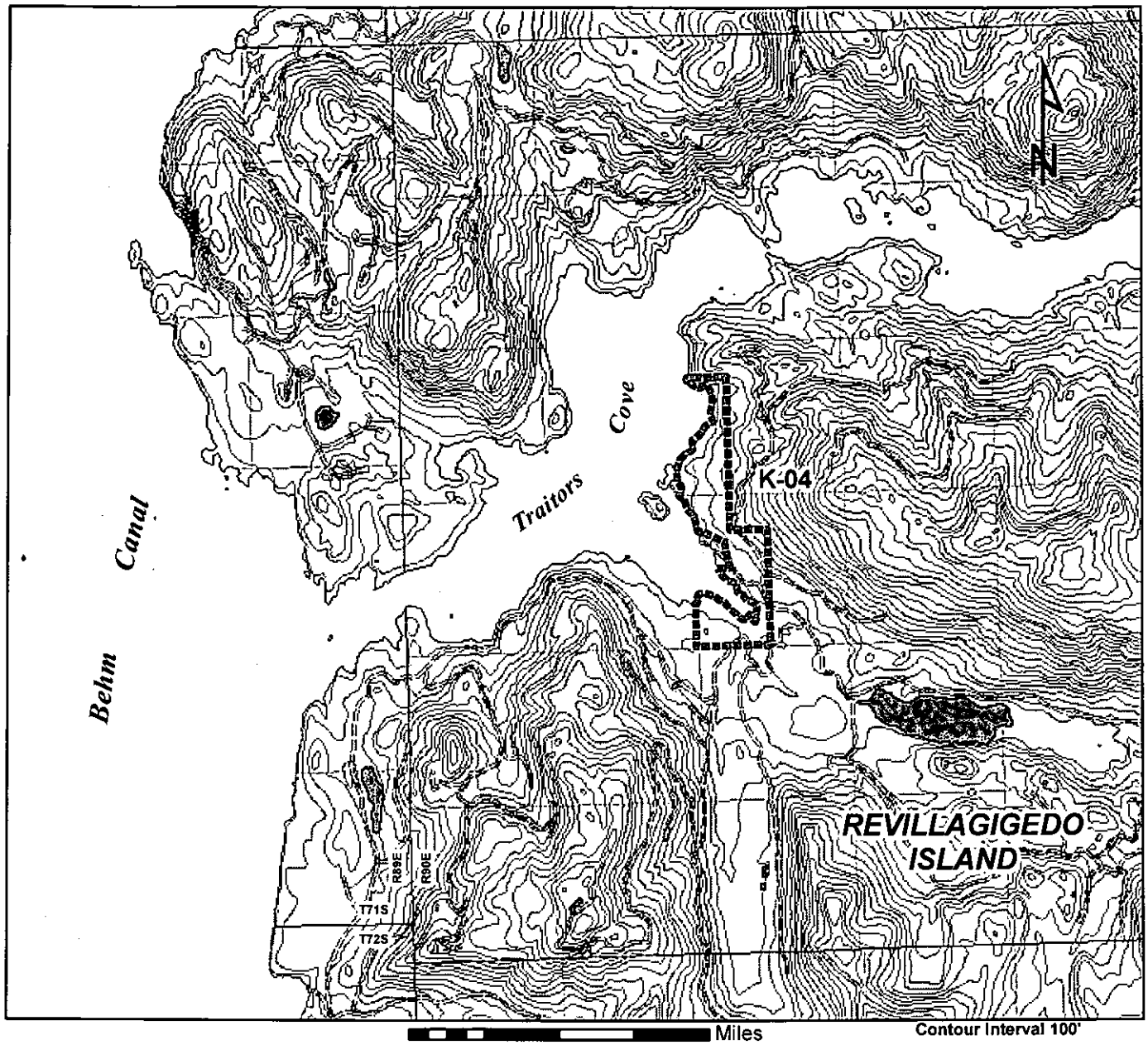
- Proposed State Forest
- GU
- Disposable
- Recreation
- Habitat
- Roads

Proposed Southeast Alaska State Forest Thorne Bay

ALASKA DEPARTMENT OF NATURAL RESOURCES

DIVISION OF FORESTRY

1/19/2009



Legend

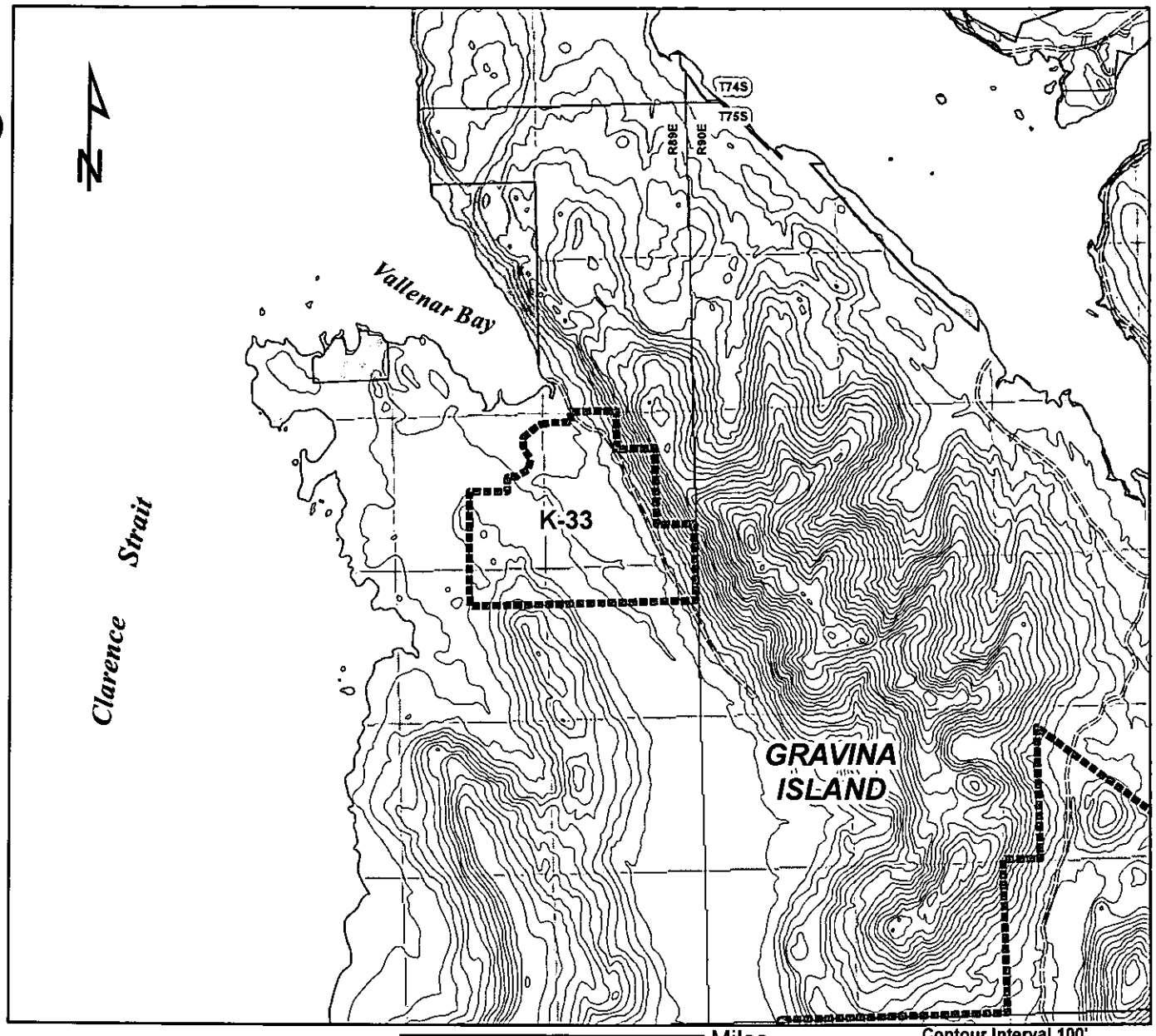
- Proposed State Forest
- Roads
- GU
- Disposable
- Recreation
- Habitat
- Lakes

Proposed Southeast Alaska State Forest Traitors Cove

ALASKA DEPARTMENT OF NATURAL RESOURCES

DIVISION OF FORESTRY

2/09/2009 gs



Legend

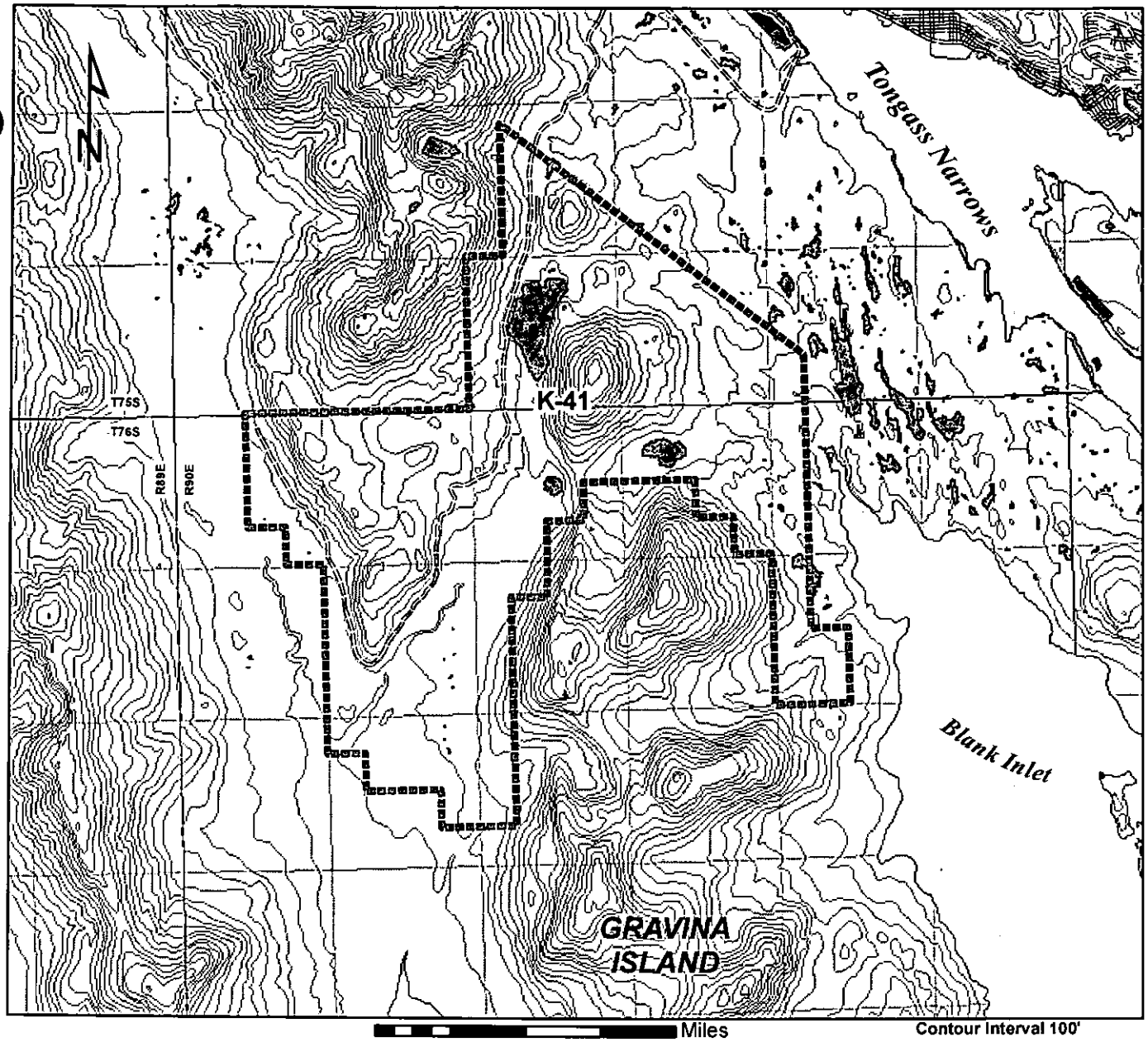
- Proposed State Forest
- GU
- Disposable
- Recreation
- Habitat
- Roads

Proposed Southeast Alaska State Forest Gravina (Vallenar)

ALASKA DEPARTMENT OF NATURAL RESOURCES

DIVISION OF FORESTRY

2/05/2008 gs



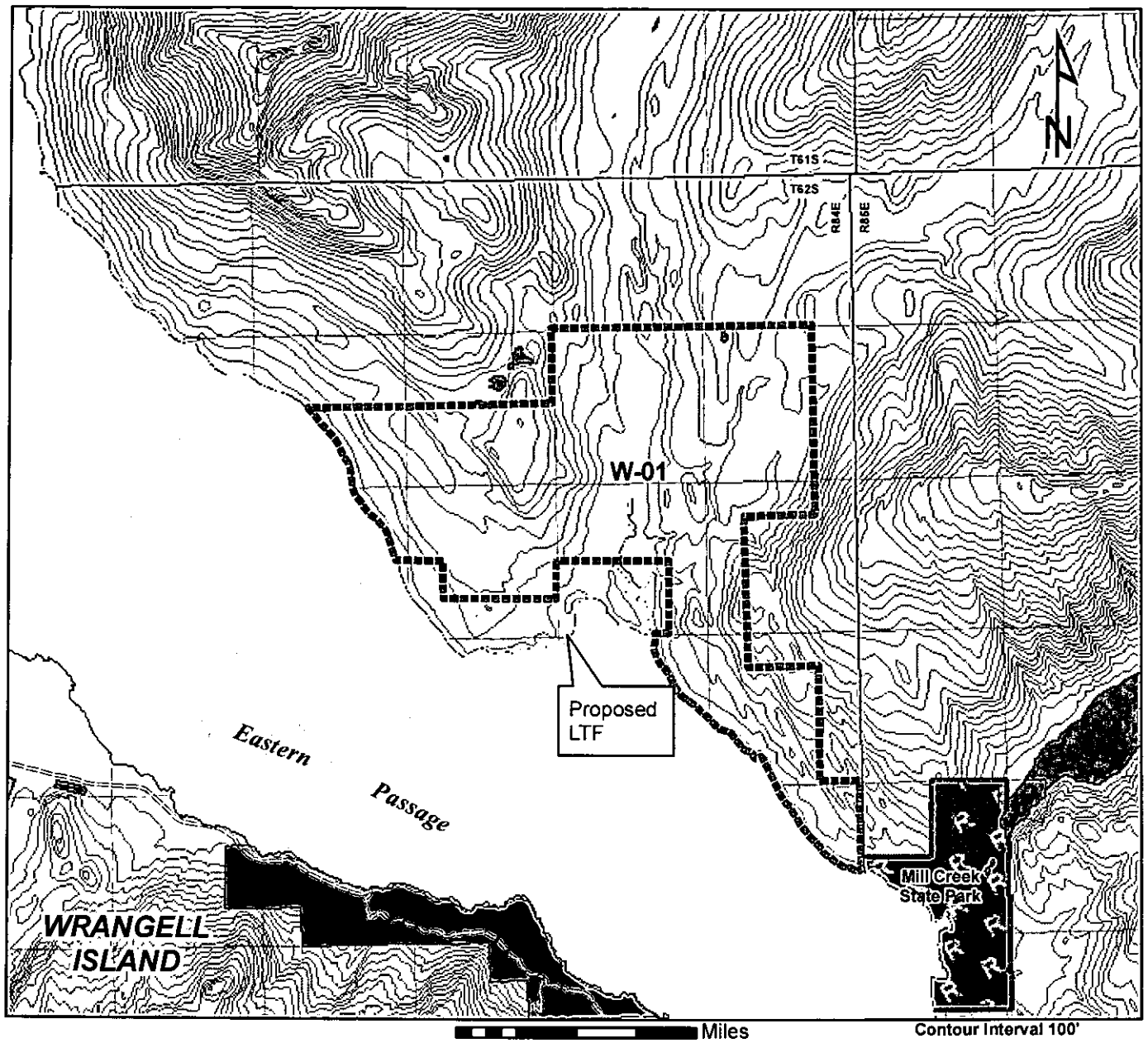
Legend

- Proposed State Forest
- GU
- Disposable
- Recreation
- Habitat
- Roads

Proposed Southeast Alaska State Forest Gravina (Bostwick)

DIVISION OF FORESTRY

12/03/2008 gs



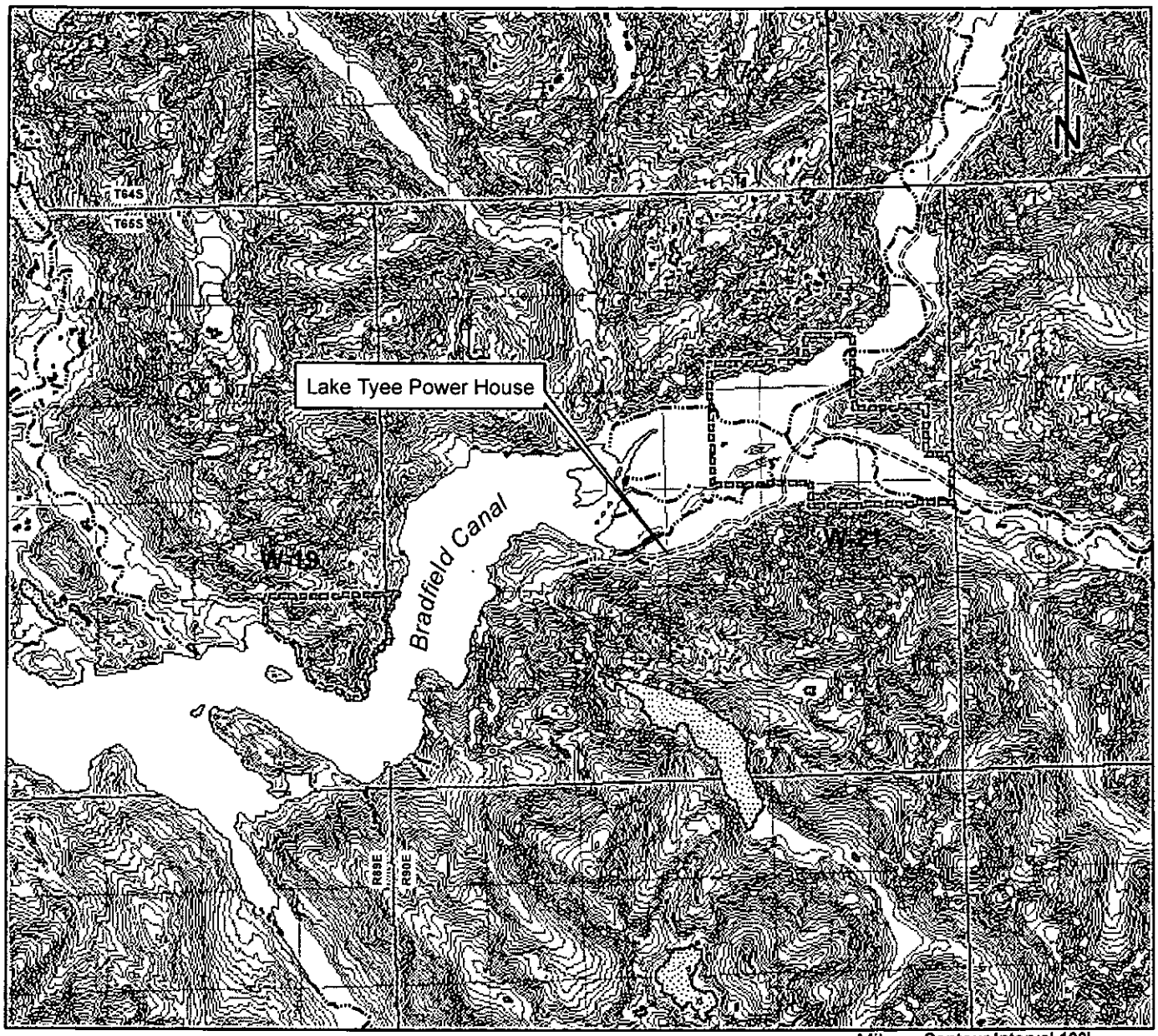
Legend

- Proposed State Forest
- State Park
- GU
- Disposable
- Recreation
- Habitat
- lakes
- Roads

Proposed Southeast Alaska State Forest Crittenden Creek

DIVISION OF FORESTRY

1/19/09 gs



Legend

- Proposed State Forest
- GU
- Disposable
- Recreation
- Habitat
- Lakes
- Catologed Streams
- Roads

Proposed Southeast Alaska State Forest Bradfield Area

ALASKA DEPARTMENT OF NATURAL RESOURCES

DIVISION OF FORESTRY

1/21/09 gs

From: Mylius, Richard H (DNR) [mailto:dick.mylius@alaska.gov]
Sent: Friday, March 13, 2009 5:23 PM
To: Sen. Donny Olson
Cc: Lesh, Melanie G (DNR); Brown, Dean N (DNR); Maisch, John C (DNR)
Subject: Prince of Wales Island mining

Senator Olson – at yesterday's Senate Community and Regional Affairs hearing on Senate Bill 127, the Southeast State Forest, you asked two questions regarding mining.

The first was if I knew what the Alaska Miner's Association's position was on the bill. I talked with Steve Borell, Executive Director of the Alaska Miners Association, and he said he would call you to let you know that AMA supports the bill. *did call & confirmed

The second was a question about what mining activity occurs on Prince of Wales Island. Currently, there are no active mines on Prince of Wales Island or the adjacent islands. There are active exploration efforts at the following sites, none of which are within the state forest proposal:

Niblack – is primarily a gold prospect, but also has silver, copper and zinc. The area has seen extensive exploration recently, the current operator is CBR Gold Corp, their web site:
http://www.cbrgoldcorp.com/project_areas/united_states/

Bokan Mountain – a former uranium mine that is being reassessed by Ucore – for more information, here is their web site address:
http://www.cbrgoldcorp.com/project_areas/united_states/

There are other known mineral deposits including a Iron deposit near Kasaan.

Dick Mylius, Director
Alaska Department of Natural Resources
Division of Mining, Land & Water
907-269-8600 Fax 907-269-8904

City of Coffman Cove
Resolution 09-18

A RESOLUTION SUPPORTING A STATE FOREST IN SOUTHEAST ALASKA

WHEREAS, the State of Alaska has Timber harvest plan regulated by the State Forestry Guidelines, and

WHEREAS, the economy of Southeast Alaska has suffered with the decline in the logging industry, and

WHEREAS, a stable timber supply with good management practices benefits all Alaskans, and

WHEREAS, THE CONCEPT OF THE State Forest provides stability, jobs and resource management,

NOW THEREFORE BE IT RESOLVED the Coffman Cove City Council supports the Alaska Department of Natural Resources State Forest proposal as presented.

Mayor/Vice Mayor

ATTEST:

Cindy Huff, City Clerk

336

City of Coffman Cove
PO Box 18135
102 Denali
Coffman Cove, AK 99918

AK. Department of Natural Resources
Clarence Clark / Forestry
Sea Level Drive
Ketchikan, AK 99901

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RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

Founded 1975
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Jason W. Brune
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Phil Cochrane, Vice President
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Keith Sanders
Lorna Shaw
Kenneth Sheffield
Keith N. Silver
Tiel Smith
Robert Stiles
Jeanine St. John
John L. Sturgeon
Jim Taro
John Williams
John Zager

Ex-Officio Members
Senator Mark Begich
Senator Lisa Murkowski
Congressman Don Young
Governor Sarah Palin

March 12, 2009

Senator Olson, Chair
Senate Community and Regional Affairs Committee
Alaska State Legislature, State Capitol
Juneau, AK 99801

RE: SB127-An Act to Establish the Southeast Alaska State Forest

Dear Senator Olson:

The Resource Development Council (RDC) is writing to support SB 127, the establishment of the Southeast Alaska State Forest.

RDC is a statewide, non-profit, membership-funded organization founded in 1975. The RDC membership is comprised of individuals and companies from Alaska's oil and gas, mining, timber, tourism, and fisheries industries, as well as Alaska Native corporations, local communities, organized labor, and industry support firms. RDC's purpose is to link these diverse interests together to encourage a strong, diversified private sector in Alaska and expand the state's economic base through the responsible development of our natural resources.

The bill would establish a new state forest in Southeast Alaska from state lands presently used for timber harvest. The Division of Forestry would be able to manage the state forest for a long-term supply of timber to local processors, and retain the land in state ownership for multiple use. The forest would be managed as part of the State Forest System and under the current Prince of Wales Island and Central Southeast area plans.

In Southeast Alaska, demand for state timber exceeds supply and local mills are dependent on a consistent supply to stay in business. The majority of the timber in Southeast Alaska is on federal land, but federal timber sales have declined sharply, oftentimes due to incessant litigation from anti-logging groups as well as the federal government consistently putting forward uneconomic timber sales. Subsequently, the demand for state timber has increased significantly.

Much of the proposed forest was inherited from the U.S. Forest Service with young second-growth stands. Establishment of the Southeast Alaska State Forest will help provide a sustainable timber supply to local mills and accelerate the harvest of second-growth timber. Actively managed second-growth stands will provide more timber volume per acre on shorter rotations, and have less impact on wildlife. The shift to second-growth harvesting can be accelerated and timber volume increased on state land by thinning these stands. However, thinning is a long-term investment and is only justified if the land will continue to be available for forest management. A legislatively designated State Forest would ensure that land would remain available for long-term forest management. Thank you for the opportunity to provide comment on SB 127.

Sincerely,

Carl Portman, Deputy Director

121 West Fireweed Lane, Suite 250, Anchorage, Alaska 99503-2035
Phone: 907/276-0700 Fax: 907/276-3887 Email: Resources@akrdc.org Website: www.akrdc.org

Southeast Conference
P.O. Box 21989
612 W. Willoughby Avenue, Suite A
Juneau, AK 99802
(907) 523-2310
(907) 463-5670 fax
www.seconference.org

February 16, 2009

The Honorable Governor Sarah Palin
PO Box 110001
Juneau, AK 99811-0001

Governor Palin;

The Southeast Conference (SEC) is a broad based association of communities in Southeast Alaska with a mission of undertaking and supporting activities that promote strong economies, healthy communities and a quality environment throughout the region. In furthering that mission, SEC would like to lend its support for the concept of creating a new State Forest in southern southeast.

In southern southeast the demand for state supplied timber far exceeds the supply. The majority of the timber in the area is on federal land; however federal timber sales have declined dramatically. For their survival, the few remaining, local mills now depend heavily on state supplied timber from the 49,000 state acres where timber management is allowed.

Many of the states' managed acres support either second-growth stands on lands previously harvested by the U.S. Forest Service prior to state selection or new-growth on lands that have recently been harvested through state sales. Thus, for a future timber supply from state lands in southeast, the emphasis must be on active management of second-growth stands with higher volumes per acre, less impact on wildlife, and shorter harvest rotations.

In order for the state to expend funds to enter into intensive second-growth management on its timber lands, there must be assurance that the acres will be managed for timber over the long term. That assurance can best come through the designation of the lands as a State Forest with a management plan calling for extended, intensive timber management. With that designation, the Division of Forestry would be able to manage the lands for a reliable, long-term supply of timber to local processors and retain the land in state ownership for multiple uses.

Approximately 3,800 acres of state lands potentially included in a new State Forest are within the new Wrangell Borough. SEC understands that the establishment of State Forest lands within the new borough would not adversely affect the amount of land Wrangell may select. AS 29.65.030 states that borough selections are based on the maximum total acres

ARDOR

of vacant, un-appropriated, unreserved land within the borough boundaries within two years following the date of incorporation. SEC would hope that any legislation designating a new Southern Southeast State Forest would provide for this situation.

In conclusion, SEC would like to lend its support for the establishment of a Southern Southeast State Forest and would like to encourage your administration to advocate its establishment. Further, in order to increase the supply of timber available to the dependent industry in the region, we urge you to take advantage of any opportunities to increase the acreage of timberland managed by the Division of Forestry.

Sincerely,

Shelly Wright

Shelly Wright
Executive Director

cc Chris Maisch

ARDOR

SB 129

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 2/27/09

FURTHER: State Affairs
Labor and Commerce

Date of 5-Day Notice: _____
(in accordance with Uniform Rule 23)

DATE TURNED IN TO OFFICE: 3/19/09

Community and Regional Affairs Committee considered SENATE BILL NO. 129

SB 129 RESIDENTIAL SPRINKLER SYSTEMS

"An Act relating to state and municipal building code requirements for fire sprinkler systems in certain residential buildings."

and recommends:

[ ] be **replaced** with [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] adopt **previous** [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] attached amendment(s)

[ ] adopt _____Letter of Intent

[ ] 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#
DPS	3/17/09			✓	

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

[ ] **APPROPRIATION - no fiscal note**

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
Thomas	Thomas			✓	
Linda Menard	MENARD	✓			
CHAIR:	OLSON			✓	

Senator Linda Menard

State Capitol, Room 9
Juneau, Alaska 99801

Phone: (907) 465-6600
Fax: (907) 465-3805

Alaska State Legislature

Sponsor Statement for SB 129

Senate Bill 129 is a response to a national movement to require fire sprinkler systems in one and two-family dwellings. This legislation does not prohibit Alaskans from choosing to install these systems in their new or existing homes; it simply prohibits any attempt to make them mandatory on a state or local level.

Residential fire sprinkler systems are expensive. Conservative estimates indicate that Alaskans could expect to pay between 3 to 5 dollars per square foot to have a system included in the construction of their new home

According to the National Association of Home Builders (NAHB), for each additional $1,000 added to the price of a home, 250,000 potential buyers are priced out of the market. The NAHB estimates the entire cost of an average home sprinklers system at $3,000.

Furthermore, changes in residential construction technology over the last twenty years have dramatically dropped the number of fatal fires in the U.S. including Alaska. Code provisions for fire separation, fire blocking and draft stopping, emergency escape and rescue openings, electrical circuit breakers, capacity and outlet spacing, reduced need for space heaters in energy efficient homes and many other improvements have made our homes more "fire safe" without undo financial burden to the homeowner.

More importantly, please keep in mind the number of private wells owned by families in Alaska. According to the United States Geologic Survey, about 33 percent of residents are on private well water systems. Requiring sprinkler systems would be very problematic for these homeowners. Having a sprinkler system in a home can lead to a requirement for a larger well with increased flow and other modifications, again increasing the financial hardship on a homeowner.

What studies do show is the effectiveness of smoke alarm warning systems in homes. Not only are these devices cheaper to install, but they have a proven track record of saving lives because of early warning. According to the NAHB, builders can install a sufficient smoke alarm system for less than $400.

Senate Bill 129 will continue to allow Alaskan homeowners the opportunity to invest in this additional layer of fire safety while ensuring that it will not become an unnecessary and expensive mandate to be forced on Alaskans regardless of their financial or environmental situation.

I hope you will support this bill and prevent undue financial hardships on potential home owners.

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: **SB 129**
() Publish Date:

Identifier (file name): **SB129-DPS-FLS-03-13-09**
Title "An Act relating to state and municipal building code requirements utility vehicles to operate the vehicle with screen devices".
Sponsor Senator Menard
Requester Senate Community and Regeional Affairs

Public Safety
RDU Fire and Life Safety
Component Fire and Life Safety Operations
Component Number

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2010**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**
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**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2009) cost: 0.0

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

This bill will have no fiscal impact on the department.

Prepared by: Dave Tyler — Phone 907-269-5491
Division State Fire Marshal — Date/Time 3/17/09 9:35 AM
Approved by: Joseph Masters, Commissioner — Date 3/17/2009
Department of Public Safety

(Revised 11/19/2007 OMB)

FIRE SPRINKLER TALKING POINTS

An Overview of the Issues

- Because of changes in residential construction technology, improved building code requirements – especially for electrical and smoke alarm systems – consumer behavior and the concerted efforts of fire fighters, home builders and other safety advocates, the number of fatal fires has dropped dramatically in the last 20 years. This trend continues and the decline is even more impressive given the significant population growth and growth in housing stock our nation continues to see.

- Our population grew 36 percent between 1977 to 2006, according to the U.S. Census, while at the same time the rate of fires per 1,000 population fell 63 percent: from 14.9 in 1977 to 5.5 in 2006.

- Even more dramatic is the drop in the actual death rate per million persons from house fires. In fact, from 1979-2003, the rate dropped by more than 58 percent, based on data from the Centers for Disease Control. That trend will continue as more new housing stock is constructed and especially as the maintenance of smoke alarms by home occupants is improved. Furthermore, the fire safety features now required in our building codes will adequately protect the home throughout its life without the need for fire sprinklers.

- Proponents claim that a residential sprinkler system is reliable in 96-99 percent of the reported structure fires, where the fire was large enough to activate the system. But according to NFPA reports, the number of fires that occur in one- and two-family dwellings equipped with sprinklers are so few, that they are not shown in the studies.

- It is suggested that these sprinklered dwellings are built and maintained better than other one- and two-family dwellings and that the sprinklers often receive the credit for life saving when it was actually the result of the overall integrated system of balanced fire protection and preparedness.

- According to a national poll conducted by sprinkler advocates, 63 percent of participants indicated that they were aware of residential sprinkler systems that were available for one- and two- family dwelling. However, reports have indicated that there is a low market demand for residential sprinklers, except for those areas where sprinkler ordinances have been mandated. The number of homes built annually that are equipped with sprinklers continue to be less than 2 percent, many of which are required to be installed and not elected by the homebuyer.

- USFA and NFPA data continue to affirm that the vast majority of home fire fatalities occur when there are no operational smoke alarms.

- Thanks to widespread installation of residential smoke alarm systems in recent years, Americans are safer than they've ever been. A 2006 USFA study on the presence of working smoke alarms in residential fires from 2001-2004 showed that 88 percent of the fatal fires in single-family homes occurred where there were no working smoke alarms. The problem is not homes without sprinklers, **the problem is homes without working smoke alarms.**

- Home fire sprinklers are a significant expense. Mandates have an unreasonable impact on housing affordability and have not been demonstrated to be a practical, cost-effective assured means for reducing fire fatalities. More lives can be saved by education and other efforts to ensure every home has and maintains working smoke alarms than by mandates for home fire sprinklers.

- Most unintentional fatal residential fires can be prevented if occupants are careful of risky activities such as unattended cooking, candle burning, and smoking. Additionally, changes in smoking habits, fire-safe cigarettes and ignition resistant furnishings all help reduce the risk. As with smoke alarms, fire prevention education is a more practical, effective and proven approach to reducing home fire incidents, injury and fatalities than mandates for home fire sprinklers.

- Sprinklers are not likely to affect fire department staffing levels or the number of fire stations a community may need because in most jurisdictions, staff and facilities are necessary for quick response to EMS calls. Right now, fire fighters spend only about an average of 3 percent of their time on residential fire fighting activity. Adding fire sprinklers to new homes will not reduce fire departments' staffing or equipment needs.

- Not all fires benefit from the presence of a fire suppression system. Nearly half of all residential fires are confined fires that result in minimal smoke and fire damage and often self extinguish without any assistance from the fire department. Yet sprinklers activate at the presence of heat and cannot determine when a fire is confined or non-confined and will likely cause extensive water damage that could have been avoided.

- **Fire sprinkler mandates should remain an option for state and local jurisdictions.** The 2006 IRC Appendix-P adequately provides for this option and this approach was overwhelmingly endorsed by the ICC membership at the previous Final Action Hearings where inclusion of the appendix was approved.

Performance of Residential Sprinklers

- According to the NFIRS data collected in 1998, sprinklers were reported to have been present in 3,892 (roughly 2.5 percent) of the total 156,661 reported residential fires. The sprinklers operated in 1,246 (32 percent) and failed to operate in 2,646 (68 percent), because the fires were too small to activate the sprinkler system. Since that time the number of fires where sprinklers were present have been so miniscule, they have not been reported.

- USFA reported similar findings, showing that in 57 percent of the reported fires the fire was too small to activate the fire sprinklers in residential properties. In 39 percent of the reported fires, the sprinkler did operate and were effective, while in 3 percent the sprinkler activated and was not effective.

One- and two-family fire incidents, injuries and death continue to decline without the installation of fire sprinklers or the need to mandate fire sprinklers in new homes.

- Because of changes in residential construction technology, improved building code requirements - especially for electrical and smoke alarm systems, as well as consumer behavior and the concerted efforts of fire fighters, home builders and other safety advocates, the number of fatal fires has dropped dramatically in the last 20 years without the installation of sprinklers or the need to mandate them. This trend continues and the decline is even more impressive given the significant population growth and growth in housing stock our nation continues to see.

- In fact, the latest NFPA data clearly demonstrates this progressive annual decline.

- From 1980 to 2005, while the existing one- and two-family housing stock grew by more than 45 percent, the number of one- and two-family fires decreased by more than 51 percent.

1980: One- and two-family fires = 590,500
Existing one- and two-family homes in the U.S. = 58,255,000

2005: One- and two-family fires = 287,000
Existing one- and two-family homes in the U.S. = 84,749,000

- From 1980 to 2005, while the population grew by over 30 percent, fire fatalities in one- and two-family homes decreased by over 38 percent. The decline is actually greater as these fatalities include those that resulted from manufactured (HUD Code) home fires.

1980: Loss of life from one- and two-family fires = 4,175
U.S. population = 227,224,000

2005: Loss of life from one- and two-family fires = 2,570
U.S. population = 296,507,000

- In 2005, fires occurred in less than four tenths of one percent (0.35%) of the existing one- and two-family homes. Of those fires, substantially less than percent (0.86%) resulted in fatalities.

- Even more dramatic is the drop in the actual fire death rate per million persons from house fires. In fact, from 1979 to 2003, the rate dropped by more than 58 percent, based on data from the Centers for Disease Control. That trend will continue as more new housing stock is constructed and especially as maintenance of smoke alarms by home occupants is improved. Furthermore, the fire safety features now required by building codes will adequately protect the home throughout its life without the need for fire sprinklers.

- According to data in the U.S. Experience With Sprinklers, of all the reported fires in one- and two-family dwellings from 1980-2003, less than 1.3 percent were reported occurring in dwellings equipped with sprinklers. It was also reported that less than 2 percent of all new residences were equipped with sprinklers at the time. During that same time frame, the number of residential fires dropped by 50 percent and the number of fire fatalities dropped by 35 percent. This demonstrates that there were other contributing factors leading to the decrease in the number of fires and fire fatalities, such as improvements to the building code and the use of smoke alarms.

Smoke alarms work, consumers feel safe without sprinklers and demand is not there.

- According to the most recent NFPA report on smoke alarms, it is estimated that over 890 lives could be saved annually if every home had working smoke alarms. 65% of the fire fatalities reported from 2000- 2004 occurred in homes where smoke alarms were not present or smoke alarms were present and did not operate.

- The International Residential Code requires hard-wired, interconnected smoke alarms to be installed in all bedrooms, outside of them and on each additional story, including basements. When one alarm activates, all other alarms are activated as well. This effective early warning system is the most important way to protect occupants from fire. Over 90 percent of the occupants survived fires that were reported to have occurred in homes equipped with hard-wired, interconnected smoke alarms from 2000-2004.

- Smoke alarm technology is always changing and improving. Innovations in wireless technology and alternate signal noises that are easier for children and for seniors to hear will further improve the already overwhelming success of smoke alarm systems.

- Another study published in the Journal of the American Medical Association found that when public health strategies to reduce residential fire-related injuries and deaths include information about smoke alarm installation, monthly testing of smoke alarms, reduction of residential fire hazards, design and practice of fire escape plans, fire safety education, and implementation of smoke alarm ordinances, residential fire-related deaths will continue to decline. Again, resources should be focused on ensuring every home has and maintains working smoke alarms rather than pushing for mandatory home fire sprinklers.

- When the firm Public Opinion Strategies asked 800 likely voters if fire sprinklers should be required in new homes, an overwhelming 89 percent said that smoke detectors already do an adequate job of protecting them in their homes and 28 percent would not want sprinklers at all, even if they were provided *free of charge.*

- Sprinkler costs vary depending on the climate, whether the house is on a public water line, and of course by the size and layout of the house. A conservative cost of $2 per square foot for the average 2,400-square-foot house means that a residential fire sprinkler system would cost $4,800. The same survey results show that only 15 percent of consumers in the sample are willing to pay that much.

- According to a Harris public opinion poll, only 38 percent of those surveyed said they would likely purchase a home that included residential fire sprinklers, leaving 62 percent indicating they would likely not purchase one. The poll also showed that 55 percent of survey participants responded that a home with fire spinklers was *less* desirable compared to the 45 percent who thought that a sprinklered home was more desirable.

- NFPA claims that it has no record of a fire killing more than two people in a completely sprinklered public assembly, educational, institutional, or residential building -- where the system was properly operating. This allows sprinkler proponents to exclude those fire fatalities that have occurred in sprinklered structures where the system failed due to an explosion, where the system was not properly maintained, or the system was rendered in operable due to human intervention.

- In fact, multiple fire fatalities are rare regardless of the presence of sprinklers, and NFPA reports that most fire deaths occur in ones and twos both inside and outside of the home.

- According NFIRS data collected for single-family dwellings equipped with fire sprinklers, 57 percent of reported fires were too small to cause the sprinkler to operate. In 39 percent of the reported fires the system operated and were effective, in 3 percent the system operated and was in effective, and in the remaining 1 percent the system failed to operate.

- A 2004 USFA report lists situations when the sprinkler system will not be able to prevent the loss of life:

    - When the victim is too close to the source of ignition.
    - When the system is damaged by the fire or an accompanying explosion.
    - When the fire originates in concealed combustible locations.
    - When foreign objects shield the fire from the effective coverage area of the sprinkler.

The effectiveness of sprinklers is based on estimates from laboratory test data, a panel of fire researcher,s and statistics of various fire scenarios and the location of the fire victim in those fires.

Due to the rare presence of fire sprinklers in one- and two-family dwellings (less than 1 percent) and the few fires reported annually, researchers must use other methods to estimate the effectiveness that sprinklers would have in preventing the loss of life and damage.

New homes are safer than ever before.

- Technological innovations introduced in the last 50 years make homes far safer. Even as today's homes get older, they continue to offer fire protection because of previous code provisions for fire separation, fire blocking and draft stopping, emergency escape and rescue openings, electrical circuit breakers, capacity and outlet spacing, reduced need for space heaters in energy efficient homes, and many other improvements.

- These features will protect the home and occupants for the life of the home, unlike older homes that were not constructed with these important design features. New homes do not become more hazardous as they age.

- Little data is collected on the age of homes experiencing a fire, although there is anecdotal evidence that age of the structure is an important factor. Existing fire data showing the continued decline in the rate of fire incidents and fatalities is consistent with the retirement of homes not built to today's stringent code requirements. This trend continues.

Fire sprinklers are not cost effective, and costs are far greater than what advocates say they are.

- Proponents of mandatory requirements claim that cost concerns are exaggerated, often citing figures from Scottsdale, Ariz. ("the Scottsdale study"). However, these concerns are well founded and not exaggerated. Even in Scottsdale where installation costs are considered among the lowest, they are still more than what proponents say.

- There, builders told NAHB that typical costs were just under $1 per square foot, much higher than that+ cited by some proponents. More importantly, the cost is in no way representative of the rest of the country where costs are substantially higher. It would be irresponsible for officials in jurisdictions around the country to rely upon Scottsdale costs as a determinant of what the true costs are to home buyers in their jurisdiction.

- In fact, in August 2006, the NAHB Research Center surveyed home builders in jurisdictions where fire sprinklers have been mandated. Survey results from over 1,500 installations in homes on public water systems in jurisdictions other than Scottsdale show that the costs are substantially higher than what proponents of mandatory fire sprinklers would lead you to believe. The truth? Builder costs of those installations were $2.66 per square foot on average and ranged as high as $6.88 per square foot. When overhead and any other factors are added in, installation costs to home buyers escalate further.

- For homes on wells, the results show that the typical costs are even higher because of the need for additional components such as storage tanks and larger pumps.

- Any jurisdiction considering mandatory sprinklers needs to determine and thoroughly consider what the true total cost to home buyers will be in their community (including additional fees that may be charged by water purveyors) and what their constituents will pay collectively, before making any decision to mandate sprinklers.

- Sprinkler costs do have a dramatic negative impact on housing affordability. For each $1,000 added to the price of a home, another 217,000 potential home buyers are forced to remain on the sidelines. We cannot afford to deny needed housing for the sake of new requirements that are not necessary.

- Costs also vary significantly depending on a home's location, layout, number of stories, and other factors – especially access to water.

- Owners of homes on well water need to consider how the sprinklers will operate if the power goes out or if water pressure is a problem – and solutions, like extra water tanks, pumps and generators, are costly.

- Requiring fire sprinklers will not decrease taxes or fees and has a negligible effect on insurance rates, resulting in almost no payback, if any. For example, using conservative cost estimates of $1.50 per sq/ft in a 2,300 sq/ft home with an annual property insurance premium of $1,000, it would take approximately 35 years even for a 10 percent discount to pay for a system that will most likely never be needed. That does not take into account maintenance costs incurred over the same period.

- The average size of homes built in 2005 was 2,434 square feet, according to the U.S. Census Bureau. Even if an estimate of $2 per square foot is used as the average price, which is conservative, fire sprinklers in that average-sized home would have cost more than $4,800, which could hardly be characterized as inexpensive. Whole-house interconnected smoke alarm systems are now being installed for around $50 per alarm.

- Fire sprinkler manufacturers state that the net cost may be very low per household and cite the possibility of development tradeoffs, like narrower streets and fewer fire hydrants. However, negotiating for those tradeoffs is difficult because local ordinances and planning rules are not consistent from community to community. Furthermore, allowing reductions in passive fire safety provisions if sprinklers are mandated is further evidence that fire safety provisions in building codes and planning are already adequate.

- There is no demonstrable savings in infrastructure costs for local jurisdictions. When as little as 3 percent of a fire fighter's time is spent battling house fires, installing fire sprinklers in new homes cannot have a significant impact.

- Annual sprinkler installation costs (not including maintenance costs) new homebuyers will be forced to pay will greatly exceed property loss nationwide or in any jurisdiction where they are required.

    - For example, if all new homes built in 2005 were required to have sprinklers, the installation cost to builders (would have been $10,183,118,400 based the average square foot of those homes and the average cost of sprinkler installations in jurisdictions where they are currently required ($2.66 sq. ft).
    - NFPA reported the total home property loss due to fire in 2005 was $5,781,000,000. That means that installations costs born by homebuyers would have been nearly *double* the loss.
    - The difference between installation costs and property loss will continue to grow as the number of new homes built annually increases and the number of fires and property loss continues to decrease, which is not a result of sprinklers or sprinkler mandates.

- Furthermore, NFPA has reported as little as an average of a 19 percent reduction in property loss in home fires with sprinklers vs. those without them. With this reduction or even a substantially higher reduction, total installation costs will always greatly exceed total property loss savings because the vast majority of homes where sprinklers are installed will never need them.

Significant technical problems still exist.

- Unlike smoke alarms, there is no way to test sprinklers other than applying heat. Occupants must press the test button or use products that simulate smoke to verify that the smoke alarm is properly functioning and ready to alert occupants. Sprinkler manufacturers must rely on test sampling to see if the sprinkler will react to the presence of heat and activate. Defects with the sprinkler will not be known until the sprinkler fails to activate in a fire and reports are issued later for the recall of the defective sprinkler.

- The fire sprinkler valves must be checked periodically to verify the system is activated. Sprinkler heads must be checked to make sure they are clear of obstacles. Homeowners must be careful not to block them or paint over them. Also, if a backflow prevention device is installed as can be required, an expensive annual inspection may be mandated by the local water purveyor. Standards also specify that sprinkler pipes in the antifreeze-type systems installed in colder climates should be emptied and then refilled with an antifreeze solution every winter, and that monthly inspections and tests of all the water flow devices, pumps, air pressure and water level be performed.

- Having sprinklers provides no guarantee that fire hoses will not be used, flooding even more water into the house. Sprinklers will discharge water until the fire department has been notified, arrives on the scene, evaluates and determines the structure is safe, and then locates and turns off the water supply. Claims that less damage will be caused by a sprinkler than a fire hose are unsubstantiated.

- Additional home flooding risks come from the vulnerability of the pressurized sprinkler heads. They can activate if they are dislodged or disturbed, when there's horseplay or other types of negligence. Local requirements for water storage tanks and additional plumbing in the home open up the specter of frozen, pressurized pipes in some parts of the country. Adequately protecting against these problems adds further to the cost of sprinkler systems.

- Studies have shown those at greatest risk of residential fire injury or death include those who live in substandard housing, where preventive maintenance is less likely. Poorer, less educated Americans are more likely to live in substandard housing than wealthier, educated Americans who are in a position to buy a new home. **Residential fire sprinklers mandated in wealthier communities where their cost is less of a barrier are least likely to protect those who could benefit by them the most.**

- The reliability of residential fire sprinklers is also questionable. There is no study that shows how long sprinkler systems will last. After smaller recalls by other companies in 1998 and 1999, a major fire sprinkler manufacturer recalled 35 million fire sprinkler heads in 2001. By now, any requirements that the manufacturer notify owners of homes where these defective heads have been installed have expired.

- Accidental discharge of sprinkler systems is another major concern. While accidental discharge due to a manufactured defect is rare, there have been several reported incidents where sprinklers

have discharged when fire was not present or the cause of the discharge. Typically the sprinkler activated due to overheating, freezing, mechanical damage, corrosion, and deliberate sabotage.

- Sprinkler systems are expected to work in the event of the fire, but like any system maintenance is required to ensure it will operate when a fire is detected. Proponents claim that a NFPA 13 D requires no maintenance and that the system can be installed and forgotten. The fact is that all sprinkler systems, whether they are commercial or residential, require routine maintenance and inspection. NFPA 13 D states that it is the responsibility of the installer to provide the owner all the maintenance information and educate the owner how the fire suppression system works. If homeowners are led to believe that no precautions are necessary and no preventive maintenance needs to be performed, this will lead to a false sense of security.

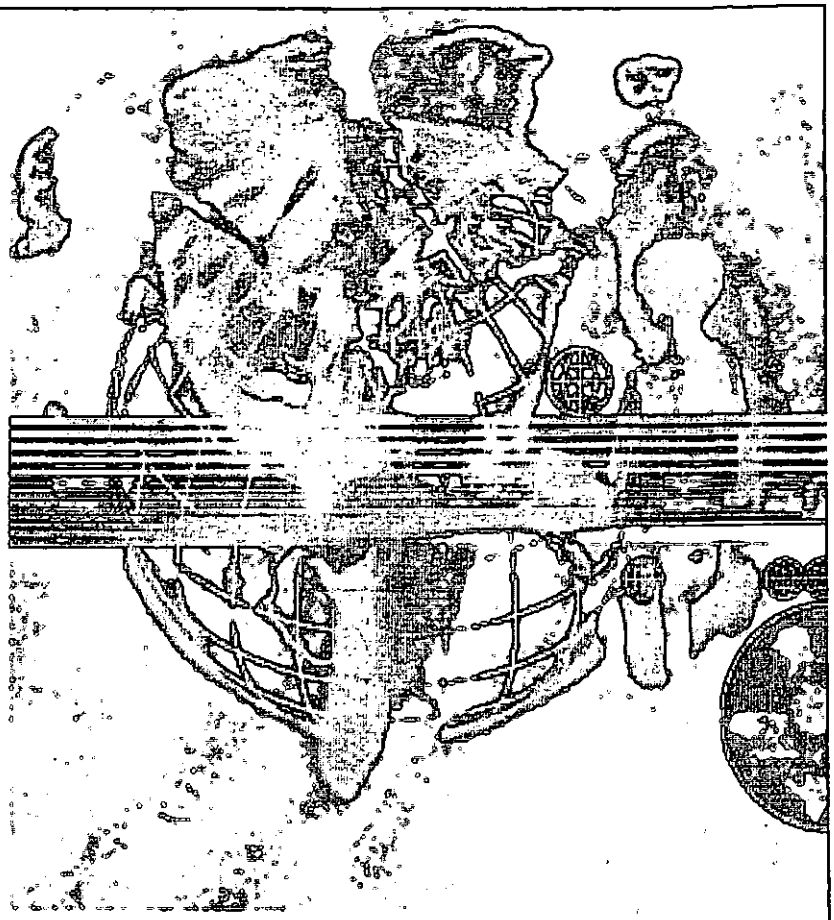
Fire sprinklers mandates should remain an option for state and local jurisdictions. This option is already adequately provided for in the appendix of the IRC.

- Should a jurisdiction wish to mandate residential sprinkler systems, a provision for them to do so is now available in the IRC via adoption of Appendix P. Allowing state and local jurisdictions to decide for themselves based on the specific needs and concerns of their communities is the most appropriate approach. That approach was overwhelmingly endorsed by the ICC at the previous Final Action Hearings, where inclusion of the appendix was approved for that very reason -- even by the building officials who do believe sprinklers should be mandated – and that action should be honored and upheld.

- The IRC clearly states, "The purpose of this code is to provide minimum requirements to safeguard life or limb, health and public welfare." The IRC Commentary states that the IRC is intended to provide reasonable minimum standards that reduce the factors of hazardous and substandard conditions that would otherwise put the public at risk to damaging their health, safety or welfare. Any imposition of a mandated sprinkler requirement is excessive and is not a reasonable minimum standard for meeting the "purpose" of the code. It is important to remember that the code is composed of many life-safety standards that have been proven to meet the "purpose" of the code. Proposals to mandate sprinklers as a requirement in the body of the IRC rather than an adoptable appendix exceed this "purpose" and should not approved.

These talking points are based on data from the U.S. Fire Administration (USFA), National Fire Protection Association (NFPA), National Association of Home Builders (NAHB), NAHB Research Center, Public Opinion Strategies, and the U.S. Census Bureau. Please contact NAHB Codes & Standards staff Steve Orlowski at sorlowski@nahb.com or 800-368-5242, ext. 8303, if you have questions on any of these talking points. Additional information is also available on www.nahb.org/sprinklers.

Fire Deaths in the United States: How Best to Keep Reducing Them



By Elliot F. Eisenberg, Ph.D.

INTRODUCTION

Over the past 40 years the United States of America has made profound progress reducing all types of fire deaths. Since 1960, the total number of fire deaths has declined by almost 60 percent, and the fire death rate has fallen by over 70 percent. This article begins by showing that these declines have been ongoing for decades, that the improvement has been nationwide (despite wide and persistent variations from state to state), and compared to other western industrialized democracies, the decline in the U.S. fire death rate has been the largest. If, however, the experiences of other nations are a guide, the rate of future improvements in the U.S. may decline.

The article then evaluates which demographic and housing unit characteristics best explain residential fire death rates. To anticipate the findings, inter-county fire death rate differences are strongly correlated with the percentage of new housing stock, differences in household wealth, the percentage of minorities, and the percentage of mobile homes. These findings suggest that a particularly effective way to reduce future fire deaths may be to focus prevention efforts in proportion to the level of these four variables in a community, as opposed to using traditional policies that are largely location invariant.

OVERVIEW

In 1960, the number of fire deaths in the U.S. was 7,645. Five years later, the number had fallen to 7,347. Figure 1 shows that by 1979 the number had fallen to 5,998 and to just 3,326 in 2001, a total decline of more than 56 percent. However, this dramatic decline understates the true improvement in fire safety as the population of the U.S. increased by 105 million people during this 41-year period. Taking this into account, the decline in the fire death rate per million persons (FDPM) fell from 42.3 to 11.7, a decline of over 72 percent.

Equally impressive has been the decline in house fire deaths. Between 1979 and 2001, the number of such fire deaths fell from 4,863 to 2,604, a decline of 46.5 percent, while the residential FDPM declined from 21.7 to 9.13, a drop of 58 percent. Because the decline in residential fire deaths was larger than the reduction in all fire deaths, house fire deaths now account for 78 percent of all fire deaths, down from their recent high of 86 percent in 1993, and are now at their lowest rate since at least 1979.

These findings are based on the annual Multiple Cause-of-Death file collected and compiled by the National Center for Health Services (NCHS), a part of the Centers for Disease Control and Prevention (CDC). Death certificates are coded by local medical authorities and compiled by the states and finally by the NCHS. The result is an annual data file that contains a record of all deaths in the U.S.

STATE-BY-STATE VARIATION

Table 1 (page 10) looks at house fire deaths in 2001 and FDPM rates for all 50 states in 1983 (the first year these data were available from this source) and 2001. With the exception of Kansas and Connecticut, every state registered a decline in its FDPM during the 23-year period, suggesting that the steep decline in U.S. residential fire deaths has benefited all states. However, the FDPM rate continues to vary dramatically across the states. In 1983, the rate varied from a low of 6.9 in Utah and Hawaii to a high of 53.2 in Vermont. By 2001, Colorado had the lowest rate in the nation at 2.3, while Arkansas had the highest rate in the land at 28.6.

To further illustrate the dramatic reduction in fire deaths, in 1983, there were four states with FDPM rates greater than 40 – Delaware, Mississippi, South Carolina, and Vermont. However, by 2001, the four states with the highest FDPM ranking were Arkansas, Mississippi, Delaware, and Alabama with FDPM rates of 28.6, 25.5, 21.3 and 19.5, respectively; about half as high as the rates for the four poorest performing states in 1983. Put another way, the average state in 1983 would rank 45th in 2001.

Despite these dramatic improvements, there are some constants. Both Delaware and Mississippi appear in lists of the four least fireworthy states in 1983 and 2001. Also, in 2001, eight of the 12 states with the highest FDPM rate were from the South, while in 1983, 10 of the 15 states with the highest FDPM rates were located in the South. Repeatedly finding the same states with relatively high (or low) FDPM rates suggests that, while improvements have been felt coast-to-coast, systematic unchanging state-specific problems remain.

INTERNATIONAL COMPARISONS

Interestingly, the U.S. findings of declining FDPM rates over time, substantial variation across place, and high rates of path dependence are also in evidence internationally. Figure 2 shows that, between 1979 and 2000, FDPM rates declined in 10 of 13 countries, stayed the same in one, and rose slightly in two others.[2]

FIGURE 1

Fire Deaths and House Fire Deaths, 1979-2001[1]

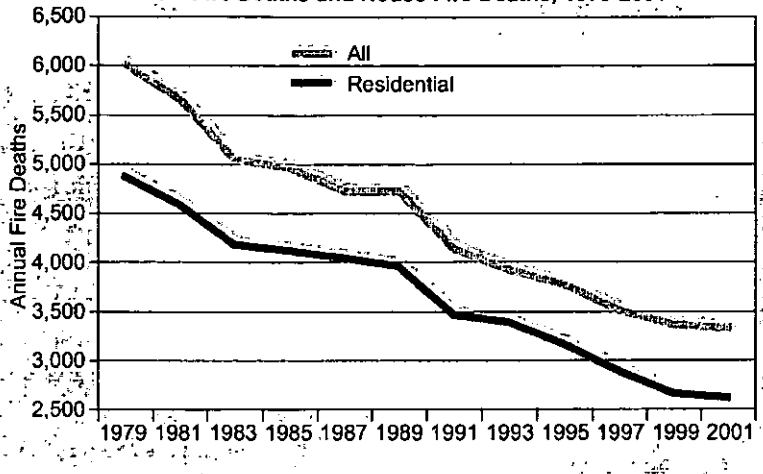


FIGURE 2

International Fire Death Comparisons, 1979-2000[2]

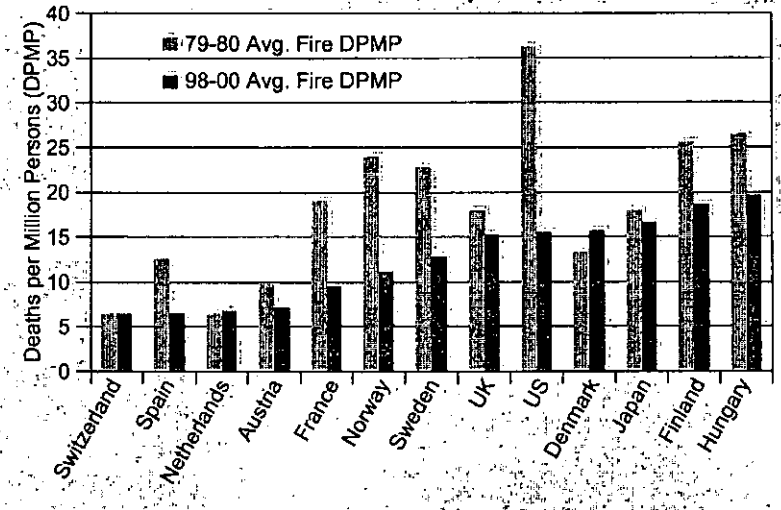
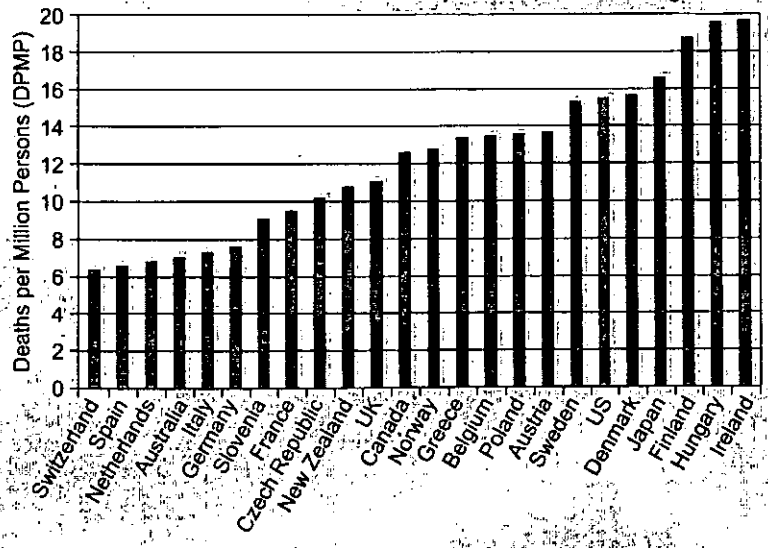


FIGURE 3

International Fire Death Comparisons, 98-00 Average



Even among countries that appear very similar, fire death rates vary considerably. For example, Finland, Denmark, Sweden, and the Netherlands are all Northern European countries with similarly high per capita GDP and small populations. Despite these parallels, their FDPM rates vary noticeably. In Finland, the FDPM is 18.7, while in the Netherlands, it is less than half as high. And these differences have persisted for quite some time.

Figure 2 also shows that improvements have been quite uneven. Between 1979 and 2000, the 57 percent decline in the United States fire death rate was larger than that experienced by any other country. Other countries that experienced very large percentage declines include U.K., France, Spain, and Norway, each of which saw their rates decline by between 47 and 54 percent. By contrast, fire death rates in Switzerland and Netherlands barely budged. This may, in large part, be because rates in those two nations were already so low by 1979 that further improvement is very difficult.

This explanation is given added weight by examining Figure 3 which provides the most recent fire death rate data for all countries that consistently provide data to the World Fire Statistics Centre (WFSC) in Geneva (except for Singapore, as it is not a democracy and because 80 percent of the population live in public housing) ranked by their fire death rates. (The WFSC does not get its data from NCHS. Thus, its fire death rates for the U.S. are different.) Figure 3 clearly shows that, among the top 24 countries, none has a fire death rate below 6.5 FDPM, and that the variation among the best-performing five or six nations is very small.

This observation was also noted in the 2003 WFSC report when they wrote "Progress has... been particularly marked in those countries which had in the 1980s been suffering relatively high losses (particularly fire deaths), while – naturally enough – those countries already enjoying relatively low loss rates have had difficulty in improving much further."[2]

As an aside, the best-performing nations in Europe are generally smaller or warmer than the U.S., and the two that are large (Italy and Germany) and have relatively low fire death rates have much higher population densities compared to the U.S., which works to their advantage. Conversely, the U.S. population is growing much faster than in any Western European state.

As a result of increasing U.S. population, progressively smaller improvements in fire deaths will manifest themselves differently in the U.S. than in Europe. In the U.S., the FDPM rate may continue to decline, but due primarily to increases in population and not declines in the number of fire deaths, while the number of fire deaths remains constant. As a matter of fact, this trend has recently appeared for the very first time. Between 1998 and 2001, the number of fire deaths fell by only 16, or less than one percent, while the FDPM rate fell by four percent due to rising population. While the decline in the FDPM rate looks impres-

TABLE 1. U.S. Fire Death Rates

	Deaths	Per Million		
	2001	1983	2001	2001 Rank
US	2604	17.8	9.1	NA
Alabama	87	30.8	19.5	48
Alaska	12	35.2	18.9	46
Arizona	35	7.7	6.6	14
Arkansas	77	34.0	28.6	51
California	126	9.4	3.6	4
Colorado	10	8.6	2.3	1
Connecticut	25	7.3	7.3	22
Delaware	17	51.3	21.3	49
District of Columbia	9	33.0	15.7	45
Florida	115	13.6	7.0	18
Georgia	124	32.8	14.8	43
Hawaii	3	6.9	2.4	2
Idaho	5	9.1	3.8	5
Illinois	135	17.1	10.8	34
Indiana	65	19.5	10.6	33
Iowa	23	8.6	7.8	24
Kansas	38	12.8	14.1	42
Kentucky	57	23.1	14.0	40
Louisiana	86	28.1	19.2	47
Maine	8	21.8	6.2	13
Maryland	53	22.8	9.8	29
Massachusetts	46	21.2	7.2	19
Michigan	118	17.9	11.8	38
Minnesota	31	14.7	6.2	12
Mississippi	73	41.8	25.5	50
Missouri	66	17.5	11.7	37
Montana	3	19.6	3.3	3
Nebraska	13	12.5	7.6	23
Nevada	9	7.8	4.3	7
New Hampshire	14	18.8	11.1	35
New Jersey	47	15.5	5.5	10
New Mexico	10	7.8	5.5	9
New York	138	12.5	7.2	21
North Carolina	96	24.2	11.7	36
North Dakota	6	11.7	9.4	26
Ohio	119	17.9	10.4	31
Oklahoma	33	26.6	9.5	27
Oregon	25	15.0	7.2	20
Pennsylvania	125	20.5	10.2	30
Rhode Island	7	15.7	6.6	15
South Carolina	57	42.1	14.0	41
South Dakota	9	10.0	11.9	39
Tennessee	88	24.3	15.3	44
Texas	184	19.1	8.6	25
Utah	9	6.9	3.9	6
Vermont	3	53.2	4.9	8
Virginia	48	19.2	6.7	16
Washington	58	10.7	9.7	28
West Virginia	19	26.0	10.5	32
Wisconsin	37	13.5	6.8	17
Wyoming	3	7.8	6.1	11

sive, it masks the serious problem that over the four-year period there was, at best, a very small decline in the number of deaths.

CHANGING U.S. ENVIRONMENT

The large decline in fire death rates in the U.S. has been the result of several factors, including the adoption of increasingly stringent building codes across the country. For example, building and fire codes require improved fire blocking and stopping – which results in better fire containment, which in turn provides more time to escape and/or extinguish the fire – along with better heating and electrical design, which have resulted in the use of fewer extension cords and space heaters. Also, improved fire ratings on upholstered furnishings, bedding and sleeping attire, and the increased use of childproof devices have all helped reduce U.S. fire deaths.

Technological innovation has also played a key role. Table 2 shows how building codes progressively mandated both more and better smoke detectors over time. In 1969, smoke alarms were often unreliable, battery-operated, poorly placed, in few homes, and, most importantly, not required by any of the building codes. Today, all new homes must have hard-wired, interconnected smoke detectors, and many older homes have been retrofitted with them too. In short, homes and their contents are now safer than they have ever been.

In addition, there has also been a strong push to reduce smoking since the first Surgeon General's report linking smoking and lung cancer in 1964.[3] Since smoking is the leading cause of residential fire deaths,[4] any success in reducing it (along with drug and alcohol abuse) necessarily translates into fewer fire deaths. However, since 1990, the percentage of the U.S. population that smokes has declined very little.[5] Thus, this trend will no longer be of much help in reducing the number of fire deaths further.

Collectively, these interventions, public awareness campaigns, and code improvements have cumulatively saved about 155,000 lives since 1960. However, the across-the-board solutions that have worked so well until now are likely to be less effective in the future. In part, this is because many of the most effective solutions have already been adopted, public awareness regarding house fires is quite high, smoking rates are lower than ever, and because fire death rates are much lower than they were in the past. Thus, substantially reducing the number of fire deaths in the future will become increasingly more difficult unless solutions tailored to at-risk populations are considered.

To implement such solutions, more must be known about who is dying, the condition of the house when the fire occurred, as well as any other relevant demographic information. With this knowledge, it would then be appropriate to focus future fire prevention efforts at entire subpopulations, devoting more resources to communities at greater risk – an approach akin to the emergency room practice of triage, where patients with the greatest need get treated first.

Regrettably, much of the available data is not helpful. For example, no data are collected on the age of the structure where a house fire death occurs, despite the obvious link between the two. Similarly, very little data are available linking income, wealth, population density, and other demographic variables to residential fire death rates. And when this information is analyzed, it is done so one variable at a time. For example, a published analysis concluded that "African-Americans and American Indians have significantly higher fire death rates per capita than the national average" and that "male fire death rates exceed that of females by 1.5 to 2 times, or that the elderly of all ethnic groups have the highest fire death rates." [6]

While these results are informative, what is needed is a more complete model that can better account for the many relationships between the different variables. Only this way will it be possible to better understand why fire death rates have behaved as they have in the past and where they may be headed in the future. With this knowledge, targeted interventions can be used and, in the process, save lives.

TABLE 2

Building Code Requirements and Changes – Smoke Detectors – 1970s to Present	
1967 National Building Code	No requirements for smoke detectors
1976 National Building Code	1 smoke detector required
1979 Southern Building Code	1 smoke detector required
1983 CABO 1- & 2-Family Dwelling Code	1 smoke detector in sleeping areas (i.e., hallway outside of bedrooms), and smoke detector must be hardwired (not just battery)
1986 CABO 1- & 2-Family Dwelling Code	Smoke detectors now required on each story of structure and in the basement
1989 CABO 1- & 2-Family Dwelling Code	No changes to the smoke detector requirements
1992 CABO 1- & 2-Family Dwelling Code	Smoke detectors are required to be interconnected; if one alarm sounds they all sound
1995 CABO 1- & 2-Family Dwelling Code	Smoke detectors are now required in each sleeping room in addition to other current requirements

CABO stands for Council of American Building Officials.

ECONOMIC THEORY

Findings from a number of existing studies consistently show that newer homes experience fewer fire deaths than older homes. A study conducted by the National Association of Home Builders (NAHB) in 1987[7] found that fatality rates increased with the age of homes. For example, houses less than seven years old had fatality rates one-third of houses seven to 17 years old, and one-sixth the rate of houses that were more than 25 years old.

Nearly identical results were obtained in a California Building and Industry Association study released in 1996.[8] That study found that the average fatality rate in residential dwellings in California consistently increased as the housing stock aged. Interestingly, they found this

relationship to be true for every successive four-year period going back all the way to 1956. More recently, it's been found that, in Dallas, residential fire-related injuries declined in every decade for houses built after 1949.[9] That is, houses built in the 1980s were found to be safer than those built in the 1970s, which, in turn, were found to be safer than those built in the 1960s, and so on.

Other research has found[10, 11] that those at greater risk include persons living in manufactured or substandard housing. This may be because mobile homes are smaller and depreciate at a faster rate than site-built and modular homes; it is rare to see a 50-year-old or 100-year-old mobile home. By contrast, there are tens of millions of 50-year-old homes and millions of 100 year-old homes. Also, as mobile homes are built to a national building code rather than a local building code, they may be less well-suited to local environmental conditions than other homes. Moreover, it may well be that, as mobile homes reach the end of their useful life, preventive maintenance and replacement of old systems, such as heating and air conditioning units, is not done, as the cost of replacement may be very high compared to the value of the mobile home. As a result, the fire risk of such dwellings may well increase over time, relative to traditional units of comparable age.

In addition to structural variables, wealth is highly correlated with reduced house fire death rates.[12] Wealthier households are less likely to defer maintenance, are more likely to be proactive about eliminating potential

TABLE 3

Summary Statistics

Variable Type	Variable Description	Var. Name	# of Obs.	Minimum	Maximum	Average	Std. Dev.
Dependent Variable	Fire death rate	fdpermill	458	0	75.48	8.94	10.68
Housing Stock Age Variables	Percent of stock built after 1994	pctpost94	458	1.10%	34.64%	10.03%	5.67%
	Percent of stock built after 1989	pctpost89	458	2.09%	50.07%	17.83%	8.82%
	Percent of stock built after 1979	pctpost79	458	5.41%	77.33%	33.98%	14.53%
	Percent of stock built after 1969	pctpost69	458	10.56%	92.05%	52.63%	17.55%
	Percent of stock built after 1959	pctpost59	458	20.91%	96.84%	66.29%	16.85%
	Percent of stock built after 1949	pctpost49	458	35.38%	99.22%	78.77%	13.91%
	Percent of stock built after 1939	pctpost39	458	47.12%	99.56%	85.65%	11.27%
Wealth & Income Variables	Percent high school graduates	pctHS	458	11.72%	49.91%	29.04%	6.58%
	Percent college graduates	pctBA	458	6.64%	33.31%	16.12%	5.22%
	Median household income	medhhinc	458	$24,863	$81,050	$44,423	$10,197
	Median family income	medfaminc	458	$26,009	$92,146	$52,792	$11,350
	Per capita income	percapinc	458	$9,899	$44,962	$21,928	$4,810
	Median rent	medrent	458	$361	$1,185	$600	$131
	Log median house value	lmedhseval	458	10.773	13.816	11.682	11.176
	Median house value	medhseval	458	$47,700	$1,000,001	$118,500	$71,392
	Percent in poverty	pctpov	458	2.48%	35.45%	10.88%	4.83%
Housing Market Control Variables	Percent white	pctwhite	458	21.16%	97.94%	78.43%	15.31%
	Percent mobile homes	pctmb	458	0.03%	37.55%	6.48%	6.45%
	Percent urban	pcturban	458	34.49%	100.00%	83.09%	14.38%
	Population density/sq. mile	popdensity	458	21	66,940	1,229	4,202
	Percent occupied	pctocc	458	64.47%	98.46%	92.33%	4.60%
	Percent owner-occupied	pctown	458	19.54%	88.08%	67.26%	9.28%
	Percent single-family detached	pctsfdet	458	0.29%	83.17%	62.14%	12.02%
	Percent of population over age 54	pctage55up	458	11.19%	49.18%	20.89%	4.83%
	Percent of population over age 64	pctage65up	458	4.60%	34.71%	12.38%	3.80%
	Percent of population over age 74	pctage75up	458	1.70%	16.29%	5.83%	2.00%
	Percent of population over age 84	pctage85up	458	0.04%	4.13%	1.44%	0.05%

fire hazards, and are more likely to install smoke detectors.[13, 14, 15] Moreover, to the extent that wealth and education are correlated,[16] wealthier households are less likely to smoke. As a result, as wealth rises, residential fire death rates are expected to fall. However, the relationship is nonlinear as, beyond some level, the added benefit of more wealth, while always positive, declines. As a proxy for household wealth, average house value is used, and to account for the nonlinear relationship between wealth and education, the logarithm of house value is used.

Other things that may systematically impact residential fire death rates are the characteristics of a housing market. To give an example, the fireworthiness of a unit in Phoenix, AZ, may be quite different than a unit in Birmingham, AL. To account for these differences, it is necessary to include the percentage of the stock that is single-family detached, occupied, owner-occupied, and urban. It has also has been found that the age and race of the occupants are meaningfully related to fire deaths rates.[17, 18] While the signs and coefficients on all the housing market control variables mentioned in this paragraph are not central to the research question being asked, excluding them will bias the coefficients for house stock age, house value, and the percentage of mobile homes – the dependent variables of primary interest – to the extent that any of the housing market variables are correlated with the three variables of primary interest.

For example, were one to regress annual income on the age of a person, the result will be that age appears to increase income. However, the relationship between age and income is more complex; older people are more likely to have more education and more savings. And since education and age, and savings and age, are positively correlated, excluding education and savings will cause the coefficient on age to be larger than it really is. To prevent this, as many variables as possible that affect income should be included in the equation. In fire death research, the housing market variables mentioned in the previous paragraph are analogous to the education and savings variables in this paragraph.

Thus, the multiple regression equation to be estimated is:

$$FDPM = k + \alpha H + \beta M + \gamma WLOG + \delta R + e$$

Where *FDPM* is the county-specific fire death rate per million persons in 2001, *k* is a constant or intercept term, *H* is a measure of housing stock age, *M* is the percentage of mobile homes, *WLOG* is the logarithm of house value, *R* is a vector of real estate market condition control variables, *e* is a normally distributed error term, and the Greek symbols α, β, γ, and δ are the respective coefficients for *H*, *M*, *WLOG*, and *R*.

TABLE 4

Fire Death Rate Regression Results	
Variable	Model 1
Intercept	96.71
	(6.12)
Percent white	-17.01
	(5.55)
Log median house values	-6.43
	(4.80)
Percent post-1989	-9.95
	(1.65)
Percent mobile homes	21.49
	(2.45)
Observations	458
Adj R^2	0.133
F-Value	18.55

Absolute value of the t-values are in brackets.

DATA SOURCES

Fire death data come from the NCHS Multiple Cause-of-Death File for 2001. Death certificates are issued and coded by local medical authorities, using internationally agreed-upon codes (ICD-10 codes) defined by the World Health Organization (WHO). Death certificate data are then compiled by the states and then the NCHS. As a result, this database includes data on the cause of all deaths in the U.S. for each calendar year. For this study, the fire had to occur in a home, and the death had to be the result of exposure to a controlled or uncontrolled fire in the building (X00, X02), exposure to ignition or melting of nightwear (X05) or other clothing and apparel (X06). It ignores, however, fire deaths from campfires, forest fires, and from ignition of highly flammable material.

Data from the National Fire Incident Reporting System (NFIRS), which is developed by the United States Fire Administration (USFA), or the NFPA National Fire Experience Survey (NFES) were deliberately not used for several reasons. First, NCHS data are available at the county level, while NFIRS and NFES data are not. Second, NCHS data are specifically designed to capture the cause of death, while NFES and NFIRS are primarily designed to measure fires. As a result, deaths from nonreported fires will appear in the NCHS data, but not the NFES or NFIRS data. Lastly, the NCHS database is comprehensive, while both NFIR and NFES rely on sampling.

The county is the unit of analysis for several reasons. First, intercounty variation in the independent variables is much greater than at the state level, and with greater variation, coefficients can be estimated with greater precision. Second, performing a state-level analysis would not provide sufficient enough observations to perform a cross-sectional analysis of this sort. Finally, the smaller the geographic area analyzed, the easier it is to target and implement intervention.

Variable definitions and descriptive statistics are provided for all demographic data in Table 3. The data in the table come from the SF3 (long form) Census 2000 and are at the county level. These data were then merged with the Multiple Cause-of-Death data by county. Since the NCHS suppresses death data for counties that had a population of less than 100,000 in 1990, the sample includes data for the 458 largest counties rather than for all 3,141 counties. Of the counties in the sample, 343 of the counties reported at least one fire death in 2001, and the total population of the counties in the sample is 207 million, or 73 percent of the total U.S. population in 2000.

The county with the highest residential fire death rate in 2001 was Richmond County, VA, with a rate of 75.48 deaths per million persons – almost eight times the national average, but only slightly higher than the next highest county. Not surprisingly, the highest house prices were found in New York County (Manhattan). The county with the newest housing stock, defined as the percentage of its housing stock built after 1979 and after 1989, is Collin County, TX (just north of Dallas-Fort Worth), with half of its stock built after 1989 and 77 percent built after 1979. For purposes of comparison, Clark County, NV, where the fast-growing city of Las Vegas is located, has the eighth-highest percentage of its stock built since 1979 and the second-highest percentage of units built since 1989.

The oldest county in the nation, as measured by percent of housing stock built before 1939, is Schuylkill County, PA – where 53 percent of the stock is more than 60 years old – followed very closely by Suffolk County, MA, and San Francisco County, CA. Manhattan, NY, is the eighth-oldest county in the country, with 43 percent of its housing stock built before 1939.

RESULTS

While several different models were run – some with a slightly larger set of independent variables and some that looked at the FDPM rate in earlier years – the results were surprisingly robust across specifications. Table 4 reports the result for the above cross-sectional FDPM equation with the t-statistics reported for the coefficients in parentheses.

AGE OF STRUCTURE

As expected, the coefficient estimate for the percentage of houses built after 1989 (pctpost89) is negative and statistically significant. This implies that, in counties with newer housing stock, all else equal, the fire death rate is lower. Interestingly, when identical regressions to model 1 were run using different cutoff points for new stock, such as the percentage of houses built after 1979 or 1969 or 1959, the coefficients were of roughly similar size, were always negative, and the associated t-statistics were at least as significant.

MOBILE HOMES

Here, too, the results were as anticipated. The finds show that, in counties with a higher percentage of mobile homes, the fire death rate is higher than in counties that are otherwise identical but with a lower percentage of mobile homes. While this result is not new, the relationship between mobile homes and fire deaths may be complex. For example, it may be that mobile homes are in areas where public services are consistently not as good as elsewhere. In addition, it may be that mobile homes are more likely to be occupied by persons who are relatively old and/or who smoke more.

WEALTH

The negative coefficient for the logarithm of the median house value

(logmedval) was strongly negative and statistically significant. Confirming earlier speculation and research, wealth is inversely related to the chances of dying in a house fire. Thus, all else equal, higher wealth is associated with a lower chance of dying in a house fire. Here, too, when similar regressions to model 1 were estimated, using slightly different functional forms for this variable or a slightly different proxy variable, the results were very similar.

HOUSING MARKET CONTROLS

In addition to the variables discussed, a number of housing market control variables were included in the initial regressions. However, except for race, none were statistically significant. In particular, the percent of houses in urban areas, population density, percent of units occupied, percent of owner-occupied units, percent of units that are detached, and the age of the occupants were not found to be significant regardless of the model specification.

While these findings may seem surprising, it may simply be a result of the sample. Were the sample to have had more than just the biggest counties, it is likely that more of the housing market control variables might have been significant. However, because rural counties are not included, the differences in the control variables across the 458 counties in the sample may not be large enough for a correlation to be found. That limitation notwithstanding, the model is well-suited to analyzing counties with large populations.

FUTURE TREND

At present, the model predicts about 8.9 fire deaths per million persons, if average values for all the independent variables are used. However, to better understand the results shown in Table 3, the model can also be used to simulate alternative scenarios by making slight changes to the values of the independent variables.

For example, assuming that household wealth rises by three percent would reduce the fire death rate to 8.72 FDPM and would save 23 lives. The number is not any larger despite the large fall in the FDPM rate because the population is assumed to grow by three million persons per year as well. If household wealth increases by three percent per year for five years, the cumulative increase in wealth could be expected to lower the fire death rate to about 8 FDPM and save roughly 150 lives annually.

The impact of new home construction on fire deaths is slightly more complex. Newly built houses lower the fire death rate as they are safer than existing homes, but they do not lower the number of fire deaths in existing houses. This is because construction of a new house does not, generally, make an old house safer. However, every year, some

new houses are built simply to replace previously occupied units lost through demolition or disaster. And in those cases, the number of fire deaths can be expected to fall.

In 2003, about two million new residential units were built, and on average, about 200,000 occupied units per year are lost due to demolition or disaster.[11] Assuming production in 2004 is the same as in 2003, the percentage of new housing stock will rise by about 1.4 percent and result in the fire death rate falling to 8.8 FDPM, which translates into roughly 12 fewer fire deaths each year. Over five years, the cumulative impact of building 10 million new homes and losing one million older units will reduce the fire death rate to 8.3 FDPM, an improvement of 7.3 percent, and, in the process, reduce the number of fire deaths by about 60 per year, an improvement of only 2.4 percent.

Collectively, these findings suggest that, over the next decade, fire death rates should continue their graceful and gradual decline, with the rate of decline in the fire death rate substantially outpacing the slower rate of decline in the number of fire deaths because of continued population growth. There is, however, a caveat which will in all likelihood exacerbate this phenomenon.

A TROUBLING TRUTH

Increases in household wealth and new home construction do not occur evenly across the nation. To the extent that they do not, the results just provided in the two simulations are optimistic. For example, a hypothetical scenario could be constructed where households in Los Angeles experience a 10 percent increase in household wealth next year, while household wealth is stagnant everywhere else. While algebraically this may be the same as every household in the U.S. having their wealth rise by one-third of one percent, the impact is quite different. This is because Los Angeles has a very low fire death rate, about 2.5 FDPM, and as a result, the increase in wealth will result in relatively few deaths being prevented. By contrast, were an imaginary city equal in size to Los Angeles but with the average fire death rate to enjoy the same rise in household wealth, the number of fire deaths averted would be almost four times as great.

Thus, the distribution of the increases in household wealth matters, and to the extent that areas with high fire deaths experience smaller increases in household wealth and fewer housing starts, this reduces the impact of these variables.

Looking at this same phenomenon slightly differently, in 1979, Maryland had 100 fire deaths, with half of them in Baltimore City. At that time, Maryland had a population of 4.3 million, while Baltimore had a population of 770,000. As a result, the FDPM rate for Baltimore was 61 while it was only 14.4 outside of Baltimore.

Between 1983 and 2001, Maryland experienced a 50 percent decline in its number of fire deaths – in line with the rest of the nation. And, just like in 1983, half of the fire deaths in 2001 were still in Baltimore. However, between 1983 and 2001, the population of Baltimore fell by 125,000 to 645,000, while the population of the rest of the state grew to 5.4 million persons. As a result, the FDPM rate in Baltimore fell from 61 to 39, while in the rest of the state it fell from 14.4 to 6. That is, between 1983 and 2001, the FDPM rate fell by 36 percent in Baltimore but by a whopping 58 percent in the rest of Maryland. As a result, the relative chances of dying in a fire in Baltimore, compared to the rest of the state, went from being less than four times as high to almost seven times as high.

Because increases in wealth do not move in lock-step across the U.S., and because new home construction does not occur evenly in all counties in the U.S. – because not all counties grow at the same rate – many locations, including, but by no means limited to, Baltimore City, can be expected to suffer an increasingly disproportionate number of fire deaths. As a result, their FDPM rates will decline much more slowly than the rest of the nation, and thus their relative fire death rates will precipitously rise. Also, reducing the number of fire deaths in these cities will become increasingly difficult.

Unless this problem is successfully addressed, these locations will increasingly become home to a higher and higher percentage of all U.S. fire deaths. As new homes are rarely built in these areas, building code improvements will not help much, and since wealth gains in these areas are often small, relying on increased wealth to help is also likely to be disappointing. Rather, to overcome this problem, and in the process drive fire death rates and the number of fire deaths down still further, narrowly focused interventions based primarily on the age of housing stock and the wealth of the occupants, within a defined geographic area, are likely to be much more effective.

APPLICATION

This research offers a very powerful, clear-cut, and proscriptive recommendation for saving lives: increase fire prevention efforts where, for example, the housing stock is old and households are poor, with the magnitude of the intervention increasing the older the housing stock and the poorer the area. Doing otherwise wastes resources and withholds help from those who stand to benefit from it most. ▲

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House Fire Deaths

Elliot F. Eisenberg

Over the past two decades the number of individuals dying in fires has fallen dramatically. In 1979 the total number of such deaths was 5,998. By 1999, the latest year for which data are available, the number of such deaths had fallen to 3,354—a decline of 44 percent. This reduction understates the true improvement in fire safety, as the U.S. population grew by almost 50 million persons during this 20-year period. As a result, the fire death rate per million people, a better measure of fire safety, fell from 26.66 in 1991 to 12.30 in 1999—almost 54 percent.

The most common type of fire death is a result of a house fire. Figure 1 shows the total number of fire deaths, and fire deaths that originated in the home, between 1979 and 1999. This excludes arson deaths (which are often categorized as homicides or suicides), fire deaths following car crashes, railway deaths involving fire, and deaths caused by explosive materials. It also excludes forest fires, camp fires, and all other fires that originate outside the home, yet result in the death of an individual in the home. The number of these fire deaths has declined by 45.6 percent, from 4,863 in 1979 to 2,644 in 1999. Taking into account the growth in population, the 45.6 percent decline in house fire deaths translates into a decline in the fire death rate per million persons from 21.6 to 9.7 or 55 percent.

These findings are based on the annual Multiple-Cause-of-Death file collected and compiled by the National Center for Health Services (NCHS), a part of the Centers for Disease Control and Prevention (CDC). Death certificates are coded by local medical authorities and compiled by the states and finally by NCHS. The result is an annual data file that contains a record of all deaths in the United States.

State-by-State

Table 1 looks at fire deaths, and fire deaths per million persons (DPMP) on a state-by-state basis from 1983 and 1999. While the total number of fire deaths is important, it is strongly influenced by the size and population growth of the state. By avoiding these distorting influences fire deaths per million persons (DPMP) is a more useful measure.

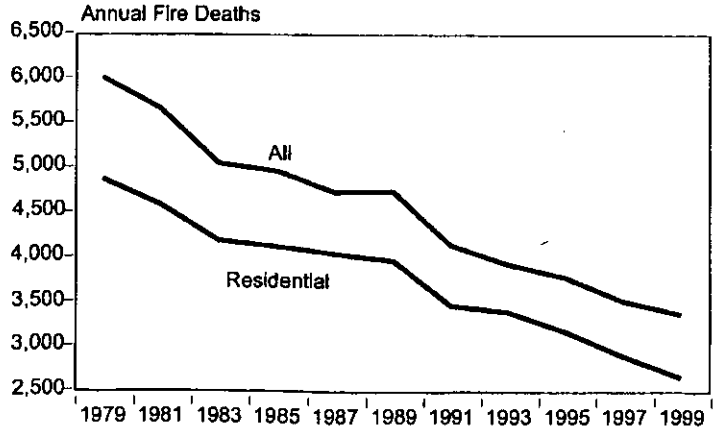
All states did not show a decline in fire deaths between 1983 and 1999 because in some states the number of fire deaths was already so low, or so unusually low in 1983, that a further reduction in the number of fire deaths was not possible.

Fire deaths rates are much higher in the South than in any other region of the nation. Nine of the 10 states with the highest fire DPMP rates are from the South. Fortunately, the DPMP rate in the South, and in other states with relatively high fire death rates, has declined rapidly during the past two decades. Mississippi has seen its rate plummet by 43 percent, while Georgia's rate has fallen by an even larger 57 percent. Other Southern states that have had very large declines in their fire DRMP rate include Louisiana, which enjoyed a reduction of 42.3 percent, and South Carolina who's rate fell by 65.8 percent.

One possible reason for the sharp decline is that due to rapid population growth many southern states have, on average, very new housing stock. Despite that, possible reasons for the continued high fire death rates in these states include lower overall levels of education, a high percentage of the population who live in rural areas, and high percentages of people who smoke and or who are below the poverty line.

A major reason for the large national fall in fire death rates has been due to the many fire safety features in new homes. A combination

Figure 1. Fire Deaths and House Fire Deaths 1979-1999



Source: National Center for Health Statistics, Multiple Cause-of-Death Files 1979-1999.

of improved smoke detector placement and technology, improved fire blocking and stopping—which results in better fire containment which in turn provides more time to escape and or extinguish the fire—better heating and electrical design, resulting in the use of fewer extension cords and space heaters, and improved fire ratings on interior furnishings and building materials have lead the way in reducing U.S. fire deaths.

International

While other countries' fire death rates have fallen over the past 25 years, U.S. rates have fallen significantly faster. Information to help compare the performance of the recent U.S. fire safety record to other countries comes from the National Fire Protection Association (NFPA).

Figure 2 shows that between 1979 and 1999 the decline in the U.S. fire death rate has been the largest in both absolute and percentage terms. In absolute terms the U.S. rate has fallen by over 20 DPMP, which translates to a decline of 57 percent, only France the U.K. and Spain even come close, and in all three cases the decline has been at most 50 percent. Nonetheless, fire death rates are still about 33 percent lower in France and about half as high in Spain and in the Netherlands as they are in the United States.

Closer to home, fire death rates in the U.S. and Canada have been similar for the past 25 years. From 1977 through 1984 the rates were nearly identical in both countries. Since then, however, Canada has consistently had a slightly lower rate than the U.S. with the gap between the two rates fluctuating from a high of 6 DPMP to a low of about 2 in 1999.

While fire death rates in the U.S. have fallen dramatically and are now comparable to rates in some European nations, a recent report by the World Fire Statistics Centre (WFSC) shows that more needs to be done before our rates are in line with most European countries. While the WFSC, and the NFPA get their data from different sources, and thus have results that differ slightly, their conclusions are mutually reinforcing.

The U.S. has traditionally placed greater emphasis on fire suppression than other nations.

It is, however, in fire prevention and safety behavior where the U.S. falls short of the Europeans. In Europe 4 percent to 10 percent of fire department budgets are spent on fire prevention, in the U.S. the rate rarely approaches 3 percent. Also, there is generally much greater cultural awareness of the destructive force of fires in many European and Asian countries due to hundreds of years of experience living in densely populated cities, where fires have periodically threatened large parts of the population and housing stock. Additionally, in the U.S., house fires are considered an inevitable, albeit an unfortunate, part of life, and thus carry no social stigma. By contrast in Europe, and elsewhere, house fires are viewed as preventable. Thus, when they do occur they are a cause of deep personal shame and embarrassment.[1]

Causes of Fires

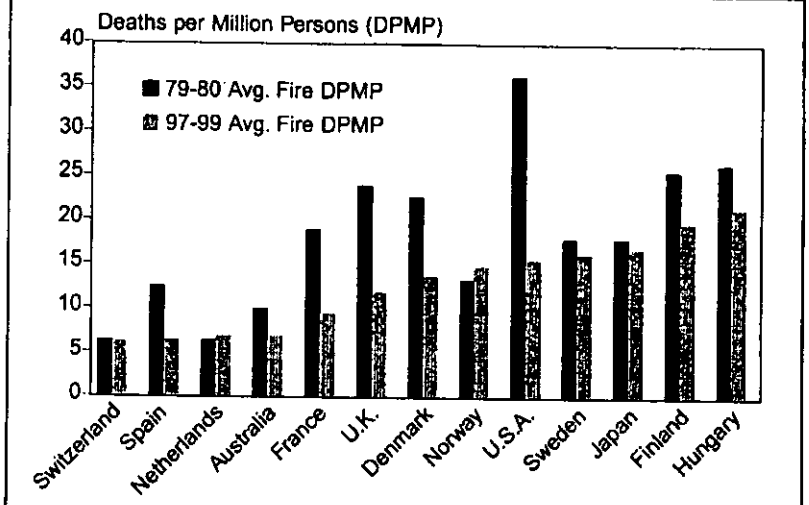
Figure 3 graphs the most common causes of house fire deaths as reported by the United States Fire Administration[2] (USFA). Smoking is the leading cause with more than 25 percent of all residential fire deaths attributable to it. The next most common cause is suspicious activities or arson that accounts for about to 20 percent of residential fire deaths. Cooking fires are next, followed closely by heating, with both cur-

Table 1. State-By-State House Fire Deaths

	Deaths	Per Million		
	1999 Deaths	1983	1999	1999 Rank
United States	2,644	17.8	9.7	NA
Alabama	93	30.8	21.3	50
Alaska	7	35.2	11.3	35
Arizona	35	7.7	7.3	15
Arkansas	33	34.0	12.9	38
California	154	9.4	4.6	6
Colorado	18	8.6	4.4	4
Connecticut	25	7.3	7.6	18
DC	15	33.0	9.6	30
Delaware	10	51.3	13.3	39
Florida	191	13.6	6.0	10
Georgia	110	32.8	14.1	41
Hawaii	2	6.9	1.7	3
Idaho	11	9.1	8.8	26
Illinois	130	17.1	10.7	32
Indiana	59	19.5	9.9	31
Iowa	35	8.6	12.2	37
Kansas	24	12.8	9.0	28
Kentucky	57	23.1	14.4	42
Louisiana	71	28.1	16.2	45
Maine	23	21.8	18.4	48
Maryland	56	22.8	10.8	33
Massachusetts	31	21.2	5.0	7
Michigan	137	17.9	13.9	40
Minnesota	38	14.7	8.0	19
Mississippi	66	41.8	23.8	51
Missouri	49	17.5	9.0	27
Montana	4	19.6	4.5	5
Nebraska	14	12.5	8.4	23
Nevada	12	7.8	6.6	13
New Hampshire	2	18.8	1.7	2
New Jersey	60	15.5	7.4	16
New Mexico	9	7.8	5.2	9
New York	151	12.5	8.3	22
North Carolina	125	24.2	16.3	46
North Dakota	4	11.7	6.3	12
Ohio	126	17.9	11.2	34
Oklahoma	53	26.6	15.8	44
Oregon	29	15.0	8.7	25
Pennsylvania	141	20.5	11.8	36
Rhode Island	5	15.7	5.0	8
South Carolina	56	42.1	14.4	43
South Dakota	6	10.0	8.2	21
Tennessee	111	24.3	20.2	49
Texas	182	19.1	9.1	29
Utah	3	6.9	1.4	1
Vermont	4	53.2	6.7	14
Virginia	59	19.2	8.6	24
Washington	43	10.7	7.5	17
West Virginia	30	26.0	16.6	47
Wisconsin	42	13.5	8.0	20
Wyoming	3	7.8	6.3	11

Source: National Center for Health Statistics, Multiple Cause-of-Death Files 1983-1999.

Figure 2. International Fire Death Comparisons, 1979-1999



Source: World Fire Statistics Centre.

rently accounting for between 10 percent and 15 percent of house fire deaths. The three other most common causes are electrical, open flame and children, each responsible for between 5 percent and 10 percent of all house fire deaths. While there are other causes, none account for more than 4 percent of house fire deaths.

An overarching cause of residential fire deaths is the age of the dwelling. Both known studies that have looked at this question, have found that older structures burn much more frequently than newer ones. A study[3] that examined all residential fire deaths in California between 1986 and 1991 found that the average fatality rate in units that were less than 15 years old was one-eighth as high as the annual average for California's housing stock, and one-tenth as high as the rate for houses more than 15 years old.

Nearly identical results were obtained in a national study conducted by the NAHB in 1987. That study found that the fatality rate for units that were five years old or less was one-fifth as high as the average fatality rate for all housing units and one-sixth as high as the fatality rate for units more than 15 years old.[4]

Conclusion

House fire deaths in the US have fallen dramatically over the past 25 years. During that time the U.S. has gone from being a county where the chances of dying in a house fire were several times higher than in Europe, to being at worst twice as high and in many cases no higher. While any death is a tragedy, the U.S. has made great progress in reducing fire deaths and they no longer represent a large percentage of total deaths.

It was also shown that fire death rates have been decreasing across all states and decreasing most in states with high death rates. Smoking continues to be the number one cause of fatal residential fires, and bedrooms and living rooms are where nearly half of all fire deaths occur. Lastly, older residential structures were shown to have much higher fire death rates than newer ones.

[1] Fire Death Rate Trends: An International Perspective, United States Fire Administration. May 1997.

[2] The data are compiled by the USFA but recorded by 13,000 US fire departments that participate in the National Fire Incident Reporting System (NFIRS). Data is available in *Fire in the United States 1989-1998* 12th Ed.

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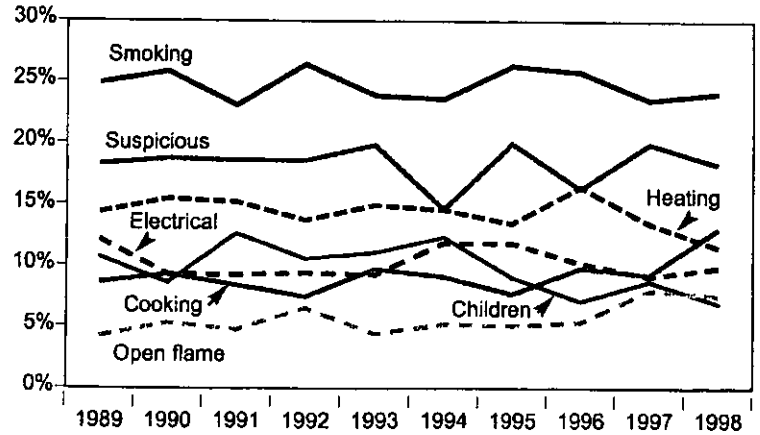
Figure 3. Leading Causes of Residential Fires, 1989-1998



Source: United States Fire Administration.

Every home should have working smoke alarms.

That's the best way to help prevent injury and death from house fires.

In the last 20 years, the number of people who have died as a result of a fire in their homes has plummeted. Why? Experts in the fire protection and building industries agree: The increasing use of smoke alarms, now required in all building codes, is the biggest reason. Technological advances in home construction and better fire safety education are two others.

That's the good news. But we can do more. Even though new homes are significantly safer, there is still plenty of older housing stock in our country that was constructed back in the days when building codes weren't enforced as they are today – or that didn't include today's stringent requirements for electrical safety, heating systems, building materials, construction techniques and emergency escape. Most importantly, everyone would be a lot safer if every house had **working** smoke alarms.

smokealarmswork.com

Think Safety – Today.

The important of operational smoke alarms in preventing residential fire deaths is indisputable. The National Association of Home Builders encourages all home owners to check their own alarms regularly and to support community initiatives to install and maintain smoke alarms in all homes.

Today's Home is Safer.

New homes are built to be more fire-safe than ever before. Technological advancements in construction, more knowledge about how fires start and spread and significant improvements in building science protect today's homes without the need for fire sprinklers. The most significant life-saving advance is the requirement for the installation of sensitive smoke and fire detection systems that are hardwired, interconnected, and have battery back-up. When smoke is detected in any room, every alarm in the home is set off. These systems are in all new homes.

NAHB

SMOKE ALARMS WORK.

Learn the truth about new homes and fire sprinklers.

Some public safety officials and the sprinkler industry have stepped up their campaign to require fire sprinklers in all new single-family homes and townhouses. They say installing sprinklers is cost effective, affordable, and a proven way of making homes safer. They say that the experts are on their side.

They aren't telling you the whole story.

The goal for all public safety officials is to protect against injury and loss of life. In fact, that's a goal we all have in common: fire fighters, sprinkler installers, and home builders, too. But installing fire sprinklers is expensive, and there exists no legitimate study showing that overall, they do a better job of saving lives in home fires.

Most importantly, installing fire sprinkler systems in new homes does not prevent death and injury from fires in older homes. Fire sprinklers may be a solution for those who want them, but they are not a solution for reducing fire deaths where they commonly occur.

Price Does Matter

For each additional $1,000 added to the price of a home, 250,000 potential home buyers are priced out of the market. Using a very conservative estimate of $3,000 for a fire sprinkler system in the average home, 750,000 homebuyers must remain on the sidelines – and not enjoy the safety benefits of a new home.

We also know what it costs to keep fire departments staffed and ready to respond to emergencies. As new homes are built and more families move into a community, it's natural for those costs to rise.

But mandating sprinklers doesn't halt the cost increase. A fire department does lots more than fight fires. Fire fighters field emergency medical requests, respond to traffic accidents, and constantly train and prepare for emergencies. Actual time spent fighting fires? About 3 percent, nationally. Installing sprinklers isn't likely to bring down these fire prevention costs.

Alarms work. Here's why.

Studies show that the risk of fire death is greatest in cases of "delayed discovery", typically when the home's occupants are asleep or when there's a smoldering fire, like one started by an unattended cigarette. Smoke alarms work because they alert occupants in time to react.

Alarms also work because they are cheaper and easier to install – $200-$400 will fully protect a 2,000-square-foot home, while a sprinkler system likely will cost $3,000 and even $4,000 or more for a home of that size. And that's before you take into account the special tanks and pumps the sprinkler system will need if the house is on well water. These estimates are for new construction: Retrofitting an existing home with sprinklers costs significantly more.

Thanks to widespread installation of residential smoke alarm systems in recent years, Americans are safer than they've ever been. In fact, according to an August 2006 U.S. Fire Administration study, only 3.7% of all residential fire deaths from 2001-2004 were reported as occurring in homes with working smoke alarms.

Why is Senate Bill 129 necessary?

Senate Bill 129 is a proactive response to a national movement to mandate the installation of residential fire sprinkler systems in all new one and two-family construction homes.

These two articles are from the pro-sprinkler group ResidentialFireSprinklers.com.

The first article was written before the annual International Code Council (ICC) meeting and it discusses their plan to influence voting members and raise funds for the travel and lodging of fire sprinkler proponents.

The second article was written after they were able to show up en masse and vote to include a mandatory residential fire sprinkler requirement in the 2009 International Residential Code (IRC).

The second article ends with a quote from Ronny J. Coleman, president of the IRC Fire Sprinkler Coalition, **"We're now going to move forward at the state and local level to ensure the new code requirement is adopted."**

While residential fire sprinkler systems are an excellent **option** for homeowners who chose to pay the added expense of installation and upkeep, they should not be forced on Alaskans who are already dealing with a multitude of economic burdens and live in a climate where frozen and burst water pipes are an all too common experience.

Residential Fire Sprinklers .com

USFA Announces Official Support for Residential Fire Sprinklers

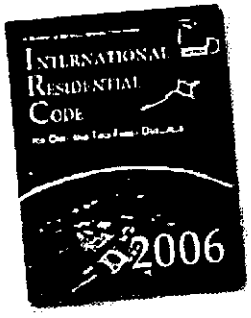
April 28th, 2008 by Ryan J. Smith

On March 28, 2008, the United States Fire Administration (USFA) office delivered a potentially fatal blow to opponents of residential fire sprinkler requirements. For those not familiar with the USFA, it is an entity of the US Department of Homeland Security's Federal Emergency Management Agency (FEMA). In other words, this is the highest government agency in the United States focused on reducing life and economic losses due to fire.

So what impact does this have on residential fire sprinkler requirements? Well, immediately it has little significant impact since the USFA does not directly control the building and fire codes. But, the USFA is a highly visible federal entity that works through research, data gathering and public education to influence the building and fire codes used in the United States.

The USFA's public support of residential fire sprinklers adds a shot of adrenaline to the movement for mandated residential fire sprinklers. Public education on the benefits of residential fire sprinklers will increase and fire service professionals will have a new wave of energy to publicly voice their support.

For many, this official position signals that it is an inevitable reality that residential fire sprinklers will be required in all new home construction in the United States. Others are patiently waiting on the sidelines to see how those opposing residential fire sprinkler requirements will react.



At the center of this intensifying debate are the proposed code changes to the International Residential Code (IRC) which, if passed, will mandate residential fire sprinklers in all new home construction. The IRC is part of the International Building Code (IBC), that is widely adopted as law throughout the United States.

The next revision of the IRC will be published in 2009 and all proposed changes must receive final approval at the September 2008 hearing to be included in this next revision.

A special coalition has been formed with a primary mission to get the votes necessary to pass code changes to the IRC that will require residential fire sprinklers with a zero square foot tolerance. This IRC Fire Sprinkler Coalition is formed as a non-profit organization and provides the many supporters of home fire sprinkler requirements an opportunity to support their voting government officials to ensure these code changes are approved.

Support includes both encouraging voting government officials to vote "yes" on the codes changes and fundraising to cover travel expenses that will be incurred for voting government officials to be present at the September hearing.

The primary opposition has been the National Association of Home Builders (NAHB), which views residential fire sprinkler requirements as unnecessary and too expensive for the benefits they provide; their argument that smoke alarms are sufficient for home fire safety has been countered with firm opposition from the fire prevention and fire fighting communities.

You can bet that with the USFA's official position now made public, the debate of residential fire sprinklers will continue to heat up leading to the September 2008 hearings.

ICC Approves Residential Fire Sprinklers in the International Residential Code

September 21st, 2008 by Residential Fire Sprinklers .com

Voting members of the leading building code body in the nation, the International Code Council (ICC), overwhelmingly supported a residential fire sprinkler requirement for all new one- and two-family homes and townhouses.

Fire service and building code officials united to approve the requirement and countered opposition. The code proposal, RB64, easily overcame a procedural requirement that mandated a super-majority of two-thirds approval. This represents an unprecedented step forward in advancing home fire safety in the United States.

The vote, held today in Minneapolis, was supported by 73 percent of the voting members in attendance.

The IRC Fire Sprinkler Coalition, an association of more than 100 fire service, building code official, and safety organizations representing 45 states, assumed a leadership position and secured unified support for this issue over the past 18 months.

"Our team worked hard to rally support throughout the United States for a residential fire sprinkler requirement, but our supporters deserve the recognition for **showing up en masse in Minneapolis,**" said Ronny J. Coleman, president of the IRC Fire Sprinkler Coalition. "They know from experience that sprinklers are the answer to the nation's fire problem."

Fire deaths in the United States realized a dramatic decline over the past three decades as smoke alarms became common – today, more than 95 percent of homes have them. Still, more than 3,000 people die each year from fire, and a home burns every 80 seconds. Residential sprinklers are the only fire protection technology that works to rapidly contain fire, effectively giving families more time to escape the deadly heat and poisonous gases of an unchecked fire. Therefore, the proposal's passage has also pleased home safety advocates across the country.

"We work with families every day that are directly affected by the ravages of fire," said Meri-K Appy, president of the Home Safety Council. "We are thrilled not only because this moment has taken decades of demanding work to achieve, but because it provides protection for potential victims of future fires."

Kaaren Mann, a fire safety advocate and the mother of a fire victim stated in her testimony, "the cost to put sprinklers into the home where my daughter died would have been less than what I had to pay for the flowers at her funeral."

The sprinkler mandate will first appear in the 2009 International Residential Code® (IRC), which will be published by the end of the year. Forty-six states use the IRC as the basis of regulating new home construction.

"The vote was a historic moment in residential fire safety – and is a significant step in a long journey before sprinklers are installed in every new home," noted Ronny J. Coleman, president of the IRC Fire Sprinkler Coalition. "We're now going to move forward at the state and local level to ensure new code requirement is adopted."

FIRE SPRINKLER TALKING POINTS

Purpose of introducing Senate Bill 129

- Senate Bill 129 is a proactive response to a national movement to require fire sprinkler systems in one and two-family residential dwellings.
- The 2006 International Residential Code (IRC) included residential fire sprinkler requirements as an appendix to the code. This allowed states to adopt the 2006 IRC with the ability to choose whether to adopt or reject the residential fire sprinkler appendix.
- In preparation for the 2008 national meeting to adopt the 2009 IRC, the Fire Sprinkler Coalition, an association of more than 100 fire service, building code officials, and safety organizations held fund raisers and organized the travel for their supporters.
- In September 2008 the 2009 IRC was adopted with the residential sprinkler mandate.
- **According to Ronny J. Coleman, President of the IRC Fire Sprinkler Coalition, "We're now going to move forward at the state and local level to ensure the new code requirement is adopted"**
- Senate Bill 129 would ensure that residential fire sprinklers remain voluntary and still allow local municipalities and private insurance companies to offer incentives to homeowners who chose to make the investment.

New homes are safer than ever before.

- Due in large part to changes in residential construction technology, the number of fatal fires has dropped dramatically in the last 20 years without the installation of sprinklers or the need to mandate them.

- The International Residential Code (IRC) requires hard-wired, interconnected smoke alarms to be installed in all bedrooms, outside of them and on each additional story, including basements.

- Over 90 percent of the occupants survived fires that were reported to have occurred in homes equipped with hard-wired, interconnected smoke alarms from 2000-2004.

- Previously adopted code provisions for fire separation, fire blocking and draft stopping, emergency escape and rescue openings, electrical circuit breakers, capacity and outlet spacing, reduced need for space heaters in energy efficient homes, and many other improvements have allowed today's homes to continue to provide fire protection even as they age.

- A 2006 USFA study on the presence of working smoke alarms in residential fires from 2001-2004 showed that 88 percent of the fatal fires in single-family homes occurred where there were no working smoke alarms. The problem is not homes without sprinklers; **the problem is homes without working smoke alarms.**

Fire sprinklers are not cost effective, and costs are far greater than what advocates say they are.

- Sprinkler costs vary depending on the climate, whether the house is on a public water line, and by the size and layout of the house.
- A conservative cost for Alaska of $4 per square foot for the average 2,400-square-foot house means that a residential fire sprinkler system would cost $9,600.
- A system installed on a home drawing from a private well, as opposed to a municipal water utility, would have an additional cost of $2.50 to $3.00 per square foot.
- For homes on wells, the typical costs are higher because of the need for additional components such as storage tanks and larger pumps and generators for power outages.
- By comparison, whole-house interconnected smoke alarm systems are now being installed for around $50 per alarm.

Significant technical problems still exist.

- Unlike smoke alarms, there is no way to test sprinklers other than applying heat.
- The fire sprinkler valves must be checked periodically to verify the system is activated.
- Sprinkler heads must be checked to make sure they are clear of obstacles.
- Homeowners must be careful not to block them or paint over them.
- Some standards also specify that sprinkler pipes in the antifreeze-type systems installed in colder climates should be emptied and then refilled with an antifreeze solution every winter.
- Sprinklers will discharge water until the fire department has been notified, arrives on the scene, evaluates and determines the structure is safe, and then locates and turns off the water supply.
- Claims that less damage will be caused by a sprinkler than a fire hose are unsubstantiated.

- Additional home flooding risks come from the vulnerability of the pressurized sprinkler heads. They can activate if they are dislodged or disturbed, when there's horseplay or other types of negligence.

- Local requirements for water storage tanks and additional plumbing in the home open up the specter of frozen, pressurized pipes in some parts of the country. Adequately protecting against these problems adds further to the cost of sprinkler systems.

- The reliability of residential fire sprinklers is also questionable. There is no study that shows how long sprinkler systems will last. After smaller recalls by other companies in 1998 and 1999, a major fire sprinkler manufacturer recalled 35 million fire sprinkler heads in 2001.

Installation of residential fire sprinkler systems for one or two-family homes should never be mandatorily required by state or local governments. A homebuilder can arrange for the installation of a sprinkler safety system in your new home or can make the necessary renovations to install one in your existing home. Each homeowner should be able to make their own decision about the type of preventative device they want to use.

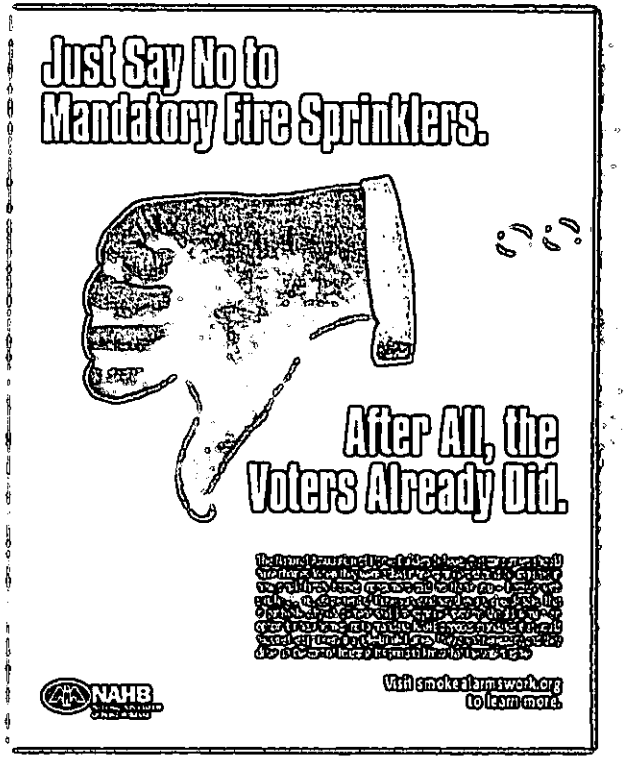
To require these systems, especially in a cold climate region like Alaska, would raise the cost of affordable housing while providing the least cost efficient increase in fire safety for the homeowner.

Advocating Against Sprinkler Mandates

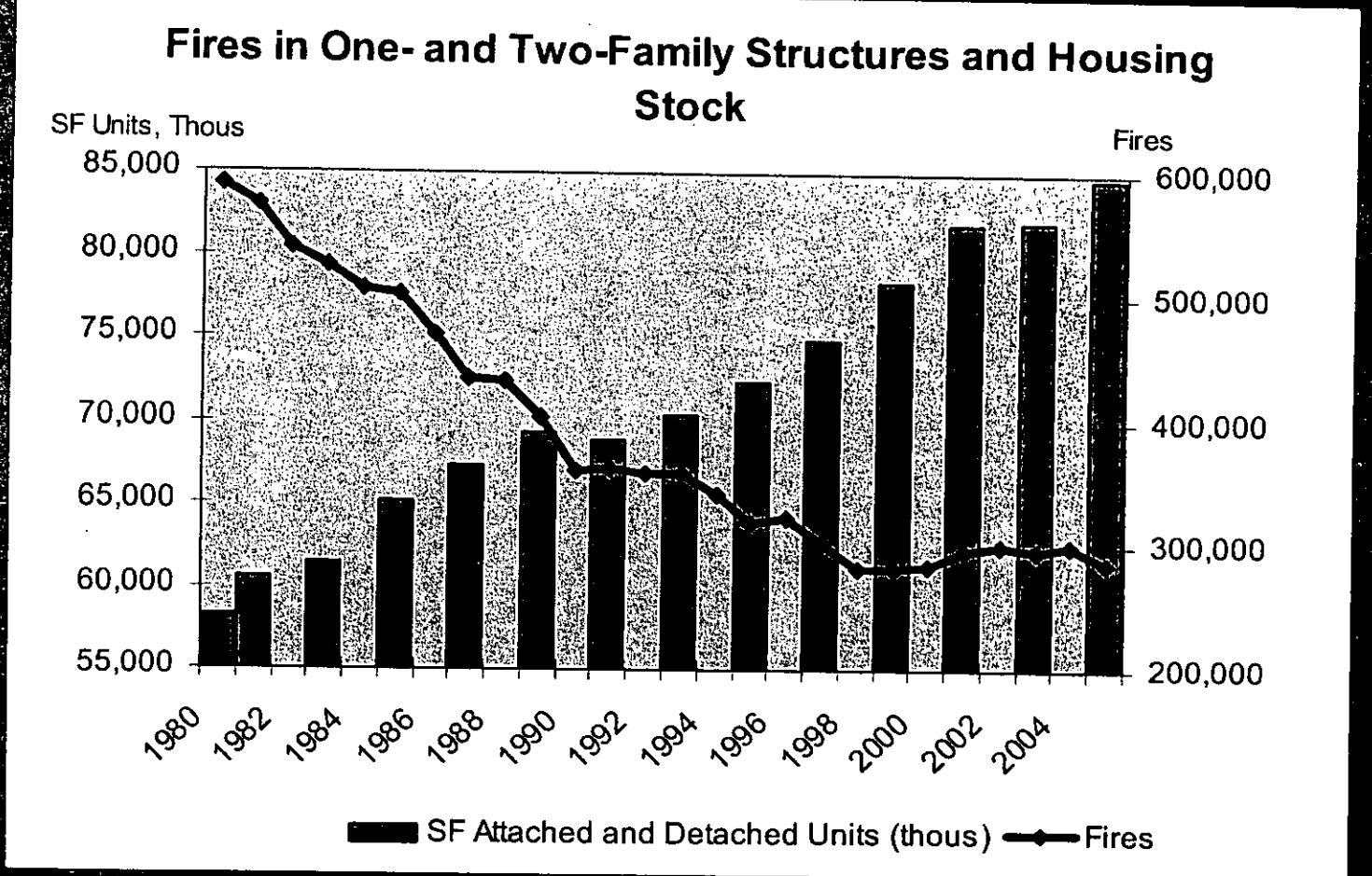
Prepared by the National Association of Home Builders

Fire Sprinklers - Unjustified

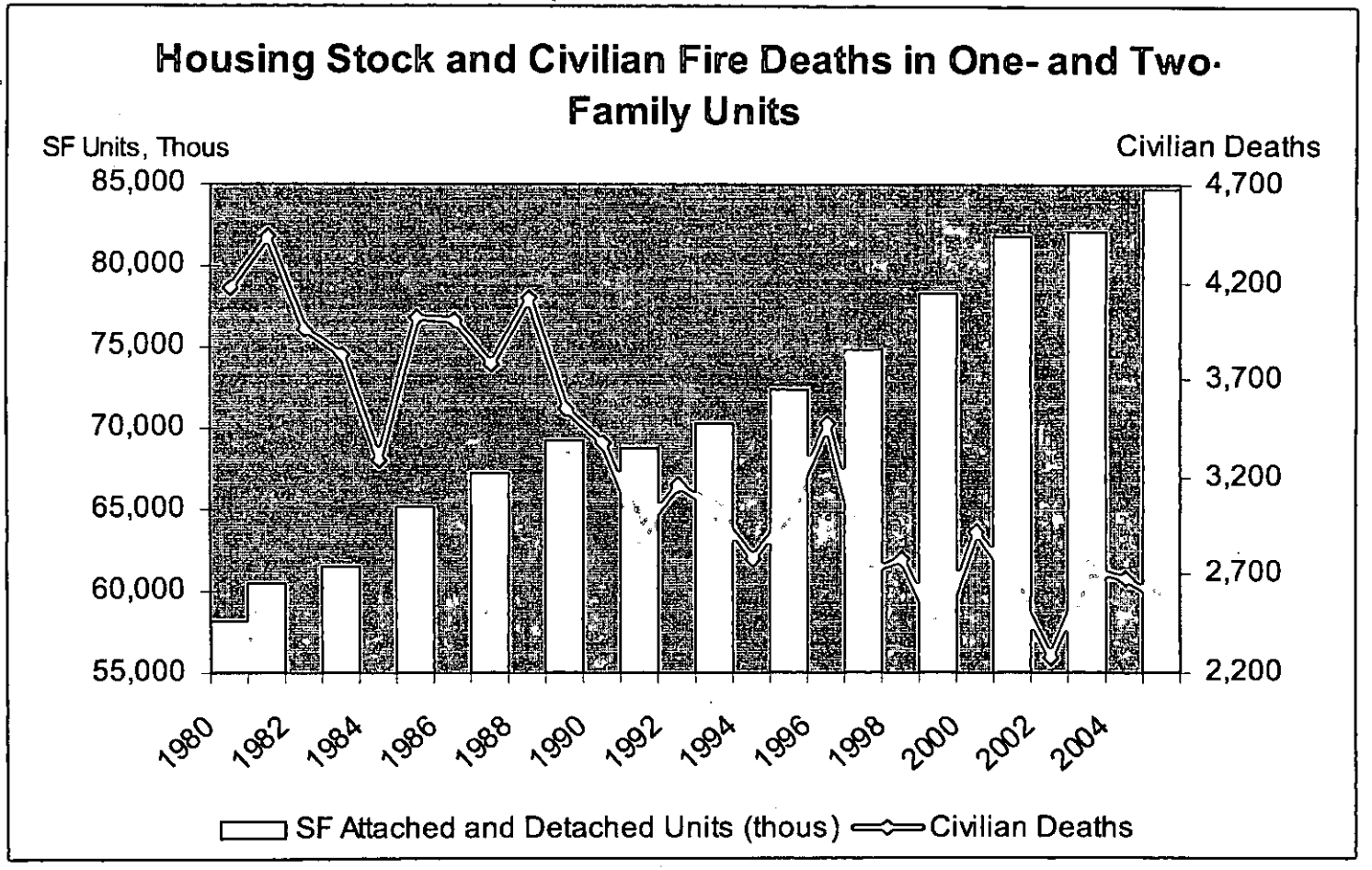
- Current trends in fire incidents do not warrant the installation of fire sprinklers.
- Home fires continue to decline despite the growth in housing stock.
- Fire injuries and deaths continue to decline despite population growth.
- Incidents can be further reduced with new safer housing stock, maintenance of existing smoke alarms, and fire safety education.
- Fires occur in less than four tenths of one percent of existing one- and two-family homes in given year.



The Decline in Home Fires

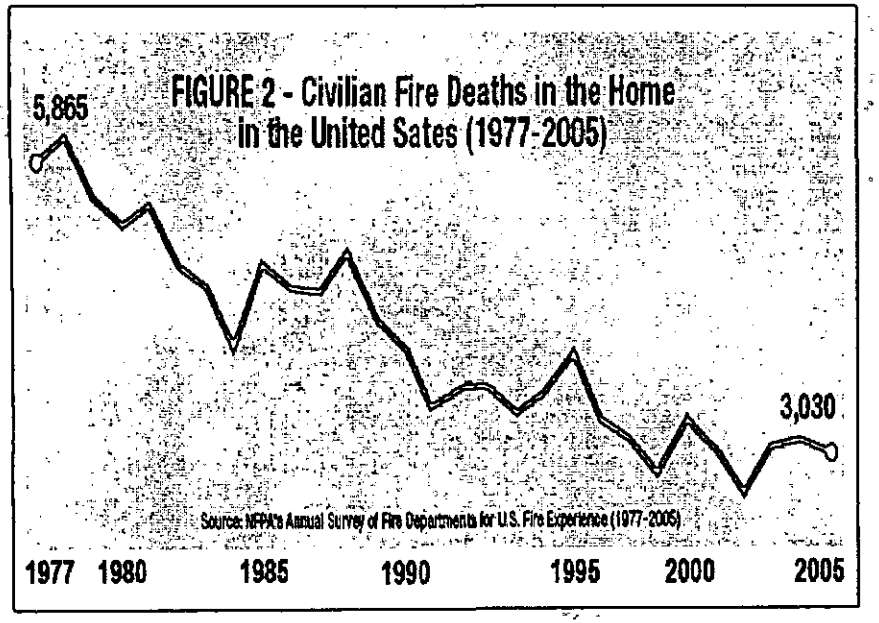


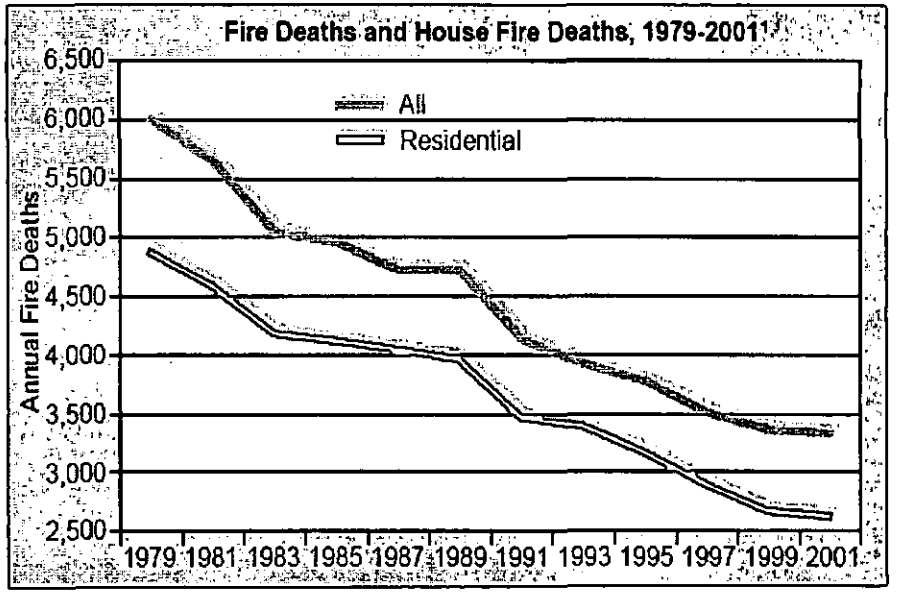
Decline in Home Fire Fatalities



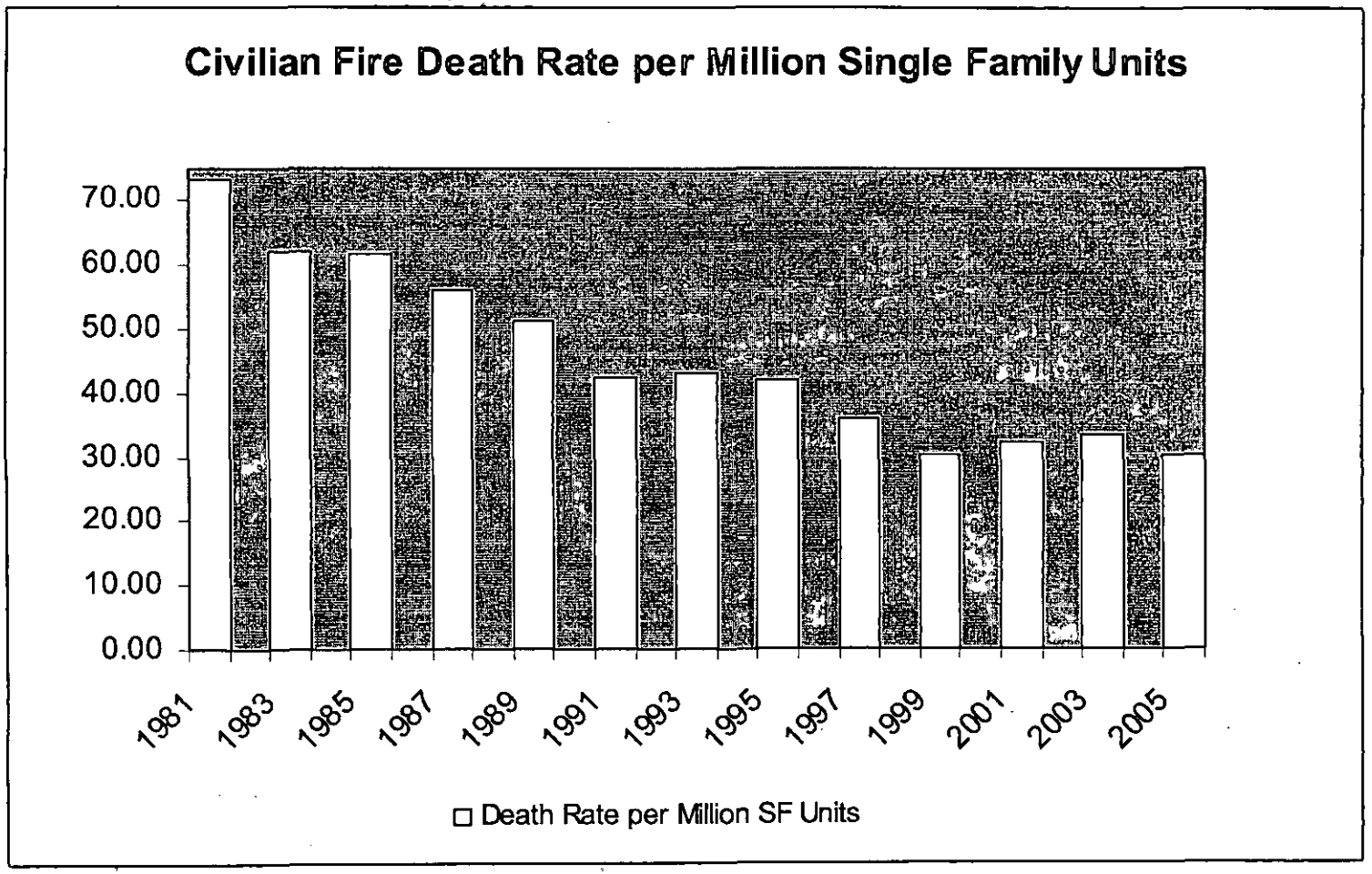
Decline in Home Fire Fatalities (cont.)

- Advances in construction practices and materials, the effectiveness of smoke alarms, and fire prevention and education efforts are working.
- Fire deaths continue to decline year after year.
- 58% drop in the actual fire death rate per million persons from house fires – from 1979 – 2003 according to the Center for Disease Control.



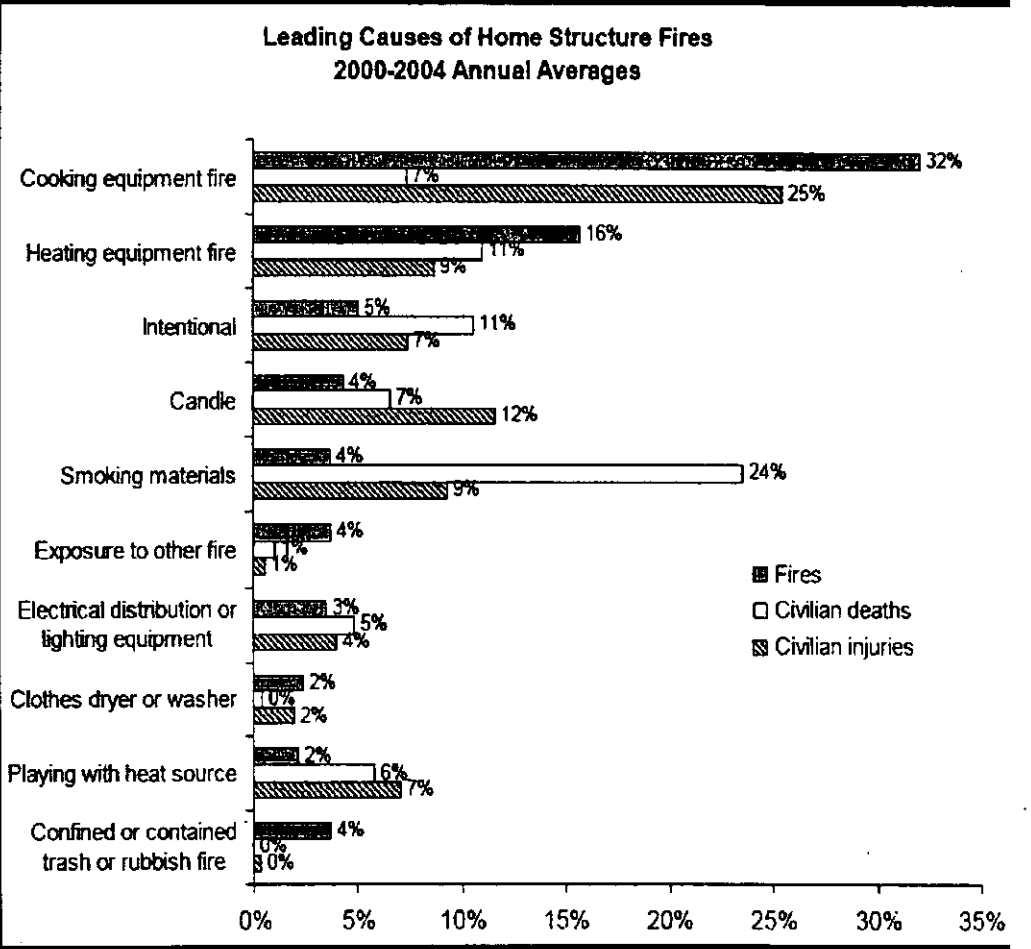


Decline in Fire Death Rate



Leading Causes of Fire

- Smoking materials remain the leading cause of home fire deaths & property damage.
- Only 4% of reported home structure fires were started by smoking materials, but these fires caused 700 or 24% of the home fire deaths.
- Intentionally set fires accounted for 19,000 reported home structure fires and 310 civilian fire deaths.



Source: *Home Structure Fires*, 2007 NFPA

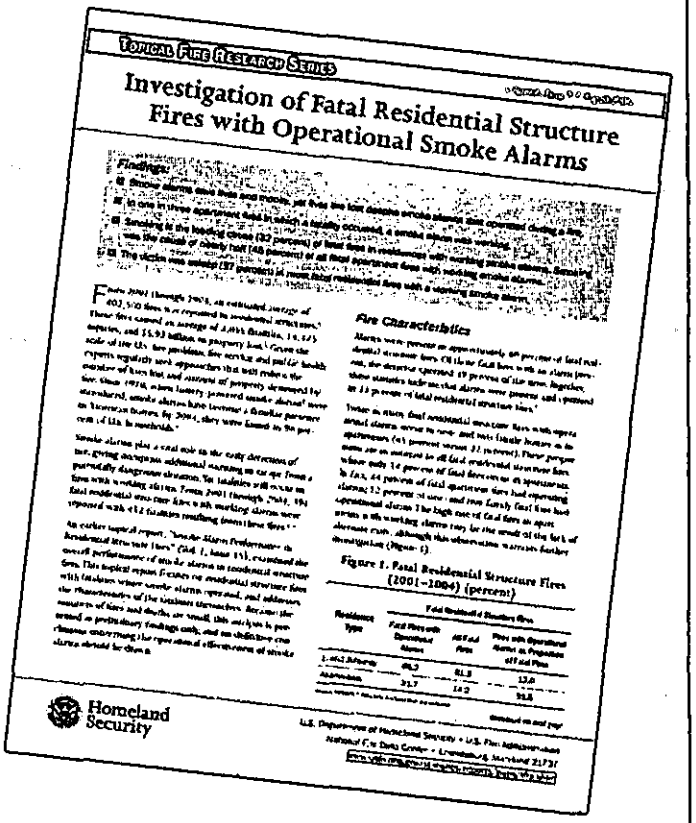
New Homes are Safer

- Mandating fire sprinklers does not target homes where fire deaths are occurring.
- New technology and modern building codes make today's new homes safer
- Code provisions and technological innovations provide safety
  - fire blocking
  - draft stopping
  - emergency escape and rescue openings
  - electrical circuit breakers
  - outlet spacing and capacity
  - fire walls and fire separation
  - Adequate heating systems and energy efficient homes
  - interconnected hardwired smoke detection systems
- Versus older homes with antiquated or nonfunctioning smoke detectors.
  - Must be reached through education and public outreach
  - Very few fire deaths occur in homes with working smoke alarms
  - Smoke alarm technology continues to improve

Smoke Alarms Work

- US Fire Administration and National Fire Protection Association data continue to affirm that the majority of home fire fatalities occur when there are no operational smoke alarms.

- Installing and maintaining smoke alarms is the most practical, cost effective and proven way to reduce home fire fatalities in the U.S.



TOPICAL FIRE RESEARCH SERIES

Investigation of Fatal Residential Structure Fires with Operational Smoke Alarms

Findings

Fire Characteristics

Figure 1. Fatal Residential Structure Fires (2001–2004) (percent)

Homeland Security

Interior Fire Chiefs Association

PO Box 70986, Fairbanks, AK 99707

March 18, 2009

Senator Donny Olson,
Chairman, Community & Regional Affairs Committee

Dear Senator Olson,

The Interior Fire Chiefs Association represents the Fire and Emergency Services Organizations in the Interior of Alaska. This letter is being sent on behalf of our members to express our strong opposition to Senate Bill 129 "An Act relating to state and municipal building code requirements for fire sprinkler systems in certain residential buildings."

This bill attempts to prevent the State of Alaska from adopting regulations for residential sprinkler systems. This is not necessary. I have included a copy of the e-mail response with regards to a question I posed to the State Fire Marshal Dave Tyler on this subject. And he states the following.

"The Division of Fire and Life Safety **does not** have the statutory authority to adopt regulations for residential occupancies which have three units or less. We would need to get statutory authority from the legislature before we could adopt the IRC."

More importantly this bill attempts to take away the ability of a local jurisdiction to make the determination on how best to protect the residents of their community. The International Residential Code (IRC) is a model code that local jurisdictions must adopt. Appendix P of the IRC gives local jurisdictions **the option** to require fire sprinklers through adoption of this appendix. There is no national mandate to do so, it is totally up to local jurisdictions to make that determination.

SB129 would take away from local government bodies, building officials, fire officials, and citizens the ability to use a proven tool to help protect the lives and property of their residents. The Interior Fire Chiefs Association stands opposed to SB129.

If you have any additional questions you may contact me at 907-488-3400.

Sincerely,

Jeff Tucker, Fire Chief
North Star Volunteer Fire Department

On behalf of Buddy Lane, Fire Chief
City of North Pole Fire Department
President, Interior Fire Chiefs Association

Chief Tucker,

Here is the information you requested. The Division of Fire and Life Safety **does not** have the statutory authority to adopt regulations for residential occupancies which have three units or less. We would need to get statutory authority from the legislature before we could adopt the IRC. If we were given the authority to adopt the IRC I am sure that it would also be in statute that we could not adopt the sprinkler portion on a statewide basis. I have attached a copy of the statute that answers your question below. Please let me know if there is anything else I can help with.

Sec. 18.70.080. Regulations.

(a) The Department of Public Safety shall adopt regulations for the purpose of protecting life and property from fire and explosion by establishing minimum standards for

(1) fire detection and suppression equipment;

(2) fire and life safety criteria in commercial, industrial, business, institutional, or other public buildings, and buildings used for residential purposes containing **four or more dwelling units**;

(3) any activity in which combustible or explosive materials are stored or handled in commercial quantities;

(4) conditions or activities carried on outside a building described in (2) or (3) of this subsection likely to cause injury to persons or property.

(b) The commissioner of public safety may establish by regulation and the department may charge reasonable fees for fire and life safety plan checks made to determine compliance with regulations adopted under (a)(2) of this section

David L. Tyler
State Fire Marshal

"Public Safety Through Public Service"

Senator Olson/Ms. Cesar,

I am the Western Regional Manager for the National Fire Protection Association (NFPA). As a major proponent of fire safe cigarettes and coordinator of the fire safe cigarette coalition, I worked with you on your successful bill last year. Thank you for your efforts and hard work ensuring a fire safe Alaska with the passage of the fire safe cigarette legislation.

Interestingly enough, there is a connection between fire safe cigarettes and home fire sprinklers. Your fire safe cigarette bill addressed a major cause of home fatality fires. As you know nearly a quarter of the 3,000 residential fire fatalities are from caused by carelessly discarded smoking materials.

Home fire sprinklers have a greater potential to impact all fire fatalities if they are given a chance to be implemented at the local level. NFPA is opposed to SB 129 because it removes the opportunity for local jurisdictions to even consider whether they want to adopt such measures through their local public hearing process.

I was listening to the public hearing of the Community and Regional Affairs Standing Committee on Tuesday March 17th. Thank you for conducting a fair hearing. I noticed that many of your questions were not specifically answered, and I would like to provide you with answers.

Is it more expensive to rebuild a house after a fire than the cost of providing sprinklers?
Yes. Sprinklers usually cost about 1 to 1.5% of the total cost of construction. A recent study issued by the Fire Protection Research Foundation finds that the national average for the cost of installing sprinklers is about $1.61 per square foot of sprinklered area. This is significantly less than the value to replace damaged property.

A 15 year study conducted in Scottsdale, Arizona – a community requiring fire sprinkler systems in one and two-family dwelling since 1986 – revealed that the average damage from fire is $2,166 for a sprinklered home vs. $45,000 for a home without fire sprinklers. That is a 95% reduction in fire damage and difference of $42,800 average per fire. This figure represents direct property loss and does not include indirect costs such as removal of the home from the tax rolls while it is being repaired or replaced.

Isn't there some sort of insurance break?
Yes. The same report mentioned above indicates that in the United States insurance carriers provide an average of about 7% savings in the insurance premium when fire sprinklers are installed.

Aren't fire alarms often disconnected or disabled?
It is fairly easy to disable fire alarms, and we see it done far too often. Sprinklers are not readily disabled, and there is usually no reason to disable them. This statistic on fire alarms is one of the reasons that sprinklers are needed, similar to why we need to use seat belts even though we have airbags in our cars.

In fact, 34% of fire fatalities occur in homes with working smoke alarms, and 37% of the victims were sleeping.

Have residential fire deaths decreased in the last few decades?
Yes, but more needs to be done with readily available technology.

When smoke alarms were introduced the fire death rate was reduced. Since then the number of fire fatalities has remained stagnant – just over 3,000 people die each year in fires and about 80% of them in homes. More people die each year in fires than in all natural disasters combined.

In Alaska this year, all of the 9 fire fatalities so far in 2009 have occurred in the home.

Recent statistics for Alaska are not good. Since 2005, 92% of the fire fatalities in Alaska have occurred in residential dwellings.

In 2008 there were 19 fatalities with 17 in residences.
In 2007 there were 24 fatalities with 21 in residences.
In 2006 there were 21 fatalities with 20 in residences.
In 2005 there were 20 fatalities with 19 in residences.

Would sprinklers make a difference?
Yes fire sprinklers save lives and property. NFPA has no record of a multiple fatality in a fire when the sprinkler system operated. If a fire does occur, the risk of dying is cut by 80% with sprinklers.

A recent study from Underwriters Laboratories indicates that the time to evacuate a home fire has significantly decreased over the last several decades due to the content of the material in homes. In 1975 occupants had about 17 minutes to evacuate from inception of a home fire. Now evacuation time is estimated to be as low as 3 minutes. Most of this has to do with the type of combustibles we have in our homes.

Additionally, rooms may be untenable for humans within just two minutes, followed immediately by full room involvement of fire. Sprinklers provide time for people to get out or help others get out. Fire sprinklers prevent fire growth and often fully extinguish the fire.

What size of house would be appropriate for sprinklers?
The size of the house doesn't play a significant role. The fact is that fire fatalities occur in large, medium and small homes.

Isn't water damage a problem?
One misconception is that all the sprinklers operate at the same time. This is not true. Individual sprinklers operate when it senses a significant rise in heat from a fire.

Sprinkler malfunctions are extremely rare. The risk is no worse than that from the plumbing system.

Also, insurance carriers generally consider damage from sprinkler water as fire damage. Sprinklers release 10 times less water than a firefighter hoses.

How does this affect rural Alaska?
Having fire sprinklers in your home is like having a firefighter live with you, 24/7. Even if the nearest fire station is many minutes away, fire sprinklers can respond immediately to a fire event, saving life and property, while the firefighters are on their way.

Rural water supplies are not a problem. If well water cannot produce the required demand, a small tank can be provided with either a pump or pressurized gas. These can be protected against freezing conditions.

A recent report by the U.S. Fire Administration and NFPA indicates that communities with fewer than 2,500 residents have a per capita fire death rate almost twice the national rate. Home fire sprinklers can significantly reduce this rural fire burden.

I hope this provides you with answers to your questions from the hearing on Tuesday. Please feel free to contact me if you have any questions. Kendri, I will call you at noon today.

-Ray

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Raymond B. Bizal, PE
Western Regional Manager, NFPA
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Long Beach, CA 90808
Phone (562) 497-1706
Fax (562) 497-1716
www.nfpa.org

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Good morning Senator Olson,

As a follow-up to the letter I sent this morning from the Interior Fire Chiefs Association I wanted to provide you with this information.

Tragically last night the North Star Volunteer Fire Department had its first fire fatality since 2001. The cause of the fire is still under investigation however the mobile home the victim was living in had two entrances. The back entrance was blocked by household clutter. At this time it appears that occupant tried to exit the house through the front door however this is where the fire was located and he was unable to exit the home.

Would a working residential sprinkler system in this home have saved a life? Most probably the answer is yes.

This is a tragic event but dramatically points out that local government needs to have all of the tools available to them to assist in protecting the residents of their jurisdictions. SB129 takes away that local option not only for single family residences but also for assisted living facilities and daycare centers that house children over night.

I testified on the March 17th reference the opposition the Interior Fire Chiefs Association have to this bill. I will be on the teleconference this afternoon and would be willing to comment, if called upon, on the tragic fire last night and how this bill would affect our ability to have the local option to adopt life safety ordinances.

If you have any questions you can call me at the number below or on my cell phone 907-378-4680.

Thank you,

Jeff Tucker, Fire Chief
North Star Volunteer Fire Department
2358 Bradway Road
North Pole, Alaska 99705
(907)-488-3400 - Office
www.northstarfire.org

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ALASKA FIRE CHIEF'S ASSOCIATION

2358 Bradway Road, North Pole, Alaska 99705

Phone: (907) 488-3400 FAX: (907) 488-6118 EIN #92-0098649

17 March 2009

The Honorable Senator Olson
Chair, Senate Community and Regional Affairs Committee

Dear Senator Olson,

The Alaska Fire Chiefs Association opposes Senate Bill 129, "An Act relating to state and municipal building code requirements for fire sprinkler systems in certain residential buildings." The Alaska Fire Chiefs Association represents over 150 Fire and Emergency Leaders representing emergency services throughout Alaska. Our mission is to serve the people of the State of Alaska by influencing fire and emergency service programs and legislation and providing for the safety and well-being of firefighters and their communities. We oppose SB129 because,

1. The bill precludes fire officials from influencing legislation that can reduce the costs of providing fire services. Asset deployment decisions are based in part on the prevalence of existing fire protection systems and water supplies.
2. Precluding a municipality from adopting residential sprinkler standards could result in greater reliance on more expensive alternatives such as equipment, facilities, and staffing.
3. Prohibiting requirements for residential sprinklers may in some cases limit development. Large subdivisions with limited road access would not be allowed absent a residential sprinkler requirement.
4. Residential sprinklers are effective tools at holding residential fires in check, particularly in rural areas with long travel times and water supplies.

We most respectfully urge you to not pass this bill out of committee.

Sincerely,

Doug Schrage, President

Alaska Association of REALTORS
The Voice of Real Estate in Alaska
4205 Minnesota Drive
Anchorage, Alaska 99503
(907) 563-7133

March 13, 2009

The Honorable Linda Menard
Alaska Senate
State Capitol Building
Juneau, Alaska 99801

RE*: SB 129 - *"An act relating to state and municipal building code requirements for fire sprinkler systems in certain residential buildings."

Dear Senator Menard,

The Alaska Association of REALTORS® with over 1,600 members statewide supports Senate Bill 129, which relates residential sprinklers in certain residential buildings.

The Alaska Association of REALTORS® supports SB 129, which is a proactive response to a national movement to require fire sprinkler systems in one and two-family residential dwellings.

Senate Bill 129 would ensure that residential fire sprinklers remain voluntary and still allow local municipalities and private insurance companies to offer incentives to homeowners who choose to make the investment.

The Association would like to extend the exemption in this bill from one and two family up to and including fourplexes which would comply with residential lending guidelines and would offer more affordable housing by decreasing the construction costs of one-four family residential units.

Installation of residential fire sprinkler systems for one-four family residential units should not be required by state or local governments. To require these systems, especially in a cold climate region like Alaska, would raise the cost of affordable housing while providing the least cost efficient increase in fire safety for the homeowner.

The Association encourages the passage of Senate Bill 129.

Sincerely,

Art Clark
AAR President

ASSOCIATION

March 11, 2009

Senator Donny Olson
Chairman, Community & Regional Affairs Committee
State Capitol Room 514
Juneau, Alaska 99801

Dear Senator Olson:

I am writing this letter in support of ***Senate Bill 129 "An Act relating to state and municipal building code requirements for fire sprinkler systems in certain residential buildings."***

I understand the State suffers many fatalities along with millions of dollars in property loss each year. I too feel very strongly that we need to help protect our most vulnerable residents. But unfortunately the most vulnerable are usually on a fixed or very modest income, and I believe that the added cost of fire sprinklers would make it very difficult if not impossible for them to afford a new house with the added protections.

With that being the case, our most vulnerable residents would not benefit at all. I think it would be in everyone's best interest to establish a program to encourage the ***voluntary*** installation of all available fire suppression technologies. I believe if it were like our energy rating for housing, maybe the State through AHFC could give an interest reduction on the mortgage if the house had the highest fire protection possible.

While I believe each Alaskan should be able to choose the appropriate level of home safety for their own dwelling, I am not in favor of ever being required to have **mandatory** fire sprinkler systems in one and two-family residences. I strongly urge legislators to pass this legislation.

As the president of the Mat-Su Home Builders Association representing over 150 members businesses, I hope you take the time to reflect on what the State can do to help all our residents. I truly appreciate you taking the time to read this.

Thank you.

Kyle P. Carr
President

6177 E. Mountain Heather Way, Suite 6, Palmer, AK 99645
Phone (907) 376-2666 Fax (907) 376-2667 Email mshba@mtaonline.net
www.matsuhomebuilders.com

Interior Alaska Building Association
938 Aspen St.
Fairbanks, AK 99709
Phone: 907-455-6650
Fax: 907-455-6640
Email: iaba@mosquitonet.com
www.interioraba.com

March 11, 2009

Senator Donny Olson
Chairman, Community & Regional Affairs Committee
Capitol Building Room 514
Juneau, Alaska 99801

Dear Senator Olson:

The Interior Alaska Building Association (IABA) represents over 200 members locally, and is affiliated with the Alaska State Home Building Association (ASHBA) and the National Association of Homebuilders (NAHB).

As the current president of IABA, I wish to express our support for Senate Bill 129 ***"An Act relating to state and municipal building code requirements for fire sprinkler systems in certain residential buildings."***

The State of Alaska needs to have in place a legislative provision that eliminates any and all future requirements for the State of Alaska or any local jurisdiction to mandate a requirement for the installation of fire sprinkler systems, or suppression systems in one and two-family dwellings.

Senate Bill 129 will put this restriction in place while still allowing Alaskans, who so choose, to install these systems in their homes. This legislation would in no way hinder the ability of local municipalities or state agencies to offer incentives for the voluntary installation of these systems. AHFC could offer interest rate reductions for homes built with, or remodeled to include with these systems. Local boroughs and municipalities could still offer property tax credits to homeowners who have fire sprinklers installed.

It has been proven that, with the increased safety features being utilized in the construction of newer one and two-family dwellings in recent years, the safety of the occupants has increased dramatically, and injuries due to fires has significantly been reduced during the past twenty years.

We feel due to the burden of increased costs, maintenance issues, and many other concerns pertaining to cold climate installations it is not necessary to mandate the installation of fire sprinkler systems or fire suppression systems in one and two-family dwellings. Therefore, we support the Senator Menard's legislation and encourage the legislature to get this legislation passed.

If you have any additional questions you can contact me at 907-460-7687.

Respectfully yours,

David Miller
President
Interior Alaska Building Association

ahba
Affiliated NAHB Inc.
Anchorage Home Builders Association

March 11, 2009

Senator Donny Olson
Chairman, Community & Regional Affairs Committee
State Capitol Room 514
Juneau, Alaska 99801

Dear Senator Olson:

I, Chuck Homan, President of the Anchorage Home Builders Association representing over 300 members locally, and affiliated with the Alaska State Home Building Association (ASHBA), want to express that we agree with the intent of the ASHBA for the State of Alaska and Anchorage in particular in supporting the passage of ***Senate Bill 129 "An Act relating to state and municipal building code requirements for fire sprinkler systems in certain residential buildings."*** We desire to have in place a legislative provision that eliminates any and all future requirements for the State of Alaska or a local jurisdiction to mandate a requirement for the installation of fire sprinkler systems, or suppression systems in one and two-family dwellings.

It has been proven with the increased safety features being utilized in the construction of newer one and two-family dwellings in recent years that the safety of the occupants has increased dramatically, and injuries due to fires has significantly been reduced during the past twenty years.

We feel due to the burden of increased costs, maintenance issues, and all other concerns pertaining to cold climate installations, it is not necessary to mandate the installation of fire sprinkler systems or fire suppression systems in one and two-family dwellings. Therefore, we support the passage of Senate Bill 129 and stand ready to assist in any way possible.

If you have any additional questions you can contact me at 522-3605.

Sincerely,

Chuck Homan

Chuck Homan
President
Anchorage Home Builders Association

Southeast Alaska Building Industry Association

1900 Crest Street, Suite 206 • Juneau AK 99801 • (907) 463-5774 • Fax (907) 463-5821
E-mail: seabia@gci.net • Web site: http://www.seabia.com

2009 Board of Directors

John Wood
President
O'Rourke Construction

Jeff Boman
Vice-President
Corban Custom Construction

Vickie Hutton
Treasurer
Hauber & James Tax & Financial Services

Jamey Young
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Tom Sullivan
Associate Vice-President
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Juneau Excavation

Richard Harris
Builder Director
R.H.D

Alyssa McHenry
Associate Director

Dale Pernula
Associate Director
City & Borough of Juneau

Staff

Valerie Williams
Executive Officer
SE Alaska BIA

Michelle Locks
Executive Assistant
SE Alaska BIA

March 11, 2009

Senator Donny Olson
Chairman, Community & Regional Affairs Committee
State Capitol Room 514
Juneau, Alaska 99801

Dear Senator Olson:

As President of the Southeast Building Association I represent over 85 members locally, in turn our association is affiliated with the Alaska State Home Building Association (ASHBA). I want to express my support for ASHBA's push to stop fire sprinkler mandates for the State of Alaska and Northern Southeast in particular.

As such, we strongly support the passage of ***Senate Bill 129 "An Act relating to state and municipal building code requirements for fire sprinkler systems in certain residential buildings."*** This legislation is critical to eliminate any and all future requirements for the State of Alaska or a local jurisdiction to mandate a requirement for the costly installation of fire sprinkler systems in one and two-family dwellings.

It has been proven with the increased safety features being utilized in the construction of newer one and two-family dwellings in recent years that the safety of the occupants has increased dramatically, and injuries due to fires has significantly been reduced during the past twenty years.

We feel due to the burden of increased costs, maintenance issues, and all other concerns pertaining to cold climate installations that it is not necessary to mandate the installation of fire sprinkler systems in one and two-family dwellings. Therefore, we support the ASHBA's position in working to get this legislation passed.

If you have any additional questions you can contact me at 321-3298.

Sincerely,

John Wood
President
Southeast Alaska Building Industry Association

March 11, 2009

Senator Donny Olson
Chairman, Community & Regional Affairs Committee
State Capitol Room 514
Juneau, Alaska 99801

Dear Senator Olson:

As President of the Kenai Peninsula Builders Association, and on behalf of our membership, I would like to express our concern and opposition to mandating fire sprinklers in one and two family dwellings. We feel that it is vitally important to have legislation in place which would eliminate these requirements.

It is our strong belief that mandating fire sprinklers does not target those homes where fire deaths are occurring, as new technology and more modern and stringent building codes makes today's new homes safer. In addition, we feel that we must consider the collective cost to the community and home buyers, and the actual data which shows that the majority of home fire fatalities occur when there are no operational smoke detectors in place.

Therefore, we wholeheartedly support the passage of ***Senate Bill 129 "An Act relating to state and municipal building code requirements for fire sprinkler systems in certain residential buildings"*** and the Alaska State Home Building Association in their efforts to enact this legislation that would eliminate mandating fire sprinklers in one and two family dwellings.

Please do not hesitate to contact me with any questions you may have, or to further discuss our concerns.

Sincerely,

Jeffrey Twait
President
Kenai Peninsula Builders Association

P.O. Box 1753 • Kenai, Alaska 99611
phone: (907) 283-8071 • fax: (907) 283-8072 • email: kpba@ptialaska.net

SB

137

Alaska State Legislature

Senator Con Bunde

Senate District P
Member: Senate Labor & Commerce Committee

Sponsor Statement
Senate Bill 137

I introduce this bill in response to the many concerns verbalized to me from those in the fishing community and from the Department of Fish and Game questioning whether the time intervals between the Board of Fish meetings should be expanded. (Currently, the time span is three years between meetings.)

One hurdle seems to be the fact that it often can take department biologists up to a year to gather and prepare data to make recommendations to the BOF; and then once the policies are put in place, some feel that there is not enough time between Board meetings for empirical data to be collected and reviewed that can prove or disprove the efficacy of the policy. Perhaps citizens would be better served by lengthening the time between Board of Fish meetings so that the implemented policies have sufficient time to play themselves out and allow for more accurate evaluation.

Another concern expressed to me is the amount of staff time consumed in responding to and revisiting repetitive proposals. It is my hope that the Board can come up with a plan that does not disenfranchise the public process, but can also assist department staff in handling repetitive proposals in a more efficient manner.

I ask for your support of this bill and look forward to the findings resulting from this evaluation.

Preliminary Background Information on the Alaska Board of Fisheries Meeting Cycle Review

Regarding Consideration of SB 137

Prepared for the
Alaska Legislature, Senate Community and Regional Affairs Committee

April 2, 2009

Jim Marcotte
Board of Fisheries Executive Director
Boards Support Section
Alaska Department of Fish and Game
465-4110
jim.marcotte@alaska.gov
www.boards.adfg.state.ak.us

Includes:

- **Long-term meeting cycle**
- **Procedures of out-of-cycle actions**
- **List of meeting (October 2003-March 2009)**
- **2009/2010 meeting schedule**
- **Source of fishery proposals**

ALASKA BOARD OF FISHERIES

LONG-TERM MEETING CYCLE

(Three-year cycle)

The board meeting cycle generally occurs from October through March. The board considers changes to regulations on a region-based schedule. All fisheries are considered when the regional area, shellfish species, or statewide regulations are before the board. The fisheries include subsistence, sport, guided sport, personal use, and commercial. Special petition and agenda change request procedures are available for the board to consider out-of-cycle requests.

NOTES:

1) Statewide shellfish regulations will not be considered every meeting cycle. When setting the future meeting schedule annually, the board will determine whether to consider statewide finfish or shellfish regulations for that meeting cycle.

2) The proposal deadline is April 10 every year. ***If April 10 falls on a weekend, the proposal deadline is the Friday preceding that weekend.***

Meeting Cycle:	2008/2009	2011/2012	2014/2015	2017/2018
Area:				
Prince William Sound Area (All Finfish)				
Southeast/Yakutat Areas (All Finfish)				
Southeast/Yakutat Areas (King Crab, Tanner Crab, Dungeness Crab, Shrimp; and Miscellaneous Shellfish)				

Meeting Cycle:	2009/2010	2012/2013	2015/2016	2018/2019
Area:				
Alaska Peninsula/Aleutian Island Areas (All Finfish)				
Arctic-Yukon-Kuskokwim Areas (All Finfish)				
Bristol Bay Area (All Finfish)				
Statewide Provisions for Finfish				

Meeting Cycle:	2010/2011	2013/2014	2016/2017	2019/2020
Area:				
Cook Inlet Area (All Finfish)				
Kodiak and Chignik Areas (All Finfish)				
King and Tanner Crab, Miscellaneous Shellfish (Statewide, except Southeast/Yakutat)				

THE MEETING CYCLE REPEATS ITSELF EVERY THREE YEARS. This schedule was adopted November 9, 1990, updated October 13, 2006.

Procedures for out-of-cycle actions

Board of Fisheries Agenda Change Request Policy (5 AAC 39.999)

Allows for out of cycle action for:
1. Conservation purpose
2. Correct errors
3. Unforeseen effect
4. Not mostly allocative

(form available)

And for coordination with federal agencies, programs, and laws

Joint Board Emergency Petition Policy (5 AAC 96.625(f))

Allows for out of cycle action for:
1. Unforeseen event that threatens resource
2. Unforeseen situation that would preclude biologically allowable resource harvest

Subsistence Proposal Policy (5 AAC 96.615(a))

Allows for out of cycle action:
1. For fish and game populations not previously considered
2. If expedited review required

Category 2 measures in BS/AI King/Tanner crab fishery (5 AAC 39.998)

Allows for out of cycle action:
1. For achieving consistency with federal Fishery Management Plan

BOARD OF FISHERIES MEETINGS (October 2003 through March 2009)

Meeting dates	Location	Topics	Number of proposals
2003/2004 BRISTOL BAY, A-Y-K, ALASKA PENINSULA CYCLE			
Oct. 1-3, 2003	Anchorage	**Worksession (24 ACRs)**	0
Oct. 4, 2003	Anchorage	Pribilof Islands blue king crab	1
Nov. 12-17, 2003	Anchorage	Statewide finfish	31
Nov. 18-19, 2003	Anchorage	Chignik purse seine coop fishery	6
Dec. 9-17, 2003	Anchorage	Bristol Bay finfish	75
Jan. 12-19, 2004	Fairbanks	Arctic-Yukon-Kuskokwim finfish	32
Feb. 15-26, 2004	Anchorage	Alaska Peninsula/Aleutian Islands finfish	84
Apr. 4-5, 2004	Anchorage	Prince William Sound allocation plan	2
		total for cycle:	**231**
2004/2005 COOK INLET/KODIAK CYCLE			
Jul. 1, 2004	*Teleconference*	Teleconference re Kasilof sockeye	1
Jul. 5, 2004	*Teleconference*	Teleconference re Kasilof sockeye	1
Jul. 19, 2004	*Teleconference*	Teleconference re Kasilof and Kenai late-run sockeye	1
Aug. 4, 2004	*Teleconference*	Teleconference re Cook Inlet eastside commercial and Kenai PU	1
Sep. 28, 2004	*Teleconference*	Teleconference re Kenai River coho	1
Oct. 5-7, 2004	Anchorage	**Worksession (24 ACRs)**	0
Nov. 11-13, 2004	Anchorage	Lower Cook Inlet finfish	34
Nov. 14-17, 2004	Anchorage	Chignik finfish	33
Jan. 7-10, 2005	Anchorage	Kodiak finfish	134
Jan. 17-29, 2005	Anchorage	Upper Cook Inlet finfish	258
Mar. 7-13, 2005	Anchorage	Statewide king and Tanner crab, supplemental issues	68
		total for cycle:	**532**
2005/2006 PWS AND SOUTHEAST CYCLE			
Oct.13-14, 2005	Girdwood	**Worksession (45 ACRs)**	0
Oct. 15-16, 2005	Girdwood	State-waters trawl	3
Nov. 15-16, 2005	Anchorage	Chignik salmon	1
Dec. 1-6, 2005	Valdez	Prince William Sound and Copper River finfish	84
Dec. 29, 2005	*Teleconference*	Teleconference re Adak P-cod	1
Jan. 22-Feb. 1, 2006	Ketchikan	Southeast and Yakutat finfish	142
Feb. 20-26, 2006	Ketchikan	Southeast groundfish, dungeness, shirmp, misc. shellfish; Aleutian Island P-cod	82
Mar. 17-23, 2006	Anchorage	Statewide dungeness, shrimp, misc. shellfish, supplemental issues	107
May 3, 2006	*Teleconference*	Bering Sea crab	1
		total for cycle:	**421**
2006/2007 BRISTOL BAY, A-Y-K, ALASKA PENINSULA CYCLE			
Oct. 12-13, 2006	Anchorage	**Worksession (29 ACRs)**	0
Oct. 14-15, 2006	Anchorage	State-waters trawl	6
Oct. 31, 2006	*Teleconference*	Teleconference re Adak pollock	1
Dec. 4-12, 2006	Dillingham	Bristol Bay finfish	120
Jan. 31-Feb. 5, 2007	Anchorage	Arctic-Yukon-Kuskokwim finfish	56
Feb. 6-11, 2007	Anchorage	Alaska Peninsula/Aleutian Islands finfish	48
Mar. 9-13, 2007	Anchorage	Statewide finfish	29
Apr. 16, 2007	*Teleconference*	Petition on Upper Cook Inlet	1
		total for cycle:	**261**
2007/2008 COOK INLET/KODIAK CYCLE			
Oct. 9-11, 2007	Anchorage	**Worksession (24 ACRs)**	0
Nov. 11-15, 2007	Homer	Lower Cook Inlet finfish	31
Jan. 9-12, 2008	Anchorage	Chignik finfish	12
Jan. 14-18, 2008	Kodiak	Kodiak finfish	38
Feb. 1-12, 2008	Anchorage	Upper Cook Inlet finfish	286
Mar. 3-9, 2008	Anchorage	Statewide king and Tanner crab, supplemental issues	38
April 28, 2008	*Teleconference*	Southeast Chinook sport	1
May 9, 2008	*Teleconference*	Egegik and Ugashik seasons	1
Jun. 26, 2008	*Teleconference*	Cook Inlet dual permit net use	1
		total for cycle:	**408**
2008/2009 PWS AND SOUTHEAST CYCLE			
Oct. 8-10, 2008	Fairbanks	**Worksession (12 ACRs)**	0
Dec. 1-7, 2008	Cordova	Prince William Sound and Copper River finfish	139
Dec. 31, 2008	*Teleconference*	Statewaters P-cod	6
Jan. 21-27, 2009	Petersburg	Southeast Shellfish	66
Feb. 17-27, 2009	Sitka	Southeast Finfish	160
Mar. 16-20, 2009	Anchorage	Statewide Shellfish	19
		total for cycle:	**390**

ALASKA BOARD OF FISHERIES
2009/2010
TENTATIVE MEETING SCHEDULE

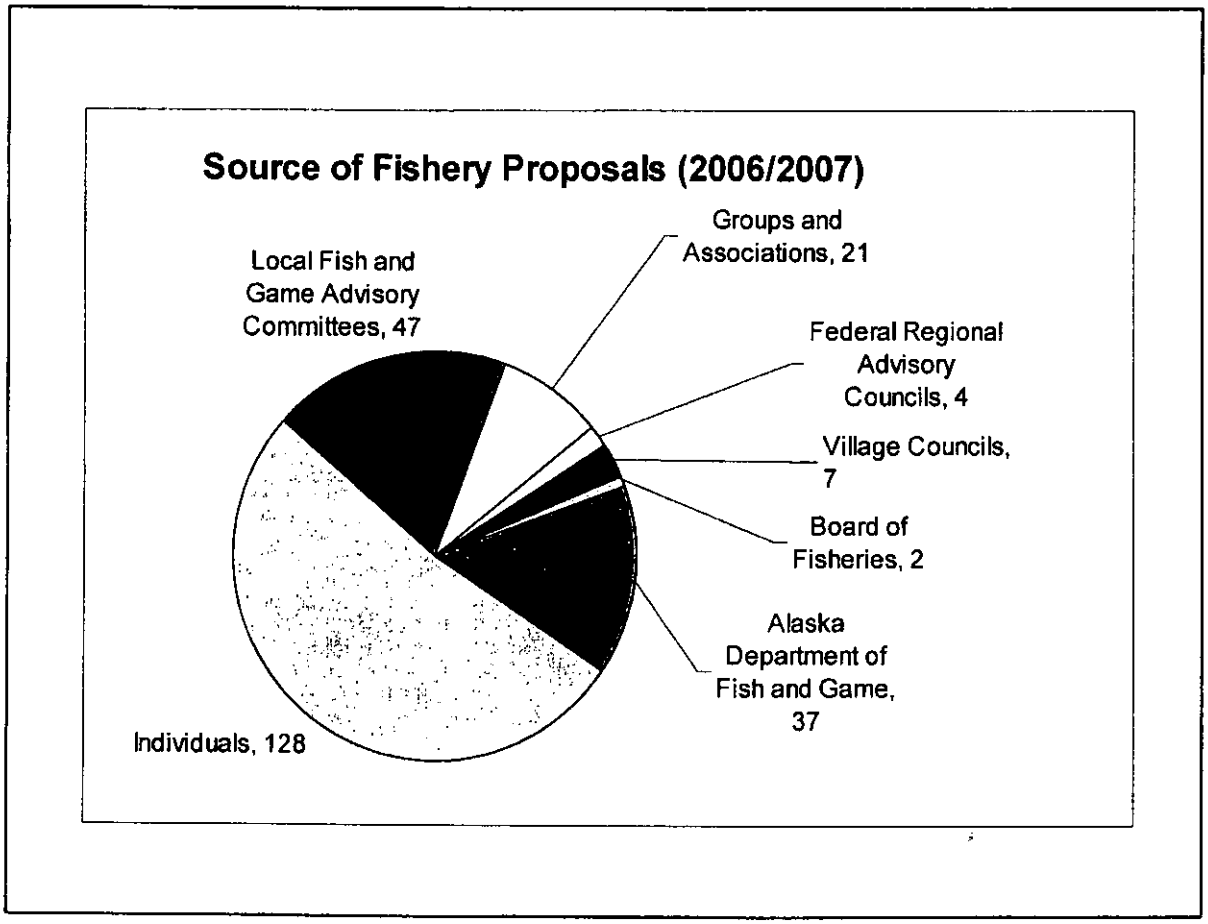
Bristol Bay, Arctic-Yukon-Kuskokwim, and Alaska Peninsula/Aleutian Islands Finfish; Statewide General Finfish Provisions; and Supplemental Issues

PROPOSAL DEADLINE: 5:00 p.m. Friday, April 10, 2009

Dates	Topics	Location	Comment deadline
October 13-14, 2009 [2 days]	**Work Session** ACRs, cycle organization, Stocks of Concern	**Anchorage** Hilton Hotel	Sept. 29, 2009
December 1-8, 2009 [8 days]	**Bristol Bay Finfish**	**Anchorage** Hilton Hotel	Nov. 17, 2009
January 26-31, 2010 [6 days]	**Arctic-Yukon-Kuskokwim Finfish**	**Fairbanks** Princess Lodge	Jan. 12, 2010
February 2-6, 2010 [5 days]	**AK Peninsula/Aleutian Islands**	**Anchorage** Egan Center	Jan. 12, 2010
March 16-20, 2010 [5 days]	**Statewide Finfish and Supplemental Issues**	**Anchorage** Hilton Hotel	Mar. 2, 2010

Total Meeting Days: 26
ACR Deadline: August 28, 2009 (45 days prior to worksession)

Adopted 10/9/08; subject to meeting space availability


Source of Fishery Proposals (2006/2007)
Groups and Associations, 21
Local Fish and Game Advisory Committees, 47
Federal Regional Advisory Councils, 4
Village Councils, 7
Board of Fisheries, 2
Alaska Department of Fish and Game, 37
Individuals, 128

Dear Senator Bunde

4-02-09

We cannot express our gratitude appropriately for your courage and fortitude for taking on this complex issue at this time. The Board of Fisheries and its attendant process has been a great example of public involvement and commitment to the residents of this great state and in general, we have always applauded and approved of this process.

However, there needs to be a solid evaluation of the way we've been doing business on the Board of Fisheries. SB137 provides a mechanism for the ADFG Board of Fisheries to internally evaluate the effectiveness of the current lengths and durations of the Board of Fish cycle as well as the proposal process.

While we may have more definitive ideas as to how this process can be improved, certainly a cursory glance from within is the place to start. In recognizing this, you have put the interests of the fisheries resources as well as the process ahead of the squabbles between user groups.

Our interest in the Board of Fisheries process is in helping to improve a viable and working process, not in amending a broken process. While we have not and will not at this time lay out specific recommendations, we are very concerned about the future of this process and believe that your bill, SB137, provides the right vehicle to address these issues at this time.

If SB137 somehow runs off the track, we will be back in January with a more definitive approach. Your wisdom can be seen in this legislation in allowing the Board to proffer their own ideas and solutions prior to embarking on solutions of our own.

Sincerely

Robert Thorstenson Jr.
Executive Director, SEAS

PO Box 23081, Juneau, AK 99802 ◇ 907-463-5030 ◇ Fax: 907-463-5083 ◇

UNITED FISHERMEN OF ALASKA

211 Fourth Street, Suite 110
Juneau, Alaska 99801-1172
(907) 586-2820
(907) 463-2545 Fax
E-Mail: ufa@ufa-fish.org
www.ufa-fish.org

April 1, 2009

Senator Donny Olson, Chair
Senate Committee on Labor and Commerce
Alaska State Legislature
State Capitol (Mail Stop 3100)
Juneau AK 99801

RE: Support for SB 137 regarding meetings of the Board of Fisheries.

Dear Chairman Olson and Committee members,

United Fishermen of Alaska (UFA) board members and member groups have long term experience with the Board of Fisheries process. There is growing concern with the workload and huge number of issues that the Board addresses, often with multiple proposals on the same topics. The current three year cycle is shorter than the reproductive cycle of our salmon species, except for pink salmon, and is often not enough time to adequately judge the results of past actions. The workload that is placed on the Board is also seen as an impediment to volunteer service, with three to five regular regional meetings that span multiple weeks each year, plus additional special meetings.

There are many opinions on specific changes that might help the Board in its work – and we support giving the Board of Fisheries members the opportunity to assess this and report with their own recommendations. We support SB 137 to respectfully ask the Board their opinion.

Sincerely,

Mark Vinsel
Executive Director

-----Original Message-----
From: CDFU . [mailto:cdfu@ak.net]
Sent: Thursday, March 26, 2009 11:58 AM
To: Senator_Con_Bunde@legis.state.ak.us
Cc: ufa2@ufa-fish.org; cdfu@ak.net
Subject: Support for SB137

Dear Senator Bunde,

I am writing on behalf of the Cordova District Fishermen United Board of Directors, and our membership to support SB137.

CDFU supports efforts that lead to the submission of a report to legislature recommending the expansion of time between meetings, and processes for dealing with repetitive proposals. Recently, during our Prince William Sound Board of Fisheries meeting, there was a proposal to reclassify the Chitina personal use fishery to a subsistence fishery. This was the seventh time this proposal had been discussed during a board cycle. Whilst it is important to allow for an appeal if a group or individual feels their proposal was not given due consideration, allowing the same issue to be debated year after year is wasteful of valuable staff time and resources, and energy consuming for members of the public.

In addition to the reasonings provided in your sponsor statement supporting a greater interval between meetings, it is important to note that the huge expenses associated from hosting, attending and providing data for Board of Fisheries meetings would be significantly reduced. This will free up funding which could be utilized to provide competitive salaries to aid in recruiting and maintaining department employees - an issue ADF&G is repeatedly reporting.

We appreciate you bringing this bill to the table, and look forward to streamlined future processes if the report results in recommendations that address the above issues.

Sincerely,
Rochelle van den Broek

Rochelle van den Broek
Executive Director
Cordova District Fishermen United
P.O. Box 939 :: 509 First Street :: Cordova, Alaska 99574
Ph: 1 (907) 424 3447 :: Fax: 1(907) 424 3430
Email: cdfu@ak.net
Web: http://www.cdfu.org

><(oO))))> ><(oO))))> ><(oO))))>
Preserving our commercial fishery in Prince William Sound Since 1935

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: SB 137
() Publish Date:

Identifier (file name): SB137-DFG-BDS-4-2-09
Title: Report on Meetings of Board of Fisheries
Sponsor: Senator Bunde
Requester: Senate Community & Regional Affairs Committee

Dept. Affected: Fish and Game
RDU: Admin & Support
Component: F&G Bds & Advisory Comm
Component Number: 2825

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2010**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**
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**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2009) cost: 0.0

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*
No fiscal impact to department.

Prepared by: Jim Marcotte, Director — Phone 907-465-6095
Division: Boards Support Section — Date/Time 4/2/2009 2:54:00 p.m
Approved by: Tom Lawson, Director of Administrative Services — Date 4/2/2009
Department of Fish and Game

(Revised 9/10/2008 OMB)

Estimated cost for Commercial Fisheries Division Participation in a Board of Fisheries Meeting
Prepared by Commercial Fisheries Division: John Hilsinger, Director
April 2, 2009

Below are the estimated costs for the Commercial Fisheries Division to participate in a typical 10 – 12 day Board of Fisheries meeting such as might occur for Bristol Bay, Cook Inlet, or Southeast Alaska.

These figures will vary depending on meeting length, location, and proportion of staff that have to travel. A 12 day meeting with all staff traveling probably represents the highest cost that a single meeting would incur. Most such meetings would probably range from $275,000 to 300,000 depending on location.

HEADQUARTERS PERSONNEL

Director	.5 mm	6,700
Deputy Director	1.5 mm	15,750
Fishery Scientist II	.5 mm	6,250
Regulations Specialist	1.5 mm	13,500
	Total	42,200

REGIONAL PERSONNEL

1 Regional Supervisor	1mm	10,000
2 FBIV @ 3 mm each	6mm	52,500
4 FBIII @ 2 mm each	8mm	76,000
3 FBII @ 2mm each	6mm	40,000
3 FBI @1mm each	3mm	16,500
	Total	195,000

TRAVEL

17 people airfare @$500 each	8,500
17 persons ($200/day) x12 day meeting (hotel, food, vehicles)	40,800
Total	49,300

OTHER COSTS

Copying (notebooks/public copies)	8,500
Misc. costs	1,500
Total	10,000

GRAND TOTAL **296,500**

SB 165

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 3/25/09

FURTHER:

Date of 5-Day Notice: _____
(in accordance with Uniform Rule 23)

DATE TURNED IN TO OFFICE: 3/31/09

Community and Regional Affairs Committee considered SENATE BILL NO. 165

SB 165 AUTHORIZING TRANSFER OF RAILROAD LAND

"An Act authorizing the transfer of two parcels of land from the Alaska Railroad Corporation to the Municipality of Anchorage; and providing for an effective date."

and recommends:

[ ] be **replaced** with [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] adopt **previous** [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] attached amendment(s)

[ ] adopt _____Letter of Intent

[ ] 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#
CED	3/30			✓	

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet	Zero	FN#

[ ] **APPROPRIATION - no fiscal note**

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	French	X			
	Thomas	✓			
	Kookesh	X			
	MENARD	X			
CHAIR	OLSON			✓	

ALASKA STATE LEGISLATURE

Finance Committee
•
Health & Social Services Committee
•
Legislative Council
•
Committee on Committees

While in Session
State Capitol, Rm. 103
Juneau, AK 99801
(907) 465-3704
Fax: (907) 465-2529
•
While in Anchorage
716 W. 4th Ave
Anchorage, AK 99501
(907) 269-0169
Fax: (907) 269-0172

SENATE MAJORITY LEADER
JOHNNY ELLIS

SPONSOR STATEMENT – SENATE BILL 165

AN ACT AUTHORIZING THE TRANSFER OF TWO PARCELS OF LAND FROM THE ALASKA RAILROAD CORPORATION TO THE MUNICIPALITY OF ANCHORAGE; AND PROVIDING FOR AN EFFECTIVE DATE

Senate Bill 165 would authorize the Alaska Railroad Corporation (ARRC) to exchange two parcels of land on Government Hill in Anchorage for land owned by the Municipality of Anchorage (MOA). The MOA parcel is of similar value and is located on 3rd Avenue between the A and C Street couplet in Anchorage.

The first ARRC parcel is not contiguous with other ARRC property and does not currently generate lease revenue. It is located near the entrance of Government Hill and was formerly occupied by an auto detailing shop. Once the parcel transfers, the Anchorage School District will use the land to design a safer, more efficient entrance to Government Hill Elementary School. The parcel has an appraised value of $122,800.

The second ARRC parcel is covered under a long-term lease. It was leased approximately six years ago by Jaguar Development Group, LLC for a term of 55 years. The parcel is surrounded by MOA owned or controlled property (Hollywood Drive and the old Hollywood Vista housing complex, demolished in the late 1980s). The site is being redeveloped into a residential subdivision after years of planning by the Government Hill community and the MOA. The MOA will own the parcel after the trade. Fee simple title can then be offered to individual purchasers instead of a lease, through the MOA or its developer. The parcel has an appraised market value of $480,000.

In exchange for the two ARRC parcels, MOA will transfer its parcel to ARRC, which is surrounded by ARRC land. It is currently used for parking and is managed by the Downtown Parking Authority. The MOA property is approximately 20,150 sq. ft. with an appraised market value of $645,000.

The ARRC and MOA properties proposed for exchange have been independently appraised and valued at $602,800 and $645,000, respectively. MOA indicates it expects no additional consideration for its slightly higher valued property.

Adopted: February 17, 2009

Resolution No. 2009-006

Approving Transfer of Real Property to the Municipality of Anchorage

WHEREAS, the Alaska Railroad Corporation (ARRC) is the owner of two separate parcels of land on Government Hill that are proposed for a land swap with the Municipality of Anchorage; and

WHEREAS, one of the parcels, shown on the attached Exhibit A as ARRC Parcel 1, is not contiguous with other ARRC property and does not currently produce lease revenue; all improvements were previously removed from the parcel to expedite the Municipality's movement of gravel from a nearby site to the Port of Anchorage; the parcel presents a physical and legal obstruction to safe and efficient access to the Municipality's Government Hill Elementary School; and

WHEREAS, the second parcel, covered under a long-term lease and shown on the attached Exhibit A as ARRC Parcel 2, is surrounded by municipally owned or controlled property known as the Hollywood Vista site; the site is currently being redeveloped into a residential subdivision after years of planning by the Government Hill community and the Municipality of Anchorage, and ARRC's parcel will be incorporated into the redevelopment; and

WHEREAS, the Municipality would like to acquire the ARRC Parcel 2 in order to more efficiently develop the entire site, allowing the ARRC parcel to be subdivided as part of the overall development which would otherwise be restricted in its use; and

WHEREAS, the Municipality has offered to transfer the land shown on Exhibit A as MOA Parcel 1, which is more desirably located for ARRC use or development, in exchange for both ARRC parcels; and

WHEREAS, the ARRC and municipal properties proposed for exchange have been independently appraised and valued at $602,800 and $645,000, respectively; the Municipality has indicated it expects no additional consideration for its slightly higher valued property; and

WHEREAS, ARRC management recommends approval of this land exchange because the corporation will acquire property of equivalent or greater value that will increase the development potential of a central business district site or could potentially be incorporated in the development ARRC's existing Ship Creek land

holdings, which would increase the value of ARRC's property that surrounds MOA Parcel 1; and

WHEREAS, both ARRC Board approval and legislative approval are required for conveyance of the corporation's entire interest in land under AS 42.40.120(c)(14) and AS 42.40.285(1), respectively.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors has reviewed the proposed transaction and approves the conveyance of Parcels A and B as shown on Exhibit A to the Municipality of Anchorage in exchange for conveyance of MOA Parcel 1 as shown on Exhibit A; and

FURTHER RESOLVED, the President and CEO or his designee is authorized to negotiate such other conditions of transfer and take such other steps as he deems are appropriate and in the best interests of the corporation, including but not limited to seeking legislative approval of the conveyance of the corporation's entire interest in land as required by law.

This is to certify that I am the Secretary of the Board of Directors of the Alaska Railroad Corporation, and the above Resolution No. 2009-006 is a true and correct copy of the resolution adopted by the Alaska Railroad Corporation's Board of Directors at its regular meeting on February 17, 2009.

Date Feb. 17, 2009 James B. Blasingame

James B. Blasingame
Board Secretary

Corporate Seal

February 23, 2009

Representative Nancy Dahlstrom
State of Alaska
House of Representatives

Dear Representative Dahlstrom:

At our February 19th Government Hill Community Council meeting, Ron Pollock, Executive Director and Sue Lukens, Development Director of Anchorage Community Development Authority, asked us to support the bill authorizing the exchange of Alaska Railroad land in Government Hill for Municipality of Anchorage land. Following their presentation and discussion, our council voted to support this legislation.

Two railroad parcels within Government Hill are under consideration for trade. One is a small triangle of land near the entrance to Government Hill Elementary School. Last year, the Municipality of Anchorage purchased a business on this site and razed the derelict building. Mr. Pollock and Ms. Lukens report that this parcel, if owned by the Municipality, will be modified to improve the entrance to the school, which could enhance appearance, traffic flow and student safety.

The second railroad parcel is approximately 1.77 acres located on the south side of Hollywood Drive. Currently, it is leased from the railroad but is included in the Northpointe Bluff Subdivision. If traded to the Municipality, this parcel could be sold to the developer/owner of the subdivision, who, in turn, could sell lots to individual buyers for single family, owner/occupied homes.

Given the future uses of the above two parcels, as stated by the Municipality, Government Hill Community Council supports this land trade. We ask for your support as well.

Sincerely,

Thomas Pease

Thomas Pease
Acting President
Government Hill Community Council

Anchorage School District

5530 E. Northern Lights Blvd.
Anchorage, Alaska 99504-3135
(907) 742-4000

March 10, 2009

The Honorable Nancy Dahlstrom
State of Alaska
House of Representatives

Re: Alaska Railroad/Municipality of Anchorage Land Trade; HB 171

Dear Representative Dahlstrom:

It is my understanding that the above-mentioned bill is being considered at this legislative session.

The land trade proposed between the Alaska Railroad and the Municipality of Anchorage will result in a small parcel of land, directly in front of the entrance to the Government Hill Elementary School, being transferred to the Municipality of Anchorage. Last year the Municipality purchased the business located there, and razed the derelict building. If the parcel is owned by the Municipality it can be used to improve the entrance to the school and enhance student safety there.

The Anchorage School District is in support of this legislation and we urge the legislature to pass the bill in this session.

Thank you for your consideration.

Sincerely yours,

Carol Comeau

Carol Comeau, Superintendent
Anchorage School District

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: SB 165
() Publish Date:

Identifier: SB165-CED-ARR-03-30-09
Title: Land Exchange ARRC and MOA
Sponsor: Senator Johnny Ellis
Requester: Senate Community and Regional Affairs

Dept. Affected: DCCED
RDU
Component: Alaska Railroad Corporation
Component Number

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2010**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**
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**	**0.0**
CAPITAL EXPENDITURES	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
CHANGE IN REVENUES ( )	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2009) cost: 0.0

POSITIONS

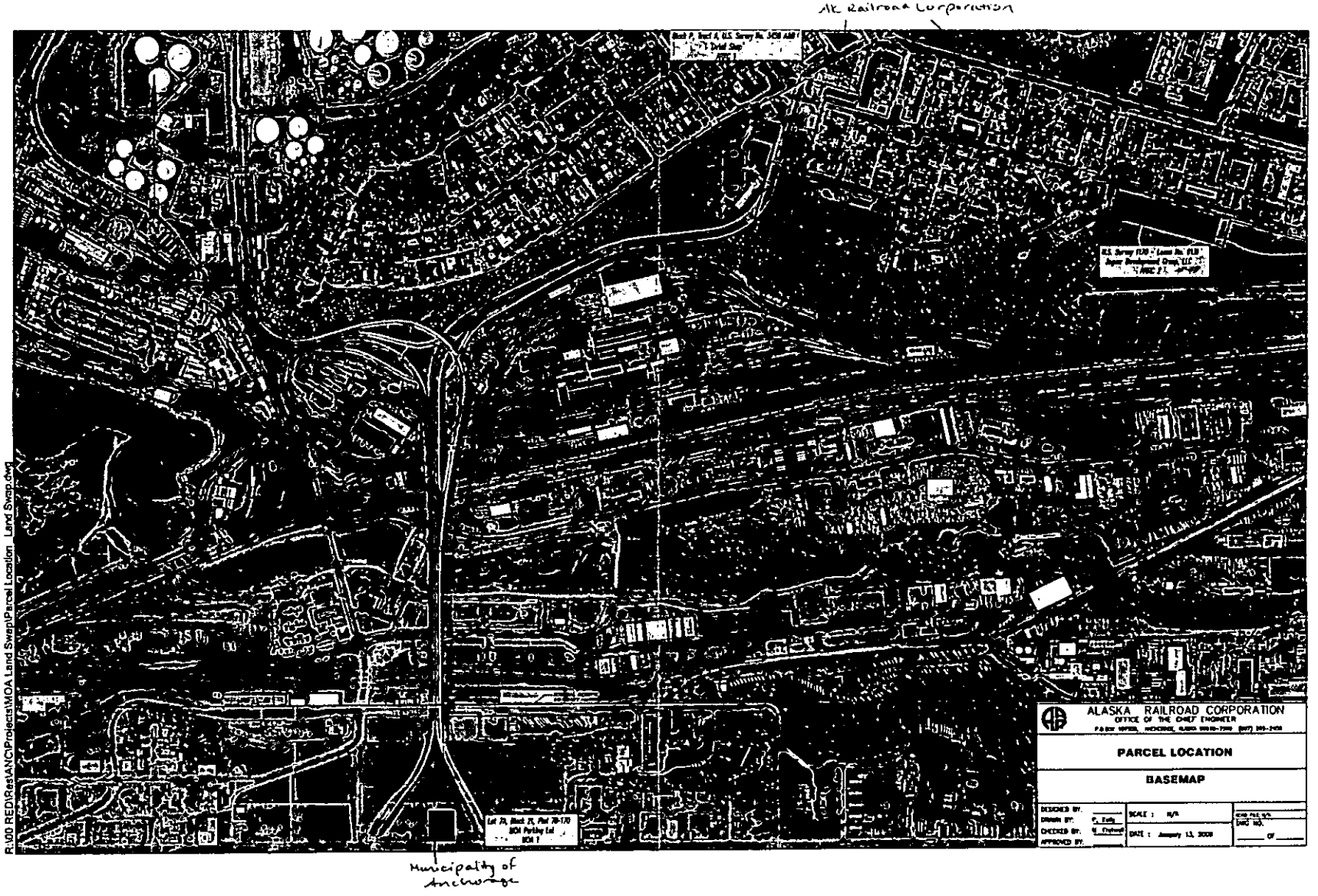
Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

This legislation would authorize the Alaska Railroad Corporation (ARRC) to exchange two separate parcels of rail land on Government Hill in Anchorage with a parcel of land owned by the Municipality of Anchorage (MOA). The two parcels of rail land have been appraised for $602,800. The MOA parcel located on 3rd Avenue between the A and C Street couplet in Anchorage has been appraised for $645,000. The Municipality has indicated it expects no additional consideration for its slightly higher valued property.

Prepared by: Wendy Lindskoog — Phone 265-2498
Division: Assistant Vice President Alaska Railroad Corporation — Date/Time 3/30/09 12:30 p.m.
Approved by: Emil Notti, Commissioner — Date 3/30/2009
Department of Commerce, Community and Economic Development

(Revised 9/10/2008 OMB)


AK Railroad Corporation
Municipality of Anchorage
R:\00 RED\Res\ANC\Projects\MOA Land Swap\Parcel Location_Land Swap.dwg
ALASKA RAILROAD CORPORATION
OFFICE OF THE CHIEF ENGINEER
PARCEL LOCATION
BASEMAP
DESIGNED BY:
DRAWN BY: P. Kelly
CHECKED BY: W. Fleharty
APPROVED BY:
SCALE : N/A
DATE : January 13, 2009

SB 201

ALASKA STATE LEGISLATURE

SENATOR DONALD C. OLSON, CHAIR

SENATOR ALBERT KOOKESH
SENATOR JOE THOMAS
SENATOR HOLLIS FRENCH
SENATOR LINDA MENARD

ALASKA STATE CAPITOL
ROOM 514
JUNEAU, ALASKA 99801-1182
907) 465-3877
FAX: (907) 465-4821

SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

TO: All Committee Members

FROM: Senator Donald Olson

RE: Committee Agenda

LOCATION: Beltz Rom 105 (TSB)

DATE/TIME: Thursday March 25 – 3:30 p.m.

AGENDA

I. Committee Hearings

1. SB 201 Municipal Property Tax

Senator Linda Menard

600 E. Railroad Ave.
Wasilla, Alaska 99654

Phone: (907) 376-3370
Fax: (907) 376-3157

Alaska State Legislature

Sponsor Statement

Senate Bill 201 will increase the municipal property tax exemption on residences of certain seniors with a protection clause that will prevent tax increases on those that don't qualify if proper funds aren't available.

This bill is necessary because seniors are being hit hard by stagnant incomes and tough economic times. Keeping senior citizens and disabled veterans in their homes should be a priority.

My bill will raise the property tax exemption from $150,000 to $200,000 for seniors 65 years of age and older, disabled veterans and residents 60 years old or older who are widows or widowers of a person qualified under the first two exemptions.

Out of concern for the property tax rate applied to those who don't qualify for an exemption, I've included language in my bill that will prevent increases in their taxes due to higher senior exemptions. This language says that a tax exemption increase will only take effect if the commissioner determines enough money has been appropriated to fully fund reimbursements to all municipalities at this increased exemption amount.

Under current property tax exemption laws, the state is directed to fund the difference to municipalities.

Again, seniors are facing some of their toughest times in history. The economy, ravaged retirement accounts and sub-par fixed incomes are mounting up against elderly homeowners who just want to keep their independence. By lifting some of the tax burden on these folks, I believe it will facilitate more confident in home ownership

Please join me in helping ease the burden on what's often been called our "Greatest Generation."

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: SB 201
() Publish Date:

Identifier (file name):SB201-CED-CRA-3-22-10
Dept. Affected: DCCED
Title: Municipal Property Tax Exemptions
RDU: Community Assit and Econ Dev
Component: Community and Regional Affairs
Sponsor: Senators Menard, Huggins
Requester: Senate Community and Regional Affairs
Component Number: 2879

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	**1,290.0**		**1,370.0**	**1,450.0**	**1,540.0**	**1,630.0**	**1,730.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF	1,290.0		1,370.0	1,450.0	1,540.0	1,630.0	1,730.0
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**1,290.0**		**1,370.0**	**1,450.0**	**1,540.0**	**1,630.0**	**1,730.0**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

SB 201 will allow municipalities to increase the senior citizens and disabled veterans property tax exemption to $200,000 from the current $150,000. This increase in the exemption amount can occur only if the legislature allocates funding for the reimbursement of the revenue lost by municipalities for the difference in the two exemption amounts. If there are no funds allocated, the exemption amount remains at $150,000.

Prepared by: Steve Van Sant, State Assessor — Phone 269-4605
Division: Community and Regional Affairs — Date/Time 3/22/10 12:00 AM
Approved by: Emil Notti, Commissioner — Date 3/22/2010
Commerce, Community and Economic Development

(Revised 11/6/2009 OMB)

Senate Bill No. 201
Tax Exemption Changes

Honorable Senator Menard & Huggins
Juneau, Alaska

Donald A. Benson
Box 4059
Palmer, Alaska 99645
907-745-4913

My name is Don Benson and I am a 58 year, life long resident, of District 13 in Palmer. I am in the Construction Industry and am currently in my second term as President of the Matanuska Valley Pioneers of Alaska Igloo 31. The Pioneers of Alaska Membership requirements are 30 years continuous permanent residence in Alaska and are 7000 members strong throughout the State of Alaska. I wish to speak in **support** of **Senate Bill No. 201**

Many of our members and friends are over the age of 65 and have spent most of their lives helping build Alaska. In the hardy Pioneer spirit most of the seniors have decided to spend their retirement years in Alaska—Their Home. Having spent years working around the State of Alaska most retired a few years ago before the rapid change in the economy and the days of $140.00 dollar a barrel oil. Small retirements, medical care, and the cost of living in Alaska have brought some unexpected hardships on the same people who spent their lives making this state what it is.

I urge you strongly to support and pass this bill on behalf of our senior population and Pioneers. Alaska has always been home to most of these Alaskans and we need to insure they can continue to reside here if they wish.

Thank You
Donald A. Benson
Donald A. Benson

BOMA

Anchorage

BUILDING OWNERS & MANAGERS ASSOCIATION

RESOLUTION 2010-02

Building Owners & Managers Association

In the matter of

PROPOSED INCREASES IN THE RESIDENTIAL PROPERTY TAX EXEMPTION

&

OTHER PROPOSED INCREASES IN PROPERTY TAX EXEMPTION AS FOUND IN THE FOLLOWING BILLS

SB120, SB232, SB201, HB38, HB21, HB16 & HB10

WHEREAS, the Building Owners & Managers Association of Anchorage (BOMA) is an organization of commercial property owners, managers, leasing agents and allied professionals with an interest in promoting the professional, educational and legislative interests of the commercial property industry in the State of Alaska.

WHEREAS, BOMA Anchorage is part of the larger BOMA International that has over 108 local associations (with 10 overseas associations), an International headquarters in Washington, DC, and members that own and/or manage more than 9 billion square feet of commercial property.

WHEREAS, locally, the Anchorage association of BOMA represents over 25 million square feet of commercial property in the Municipality of Anchorage.

WHEREAS, BOMA Anchorage members are hard working dedicated professionals.

WHEREAS, the Legislature of the State of Alaska is considering the following bills (SB120, SB232, SB201, HB38, HB21, HB16 & HB 10) which either propose to increase the residential property tax exemption or increase property tax exemptions for other specialty groups to the detriment of lower valued residential homes and commercial land owners.

WHEREAS, 63% of the property in the Anchorage Bowl is residential compared to 29% of the property being commercial. And therefore, a small increase in the

200 W. 34TH, SUITE 205, ANCHORAGE, AK 99503
PHONE (907) 343-2662 FAX: (907) 272-0630
EMAIL: WWW.BOMAANCHORAGE.COM

residential exemption constitutes a large increase in property taxes for commercial property owners.

WHEREAS, an increase in the residential exemption constitutes an inequitable shifting of the Municipality of Anchorage tax base from residential properties (the majority) to commercial properties (the minority).

WHEREAS, Anchorage already has one of the highest property tax rates in the United States and significantly increasing this already high property tax rate for commercial properties will result in:

- lower commercial property values;
- disincentive for new development or redevelopment;
- inability by commercial property owners to secure financing in a gloomy financial market;
- less revenue for commercial property owners to pay operating expenses and mortgages, this during a time when Alaska/Anchorage has slipped into a recessionary period;
- a higher risk of struggling commercial property owners and/or businesses dealing with a recessionary Anchorage market into foreclosure;
- potentially less revenue for the Municipality of Anchorage.

WHEREAS, an increase in commercial property taxes will lead to apartment owners increasing rents to pass along the added cost, this when Anchorage is in a recessionary period, apartment dwellers tend to be lower income families (as compared to home owners) that are less equipped to handle sudden price increases to already high rents and likely causing an increase in vacancies.

WHEREAS, residential home properties that are valued below $250,000 and above $400,000 will actually see an increase in property taxes, making the only party to benefit from these exemptions increase the home owner with a home valued between $250,000 and $400,000 which is a relatively small number of people who will benefit from this exemption.

NOW, THEREFORE, BE IT

RESOLVED, The Board of Directors of the Anchorage Building Owners & Managers Association strongly urges the Senators and Representatives of the State of Alaska Legislature that they **NOT** pass SB120, SB232, SB201, HB38, HB21, HB16 & HB 10.

FURTHER RESOLVED, The Board of Directors of the Anchorage Building Owners & Managers Association urges Senators and Representatives of the State of Alaska Legislature to seek meaningful property tax relief alternatives to help relieve the dramatic increase in property taxes that has occurred over the last few years. Substantially higher property taxes are harming both residential and commercial property owners, with the effect of hindering the Anchorage economy as a whole.

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PASSED AND APPROVED by the Anchorage Building Owners & Managers Association this 2nd day of February, 2010.

Ken Bauer
BOMA Anchorage President

200 W. 34TH, SUITE 205, ANCHORAGE, AK 99503
PHONE (907) 343-2662 FAX: (907) 272-0630
EMAIL: WWW.BOMAANCHORAGE.COM

ALASKA MUNICIPAL LEAGUE
Alaska Conference of Mayors

217 Second Street, Suite 200 · Juneau, Alaska 99801
Tel (907) 586-1325 · Fax (907) 463-5480 · www.akml.org

March 24, 2010

Senator Donny Olson
Senate Community & Regional Affairs Committee
State Capitol
Juneau, Alaska 99811

Dear Senator Olson,

The Alaska Municipal League is opposed to SB 201. While we understand and appreciate the intent of the legislation, we feel that property tax oversight is a local government task.

As this legislation attempts to raise the property tax exemption of seniors and disabled veterans from $150,000 to $200,000, ONLY if the "Commissioner determines that the amount appropriated is sufficient to fully fund reimbursements, we are concerned about the "see-saw" effect this will have on seniors and disabled veterans. From year-to-year, those affected residents will not know whether to plan on the exemption or not.

Secondly, we have been down this property tax exemption road before. As stated in AS 29.45.030 (e)

The real property owned and occupied as the primary residence and permanent place of abode by a (1) resident 65 years of age or older; (2) disabled veteran; and (3) resident at least 60 years old who is the widow or widower of a person who qualified for an exemption under (1) or (2) of this subsection, is exempt from taxation on the first $150,000 of the assessed value of the real property.

Followed by AS 29.45.030 (g)

The state shall reimburse a borough or city, as appropriate, for the real property tax revenues lost to it by the operation of (e) of this section.

This above exemption is not presently reimbursed.

Based on last years' total tax revenues, the amount the State would be required to reimburse would be $13 million. We would suggest that if the Legislature has an extra $13 million that the funds be distributed through the Revenue Sharing program, allowing municipalities to make their own choices (perhaps need based) on property tax exemptions.

In the future, we are concerned that this legislation will be given as much credence as AS 29.45.030 (e) and (g). We will suddenly find ourselves with an exemption NOT funded by the state, but still required of municipalities, regardless of their financial standing. Also, we are very confident that the amount needed to fund the gap between $150,000 and $200,000 will go up every year.

We believe this legislation is poor public policy and would request that this bill not pass your committee.

Sincerely,

Kathie Wasserman

Kathie Wasserman
Executive Director

SB

212

Senator Dennis Egan

Senate Bill 212
Sponsor Statement

Municipal Energy Improvements

Senate Bill 212 gives municipalities a tool to help make homes and businesses more energy efficient. By letting municipalities establish tax lien-based financing programs, the bill helps create jobs, retrofit our built environment and create more sustainable communities.

A municipality that chose to participate could create a special financing district. That district would then issue a bond. Commercial and residential property owners borrow money from the district and make improvements to their homes, businesses and equipment. Owners then make repayments over an extended period through a special annual tax surcharge. Repayments will pay the principal and interest on the bond.

Energy financing districts are a powerful financing tool. Homeowners, businesses, and landlords could borrow funds for energy efficiency and small renewable energy projects. This influx of energy efficiency construction will put Alaska's small and medium-sized contractors to work, generating sustainable, high-quality jobs today while saving Alaskans money into the future.

This innovative financing scheme is friendly to property owners. The benefits and costs of the energy improvement work are attached to the property itself. The obligation is a tax assessment on the property that runs with the property even through an ownership transfer.

The program is optional for municipalities, depending on how relevant the program is to their community needs. Local governments set the interest rate and length of time for repayment.

At least fifteen states have enabling legislation for energy financing districts. Alaskans will be well served by this bill.

ALASKA SENATE
STATE CAPITOL • JUNEAU, ALASKA 99801-1182 • (907) 465-4947 • FAX (907) 465-2108

SENATOR DENNIS EGAN

MEMORANDUM

TO: Senator Donny Olson, Community and Regional Affairs Committee Chair

FROM: Senator Dennis Egan

SUBJECT: SB 212 Hearing Request

DATE: 1/26/2010

I respectfully request a hearing on Senate Bill 212, "An Act authorizing municipalities to designate energy improvements areas and to establish energy improvements program and relating to those programs."

Senate Bill 212 gives municipalities a tool to help make homes and businesses more energy efficient. SB 212 creates a municipal financing mechanism for energy retrofit and renewable energy projects on residential and commercial property.

Thank you for considering a hearing on SB 212. Please feel free to contact me if you have any questions.

Enclosed please find:

- Sponsor statement
- Most current version of the bill
- Sectional analysis (forthcoming)
- Fiscal note (forthcoming)
- No teleconference services needed for testimony
- No specialized equipment needed for testimony

ALASKA SENATE
STATE CAPITOL • JUNEAU, ALASKA 99801-1182 • (907) 465-4947 • FAX (907) 465-2108
SENATOR_KIM_ELTON@LEGIS.STATE.AK.US

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM January 28, 2010

SUBJECT: Municipal energy improvements programs (SB 212, Work Order No. 26-LS1267\A)

TO: Senator Dennis Egan
Attn: Alida Bus

FROM: Tamara Brandt Cook
Director TBC

Section 1. (a) A municipality may designate an energy improvements area and establish an energy improvements program by ordinance to make loans for cost-effective energy improvements to existing buildings. The municipality must provide an explanation of the program to electric and natural gas utilities operating in the area of the proposed program at least 30 days before adopting the ordinance.

(b) A loan under an energy improvements program may be secured with a lien of the benefited property enforceable as provided for special assessments. Other security may be required for the loan.

(c) A municipality may issue special assessment bonds and apply for grants to finance the program.

(d) The Department of Commerce, Community, and Economic Development may lend money to a municipality for a program. The department shall, by regulation, establish the types and extent of energy improvements that may be financed with its loans. The department must consider the amount of energy that can be conserved and the cost-effectiveness of types of improvements.

(e) Defines "energy improvements."

TBC:plm
10-038.plm

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: **SB212**
() Publish Date:

Identifier (file name):SB212-CED-CRA-1-27-10
Dept. Affected: DCCED
Title: Municipal Energy Improvements Program
RDU: Comm Assist and EconDev (405)
Component: Community and Regional Affairs
Sponsor: Senator Egan
Requester: Senate Community and Regional Affairs
Component Number: 2879

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services							
Travel							
Contractual	10.0						
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	***	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

This bill allows municipalities to establish an energy improvements program, allows municipalites to make loans to property owners for energy improvements and allows the department to make loans to municipalities for this purpose.

The department expects approximately $10,000 in legal expenditures to promulgate regulations for the new municipal loan program.

Total operating expenditures are indeterminate at this time due to an unknown appropriation amount and subsequent loan demand and agency workload.

Prepared by: Tyson Fick, Legislative Liaison
Phone 465-2500
Division: Commissioner's Office
Date/Time 1/27/10 12:00 AM
Approved by: Emil Notti, Commissioner
Date 1/27/2010
Department of Commerce, Community and Economic Development

(Revised 11/6/2009 OMB)

SB 232

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 1/19/10

FURTHER: Finance

Date of 5-Day Notice: _____
(in accordance with Uniform Rule 23)

DATE TURNED IN TO OFFICE: 2/18/10

Community and Regional Affairs Committee considered

SENATE BILL NO. 232

SB 232 MUNICIPAL RESIDENTIAL PROPERTY TAXES

"An Act relating to an optional municipal property tax exemption for residential property."

and recommends:

[ ] be **replaced** with [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] adopt **previous** [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] attached amendment(s)

[ ] adopt _____Letter of Intent

[ ] 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#
CED	2/2/10	✓			

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

[ ] **APPROPRIATION - no fiscal note**

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	French	X			
Linda Menard	MENARD	X			
Albert Kookesh	Kookesh	X			
Vice CHAIR: Joe Thomas	Thomas	✓			

ALASKA STATE LEGISLATURE

Session
State Capitol, Rm. 115
Juneau, AK 99801
(907) 465-2435
Fax: (907) 465-6615

Interim
716 W. 4th Ave, Ste. 540
Anchorage, AK 99501
(907) 269-0120
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Senator_Bill_Wielechowski@legis.state.ak.us

Co-chair
Joint Armed Services Committee
Resources Committee

Member
Energy Committee
Judiciary Committee
World Trade Committee

SENATOR BILL WIELECHOWSKI

Sponsor Statement

Senate Bill 232 – Municipal Residential Property Tax Exemption

"An Act relating to an optional municipal property tax exemption for residential property."

Senate Bill 232 gives local governments more control in determining if and how to provide property tax exemptions. This bill allows local governments to increase the allowable municipal property tax exemption from $20,000 to $50,000 and clarifies that the law may be applied to residential rental properties. Any increase in the exemptions allowed under this bill would be subject to final approval of the voters at public election.

This legislation is structured to give local governments more flexibility. Under SB 232, local governments will have the flexibility to classify residential properties as to type, and to exclude, exempt or partially exempt one or more types of residential property.

In recent years, many of Alaska's local governments have dramatically increased property assessments, resulting in significantly increasing costs for homeowners. Senate Bill 232 gives local governments a tool to control how property taxes are apportioned.

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: SB 232
() Publish Date:

Identifier (file name): SB232-CED-CRA-2-2-10
Dept. Affected: DCCED
Title: Municipal Residential Property Taxes
RDU: Community Assist. and Econ Dev.
Component: Community and Regional Affairs
Sponsor: Senator Wielechowski
Requester: Senate Community and Regional Affairs Committee
Component Number: 2879

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
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**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )	**(903.0)**		**(948.0)**	**(996.0)**	**(1,005.0)**	**(1,109.0)**	**(1,150.0)**

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

SB 232 would allow municipalities to increase the current residential exemption from $20,000 per residence to $50,000. This increase will allow municipalities to shift the tax burden away from residential property to other types of properties, such as commercial, vacant and in those municipalities with oil and gas properties, to AS 43.56 property, upon which the state levies a 20 mill tax and refunds the local municipal mill rate to those municipalities.

By increasing this exemption, municipalities will be forced to increase their mill rate to raise the same amount of revenue if no other source of revenue is found. Increasing the local mill rate will increase the amount of taxes that a municipality will levy against AS 43.56 properties thus reducing that amount to the state.

Prepared by: Steve Van Sant, State Assessor — Phone 269-4605
Division: Community and Regional Affairs — Date/Time 2/2/10 12:00 AM
Approved by: Emil Notti, Commissioner — Date 2/2/2010
Department of Commerce, Community and Economic Development

(Revised 11/6/2009 OMB)

AARP Alaska
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February 3, 2010

The Honorable Donald Olson, Chair
Senate Community and Regional Affairs Committee
Alaska State Capitol, Room 508
Juneau, AK 99801-1182

RE: SB 232 (Wielechowski)--Support

Dear Chair Olson:

On behalf of the members of AARP in Alaska, we encourage you and your colleagues on the Senate Community and Regional Affairs Committee to support SB 232, authored by Senator Bill Wielechowski and co-sponsored by Senator Johnny Ellis.

The mainstay of local taxation is the property tax.

The property tax is also the single most burdensome tax for many low-income and older people. It affects older people directly as homeowners but also indirectly as renters, because landlords pass on at least part of any property tax in the form of higher rents.

Many older homeowners made their retirement financial plans based on paying property taxes similar to what they were paying when they turned 65. Most did not expect their property values to increase significantly and did not anticipate the higher property taxes that resulted from the increase in the value of their homes.

In addition, many property owners made their retirement plans based on their income as a couple. When one spouse died, usually the surviving spouse had to live on approximately two-thirds of the previous income. As the surviving spouse saw the value of their home increase, they also faced unanticipated increases in property taxes.

Most older people prefer to stay in their home as long as they can handle the responsibilities of home ownership and their health remains good.

In AARP, we often field calls from retirees, especially widowed persons, who are unable to remain in their homes not for health reasons but because their property taxes have become too financially burdensome.

SB 232 does not mandate additional property tax breaks. It does allow a municipality to determine if it can and should offer additional tax exemptions up to $50,000. This can include rental properties. It requires ratification of an increase by the local voters.

AARP believes that SB 232 offers a municipality the opportunity to give property tax payers a break but the decision to do so is left in the hands of local elected officials and local voters, where it should be.

AARP recommends an "AYE" vote on SB 232.

Should you have any questions about our position, please feel free to contact me (586-3637) or Patrick Luby, AARP Advocacy Director (907-762-3314).

Thank you for your consideration.

Sincerely,

Marie Darlin

Marie Darlin, Coordinator
AARP Capital City Task Force
415 Willoughby Avenue, Apt. 506
Juneau, AK 99801
586-3637 (voice)
463-3580 (fax)

CC: Vice-Chair Senator Bill Thomas
Senator Hollis French
Senator Albert Kookesh
Senator Linda Menard
Senator Bill Wielechowski

SB 308

ALASKA STATE LEGISLATURE

SENATOR DONALD C. OLSON, CHAIR

SENATOR ALBERT KOOKESH
SENATOR JOE THOMAS, VICE-CHAIR
SENATOR HOLLIS FRENCH
SENATOR LINDA MENARD

ALASKA STATE CAPITOL
ROOM 508
JUNEAU, ALASKA 99801-1182
907) 465-3877
FAX: (907) 465-4821

SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

SPONSOR STATEMENT

SB 308 relates to the method the state uses to calculate community population for the purpose of determining state revenue sharing distributions.

This legislation would allow the Department of Commerce, Community and Economic Development (DCCED) to accept the higher of two, credible, population estimates: the Alaska Department of Labor and Workforce Development (DOL) estimate, or the U.S. Census Bureau (USCB) estimate.

Currently, DCCED uses annual community population estimates from DOL to determine revenue sharing distributions. When a community believes its population has been undercounted, it can appeal to DCCED to request an adjustment of the population figure. Over the past ten years, DCCED's appeal process has led to 52 successful appeals resulting in upward revisions to DOL's population estimates.

However the DCCED appeal process, as set out in 3 AAC 180.030 - 050, is onerous for communities, requiring them to conduct either a complete head count census or a housing unit method population estimate including an extensive field survey and census.

This appeal process consumes a great deal of time and money on the part of both DCCED and the communities involved, and DOL does not use the results of a successful appeal as the base population for its future estimates. Communities must undertake additional appeals every two years until the next U.S. decennial census is conducted.

The Census Bureau's population estimate program is a highly-credible, peer-reviewed program and has been estimating populations for Alaskan communities for decades. This legislation would benefit Alaskan communities by allowing DCCED to apply the greater population estimate, either DOL or USCB, and would give the department and communities an alternative to the recurring, expensive and time-consuming process in place today.

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 3/22/10

FURTHER:

Date of 5-Day Notice: _____
(in accordance with Uniform Rule 23)

DATE TURNED IN TO OFFICE: _____

Community and Regional Affairs Committee considered SENATE BILL NO. 308

SB 308 COMMUNITY REVENUE SHARING PROGRAM

"An Act relating to the determination of population for purposes of per capita payment increases under the community revenue sharing program; and providing for an effective date."

and recommends:

[ ] be **replaced** with [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] adopt **previous** [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] attached amendment(s)

[ ] adopt _____ Letter of Intent

[ ] 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#
CED	3/30			✓	

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

[ ] **APPROPRIATION - no fiscal note**

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Kookan	✓			
	MENARD	X			
	Thomas	✓			
CHAIR:	Olson			X	

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: SB 308
() Publish Date:

Identifier (file name):SB308-CED-CRA-3-29-10
Dept. Affected: DCCED
Title: Community Revenue Sharing Program
RDU: Community Assit. and Ec. Dev.
Component: Community and Regional Affairs
Sponsor: Senate Community and Regional Affairs
Requester: Senate Community and Regional Affairs
Component Number: 2879

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
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**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

This bill would would change how the Department of Commerce, Community and Economic Development determines population for the per capita portion of the community revenue sharing program. This bill requires that the annual population determination for a municipality or reserve not be less than the latest estimate by the United States Bureau of the Census.

Although this legislation could result in more appeals, the department does not expect additional expenses as a result of this legislation at this time.

Prepared by: Tara Jollie, Director — Phone 269-4580
Division: Community and Regional Affairs — Date/Time 3/29/10 12:00 AM
Approved by: Emil Notti, Commissioner — Date 3/30/2010
Commerce, Community and Economic Development

(Revised 11/6/2009 OMB)

SB 308 Community Revenue Sharing (CRS) Payment Estimates
Based on FY 11 Preliminary Program Data

Municipalities	Preliminary DCCED 2009 Population	2008 US Census Estimate	SB 308 Population	Estimated FY 11 CRS Payment Status Quo	Estimated FY 11 CRS Payment SB 308	DIFFERENCE
Adak	165	316	316	$104,364	$111,820	$7,456
Akhiok	51	72	72	$98,585	$99,605	$1,019
Akiak	346	309	346	$113,539	$113,322	-$217
Akutan	846	871	871	$138,884	$139,606	$722
Alakanuk	686	711	711	$130,773	$131,596	$822
Aleknagik	229	222	229	$107,608	$107,465	-$143
Aleutians East Borough*	62	56	56	$387,143	$386,804	-$339
Allakaket	100	85	100	$101,069	$101,006	-$63
Ambler	261	322	322	$109,230	$112,121	$2,891
Anaktuvuk Pass	287	251	287	$110,548	$110,368	-$180
Anchorage	290,588	279,243	290,588	$15,209,949	$15,028,019	-$181,930
Anderson	275	271	275	$109,940	$109,768	-$172
Angoon	442	445	445	$118,405	$118,279	-$127
Aniak	485	572	572	$120,585	$124,637	$4,052
Anvik	75	91	91	$99,802	$100,556	$754
Atka	71	71	71	$99,599	$99,555	-$44
Atqasuk	201	203	203	$106,189	$106,163	-$26
Barrow	4,119	4,010	4,119	$304,793	$302,214	-$2,579
Bethel	5,803	6,468	6,468	$390,155	$419,814	$29,660
Bettles	19	38	38	$96,963	$97,902	$939
Brevig Mission	358	275	358	$114,147	$113,923	-$224
Bristol Bay Borough	967	953	967	$433,017	$432,412	-$605
Buckland	432	422	432	$117,898	$117,628	-$270
Chefornak	475	394	475	$120,078	$119,780	-$297
Chevak	945	838	945	$143,902	$143,311	-$592
Chignik	62	63	63	$99,143	$99,154	$11
Chuathbaluk	111	119	119	$101,627	$101,958	$331
Clark's Point	61	75	75	$99,092	$99,755	$663
Coffman Cove	152	176	176	$103,705	$104,811	$1,106
Cold Bay	84	74	84	$100,258	$100,205	-$53
Cordova	2,126	2,242	2,242	$203,767	$208,244	$4,476
Craig	1,101	1,171	1,171	$151,810	$154,625	$2,815
Deering	118	141	141	$101,981	$103,059	$1,078
Delta Junction	1,128	930	1,128	$153,178	$152,472	-$706
Denali Borough*	1,563	1,573	1,573	$463,229	$462,751	-$478
Dillingham	2,264	2,465	2,465	$210,762	$219,408	$8,645
Diomede	117	146	146	$101,931	$103,309	$1,379
Eagle	146	145	146	$103,401	$103,309	-$91
Eek	282	280	282	$110,295	$110,118	-$177
Egegik	73	93	93	$99,700	$100,656	$956
Ekwok	109	130	130	$101,525	$102,508	$983
Elim	297	313	313	$111,055	$111,670	$615
Emmonak	774	841	841	$135,234	$138,104	$2,870
Fairbanks	32,506	35,132	35,132	$1,743,734	$1,854,851	$111,117
Fairbanks North Star Borough*	59,073	60,626	60,626	$3,378,419	$3,419,185	$40,765
False Pass	41	54	54	$98,078	$98,703	$625
Fort Yukon	585	520	585	$125,654	$125,287	-$366
Galena	564	599	599	$124,589	$125,988	$1,399
Gambell	666	647	666	$129,760	$129,343	-$417
Golovin	154	144	154	$103,806	$103,710	-$96
Goodnews Bay	237	230	237	$108,014	$107,865	-$148
Grayling	168	170	170	$104,516	$104,511	-$5
Gustavus	451	355	451	$118,861	$118,579	-$282
Haines Borough	2,286	2,271	2,286	$595,878	$594,446	-$1,431
Holy Cross	187	199	199	$105,479	$105,963	$484
Homer	5,551	5,802	5,802	$377,381	$386,472	$9,091
Hoonah	764	715	764	$134,727	$134,249	-$478
Hooper Bay	1,158	1,109	1,158	$154,699	$153,974	-$725
Houston	1,664	2,153	2,153	$180,348	$203,788	$23,440
Hughes	79	69	79	$100,005	$99,955	-$49
Huslia	265	257	265	$109,433	$109,267	-$166
Hydaburg	340	339	340	$113,235	$113,022	-$213
Juneau	30,661	30,988	30,988	$2,034,211	$2,031,386	-$2,825
Kachemak	430	442	442	$117,797	$118,128	$332

SB 308 Community Revenue Sharing (CRS) Payment Estimates
Based on FY 11 Preliminary Program Data

	Preliminary DCCED 2009 Population	2008 US Census Estimate	SB 308 Population	Estimated FY 11 CRS Payment Status Quo	Estimated FY 11 CRS Payment SB 308	DIFFERENCE
Kake	497	635	635	$121,193	$127,791	$6,598
Kaktovik	286	260	286	$110,497	$110,318	-$179
Kaltag	172	202	202	$104,719	$106,113	$1,394
Kasaan	56	34	56	$98,839	$98,804	-$35
Kenai	7,115	7,742	7,742	$456,660	$483,596	$26,936
Kenai Peninsula Borough*	33,611	31,771	31,771	$2,087,747	$1,974,586	-$113,161
Ketchikan	7,503	7,280	7,503	$476,328	$471,631	-$4,697
Ketchikan Gateway Borough*	5,047	5,205	5,205	$639,833	$644,584	$4,750
Kiana	374	403	403	$114,958	$116,176	$1,218
King Cove	744	734	744	$133,713	$133,248	-$466
Kivalina	410	391	410	$116,783	$116,526	-$257
Klawock	782	736	782	$135,640	$135,150	-$490
Kobuk	122	113	122	$102,184	$102,108	-$76
Kodiak	6,626	6,228	6,626	$431,873	$427,725	-$4,148
Kodiak Island Borough*	6,541	6,407	6,407	$715,564	$704,761	-$10,804
Kotlik	618	649	649	$127,327	$128,492	$1,165
Kotzebue	3,154	3,177	3,177	$255,877	$255,054	-$823
Koyuk	358	296	358	$114,147	$113,923	-$224
Koyukuk	105	89	105	$101,322	$101,257	-$66
Kupreanof	24	21	24	$97,217	$97,202	-$15
Kwethluk	764	715	764	$134,727	$134,249	-$478
Lake & Peninsula Borough*	915	868	868	$430,381	$427,456	-$2,926
Larsen Bay	79	104	104	$100,005	$101,207	$1,202
Lower Kalskag	251	268	268	$108,723	$109,417	$694
Manokotak	438	401	438	$118,202	$117,928	-$274
Marshall	414	382	414	$116,986	$116,727	-$259
Matanuska-Susitna Borough*	69,873	64,848	64,848	$3,925,873	$3,630,555	-$295,318
McGrath	322	351	351	$112,322	$113,572	$1,250
Mekoryuk	174	210	210	$104,820	$106,513	$1,693
Metlakatla	1,398	N/A	1,398	$166,865	$165,990	-$875
Mountain Village	782	826	826	$135,640	$137,353	$1,713
Napakiak	337	353	353	$113,083	$113,673	$590
Napaskiak	428	391	428	$117,695	$117,427	-$268
Nenana	479	344	479	$120,281	$119,981	-$300
New Stuyahok	519	473	519	$122,308	$121,983	-$325
Newhalen	162	128	162	$104,212	$104,110	-$101
Nightmute	264	208	264	$109,382	$109,217	-$165
Nikolai	87	86	87	$100,410	$100,356	-$54
Nome	3,468	3,576	3,576	$271,793	$275,029	$3,236
Nondalton	186	177	186	$105,428	$105,312	-$116
Noorvik	628	660	660	$127,833	$129,042	$1,209
North Pole	2,200	2,212	2,212	$207,518	$206,742	-$777
North Slope Borough*	247	245	245	$396,520	$396,266	-$255
Northwest Arctic Borough*	748	716	716	$421,916	$419,846	-$2,070
Nuiqsut	424	371	424	$117,493	$117,227	-$265
Nulato	240	295	295	$108,166	$110,769	$2,603
Nunam Iqua	156	180	180	$103,908	$105,012	$1,104
Nunapitchuk	539	467	539	$123,322	$122,985	-$337
Old Harbor	193	215	215	$105,783	$106,764	$981
Ouzinkie	170	204	204	$104,617	$106,213	$1,596
Palmer	5,532	8,201	8,201	$376,418	$506,575	$130,158
Pelican	122	127	127	$102,184	$102,358	$174
Petersburg	2,973	2,825	2,973	$246,702	$244,840	-$1,861
Pilot Point	66	80	80	$99,346	$100,005	$660
Pilot Station	577	604	604	$125,248	$126,239	$990
Platinum	57	41	57	$98,889	$98,854	-$36
Point Hope	713	674	713	$132,142	$131,696	-$446
Port Alexander	61	74	74	$99,092	$99,705	$613
Port Heiden	83	95	95	$100,207	$100,756	$549
Port Lions	200	232	232	$106,138	$107,615	$1,477
Quinhagak	680	554	680	$130,469	$130,044	-$426
Ruby	149	165	165	$103,553	$104,261	$708
Russian Mission	363	324	363	$114,401	$114,173	-$227
Saint George	111	118	118	$101,627	$101,908	$281
Saint Mary's	553	548	553	$124,032	$123,685	-$346

SB 308 Community Revenue Sharing (CRS) Payment Estimates
Based on FY 11 Preliminary Program Data

	Preliminary DCCED 2009 Population	2008 US Census Estimate	SB 308 Population	Estimated FY 11 CRS Payment Status Quo	Estimated FY 11 CRS Payment SB 308	DIFFERENCE
Saint Michael	446	366	446	$118,608	$118,329	-$279
Saint Paul	459	415	459	$119,267	$118,979	-$287
Sand Point	1,001	990	1,001	$146,741	$146,114	-$627
Savoonga	721	642	721	$132,548	$132,096	-$451
Saxman	434	370	434	$118,000	$117,728	-$272
Scammon Bay	528	511	528	$122,764	$122,434	-$331
Selawik	849	804	849	$139,036	$138,504	-$532
Seldovia	241	309	309	$108,216	$111,470	$3,253
Seward	2,609	3,126	3,126	$228,251	$252,500	$24,250
Shageluk	97	113	113	$100,917	$101,657	$740
Shaktoolik	231	230	231	$107,709	$107,565	-$145
Shishmaref	606	560	606	$126,718	$126,339	-$379
Shungnak	270	267	270	$109,686	$109,517	-$169
Sitka	8,627	8,889	8,889	$917,304	$925,020	$7,716
Skagway	865	892	892	$427,847	$428,657	$810
Soldotna	4,021	4,386	4,386	$299,825	$315,581	$15,756
Stebbins	605	547	605	$126,668	$126,289	-$379
Tanana	251	268	268	$108,723	$109,417	$694
Teller	261	266	266	$109,230	$109,317	$87
Tenakee Springs	104	91	104	$101,272	$101,207	-$65
Thorne Bay	424	486	486	$117,493	$120,331	$2,839
Togiak	820	811	820	$137,566	$137,053	-$513
Toksook Bay	596	534	596	$126,211	$125,838	-$373
Unalakleet	725	746	746	$132,750	$133,348	$597
Unalaska	3,662	3,532	3,662	$281,627	$279,335	-$2,293
Upper Kalskag	223	230	230	$107,304	$107,515	$211
Valdez	4,498	3,787	4,498	$324,004	$321,188	-$2,816
Wainwright	551	485	551	$123,930	$123,585	-$345
Wales	148	152	152	$103,502	$103,610	$108
Wasilla	7,245	10,256	10,256	$463,250	$609,457	$146,207
White Mountain	202	203	203	$106,239	$106,163	-$76
Whittier	159	159	159	$104,060	$103,960	-$100
Wrangell	2,058	1,990	2,058	$584,320	$583,032	-$1,288
Yakutat	628	657	657	$415,833	$416,892	$1,059
Unincorporated Communities						
Akiachak	645	N/A	645	$68,480	$67,936	-$544
Alatna	22	N/A	22	$33,244	$33,226	-$19
Arctic Village	139	N/A	139	$39,862	$39,744	-$117
Atmautluak	296	N/A	296	$48,741	$48,491	-$250
Beaver	58	N/A	58	$35,280	$35,231	-$49
Birch Creek	34	N/A	34	$33,923	$33,894	-$29
Central	96	N/A	96	$37,430	$37,349	-$81
Chalkyitsik	60	N/A	60	$35,394	$35,343	-$51
Chenega Bay	71	N/A	71	$36,016	$35,956	-$60
Chistochina	95	N/A	95	$37,373	$37,293	-$80
Chitina	117	N/A	117	$38,617	$38,519	-$99
Circle	99	N/A	99	$37,599	$37,516	-$84
Copper Center	297	N/A	297	$48,798	$48,547	-$251
Crooked Creek	131	N/A	131	$39,409	$39,299	-$111
Deltana	2,355	N/A	2,355	$96,000	$96,000	$0
Dot Lake	53	N/A	53	$34,998	$34,953	-$45
Dry Creek	87	N/A	87	$36,921	$36,847	-$73
Eagle Village	54	N/A	54	$35,054	$35,009	-$46
Edna Bay	49	N/A	49	$34,771	$34,730	-$41
Elfin Cove	25	N/A	25	$33,414	$33,393	-$21
Four Mile Road	39	N/A	39	$34,206	$34,173	-$33
Gakona	202	N/A	202	$43,425	$43,254	-$170
Glennallen	473	N/A	473	$58,752	$58,353	-$399
Goldstream	34	N/A	34	$33,923	$33,894	-$29
Gulkana	131	N/A	131	$39,409	$39,299	-$111
Hollis	193	N/A	193	$42,916	$42,753	-$163
Hyder	87	N/A	87	$36,921	$36,847	-$73
Kasigluk	567	N/A	567	$64,069	$63,590	-$479
Kenny Lake	412	N/A	412	$55,302	$54,954	-$348

SB 308 Community Revenue Sharing (CRS) Payment Estimates
Based on FY 11 Preliminary Program Data

	Preliminary DCCED 2009 Population	2008 US Census Estimate	SB 308 Population	Estimated FY 11 CRS Payment Status Quo	Estimated FY 11 CRS Payment SB 308	DIFFERENCE
Kipnuk	671	N/A	671	$69,951	$69,384	-$566
Klukwan	72	N/A	72	$36,072	$36,011	-$61
Koliganek	182	N/A	182	$42,294	$42,140	-$154
Kongiganak	465	N/A	465	$58,300	$57,907	-$392
Kwigillingok	365	N/A	365	$52,644	$52,336	-$308
Lime Village	32	N/A	32	$33,810	$33,783	-$27
Manley Hot Springs	81	N/A	81	$36,581	$36,513	-$68
McCarthy	51	N/A	51	$34,884	$34,841	-$43
Mentasta	120	N/A	120	$38,787	$38,686	-$101
Minto	191	N/A	191	$42,803	$42,641	-$161
Naukati Bay	118	N/A	118	$38,674	$38,574	-$100
Nelchina/Mendeltna	108	N/A	108	$38,108	$38,017	-$91
Newtok	355	N/A	355	$52,078	$51,779	-$300
Nikolski	33	N/A	33	$33,866	$33,839	-$28
Northway	224	N/A	224	$44,669	$44,480	-$189
Oscarville	109	N/A	109	$38,165	$38,073	-$92
Paxson	28	N/A	28	$33,584	$33,560	-$24
Pitka's Point	113	N/A	113	$38,391	$38,296	-$95
Point Baker	27	N/A	27	$33,527	$33,504	-$23
Port Protection	72	N/A	72	$36,072	$36,011	-$61
Red Devil	44	N/A	44	$34,489	$34,451	-$37
Silver Springs	178	N/A	178	$42,067	$41,917	-$150
Slana	102	N/A	102	$37,769	$37,683	-$86
Sleetmute	71	N/A	71	$36,016	$35,956	-$60
Stevens Village	64	N/A	64	$35,620	$35,566	-$54
Stony River	48	N/A	48	$34,715	$34,674	-$41
Takotna	53	N/A	53	$34,998	$34,953	-$45
Tanacross	203	N/A	203	$43,481	$43,310	-$171
Tatitlek	83	N/A	83	$36,694	$36,624	-$70
Tazlina	207	N/A	207	$43,708	$43,533	-$175
Tetlin	97	N/A	97	$37,486	$37,404	-$82
Tok	1,429	N/A	1,429	$96,000	$96,000	$0
Tolsona	64	N/A	64	$35,620	$35,566	-$54
Tuluksak	471	N/A	471	$58,639	$58,242	-$397
Tuntutuliak	384	N/A	384	$53,718	$53,394	-$324
Tununak	330	N/A	330	$50,664	$50,386	-$278
Twin Hills	74	N/A	74	$36,185	$36,123	-$62
Venetie	185	N/A	185	$42,463	$42,307	-$156
Whale Pass	60	N/A	60	$35,394	$35,343	-$51
Whitestone	173	N/A	173	$41,785	$41,639	-$146
				$58,485,000	$58,485,000	$0

*Note: For boroughs that have cities within their boundaries, the "2008 US Census Estimate" and "SB 308 Population" were determined by taking the greater of each borough's areawide DCCED vs US Census Estimate minus the SB 308 population of each city located within its boundaries.

Senator Joe Thomas
March, 2010

Calculation and Distribution of FY12 Revenue Sharing Payments under SB 308

Timeline for Population Determination for Boroughs and Census areas:

January, 2011: DOL provides 2010 population estimate.

March, 2011: US Census provides 2010 population estimate.

June, 2011: DCCED certifies highest number.

Timeline for Population Determination for Cities and Unincorporated Communities:

July, 2010: US Census provides 2009 population estimate.

January, 2011: DOL provides 2010 population estimate.

June, 2011: DCCED certifies highest number.

U.S. Census Population Estimates for Boroughs and Census Areas Released in March

Aleutians East Borough
Aleutians West Census Area
Anchorage Municipality
Bethel Census Area
Bristol Bay Borough
Denali Borough
Dillingham Census Area
Fairbanks North Star Borough
Haines Borough
Hoonah-Angoon Census Area
Juneau City and Borough
Kenai Peninsula Borough
Ketchikan Gateway Borough
Kodiak Island Borough
Lake and Peninsula Borough
Matanuska-Susitna Borough
Nome Census Area
North Slope Borough
Northwest Arctic Borough
Petersburg Census Area
Prince of Wales-Hyder Census Area
Sitka City and Borough
Skagway Municipality
Southeast Fairbanks Census Area
Valdez-Cordova Census Area
Wade Hampton Census Area
Wrangell City and Borough
Yakutat City and Borough
Yukon-Koyukuk Census Area

U.S. Census Population Estimates for Cities and Incorporated Places Released in July

Alaska

Adak city
Akhiok city
Akiak city
Akutan city
Alakanuk city
Aleknagik city
Allakaket city
Ambler city
Anaktuvuk Pass city
Anchorage municipality
Anderson city
Angoon city
Aniak city
Anvik city
Atka city
Atqasuk city
Barrow city
Bethel city
Bettles city
Brevig Mission city
Buckland city
Chefornak city
Chevak city
Chignik city
Chuathbaluk city
Clark's Point city
Coffman Cove city
Cold Bay city
Cordova city
Craig city
Deering city
Delta Junction city
Dillingham city
Diomede city
Eagle city
Eek city
Egegik city
Ekwok city
Elim city
Emmonak city
Fairbanks city
False Pass city
Fort Yukon city
Galena city
Gambell city
Golovin city
Goodnews Bay city
Grayling city
Gustavus city

Holy Cross city
Homer city
Hoonah city
Hooper Bay city
Houston city
Hughes city
Huslia city
Hydaburg city
Juneau city and borough
Kachemak city
Kake city
Kaktovik city
Kaltag city
Kasaan city
Kenai city
Ketchikan city
Kiana city
King Cove city
Kivalina city
Klawock city
Kobuk city
Kodiak city
Kotlik city
Kotzebue city
Koyuk city
Koyukuk city
Kupreanof city
Kwethluk city
Larsen Bay city
Lower Kalskag city
McGrath city
Manokotak city
Marshall city
Mekoryuk city
Mountain Village city
Napakiak city
Napaskiak city
Nenana city
Newhalen city
New Stuyahok city
Nightmute city
Nikolai city
Nome city
Nondalton city
Noorvik city
North Pole city
Nuiqsut city
Nulato city
Nunam Iqua city
Nunapitchuk city
Old Harbor city
Ouzinkie city
Palmer city
Pelican city

Petersburg city
Pilot Point city
Pilot Station city
Platinum city
Point Hope city
Port Alexander city
Port Heiden city
Port Lions city
Quinhagak city
Ruby city
Russian Mission city
St. George city
St. Mary's city
St. Michael city
St. Paul city
Sand Point city
Savoonga city
Saxman city
Scammon Bay city
Selawik city
Seldovia city
Seward city
Shageluk city
Shaktoolik city
Shishmaref city
Shungnak city
Sitka city and borough
Soldotna city
Stebbins city
Tanana city
Teller city
Tenakee Springs city
Thorne Bay city
Togiak city
Toksook Bay city
Unalakleet city
Unalaska city
Upper Kalskag city
Valdez city
Wainwright city
Wales city
Wasilla city
White Mountain city
Whittier city
Wrangell city

Fairbanks North Star Borough

Office of the Mayor

809 Pioneer Road P.O. Box 71267 Fairbanks, Alaska 99707-1267 907/459-1300
Fax 907/459-1102
Email mayor@co.fairbanks.ak.us

March 22, 2010

The Honorable Donny Olson, Chair
Senate community & Regional Affairs Committee
Alaska State Capitol
Juneau, Alaska 99801-1182

Dear Senator Olson:

I am writing this letter as a statement of support for amending state statute to allow DCCED to accept the US Census population estimate as a valid data source for determining population estimates that are used in computing state revenue sharing distributions.

Presently the State Department of Labor (DOL) develops an annual population estimate, if a community disagrees with the estimate, they work with DCCED to develop and execute a methodology to estimate their population. This process consumes a great deal of DCCED and community time and resources to conduct these surveys. The US Census Bureau develops annual population estimates and we support community's being able to use these estimates as a reliable data source to challenge DOL estimates.

Therefore, amending this statute will save the DCCED valuable staff time and communities' valuable staff time and monetary resources.

Thank you for your support,

Luke Hopkins
Borough Mayor

LH:ch

March 19, 2010

The Interior Delegation:

We are writing this letter as a statement of support for HB 418 that would amend state statute to allow DCCED to accept the higher of the most current population estimate, from the State Department of Labor or the US Census Bureau for purposes of determining population estimates to be used in computing state revenue sharing distributions.

Presently the State Department of Labor (DOL) develops an annual population estimate, if a community disagrees with the estimate, they work with DCCED to develop and execute a methodology to estimate their population. This process consumes a great deal of DCCED and community time and resources to conduct these surveys. The US Census Bureau develops annual population estimates and we support DCCED selecting the higher of the two for purposes of Revenue Sharing and other population based distributions.

Therefore, amending this statute will save the DCCED valuable staff time and communities' valuable staff time and monetary resources while ensuring that their population estimates are most beneficial to them. Communities would still be able to challenge DOL or US Census estimates by conducting a challenge should they feel that neither estimate represents their population. Thank you for your support,

Sincerely,

Luke Hopkins
Borough Mayor

Terry Strle
Fairbanks City Mayor

oug Isaacson
orth Pole City Mayor

LH:ch

prince william sound
ECONOMIC DEVELOPMENT DISTRICT

Chenega Bay
Cordova
Tatitlek
Valdez
Whittier

March 12, 2010

The Honorable Donny Olson, Chair

Senate Community & Regional Affairs Committee

Alaska State Capitol

Juneau, Alaska 99801-1182

Dear Senator Olson:

On behalf of Prince William Sound Economic Development District, I am writing to support amending state statute to allow DCCED to accept the higher of the most current population estimates from the State Department of Labor or the US Census Bureau for purposes of determining population estimates to be used in computing state revenue sharing distributions.

Presently, the State Department of labor (DOL) develops an annual population estimate, if a community disagrees with the estimate, they work with DCCED to develop and execute a methodology to estimate their population. This process consumes a great deal of DCCED and community time and resources to conduct these surveys. The US Census Bureau develops annual population estimates and we support DCCED selecting the higher of the two for purposes of Revenue Sharing and other population based distributions.

Therefore amending this statute will save the DCCED valuable staff time and communities' valuable staff time and monetary resources while ensuring that their population estimates are most beneficial to them. Communities would still be able to challenge DOL or US Census estimates by conducting a challenge should they feel that neither estimate represented their population.

Thank you for your support,

Sue Cogswell

Executive Director

ALASKA REGIONAL DEVELOPMENT ORGANIZATION
2207 Spenard Rd, Suite 207 • Anchorage, Alaska 99503 Phone (907) 222-2440 • FAX (907) 222 2411 • Cell (907) 223-7672 • Email: pwsedd@gci.net

DCRA Successful Population Appeals
FY 01 – FY 10

FY 10
Nuiqsut
Nunam Iqua
Grayling
Elim
Metlakatla
Kwethluk
Nenana
FNSB
Point Hope
Valdez
Chuathbaluk

FY 09
St. Mary's
Seldovia

FY 08
Emmonak
Valdez
Nenana
FNSB
Nunam Iqua
Metlakatla
Eagle
Buckland
Anderson

FY 07
Kwethluk
Seldovia
Chuathbaluk

FY 06
Nenana
Valdez
Manokotak
Nunam Iqua

FY 05
Atqasuk

FY 04
Nenana
Port Lions
Kwethluk
Nunam Iqua
Anderson

FY 03
Nunam Iqua
Quinhagak
False Pass
Nikolai
Elim
Nenana
Anderson
Valdez
Juneau

FY 02
Nunam Iqua
Anderson

FY 01
Nenana
Sheldon Point
Alakanuk
Bettles
Kwethluk
False Pass

Alaska Community Population Estimates
AK DOL versus US Census
2004 - 2008

Geographic Area	7/1/2008				7/1/2007				7/1/2006				7/1/2005				7/1/2004			
	US Census	AK DOL	Diff	%Diff	US Census	AK DOL	Diff	%Diff	US Census	AK DOL	Diff	%Diff	US Census	AK DOL	Diff	%Diff	US Census	AK DOL	Diff	%Diff
Adak city	316	178	-138	-43.7%	263	136	-127	-48.3%	268	146	-122	-45.5%	359	167	-192	-53.5%	284	70	-214	-75.4%
Akhiok city	72	48	-24	-33.3%	73	33	-40	-54.8%	73	41	-32	-43.8%	73	41	-32	-43.8%	74	57	-17	-23.0%
Aklak city	309	341	32	10.4%	309	350	41	13.3%	310	365	55	17.7%	313	379	66	21.1%	313	368	55	17.6%
Akutan city	871	796	-75	-8.6%	749	859	110	14.7%	750	745	-5	-0.7%	767	773	6	0.8%	781	789	8	1.0%
Alakanuk city	711	670	-41	-5.8%	703	680	-23	-3.3%	691	663	-28	-4.1%	689	677	-12	-1.7%	689	669	-20	-2.9%
Aleknagik city	222	242	20	9.0%	224	237	13	5.8%	223	241	18	8.1%	222	238	16	7.2%	221	233	12	5.4%
Aleutians East Borough	2,810	2,699	-111	-4.0%	2,804	2,789	-15	-0.5%	2,810	2,588	-22	-0.8%	2,642	2,654	12	0.5%	2,642	2,654	12	0.5%
Aleutians West Census Area	4,529	4,439	-90	-2.0%	4,670	4,493	-177	-3.8%	4,939	4,910	-29	-0.6%	5,349	5,239	-110	-2.1%	5,417	5,238	-179	-3.3%
Allakaket city	85	131	46	54.1%	87	130	43	49.4%	87	127	40	46.0%	91	127	36	39.6%	94	125	31	33.0%
Ambler city	251	259	8	3.2%	321	277	-44	-13.7%	322	277	-45	-14.0%	318	282	-36	-11.3%	317	276	-41	-12.9%
Anchorage Municipality	279,243	284,994	5,751	2.1%	277,542	282,375	4,833	1.7%	279,362	282,722	3,360	1.2%	276,164	277,883	1,719	0.6%	274,317	277,491	3,174	1.2%
Anchorage municipality	279,243	284,944	5,701	2.0%	279,671	283,823	4,152	1.5%	279,922	283,244	3,322	1.2%	276,613	278,294	1,681	0.6%	274,698	277,810	3,112	1.1%
Anderson city	271	295	24	8.9%	274	234	-40	-14.6%	275	277	2	0.7%	289	280	-9	-3.1%	327	342	15	4.6%
Angoon city	445	430	-15	-3.4%	459	478	19	4.1%	461	482	21	4.6%	478	497	19	4.0%	485	483	-2	-0.4%
Aniak city	572	494	-78	-13.6%	573	506	-67	-11.7%	575	515	-60	-10.4%	579	527	-52	-9.0%	580	534	-46	-7.9%
Anvik city	91	84	-7	-7.7%	94	102	8	8.5%	94	88	-6	-6.4%	97	99	2	2.1%	101	100	-1	-1.0%
Atka city	71	73	2	2.8%	75	74	-1	-1.3%	76	73	-3	-3.9%	82	90	8	9.8%	83	93	10	12.0%
Atqasuk city	203	219	16	7.9%	201	223	22	10.9%	203	237	34	16.7%	208	227	19	9.1%	213	219	6	2.8%
Barrow city	4,010	4,054	44	1.1%	3,982	4,052	70	1.8%	4,016	4,068	52	1.3%	4,108	4,178	70	1.7%	4,226	4,367	141	3.3%
Bethel Census Area	17,236	16,940	-296	-1.7%	17,131	16,755	-376	-2.2%	17,097	17,011	-86	-0.5%	17,024	17,066	42	0.2%	16,857	16,860	3	0.0%
Bethel city	6,468	5,665	-803	-12.4%	6,431	5,650	-781	-12.1%	6,344	5,808	-536	-8.4%	6,218	5,961	-257	-4.1%	6,068	5,871	-197	-3.2%
Bettles city	38	22	-16	-42.1%	39	28	-11	-28.2%	39	25	-14	-35.9%	40	30	-10	-25.0%	42	30	-12	-28.6%
Brevig Mission city	275	350	75	27.3%	278	328	50	18.0%	277	324	47	17.0%	281	328	47	16.7%	280	319	39	13.9%
Bristol Bay Borough	953	1,029	76	8.0%	988	1,030	42	4.3%	1030	1,056	26	2.5%	1105	1,174	69	6.2%	1093	1,099	6	0.5%
Buckland city	422	458	36	8.5%	420	461	41	9.8%	421	418	-3	-0.7%	417	434	17	4.1%	416	438	22	5.3%
Chefornak city	394	470	76	19.3%	395	449	54	13.7%	396	459	63	15.9%	399	457	58	14.5%	399	441	42	10.5%
Chevak city	838	922	84	10.0%	828	941	113	13.6%	813	914	101	12.4%	811	916	105	12.9%	810	902	92	11.4%
Chignik city	63	59	-4	-6.3%	65	81	16	24.6%	65	83	18	27.7%	66	95	29	43.9%	68	92	24	35.3%
Chuathbaluk city	119	88	-31	-26.1%	119	90	-29	-24.4%	120	99	-21	-17.5%	121	95	-26	-21.5%	121	105	-16	-13.2%
Clark's Point city	75	54	-21	-28.0%	76	66	-10	-13.2%	75	69	-6	-8.0%	75	65	-10	-13.3%	75	63	-12	-16.0%
Coffman Cove city	176	141	-35	-19.9%	177	147	-30	-16.9%	181	162	-19	-10.5%	180	156	-24	-13.3%	183	176	-7	-3.8%
Cold Bay city	74	90	16	21.6%	75	72	-3	-4.0%	76	87	11	14.5%	78	89	11	14.1%	78	89	11	14.1%
Cordova city	2,242	2,161	-81	-3.6%	2,251	2,192	-59	-2.6%	2,299	2,237	-62	-2.7%	2,318	2,291	-27	-1.2%	2,319	2,298	-21	-0.9%
Craig city	1,171	1,414	243	20.8%	1,177	1,359	182	15.5%	1,207	1,407	200	16.6%	1,212	1,415	203	16.7%	1,237	1,472	235	19.0%
Deering city	141	133	-8	-5.7%	140	133	-7	-5.0%	141	138	-3	-2.1%	139	139	0	0.0%	139	145	6	4.3%
Delta Junction city	930	1,058	128	13.8%	942	974	32	3.4%	925	1,003	78	8.4%	887	989	102	11.5%	816	948	132	16.2%
Denali Borough	1,848	1,848	0	0.0%	1,831	1,762	-69	-3.8%	1,849	1,793	-56	-3.0%	1,837	1,820	-17	-0.9%	1,899	1,848	-51	-2.7%
Dillingham Census Area	4,933	4,771	-162	-3.3%	4,964	4,769	-195	-3.9%	4,942	4,795	-147	-3.0%	4,936	4,784	-152	-3.1%	4,920	4,845	-75	-1.5%
Dillingham city	2,465	2,347	-118	-4.8%	2,501	2,404	-97	-3.9%	2,485	2,404	-81	-3.3%	2,478	2,370	-108	-4.4%	2,465	2,407	-58	-2.4%
Diomede city	146	128	-18	-12.3%	147	144	-3	-2.0%	147	111	-36	-24.5%	149	132	-17	-11.4%	149	141	-8	-5.4%
Eagle city	145	129	-16	-11.0%	146	109	-37	-25.3%	143	111	-32	-22.4%	137	136	-1	-0.7%	126	115	-11	-8.7%
Eek city	280	272	-8	-2.9%	281	284	3	1.1%	281	287	6	2.1%	283	291	8	2.8%	284	292	8	2.8%
Egegik city	93	62	-31	-33.3%	96	64	-32	-33.3%	96	76	-20	-20.8%	98	81	-17	-17.3%	100	77	-23	-23.0%
Ekwok city	130	121	-9	-6.9%	132	108	-24	-18.2%	131	116	-15	-11.5%	130	118	-12	-9.2%	130	127	-3	-2.3%
Elim city	313	280	-33	-10.5%	316	309	-7	-2.2%	315	294	-21	-6.7%	319	303	-16	-5.0%	319	319	0	0.0%
Emmonak city	841	794	-47	-5.6%	831	777	-54	-6.5%	816	758	-58	-7.1%	814	740	-74	-9.1%	813	764	-49	-6.0%
Fairbanks city	35,132	30,367	-4,765	-13.6%	34,540	31,627	-2,913	-8.4%	33,917	30,179	-3,738	-11.0%	33,950	31,104	-2,846	-8.4%	33,249	30,101	-3,148	-9.5%
Fairbanks North Star Borough	97,970	89,896	-8,074	-8.2%	97,986	91,340	-6,646	-6.8%	94,803	87,607	-7,196	-7.6%	94,561	87,578	-6,983	-7.4%	92,414	85,358	-7,056	-7.6%
False Pass city	54	39	-15	-27.8%	55	46	-9	-16.4%	55	54	-1	-1.8%	57	63	6	10.5%	57	63	6	10.5%
Fort Yukon city	520	587	67	12.9%	533	591	58	10.9%	533	594	61	11.4%	555	570	15	2.7%	574	593	19	3.3%
Galena city	599	580	-19	-3.2%	612	609	-3	-0.5%	612	636	24	3.9%	635	654	19	3.0%	654	691	37	5.7%
Gambell city	647	673	26	4.0%	653	662	9	1.4%	652	644	-8	-1.2%	660	660	0	0.0%	659	651	-8	-1.2%
Golovin city	144	160	16	11.1%	145	167	22	15.2%	145	154	9	6.2%	147	150	3	2.0%	147	160	13	8.8%
Goodnews Bay city	230	225	-5	-2.2%	231	235	4	1.7%	231	243	12	5.2%	233	238	5	2.1%	233	237	4	1.7%
Grayling city	170	152	-18	-10.6%	174	164	-10	-5.7%	174	172	-2	-1.1%	182	171	-11	-6.0%	188	182	-6	-3.2%
Gustavus city	355	448	93	26.2%	366	442	76	20.8%	367	441	74	20.2%	377	459	82	21.8%	378	451	73	19.3%
Haines Borough	2,271	2,310	39	1.7%	2,271	2,246	-25	-1.1%	2,212	2,234	22	1.0%	2,218	2,205	-13	-0.6%	2,232	2,250	18	0.8%
Holy Cross city	199	194	-5	-2.5%	204	199	-5	-2.5%	204	204	0	0.0%	213	205	-8	-3.8%	220	206	-14	-6.4%
Homer city	5,802	5,390	-412	-7.1%	5,691	5,502	-189	-3.3%	5,505	5,430	-75	-1.4%	5,339	5,399	60	1.1%	5,240	5,354	114	2.2%
Hoonah city	715	823	108	15.1%	730	852	122	16.7%	734	829	95	12.9%	747	862	115	15.4%	751	843	92	12.3%
Hooper Bay city	1,109	1,160	51	4.6%	1,097	1,150	53	4.8%	1,075	1,156	81	7.5%	1,075	1,132	57	5.3%	1,073	1,129	56	5.2%
Houston city	2,153	1,755	-398	-18.5%	2,017	1,587	-430	-21.3%	1,847	1,541	-306	-16.6%	1,590	1,441	-149	-9.4%	1,400	1,374	-26	-1.9%
Hughes city	69	81	12	17.4%	70	77	7	10.0%	70	68	-2	-2.9%	73	69	-4	-5.5%	76	72	-4	-5.3%
Huslia city	257	277	20	7.8%	264	255	-9	-3.4%	264	259	-5	-1.9%	274	260	-14	-5.1%	284	269	-15	-5.3%

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Geographic Area	7/1/2008				7/1/2007				7/1/2006				7/1/2005				7/1/2004			
	US Census	AK DOL	Diff	%Diff	US Census	AK DOL	Diff	%Diff	US Census	AK DOL	Diff	%Diff	US Census	AK DOL	Diff	%Diff	US Census	AK DOL	Diff	%Diff
Hydaburg city	339	341	2	0.6%	341	353	12	3.5%	348	351	3	0.9%	346	369	23	6.6%	351	349	-2	-0.6%
Juneau City and Borough	30,988	30,427	-561	-1.8%	30,530	30,134	-396	-1.3%	30,677	30,753	76	0.2%	30,843	31,179	336	1.1%	30,957	31,087	130	0.4%
Juneau city and borough	30,988	30,427	-561	-1.8%	30,690	30,305	-385	-1.3%	30,855	30,811	-44	-0.1%	31,005	31,225	220	0.7%	31,123	31,122	-1	0.0%
Kachemak city	442	453	11	2.5%	443	467	24	5.4%	438	463	25	5.7%	435	459	24	5.5%	436	470	34	7.8%
Kake city	635	519	-116	-18.3%	644	535	-109	-16.9%	643	536	-107	-16.6%	653	598	-55	-8.4%	665	659	-6	-0.9%
Kaktovik city	260	272	12	4.6%	258	286	28	10.9%	260	288	28	10.8%	267	276	9	3.4%	273	285	12	4.4%
Kaltag city	202	188	-14	-6.9%	207	184	-23	-11.1%	207	199	-8	-3.9%	216	227	11	5.1%	223	211	-12	-5.4%
Kasaan city	34	54	20	58.8%	34	63	29	85.3%	35	58	23	65.7%	35	61	26	74.3%	35	61	26	74.3%
Kenai city	7,742	7,134	-608	-7.9%	7,686	6,971	-715	-9.3%	7,504	6,796	-708	-9.4%	7,413	6,776	-637	-8.6%	7,365	6,843	-522	-7.1%
Kenai Peninsula Borough	53,409	52,990	-419	-0.8%	53,084	52,121	-963	-1.8%	52,117	51,352	-765	-1.5%	51,529	51,172	-357	-0.7%	51,325	51,168	-157	-0.3%
Ketchikan city	7,280	7,508	228	3.1%	7,368	7,728	360	4.9%	7,457	7,638	181	2.4%	7,368	7,684	316	4.3%	7,368	7,711	343	4.7%
Ketchikan Gateway Borough	13,142	12,993	-149	-1.1%	13,162	13,089	-73	-0.6%	13,315	13,176	-139	-1.0%	13,173	13,111	-62	-0.5%	13,141	13,067	-74	-0.6%
Kiana city	403	383	-20	-5.0%	401	391	-10	-2.5%	402	399	-3	-0.7%	398	381	-17	-4.3%	397	396	-1	-0.3%
King Cove city	734	750	16	2.2%	807	756	-51	-6.3%	812	745	-67	-8.3%	740	724	-16	-2.2%	719	725	6	0.8%
Kivalina city	391	406	15	3.8%	389	398	9	2.3%	391	392	1	0.3%	386	385	-1	-0.3%	386	390	4	1.0%
Klawock city	736	785	49	6.7%	742	743	1	0.1%	760	780	20	2.6%	757	777	20	2.6%	772	832	60	7.8%
Kobuk city	113	109	-4	-3.5%	113	119	6	5.3%	113	135	22	19.5%	112	131	19	17.0%	112	126	14	12.5%
Kodiak city	6,228	5,974	-254	-4.1%	6,182	5,689	-493	-8.0%	6,201	5,668	-533	-8.6%	6,235	6,137	-98	-1.6%	6,244	6,208	-36	-0.6%
Kodiak Island Borough	13,049	13,373	324	2.5%	12,981	13,495	514	4.0%	12,992	13,427	435	3.3%	12,964	13,667	703	5.4%	13,114	13,554	440	3.4%
Kotlik city	649	610	-39	-6.0%	641	599	-42	-6.6%	630	611	-19	-3.0%	628	609	-19	-3.0%	627	590	-37	-5.9%
Kotzebue city	3,177	3,126	-51	-1.6%	3,152	3,133	-19	-0.6%	3,163	3,102	-61	-1.9%	3,126	3,122	-4	-0.1%	3,129	3,141	12	0.4%
Koyuk city	296	333	37	12.5%	299	347	48	16.1%	298	370	72	24.2%	302	349	47	15.6%	302	349	47	15.6%
Koyukuk city	89	88	-1	-1.1%	91	89	-2	-2.2%	91	88	-3	-3.3%	95	97	2	2.1%	98	109	11	11.2%
Kupreanof city	21	27	6	28.6%	21	26	5	23.8%	21	31	10	47.6%	21	37	16	76.2%	22	38	16	72.7%
Kwethluk city	715	741	26	3.6%	716	721	5	0.7%	718	696	-22	-3.1%	723	695	-28	-3.9%	723	698	-25	-3.5%
Lake and Peninsula Borough	1,488	1,552	64	4.3%	1,515	1,531	16	1.1%	1,521	1,555	34	2.2%	1,554	1,618	64	4.1%	1,575	1,608	33	2.1%
Larsen Bay city	104	67	-37	-35.6%	104	83	-21	-20.2%	105	83	-22	-21.0%	104	97	-7	-6.7%	106	96	-10	-9.4%
Lower Kalskag city	268	256	-12	-4.5%	268	253	-15	-5.6%	269	267	-2	-0.7%	271	252	-19	-7.0%	271	262	-9	-3.3%
Manokotak city	401	430	29	7.2%	405	431	26	6.4%	402	424	22	5.5%	401	438	37	9.2%	400	407	7	1.8%
Marshall city	382	417	35	9.2%	378	388	10	2.6%	371	386	15	4.0%	370	374	4	1.1%	370	365	-5	-1.4%
Matanuska-Susitna Borough	85,458	82,515	-2,943	-3.4%	82,547	79,699	-2,848	-3.5%	79,450	77,128	-2,322	-2.9%	74,964	73,984	-980	-1.3%	71,181	70,367	-814	-1.1%
McGrath city	351	317	-34	-9.7%	360	315	-45	-12.5%	360	320	-40	-11.1%	375	347	-28	-7.5%	388	363	-25	-6.4%
Mekoryuk city	210	195	-15	-7.1%	210	208	-2	-1.0%	211	220	9	4.3%	213	192	-21	-9.9%	213	199	-14	-6.6%
Mountain Village city	826	765	-61	-7.4%	816	784	-32	-3.9%	802	797	-5	-0.6%	800	785	-15	-1.9%	799	770	-29	-3.6%
Napakiak city	353	348	-5	-1.4%	354	378	24	6.8%	355	374	19	5.4%	358	373	15	4.2%	358	361	3	0.8%
Napaskiak city	391	435	44	11.3%	391	434	43	11.0%	392	451	59	15.1%	395	426	31	7.8%	395	441	46	11.6%
Nenana city	344	347	3	0.9%	352	357	5	1.4%	353	355	2	0.6%	367	353	-14	-3.8%	380	370	-10	-2.6%
New Stuyahok city	473	491	18	3.8%	478	447	-31	-6.5%	475	468	-7	-1.5%	473	461	-12	-2.5%	472	471	-1	-0.2%
Newhalen city	128	162	34	26.6%	133	167	34	25.6%	133	167	34	25.6%	136	180	44	32.4%	138	184	46	33.3%
Nightmute city	208	249	41	19.7%	209	244	35	16.7%	209	238	29	13.9%	211	234	23	10.9%	211	233	22	10.4%
Nikolai city	86	90	4	4.7%	88	88	0	0.0%	88	97	9	10.2%	92	109	17	18.5%	95	121	26	27.4%
Nome Census Area	9,261	9,499	238	2.6%	9,285	9,465	180	1.9%	9,262	9,523	261	2.8%	9,380	9,450	70	0.7%	9,402	9,419	17	0.2%
Nome city	3,576	3,570	-6	-0.2%	3,578	3,495	-83	-2.3%	3,565	3,539	-26	-0.7%	3,603	3,510	-93	-2.6%	3,618	3,481	-137	-3.8%
Nondalton city	177	202	25	14.1%	183	196	13	7.1%	183	196	13	7.1%	187	203	16	8.6%	190	205	15	7.9%
Noorvik city	660	642	-18	-2.7%	656	636	-20	-3.0%	659	636	-23	-3.5%	651	627	-24	-3.7%	650	612	-38	-5.8%
North Pole city	2,212	2,099	-113	-5.1%	2,183	1,945	-238	-10.9%	2,007	1,647	-360	-17.9%	1,920	1,601	-319	-16.6%	1,768	1,529	-239	-13.5%
North Slope Borough	6,615	6,706	91	1.4%	6,540	6,711	171	2.6%	6,604	6,796	192	2.9%	6,756	6,886	130	1.9%	6,914	7,123	209	3.0%
Northwest Arctic Borough	7,502	7,407	-95	-1.3%	7,467	7,362	-105	-1.4%	7,449	7,318	-131	-1.8%	7,379	7,315	-64	-0.9%	7,368	7,325	-43	-0.6%
Nuiqsut city	371	383	12	3.2%	367	403	36	9.8%	370	417	47	12.7%	380	411	31	8.2%	389	432	43	11.1%
Nulato city	295	274	-21	-7.1%	302	274	-28	-9.3%	302	290	-12	-4.0%	314	310	-4	-1.3%	325	319	-6	-1.8%
Nunam Iqua city	180	156	-24	-13.3%	178	152	-26	-14.6%	175	156	-19	-10.9%	174	152	-22	-12.6%	174	166	-8	-4.6%
Nunapitchuk city	467	540	73	15.6%	468	545	77	16.5%	469	547	78	16.6%	472	516	44	9.3%	472	529	57	12.1%
Old Harbor city	215	184	-31	-14.4%	215	187	-28	-13.0%	216	179	-37	-17.1%	215	200	-15	-7.0%	219	198	-21	-9.6%
Ouzinkie city	204	167	-37	-18.1%	205	155	-50	-24.4%	205	172	-33	-16.1%	205	189	-16	-7.8%	209	187	-22	-10.5%
Palmer city	8,201	5,559	-2,642	-32.2%	7,804	5,504	-2,300	-29.5%	7,354	5,441	-1,913	-26.0%	6,895	5,306	-1,589	-23.0%	6,342	5,220	-1,122	-17.7%
Pelican city	127	113	-14	-11.0%	131	110	-21	-16.0%	133	106	-27	-20.3%	138	115	-23	-16.7%	140	118	-22	-15.7%
Petersburg city	2,825	3,009	184	6.5%	2,880	3,071	191	6.6%	2,886	3,124	238	8.2%	2,944	3,155	211	7.2%	3,001	3,131	130	4.3%
Pilot Point city	80	72	-8	-10.0%	83	61	-22	-26.5%	83	66	-17	-20.5%	85	73	-12	-14.1%	86	76	-10	-11.6%
Pilot Station city	604	587	-17	-2.8%	596	580	-16	-2.7%	585	574	-11	-1.9%	584	565	-19	-3.3%	583	561	-22	-3.8%
Platinum city	41	47	6	14.6%	41	35	-6	-14.6%	41	38	-3	-7.3%	42	38	-4	-9.5%	42	39	-3	-7.1%
Point Hope city	674	689	15	2.2%	668	704	36	5.4%	673	736	63	9.4%	690	721	31	4.5%	706	729	23	3.3%
Port Alexander city	74	51	-23	-31.1%	75	60	-15	-20.0%	75	64	-11	-14.7%	76	75	-1	-1.3%	77	67	-10	-13.0%
Port Heiden city	95	90	-5	-5.3%	99	87	-12	-12.1%	99	79	-20	-20.2%	101	89	-12	-11.9%	102	90	-12	-11.8%
Port Lions city	232	190	-42	-18.1%	233	179	-54	-23.2%	233	196	-37	-15.9%	233	220	-13	-5.6%	237	240	3	1.3%

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	US Census	AK DOL	Diff	%Diff	US Census	AK DOL	Diff	%Diff	US Census	AK DOL	Diff	%Diff	US Census	AK DOL	Diff	%Diff	US Census	AK DOL	Diff	%Diff
POW-Outer Ketchikan Census Area	5,533	5,360	-173	-3.1%	5,523	5,299	-224	-4.1%	5,635	5,469	-166	-2.9%	5,585	5,502	-83	-1.5%	5,661	5,562	-99	-1.7%
Quinhagak city	554	661	107	19.3%	555	643	88	15.9%	557	650	93	16.7%	561	643	82	14.6%	562	615	53	9.4%
Ruby city	165	160	-5	-3.0%	169	167	-2	-1.2%	169	173	4	2.4%	176	185	9	5.1%	182	190	8	4.4%
Russian Mission city	324	362	38	11.7%	320	333	13	4.1%	314	329	15	4.8%	313	330	17	5.4%	313	335	22	7.0%
Sand Point city	990	958	-32	-3.2%	893	992	99	11.1%	890	891	1	0.1%	918	939	21	2.3%	928	911	-17	-1.8%
Savoonga city	642	722	80	12.5%	648	712	64	9.9%	647	712	65	10.0%	655	696	41	6.3%	654	713	59	9.0%
Saxman city	370	420	50	13.5%	373	438	65	17.4%	377	425	48	12.7%	374	409	35	9.4%	374	393	19	5.1%
Scammon Bay city	511	533	22	4.3%	505	517	12	2.4%	496	520	24	4.8%	494	508	14	2.8%	493	488	-5	-1.0%
Selawik city	804	846	42	5.2%	800	828	28	3.5%	802	842	40	5.0%	793	831	38	4.8%	791	833	42	5.3%
Seldovia city	309	423	114	36.9%	306	429	123	40.2%	303	413	110	36.3%	297	391	94	31.6%	297	423	126	42.4%
Seward city	3,126	2,619	-507	-16.2%	3,061	2,661	-400	-13.1%	3,017	2,593	-424	-14.1%	2,995	2,597	-398	-13.3%	2,987	2,544	-443	-14.8%
Shageluk city	113	102	-11	-9.7%	116	118	2	1.7%	116	124	8	6.9%	120	130	10	8.3%	125	131	6	4.8%
Shaktoolik city	230	223	-7	-3.0%	232	214	-18	-7.8%	232	214	-18	-7.8%	235	224	-11	-4.7%	234	210	-24	-10.3%
Shishmaref city	560	587	27	4.8%	565	608	43	7.6%	564	617	53	9.4%	571	582	11	1.9%	571	595	24	4.2%
Shungnak city	267	272	5	1.9%	266	269	3	1.1%	266	260	-6	-2.3%	263	259	-4	-1.5%	263	266	3	1.1%
Sitka City and Borough	8,889	8,615	-274	-3.1%	8,837	8,602	-235	-2.7%	8,981	8,972	-9	-0.1%	8,956	8,931	-25	-0.3%	8,873	8,814	-59	-0.7%
Sitka city and borough	8,889	8,615	-274	-3.1%	8,874	8,640	-234	-2.6%	9,004	8,989	-15	-0.2%	8,964	8,944	-20	-0.2%	8,881	8,824	-57	-0.6%
Skagway city	862	846	-16	-1.9%	823	845	22	2.7%	817	854	37	4.5%	824	834	10	1.2%	834	873	39	4.7%
Skagway Municipality	892	846	-46	-5.2%	898	841	-57	-6.3%	893	853	-40	-4.5%	906	833	-73	-8.1%	902	872	-30	-3.3%
Soldotna city	4,386	4,061	-325	-7.4%	4,289	3,982	-307	-7.2%	4,129	3,761	-368	-8.9%	4,050	3,798	-252	-6.2%	4,003	3,778	-225	-5.6%
Southeast Fairbanks Census Area	6,753	7,008	255	3.8%	6,790	6,977	187	2.8%	6,694	6,734	40	0.6%	6,427	6,462	35	0.5%	5,941	6,136	195	3.3%
St. George city	118	112	-6	-5.1%	125	114	-11	-8.8%	127	120	-7	-5.5%	133	129	-4	-3.0%	135	138	3	2.2%
St. Mary's city	548	541	-7	-1.3%	541	521	-20	-3.7%	532	539	7	1.3%	530	562	32	6.0%	529	537	8	1.5%
St. Michael city	366	434	68	18.6%	370	444	74	20.0%	369	446	77	20.9%	374	427	53	14.2%	374	411	37	9.9%
St. Paul city	415	450	35	8.4%	441	447	6	1.4%	449	470	21	4.7%	459	492	33	7.2%	475	495	20	4.2%
Stebbins city	547	577	30	5.5%	552	598	46	8.3%	551	613	62	11.3%	558	597	39	7.0%	557	588	31	5.6%
Tanana city	268	252	-16	-6.0%	275	257	-18	-6.5%	275	260	-15	-5.5%	287	281	-6	-2.1%	297	303	6	2.0%
Teller city	266	260	-6	-2.3%	269	256	-13	-4.8%	269	258	-11	-4.1%	272	263	-9	-3.3%	272	242	-30	-11.0%
Tenakee Springs city	91	99	8	8.8%	93	102	9	9.7%	94	104	10	10.6%	98	98	0	0.0%	96	105	9	9.4%
Thorne Bay city	486	440	-46	-9.5%	491	467	-24	-4.9%	501	481	-20	-4.0%	499	486	-13	-2.6%	508	499	-9	-1.8%
Toglak city	811	802	-9	-1.1%	821	787	-34	-4.1%	815	783	-32	-3.9%	811	779	-32	-3.9%	810	803	-7	-0.9%
Toksook Bay city	534	605	71	13.3%	534	609	75	14.0%	536	601	65	12.1%	540	596	56	10.4%	540	563	23	4.3%
Unalakleet city	746	723	-23	-3.1%	752	724	-28	-3.7%	751	727	-24	-3.2%	760	712	-48	-6.3%	760	730	-30	-3.9%
Unalaska city	3,532	3,551	19	0.5%	3,836	3,677	-159	-4.1%	3,874	4,027	153	3.9%	4,247	4,298	51	1.2%	4,369	4,363	-6	-0.1%
Upper Kalskag city	230	235	5	2.2%	230	244	14	6.1%	231	270	39	16.9%	233	276	43	18.5%	233	264	31	13.3%
Valdez city	3,787	3,635	-152	-4.0%	3,843	3,599	-244	-6.3%	3,953	3,675	-278	-7.0%	3,978	3,752	-226	-5.7%	4,021	3,717	-304	-7.6%
Valdez-Cordova Census Area	9,362	9,513	151	1.6%	9,486	9,573	87	0.9%	9,716	9,752	36	0.4%	9,805	10,006	201	2.0%	9,891	9,965	74	0.7%
Wade Hampton Census Area	7,717	7,670	-47	-0.6%	7,588	7,560	-28	-0.4%	7,473	7,546	73	1.0%	7,455	7,494	39	0.5%	7,445	7,413	-32	-0.4%
Wainwright city	485	534	49	10.1%	480	540	60	12.5%	484	517	33	6.8%	497	520	23	4.6%	509	533	24	4.7%
Wales city	152	138	-14	-9.2%	153	136	-17	-11.1%	153	139	-14	-9.2%	155	151	-4	-2.6%	155	152	-3	-1.9%
Wasilla city	10,256	7,176	-3,080	-30.0%	9,780	7,025	-2,755	-28.2%	9,127	6,483	-2,644	-29.0%	8,349	6,369	-1,980	-23.7%	7,628	6,144	-1,482	-19.4%
White Mountain city	203	191	-12	-5.9%	205	215	10	4.9%	204	224	20	9.8%	207	224	17	8.2%	207	213	6	2.9%
Whittier city	159	161	2	1.3%	163	174	11	6.7%	168	189	21	12.5%	171	188	17	9.9%	173	172	-1	-0.6%
Wrangell city	1,990	1,943	-47	-2.4%	2,030	1,947	-83	-4.1%	2,035	1,908	-127	-6.2%	2,074	1,975	-99	-4.8%	2,125	2,022	-103	-4.8%
Wrangell-Petersburg Census Area	5,910	5,959	49	0.8%	5,977	5,997	20	0.3%	5,982	6,022	40	0.7%	6,095	6,157	62	1.0%	6,213	6,262	49	0.8%
Yakutat City and Borough	657	592	-65	-9.9%	681	618	-63	-9.3%	665	635	-30	-4.5%	678	642	-36	-5.3%	711	675	-36	-5.1%
Yukon-Koyukuk Census Area	5,701	5,669	-32	-0.6%	5,817	5,732	-85	-1.5%	5,816	5,832	16	0.3%	6,073	6,047	-26	-0.4%	6,280	6,267	-13	-0.2%

Sec. 9.60.860. Per capita payment increases.

(a) Subject to (b) of this section, if the amount available for distribution under AS 29.60.850 (c) exceeds the amount needed to fully fund all the basic community revenue sharing payments, the balance shall be distributed on a per capita basis to municipalities, to reserves, and to communities in the unorganized borough.

(b) The per capita amount distributed to each community in the unorganized borough may not, when added to the basic community revenue sharing payment for that community, exceed the basic amount calculated under AS 29.60.855 (b)(3). If the per capita distribution for a community in the unorganized borough, when added to the basic community revenue sharing payment for that community, would exceed the basic amount calculated under AS 29.60.855 (b)(3), the excess amount shall be distributed on a per capita basis to other communities in the unorganized borough.

(c) For purposes of this section, the population of a municipality, reserve, or community shall be determined by using the numbers of permanent fund dividend recipients or other population data that the department determines is reliable. For purposes of determining the population of a borough, the population of each city in the borough shall be deducted from the total borough population.

3 AAC 180.040. Request for adjustment of population determination

(a) A municipality may request an adjustment of its population determination under 3 AAC 180.030 by submitting a written request to the director, postmarked no later than April 1 of the calendar year. If a municipality requests an adjustment under this section, the municipality shall substantiate the requested adjustment with

(1) a head count census conducted by the municipality in accordance with (c) of this section; or

(2) a housing unit method population estimate conducted by the municipality in accordance with (d) of this section.

(b) If a municipality's request under (a) of this section is postmarked after April 1 of the calendar year, it will be denied by the director as being untimely filed. An appeal to the commissioner regarding that denial, submitted in accordance with 3 AAC 180.050, will be accepted if the applicant shows good cause for missing the postmark deadline.

(c) For the purposes of (a)(1) of this section, a head count census must be conducted in a manner satisfactory to the division. The division shall validate the census in accordance with the standard census definitions and procedures specified by the division. The municipality shall bear the expense of the census. The governing body of the municipality must pass a resolution adopting the results of the census and the municipality must provide a copy of the resolution with the census results to the division.

(d) For the purposes of (a)(2) of this section, a housing unit population estimate must be conducted in a manner satisfactory to the division. The division shall validate the estimate in accordance with standard census definitions and procedures specified by the division. The municipality shall bear the expense of the estimate. The governing body of the municipality must pass a resolution adopting the results of the estimate and the municipality must provide a copy of the resolution with the estimate results to the division.

(e) A municipality shall, upon request of the director, furnish available information and provide assistance requested by the director necessary to make a determination to grant or deny a municipality's request for adjustment under (a) of this section. The director may prescribe forms containing procedures for reporting the information.

(f) The director shall, in writing, grant or deny a request for adjustment within 10 days after receipt of the request. The director's response shall include the reason for granting or denying the request for adjustment, and a determination of the municipality's population determination based upon the director's decision to grant or deny the request.

History: Eff. 5/15/2008, Register 186; am 10/8/2008, Register 188

Authority: AS 29.60.860 AS 44.33.020

3 AAC 180.030 Population Determination

(a) For purposes of community revenue sharing per capita payments to municipalities under AS 29.60.860 , the director shall annually determine the permanent resident population of the previous calendar year for each municipality in the state. No later than January 15 of each calendar year, the director shall mail to each municipality the determination of the municipality's previous calendar year population.

(b) The determination under (a) of this section must be based upon the following census or estimate that indicates the most recent population of the municipality:

(1) a census of the United States Bureau of the Census;

(2) a head count census conducted by the municipality in accordance with 3 AAC 180.040(c) ;

(3) a housing unit method population estimate conducted by the municipality in accordance with 3 AAC 180.040(d) ;

(4) an estimate by the Department of Labor and Workforce Development.

(c) If there is a conflict between or among the population results, for the same calendar year, of a census or a population estimate listed in (b) of this section, the order of precedence for determination of population is the order in which the censuses and population estimates are listed in (b) of this section.

(d) When a city is within a borough, a head count census or housing unit method population estimate conducted by the borough may be used to determine the population of the city. For the purposes of (c) of this section, a head count census or housing unit population estimate conducted by the borough within which the city is located takes precedence over an estimate by the Department of Labor and Workforce Development.

(e) If a population determination under this section for a city within a borough conflicts with the population for that city indicated in a head count census or housing unit population estimate upon which a population determination for the borough is based, the conflict is automatically appealed to the commissioner. Both municipalities are parties to the appeal.

History: Eff. 5/15/2008, Register 186; am 10/8/2008, Register 188

Authority: AS 29.60.860 AS 44.33.020

3 AAC 180.050. Appeal of population determination to the commissioner

(a) A municipality may appeal to the commissioner a decision of the director made under 3 AAC 180.040. The appeal must be in writing and must be postmarked within 10 days after the municipality received the written decision of the director. The appeal must include relevant evidence in support of the municipality's claim.

(b) No later than 10 days after receipt of the appeal, the commissioner will render a decision on the appeal. Immediately following the commissioner's decision, written notification, containing a statement of the decision and the reasons for it, will be sent to the municipality.

(c) The commissioner's decision of an appeal is final.

(d) After deciding all appeals made under this section, the commissioner will certify a final municipal population report on or before June 1 of that calendar year.

History: Eff. 5/15/2008, Register 186

Authority: AS 29.60.860 AS 44.33.020

Methods for the Alaska Population Estimates

Alaska Department of Labor and Workforce Development,
Research and Analysis Section

February, 2008

Introduction

The Alaska Department of Labor and Workforce Development, Research and Analysis Section, Demographics Unit (AKDOL), has employed the same population estimation procedure for Alaska since 1986. The estimation process relies upon administrative data, primarily Permanent Fund Dividend applicant information, to generate population estimates.

Alaska continues to seek more accurate administrative data for its estimates process. In 1999, the Permanent Fund Dividend requested the physical place of residence from applicants. This new data allowed for more accurate geocoding of respondents to lower levels of geography.

Alaska's estimates were submitted to the U.S. Census Bureau in 2000 for testing against the Census Bureau estimates. They were found to be significantly superior to the Census Bureau administrative records estimates, and were more accurate than any other state's estimates compared to the Census Bureau estimates, in their ability to predict the 2000 Census figures.

Alaska's estimates are the only state estimates that appear on the Census Bureau website and that have been accepted by the Census Bureau as an alternative to their estimates.

Estimation of Population for Alaska, 2000-2010

Provisional population estimates are made each January for July 1 of the prior year. Thus, July 1, 2007 estimates were produced in January of 2008. These estimates are revised in subsequent years as new and lagged information becomes available. Each year's estimate series (e.g. 2000 to 2007) are produced as a "Vintage", which designates when they were produced. The largest revisions usually occur in the year following the initial estimate.

Fundamental to the estimation process is a definition of residency and of residence type:

Definition of Alaska Residents

The population estimates are for **usual place of residence**, as defined by the U.S. Census Bureau:

- *Each person included in the census was to be counted at his or her usual residence – the place where he or she lives and sleeps most of the time or the place the person considers as his or her usual home. If a person had no usual place of residence, the person was to be counted where he or she was staying on census day.*
  (U.S. Census 2000)

Seasonal workers are not considered residents unless they meet the census criteria. It should be noted that in 2006, Alaska had the largest nonresident seasonal population in the country

(22.9%) and a substantial proportion of Alaska residents worked seasonally in other parts of the state from where they live (11.7%). Also, AKDOL estimated that in 2006, 20% of all persons who worked at some time in non-federal covered wage and salary employment were not Alaska residents. The presence of workers who live elsewhere often leads to the impression that communities have larger permanent resident populations than meet the census criteria.

Residence Type is the distinction between Non-Group Quarters (Households) residences and Group Quarters residences.

The Non-Group Quarters (NGQ) population is defined as all persons who live in housing units. A housing unit is a house, an apartment, a mobile home, a group of rooms, or a single room that is occupied as separate living quarters.

The Group Quarters (GQ) population is defined by the U.S. Census Bureau as the following:

All persons live either in households or group quarters. Persons living in group quarters are usually persons living in institutions such as prisons, military barracks, dormitories or nursing homes or other group quarters such as fish processing barracks, lumber camps, shelters or group homes. (U.S. Census 2000)

Group Quarters containing 10 persons or more are surveyed annually by AKDOL. Special estimates are made for change in fish processing and transient work site group quarters populations from annual company employment in local areas.

Place, Borough and Census Area Estimates

The decennial census is the starting point for all Alaska population estimates. A review by the Alaska State Demographer of the 2000 Census found only a small number of geographic errors, each of which were corrected by the Census Bureau and are incorporated into the AKDOL estimates. No community challenged the 2000 Census results.

Estimates for each year are independent and not built on prior year estimates. The following are the specific steps involved in producing the population estimates:

Alaska Permanent Fund Data Collection and Adjustments

Alaska Permanent Fund Dividend (PFD) applicant physical addresses are standardized and geographically coded (or geo-coded) to detailed borough/census area and place. Any persons who live outside Alaska or who live in group quarters are removed.

An adjustment is made to the PFD data for military and dependent non-filers. Second calendar quarter military and dependent counts from Alaska Command (ALCOM), along with surveys of all Alaska military bases, are used to determine the "on-base/off-base" populations. Specifically, the proportion of on-base military and dependent PFD applicants is determined by comparing survey results to "on-base" military and dependent PFD applications.

The military and dependent population is increased to match ALCOM totals. The estimate of the "off-base" military population is distributed to places according to the residence of uniform military as specified in the PFD. Military and dependent non-filers currently account for about

2.7% of the state's NGQ population. Between 40-50% of Alaska's military and dependent population generally apply for Permanent Fund dividends.

Permanent Fund dividend applicants with the above adjustments define the Base NGQ Estimate.

Adjustment to Census Base

Following the 2000 Census, the ratio of the 2000 Base NGQ Estimate to the 2000 Census NGQ population was calculated. Statewide, the 2000 PFD NGQ count was equal to 96.3% of the 2000 Census NGQ population count. When the PFD NGQ was adjusted for military and dependent non-filers, the ratio equals 102%. For boroughs/census areas, the average ratio is 101%. For all places with 100+ persons, the average ratio is 102%. Places with highly transient populations (Aleutians West census area due to fish processing), places with physical address identification problems, and exceptionally small places may have ratios that differ significantly from 100%. Resulting ratios are used to adjust the NGQ applicants for each borough/census area and place to a census basis. The ratio of applicants to a census base makes the estimates dependent upon the change in the number of applicants.

[(2000 Census NGQ) / (2000 Base NGQ Estimate)] * (Current Base NGQ Estimate) = (Adjusted NGQ Estimate)

2000 Census NGQ = Non-Group Quarters population from the 2000 decennial U.S. census.

2000 Base NGQ Estimate = Non-Group Quarters Alaska Permanent Fund dividend applicants (including adjustments for group quarters and military) for the year 2000, geo-coded to place of residence.

Current Base NGQ Estimate = Non-Group Quarters Alaska Permanent Fund dividend applicants (including adjustments for group quarters and military) for the current year, geo-coded to place of residence.

Estimate Controls

The Adjusted NGQ Estimate is then proportionally adjusted (controlled) to the Census Bureau's Administrative Records state population estimate for the current year. Alaska's Group Quarters estimate is subtracted from the Census Bureau's total estimate to obtain the State NGQ Control. In 2007, this adjustment amounted to +1.2% statewide. This control is a two step process; it is first applied at the borough/census area level, and then to places.

(Adjusted NGQ Estimate) +/- (State NGQ Control) = (Current Non-Group Quarters Estimate)

State NGQ Control = Census Bureau's population estimate less the AKDOL Group Quarters estimate.

Final Estimate

Finally, a Group Quarters Estimate for each place is added to the Current Non-Group Quarters Estimate to obtain the Current Population Estimate for all places for a given year. The Group Quarters estimate is derived from an annual statewide survey of all known group quarters

facilities. In the case of fish processing facilities identified in the 2000 census, the change in the average annual employment is used to produce a group quarters estimate.

(Current Non-Group Quarters Estimate) + (Group Quarters Estimate) = (Current Population Estimate)

Group Quarters Estimate = AKDOL Group Quarters Estimate.

Statewide, the relative weight of the parts of the estimate for each year in 2007 was as follows: NGQ estimate 95.6%; group quarters 3.2% and control to state total 1.2%.

US Census Methodology for the State and County Total Resident Population Estimates

Overview

The Census Bureau develops county population estimates with a component of population change method in which we use administrative records and other data to estimate the household and group quarters population. For the household population, the components of population change are births, deaths, net domestic migration, and net international migration. We measure change in the non-household, or group quarters, population by the net change in the population living in group quarters facilities.

A major assumption underlying this approach is that changes in selected administrative and other data sources closely approximate the components of population change. Therefore, Census Bureau demographers separately estimate each component of population change based on administrative records, including registered births and deaths, Federal income tax returns, Medicare enrollees, and military movement. We also separately estimate net international migration using information from the American Community Survey (ACS), Census 2000, and other data sources.

Most administrative record data sources lag the current estimate year, therefore, we project the data for the current year based on past years' data. As updated data become available, we revise the projected input data so that each vintage's estimates are always based on the most recent data available.

We produce the estimate of each county's population, starting with the base population from either Census 2000 (for the July 1, 2000 estimates) or the revised population estimate for the prior year (for the July 1, 2001 and later estimates). We then add or subtract the demographic components of population change calculated for that time period. Basically, we add the estimated number of births and subtract the estimated number of deaths for the time period. Next, we add the estimates of net domestic migration, net international migration, and the net change in the group quarters population.

We produce separate population estimates for the populations under age 65 and age 65 and over, mainly because different data are used to measure the domestic migration of these two populations. For the population under age 65, we use person-level data from individual Federal tax returns to estimate net domestic migration. We use Medicare enrollment data to calculate measures of migration for the population age 65 and over because this population is not always well represented on tax returns. County total population estimates are the sum of the estimates of the population under age 65 and age 65 years and over.

State and county estimates may also incorporate other changes due to corrections made since Census 2000. The corrections occur outside the component estimation framework and are the result of successful local challenges or special censuses.

Methodology

Base Population

The enumerated resident population in Census 2000 is the starting point for the post-2000 population estimates. We modify this enumerated population in two ways to produce the April 1, 2000 population estimates base. First, we reconcile the Census 2000 race categories with the race categories that appear in our administrative records data by recoding the "Some other race" Census 2000 responses to one or more of the five 1997 Office of Management and Budget (OMB) race categories: White; Black or African American; American Indian and Alaska Native; Asian; and Native Hawaiian and Other Pacific Islander.1 Second, we update the population estimates base to reflect changes to the Census 2000 population due to the Count Question Resolution program, legal boundary updates as of January 1, 2009, and other geographic program revisions.

Demographic Components of Population Change

Births and Deaths

The birth and death components are estimated using data from two sources. Where possible, members of the Federal-State Cooperative for Population Estimates (FSCPE) provide summary data on all registered births and deaths to residents of their respective states and counties from 2000 to the most recent calendar year. The National Center for Health Statistics (NCHS) also provides birth and death data, but these data are not as current as those available from members of the FSCPE. However, the NCHS data include individual record data on each registered birth and death by state, county, month, sex, race, Hispanic origin, and age (for deaths). Where FSCPE vital statistics data are not available, we use only NCHS data.

County birth totals from FSCPE and NCHS sources are controlled to the national NCHS birth total for the corresponding year. Then the county-level sex, race, and Hispanic origin distribution of NCHS births for that year is applied to these totals to derive births for each demographic group for all U.S. counties. Estimates of annual deaths for demographic groups are calculated in similar fashion. We reconcile county death totals from the two data sources to the NCHS national death total for the corresponding year and assign the county-level age, sex, race, and

Hispanic origin distribution of NCHS deaths for that year. Since we produce estimates for July 1 of each year, we use the NCHS month-of-occurrence information to derive births and deaths for the July 1 to June 30 period for each year.

Net Domestic Migration

Under Age 65: We use person-level data from Federal income tax returns supplied by the Internal Revenue Service (IRS) to measure the domestic migration of the household population under age 65. These data are limited to filers and their dependents that are under age 65. We match two years of IRS tax returns and compare the addresses to identify the number of individuals who moved from one county to another between tax filings. Since we know that every U.S. resident may not file or be claimed as an exemption on a tax return, we cannot use

these data as direct information on the number of migrants. Therefore, we derive net domestic migration rates using these data and apply these rates to all potential migrants within each county. To calculate these rates, we subtract the out-migrants from the in-migrants for each county to produce the number of IRS-based net migrants. Then, we divide the number of IRS-based net migrants by the total number of non-migrants and out-migrants for each county.

Age 65 and Over: To measure domestic migration for the age 65 and over population, we use Medicare enrollment data as of each July 1 from 1999 to 2008 for each county. We project the number of Medicare enrollees as of July 1, 2009 for each county based on earlier trends in Medicare enrollment. We estimate the April 1, 2000 enrollment for each county by linear interpolation between the July 1, 1999 and July 1, 2000 data. We know that not all U.S. residents age 65 and over receive or are eligible to receive Medicare benefits. Therefore, we use the year to-year change in the Medicare enrollment to calculate a domestic net migration rate. We assume that the year-to-year change in enrollment represents the total change in the age 65 and over population in each county. We have independent estimates of the deaths and international migration of the age 65 and over population, as well as the number of individuals turning 65 years old, which we benchmark to the Medicare data. The population change not attributable to either deaths or international migration must, by default, be due to net domestic migration. We calculate a Medicare-based net migration rate for each county by dividing the net domestic migration estimate by the total number of Medicare enrollees at the beginning of the time period.

Net International Migration

International migration, in its simplest form, is any change of residence across the borders of the United States (the 50 states and District of Columbia). The net international migration component of the population estimates combines four parts: (a) net international migration of the foreign born, (b) net migration between the United States and Puerto Rico, (c) net migration of natives to and from the United States, and (d) net movement of the Armed Forces population to and from the United States.

Net international migration of the foreign-born population at the national level is estimated in two parts, immigration and emigration. The estimate of immigration utilizes information from the American Community Survey (ACS) on the reported residence of the foreign-born population in the prior year. The foreign born who reported living abroad in the year prior to the survey are considered immigrants. Because this question is only asked of those age one and older, we make an additional assumption for foreign-born immigrants under the age of one. We assume that the number of foreign-born immigrants under the age of one is equal to half of the number of one-year-old foreign-born immigrants.

At the national level, emigration of the foreign born is estimated using a residual method. We age forward the foreign-born household population in Census 2000 using NCHS life tables to obtain the expected population in 2005, 2006, 2007, and 2008. We then compare the expected foreign-born population to the foreign-born population estimated by ACS 2005, ACS 2006, ACS 2007, and ACS 2008. Subtracting the estimated from the expected population produces a residual, which serves as the basis for emigration rates for the 2000 to 2005, 2000 to 2006, 2000 to 2007, and 2000 to 2008 time periods. We perform this calculation for two period-of-entry

groups: the foreign born who entered the United States between 1990 and 1999; and the foreign born who entered before 1990. An average of the rates for each period-of-entry group are then applied to the population at risk of emigrating each year (i.e., the foreign-born population in the ACS who indicated that they lived in the United States one year ago) to obtain annual estimates of emigrants for 2000 to 2009. To estimate emigration from 2000 to 2008, we use an average of the rates developed from the 2000 to 2005, 2000 to 2006, and 2000 to 2007 residuals. To estimate emigration in 2009, we use an average of the rates developed from the 2000 to 2006, 2000 to 2007, and 2000 to 2008 residuals.

We estimate the net international migration of the foreign-born population at the national level by subtracting the number of emigrants from the number of immigrants. The state distribution and state-level age, sex, race and Hispanic origin information are estimated for foreign-born immigrants and emigrants separately using data from Census 2000 and the ACS three-year estimates for the 2005 to 2007 time period (ACS 2005-2007). Estimate year 2000 uses information from Census 2000, while 2005 and later years use information from the ACS 2005-2007. The incorporation of ACS data is phased in at the state level through linear interpolation between estimate years 2000 and 2005. The county distribution and county-level age, sex, race, and Hispanic origin information are applied to foreign-born immigrants and emigrants separately using information from Census 2000 for all estimate years. County-level data are controlled to state-level data to ensure the component data sum as required.

Foreign-born immigrants are assigned the state- and county-specific age, sex, race, and Hispanic origin distribution of the foreign-born population who entered the United States within five years of the Census/survey year. Age is adjusted for foreign-born immigrants to represent age at arrival to the United States. Characteristics are applied to the estimates of foreign-born emigration by period of entry. The state- and county-specific age, sex, race, and Hispanic origin distribution of the foreign born who entered the United States within ten years of the Census/survey year is applied to the estimate of emigrants who entered the United States within ten years of the estimate year. The state- and county-specific age, sex, race, and Hispanic origin distribution of the foreign born who entered the United States more than ten years before the Census/survey year is applied to the estimate of emigrants who entered the United States more than ten years before the estimate year.

Net migration between the United States (the 50 states and the District of Columbia) and Puerto Rico is also estimated at the national level in two parts, immigration and emigration, when possible. For 2005 and later years, the ACS and the Puerto Rico Community Survey (PRCS) allow us to estimate annual migration flows directly using the question on place of residence one year ago.3 People who indicated in the ACS that they lived in Puerto Rico one year ago are considered immigrants (i.e., they moved from Puerto Rico to one of the 50 states or the District of Columbia). People who indicated on the PRCS that they lived in the United States one year ago are considered emigrants (i.e., they moved from one of the 50 states or the District of Columbia to Puerto Rico). We assume the number of immigrants and emigrants under the age of one is equal to half of the number of one-year-old immigrants and emigrants, respectively.

For 2000 to 2004, we use prior research to establish a base estimate of net migration between the United States and Puerto Rico for 2000 and linearly interpolate between the 2000 net estimate

and the 2005 net estimate to generate the estimates for 2001 to 2004.4 For 2000, the state distribution and state-level age, sex, race and Hispanic origin distribution is based on the Census 2000 population born in Puerto Rico who entered the United States in 1995 or later. For 2005 and later years, we base the state distribution and state-level age, sex, race, and Hispanic origin distribution of these net migrants on the demographic characteristics of the ACS 2005-2007 population born in Puerto Rico who entered the United States within 10 years of the survey year. As described for foreign-born immigration and emigration, the incorporation of ACS data is phased in at the state level through linear interpolation between estimate years 2000 and 2005. The county distribution and county-level age, sex, race, and Hispanic origin information from Census 2000 are applied to net Puerto Rico migrants for all estimate years using characteristics of the population born in Puerto Rico who entered the United States in 1995 or later. Countylevel data are controlled to state-level data to ensure the component data sum as required.

We estimate the net migration of natives to and from the United States at the national level using levels observed during the 1990s. We apply the age, sex, race, and Hispanic origin distribution of natives residing in the United States to the estimate of net native migration. For 2000, the state distribution and state-level age, sex, race, and Hispanic origin information are obtained from Census 2000. For 2005 and later years, the state distribution and state-level age, sex, race, and Hispanic origin information are obtained from ACS 2005-2007. The incorporation of information on the state-distribution and state-level characteristics from ACS 2005-2007 is phased in through linear interpolation between estimate years 2000 and 2005. The county distribution and county-level age, sex, race, and Hispanic origin information from Census 2000 is applied to the net native migrants for all estimate years using characteristics of natives residing in the United States. County-level data are controlled to state-level data to ensure the component data sum as required.

We derive county-level data on net overseas movement of the Armed Forces population for the current estimate period using a three-stage process. First, we distribute the national-level overseas Armed Forces movement total to states using Armed Forces data originally supplied by the Defense Manpower Data Center (DMDC). Then, we distribute these state-level data to counties using the county distribution of the Armed Forces data from Census 2000. We assume that all net overseas Armed Forces migrants are under age 65. Finally, we control the countylevel data to the original national-level data to ensure the component data sum as required.

Group Quarters Population

We use group quarters population data from two sources to estimate the change in the group quarters (GQ) populations: (1) Census 2000 group quarters population by single year of age and facility type (i.e., correctional institutions, juvenile facilities, nursing homes, other institutional facilities, university dormitories, military barracks, other noninstitutional facilities) for each subcounty area (e.g., cities, towns, etc.) and (2) a time series of individual GQ records from the Group Quarters Report (GQR) prepared by the FSCPE members.

From these GQ population data, we derive a time series of GQ population. First, we separately sum the GQ populations from Census 2000 and the GQR to the subcounty level by facility type for each estimate date in the time series. Then, we calculate a time series of subcounty GQ population by facility type from July 1, 2000 to July 1, 2009 by adding the year-to-year change

indicated by the GQR data to the Census 2000 GQ populations for the same subcounty area by facility type.

We sum the subcounty GQ population to the county level by type and derive the total group quarters population under age 65 and age 65 and over by GQ type from the total GQ population by type using the Census 2000 age distribution of the GQ population by type in each county. Finally, we aggregate the county group quarters population across facility types to calculate the county GQ population under age 65 and 65 years and older.

Estimation of the County Populations: Under Age 65 and 65 and Over

To begin the calculation of county population estimates, we first need to calculate the appropriate beginning populations for April 1, 2000. We assume that one-fourth of the 64 year olds in each county as of April 1, 2000 will have turned 65 by July 1, 2000. We calculate the July 1, 2000 base resident populations under and over age 65 by subtracting and adding, respectively, the base resident population turning age 65 from the April 1, 2000 population under age 65 and age 65 and over. From these aged base resident populations, we subtract the base group quarters populations under and over age 65 to calculate the aged base household populations under and over age 65, respectively. We need this population base to represent the household population because we assume that the GQ population grows and migrates differently than the rest of the population. Consequently, we want to apply the county-to-county migration rates to the household population only.

The population bases of potential domestic migrants under age 65 and age 65 and over represent all people who have the possibility of moving within the United States during the estimate period. The population at the beginning of the estimate period includes those people who died or moved out of the county during the period, but excludes people who were born or moved into the county during the period. The population at the end of the estimate period is just the opposite. Since neither population is an accurate depiction of the population at risk of moving into or out of the county during the estimate period, an appropriate demographic compromise is to use the population at the midpoint of the period in our calculation of the population base of potential domestic migrants under age 65 and age 65 and over.

We assume that estimated resident births, estimated deaths, and net international migration are evenly distributed throughout the estimate period. Therefore, people experiencing these events are at risk of migrating, on average, for one-half of the period. We develop the domestic migration population base for each age group by adding one half of the births and net international migration and subtracting one half of the deaths from the aged household base population by age group.

There is a slight difference in the formula for the two age groups in that we calculate the migration base for the age 65 and over population by subtracting one half of the deaths and one half of the net native international migrants and adding one half of the international migrants between the United States and Puerto Rico. We make these adjustments in the migration base calculation for the older group because 1) birth cohorts entering the younger age group do not apply and 2) most foreign-born international migrants (the other part of the total net international migration) are not eligible to receive Medicare upon arrival in the United States.

Once we have calculated these base populations, we then calculate the net number of county-to-county migrants for the under age 65 and age 65 and over populations by multiplying the IRS-based migration rates and the Medicare-based migration rates by the respective migration bases. Since the IRS-based migration rate represents the movement over the course of one year, we divide the number of net migrants under age 65 by four to calculate the net migration in this population between April 1, 2000 and July 1, 2000. This is not necessary for the net migrants who are age 65 and over because the Medicare-based migration rate for this period exactly represents the period of interest, April 1, 2000 to July 1, 2000.

We subtract the county net Armed Forces movement of the population under age 65 to prevent any double counting of migrants since we assume those military personnel moving between the United States and overseas are included in the IRS tax return universe. From the net migrants 65 years and older, we subtract out all of the net international migration except the foreign-born migrants.

Once we have calculated the county-to-county migration for both age groups, we estimate the household population as of July 1, 2000 for each age group by starting with the aged base household population, adding the births, county-to-county net migration, and net international migration and subtracting the deaths. Then, we add in the GQ population by age group as of July 1, 2000 to produce the county resident population for the under age 65 and age 65 and over groups as of July 1, 2000.

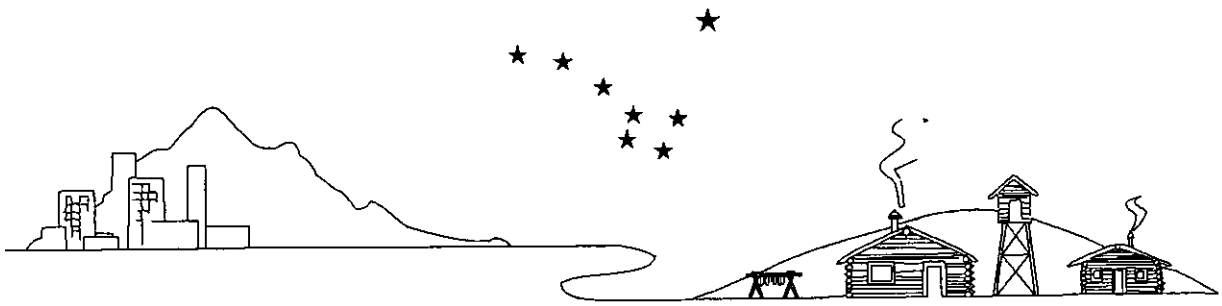
Finally, we must ensure consistency between the county population estimates and the independently produced national population estimates. We do this by proportionally adjusting, or raking, all county populations so the sum of the county estimates by under and over age 65 equals the national estimates by under age 65 and age 65 and over.

We then use the controlled July 1, 2000 population estimate for each county as the starting point for the July 1, 2001 population estimates by county and repeat the procedure described above for each year of the time series until reaching July 1, 2009. The only differences between the calculation of the July 1, 2000 estimates and subsequent calculations are due to the change in the length of the estimate period. When calculating the population turning 65 years old, we can assume that all people age 64 at the beginning of the time period would have become 65 years old after one year. Also, we no longer need to divide the number of net domestic migrants under age 65 by four to represent only three months of migration.

Other Population Change

We incorporate data from other administrative sources into the estimates as necessary. These other sources include revisions from the population estimates review and update program (challenges) to the population estimates and the results of whole-entity special censuses.

Municipal Population Estimate



Housing Unit Method Manual:

Population Estimate Instructions and

Reporting Forms

State of Alaska
Sean Parnell, Governor

Dept. of Commerce, Community, and Economic Development
Emil Notti, Commissioner

Division of Community and Regional Affairs
Tara Jollie, Director

January 2010

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Municipal Population Determinations and Requests for Adjustment

Population Determination

Under regulation, the Director of the Division of Community and Regional Affairs (DCRA) determines municipal populations for previous calendar year to be used for various funding programs. These determinations are sent to each municipality by mid January following the estimate year.

The mid January municipal population determinations are provided by the Alaska Department of Labor and Workforce Development, State Demographer.

NOTE: Municipalities are NOT REQUIRED to conduct a local census or population estimate. These forms ONLY need to be completed if your municipality disagrees with the Division's mid January population determination and wishes to request an adjustment.

Population Adjustment Request

If the municipality believes its population determination does not reflect the permanent resident population of the community of the previous calendar year, the municipality has until **April 1,** to request from DCRA's Director an adjustment to the mid January determination. If a municipality's request for adjustment is postmarked after **April 1,** it will be denied by the Director as being untimely filed. If the municipality's request for adjustment does not include all of the required documentation set forth in this manual, it will be denied by the Director as being unresponsive.

In determining a new population estimate, communities must select one of the following estimation methods:

- A **housing unit population method**, as described in this manual
- A **head count census**, as described in the separate Head Count Census Manual: Instructions and Reporting Forms, updated January 2010.

Municipalities with a population less than 1,000 must use the head count census, which is more reliable than the housing unit method for smaller populations. Municipalities with a population of 1,000 or more may use *either* method.

PLEASE NOTE: The methodologies described in the previous DCCED/DCRA publications entitled *Standards for Conducting a Population Census in Small Alaskan Cities* (1981) and the *Housing Unit Method of Population Estimation: A Manual for Municipal Personnel Responsible for Annual Population Estimates* (1982) is **no longer accepted** by this Department and should not be used for local population censuses or estimates. This manual and the separate *Head Count Census Manual* prescribe the Department's acceptable methodologies.

Extension of April 1st Deadline

A municipality may request an extension of the deadline, *if the request is received in writing by close of business April 1st and the municipality shows just cause for missing the deadline.* However, please note that any extension of the deadline limits the time available to a municipality to appeal the Director's decision to the Commissioner (see "Appeal" below). Please, contact Brigitta Windisch-Cole, Research Analyst, responsible for validating population censuses, at 907-269-4521 should you have questions.

Appeal to the Commissioner

If DCRA's Director does not grant the request for population adjustment or the municipality has other grounds for challenging the determination, the Director's decision may be appealed to the Commissioner (3 AAC 130.050). The appeal must be made within 10 days after the municipality first receives the decision of the Director.

Certified Population

After all appeals have been resolved, the Commissioner will certify a final municipal population report by on or before June 1st. The Department's certified population is based upon one of the following:

(1) A head count census conducted by the municipality

(2) A housing unit method population estimate conducted by the municipality in accordance with this manual

(3) An estimate by the Alaska Department of Labor and Workforce Development

Regulations state that the Department must use whichever of the above methods indicates the most recent population of the municipality. If there is a conflict among the municipal population numbers for the same year from two or more of the sources listed above, it will be resolved by taking them in the order set out above, so that an approved locally conducted census, that includes a an adjustment to the previous calendar year estimate, would take precedence over the Alaska Department of Labor and Workforce Development estimate. A local census or population census or estimate, conducted in 2010, for example, will be adjusted to reflect a community's 2009 mid-year population.

Housing Unit Method Population Estimate Documentation and Procedures

The Housing Unit Method (HUM) is the most commonly used approach to making small-area population estimates in the United States. A municipality conducts a HUM population estimate by randomly sampling households to measure characteristics of the "typical household," and by applying those characteristics to the total housing unit inventory of the municipality. Because samples are subject to various types of statistical errors, the Housing Unit Method is truly an estimate of population. In spite of the errors inherent in this methodology, for many large municipalities, a 100% "Head Count Census" would be overly labor-intensive and expensive.

Five housing unit elements must be measured to properly conduct a Housing Unit Method population estimate:

I. Housing Units - number of housing units by structure type (single family, duplex, etc)

II. Vacancy Rates - vacancy rates for each structure type

III. Residency Rates - residency rates for each structure type

IV. PPH - Average persons per household (PPH) in each structure type

V. Group Quarters - The number of permanent municipal residents living in group quarters

Note: Please review the manual carefully, as some of these elements may be measured concurrently.

(1) Occupied Resident Households

x (Average PPH) = Estimated Household Population

(2) Estimated Household Population + Group Quarters Population = Total Population Estimate

Sample reporting forms for each element required in the HUM are provided as attachments in the back of this manual. Large municipalities and boroughs must measure and report each of the five elements described above by service areas or cities within their boundaries.

Municipalities who choose to conduct a Housing Unit Method population estimate **should discuss their choice of methodology from among those presented in this manual with Brigitta Windisch-Cole, Research Analyst, at 907-269-4521, prior to conducting any field work.** Discussion in advance and pre-approval of the methodologies, sampling techniques, and documentation required by the Department is for the municipality's benefit.

Point in Time Estimation: Regardless of the type of method selected, the municipality must estimate the population of residents (persons who reside in the municipality for more than six months of the year) on June 30 of the estimate year. If the population estimate is not for July 1 of the estimate year, the estimate will be prorated to July 1 of the estimate year. For example, if a 2009 population estimate is made on October 1 of 2009, it will be adjusted by the Division of Community and Regional Affairs to July 1 of 2009, based on a linear trend between the last certified population estimate and the October 1 of 2009 estimate.

The following documents must be submitted to the Department in support of the local estimate.

1. **Municipal Map or U.S. Census Block Map.** A map of the municipality which accurately depicts the placement and names of block numbers, streets, roads, landmarks, and boundaries which mark the corporate (legal) limits of the municipality. (See Attachment B)
2. **Housing Unit Method documentation.** Detailed documentation of all field work, samples, and surveys for: housing units; vacancy rates; residency rates; average persons per household estimates; and group quarters populations. Sample forms are provided (Attachments C- K) and all required documentation is identified throughout this manual.
3. **Housing Unit Method Calculation worksheet.** Final calculation of Housing Unit Method population estimate, using the five housing unit elements above. A sample calculation worksheet is on Form 5 (Attachment K). Please use Microsoft Excel Version 2003 for the worksheet, and submit an electronic copy of the worksheet(s) as well as a hard copy.
4. **Resolution.** The municipality must pass and sign a resolution adopting the results of the population estimate. (See page 17 for a sample resolution).

The municipality should thoroughly document all steps involved in the Housing Unit Method population estimate, since the Department may request any documentation it deems necessary to substantiate the local municipal population estimate.

HOUSING UNIT METHOD

2010 POPULATION ESTIMATE

Submitted To

Department of Commerce, Community, and Economic Development
Division of Community & Regional Affairs
Attn: Brigitta Windisch-Cole, Research Analyst
550 W. 7th Ave., Suite 1770
Anchorage, AK 99501-3501
Telephone: 907-269-4521 Fax: 907-269-4539

Date Submitted: _____

Contact: _____

Included:

- ☐ Housing Unit Method Documentation
- ☐ Municipal Map
- ☐ Council/Assembly Population Resolution

I. HOUSING UNITS

- ☑ A municipal map or U.S. Census block map is required, indicating legal boundaries of the municipality.
- ☑ Total Housing Units must be enumerated and documented by Structure Type: Single Family, Duplex, Apartments (Multiple Family), Mobile Homes. (See Attachment A for descriptions of housing unit types).
- ☑ If your municipality is stratified by service areas or geographically-unique areas, housing units must be tabulated for each area by structure type.
- ☑ Live-aboard boats may be counted as housing units. Contact the Harbormaster or conduct a boat-to-boat survey. If the number of residents living on each boat cannot be determined, an average population of one (1) will be used per boat.
- ☑ Dilapidated, uninhabitable housing, or housing under construction, may not be included in the housing inventory. (Under Appendix, see Glossary for a further description of housing units using U.S. Census definitions).
- ☑ Any unusual growth from previous year's data will require additional documentation.

Acceptable Housing Unit Methodologies (HUM): Listed below are acceptable sources for identifying total Housing Units to be sampled through a random selection of census blocks. Select one.

1. Administrative or Property Tax Assessment Housing Records

Documentation printed directly from the Assessment computer system is required, including a list of residential units by lot number, structure type, and year built. If your municipality is stratified by service areas or geographically-unique areas, block-level subtotals by structure type are sufficient. The map must outline census blocks, service areas, or geographic areas that correspond with assessment record tabulations.

Documentation: Assessment system report, or provide information identified on **Form 1** (Attachment C); map corresponding with assessment record tabulations.

2. Field Census of Housing Units

Vacancies, Residency and/or Persons per Household (PPH) may also be measured during a field census of housing.

Documentation: If only housing will be counted in the field, use Form 1. The last page should total all housing units. Use Form 2 (Attachments D-F) if vacancies and residency will be measured with housing. Use Form 3 (Attachments G-I) if vacancies, residency and PPH will also be enumerated. The Summary forms are used to total all blocks or areas surveyed. A Municipal Map with census block numbers and street names corresponding to the inventory worksheet must be provided.

3. New Housing Units Constructed Since Last Housing Count

You are required to use the 2000 U. S. Census housing unit count and add any new units constructed and occupied since April 2000. You must deduct housing units demolished since 2000.

Documentation: Attach a list of each new unit constructed (must be completed and habitable), structure type, address, and permit number. Attach a list of each demolished properties by structure type and address. Complete Form 1, or provide similar information.

II. VACANCY RATES

- ☑ Vacancies must be measured for each Structure Type: Single Family, Duplex, Apartments (Multiple Family), Mobile Homes.
- ☑ If service areas or geographically-unique areas have been defined, vacancies must be tabulated separately for each area by structure type.
- ☑ Dilapidated or uninhabitable housing, including housing under construction, should not be counted as vacant.
- ☑ Vacancies or occupancy for all structure types can only be established through a door to door survey.
- ☑ Vacancies must be measured exactly as they are found on the "census day." They are a "snapshot" of the current situation. For example, if an apartment is vacant on the census day, but will be inhabited the following week, it must be marked as vacant. Failure to do so is equivalent to counting that relocating family twice, once in its old home and again in its new apartment.

☑ **Vacancy Rate** = Vacant Housing Units Found / All Sampled Housing Units (per type)

Occupancy Rate = 1.00 - Vacancy Rate

III. RESIDENCY RATES

- ☑ Residency must be measured for each Structure Type: Single Family, Duplex, Apartments (Multiple Family), Mobile Homes.

- ☑ If service areas or geographically-unique areas have been defined, residency must be tabulated separately for each area by structure type.

- ☑ Residency is determined on the basis of where a person resides for 6 months of the year unless a person has no usual place of residence. For example, an individual or family that is in your community for seasonal subsistence or employment purposes is a non-resident household. A household member must be contacted in person to determine residency. Special cases of residency are found in the Appendix, under the Glossary titled: Table of Residence Special Case Definitions.

Acceptable Methodologies: Select one of the two methodologies listed below to determine Vacancy and Residency Rates.

1. Sample Field Survey – Random Sample of Blocks for Vacancy and Residency

Municipalities with less than 2,000 housing units must conduct a **40% random sample of residential census blocks.** Municipalities with 2,000 to 4,000 housing units are required to sample 25% of housing units. Municipalities with greater than 4,000 housing units must select a sample size sufficient to provide 1% error of 90% confidence interval given the municipality's expected occupancy rate. **Contact the Department for recommended sample size.**

The required sample sizes of residential blocks are drawn at random from a hat, or through a random (block) number generating program. Two-person verification of random selection process is required and should be documented. These sample blocks are then surveyed door-to-door for vacancy and residency. Since households must be contacted to determine vacancy and residency, the Persons per Household (PPH) survey is usually conducted simultaneously in the selected sample areas. If the resulting sample is not of sufficient size for a specific housing unit structure type (for example, only 10% of all apartments were sampled in the 40% block selection), additional field work will be required.

Documentation: If conducting a sample of Blocks, use Block Detail (Form 2) and Block Summary (Form 2 Summary). Use Form 3 and Form 3 Summary if conducting vacancy, residency and PPH surveys simultaneously. (See Attachments at the back of the manual for all forms listed). A Municipal map depicting all blocks in the municipality and indicating the blocks sampled by using a marker to highlight the block borders is required.

2. Field Census for Vacant Units and Resident Households

This is a door-to-door census of all housing units to determine vacancy. This is usually conducted only if the housing inventory is not known and a field census of housing is necessary. Residency and Persons per Household (PPH) can be measured for all households at the time of the census, or be measured separately in a sample field survey. Two-person verification of occupied housing units is required and should be documented. Vacant units must be identified by structure type.

Documentation: Block Detail (Form 2) and Block Summary (Form 2 Summary) information, is required. The Municipal map should indicate City boundaries, census blocks, and street names as they appear on Form 2. If the average Persons per Household (PPH) is also measured at this time include the use of Form 3 and Form 3 Summary worksheets.

IV. AVERAGE PERSONS PER HOUSEHOLD (PPH)

- ☑ PPH must be measured for each Structure Type: Single Family, Duplex, Apartments (Multiple Family), Mobile Homes.
- ☑ If service areas or geographically-unique areas have been identified, PPH must be tabulated separately for each service area by structure type.
- ☑ Non-residents are **not** included in the PPH survey. Special cases of residency are presented in the Appendix, under the Glossary in the table titled: Table of Residence Special Case Definitions.
- ☑ PPH = Resident Persons /Occupied Housing Units Surveyed.

Acceptable PPH Methodologies: Each of the two methodologies listed below are acceptable for determining Average PPH. Select one.

1. Sample Field Survey – Random Sample of Blocks

Municipalities with less than 2,000 housing units must conduct a **40% random sample of census blocks.** Municipalities with 2,000 to 4,000 housing units are required to sample 25% of housing units. Municipalities with greater than 4,000 housing units must elect a sample size sufficient to provide 1% error of 90% confidence interval given a municipal specific occupancy rate. **Contact the Department for the required sample size.**

The required sample size of residential blocks is drawn at random from a hat, or through a random (block) number generating program. Two-person verification of random selection process is required and should be documented. A door-to-door survey of the selected areas is then conducted. **PPH is measured simultaneously with vacancy and residency.**

Documentation: Use Form 3 and Form 3 Summary.

2. Field Census

This is a door-to-door census of all housing units by structure type to determine resident PPH. Residency and Vacancy must be measured for all households in a sample. Two-person verification of occupied housing units is required and PPH must be calculated separately for each structure type.

Documentation: Use Form 3 and Form 3 Summary.

V. GROUP QUARTERS

- ☑ Documentation must include Form 4. List each group facility name, service provided/facility purpose, address, contact name and phone number, and resident population as of June 30 of the estimate year.
- ☑ The Department may require additional residency documentation for any facility which houses a non-resident population as of July 1 of the estimate year.
- ☑ See "Additional Requirements" below for residency definitions and other documentation. Further information about group quarters is found in the Appendix, Glossary.

Acceptable Methodologies: Select one.

1. Telephone Survey of Group Quarters Managers
2. Field Census of Group Quarters Managers

Additional Requirements:

On-Shore or Off-Shore Fish Processing Group Quarters and Construction Camps:
Facilities must be in operation within the municipal boundaries for more than six months out of the past 12 months. If the facility is in operation year-round, and monthly or seasonal population increases and decreases occur in this facility, a letter from the facility documenting the monthly group quarters population for the past 12 months is required and the annual average population should be used and submitted to the Department.

Military Barracks: If the barracks are in operation year-round, and monthly or seasonal population increases and decreases occur in this facility, a letter from the facility documenting the monthly group quarters population as of June 30 of the estimate year is required. Please refer to Appendix, Table of Residence Special Case Definitions for addition information).

Correctional Facilities:
If the facility incarcerates a resident population include a count as of June 30 of the estimate year.

Hotels/Motels:
Permanent local residents who are living in long-term rooms are counted as of July 1 of the estimate year. If a hotel guest is in town temporarily, he/she may not be counted until they have been housed for at least six months and a day.

Other Facilities:
Senior Citizen homes, long-term medical care facilities, juvenile youth facilities, crisis shelters, and homeless shelters, etc., are assumed to house local residents, and therefore require no special documentation of individual resident status.

HUM POPULATION ESTIMATE CALCULATIONS

Use Form 5 to calculate the total population estimate. The following summarizes the information required, and the steps in the calculations. Municipalities with stratified service areas or geographic regions must utilize a separate Form 5 for each area.

For each Housing Structure Type: Single, Duplex, Multi-Family, Mobile Homes, Boats/Other:

(A) Total Number of Housing Units

(B) Selection of Sample Census Blocks (List all Households for Each Census Block)

(C) Vacancy Rate = Vacant Housing Units Found / All Sampled Housing Units

(D) Occupied Housing Units = Total Housing Units x (1.00 – Vacancy Rate)

(E) Persons Per Household (PPH) = Residents / Occupied Housing Units

Where: Residents = Number of Residents in Households Surveyed / Total Persons in Households Surveyed

(F) Estimated Population = (D) E) Occupied Resident . Households **x (E)** Average PPH

(1) Occupied Resident Households x PPH = Estimated Household Population

(2) Estimated Household Population + Group Quarters Population (Form 4) = Total Population Estimate

POPULATION RESOLUTION

A RESOLUTION OF THE _____ adopting the
(Municipality)

determination of population of the municipality as of _____.
(Date)

WHEREAS, the _____ has conducted an
(Municipality)

estimate of the municipal population indicating the population of permanent residents of the municipality as of _____, and
(Date)

WHEREAS, the governing body of the municipality must pass a resolution adopting the results of the census for use by the Department of Commerce, Community, and Economic Development;

NOW THEREFORE BE IT RESOLVED THAT the governing body finds that on _____the population of permanent residents of the municipality was
(Date)

_____.
(Population)

PASSED AND APPROVED BY THE _____ on the
(Governing Body)

_____day of _____, 2010.

BY: _____
(Mayor)

ATTEST: _____
(Clerk or Secretary)

Appendix

Glossary: Census definitions

1. **Housing Unit**. A housing unit is one or more rooms intended for permanent occupancy as separate living quarters. A housing unit is a house, an apartment, a mobile home, a group of rooms, or a single room occupied (or vacant, intended for occupancy) as separate living quarters. Separate living quarters are those in which the occupants live separately from any other people in the building and which have direct access from the outside of the building or through a common hall. The occupants may be a single family, one person living alone, two or more families living together, or any group of related or unrelated people sharing living arrangements.

    - Occupied Housing Unit (Also called a *Household*): a housing unit is occupied if a household of one or more resident persons usually live and sleep there. A housing unit is considered occupied if the residents are only temporarily absent. (See #6).
    - Vacant Housing Unit: a housing unit is vacant if it is either without occupants or is temporarily occupied by persons whose unusual place of residence is elsewhere. A unit from which the occupants are temporarily absent (on vacation etc.) is not considered a vacant unit.
    - Housing structures not considered housing units if vacant include: dilapidated or derelict housing structures that are not considered fit for human habitation, including: broken windows, missing doors or roof, collapsed walls or extensive fire damage; housing units being used solely for storage; recreational boats; tents, motor homes, travel trailers, and new housing under construction.
    - Year-round housing units: all occupied and unoccupied units, regardless of design, that are intended for occupancy at all times of the year.
    - Single-family detached unit: a housing structure with open space on all four sides.
    - Single-family attached unit: a single-unit housing structure that has one or more unbroken wall extending from ground to roof separating it from adjoining structures, such as a townhouse.
    - Multifamily units: housing units contained in multiunit structures such as apartment buildings.

2. **Residents:** Residency is determined on the basis of where a person usually resides on a weekly basis or for the majority of the year (more than six months) if persons divide their time between two or more residences. This place is not necessarily the same as the person's voting residence or legal residence. Also, noncitizens that are living in the United States are included, regardless of their immigration status. Persons who sleep consecutive nights in one locality to be near their place of work and sleep in another locality on weekends or during other non-work periods are considered residents of the housing unit in which they spend most of their nights during the week. The following special cases apply:

Table of Residence Special Case Definitions	
Type of Person	**Resident of**
Lives in this household but is temporarily absent on a visit, business trip, vacation, or in connection with job.	This household
Lives in this household only on weekends. Works most of the week in another place.	The other place
Lives in this household, but is in a general or VA hospital, including new babies in the hospital who have not yet been brought home.	This household
Members of the Armed Forces	
(a). Living on military installation	The military installation
(b). Stationed on nearby installation but living off base in this household.	This household
(c). Assigned to a military vessel whose home port is 50 miles or more away from this household.	The vessel
(c). Assigned to a military vessel whose home port is 50 miles or less away from this household.	This household
Officer or crew member of a merchant vessel, vessel engaged in coastwide or foreign transportation.	The vessel
Officer or crew member of a merchant vessel, vessel engaged in inland water transportation.	This household
College Student	
(a). Not living in this household during school year - here only on vacation.	Place where they live while attending college
(b). Living in this household during the school year.	This household
Student away while attending school below college level or students attending boarding school	This household
Nurse living hospital or nursing home.	Hospital or nursing home
Family members working and living away from home four or more nights a week for the majority of the calendar year.	Place where they live while working away from home
Person who has more than one home and divides time between them.	Place where he/she spends largest part of the year
American Citizen abroad	
(a). On vacation or temporarily away in connection with work.	This household
(b). Employed by the U.S. Government	Do not list
(c). Any other American working or living abroad for extended time.	Do not list
Institutionalized individuals, those in prison or reformatories, and schools for citizens with special needs.	The special place
Members of religious order.	The monastery or convent
Citizens of a foreign country	
(a). Studying or working in the U.S. or the members of the family of such person living with him or her.	This household
(b). Temporary traveling or visiting the U.S.	Do not list
Source: United States Census Bureau	

3. **Household:** A household is an occupied housing unit. It may be a single-person household, a household where unrelated persons live together, or a family household.

4. **Group Quarters**: Facilities that house group quarters populations are not counted as housing units. Group quarter populations are found most frequently in nursing homes, student residence halls, on military establishments, including military vessels, and populations residing in institutional group quarters.

5. **Vintage Year**: Refers to the year that demographers begin production on a set of population estimates. For example, the vintage 2009 estimates are estimates whose production was begun in 2009.

6. **Occupied Housing Unit:** A housing unit that is the usual place of residency of the occupant(s). Also referred to as a Household. A housing unit is classified as occupied if it is the usual place of residence of the person or group of people living in it at the time of enumeration, or if the occupants are only temporarily absent; that is, away on vacation or a business trip. The occupants may be a single family, one person living alone, two or more families living together, or any other group of related or unrelated people who share living quarters. Occupied rooms or suites of rooms in hotels, motels, and similar places are classified as housing units only when occupied by permanent residents; that is, people who consider the hotel as their usual place of residence or have no usual place of residence elsewhere. If any of the occupants in rooming or boarding houses, congregate housing, or continuing care facilities live separately from others in the building and have direct access, their quarters are classified as separate housing units. The living quarters occupied by staff personnel within any group quarters are separate housing units if they satisfy the housing unit criteria of separateness and direct access; otherwise, they are considered group quarters.

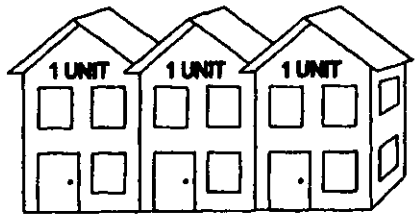
Attachments

A. Examples of Structure Types
B. Sample Block Map
C. Form 1: Municipal Housing Inventory
D. Form 2: Sample Municipal Block Detail Field Survey: Housing, Residency and Vacancy
E. Form 2
F. Form 2 Sample
G. Form 3 Sample Municipal Block Detail field Survey: Housing, Persons, Residency and Vacancy
H. Form 3
I. Form 3 Summary
J. Form 4: Group Quarters Population
K. Form 5: Hum Estimate Worksheet
L. Household Size Sample Questionnaire

EXAMPLES OF STRUCTURE TYPES

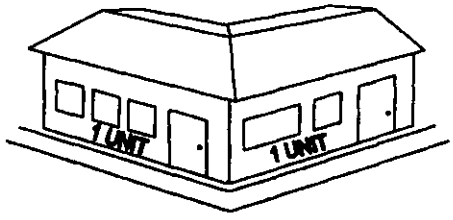
1 Structure with
1 Housing unit

1 Structure with
1 Housing Unit

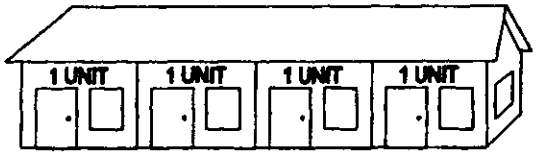


1 Structure with
3 Housing Units

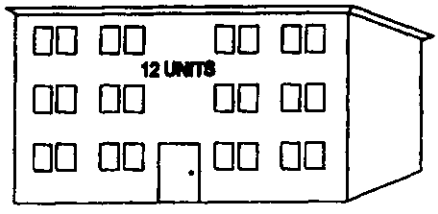
1 Structure with
2 Housing Units



1 Structure with
2 Housing Units

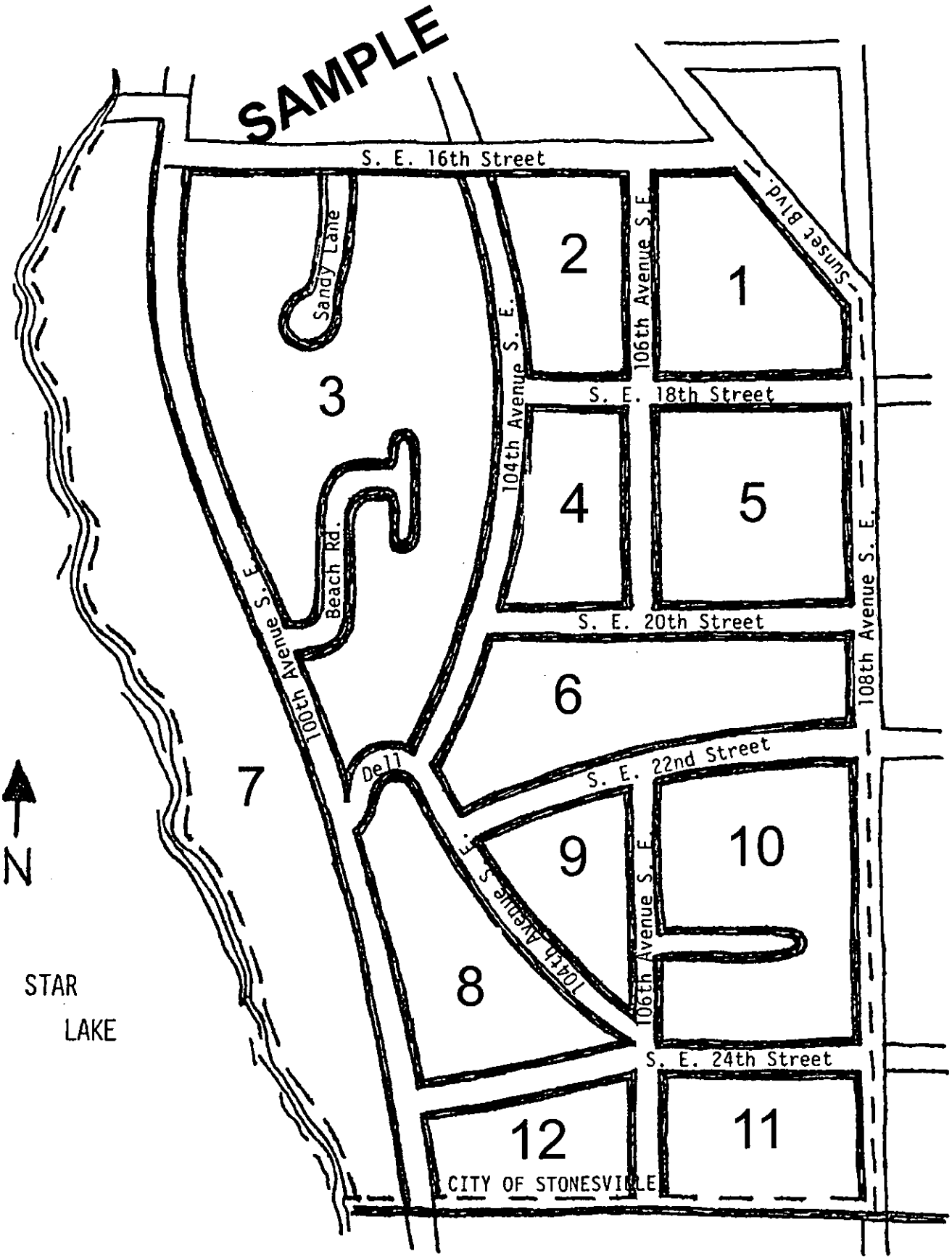


1 Structure with
4 Housing Units



1 Structure with
5+ Housing Units

Attachment B



NOTE: MAPS MAY BE HAND DRAWN - BLOCK MAPS ARE AVAILABLE FROM THE 2000 U.S. CENSUS

Attachment C

FORM 1

MUNICIPAL HOUSING INVENTORY
CITY OF _____

Date _____
Enumerator _____
Block _____ **Page** _____

Address/Lot/Permit #	Single	Duplex	Multi-Fam	Mobile	
					1
					2
					3
					4
					5
					6
					7
					8
					9
					10
					11
					12
					13
					14
					15
					16
					17
					18
					19
					20
					21
					22
					23
					24
					25
					26
					27
					28
					29
					30
Municipal Totals					

Total All Housing Units _____

FORM 2 - SAMPLE

SAMPLE

CENSUS BLOCK DETAIL
FIELD SURVEY - HOUSING, RESIDENCY & VACANCIES
CITY OF RVERBEND

Block No. 4
Page 2 of 10

Date October 8, 1998
Enumerator Jane Jones

Housing Units Surveyed

Household Address	Housing Unit #	Single				Duplex				Multi-Family				Mobile Home				Dates of Residency	
		Tot	Occ	Vac	Res	Tot	Occ	Vac	Res	Tot	Occ	Vac	Res	Tot	Occ	Vac	Res		
100 106th Ave. SE	1	1		1															1
102 106th Ave. SE	2	1	1		1													since 1972	2
104 106th Ave. SE	3	1	1		1													since 1993	3
106 106th Ave. SE	4	1	1		1													since 1959	4
400 S.E. 18th St.	5													1	1		1	since 1940	5
402 S.E. 18th St.	6													1	1			summer work	6
404 S.E. 18th St.	7													1	1		1	since 1992	7
406 S.E. 18th St.	8													1	1		1	since 6/97	8
408 S.E. 18th St.	9													1	1		1	since 1973	9
410 S.E. 18th St.	10													1	1		1	since 1955	10
401 S.E. 18th St.	11													1	1		1	since 1985	11
403 S.E. 18th St.	12													1	1		1	since 1970	12
405 S.E. 18th St.	13													1	1		1	since 1/98	13
407 S.E. 18th St.	14													1	1		1	since 1988	14
251 Sunset Blvd. #1	15									1	1		1					since 1945	15
251 Sunset Blvd. #2	16									1	1		1					since 1933	16
251 Sunset Blvd. #3	17									1		1							17
251 Sunset Blvd. #4	18									1	1		1					since 1980	18
251 Sunset Blvd. #5	19									1	1							summer work	21
251 Sunset Blvd. #6	20									1	1		1					since 1960	30
		Tot	Occ	Vac	Res	Tot	Occ	Vac	Res	Tot	Occ	Vac	Res	Tot	Occ	Vac	Res		
Page Sub-Total		4	3	1	3					6	5	1	4	10	10	0	9		

Definitions:

Tot= Total Housing Units Surveyed
Occ= Occupied Housing Units in Total
Vac= Vacant Housing Units in Total
Res= Household spends majority of year in City, and has no other usual place of residence

Attachment D

FORM 2

CENSUS BLOCK DETAIL
FIELD SURVEY - HOUSING, RESIDENCY & VACANCIES
CITY/AREA: _____

Block No. _____
Page _____

Date _____
Enumerator _____

Housing Units Surveyed

Household Address	Housing Unit #	Single				Duplex				Multi-Family				Mobile Home				Dates of Residency	
		Tot	Occ	Vac	Res	Tot	Occ	Vac	Res	Tot	Occ	Vac	Res	Tot	Occ	Vac	Res		1
																			2
																			3
																			4
																			5
																			6
																			7
																			8
																			9
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																			16
																			17
																			18
																			21
																			30
Page Sub-Total																			

Definitions:

Tot= Total Housing Units Surveyed

Occ= Occupied Housing Units in Total

Vac= Vacant Housing Units in Total

Res= Household spends majority of year in City, and has no other usual place of residence

Attachment E

CENSUS BLOCK DETAIL
FIELD SURVEY - HOUSING, RESIDENCY & VACANCIES
CITY/AREA: _____

FORM 2 SUMMARY

Date _____
Enumerator _____

Housing Units Surveyed

Detail Page	Single				Duplex				Multi-Family				Mobile Home			
	Tot	Occ	Vac	Res	Tot	Occ	Vac	Res	Tot	Occ	Vac	Res	Tot	Occ	Vac	Res
	Tot	Occ	Vac	Res	Tot	Occ	Vac	Res	Tot	Occ	Vac	Res	Tot	Occ	Vac	Res
TOTAL																

CALCULATIONS:

	Single	Duplex	Multi-Family	Mobile Home
Vacancy Rate (= Vac/Tot)				
Residency Rate (= Res/Occ)				

Attachment F

CENSUS BLOCK DETAIL
FIELD SURVEY - HOUSING, PERSONS, RESIDENCY & VACANCIES
CITY/AREA: _____

FORM 3 - SAMPLE

SAMPLE

Block No._____
Page _____

Date _____
Enumerator _____

Housing Units Surveyed

Household Address	Housing Unit #	Single Family					Duplex					Multi-Family					Mobile Home					Dates of Residency	
		Tot	Occ	Vac	PPH	Res	Tot	Occ	Vac	PPH	Res	Tot	Occ	Vac	PPH	Res	Tot	Occ	Vac	PPH	Res		
100 106th Ave. SE	1	1		1																			1
102 106th Ave. SE	2	1	1		3	1																since 1972	2
104 106th Ave. SE	3	1	1		4	1																since 1993	3
106 106th Ave. SE	4	1	1		2	1																since 1959	4
400 S.E. 18th St.	5																1	1		2	1	since 1940	5
402 S.E. 18th St.	6																1	1		1		summer work	6
404 S.E. 18th St.	7																1	1		5	1	since 1992	7
406 S.E. 18th St.	8																1	1		4	1	since 6/97	8
408 S.E. 18th St.	9																1	1		2	1	since 1973	9
410 S.E. 18th St.	10																1	1		3	1	since 1955	10
401 S.E. 18th St.	11																1	1		4	1	since 1985	11
403 S.E. 18th St.	12																1	1		3	1	since 1970	12
405 S.E. 18th St.	13																1	1		2	1	since 1/98	13
407 S.E. 18th St.	14																1	1		1	1	since 1988	14
251 Sunset Blvd. #1	15											1	1		3	1						since 1945	15
251 Sunset Blvd. #2	16											1	1		3	1						since 1933	16
251 Sunset Blvd. #3	17											1		1									14
251 Sunset Blvd. #4	18											1	1		2	1						since 1980	15
251 Sunset Blvd. #5	19											1	1		1							summer work	16
251 Sunset Blvd. #6	20											1	1		5	1						since 1960	17
																							18
																							21
																							30
Page Sub-Total		4	3	1	9	3	0	0	0	0	0	6	5	1	14	4	10	10	0	27	9		

Definitions:

Tot= Total Housing Units Surveyed
Occ= Occupied Housing Units in Total
Vac= Vacant Housing Units in Total
PPH= Persons in Household Surveyed
Res= Household spends majority of year in City, and has no other usual place of residence

Attachment G

CENSUS BLOCK DETAIL
FIELD SURVEY - HOUSING, PERSONS, RESIDENCY & VACANCIES
CITY/AREA: _____

FORM 3

Block No. _____
Page _____

Date _____
Enumerator _____

Housing Units Surveyed

Household Address	Housing Unit #	Single Family					Duplex					Multi-Family					Mobile Home					Dates of Residency	
		Tot	Occ	Vac	PPH	Res	Tot	Occ	Vac	PPH	Res	Tot	Occ	Vac	PPH	Res	Tot	Occ	Vac	PPH	Res		
																							1
																							2
																							3
																							4
																							5
																							6
																							7
																							8
																							9
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																							18
																							21
																							30
Page Sub-Total																							

Definitions:

Tot= Total Housing Units Surveyed
Occ= Occupied Housing Units in Total
Vac= Vacant Housing Units in Total
PPH= Persons in Household Surveyed
Res= Household spends majority of year in City, and has no other usual place of residence

Attachment H

CENSUS BLOCK DETAIL
FIELD SURVEY - HOUSING, PERSONS, RESIDENCY & VACANCIES
CITY/AREA: _____

FORM 3 SUMMARY

Housing Units Surveyed

Detail Page	Single Family					Duplex					Multi-Family					Mobile Home				
	Tot	Occ	Vac	PPH	Res	Tot	Occ	Vac	PPH	Res	Tot	Occ	Vac	PPH	Res	Tot	Occ	Vac	PPH	Res
	Tot	Occ	Vac	PPH	Res	Tot	Occ	Vac	PPH	Res	Tot	Occ	Vac	PPH	Res	Tot	Occ	Vac	PPH	Res

CALCULATIONS:

	Single	Duplex	Multi-Family	Mobile Home
Vacancy Rate (= Vac/Tot)				
Residency Rate (= Res/Occ)				
PPH (= PPH/Occ)				

Attachment I

GROUP QUARTERS POPULATION

CITY OF _____ FORM 4

Date _____
Contact _____
Page _____

Facility	Service/Purpose	Address	Contact Name	Phone	Resident Pop.

Attachment K

FORM 5

HOUSING UNIT METHOD POPULATION ESTIMATE
CALCULATION WORKSHEET
CITY OF _____

Date _____
Contact _____

Structure Type	Total Housing Units	Vacancy Rate	Occupancy Rate	Residency Rate	Occupied Resident Households	Average PPH	Resident Population Estimate
	A	B	C	D	E	F	G
Calculations:			*1.00 - B*		*A x C x D*		*E x F*
Single Family							
Duplex							
Multi-Family							
Mobile Homes							
Other/Boats							
TOTALS							

Estimated Residents Living in Housing _____

Group Quarters Population _____

Total Municipal Population Estimate _____

Attachment L

SAMPLE

HOUSEHOLD SIZE QUESTIONNAIRE
DUE MARCH 1ST

The City is conducting a population estimate, which is used, in part, to determine funding from the State of Alaska. An important part of the estimate is determining the average number of residents in each household (persons per household) for various housing types. We need as many responses as possible to ensure accuracy of the estimate. We urge you to take a minute to answer this survey, and appreciate your response by March 1st. Thank you!

If you have questions about filling out this survey, please call Jane Jones, City Clerk, at 555-4242.

1) What type of housing do you live in? *(please check one)*

____ Single Family Home
____ Duplex or Zero-Lot Line
____ Mobile Home or Trailer
____ Multi-Family (includes 3-plex, 4-plex and larger apartment complexes)
____ Other (please identify type)_____

2) How many persons currently live in your household? *(circle one)*

1 2 3 4 5 6 7 8 9 10 More _____ (specify)

3) How many of the persons circled above have another usual place of residence where they spend the majority of the year? (For example, how many are students that leave home to attend High School or College? How many persons are living in your household temporarily for seasonal employment, subsistence activities, or for other purposes?)

(circle one)

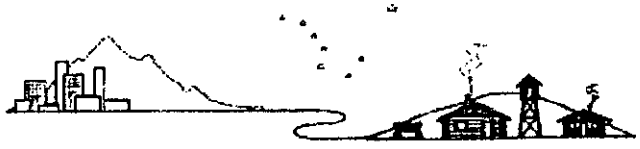
None 1 2 3 4 5 6 7 8 9 10

More _____ (specify)

NOTE: if households located outside of the City's incorporated boundaries may receive this survey, an additional question must be asked, such as:

Is your home located within City boundaries? Yes / No

Municipal Population Census



Head Count Census Manual: Instructions and Reporting Forms

State of Alaska
Sean Parnell, Governor

Dept. of Commerce, Community, and Economic Development
Emil Notti, Commissioner

Division of Community and Regional Affairs
Tara Jollie, Director

January 2010

Municipal Population Determinations and Requests for Adjustment

Population Determination

Under regulation, the Director of the Division of Community and Regional Affairs (DCRA) determines municipal populations for calendar year 2009 to be used for various funding programs. These determinations are sent to each municipality by January 15, 2010.

The January 15 municipal population determinations are provided by the Department of Labor and Workforce Development, State Demographer, and are based on 2009 Permanent Fund Dividend (PFD) applications. Since the Department of Labor figures are the most current indicators of population, they are used for the 2009 calendar year.

NOTE: Municipalities are NOT REQUIRED to conduct a local census. These forms ONLY need to be completed if your municipality disagrees with the Division's January 15 population determination and wishes to request an adjustment.

Population Adjustment Request

If your municipality believes that the population determination does not reflect the population of your community, it has until April 1, 2010, to request from DCRA's Director an adjustment to the January 15 determination. The request must include either:

- a **head count census**, as described in **this** manual; or,
- a **housing unit population estimate**, as described in the *Housing Unit Method Manual: Population Estimate Instructions and Reporting Forms*, January 2010.

Municipalities with a population of 1,000 or more may use either method. Municipalities with a **population less than 1,000 must use the head count census**, which is more reliable than the housing unit estimate for smaller populations.

If a municipality's request for adjustment is postmarked after **April 1, 2010**, it will be denied by the Director as being untimely filed. If the municipality's request for adjustment does not include all of the required documentation set forth in this manual, it will be denied by the Director as being unresponsive. A municipality may request an extension of the deadline, if the request is received in writing by close of business April 1, and if the municipality shows just cause for missing the deadline. Please contact Bill Rolfzen, Community Revenue Sharing Program Administrator, at 907-465-4733, should you have questions.

Appeal to the Commissioner

If DCRA's Director does not grant the request for population adjustment, or if the municipality has other grounds for challenging the determination, the Director's decision may be appealed to the Commissioner (3 AAC 130.044). The appeal must be made within 10 days after the municipality receives the decision of the Director.

Certified Population

After all appeals have been resolved, the Commissioner will certify a final municipal population report by June 1, 2010. The Department's certified population is based upon one of the following:

(1) a census of the U.S. Census Bureau.

(2) a head count census conducted in accordance with this manual;

(3) a housing unit method population estimate conducted in accordance with the Housing Unit Method Manual: Population Estimate Instructions and Reporting Forms, January 2010; or

(4) an estimate by the Department of Labor and Workforce Development.

Regulations state that the Department must use whichever of the above methods indicates the most recent population of the municipality.

If two or more population figures exist for the same calendar year, regulations state that the Department must use the order of preference established above. So, for example, if a City conducts a head count census in February 2010, **it will take precedence over the Department of Labor estimate for 2009. In addition, a local census conducted in 2010 will take precedence over next year's Department of Labor estimate for 2010. In effect, a successful head count census will apply for two consecutive years.**

Head Count Census
Documentation and Procedures

A city conducts a "head count" population census by going door-to-door to every housing unit within the city boundaries to count residents. To successfully adjust your city's population, the following four items must be included in your Head Count Census submission: 1) a city map; 2) the census documents listing individual residents by household; 3) a summary sheet with the total number of city residents and housing units; and 4) a city council resolution.

1. City Map

A map of the city which accurately shows the placement and names of streets, roads, landmarks, and the incorporated (legal) city boundaries. Indicate individual housing units on the map, using housing unit numbers that correspond to the census forms. Do not survey houses or include persons living outside of the city's legal boundaries.

2. Population Census Forms (Forms and examples attached).

The population census should be documented using copies of the attached forms or similar documents. Please make as many copies of the Head Count Census forms as needed. The information gathered by the census-taker(s) must include:

⇨ **The address of each housing unit.**
Note the address or location of each residential housing unit, whether occupied or vacant. Do not list uninhabitable, broken down, or abandoned housing units. Do not list offices, stores, churches, vacant lots, public buildings or facilities unless a residential unit is available at that location. Group quarters facilities, such as work camps, processing facilities, etc., must be identified. If seasonal workers live in these group quarters, please contact the Department for specific documentation and residency requirements. Large cities (population greater than 1,000) that choose to do a head count census must also indicate the structure type of each housing unit -- note whether each unit is a single family unit, duplex, apartment, trailer, or a live-aboard boat.

⇨ **A housing unit sequence number (#1, #2, #3 ... #100).**
Assign a number to each housing unit; it should correspond to the housing unit number marked on the city map.

⇨ **Check-off whether each housing unit is occupied or vacant.**

⇨ **List the name of each individual living in the housing unit.**
List all persons currently living in the home, whether they are a resident or non-resident (see definition of residency on the following page). List the first and last name of each person – incomplete names will not be accepted (e.g., do not list "Mrs. Jones" or "4 children" or "baby").

⇨ **List the dates each individual has lived in the community during this calendar year.**
The census-taker must ask if each individual has lived in the community since January 1st. If an individual has not been in the community continuously all year, the census-taker must ask

additional questions about the person's usual place of residence. For example, a parent may list their daughter as a member of the household, but when asked about dates may state: "She is home only for the summer, because she attends the University in Anchorage." Or a householder may respond: "My brother just moved to town last month and he intends to remain here." The census-taker must gather enough information to **accurately determine whether each person is a resident or non-resident.**

Definition of Residency

An individual is a permanent resident of the location where he or she lives and sleeps most of the time. An individual must live in the community for the majority of the calendar year (at least **six months and one day**,) and have no other usual place of residence, in order to be considered a resident.

Residents include persons temporarily away from home on business, vacation, or for subsistence purposes, if they spend the majority of the year in the community. If an individual is a new member of your community, they may be considered a resident if they have no other usual place of residence and if they intend to remain in the community.

Non-residents include students attending high school or college in another community, visiting relatives, transient fishermen and their crew, seasonal construction workers and tourists. They do not spend the majority of the calendar year in your community, have another usual place of residence, or do not intend to remain. These individuals must be marked as non-residents on the census schedule.

- ⇨ **Check-off whether each person listed is a resident or not, based on the above definition and your conversation with the householder.**

- ⇨ **Subtotal each page for the number of occupied housing units, vacant units, residents and nonresidents.**

3. Census Summary Sheet (Form Attached).

This summary form provides the total housing units, vacant units, residents and non-residents found in the city. Check that the final number of residents from your Head Count Census is higher than the Department's January 15 population determination. If your census population is lower than the Department's original determination, you are not required to submit the Census.

4. City Council Resolution (Sample Attached).

The city **must pass a resolution** adopting the results of the head count census.

Mail all documentation to DCRA by April 1, 2010.

If you are unable to meet the deadline, please call our staff before April 1st to make arrangements for additional time.

HEAD COUNT CENSUS
HOUSING, VACANT UNITS & PERSONS
CITY of Alaskana

Enumerator D. Jones
Block

Date March 15
Page 1

Housing Unit Address	Housing Unit #	Housing Unit: Occupied	Housing Unit: Vacant	Names of Individuals in Household	Dates Lived in City this calendar year	Resident: Yes	Resident: No	
100 Smith Dr.	1	✓		Johansen, Ivan	1/1 - 3/15	✓		1
				Janice	"	✓		2
				Julie	"	✓		3
				Michael	"	✓		4
102 Smith Dr	2		✓	VACANT				5
104 Smith Dr.	3	✓		Sanders, John	1/1 - 3/15	✓		6
				Mary	"	✓		7
106 Smith Dr.	4	✓		Caudle, Peter	1/1 - 1/28		✓	8
108 Smith Dr.	5	✓		White, Mark	1/1 - 3/15	✓		9
				Shirley	"	✓		10
				Paul	"	✓		11
110 Smith Dr.	6	✓		Rogers, Ivan	none		✓	12
				Merriam	none		✓	13
101 Smith Dr.	7	✓		Wiseman, Jack	1/1 - 3/15	✓		14
				Joe	"	✓		15
103 Smith Dr.	8	✓		Andrews, Wilbe	1/1 - 3/15	✓		16
				Gladys	"	✓		17
				George	"	✓		18
				(College) Marie	none		✓	19
				Candy	1/1 - 3/15	✓		20
105 Smith Dr.	9	✓		Hinders, Adam	1/1 - 3/15	✓		21
				Rachel	"	✓		22
				Henry Jr.	"	✓		23
107 Smith Dr.	10	✓		Lestenkof, Bill	1/1 - 3/15	✓		24
				Gail	"	✓		25
				Jasine	"	✓		26
				Michael	"	✓		27
				Mark	"	✓		28
109 Smith Dr.	11		✓	VACANT				29
500 Tuvaagan	12	✓		Caldwell, Andy	1/1 - 3/15	✓		30
				Joyce	"	✓		31
				Christina	"	✓		32
501 Tuvaagan #1	13	✓		Jackson, Jim	none		✓	33
#2	14	✓		Roen, Joshua	1/1 - 3/15	✓		34
				Mary	"	✓		35
502 Tuvaagan	15	✓		Randolf, Peter	1/1 - 3/15	✓		36
				John	"	✓		37
				Cindy	"	✓		38
				John Sr.	"	✓		39
								40
Housing Subtotal		13	2		Persons Subtotal	32	5	

HEAD COUNT CENSUS
HOUSING, VACANT UNITS & PERSONS
CITY _____

Enumerator _____ Date _____
Block _____ Page _____

Housing Unit Address	Housing Unit #	Housing Unit		Names of Individuals in Household	Dates Lived in City this calendar year	Resident		
		Occupied	Vacant			Yes	No	
								1
								2
								3
								4
								5
								6
								7
								8
								9
								10
								11
								12
								13
								14
								15
								16
								17
								18
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								25
								26
								27
								28
								29
								30
								31
								32
								33
								34
								35
								36
								37
								38
								39
								40
	Housing Subtotal				Persons Subtotal			

HEAD COUNT CENSUS
HOUSING, VACANT UNITS & PERSONS
CITY _____

Enumerator _____ Date _____

Block _____ Page _____

Housing Unit Address	Housing Unit #	Housing Unit		Names of Individuals in Household	Dates Lived in City this calendar year	Resident		
		Occupied	Vacant			Yes	No	
								1
								2
								3
								4
								5
								6
								7
								8
								9
								10
								11
								12
								13
								14
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								27
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								30
								31
								32
								33
								34
								35
								36
								37
								38
								39
								40
Housing Subtotal					Persons Subtotal			

2010 POPULATION CENSUS SUMMARY

_____

Name of Municipality

Census Enumerator or Municipal Contact:

Name: _____

Phone: _____

Date(s) population census was conducted:

_____

_____

I have attached the following required documentation:

- ☐ Map of Municipality
- ☐ Census Schedule of housing units/individual names
- ☐ Municipal Population Resolution

Population Census Results:

Total Resident Population: _____

Total Non-Resident Population: _____

Total Housing Units: _____

Occupied Housing Units: _____

Vacant Housing Units: _____

Mail to:

Department of Commerce, Community, and Economic Development
Division of Community and Regional Affairs
Attn: Bill Rolfzen, Local Govt Specialist
P.O. Box 110809
Juneau, AK 99811-0809

SAMPLE POPULATION RESOLUTION

A RESOLUTION OF THE _____ adopting the
(Municipality)
determination of population of the municipality.

WHEREAS, the _____ has conducted a census of the municipal
(Municipality)
population indicating the population of permanent residents of the municipality as of

_____, 2010, and
(Date)

WHEREAS, the governing body of the municipality must pass a resolution adopting the results of the census for use by the Department of Commerce, Community, and Economic Development;

NOW THEREFORE BE IT RESOLVED THAT the governing body finds that on

_____, 2010, the population of permanent residents of the
(Date)
municipality was _____.
(Population)

PASSED AND APPROVED BY THE _____ on the _____
(Municipality) (Day)
day of _____, 2010.
(Month)

BY: _____
(Mayor)

ATTEST: _____
(Clerk)

SB 308 Community Revenue Sharing (CRS) Payment Estimates
Based on FY 11 Preliminary Program Data/Updated April 2, 2010

Municipalities	Preliminary DCCED 2009 Population	2008 US Census Estimate/2009 for Boroughs	SB 308 Population	Estimated FY 11 CRS Payment Status Quo	Estimated FY 11 CRS Payment SB 308	DIFFERENCE
Adak	165	316	316	$104,364	$111,721	$7,357
Akhiok	51	72	72	$98,585	$99,582	$997
Akiak	346	309	346	$113,539	$113,214	-$325
Akutan	846	871	871	$138,884	$139,333	$449
Alakanuk	686	711	711	$130,773	$131,373	$599
Aleknagik	229	222	229	$107,608	$107,393	-$215
Aleutians East Borough*	62	24	24	$387,143	$385,194	-$1,949
Allakaket	100	85	100	$101,069	$100,975	-$94
Ambler	261	322	322	$109,230	$112,020	$2,790
Anaktuvuk Pass	287	251	287	$110,548	$110,278	-$270
Anchorage	290,588	286,174	290,588	$15,209,949	$14,936,981	-$272,968
Anderson	275	271	275	$109,940	$109,681	-$258
Angoon	442	445	445	$118,405	$118,139	-$266
Aniak	485	572	572	$120,585	$124,457	$3,873
Anvik	75	91	91	$99,802	$100,527	$726
Atka	71	71	71	$99,599	$99,532	-$67
Atqasuk	201	203	203	$106,189	$106,099	-$89
Barrow	4,119	4,010	4,119	$304,793	$300,923	-$3,869
Bethel	5,803	6,468	6,468	$390,155	$417,788	$27,633
Bettles	19	38	38	$96,963	$97,891	$927
Brevig Mission	358	275	358	$114,147	$113,811	-$336
Bristol Bay Borough	967	881	967	$433,017	$432,109	-$908
Buckland	432	422	432	$117,898	$117,492	-$406
Chefornak	475	394	475	$120,078	$119,632	-$446
Chevak	945	838	945	$143,902	$143,014	-$888
Chignik	62	63	63	$99,143	$99,134	-$8
Chuathbaluk	111	119	119	$101,627	$101,920	$294
Clark's Point	61	75	75	$99,092	$99,731	$639
Coffman Cove	152	176	176	$103,705	$104,756	$1,051
Cold Bay	84	74	84	$100,258	$100,179	-$79
Cordova	2,126	2,242	2,242	$203,767	$207,541	$3,774
Craig	1,101	1,171	1,171	$151,810	$154,258	$2,448
Deering	118	141	141	$101,981	$103,015	$1,033
Delta Junction	1,128	930	1,128	$153,178	$152,119	-$1,060
Denali Borough*	1,563	1,576	1,576	$463,229	$462,407	-$821
Dillingham	2,264	2,465	2,465	$210,762	$218,636	$7,873
Diomede	117	146	146	$101,931	$103,264	$1,333
Eagle	146	145	146	$103,401	$103,264	-$137
Eek	282	280	282	$110,295	$110,030	-$265
Egegik	73	93	93	$99,700	$100,627	$926
Ekwok	109	130	130	$101,525	$102,468	$942
Elim	297	313	313	$111,055	$111,572	$517
Emmonak	774	841	841	$135,234	$137,840	$2,606
Fairbanks	32,506	35,132	35,132	$1,743,734	$1,843,845	$100,111
Fairbanks North Star Borough*	59,073	61,316	61,316	$3,378,419	$3,434,519	$56,100
False Pass	41	54	54	$98,078	$98,687	$608
Fort Yukon	585	520	585	$125,654	$125,104	-$550
Galena	564	599	599	$124,589	$125,801	$1,211
Gambell	666	647	666	$129,760	$129,134	-$626
Golovin	154	144	154	$103,806	$103,662	-$145
Goodnews Bay	237	230	237	$108,014	$107,791	-$223
Grayling	168	170	170	$104,516	$104,458	-$58
Gustavus	451	355	451	$118,861	$118,438	-$424
Haines Borough	2,286	2,399	2,399	$595,878	$599,352	$3,474
Holy Cross	187	199	199	$105,479	$105,900	$421
Homer	5,551	5,802	5,802	$377,381	$384,654	$7,273
Hoonah	764	715	764	$134,727	$134,010	-$718
Hooper Bay	1,158	1,109	1,158	$154,699	$153,611	-$1,088
Houston	1,664	2,153	2,153	$180,348	$203,113	$22,765
Hughes	79	69	79	$100,005	$99,930	-$74
Huslia	265	257	265	$109,433	$109,184	-$249
Hydaburg	340	339	340	$113,235	$112,915	-$319
Juneau	30,661	30,796	30,796	$2,034,211	$2,012,125	-$22,086
Kachemak	430	442	442	$117,797	$117,990	$193

SB 308 Community Revenue Sharing (CRS) Payment Estimates
Based on FY 11 Preliminary Program Data/Updated April 2, 2010

	Preliminary DCCED 2009 Population	2008 US Census Estimate/2009 for Boroughs	SB 308 Population	Estimated FY 11 CRS Payment Status Quo	Estimated FY 11 CRS Payment SB 308	DIFFERENCE
Kake	497	635	635	$121,193	$127,592	$6,399
Kaktovik	286	260	286	$110,497	$110,229	-$269
Kaltag	172	202	202	$104,719	$106,050	$1,331
Kasaan	56	34	56	$98,839	$98,786	-$53
Kenai	7,115	7,742	7,742	$456,660	$481,171	$24,510
Kenai Peninsula Borough*	33,611	32,858	32,858	$2,087,747	$2,018,711	-$69,035
Ketchikan	7,503	7,280	7,503	$476,328	$469,280	-$7,048
Ketchikan Gateway Borough*	5,047	5,068	5,068	$639,833	$636,137	-$3,696
Kiana	374	403	403	$114,958	$116,050	$1,091
King Cove	744	734	744	$133,713	$133,015	-$699
Kivalina	410	391	410	$116,783	$116,398	-$385
Klawock	782	736	782	$135,640	$134,905	-$735
Kobuk	122	113	122	$102,184	$102,070	-$115
Kodiak	6,626	6,228	6,626	$431,873	$425,649	-$6,224
Kodiak Island Borough*	6,541	6,407	6,407	$715,564	$702,753	-$12,811
Kotlik	618	649	649	$127,327	$128,288	$962
Kotzebue	3,154	3,177	3,177	$255,877	$254,058	-$1,818
Koyuk	358	296	358	$114,147	$113,811	-$336
Koyukuk	105	89	105	$101,322	$101,224	-$99
Kupreanof	24	21	24	$97,217	$97,194	-$23
Kwethluk	764	715	764	$134,727	$134,010	-$718
Lake & Peninsula Borough*	915	868	868	$430,381	$427,184	-$3,198
Larsen Bay	79	104	104	$100,005	$101,174	$1,170
Lower Kalskag	251	268	268	$108,723	$109,333	$610
Manokotak	438	401	438	$118,202	$117,791	-$411
Marshall	414	382	414	$116,986	$116,597	-$389
Matanuska-Susitna Borough*	69,873	67,769	67,769	$3,925,873	$3,755,561	-$170,312
McGrath	322	351	351	$112,322	$113,463	$1,140
Mekoryuk	174	210	210	$104,820	$106,448	$1,628
Metlakatla	1,398	N/A	1,398	$166,865	$165,552	-$1,313
Mountain Village	782	826	826	$135,640	$137,094	$1,454
Napakiak	337	353	353	$113,083	$113,562	$479
Napaskiak	428	391	428	$117,695	$117,293	-$402
Nenana	479	344	479	$120,281	$119,831	-$450
New Stuyahok	519	473	519	$122,308	$121,821	-$488
Newhalen	162	128	162	$104,212	$104,060	-$152
Nightmute	264	208	264	$109,382	$109,134	-$248
Nikolai	87	86	87	$100,410	$100,328	-$82
Nome	3,468	3,576	3,576	$271,793	$273,909	$2,115
Nondalton	186	177	186	$105,428	$105,254	-$175
Noorvik	628	660	660	$127,833	$128,836	$1,002
North Pole	2,200	2,212	2,212	$207,518	$206,049	-$1,470
North Slope Borough*	247	245	245	$396,520	$396,189	-$332
Northwest Arctic Borough*	748	658	658	$421,916	$416,736	-$5,180
Nuiqsut	424	371	424	$117,493	$117,094	-$398
Nulato	240	295	295	$108,166	$110,676	$2,511
Nunam Iqua	156	180	180	$103,908	$104,955	$1,047
Nunapitchuk	539	467	539	$123,322	$122,816	-$506
Old Harbor	193	215	215	$105,783	$106,696	$913
Ouzinkie	170	204	204	$104,617	$106,149	$1,532
Palmer	5,532	8,201	8,201	$376,418	$504,006	$127,588
Pelican	122	127	127	$102,184	$102,318	$134
Petersburg	2,973	2,825	2,973	$246,702	$243,909	-$2,793
Pilot Point	66	80	80	$99,346	$99,980	$635
Pilot Station	577	604	604	$125,248	$126,049	$801
Platinum	57	41	57	$98,889	$98,836	-$54
Point Hope	713	674	713	$132,142	$131,472	-$670
Port Alexander	61	74	74	$99,092	$99,682	$589
Port Heiden	83	95	95	$100,207	$100,726	$519
Port Lions	200	232	232	$106,138	$107,542	$1,404
Quinhagak	680	554	680	$130,469	$129,831	-$639
Ruby	149	165	165	$103,553	$104,209	$656
Russian Mission	363	324	363	$114,401	$114,060	-$341
Saint George	111	118	118	$101,627	$101,871	$244
Saint Mary's	553	548	553	$124,032	$123,512	-$519

SB 308 Community Revenue Sharing (CRS) Payment Estimates
Based on FY 11 Preliminary Program Data/Updated April 2, 2010

	Preliminary DCCED 2009 Population	2008 US Census Estimate/2009 for Boroughs	SB 308 Population	Estimated FY 11 CRS Payment Status Quo	Estimated FY 11 CRS Payment SB 308	DIFFERENCE
Saint Michael	446	366	446	$118,608	$118,189	-$419
Saint Paul	459	415	459	$119,267	$118,836	-$431
Sand Point	1,001	990	1,001	$146,741	$145,801	-$940
Savoonga	721	642	721	$132,548	$131,870	-$677
Saxman	434	370	434	$118,000	$117,592	-$408
Scammon Bay	528	511	528	$122,764	$122,268	-$496
Selawik	849	804	849	$139,036	$138,238	-$798
Seldovia	241	309	309	$108,216	$111,373	$3,157
Seward	2,609	3,126	3,126	$228,251	$251,521	$23,270
Shageluk	97	113	113	$100,917	$101,622	$705
Shaktoolik	231	230	231	$107,709	$107,492	-$217
Shishmaref	606	560	606	$126,718	$126,149	-$569
Shungnak	270	267	270	$109,686	$109,433	-$254
Sitka	8,627	8,747	8,747	$917,304	$915,170	-$2,134
Skagway	865	920	920	$427,847	$429,771	$1,924
Soldotna	4,021	4,386	4,386	$299,825	$314,207	$14,382
Stebbins	605	547	605	$126,668	$126,099	-$568
Tanana	251	268	268	$108,723	$109,333	$610
Teller	261	266	266	$109,230	$109,234	$4
Tenakee Springs	104	91	104	$101,272	$101,174	-$98
Thorne Bay	424	486	486	$117,493	$120,179	$2,686
Togiak	820	811	820	$137,566	$136,796	-$770
Toksook Bay	596	534	596	$126,211	$125,651	-$560
Unalakleet	725	746	746	$132,750	$133,114	$364
Unalaska	3,662	3,532	3,662	$281,627	$278,187	-$3,440
Upper Kalskag	223	230	230	$107,304	$107,443	$139
Valdez	4,498	3,787	4,498	$324,004	$319,779	-$4,225
Wainwright	551	485	551	$123,930	$123,413	-$518
Wales	148	152	152	$103,502	$103,562	$60
Wasilla	7,245	10,256	10,256	$463,250	$606,244	$142,994
White Mountain	202	203	203	$106,239	$106,099	-$140
Whittier	159	159	159	$104,060	$103,910	-$149
Wrangell	2,058	2,147	2,147	$584,320	$586,815	$2,495
Yakutat	628	685	685	$415,833	$418,079	$2,246
Unincorporated Communities						
Akiachak	645	N/A	645	$68,480	$67,663	-$817
Alatna	22	N/A	22	$33,244	$33,216	-$28
Arctic Village	139	N/A	139	$39,862	$39,686	-$176
Atmautluak	296	N/A	296	$48,741	$48,366	-$375
Beaver	58	N/A	58	$35,280	$35,207	-$73
Birch Creek	34	N/A	34	$33,923	$33,880	-$43
Central	96	N/A	96	$37,430	$37,308	-$122
Chalkyitsik	60	N/A	60	$35,394	$35,318	-$76
Chenega Bay	71	N/A	71	$36,016	$35,926	-$90
Chistochina	95	N/A	95	$37,373	$37,253	-$120
Chitina	117	N/A	117	$38,617	$38,469	-$148
Circle	99	N/A	99	$37,599	$37,474	-$125
Copper Center	297	N/A	297	$48,798	$48,422	-$376
Crooked Creek	131	N/A	131	$39,409	$39,243	-$166
Deltana	2,355	N/A	2,355	$96,000	$96,000	$0
Dot Lake	53	N/A	53	$34,998	$34,930	-$67
Dry Creek	87	N/A	87	$36,921	$36,810	-$110
Eagle Village	54	N/A	54	$35,054	$34,986	-$68
Edna Bay	49	N/A	49	$34,771	$34,709	-$62
Elfin Cove	25	N/A	25	$33,414	$33,382	-$32
Four Mile Road	39	N/A	39	$34,206	$34,156	-$49
Gakona	202	N/A	202	$43,425	$43,169	-$256
Glennallen	473	N/A	473	$58,752	$58,153	-$599
Goldstream	34	N/A	34	$33,923	$33,880	-$43
Gulkana	131	N/A	131	$39,409	$39,243	-$166
Hollis	193	N/A	193	$42,916	$42,671	-$244
Hyder	87	N/A	87	$36,921	$36,810	-$110
Kasigluk	567	N/A	567	$64,069	$63,351	-$718
Kenny Lake	412	N/A	412	$55,302	$54,780	-$522

SB 308 Community Revenue Sharing (CRS) Payment Estimates
Based on FY 11 Preliminary Program Data/Updated April 2, 2010

	Preliminary DCCED 2009 Population	2008 US Census Estimate/2009 for Boroughs	SB 308 Population	Estimated FY 11 CRS Payment Status Quo	Estimated FY 11 CRS Payment SB 308	DIFFERENCE
Kipnuk	671	N/A	671	$69,951	$69,101	-$850
Klukwan	72	N/A	72	$36,072	$35,981	-$91
Koliganek	182	N/A	182	$42,294	$42,063	-$230
Kongiganak	465	N/A	465	$58,300	$57,711	-$589
Kwigillingok	365	N/A	365	$52,644	$52,182	-$462
Lime Village	32	N/A	32	$33,810	$33,769	-$41
Manley Hot Springs	81	N/A	81	$36,581	$36,479	-$103
McCarthy	51	N/A	51	$34,884	$34,820	-$65
Mentasta	120	N/A	120	$38,787	$38,635	-$152
Minto	191	N/A	191	$42,803	$42,561	-$242
Naukati Bay	118	N/A	118	$38,674	$38,524	-$149
Nelchina/Mendeltna	108	N/A	108	$38,108	$37,972	-$137
Newtok	355	N/A	355	$52,078	$51,629	-$450
Nikolski	33	N/A	33	$33,866	$33,825	-$42
Northway	224	N/A	224	$44,669	$44,385	-$284
Oscarville	109	N/A	109	$38,165	$38,027	-$138
Paxson	28	N/A	28	$33,584	$33,548	-$35
Pitka's Point	113	N/A	113	$38,391	$38,248	-$143
Point Baker	27	N/A	27	$33,527	$33,493	-$34
Port Protection	72	N/A	72	$36,072	$35,981	-$91
Red Devil	44	N/A	44	$34,489	$34,433	-$56
Silver Springs	178	N/A	178	$42,067	$41,842	-$225
Slana	102	N/A	102	$37,769	$37,640	-$129
Sleetmute	71	N/A	71	$36,016	$35,926	-$90
Stevens Village	64	N/A	64	$35,620	$35,539	-$81
Stony River	48	N/A	48	$34,715	$34,654	-$61
Takotna	53	N/A	53	$34,998	$34,930	-$67
Tanacross	203	N/A	203	$43,481	$43,224	-$257
Tatitlek	83	N/A	83	$36,694	$36,589	-$105
Tazlina	207	N/A	207	$43,708	$43,445	-$262
Tetlin	97	N/A	97	$37,486	$37,363	-$123
Tok	1,429	N/A	1,429	$96,000	$96,000	$0
Tolsona	64	N/A	64	$35,620	$35,539	-$81
Tuluksak	471	N/A	471	$58,639	$58,043	-$596
Tuntutuliak	384	N/A	384	$53,718	$53,232	-$486
Tununak	330	N/A	330	$50,664	$50,246	-$418
Twin Hills	74	N/A	74	$36,185	$36,092	-$94
Venetie	185	N/A	185	$42,463	$42,229	-$234
Whale Pass	60	N/A	60	$35,394	$35,318	-$76
Whitestone	173	N/A	173	$41,785	$41,566	-$219
				$58,485,000	$58,485,000	$0

*Note: For boroughs that have cities within their boundaries, the "2008 US Census Estimate/2009 for Boroughs" and "SB 308 Population" were determined by taking the greater of each borough's areawide 2009 DCCED vs 2009 US Census Estimate minus the SB 308 population of each city located within its boundaries.

SCR

17

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 3/29/10

FURTHER: Finance

Date of 5-Day Notice: 3/25/10
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: _____

Community and Regional Affairs Committee considered SENATE CONCURRENT RESOLUTION NO. 17

SCR 17 ALASKA NORTHERN WATERS TASK FORCE

Establishing and relating to the Alaska Northern Waters Task Force.

and recommends:

[ ] be **replaced** with [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] adopt **previous** [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] attached amendment(s)

[ ] adopt _____ Letter of Intent

[ ] 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#
LEG	3/30	✓			

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

[ ] **APPROPRIATION - no fiscal note**

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	French			✓	
	Thomas	✓			
	MENARD	✓			
	Kookesh	✓			
CHAIR:	OLSON	✓			

ALASKA STATE LEGISLATURE

SENATOR DONALD C. OLSON, CHAIR

SENATOR ALBERT KOOKESH
SENATOR JOE THOMAS
SENATOR HOLLIS FRENCH
SENATOR LINDA MENARD

ALASKA STATE CAPITOL
ROOM 514
JUNEAU, ALASKA 99801-1182
907) 465-3877
FAX: (907) 465-4821

SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Sponsor Statement
Senate Concurrent Resolution 17
Establishing the Alaska Northern Waters Task Force

Senate Concurrent Resolution 17 establishes the Alaska Northern Waters Task Force to facilitate regional coordination between the State of Alaska and the Federal Government related to the opening of Arctic marine transportation routes, national security, and resource development.
The task force will be comprised of Legislators from Northwestern Alaska, leaders from Arctic communities, and key federal agencies. Together, they will assess and facilitate the creation of a joint state and federal entity to coordinate United States and Alaska interests that result from the opening of Arctic waters.

The presence of perennial ice in the circumpolar Arctic waters is reducing. Arctic nations such as Norway, Canada and Russia are proactively promoting and defending their interests in increasingly ice-free areas. As the only Arctic state in this nation, Alaska has a unique role and interest in the development and evolution of U.S. policy in its northernmost region.

The creation of the Alaska Northern Waters Task Force anticipates increased federal attention to navigation routes, resource development, military activity and commerce in the Arctic. SCR 17 foresees the future creation of a joint federal/state commission that guides interagency and inter-jurisdiction actions in the Arctic. It provides an opportunity for Alaska's Legislature and Arctic communities to assume a proactive role in shaping such a body, and ensures that Alaska's unique interests are strongly represented.
In the execution of its responsibilities, the Alaska Northern Waters Task Force will hold hearings in the northern communities of Barrow, Nome and Kotzebue,

as well as Anchorage. By meeting in these regions, the task force will be able to seek guidance and feedback from the residents of the regions most likely experience impacts from increased activity in the Arctic.

The Alaska Northern Waters Task Force will deliver its findings to the Alaska Legislature in January 2012, including legislative proposals for consideration.

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: SCR 17
() Publish Date:

Identifier (file name): SCR17-LEG-COU-3-30-10
Dept. Affected: Legislature
Title: Establishing and relating to the Alaska Northern Waters Task Force
RDU: Legislative Council
Component: Council and Subcommittees
Sponsor: Senate Community and Regional Affairs
Requester: Senate Community and Regional Affairs
Component Number: 783

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services							
Travel	84.0		42.0				
Contractual	10.0		10.0				
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	**94.0**	**0.0**	**52.0**	**0.0**	**0.0**	**0.0**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF	94.0		52.0				
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**94.0**	**0.0**	**52.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

SJR17 establishes the Alaska Northern Waters Task Force in the Legislative Branch. The Task Force consists of nine members composed of three Legislators, one member from the Executive Branch, and five public members. It is anticipated that the Task Force will hold five meetings the first year and 3 meetings the second year. Travel funding is included in this fiscal note and includes the cost for experts to attend the meetings. Meetings will be held in Barrow, Nome, Kotzebue, and Anchorage at Legislative Information Offices or local government facilities at no rental cost to the Task Force. The Legislator selected as Chair may assign their staff to support the Task Force. The Task Force will assess and facilitate the creation of a state and federal commission responsible for overseeing the development of state and federal northern ocean waters; inform and incorporate local stakeholders input into the process, and identify and coordinate efforts of mutual concern for federal, state, and local agencies. Funding for professional services contracts is included in this fiscal note. Costs to teleconference meetings and print the proposals and reports due in January 2012 will be absorbed in the Legislative Affairs Agency Budget.

Prepared by: Karla Schofield, Deputy Director
Phone 465-6626
Division: Legislative Affairs Agency
Date/Time 3/30/10 11:24 AM
Approved by: Pamela Varni, Executive Director
Date 3/30/2010
Legislative Affairs Agency

(Revised 11/6/2009 OMB)

ANALYSIS CONTINUATION

5 meetings - all with travel

1 member of the Executive Branch - absorb travel in Executive Branch Budget.
3 Legislators; 5 public members; 1 staff person, 4 experts

1 meeting	Airfare	247/day Per Diem			
Nome Meeting					
Bethel Legislator	1062	494			
Kotzebue Legislator	427	494			
Nome Legislator	0	0			
Juneau Coast Guard member	880	494			
North Slope Borough - Barrow	1158	494			
NW Arctic Mayor - Kotzebue	427	494			
Nome Mayor	0	0			
Anchorage Interior Dept member	568	494			
Kotzebue Staff person	427	494			
Anchorage Energy Expert	568	494			
Anchorage Energy Expert	568	494			
Washington, DC Energy Expert	1450	988			
Washington, DC Energy Expert	1450	988			
	8,985.00	6,422	15,407	1	15,407

2 meetings	Airfare	278/day Per Diem			
Anchorage Meeting					
Bethel Legislator	494	556			
Kotzebue Legislator	568	556			
Nome Legislator	568	556			
Juneau Coast Guard member	506	556			
North Slope Borough - Barrow	709	556			
NW Arctic Mayor - Kotzebue	568	556			
Nome Mayor	568	556			
Anchorage Interior Dept member	0	0			
Kotzebue Staff person	568	556			
Anchorage Energy Expert	0	0			
Anchorage Energy Expert	0	0			
Washington, DC Energy Expert	1309	1112			
Washington, DC Energy Expert	1309	1112			
	7,167	6,672	13,839	2	27,678

FISCAL NOTE

STATE OF ALASKA **BILL NO.** SCR17
2010 LEGISLATIVE SESSION

ANALYSIS CONTINUATION

1 meeting	Airfare	278/day Per Diem			
Barrow Meeting					
Bethel Legislator	1098	508			
Kotzebue Legislator	1290	508			
Nome Legislator	1160	508			
Juneau Coast Guard member	1195	508			
North Slope Borough - Barrow	0	0			
NW Arctic Mayor - Kotzebue	1290	508			
Nome Mayor	1160	508			
Anchorage Interior Dept member	846	508			
Kotzebue Staff person	1290	508			
Anchorage Energy Expert	846	508			
Anchorage Energy Expert	846	508			
Washington, DC Energy Expert	1751	1016			
Washington, DC Energy Expert	1751	1016			
	14,523	7,112	21,635	1	21,635

1 meeting	Airfare	Per Diem 282/day			
Kotzebue					
Bethel Legislator	878	564			
Kotzebue Legislator	0	0			
Nome Legislator	427	564			
Juneau Coast Guard member	1078	564			
North Slope Borough - Barrow	1158	564			
NW Arctic Mayor - Kotzebue	0	0			
Nome Mayor	427	564			
Anchorage Interior Dept member	568	564			
Kotzebue Staff person	0	0			
Anchorage Energy Expert	568	564			
Anchorage Energy Expert	568	564			
Washington, DC Energy Expert	1670	1128			
Washington, DC Energy Expert	1670	1128			
	9,012	6,768	15,780	1	15,780
Testify in Juneau during Session					
Nome Mayor	978	756			
Barrow Mayor	1216	756			
	2,194	1,512	3,706	1	3,706
					84,206

Senator Begich - Inuvikput Package

Introduced August 3, 2009, the *Inuvikput Package* consists of seven pieces of legislation:

S.1560 Arctic OCS Revenue Sharing Act - Alaska Natives who have subsisted on marine mammals and other arctic resources for thousands of years would bear the direct risks of increased commercial activity in their waters. This bill directs a portion of federal revenues from offshore oil and gas development - the same share Louisiana receives from drilling in the adjacent Gulf of Mexico - to the State of Alaska with a percentage of those funds directed to those most affected.

S.1561 Arctic Marine Shipping Assessment Implementation Act - As the polar icecap recedes, the Arctic region is increasingly accessible to shipping and tourism. This bill is designed to ensure safe and reliable maritime transportation in the Arctic and protect its waters. It would boost the nation's investment in needed infrastructure, including replacement of America's aging fleet of icebreakers and building new forward operating air bases for the Coast Guard to assert our national interest in the region.

S.1562 Arctic Science, Coordination and Integration Act - Numerous scientists and agencies conduct important and needed research into various aspects of the Arctic but concerns remain that these efforts are not well coordinated and leave gaps in our understanding of Arctic issues. This bill calls on the National Research Council to undertake a study toward a comprehensive strategy to coordinate Arctic research and make recommendations to Congress on a long-term Arctic Ocean research plan.

S.1563 Arctic Ambassador Act - Russia, Canada, Norway and other Arctic nations are represented at the ambassadorial level before the Arctic Council and U.S. interests would benefit from an enhanced diplomatic presence in Arctic matters. This bill is intended to strengthen U.S. representation before the Arctic Council and other international forums by appointment of a U.S. ambassador to the Arctic.

S.1564 Arctic Oil Spill Research and Recovery Act - Vast energy reserves are believed to lie beneath Arctic waters and it is vital that any development of such resources be conducted in a responsible manner that protects the environment upon which residents of the region depend. This bill directs the Secretary of Commerce to conduct research to improve oil spill prevention, response and recovery in Arctic conditions and requires the Coast Guard to assess and reduce risk from such development.

S.1565 Arctic Health Research Act - People of the Arctic suffer from increased rates of alcohol abuse, diabetes, high blood pressure, and death from injury and suicide. This act would initiate a study into the mental, behavioral and physical health problems in the Arctic, institute an Arctic health assessment program at the Centers for Disease Control and create an "Arctic desk" at the National Institute of Health that was called for in 1984 but has never been established.

S.1566 Arctic Climate Change Adaptation Act - Alaska villages and public infrastructure are already suffering from coastal erosion, flooding, permafrost melting and other impacts of climate change. This bill would help the State of Alaska, Alaska Native organizations, affected Arctic communities and the private sector adapt to the impacts of climate change and assist in dealing with habitat restoration, clean energy development and other economic development activities.

Melting ice could mean new riches

Jill Burke
Mar 1, 2010

"It's not a question of if but when."

That's what Mead Treadwell, chairman of the U.S. Arctic Research Commission, told a New York City crowd Monday about the prospect of a booming northwest passage.

Treadwell made the remarks during a moderated panel discussion, "Will the Bering Strait become the Panama Canal of the North?" hosted by the Council on Foreign Relations at Alaska House New York. (Alaska House is a nonprofit organization founded by Alaska Dispatch publisher Alice Rogoff to promote education about Alaska and its Native culture and foster economic development within the state.)

The day's discussion, which pulled together Alaska's congressional delegates, regional leaders and industry representatives, centered on the sense of urgency seemingly missing both in the state and nationwide for developing the infrastructure -- like deep water ports and international rules -- that will be needed to tap into a new hustling, bustling Bering Strait.

Two of the world's largest mining operations are above the Arctic Circle, including the Red Dog zinc mine in Alaska off the coast of Kivalina, according to Treadwell -- and the Arctic is poised to deliver even more resources. Minerals, fishing, oil and gas, exploration and science, and tourism all have northern footholds. Capturing opportunities related to those activities with the prospect of shorter shipping routes as ice recedes is something Americans need to be thinking about now, Treadwell said.

The challenge is building the infrastructure. Deep water ports are needed to accommodate large container ships and provide an anchor for the military presence that will need to increase to keep pace with a rise in offshore activity near the United States' northern coast.

Participants, including Rogoff, suggested that developing port infrastructure for Alaska's western coast, from Adak to Barrow, could be an economic boom as important to the state as the trans-Alaska oil pipeline, particularly when even a handful of new port jobs has the potential to pull villages teetering on the brink of economic failure into sustainability.

Alaska Sens. Lisa Murkowski, a Republican, and Mark Begich, a Democrat, attended the event and told participants they are aware of the critical role Alaska is poised to play in a changing Arctic environment. Murkowski is pushing for a Department of Defense and Homeland Security feasibility study for a deep water port off Alaska's shores.

"This study will determine whether it is in the strategic interest of the United States, as I believe it is, to build a port and where it might be located. A deep water port would not only serve our military and Coast Guard needs, but as we develop our offshore oil and gas reserves and see more shipping, tourism and vessel traffic in the Arctic, a deep water port could provide valuable support," Murkowski said.

A full transcript of the day's discussion will be posted online at the Council on Foreign Relations' Web site.

Contact Jill Burke at jill(at)alaskadispatch.com

http://www.alaskadispatch.com/news/news/4250-melting-ice-could-mean-new-riches

The Arctic Sounder

Published on March 18th, 2010

Opinion: Visit to New York, D.C. gets Arctic message across

By EDWARD ITTA

We Inupiaq like to say that the Arctic Ocean is our garden. It feeds us with its bounty of whales, seals, walrus, ugruk, fish and other subsistence foods. Our harvest is better in some years than in others. Weather, ice and ocean currents all affect the amount of "crops" we are able to feed to our families from year to year.

These are times of change for the ocean. Offshore oil and gas exploration is gearing up. We have seen plenty of evidence that climate change may cause dramatic shifts in the polar ice cap and in our weather. Receding ice could open up new shipping routes between Europe and Asia. We may see increased ocean traffic from commercial fishing boats and tourist ships.

What can we do about it? As mayor, I believe the borough should be engaged in the planning, monitoring, research and mitigation efforts that are being crafted right now as government agencies at all levels respond with a new sense of urgency to challenges and opportunities in the Arctic Ocean. That's why I spent the past week in New York and Washington, D.C. I joined Senators Begich and Murkowski in New York and the three of us made presentations on adapting to climate change in the Arctic to a group of policymakers, business people, scientists and journalists, who then participated in a roundtable discussion.

Policymakers are eager to hear our views, because they recognize that we have the most intimate knowledge of the Arctic and the most to lose if the ocean is not adequately protected. My message to them was that we don't want offshore development, but if it is going to happen, we insist on participating in decisions that will govern offshore activities and precautions. I showed them the Arctic policy principles adopted by ICC in 1984 as an example of longstanding Inuit leadership on protecting the polar region.

In Washington, I met with several of the highest officials in the Interior Department, including Interior Secretary Ken Salazar; his assistant secretary for Land and Minerals Management, Wilma Lewis; Liz Burnbaum, director of the Minerals Management Service (MMS); and Bob Abbey, director for BLM. I stressed that if the government is going to allow OCS activity, then it should set the bar very high when it comes to clean and cautious operations in the water.

I said that the shutdown requirement MMS wrote into Shell's Camden Bay permit is a good step in the right direction, since it gives that requirement the force of law for the first time. I argued for larger deferral areas around traditional Barter Island and Cross Island whaling areas, a moratorium on leasing new acreage, zero discharge of drilling wastes, a cumulative impacts analysis, and the need for better baseline science.

I invited Secretary Salazar to visit the North Slope this summer so he can get a first-hand look at some of the places that mean so much to our people. He agreed to pay us a visit in August.

At NOAA, I talked with two key officials about their efforts in preparing a new Environmental Impact Statement concerning the effects of oil and gas activities in the Arctic Ocean. Rather than the annual Incidental Harassment Authorizations (IHA) that are now issued, they are looking at doing five-year Incidental Take Authorizations. They believe it will build certainty and flexibility into their mitigation requirements, and I can see their point. I told them that we need more monitoring and study of the effects of noise on migrating whales. I discussed the Obama administration's new planning initiative for oceans and coastal areas with the head of the President's Council on Environmental Quality (CEQ). CEQ is spearheading the president's effort to deal with climate change. How this new ocean planning program will work is still something of a mystery, but it has a high priority in the administration. I focused on the need to be sensitive about traditional uses of the coastal and ocean areas and to make sure our voices are heard as these large-scale management programs are designed.

At the U.S. Fish and Wildlife Service, we discussed the ongoing management plan for Steller's eiders. I pointed out that our people are conservationists by nature and that education efforts about threatened species can be much more effective than hardball enforcement tactics. I thanked them for establishing a liaison position in Barrow (now held by Emma Huntsman) and said I look forward to better communication between the community and the agency.

Although I spent time with Senators Murkowski and Begich in New York, I was able to meet with each of them again in D.C. I also met with Congressman Young. In each case, I went over a range of issues that we can work on together, and I thanked them for legislation they sponsored in response to my eight-point OCS policy position.

All in all, it was a very productive week. If our voice is going to be heard in the halls of political power, it will be because we take our message to the decision makers and state our point clearly and forcefully. My staff and I will continue to engage with the agencies that shape the regulatory framework for North Slope activities of all kinds. In these challenging times,

these changing times, I want to make sure they can't forget our concerns as they plan the future in offices that are thousands of miles from the Arctic.

Edward Itta is mayor of the North Slope Borough.

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White House Climate Change Adaptation Task Force

In 2009, the White House Council on Environmental Quality (CEQ), the Office of Science and Technology Policy (OSTP), and the National Oceanic and Atmospheric Administration (NOAA) initiated the Interagency Climate Change Adaptation Task Force, which includes representatives from more than 20 Federal Agencies. When the President signed the Executive Order on Federal Leadership in Environmental, Energy, and Economic Performance, on October 5, 2009, he called on the Task Force to develop, within one year, Federal recommendations for adapting to climate change impacts both domestically and internationally.

Interim Progress Report

On March 16, 2010, the Task Force released an Interim Progress Report which outlines the Task Force's progress to date and recommends key components to include in a national strategy on climate change adaptation. These six components include:

1. Integration of Science into Adaptation Decisions and Policy
2. Communications and Capacity-building
3. Coordination and Collaboration
4. Prioritization
5. A Flexible Framework for Agencies
6. Evaluation

The Interim Progress Report is available for 60 days of public comment. Submit your comment here.

Workgroups

The Interagency Climate Change Adaptation Task Force formed workgroups to consider the capabilities of the Federal Government to respond to the impacts of climate change on various critical sectors, institutions, and agency mission responsibilities. Five initial workgroups began by reviewing existing policies, operations, procedures, and other tools that affect the Federal Government's response, and will suggest options for improving the government's capacity for adaptation to climate change. The five initial workgroups are focused on the following topics:

- **Agency Adaptation**: Develop recommendations on how agencies should plan and implement adaptation
- **Science Inputs to Policy**: Develop recommendations to couple the production of scientific and technical support to adaptation planning, prioritization, and resilience building within the USG, in the US, and internationally
- **Insurance**: Develop recommendations on opportunities for the United States Government to support insurance and adaptation issues
- **Water Resources Adaptation**: Develop recommendations on how Federal water management agencies should plan and implement adaptation actions related to climate impacts on water resources
- **International Resilience**: Develop recommendations on opportunities for the United States Government to support and lead international adaptation efforts

These workgroups have defined their scope and end products, and have begun initial analysis. Most workgroups have used stakeholder listening sessions to solicit feedback from various government and regional actors on adaptation issues within their respective issue area.

Listening Sessions

The five initial Interagency Climate Change Adaptation Task Force workgroups hosted twenty listening sessions with key stakeholders and experts. The listening sessions were designed to engage the expertise and recommendations of external organizations into the workgroup deliberations early in this review process.

Final Product

In October 2010, the Task Force will report to the President on the development of domestic and international dimensions of a U.S. approach to climate change adaptation and what Federal Agencies are doing to support this effort. The Task Force also will recommend additional aspects to consider in the development of a comprehensive national strategy.

White House Interagency Ocean Policy Task Force

On June 12, 2009, President Obama sent a memorandum to the heads of executive departments and federal agencies establishing an Interagency Ocean Policy Task Force, led by the White House Council on Environmental Quality. The Task Force is charged with developing a recommendation for a national policy that ensures protection, maintenance, and restoration of oceans, our coasts and the Great Lakes. It will also recommend a framework for improved stewardship, and effective coastal and marine spatial planning.

The oceans, our coasts, and the Great Lakes provide jobs, food, energy resources, ecological services, recreation, and tourism opportunities, and play critical roles in our Nation's transportation, economy, and trade, as well as the global mobility of our Armed Forces and the maintenance of international peace and security," President Obama wrote in the memorandum. "We have a stewardship responsibility to maintain healthy, resilient, and sustainable oceans, coasts and Great Lakes resources for the benefit of this and future generations."

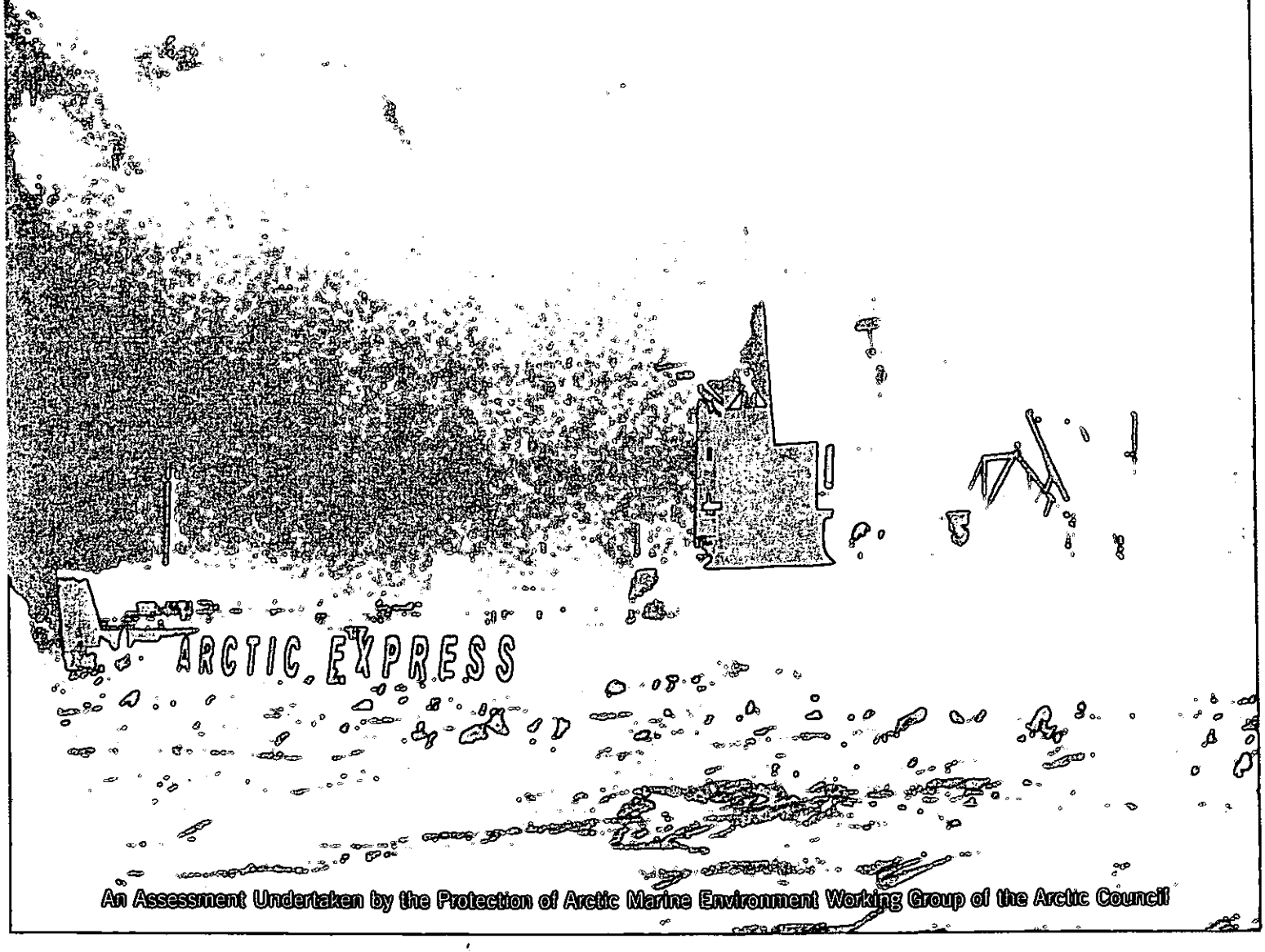
"The challenges our oceans, coasts, and Great Lakes are facing are complex, and to meet these challenges we must have the participation of a wide spectrum of views from within the federal government," said Nancy Sutley, Chair of the White House Council on Environmental Quality. "The Task Force has a wealth of opportunity to make our oceans, coasts and Great Lakes healthier - both environmentally and economically."

The recommendations and frameworks developed by the Task Force will be cost effective and improve coordination across federal agencies. The Chair will terminate the Task Force upon the completion of its duties.

The time period to submit comments to the Task Force has closed, but you can read comments from others. The Task Force's Interim Framework is open for comment through Friday, February 12, 2010.

Read the President's Proclamation on National Oceans Month

ARCTIC MARINE SHIPPING ASSESSMENT



An Assessment Undertaken by the Protection of Arctic Marine Environment Working Group of the Arctic Council

Scenarios on the Future of Arctic Marine Navigation in 2050

Arctic Marine Shipping Assessment (AMSA)

The Arctic Council – an intergovernmental forum that addresses environmental protection and sustainable development issues, as well as challenges faced by the Arctic governments and people – is conducting an assessment of current and future Arctic marine activity. The lead countries for AMSA are Canada, Finland and the United States with the Arctic Council's working group on Protection of the Arctic Marine Environment (PAME) responsible for the assessment. A key element of AMSA is the creation of a set of scenarios, or plausible futures, for Arctic marine navigation.

Scenario Framework

The high-level scenario summaries were created at two AMSA/PAME Scenarios Workshops held in San Francisco (April 2007) and Helsinki (July 2007). The workshops were designed and facilitated by Global Business Network of San Francisco. Through brainstorming, work in small groups and spirited plenary discussion, workshop participants collectively agreed that the two factors detailed below – Governance and Resources & Trade – are the most important and uncertain in shaping the future of Arctic marine navigation in mid-century. By crossing these two critical uncertainties, participants formed the scenario matrix illustrated to the right. This framework also allows the incorporation of many of the uncertainties explored at the workshops, while still creating four different scenario spaces that are plausible and relevant to the range of Arctic stakeholders. When completed, the scenario stories willbe posted on the PAME website, www.pame.is.

Governance

This uncertainty axis describes the degree of relative *Governance stability*, both within the Arctic region and internationally.

← **Less stability** implies shortfalls in legal structure and transparency, as well as a propensity for stakeholders to work on a more unilateral basis rather than by collaborating in a cooperative, international fashion.

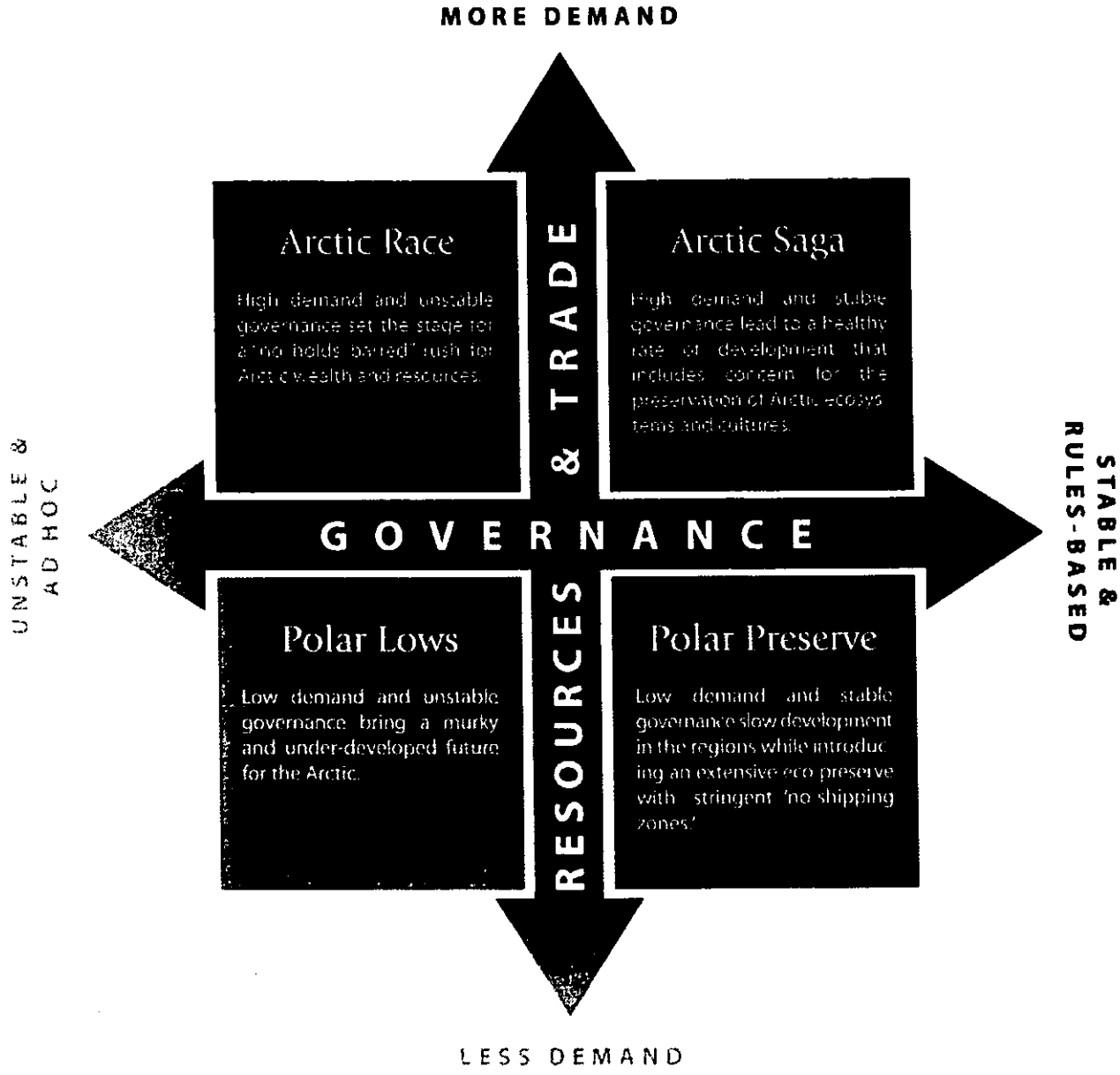
→ **More stability** implies not only efficiently operating legal and regulatory structures, but an international atmosphere more conducive to collaborative and cooperative development.

Resources & Trade

This uncertainty axis describes the level of demand for Arctic natural resources and trade. Framing this in a global context exposes the scenarios to a broader range of potential market developments, such as the rise of Asia or political instability in the Middle East.

↑ **More demand** implies exactly that – higher demand from more players and markets around the world – for natural resources and commerce in the Arctic.

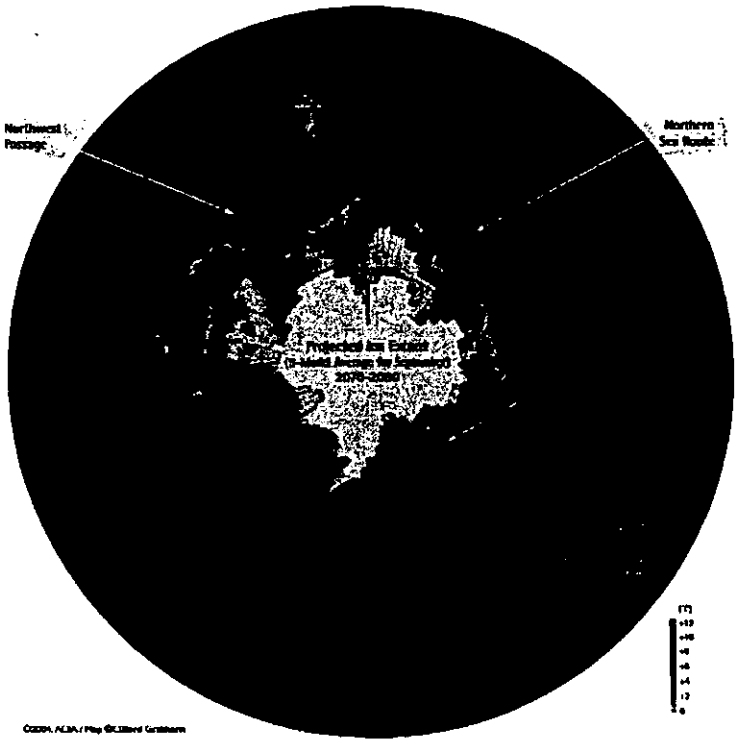
↓ **Less demand** is also straight forward, with fewer global players interested in utilizing Arctic commerce and natural resources.



Development of the AMSA scenarios is being facilitated by Global Business Network of San Francisco.
Support for this effort has been provided by: Aker Arctic Technology, BP Shipping, Finnish Ministry of Foreign Affairs, Institute of the North, Transport Canada, U.S. Arctic Research Commission, U.S. Department of State and U.S. National Oceanic & Atmospheric Administration.

Arctic Climate Impact Assessment Key Finding #6:

"Reduced sea ice is very likely to increase marine transport and access to resources."



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Secretariat
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907-227-7015

March 27, 2010

Northern Waters Commission

A Call to Action

China declares itself an Arctic nation. Building an icebreaker.

Canada renames the much sought-after Northwest Passage the "Canadian Northwest Passage."

Two new-built container ships cut the shipping time from East Asia to Rotterdam in half. Sea route across northern Russia. Icebreaker escorts not needed.

Norway seeks talks with Alaskans.

Canada – Alaska border dispute flares up.

Iceland envisions a transshipment role for itself.

Russia claims undersea territories and resources.

Disclaimer.
This paper is NOT -- repeat NOT -- a treatise on global warming or explanations for it. This is a look at Alaska's potential role in new strategies and opportunities brought forward by receding sea ice in Northern Waters,

Discussion

Reports clearly indicate that the sea ice in Northern latitudes is receding.

No matter what the cause might be, what meaning does that fact have for Alaska and the United States?

Other nations and their governments are already hard at work on their own interests. Russian, Canada, Norway, Iceland and even our own Federal government are players.

These governments and their commercial partners are at the table. What should the State of Alaska and the Alaskan people be doing? We are not very active yet, but we should be.

How and when do we claim our place at the table? Or should we maintain a subordinate, quasi-colonial posture? Most are repulsed by the very thought of the latter.

The situation in Northern Waters could be summed up as follows.

The waters north and northwest of Alaska have strategic importance for at least these four reasons:

1. **Protection of routes of ocean transit.**
2. **Mineral and other resource rights, sub-surface and on-shore.**
3. **Territorial rights and claims by foreign governments.**
4. **Rights and welfare of local inhabitants.**

As governments, the interests listed above are shared by the Federal government and the State of Alaska.

Some independent Federal agencies are taking actions, and some bilateral or multilateral international forums exist. Not all these agencies are coordinating with one another.

Although these shared interests are critical, yet, as of now, there is no organized Federal-State mechanism for handling or even discussing these matters.

Fortunately, there is an approach that is time-proven and very successful.

Suggestion

1. Use the very successful Fishery Management Council model, on which Federal and State appointees sit, deliberate, form policy and approve actions.

2. Feds and State agree to form a **Northern Waters Commission** (working title).

3. A balanced membership is formed comprised of Federal and State of Alaska appointees.

The **Northern Waters Commission** would be the forum at which to discuss policy issues, such as those listed in the four strategic areas above.

Regular meetings would be held, just as with the North Pacific Fishery Management Council, in a balanced atmosphere, with advice and input from staff, local governments, public agencies and the public.

Initial discussions about the **Northern Waters Commission** have been held with members and staff of our Congressional delegation, members of the State Legislative and Executive branches, the US Arctic Research Commission, the Mayor of the North Slope Borough, and experienced members of the public.

There is universal acknowledgement of the general issues involved with receding sea ice, and there is a real interest in the course of action outlined above as a means of addressing those issues.

As further background, in New York City a March 1, 2010 conference was held at the Council on Foreign Relations on the general subject of the retreating sea ice in the North. Senators Murkowski and Begich both made statements there, as well as Mayor Edward Itta.

Many notables were at the conference including the Norwegian Ambassador to the United Nations; David Rockefeller Jr.; Theodore Roosevelt IV; Nome Mayor Denise Michels; Alaska State Representative Carl Gatto; Bering Straits Native Corporation executive Gail Schubert; Alaska Native Arts Foundation chair Alice Rogoff; US Arctic Research Commission chair Mead Treadwell; and former Alaska Commissioner of Commerce, Community and Economic Development Bill Noll.

There was also an evening reception on March 1st at the Alaska House New York on the same subject. Mead Treadwell, Alice Rogoff and Bill Noll shared the podium at the reception. Mead gave a great power point presentation, followed by a lively Q&A.

About 80 had attended the Council on Foreign Relations event. Follow up is expected. As one example, an officer from Norway's General Consulate requested bilateral talks with Alaskans on this general subject.

Here is a link to the text of the afternoon session at Council on Foreign Relations, including the remarks by Senator Murkowski, Senator Begich and Mayor Itta:
http://www.cfr.org/publication/21623/adapting_to_climate_change_in_the_arctic_coordinating_a_federal_state_and_private_sector_response.html?breadcrumb=%2Fbios%2F13363%2Fscott_g_borgerson

Here is a link to the evening session at Alaska House New York:
http://www.ustream.tv/recorded/5121092

So, the question is, what to do next?

Recommendation

The State of Alaska perform work to create a report that will be the basis for taking actions deemed prudent to protect the interests of Alaska and Alaskans and advance these interests in the face of the receding sea ice.

There are and will be opportunities for people and businesses. Will Alaska play the role of a colony or foil for Federal and international protagonists? Or will Alaska step into the breach and take its rightful place alongside the sovereign powers already working for their own ends?

Proposed Scope of Work

A. The current and recent commercial and recreational marine transits passing Alaska over the top across Russia and Canada. The nature of this shipping and its potential. The economics.

B. Estimated oil, gas and other minerals in Northern Waters and their value.

C. Territorial claims to sea, sub-sea or land areas and resources.

D. Current actions by the US Coast Guard and the US Navy. Port potentials.

E. Other commercial potential such as tug support, pilotage, and ice breakers.

F. Shoreside support needs and potential for commerce. Infrastructure.

G. Social and economic potentials for local residents, businesses and governments.

H. Federal agencies currently involved in any way. International forums.

I. Existing Federal laws and regulations, and those pending in Congress.

J. The Law of the Sea Treaty: situation report.

K. The North Pacific Fishery Management Council budget and funding source.

L. Public hearings in key Northern locations.

Respectfully submitted.

William C. (Bill) Noll, Owner

Former Mayor of Seward

Former Alaska Commissioner of Commerce, Community and Economic Development

Founding president, Seward Association for the Advancement of Marine Science, dba Alaska Sealife Center

SCR

29

ALASKA STATE LEGISLATURE

SENATOR DONALD C. OLSON, CHAIR

SENATOR ALBERT KOOKESH
SENATOR JOE THOMAS
SENATOR HOLLIS FRENCH
SENATOR LINDA MENARD

ALASKA STATE CAPITOL
ROOM 514
JUNEAU, ALASKA 99801-1182
907) 465-3877
FAX: (907) 465-4821

SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

TO: All Committee Members

FROM: Senator Donald Olson

RE: Committee Agenda

LOCATION: Beltz Rom 105 (TSB)

DATE/TIME: Thursday March 11 – 3:30 p.m.

AGENDA

Bills Previously Heard / Scheduled

1. **Senate Joint Resolution 29**
   Recommending Congress Create Four Native Alaskan / Tribal Representative Seats on the N. Pacific Mgmt Council

3-11-10

Adopted Unanimously

26-LS1568\R
Kane
3/10/10

CS FOR SENATE JOINT RESOLUTION NO. 29(CRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY THE SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

A RESOLUTION

Requesting the Alaska Congressional delegation to introduce and seek passage of an amendment to the Magnuson-Stevens Fishery Conservation and Management Act to create four new voting seats on the North Pacific Fishery Management Council to be filled by appointment of members of federally recognized tribes or Alaska Native organizations who are not employed by a community development quota program or other industrial or commercial fishing interest.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS thousands of individuals and families in the Alaska Native community have a vested interest in and are dependent on the success of the state's diverse fisheries, especially the salmon fisheries; and

WHEREAS Native individuals and families have participated in traditional harvesting of Alaska's fisheries for millennia; and

WHEREAS, in contemporary times, Alaska Natives have participated in the state's commercial fisheries with skill, determination, and economic motivation at a level that

matches any user group in the industry; and

WHEREAS, through the Magnuson-Stevens Fishery Conservation and Management Act and the North Pacific Fishery Management Council, the State of Alaska and the United States of America provide management oversight, regulatory control, and policy development affecting the state's offshore fisheries; and

WHEREAS the composition of the North Pacific Fishery Management Council is dominated by state and industry voices that do not advocate or represent the subsistence needs of Alaska's rural tribal peoples; and

WHEREAS the state's federally recognized tribes and Alaska Native organizations need to be engaged in the management of the salmon stocks and ecosystems of the state, for it is on those stocks and ecosystems that the people depend for subsistence and, in some cases, for their economic livelihood; and

WHEREAS the discretionary powers of the governor to make recommendations for appointment to the North Pacific Fishery Management Council do not provide for consistent participation by members of federally recognized tribes and Alaska Native organizations; and

WHEREAS the establishment of tribally designated voting seats filled by representatives without ties to community development quota programs or other industrial or commercial fishing interest would serve to ensure fairness and subdue potential conflicts;

BE IT RESOLVED that the Alaska State Legislature requests the Alaska Congressional delegation to introduce and seek passage of an amendment to the Magnuson-Stevens Fishery Conservation and Management Act to create four new voting seats on the North Pacific Fishery Management Council to be filled by appointment of members, recommended by the governor, of federally recognized tribes in Alaska or Alaska Native organizations who are not employed by a community development quota program or other industrial or commercial fishing interest.

COPIES of this resolution shall be sent to the Honorable Lisa Murkowski and the Honorable Mark Begich, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

NORTH PACIFIC FISHERY MGT. COUNCIL

THE COUNCIL: Eleven voting members, four non-voting.

Advisory Panel – 20 to 23 members from any interest area within fisheries; appointed by states' governors by voting member ratio.

Scientific & Statistical Committee

ELEVEN VOTING MEMBERS:

6 Alaska (five recommended by AK governor to U.S. Commerce Secretary for appointment; one is automatically the F & G Commissioner)

3 Washington (one must be the F&G Commissioner)

1 Oregon (must be Oregon's F&G Commissioner)

1 AK Regional Director of National Marine Fisheries Svc.

FOUR NON-VOTING MEMBERS:

1 U.S. Coast Guard

1 U.S. Fish & Wildlife Service

1 Pacific States Marine Fisheries Commission

1 U.S. State Department

REVISED

ALASKA STATE LEGISLATURE

SENATOR DONALD C. OLSON

ALASKA
STATE CAPITOL
ROOM 514
JUNEAU, ALASKA 99801-1182

(907) 465-3707
FAX (907) 465-4821

SJR 29 – Adding Four Native Voting Seats to North Pacific Fisheries Management Council

Version 26-LS1568/A, February 26, 2010
STAFF: Tim Benintendi, 465-4989

SPONSOR STATEMENT

SJR 29 would request of the Alaska Congressional delegation that the Magnuson-Stevens Act be opened for consideration of amending the North Pacific Fisheries Management Council (NPFMC). The resolution urges creation of four new voting seats which would be filled with appointees, recommended by the governor, from federally-recognized tribes in Alaska and/or Alaska Native Organizations. It further proposes that these individuals not be employed by a community development quota program, or other industrial or commercial fishing interests.

Many constituent Native fishermen from Western and Northwestern Alaska, and the resource development groups which support them, feel that their voices are not being heard on the NPFMC, and that an expanded Council with four new Native voting seats will accommodate that voice.

Issues such as failed king salmon runs on the Lower Yukon River and ongoing, unresolved by-catch losses have left this constituency with little recourse other than raising their profile and seeking remedial actions at this level of the regulatory process.

SJR 29 is supported, among others, by the Alaska Federation of Natives, Alaska Marine Conservation Council, Yukon Delta Fisheries Development Assn., Alaska Inter Tribal Council, Norton Sound Economic Development Corporation, Kawerak, Inc., Assn. of Village Council Presidents, Bering Sea Fishermen's Assn., the Northwest Arctic Borough, and the Kotzebue Fish & Game Advisory Committee.

ENTITIES SUPPORTING SJR 29

VOTING SEATS FOR TRIBESON THE NPFMC

SOUTHERN NORTON SOUND FISH & GAME ADVISORY COMMITTEE

ALASKA FEDERAION OF NATIVES

ALASKA INTER TRIBAL COUNCIL

ALASKA VILLAGE INITIATIVES

ALASKA MARINE CONSERVATION COUNCIL

NORTON SOUND ECONOMIC DEVELOPMENT CORPORATION*

YUKON DELTA FISHERIES DEVELOPMENT ASSOCIATION

KAWERAK, INC.

NATIVE VILLAGE OF UNALAKLEET

WESTERN INTERIOR RAC***

EASTERN INTERIOR RAC***

SEWARD PENINSULA RAC***

ASSOCIATION OF VILLAGE COUNCIL PRESIDENTS**

BERING SEA FISHERMEN'S ASSOCIATION***

KOTZEBUE FISH & GAME ADVISORY COMMITTEE***

NORTHWEST ARCTIC BOROUGH***

UNITED SOUTH & EASTERN TRIBES, INC

*CDQ group
**Verbal commitment
***Took action/pending

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: SJR29
() Publish Date:

Identifier (file name): SJR29-LEG-COU-3-9-10
Dept. Affected: Legislature
Title "Requesting the Alaska Congressional delegation to introduce and seek passage of an amendment..."
RDU Legislative Council
Component Council and Subcommittees
Sponsor Senate Community and Regional Affairs Committee
Requester Senate Community and Regional Affairs Committee
Component Number 783

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
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**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

This Legislation has zero fiscal impact on the Legislative Affairs Agency.

Prepared by: Karla Schofield, Deputy Director
Phone 465-6626
Division Legislative Affairs Agency
Date/Time 3/9/10 9:42 AM
Approved by: Pamela Varni, Executive Director
Date 3/9/2010
Legislative Affairs Agency

(Revised 11/6/2009 OMB)

NORTON SOUND ECONOMIC DEVELOPMENT CORPORATION

Serving the fisheries of the Bering Strait Region

Brevig Mission Diomede Elim Gambell Golovin Koyuk Nome Saint Michael Savoonga Shaktoolik Stebbins Teller Unalakleet Wales White Mountain

December 9, 2009

The Honorable Lisa Murkowski
709 Hart Building
United States Senate
Washington, D.C. 20510

The Honorable Mark Begich
144 Russell Building
United States Senate
Washington, D.C. 20510

The Honorable Don Young
2111 Rayburn Building
United States House of Representatives
Washington, D.C. 20515

Dear Senators Murkowski and Begich and Congressman Young:

As you are aware, the level of interest and participation of late by western Alaskan tribal groups in the North Pacific Fishery Management Council (Council) process has increased dramatically, in large part due to potential subsistence conflicts that may occur in the prosecution of federal fisheries. These groups have worked hard to increase their presence in the federal process - to make their voices heard and to meaningfully participate.

While we may not always fully agree on the approach to federal management, Norton Sound Economic Development Corporation (NSEDC) certainly values the input, opinions and positions of western Alaska tribal organizations as we have overlapping constituencies.

Therefore, NSEDC wishes to voice its support for expansion of council seats to include representation of tribes from western Alaska. The tribes, representing people who have made a living from the Bering Sea for thousands of years, should have direct representation on the Council to ensure their needs and concerns are fully considered in our fishery management process.

Please do not hesitate to contact me if you have any questions on this matter.

Sincerely,

Janis Ivanoff
Chief Executive Officer

Cc: Art Ivanoff

420 L Street Suite 310 Anchorage, Alaska 99501 (907) 274-2248 Fax: (907) 274-2249

KAWERAK , INC. ○ P.O. Box 948 ○ Nome, AK 99762

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ST. MICHAEL
TELLER
UNALAKLEET
WALES
WHITE MOUNTAIN

March 3, 2010

Senator Lisa Murkowski
709 Hart Building
United States Senate
Washington, DC 20510

Senator Mark Begich
144 Russell Building
Washington, DC 20510

Congressman Don Young
2111 Rayburn Building
United States House of Representatives
Washington, DC 20515

Dear Senators Murkowski and Begich and Congressman Young:

The Eskimo Walrus Commission (EWC) of Kawerak, Inc. in Nome held its annual meeting in Anchorage on February 22-23, 2010. At the meeting, the Commissioners reviewed a February 5, 2010 letter to Senator Murkowski requesting assistance in "obtaining tribal representation" on the North Pacific Fishery Management Council (NPFMC).

The EWC fully supports and endorses Kawerak's letter, and other Alaska Native organizations and entities requesting four tribally designated seats on the NPFMC by amending the Magnuson-Stevens Act. The benefit of having tribal representation on NPFMC would allow not only a voting seat, but an opportunity to be fully consulted in matters relating to western Alaska's fishery management issues.

If you have questions regarding the support, please contact me at 907/443-4380 at Kawerak, Inc. or Art Ivanoff at 907/624-3622.

Sincerely,
Kawerak, Inc.

Vera Metcalf
Eskimo Walrus Commission

cc: Senator Olson
Myron Naneng, Association of Village Council Presidents
Julie Kitka, Alaska Federation of Natives
Art Ivanoff, Southern Norton Sound Advisory Committee
Loretta Bullard, Kawerak
Victor Karmun, Chair, EWC

SJR

1

Senator Linda Menard

State Capitol, Room 9
Juneau, Alaska 99801

Phone: (907) 465-6600
Fax: (907) 465-3805

Alaska State Legislature

Sponsor Statement for SJR 1

Senate Joint Resolution 1 seeks to put on the next general election's ballot the question of term limits for legislators. This resolution should pass the Legislature and be put to a vote of the people.

Term limits would work like so:

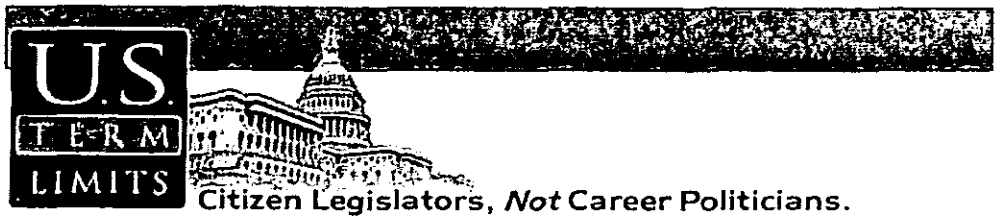
Representatives will be limited to four terms, while senators will be limited to two. Thus, legislators in both houses will have eight years to serve in their respective house. After a legislator terms out, he or she must wait until one complete term intervenes before they can run for office again.

Alaska's Legislature was created with a citizen legislator in mind. The state's founders never intended for citizens to become career politicians. By limiting the terms of lawmakers others in the state who are qualified will have a better chance to use their skills for the betterment of Alaska.

Typically, an incumbent in a House or Senate race has the upper hand. It is unreasonable for legislators to think they are the only ones who can do the job. Furthermore, term limits end the perpetual election cycle, causing legislators to concentrate on decisions that are best for the state as opposed to their reelection chances..

If enacted by voters in the next general election, lawmakers elected before the 2010 election would be grandfathered in, meaning their previous terms would not be counted against the term limit.

Realistically, this issue should pass the Legislature and be put to a vote of the people. Since we as legislators work for the people, the term limits decisions should be left to them.



State Legislative Term Limits

State	Year	Limited: terms (total years allowed)	Year law takes effect	Percent Voting Yes
Arizona	1992	House: 4 terms (8 years) Senate: 4 terms (8 years)	House: 2000 Senate: 2000	74%
Arkansas	1992	House: 3 terms (6 years) Senate: 2 terms (8 years)	House: 1998 Senate: 2000	60%
California	1990	Assembly: 3 terms (6 years) Senate: 2 terms (8 years)	House: 1996 Senate: 1998	52%
Colorado	1990	House: 4 terms (8 years) Senate: 2 terms (8 years)	House: 1998 Senate: 1998	71%
Florida	1992	House: 4 terms (8 years) Senate: 2 terms (8 years)	House: 2000 Senate: 2000	77%
Louisiana **	1995	House: 3 terms (12 years) Senate: 3 terms (12 years)	House: 2007 Senate: 2007	76%
Maine *	1993	House: 4 terms (8 years) Senate: 4 terms (8 years)	House: 1996 Senate: 1996	68%
Michigan	1992	House: 3 terms (6 years) Senate: 2 terms (8 years)	House: 1998 Senate: 2002	59%
Missouri	1992	House: 4 terms (8 years) Senate: 2 terms (8 years)	House: 2002 Senate: 2002	75%
Montana	1992	House: 4 terms (8 years) Senate: 2 terms (8 years)	House: 2000 Senate: 2000	67%
Nebraska	2000	Unicameral: 2 terms (8 years)	Senate: 2008	56%
Nevada	1994	Assembly: 6 terms (12 years) Senate: 3 terms (12 years)	House: 2006 Senate: 2006	70%
Ohio	1992	House: 4 terms (8 years) Senate: 2 terms (8 years)	House: 2000 Senate: 2000	66%
Oklahoma	1990	12 year combined total for both houses	State Legislature: 2004	67%
South Dakota	1992	House: 4 terms (8 years) Senate: 2 terms (8 years)	House: 2000 Senate: 2000	64%
Wyoming ***	1992	House: 6 terms (12 years) Senate: 3 terms (12 years)	House: 2004 Senate: 2004	77%
AVERAGE % of Vote				67%

Italics Indicate states limited by statute. All others are limited by state constitutional amendment.
* Maine's law is retroactive.
** Law in Louisiana was passed by the state legislature.
*** Wyoming's law was originally passed by initiative in 1994. The legislature amended the law to allow members of the House to serve 12 years. A referendum to return to the original six- year House limits garnered 54% of the vote but failed to get 50% plus one of all voters to veto the legislature.

All of the above have gubernatorial limits in addition to 20 other states.

Alaska, Massachusetts, New Hampshire, North Dakota and Washington — in addition to all of the states listed above (excluding Louisiana) — passed federal congressional term limits before the 5-4 U.S. Supreme Court decision in U.S. Term Limits v. Thornton declared the necessity of a constitutional amendment to limit the terms of Congress.

Oregon voters passed term limits on their legislature and statewide officeholders in 1992 by 70% of the vote. Two termed out legislators sued the voters of Oregon in a case that made its way to the Oregon State Supreme Court. In December 2001, the court ruled that the term limits law violated single amendment

requirements and threw the law out.

Idaho voters passed term limits on their legislature, statewide officeholders and local officeholders in 1994 by 59% of the vote. In 1998, the legislature placed an "advisory" question on the ballot, asking voters to reaffirm their support of term limits. Voters did so. In 2001, state and local office holders sued Idaho voters in a case that made its way to the Idaho Supreme Court, where the court ruled term limits constitutional. In February 2002, the Idaho Legislature ignored the vote of the people and became the first state in the nation to repeal their term limits law.

In an effort to block stricter legislative limits, Utah's legislature placed 12-year limits on its members, a law that was to go into effect in 2006. In March 2003, the legislature repealed their limits. Like, Idaho, Maine, and Wyoming, Utah is a statute-only state, where voters cannot pass constitutional amendments.

The following state's term limits are consecutive: Arizona, Florida, Louisiana, Maine, Ohio, South Dakota.
The following state's term limits are lifetime: Arkansas, California, Michigan, Missouri, Nevada and Oklahoma.
The following state's term limits are a time-out four years or longer: Colorado, Montana and Wyoming

Frequently Asked Questions about Term Limits

How many states have legislative term limits?

Presently, 15 states have term limits for legislators. In all 21 states have passed legislative term limits at one time or another, but the limits have been repealed or declared unconstitutional in six of those states. In Massachusetts and Washington, they were held unconstitutional by the state supreme courts in the late 1990s. Oregon's supreme court held that state's legislative term limits unconstitutional in 2002, and the state legislatures in Idaho and Utah repealed term limits in 2002 and 2003, respectively. Wyoming's term limits were held unconstitutional by the state's supreme court in May 2004.

Why don't more states have legislative term limits?

Most of the states that have term limits got them through the citizen initiative process. Only 24 states have the initiative process, and nearly all of those already have term limits or have voted them down already. Two initiative states - Alaska and Illinois - have never voted on legislative term limits because their initiative process includes restrictions that preclude such a measure from making it to the ballot. Two other initiative states - Mississippi and North Dakota - have voted on legislative term limits in the past, and the measures failed to pass. In states without the initiative process, it would require an act of the legislature to create term limits. This has happened just twice - the Louisiana legislature voted to impose term limits on itself in 1995 (Louisiana is the only term limits state that does not have the initiative process), and the Utah legislature voted in 1994 to impose term limits on itself. The Utah move was an effort to head off a more restrictive term limits ballot initiative, and the Utah legislature has since voted to repeal its term limits.

What are the effects of term limits on state legislatures?

It is difficult to draw general conclusions about the effects of term limits, because there is significant variation not only among the types of legislatures that have term limits, but also among the limits themselves. For instance, the way term limits affect a large, professionalized legislature like California is very different from the way they affect a smaller, part-time legislature like Arkansas. More restrictive limits, like California's lifetime limit of 6 years in the Assembly and 8 in the senate, tend to produce more dramatic results than less restrictive limits, like Colorado's consecutive limit of 8 years in each chamber. NCSL, in cooperation with the Council of State Governments, the State Legislative Leaders Foundation, and a group of legislative scholars from around the country, is currently engaged in a major study of the effects of term limits. Results of the study will be published in late 2004. For information on the study, visit the home page of the Joint Project on Term Limits.

For More Information on Term Limits

Jennie Drage Bowser tracks term limits, and may be reached at 303-364-7700 or elections-info@ncsl.org.

HB 10

26-LS0063\T
Cook
4/7 09

SENATE CS FOR CS FOR HOUSE BILL NO. 10(CRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY THE SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVES GRUENBERG, CHENAULT, THOMAS, GARA, HARRIS, AND KAWASAKI, Foster, Dahlstrom, Lynn, Olson

SENATOR Meyer

A BILL

FOR AN ACT ENTITLED

"An Act authorizing a borough to charge a city for costs of collecting certain taxes; relating to a mandatory exemption from municipal property taxes for residences of certain widows or widowers, and to optional exemptions from municipal property taxes for property of certain fraternal organizations, for certain college property, and for certain residential property; relating to municipal property taxation; providing for an effective date by amending the effective date of sec. 3, ch. 117, SLA 2000, as amended by sec. 2, ch. 74, SLA 2003, and by sec. 3, ch. 67, SLA 2008; and providing for an effective date."

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

*** Section 1.** AS 29.35.170(b) is amended to read:

(b) **Except as provided in AS 29.45.700, taxes** [TAXES] levied by a city **in a borough** shall be collected by **the** [A] borough and returned in full to the levying city.

However, a borough may charge a city a fee for costs of collecting a tax that is not also levied by a majority of the cities in the borough or levied by the borough on an areawide basis. This subsection applies to home rule and general law municipalities.

*** Sec. 2.** AS 29.45.030(e) is amended to read:

(e) The real property owned and occupied as the primary residence and permanent place of abode by a [(1)] resident **who is (1)** 65 years of age or older; (2) **a** disabled veteran; [OR] (3) [RESIDENT] at least 60 years **of age and** [OLD WHO IS] the widow or widower of a person who qualified for an exemption under (1) [OR (2)] of this subsection**; or (4) the widow or widower of a person who qualified for an exemption under (2) of this subsection**, is exempt from taxation on the first $150,000 of the assessed value of the real property. A municipality may, in case of hardship, provide for exemption beyond the first $150,000 of assessed value in accordance with regulations of the department. Only one exemption may be granted for the same property and, if two or more persons are eligible for an exemption for the same property, the parties shall decide between or among themselves who is to receive the benefit of the exemption. Real property may not be exempted under this subsection if the assessor determines, after notice and hearing to the parties, that the property was conveyed to the applicant primarily for the purpose of obtaining the exemption. The determination of the assessor may be appealed under AS 44.62.560 - 44.62.570.

*** Sec. 3.** AS 29.45.050(b) is amended to read:

(b) A municipality may by ordinance

(1) classify and exempt from taxation

(A) the property of an organization not organized for business or profit-making purposes and used exclusively for community purposes if the income derived from rental of that property does not exceed the actual cost to the owner of the use by the renter;

(B) historic sites, buildings, and monuments;

(C) land of a nonprofit organization used for agricultural purposes if rights to subdivide the land are conveyed to the state and the conveyance includes a covenant restricting use of the land to agricultural

purposes only; rights conveyed to the state under this subparagraph may be conveyed by the state only in accordance with AS 38.05.069(c);

(D) all or any portion of private ownership interests in property that, based upon a written agreement with the University of Alaska, is used exclusively for student housing for the University of Alaska; property may be exempted from taxation under this subparagraph for no longer than 30 years unless the exemption is specifically extended by ordinance adopted within the six months before the expiration of that period;

(E) property of a private, nonprofit four-year college or university that is accredited by a regional or national accrediting agency recognized by the Council for Higher Education Accreditation or the United States Department of Education, or both, that is not subject to the mandatory exemption described in AS 29.45.030(a)(3); however, a private leasehold, contract, or other interest in the property is taxable to the extent of the private interest;

(2) classify as to type and exempt or partially exempt some or all types of personal property from ad valorem taxes.

* **Sec. 4.** AS 29.45.050 is amended by adding a new subsection to read:

(t) A municipality may, by ordinance ratified by the voters, exclude or exempt or partially exempt from taxation the property of a fraternal society, order, or association that is exempt from federal taxes under 26 U.S.C. 501(c)(8) or (10) (Internal Revenue Code) if the property is used predominantly for one or more of the following purposes:

(1) religious;

(2) charitable;

(3) scientific;

(4) literary;

(5) educational; or

(6) fraternal.

* **Sec. 5.** AS 29.45 is amended by adding a new section to read:

Sec. 29.45.053. Exemption for certain residences of law enforcement

officers. (a) A municipality may, by ordinance, provide for the designation of areas within its boundaries that are eligible for tax exemptions on parcels of residential property. The amount of the tax exemption provided in the ordinance may not exceed $150,000 of the assessed value of a parcel. The exemption may be granted for a parcel only if it is

(1) entirely within an eligible area;

(2) primarily used for residential purposes; and

(3) owned and occupied as the primary place of abode by a law enforcement officer.

(b) Only one exemption may be granted for the same parcel under an ordinance adopted under (a) of this section, and, if two or more individuals are eligible for an exemption for the same parcel, the individuals shall decide between or among themselves who is to receive the benefit of the exemption.

(c) The municipality that adopts the ordinance under (a) of this section may not request state funds to cover any loss of revenue to the municipality caused by the ordinance.

(d) The ordinance adopted under (a) of this section must define "law enforcement officer" to include only some or all positions listed in the definition of "peace officer" in AS 01.10.060 or in the definition of "police officer" in AS 18.65.290. The ordinance may include other eligibility requirements for an area; however, an eligible area must

(1) meet the eligibility requirements under a federal program of special assistance for urban development, neighborhood revitalization, or law enforcement, without regard to whether an application for the federal assistance on behalf of the area has been made or whether the area has received or is receiving the federal assistance;

(2) have a statistically higher occurrence of crime than the municipality as a whole; the crime rate for an eligible area must be established in the ordinance; or

(3) meet the requirements of (1) and (2) of this subsection.

(e) The municipality may establish a specific area as an eligible area for

purposes of this section only in the ordinance adopted under (a) of this section or by adopting a separate ordinance. The municipality is not required to establish as an eligible area for purposes of this section every area that meets the requirements of the ordinance that is adopted under (a) of this section.

*** Sec. 6.** Section 19, ch. 117, SLA 2000, as amended by sec. 2, ch. 74, SLA 2003, and by sec. 3, ch. 67, SLA 2008, is amended to read:

Sec. 19. Section 3 of this Act takes effect November 30, **2012** [2009].

*** Sec. 7.** Section 2 of this Act takes effect January 1, 2010.

AMENDMENT

OFFERED IN THE HOUSE BY REPRESENTATIVE JOULE

TO:

In the bill title immediately before **"and providing for an effective date.":**

Insert **"; relating to municipal property taxation; providing for an effective date by amending the effective date of sec. 3, ch. 117, SLA 2000, as amended by sec. 2, ch. 74, SLA 2003, and by sec. 3, ch. 67, SLA 2008;"**

In the bill body immediately before the effective date section:

Insert a new bill section to read:

"* Sec. __. Section 19, ch. 117, SLA 2000, as amended by sec. 2, ch. 74, SLA 2003, and by sec. 3, ch. 67, SLA 2008, is amended to read:

Sec. 19. Section 3 of this Act takes effect November 30, **2012** [2009]."

Member

Standing Committees:
Judiciary
State Affairs
Transportation

Finance Subcommittees:
Administration
Courts

Alaska State Legislature

House of Representatives

Representative Max F. Gruenberg, Jr.
House District 20
Anchorage (Mountain View, Russian Jack, East Anchorage)
House Minority Assistant Floor Leader

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Rep.Max.Gruenberg@legis.state.ak.us

SPONSOR STATEMENT
CSHB10(FIN) – MUNICIPAL TAXES: COSTS/EXEMPTIONS

"An Act authorizing a borough to charge a city for costs of collecting certain taxes; relating to a mandatory exemption from municipal property taxes for residences of certain widows or widowers, and to optional exemptions from municipal property taxes for property of certain fraternal organizations, for certain college property, and for certain residential property; and providing for an effective date."

This bill makes several changes to the mandatory and optional municipal property tax exemptions allowed under Alaska law. The bill is similar to CSHB 67 (FIN)am that passed the House on 5/2/2007.

- The bill permits a borough to charge a city a fee for the cost of collecting a tax that is not also levied by the majority of cities in the borough or levied by the borough on an areawide basis. This is a new section to the previous versions of the bill.
- The bill allows widows and widowers of disabled veterans to retain their municipal property tax exemption. Under current law, these widows and widowers are ineligible for the tax exemption until they reach age 60.
- The bill provides for an option exemption at the discretion of a municipality to exempt property owned by a private university from municipal property taxes. If the property is being used for non-exempt purposes, the leasehold interest(s) will be subject to taxation. The Senate Community and Regional Affairs Committee amended CSHB 67 (FIN)am by changing this exemption from mandatory to optional.
- The bill provides for an optional municipal tax exemption for fraternal organizations if the property is used predominately for charitable or fraternal purposes. In order to be eligible for the tax exemption, the municipality by ordinance and the voters in the municipality must approve a tax exemption for fraternal property.
- The bill encourages law enforcement officers to purchase homes and live in high crime areas by allowing a municipality to pass an ordinance giving an exemption up to $150,000 of assessed valuation for a permanent residence owned and occupied by a law enforcement officer in a high crime area.

Please contact Allison Laffen at 465-2840 with any questions.

Member

Standing Committees:
Judiciary
State Affairs
Transportation

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Alaska State Legislature
House of Representatives

Representative Max F. Gruenberg, Jr.
House District 20
Anchorage (Mountain View, Russian Jack, East Anchorage)
House Minority Assistant Floor Leader

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SECTIONAL ANALYSIS
CSHB10(FIN) – MUNICIPAL TAXES: COSTS/EXEMPTIONS

"An Act authorizing a borough to charge a city for costs of collecting certain taxes; relating to a mandatory exemption from municipal property taxes for residences of certain widows or widowers, and to optional exemptions from municipal property taxes for property of certain fraternal organizations, for certain college property, and for certain residential property; and providing for an effective date."

Sec. 1. Permits a borough to charge a city a fee for costs of collecting a tax that is not also levied by the majority of cities in the borough or levied by the borough on an areawide basis.

Sec. 2. Eliminates the requirement that a widow or widower of a disabled veteran who had qualified for an exemption for taxes on the residence be at least 60 years old in order to also qualify for the exemption. Under **Sec. 6**, this bill section, but not the rest of the bill, takes effect January 1, 2010.

Sec. 3. Permits a municipality to classify and exempt from taxation property of certain nonprofit four-year colleges or universities. A private leasehold, contract or other interest in the property remains taxable to the extent of the interest. The Senate Community and Regional Affairs Committee amended CSHB 67 (FIN)am in the 25th Legislature by changing the exemption from mandatory to optional.

Sec. 4. Permits a municipality by ordinance ratified by the voters to exclude or exempt from taxation property of certain fraternal societies if the property is used for a listed purpose.

Sec. 5. Allows a municipality to provide for a tax exemption not to exceed $150,000 of the assessed value of a residence of a law enforcement officer that is within an eligible area designated by the municipality. A municipality that provides the exemption may not request state funds to cover any loss of revenue caused by the exemption. Sets out requirements for an eligible area.

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: CSHB 10(CRA)
(H) Publish Date: 2/27/09

Identifier (file name): HB10-CED-CRA-2-20-09
Dept. Affected: DCCED
Title: Municipal Taxes Costs/Exemptions
RDU: Commissioners Office
Component: Community & Regional Affairs
Sponsor: Representative Gruenberg and Represenative Chenault
Requester: House Community and Regional Affairs Committee
Component Number: 2879

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2010**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**
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	0.0
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2009) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

This bill would make primary changes to exisiting statues dealing with property tax exemptions for law enforcement officers living in high crime area, widow or widowers of disabled veterans, certain non-profit colleges and universities and a raise in the property tax exemption amount. The Department of Commerce, Community and Economic Development does not anticipate a fiscal impact due to passage of this legislation.

Prepared by: Tyson Fick
Phone 907-465-2503
Division: Commerce, Community, and Economic Development
Date/Time 02/20/09 10:00am
Approved by: Emil R. Notti, Commissioner
Date 2/23/2009
Commerce, Community, and Economic Development

(Revised 9/10/2008 OMB)

COMMITTEE COPY

Testimony for CS HB 10

My name is Steve Van Sant and I am the State Assessor for the State of Alaska, located at 550 W. 7th St., Suite 1770, Anchorage, AK. As State Assessor, part of my responsibilities are to assist municipalities which includes helping to interpret federal property tax laws, primarily ANCSA, and Alaska property tax statutes. Being involved in the committee hearings of these bills as they are discussed and working with the sponsors of the legislation certainly helps me in assisting assessors around the state in interpreting these laws.

CSHB 10 contains several sections dealing with various property tax exemptions. Sections 1, 2, 4 and 5 are fairly straight forward and I will not address those sections, however, I feel that Section 3 may need some technical clarification for those who will administer the property tax laws of this state, the assessors.

This section amends AS 29.45.050(b)(1) by adding a new subsection (E). This subsection is intended to allow a municipality to exempt any private, nonprofit, four year college that is accredited. This part of the amendment is straightforward and easily understood. The amendment goes on to state that even though it is not a mandated exemption, any private interest should be subject to AS 29.45.030(a)(1)(A). This refers to any leasehold interest of other private parties that may exist. For example, currently the Alaska Pacific University (APU) is a four year, nonprofit, accredited university that would qualify for an exemption under this legislation should it be passed by the legislature and enacted by the Anchorage assembly. At the current time, the Alaska Spine Institute (ASI) leases property from APU and the Anchorage Assessor has determined that the property used by the A.S.I. is taxable and has sent APU, the property owner, a bill for the taxes.

Under CSHB 10, APU, or any four year private, nonprofit, university, would no longer be held liable for taxes of property it might lease out for non-educational purposes. The assessor would be required to assess each lessee for its leasehold interests, and tax bills would be sent to the lessees, not the university. If the lessee failed to pay the property tax due, a municipality could not foreclose on the property, but would be required to take personal action against the lessee as described under AS 29.45.320.

Typically, assessors do not assess a separate leasehold interest on private property. The entire property is assessed to the property owner, so this legislation is a change from the current assessment of this type of arrangement. This legislation puts all nonprofit university property, state and privately owned, on the same level of taxation in regards to any private, non-educational use of property by other taxable entities, by assessing and taxing the lessee, not the property owner for the non-exempt use.

Steve Van Sant
State Assessor

Testimony for CS HB 10 - House Finance Committee Hearing March 16, 2008

My name is Steve Van Sant and I am the State Assessor for the State of Alaska, located at 550 W. 7th St., Suite 1770, Anchorage, AK. As State Assessor, part of my responsibilities are to assist municipalities which includes helping to interpret federal property tax laws, primarily ANCSA, and Alaska property tax statutes. Being involved in the committee hearings of these bills as they are discussed and working with the sponsors of the legislation certainly helps me in assisting assessors around the state in interpreting these laws.

I have previously supplied comments regarding Section 3 of CSHB 10. I understand there will be an amendment offered that will clear up confusion that was raised in regards to any private, third party interest (leasehold interest) that may be present on property owned by a private nonprofit university.

I have reviewed the proposed amendment and believe that it will clear up the confusion of how to treat those third party interests. It now reads very similar to the exemption in AS 29.45.030 that attaches to the University of Alaska property where there may be third party interest.

I would support the adoption of this amendment.

Steve Van Sant
State Assessor

From: Doug North [mailto:dnorth@alaskapacific.edu]
Sent: Friday, April 03, 2009 2:04 PM
To: Sen. Donny Olson
Subject: HB10 and Alaska Pacific University

Senator Donald Olson
Chair, Community and Regional Affairs Committee

Dear Senator Olson:

Next Tuesday, HB10 will be heard in the Community and Regional Affairs committee. One provision of that bill pertains to Alaska Pacific University (APU). As President of Alaska Pacific University, I want you to know that APU fully supports this bill. We have been joined in this effort by the Anchorage Assembly, the Mayor of the Municipality, the President of the University of Alaska, as well as both Municipal and State Assessors. These documents should be available to you at the hearing.

Basically, our section of HB10 would put Alaska Pacific University on the same property tax footing as the University of Alaska. Properties that are leased to private interests would be taxed on the basis of the private leasehold interest. The net effect on APU would be to reduce somewhat the taxes on a property APU developed for a private entity, but it would also give APU a sounder basis for its own strategic planning. It makes for a taxation approach that is equivalent to that enjoyed by the University of Alaska, although it will be optional for the Municipality to enact it.

The current situation is that the Municipality would like to enact it, but cannot, in a finding by the Municipal Attorney, without legislative action such as HB10.

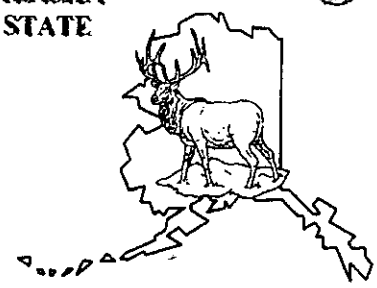
Please consider favorably this legislation that has been approved by all the concerned parties, which will not cost the state any money, and which will allow Alaska Pacific University in this its 50th year to continue its extraordinary services to the people of Anchorage and Alaska.

I will be happy to answer any questions you might have, either prior to or at the hearing, which I will attend by telephone.

Sincerely,

Dr. Douglas M. North
President, Alaska Pacific University

ALASKA STATE



ELKS ASSOCIATION

2008 - 2009 ALASKA STATE ASSOCIATION OFFICERS

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859 Panamaroff Dr.
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To: Alaska House of Representatives, Community and Regional Affairs Committee 2/25/09
Co-Chairs Rep. Bob Herron and Rep. Cathy Munoz

From: Richard "Tiny" Fagg, President
Alaska State Elks Association

Re: Alaska House of Representatives House Bill 10

Hons. Herron and Munoz,

I am writing to you on behalf of the seventeen Lodges of the Benevolent and Protective Order of Elks in Alaska and the over 7000 members of those Lodges to ask for your support of and to speak on behalf of Alaska House of Representatives House Bill 10. The seventeen Elks Lodges in Alaska serve a vital role in their communities as do many of the other non-profit fraternal organizations. There is only one entity that awards more scholarships for the youth of our country and that is the Federal Government. We hold athletic contests and provide camping experiences as well as essay contests and coloring contests for the younger children all aimed at serving the youth and families of our communities. The Elks provide programs for the children of our town and cities that are all designed to help them to grow into valuable American Citizens. The Elks other main focus is our brave veterans and the distinguished men and women currently serving in our Armed Forces. Between the thousands of man hours given by the volunteers who work at the many Veterans Centers across Alaska each year and the social events we hold at the Lodges specifically for these wonderful men and women the total amount of time and funds contributed is remarkable. Our State Association and the Lodges of Alaska have just this last year launched the Alaska Wounded Veterans Project which is intended to help the soldiers returning from our current conflicts experience a small amount of normalcy by offering them different outdoor recreational activities that only Lodges in Alaska can offer.

All of these activities take place because of our Lodges but in today's economic climate it has become harder and harder to support all of these activities as well as raise the funds for the operating expenses of their facilities. With the passage of House Bill 10 the towns, cities and boroughs that are the homes to Elks Lodges and other fraternal organizations would be given the ability to make these fraternal organizations exempt from the paying of property taxes, which in some areas can be a substantial savings. I hope that you can see the benefit you will be affording our communities by supporting this bill and I thank you for your help with this worthy endeavor. If you have any questions or if I can be of any assistance please feel free to contact me at any time.

Sincerely,

Richard "Tiny" Fagg

Alaska State Elks Association President

Mark R. Hamilton, President
Phone: (907) 450-8000
Fax: (907) 450-8012
EMAIL: sypres@alaska.edu

UNIVERSITY of ALASKA
Many Traditions One Alaska

202 Butrovich Building
910 Yukon Drive
P.O. Box 755000
Fairbanks, AK 99775-5000

January 12, 2009

Dear Legislators:

I join the Anchorage Assembly and the leadership of Alaska Pacific University in urging that APU enjoy tax exemption on the use of its historic, contiguous acreage in Anchorage. It is in the best interests of the State of Alaska that we maintain the viability of a private University in our state. APU is complimentary to the State University system; and we work together well in providing non-duplicative programs. The "endowment properties" are sufficient to maintain APU in its current and envisioned size and role if they can be assured that those properties will not suffer from property tax.

With the loss of Sheldon Jackson, the importance of APU is magnified. I believe this small consideration will return to the State of Alaska many times over in the careers and contributions of APU's graduates.

Respectfully,

Mark R. Hamilton
President

cc: President Douglas M. North, APU

Municipality of Anchorage

P.O. Box 196650 • Anchorage, Alaska 99519-6650 • Telephone: (907) 343-4431 • Fax: (907) 343-4499 http://www.muni.org

Mayor Mark Begich

Office of the Mayor

December 31, 2008

To the Members of the Alaska State Legislature:

On December 16, 2008 the Anchorage Assembly passed a Resolution that urges the State Legislature to enact legislation that would level the playing field between the University of Alaska Anchorage and Alaska Pacific University's contiguous campus when it comes to property taxation. The phrase "contiguous campus" is an important limitation upon APU's equalization, and one that APU agrees with. It precludes APU from buying additional property and then competing with the private sector for development dollars.

The Anchorage Assembly was impressed by the contribution at APU has made and continues to make to Anchorage—as an economic engine ($200,000,000 spent locally since 1995), as an important part of the city's educational landscape, and as an institution offering manifold public services at little or no cost to the people of Anchorage.

Alaska Pacific University was not assessed any property taxes for its first 47 years until a new ruling by the Municipal Assessor in 2005. APU has contested this ruling for the past three years. In the past, I have not opposed this equalization of property taxation between our two Alaska universities, but the Municipal Attorney has clearly shown me that only the State Legislature, not the Mayor's Office nor the Anchorage Assembly, can effect this change.

As APU enters its 50th year of life—it was founded in 1959, the year of statehood, I too urge you to pass this legislation. As Mark Hamilton, President of the University of Alaska, himself said, "It is simply the right thing to do."

Alaska Pacific University has served Anchorage and its public for decades without Alaska taxpayer support. I urge you also to do the right thing and equalize the property taxation between Alaska Pacific University's contiguous campus here in Anchorage, and the University of Alaska.

Sincerely,

Mark Begich
Mayor

Community, Security, Prosperity

Public Safety Employees Association, Inc.
"Representing Alaska's Finest"

Public Safety Employees Association – Position Paper in Support
HB 10 – Optional Exemption from Municipal Property Taxes

PSEA supports Section 6 of HB 10 that gives municipalities by ordinance an option to offer a property tax exemption as one means to attract law enforcement officers to reside in areas of a community where there is a higher occurrence of crime than is found in the municipality as a whole.

The municipality must by ordinance adopt the tax exemption and define law enforcement officer. If the municipality adopts an ordinance, it exempts from taxation an amount not to exceed $150,000 of assessed value of real property for an officer who owns and occupies a primary permanent residence in a designated area.

HB 10 gives communities a tool for use in attracting law enforcement officers to bring their families to live in areas of a community where crime is more prevalent.

The bill offers a property tax incentive for an officer and his or her family to consider living in a designated area where there is a higher incident of crime. Providing an incentive in the form of tax relief may help attract families of peace officers to neighborhoods where crime is an issue. If the quid pro quo is a neighborhood that is safer, the incentive will have been worth the investment.

2/26/09

4300 Boniface Parkway, Suite 116, Anchorage, Alaska 99504
Phone (907) 337-1979 FAX (907) 337-1753 E-Mail psea@psea.net

Submitted by: ASSEMBLY MEMBER COFFEY
Prepared by: Assembly Counsel
For reading: December 16, 2008

ANCHORAGE, ALASKA
AR NO. 2008–329

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY RELATING TO THE PROPERTY TAX STATUS OF ALASKA PACIFIC UNIVERSITY CAMPUS PROPERTY USED TO GENERATE INCOME TO SUPPORT ALASKA PACIFIC UNIVERSITY'S EDUCATIONAL PROGRAMS.

WHEREAS, Alaska Pacific University, a private education institution serving an important public purpose, is a non-profit corporation which exists to encourage, promote, and extend instruction, research and education; and

WHEREAS, Alaska Pacific University and the United States Department of the Interior agreed that use of the Alaska Pacific University campus property for "educational and public purposes" allows development of revenue producing facilities on the campus; and

WHEREAS, Alaska Pacific University reports that none of its educational programs are profitable, revenue from tuition and fees covers only a portion of the cost of operating the University, and funds generated by income producing campus property is an essential component of the university's budget; and

WHEREAS, beginning with tax year 2006, the Municipality of Anchorage has assessed property tax on that portion of Alaska Pacific University campus property under lease to for-profit enterprise; and

WHEREAS, Alaska Pacific University provides an early honors program in cooperation with the Anchorage School District allowing Anchorage students to finish their high school education and obtain college level instruction and credit, which program lessens the burden on the government of providing public education for students enrolled in the program; and

WHEREAS, use of campus property (whether for classrooms, research facilities, administrative offices, recreation facilities, faculty, student and administrative housing, public broadcasting or leases to other parties which facilitate creation of educational opportunities or programs or which have a significant relation to an existing education program offered by Alaska Pacific University) provides a significant public benefit, improves public welfare and lessens the burden on the government of providing public education; and

WHEREAS, Alaska Pacific University is a tax-exempt educational institution under the Internal Revenue Code; and

WHEREAS, both Alaska Pacific University and the University of Alaska Anchorage are significant institutions in the Municipality that enhance the educational and cultural fabric of this community; and

WHEREAS, the real property owned by the University of Alaska Anchorage and leased to for-profit entities to generate income for the University of Alaska, is not subject to municipal property tax under state law; and

WHEREAS, Alaska Pacific University, as a private accredited post secondary institution, seeks an exemption in state law from municipal taxation on parity with the University of Alaska Anchorage, for all campus property, including all income-producing property under lease to for-profit enterprise;

NOW, THEREFORE, the Anchorage Assembly recognizes and resolves:

1. Private accredited post secondary institutions make important social and economic contributions to the community.

2. Alaska Pacific University receives no direct funding from the Municipality of Anchorage.

3. Absent a change in state law, certain income-producing property of Alaska Pacific University under lease to for-profit enterprise is not exempt from municipal property tax.

4. The Alaska Legislature is encouraged to enact legislation authorizing a municipal property tax exemption to Alaska Pacific University for all of its contiguous Anchorage Campus, so that Alaska Pacific University campus property would be taxed no more than University of Alaska Anchorage property.

PASSED AND APPROVED by the Anchorage Assembly this _____day of _____, 2008.

_____
Chair

ATTEST:

_____
Municipal Clerk

HB 19

POLLS

<<Back

Respondents want to ditch daylight-saving time

by Channel 2 News staff
Saturday, March 7, 2009

ANCHORAGE, Alaska -- In a poll conducted by Channel 2 News, respondents were asked if Alaska should continue to observe daylight-saving time.

Here is the official question and results.

Should Alaska continue to observe daylight-saving time?	
Yes	23 %
No	**77 %**

All polls conducted by Channel 2 News and KTUU.com are unscientific.

WorldNow

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Anchorage Winter Skyline Copyright 2008 by Edward Bennett / Bennett Images.
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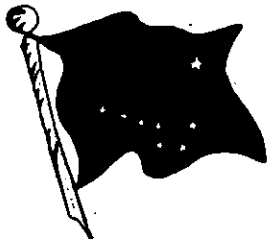

ABOLISH DAYLIGHT SAVING TIME IN ALASKA

CLICK HERE TO RETURN TO HOME PAGE

THE 2004 DITTMAN RESEARCH POLL DATA

THE SURVEY QUESTION: In early April, Alaska switched to Daylight Saving Time. In October , we will adjust our clocks and switch back again. What is your opinion about that- do you support Alaska switching to Daylight Saving Time for the summer and then switching back in the fall, or should we leave our clocks the same throughout the year?
n=505

	UNSURE	SWITCH CLOCKS	KEEP SAME ALL YEAR	BASE
TOTAL	5%	37%	58%	100%

LOCATION	UNSURE	SWITCH CLOCKS	KEEP SAME ALL YEAR	BASE
RURAL	0%	30%	70%	11.1%
CENTRAL	7%	37%	56%	13.9%
SOUTH-CENTRAL	8%	26%	67%	23.0%
ANCHORAGE	4%	41%	55%	39.9%
SOUTHEAST	5%	55%	40%	12.1%

TIME IN ALASKA	UNSURE	SWITCH CLOCKS	KEEP SAME ALL YEAR	BASE
0-4 YEARS	0%	26%	74%	2.4%
5-9 YEARS	9%	46%	45%	5.0%
10-14 YEARS	9%	46%	45%	4.5%
15+ YEARS	5%	37%	59%	88.0%

AGE	UNSURE	SWITCH CLOCKS	KEEP SAME ALL YEAR	BASE
18-29 YEARS	4%	63%	33%	6.4%
30-44 YEARS	4%	42%	54%	22.3%
45-59 YEARS	5%	34%	61%	50.4%
60 PLUS	7%	32%	60%	20.9%

REGISTRATION	UNSURE	SWITCH CLOCKS	KEEP SAME ALL YEAR	BASE
DEMOCRAT	7%	40%	52%	15.0%
REPUBLICAN	4%	37%	60%	25.6%
NON-PARTISAN	5%	38%	57%	51.8%
OTHER	9%	24%	67%	7.6%

GENDER	UNSURE	SWITCH CLOCKS	KEEP SAME ALL YEAR	BASE

MALE	7%	35%	58%	52.5%
FEMALE	3%	40%	57%	47.8%

EMPLOYER	UNSURE	SWITCH CLOCKS	KEEP SAME ALL YEAR	BASE
FEDERAL	7%	25%	68%	7.5%
STATE	2%	36%	62%	9.7%
LOCAL	1%	41%	58%	11.2%
PRIVATE	5%	39%	56%	45%
NOT IN WORKFORCE	9%	36%	56%	26.6%

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ABOLISH DAYLIGHT SAVING TIME IN ALASKA

CLICK HERE TO RETURN TO HOME PAGE

THE 2005 HELLENTHAL AND ASSOCIATES RESEARCH POLL DATA

THE SURVEY QUESTION: For Alaskans and most of the United States, "Daylight Savings Time" begins at 2a.m. on the first Sunday of April and ends at 2 a.m. on the last Sunday of October. During Daylight Savings Time", clocks are turned forward an hour, moving an hour of Daylight from the morning to the evening. Do you favor or oppose doing away with "Daylight Saving Time" and staying on the same time throughout the year?

n=323

DOING AWAY WITH DST	FREQUENCY	PERCENT
FAVOR	161	49.9
OPPOSE	118	36.6
DON'T KNOW	44	13.5

AREAS OF ALASKA	FREQUENCY	PERCENT	MARGIN OF ERROR
SOUTHEAST	51	15.8	+/- 13.7%
VALDEZ-KENAI-MATSU	61	18.9	+/- 12.5%
ANCHORAGE	124	38.4	+/- 8.8%
GREATER FAIRBANKS	46	14.2	+/- 14.4%
RURAL/BUSH	41	12.7	+/- 15.3%
TOTALS	323	100	+/- 5.45%

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Alaska State Chamber

Zoomerang Survey Results

Do you Support or Oppose (HB19) Eliminating Daylight Savings Time?

Response Status: Completes
Filter: No filter applied
Mar 10, 2009 3:02 PM PST

Purpose of Survey: This survey will take less than 5 minutes. Please let us thank you ahead of time for taking the survey. We want to know how our members feel about House Bill 19. I will be taking the results to a hearing as soon as the committee sets the date and reporting our results. Please know that your answer will be kept confidential. Thank you. Relevant Information: (HB19) was introduced in the House of Representatives to Eliminate Daylight Savings time in Alaska between 2:00 a.m. on the second Sunday in March and 2:00 a.m. on the first Sunday in November in each calendar year. Elimination of the switch to daylight savings would mean that Alaska would be two hours behind Pacific Coast Time and five hours behind East Coast time for that period when Daylight Savings is in effect.

1. Do you support or oppose the elimination of Daylight Savings Time in Alaska? YES = I would like to change daylight savings time. NO = I would like to keep it the same.

Yes	30	35%
No	56	65%
Total	86	100%

Title	Entity	City	Support Repeal	Oppose Repeal	Support Year Round DST	Need Board Vote	No decision	Prefers to be 3 behind East Coast
Chairman & President	First National Bank Alaska	Anchorage	1					
		Anchorage	1					
		Willow	1					
		Seward			1			
		Tok		1				
		Seward	1					
	Gusty Michael School	Stony River		1				
Administrative Manager	SeaView Community Services	Seward	1					
		Kodiak	1					
Superintendent	Yukon Flats School District	Fort Yukon		1				
Human Resource Technician	Alaska SeaLife Center	Seward	1					
Principal - Upriver School	Upriver School - Kuspuk School District		1					
Teacher		Aniak			1			
Teacher		Aniak	1					
Dev. Director & Programs Manager	Eyak Preservation Council	Cordova	1					
IT Support Technician	SeaView Community Services	Seward	1					
		Seward	1		1			
					1			
Secretary - Crow Village Sam School	Kuspuk School District	Chuathbaluk	1					
		Aniak	1					
Site Administrator - Lewis Angapak Memorial School	Lower Kuskokwim School District	Tuntutuliak	1					
		Seward			1			
2nd Grade Teacher - Ayaprun Immersion School	Lower Kuskokwim School District	Bethel	1					
English Teacher - Kilbuck Elementary School	Lower Kuskokwim School District	Bethel	1					
	Viking Travel	Petersburg		1				
	Sitka Chamber of Commerce	Sitka				1		
Itinerant SPED - McGrath	Iditarod Area School District	McGrath	1					
		Eagle River		1				
		Palmer	1					
Finance Director & School Board Member	City of Unalaska & Unalaska School District	Unalaska	1					
	Cook Inlet Housing	Anchorage	1					
6th Grade Teacher - Kilbuck Elementary School	Lower Kuskokwim School District	Bethel	1					
		Petersburg		1				
	Guest House at Water's Edge & Kaleidoscope Cruises	Petersburg	1					
		Petersburg		1				
		Eagle River		1				
Sr. Bookkeeper	Cook Inlet Housing	Anchorage					1	
Principal - Platinum School	Lower Kuskokwim School District	Platinum	1					
Executive Director	Chugiak-Eagle River Chamber of Commerce	Eagle River		1				
Reporter	Alaska Star	Wasilla	1					
Teacher & Athletics - Middle School and Nelson Island High School	Lower Kuskokwim School District	Toksook Bay	1					
	Eaglewood Association	Eagle River					1	
Owner - Bradley House		Anchorage	1					
		Seward	1					
Teachers	King Career Center	Eagle River	1					
		Eagle River	1					
PH.D.		Anchorage	1					
		Unalaska	1					
		Seward	1					
Teacher level 1-3	Zackar Levi Elementary	Lower Kalskag	1					
	Anchorage School District	Chugiak	1					
		Seward	1					
		Eagle River	1					

Title	Entity	City	Support Repeal	Oppose Repeal	Support Year Round DST	Need Board Vote	No decision	Prefers to be 3 behind East Coast
	Koman Inc.	Eagle River		1				
Flight Service Center	Elmendorf AFB Supply	Eagle River	1					
Escrow Assistant	Alyeska Title Guaranty Agency	Chugiak	1					
		Naknek	1					
		Seward	1					
Business Owner		Eagle River	1					
	Alyeska Title Guaranty Agency	Eagle River	1					
Site Administrator - Akiuk Memorial School	Lower Kuskokwim School District	Kasigluk	1					
		Chugiak	1					
		Eagle River		1				
		Eagle River	1					
		Anchorage	1					
Contractor		Anchorage	1					
Retired Colonel		Anchorage						1
		Chugiak	1					
		Eagle River	1					
	Viking Travel	Petersburg			1			
		Eagle River	1					
		Eagle River	1					
Associate Broker	Prudential Vista Real Estate Inc	Eagle River					1	
		Eagle River	1					
		Eagle River	1					
Superintendent	Anchorage School District	Anchorage	1					
		Seward	1					
		Eagle River	1					
		Homer	1					
Associate Broker	Re/max of Eagle River, Inc	Eagle River	1					
		Anchorage					1	
		Eagle River	1					
Former Mayor	Bristol Bay Borough	Naknek	1					
		Eagle River	1					
		Anchorage	1					
		Eagle River	1					
School Board Member	Anchorage School District	Anchorage	1					
		Wasilla		1				
			1					
		Eagle River	1					
			1					
Superintendent	Tanana City School District		1					
		Aniak	1					
		Eagle River	1					
Teacher	Eagle River High School	Eagle River		1				
		Eagle River	1					
		Wasilla	1					
		Eagle River	1					
		Anchorage		1				
		Eagle River	1					
		Eagle River	1					
		Eagle River		1				
			1					
		Chugiak	1					
		Seward		1				
		Eagle River	1					
		Anchorage	1					

Title	Entity	City	Support Repeal	Oppose Repeal	Support Year Round DST	Need Board Vote	No decision	Prefers to be 3 behind East Coast
		Chugiak	1					
EM&PA Project Coordinator	Conoco Phillips	Eagle River	1					
	Seward High School Kitchen	Seward	1					
			1					
	Anchorage School District	Anchorage	1					
				1				
		Anchorage	1					
		Eagle River	1					
		Eagle River	1					
		Anchorage					1	
		Eagle River	1					
			1					
		Anchorage	1					
		Wasilla	1					
Engineer		Eagle River	1					
School Counselor	Anchorage School District	Eagle River	1					
		Eagle River	1					
		Seward	1					
		Eagle River	1					
		Eagle River		1				
Land Management Agent-Community Dev	Matsu	Wasilla		1				
Retired secondary school secretary		Anchorage	1					
		Chugiak		1				
		Eagle River	1					
		Eagle River					1	
		Willow	1					
		Eagle River	1					
		Chugiak	1					
		Eagle River	1					
		Anchorage	1					
		Eagle River	1					
Engineer - Project Manager	Air Force Section Corp of Engineers	Chugiak	1					
		Petersburg	1					
			1					
President	Team Up Business Solutions	Palmer		1				
	Arctic Controls	Eagle River	1					
Engineer	Brooks & Associates	Anchorage	1					
	Matsu	Palmer	1					
							1	
			1					
		Seward	1					
		Eagle River	1					
		Eagle River	1					
	Seward High School	Seward	1					
	Anchorage School District	Chugiak	1					
		Eagle River	1					
		Anchorage	1					
	Anchorage School District	Anchorage	1					
		Anchorage					1	
Executive Vice President	Cook Inlet Housing	Anchorage						1
		Anchorage	1					
		Eagle River	1					
General Manager	Anchorage 5th Avenue Mall	Anchorage	1					
		Anchorage	1					

Title	Entity	City	Support Repeal	Oppose Repeal	Support Year Round DST	Need Board Vote	No decision	Prefers to be 3 behind East Coast
		Eagle River	1					
		Seward	1					
	Federal Government employee	Palmer					1	
		Wasilla	1					
		Seward	1					
Educator	Anchorage School District	Anchorage	1					
		Anchorage	1					
Community Capital Coordinator - PM&E	Municipality of Anchorage	Anchorage	1					
		Chugiak	1					
		Big Lake					1	
Shelter Services Manager	Abused Women's Aid in Crisis Inc	Anchorage	1					
Educator	Anchorage School District	Anchorage					1	
		Palmer			1			
	Anchorage School District	Eagle River	1					
		Anchorage	1					
		Anchorage	1					
	Lower Kuskokwim School District						1	
		Anchorage	1					
		Palmer	1					
		Anchorage	1					
		Anchorage						
		Eagle River	1					
		Anchorage		1				
	C&M Used Books	Anchorage		1				
Government Relations Director	City and Borough of Sitka	Sitka		1				
		Homer	1					
		Anchorage		1				
	Food Services of American	Anchorage	1					
		Anchorage	1					
		Anchorage	1					
	McKinley Capital	Anchorage		1				
Owner	Frontier Heating Concepts Inc	Palmer		1				
		Anchorage		1				
		Wasilla	1					
		North Pole	1					
		Anchorage	1					
		Sitka	1					
		Anchorage	1					
Site Administrator	Lower Kuskokwim School District	Chefornak	1					
Broker	Re/max	Anchorage						1
		Anchorage		1				
	Alyeska Resort	Girdwood		1				
Former Teacher	East Anchorage High School	Anchorage	1					
		Anchorage	1					
		Eagle River	1					
		Anchorage		1				
		Bethel	1					
		Eagle River	1					
Librarian- BRHS	Lower Kuskokwim School District	Bethel		1				
	Advocates Plus Consulting LLC	Chugiak					1	
		Big Lake	1					
				1				
		Anchorage		1				

Title	Entity	City	Support Repeal	Oppose Repeal	Support Year Round DST	Need Board Vote	No decision	Prefers to be 3 behind East Coast
		Fairbanks		1				
		Fairbanks	1					
	University of Alaska Fairbanks	Fairbanks		1				
		Sutton	1					
		Willow	1					
		Anchorage	1					
		Unalaska	1					
		Homer	1					
Teacher - 3rd & 4th grade	Unalaska City School	Unalaska	1					
		Eagle River		1				
		Anchorage	1					
		Anchorage	1					
		Anchorage	1					
		King Salmon	1					
		Anchorage		1				
		Eagle River		1				
				1				
		Anchorage	1					
				1				
		Bethel	1					
		Chugiak		1				
		Eagle River	1					
		Palmer	1					
		Wiseman	1					
		Anchorage	1					
			1					
		Eagle River	1					
		Anchorage					1	
		Eagle River	1					
		Anchorage	1					
Sr. Project Manager	Granite Construction Company dba Wilder Cons.	Anchorage		1				
	Tonka Seafoods Inc	Petersburg						1
	Arctic Systems Programming Inc	Eagle River	1					
		Soldotna	1					
		Seward	1					
CEO	Hydaburg City School District	Hydaburg		1				
		Eagle River	1					
		Petersburg	1					
		Anchorage		1				
		Chugiak	1					
		Eagle River	1					
		Palmer	1					
		Chugiak		1				
		Palmer			1			
		Anchorage	1					
		Wasilla	1					
		Willow		1				
		Anchorage	1					
		Eagle River	1					
		Eagle River			1			
		Petersburg						1
		Wasilla	1					
		Eagle River	1					

Title	Entity	City	Support Repeal	Oppose Repeal	Support Year Round DST	Need Board Vote	No decision	Prefers to be 3 behind East Coast
			1					
		Anchorage		1				
		Seward		1				
		Eagle River	1					
	Qugcuun Memorial School	Oscarville	1					
		Anchorage		1				
		Anchorage	1					
		Anchorage	1					
		Anchorage	1					
Teacher	Aniak High School	Skagway	1					
		Eagle River		1				
		Anchorage	1					
	Denali Borough School District	Healy		1				
Executive Director	NeighborWorks Anchorage	Anchorage		1				
Manager	Wal-mart - Eagle River	Eagle River	1					
Dental Hygienist		Eagle River	1					
Pilot	Fed Ex	Eagle River		1				
School Board Member	Anchorage School District	Eagle River	1					
		Eagle River	1					
		Anchorage	1					
		Anchorage		1				
Vice President Heavy Haul	Carlile Transportation Systems	Anchorage	1					
		Soldotna		1				
Literacy Coach	Knik Elementary School	Wasilla	1					
Architect	Winchester Alaska Inc	Anchorage	1					
		Eagle River	1					
		Eagle River		1				
		Anchorage	1					
		Anchorage	1					
GBOS Roads, Fire and Facilities Manager	Municipality of Anchorage	Girdwood	1					
		Eagle River	1					
Retired teacher		Talkeetna	1					
		Eagle River	1					
	Anchorage School District	Anchorage	1					
Realtor		Eagle River	1					
		Anchorage	1					
		Anchorage		1				
		Eagle River	1					
		Eagle River	1					
Engineer	V3 Energy LLC	Eagle River		1				
		Wasilla						
		Anchorage		1				
Chief Financial Officer	City of North Pole	North Pole	1					
		Anchorage	1					
		Tok	1					
		Talkeetna	1					
		Soldotna		1				
		Eagle River	1					
		Eagle River	1					
		Eagle River	1					
		Wasilla	1					
		Chugiak	1					
		Chugiak	1					

Title	Entity	City	Support Repeal	Oppose Repeal	Support Year Round DST	Need Board Vote	No decision	Prefers to be 3 behind East Coast
		Anchorage	1					
		Eagle River	1					
		Chugiak		1				
	Breeze Inn	Seward		1				
		Eagle River	1					
	Alaska Lighthouse Cottage	Seward	1					
		Anchorage		1				
		Seward			1			
		Seward	1					
		Eagle River	1					
		Sitka	1					
		Eagle River	1					
		Anchorage		1				
		Seward	1					
		Anchorage					1	
	Mat Su School District	Palmer or Big Lake	1					
	Mat Su School District	Wasilla	1					
	Mat Su School District		1					
		Eagle River		1				
		Hollis	1					
Social Studies Teacher	Houston High School	Wasilla	1					
Maintenance & Operations Fleet Services	Municipality of Anchorage	Eagle River	1					
		Eagle River		1				
Contractor	Elmendorf AFB Supply	Anchorage	1					
			1					
Owner	Taco Loco Products	Eagle River	1					
		Anchorage			1			
		Tok	1					
HHS Teacher		Willow	1					
Safety Officer	Houston Middle/High School	Wasilla	1					
		Anchorage	1					
Physician	President& Medical Director Alyeska Family Medicine	Anchorage	1					
		Chugiak	1					
		Eagle River	1					
		Eagle River	1					
High School Teacher		Palmer	1					
Teacher		Chugiak	1					
Registrar	Houston High School	Wasilla	1					
School Nurse - special education high school			1					
		Eagle River	1					
		Eagle River			1			
Retired teacher		Anchorage		1				
MLS	Houston Middle School	Wasilla	1					
		Homer	1					
		Eagle River	1					
		Tok	1					
		Hoonah						1
		Anchorage		1				
Chief Technology Officer	Sequestered Solutions Alaska LLC	Anchorage						1
		Hoonah	1					
	MOA	Eagle River						
		Wasilla	1					

Title	Entity	City	Support Repeal	Oppose Repeal	Support Year Round DST	Need Board Vote	No decision	Prefers to be 3 behind East Coast
School Bus Driver	First Student	Juneau	1					
		Fairbanks	1					
		Fairbanks	1					
		Fairbanks	1					
	Danamac Acres Greenhouse & Farm	Palmer	1					
Corporate Director-retired	Channel 2 broadcasting AK Corp office	Fairbanks	1					
		Fairbanks			1			
		North Pole	1					
		Fairbanks	1					
		Fairbanks	1					
		Fairbanks	1					
		Fairbanks	1					
		Anchorage	1					
		Fairbanks	1					
		Fairbanks	1					
		North Pole	1					
Professor Mechanical Engineering		Fairbanks	1					
		Fairbanks	1					
		Fairbanks	1					
		Fairbanks	1					
		Anchorage	1					
		Fairbanks	1					
		Fairbanks	1					
		Fairbanks	1					
		Fairbanks	1					
		Fairbanks	1					
		Fairbanks	1					
		Ester	1					
		Fairbanks	1					
		Fairbanks	1					
		Fairbanks	1					
		North Pole	1					
		Wasilla	1					
		North Pole	1					
		Fritz Creek	1					
		Fairbanks			1			
		Fairbanks	1					
		Fairbanks	1					
		Anchorage	1					
		Fort Wainwright	1					
		Fairbanks	1					
		Homer	1					
		Fairbanks		1				
		Juneau		1				
		Juneau		1				
		Juneau		1				
		Fairbanks	1					
		Fairbanks	1					
		Fairbanks	1					
		Ketchikan	1					
			1					
			1					

Title	Entity	City	Support Repeal	Oppose Repeal	Support Year Round DST	Need Board Vote	No decision	Prefers to be 3 behind East Coast
		Tok	1					
		Fairbanks	1					
		Wasilla	1					
		Kodiak	1					
		Fairbanks	1					
		Palmer	1					
		Anchorage	1					
		Fairbanks	1					
Teacher	North Star School District	Fairbanks	1					
		Seward	1					
		Kasilof	1					
		Eagle River	1					
		Fairbanks	1					
		Fairbanks		1				
		Palmer	1					
		Fairbanks	1					
		Fairbanks	1					
		Fairbanks	1					
		Anchorage			1			
		Juneau		1				
		North Pole	1					
		Fairbanks	1					
		Nome	1					
		Anchorage	1					
		Fairbanks	1					
			1					
		Anchorage	1					
		Fairbanks	1					
		Fairbanks	1					
		Eagle River		1				
		Fairbanks						
		Anchorage	1					
		Homer	1					
		Willow	1					
		Wasilla	1					
		Nome	1					
		Fairbanks	1					
Interim Site Administrator	Napaskiak School	Napaskiak	1					
		Wasilla	1					
Deputy Commissioner	Dept Military and Veterans Affairs	Palmer	1					
		Anchorage		1				
Pulmonary and Sleep Medicine - MD		Anchorage	1					
		Chugiak	1					
Program Director	KGOT	Anchorage	1					
		Chugiak	1					
		Fairbanks	1					
		Anchorage	1					
		Wasilla		1				
		Eagle River	1					
		Soldotna		1				
		Wasilla	1					
		Anchorage	1					

		City	Support Repeal	Oppose Repeal	Support Year Round DST	Need Board Vote	No decision	Prefers to be 3 behind East Coast
		Anchorage	1					
		Eagle River	1					
		Anchorage			1			
		Eagle River	1					
		Fairbanks	1					
		Ketchikan		1				
		Anchorage		1				
		Kenai			1			
		Anchorage		1				
		Juneau		1				
		Wasilla	1					
		Juneau		1				
		Norway						
			361	84	17	1	15	7

LAND OF THE MIDNIGHT SUN

Sun & Moon

Fairbanks, Alaska, United States

Rising and setting times for the Sun

Date	Sunrise	Sunset	Length of day		Solar noon		
			This day	Difference	Time	Altitude	Distance (10^6 km)
Mar 1, 2010	8:00 AM	6:08 PM	10h 08m 32s	+ 6m 46s	1:03 PM	17.8°	148.240
Mar 2, 2010	7:56 AM	6:11 PM	10h 15m 19s	+ 6m 46s	1:03 PM	18.2°	148.277
Mar 3, 2010	7:52 AM	6:14 PM	10h 22m 05s	+ 6m 46s	1:03 PM	18.6°	148.314
Mar 4, 2010	7:49 AM	6:18 PM	10h 28m 51s	+ 6m 45s	1:02 PM	19.0°	148.352
Mar 5, 2010	7:45 AM	6:21 PM	10h 35m 36s	+ 6m 45s	1:02 PM	19.4°	148.391
Mar 6, 2010	7:42 AM	6:24 PM	10h 42m 22s	+ 6m 45s	1:02 PM	19.8°	148.430
Mar 7, 2010	7:38 AM	6:27 PM	10h 49m 07s	+ 6m 45s	1:02 PM	20.2°	148.469
Mar 8, 2010	7:34 AM	6:30 PM	10h 55m 52s	+ 6m 45s	1:02 PM	20.5°	148.509
Mar 9, 2010	7:31 AM	6:33 PM	11h 02m 37s	+ 6m 44s	1:01 PM	20.9°	148.549
Mar 10, 2010	7:27 AM	6:37 PM	11h 09m 22s	+ 6m 44s	1:01 PM	21.3°	148.589
Mar 11, 2010	7:24 AM	6:40 PM	11h 16m 06s	+ 6m 44s	1:01 PM	21.7°	148.630
Mar 12, 2010	7:20 AM	6:43 PM	11h 22m 51s	+ 6m 44s	1:01 PM	22.1°	148.670
Mar 13, 2010	7:16 AM	6:46 PM	11h 29m 35s	+ 6m 44s	1:00 PM	22.5°	148.711
Mar 14, 2010	8:13 AM	7:49 PM	11h 36m 20s	+ 6m 44s	2:00 PM	22.9°	148.752
Mar 15, 2010	8:09 AM	7:52 PM	11h 43m 04s	+ 6m 44s	2:00 PM	23.3°	148.792
Mar 16, 2010	8:05 AM	7:55 PM	11h 49m 48s	+ 6m 44s	1:59 PM	23.7°	148.833
Mar 17, 2010	8:02 AM	7:58 PM	11h 56m 32s	+ 6m 43s	1:59 PM	24.1°	148.874
Mar 18, 2010	7:58 AM	8:01 PM	12h 03m 16s	+ 6m 44s	1:59 PM	24.5°	148.915
Mar 19, 2010	7:54 AM	8:04 PM	12h 10m 00s	+ 6m 43s	1:59 PM	24.9°	148.955
Mar 20, 2010	7:51 AM	8:07 PM	12h 16m 44s	+ 6m 43s	1:58 PM	25.3°	148.996
Mar 21, 2010	7:47 AM	8:11 PM	12h 23m 27s	+ 6m 43s	1:58 PM	25.7°	149.037
Mar 22, 2010	7:43 AM	8:14 PM	12h 30m 11s	+ 6m 43s	1:58 PM	26.1°	149.078
Mar 23, 2010	7:40 AM	8:17 PM	12h 36m 55s	+ 6m 43s	1:57 PM	26.4°	149.120
Mar 24, 2010	7:36 AM	8:20 PM	12h 43m 39s	+ 6m 44s	1:57 PM	26.8°	149.161
Mar 25, 2010	7:32 AM	8:23 PM	12h 50m 24s	+ 6m 44s	1:57 PM	27.2°	149.203
Mar 26, 2010	7:29 AM	8:26 PM	12h 57m 08s	+ 6m 44s	1:56 PM	27.6°	149.244
Mar 27, 2010	7:25 AM	8:29 PM	13h 03m 52s	+ 6m 44s	1:56 PM	28.0°	149.287
Mar 28, 2010	7:21 AM	8:32 PM	13h 10m 37s	+ 6m 44s	1:56 PM	28.4°	149.329
Mar 29, 2010	7:18 AM	8:35 PM	13h 17m 22s	+ 6m 44s	1:56 PM	28.8°	149.372
Mar 30, 2010	7:14 AM	8:38 PM	13h 24m 07s	+ 6m 45s	1:55 PM	29.2°	149.414
Mar 31, 2010	7:10 AM	8:41 PM	13h 30m 52s	+ 6m 45s	1:55 PM	29.6°	149.458

10 Days to Gain back 1 hour of daylight

All times are in local time for Fairbanks
Note that Daylight Saving Time starts on Sunday, March 14, 2010 at 2:00 AM and this is accounted for above

Sun & Moon

Nome, Alaska, United States

Date	Sunrise	Sunset	Length of day		Solar noon		
			This day	Difference	Time	Altitude	Distance (10^6 km)
Mar 1, 2010	9:09 AM	7:20 PM	10h 10m 27s	+ 6m 40s	2:14 PM	18.2°	148.242
Mar 2, 2010	9:06 AM	7:23 PM	10h 17m 08s	+ 6m 40s	2:14 PM	18.6°	148.279
Mar 3, 2010	9:02 AM	7:26 PM	10h 23m 48s	+ 6m 40s	2:13 PM	18.9°	148.316
Mar 4, 2010	8:59 AM	7:29 PM	10h 30m 29s	+ 6m 40s	2:13 PM	19.3°	148.354
Mar 5, 2010	8:55 AM	7:32 PM	10h 37m 08s	+ 6m 39s	2:13 PM	19.7°	148.393
Mar 6, 2010	8:52 AM	7:35 PM	10h 43m 48s	+ 6m 39s	2:13 PM	20.1°	148.432
Mar 7, 2010	8:48 AM	7:38 PM	10h 50m 27s	+ 6m 39s	2:13 PM	20.5°	148.471
Mar 8, 2010	8:44 AM	7:42 PM	10h 57m 07s	+ 6m 39s	2:12 PM	20.9°	148.511
Mar 9, 2010	8:41 AM	7:45 PM	11h 03m 46s	+ 6m 39s	2:12 PM	21.3°	148.551
Mar 10, 2010	8:37 AM	7:48 PM	11h 10m 25s	+ 6m 39s	2:12 PM	21.6°	148.591
Mar 11, 2010	8:34 AM	7:51 PM	11h 17m 04s	+ 6m 39s	2:11 PM	22.0°	148.632
Mar 12, 2010	8:30 AM	7:54 PM	11h 23m 43s	+ 6m 38s	2:11 PM	22.4°	148.672
Mar 13, 2010	8:27 AM	7:57 PM	11h 30m 22s	+ 6m 38s	2:11 PM	22.8°	148.713
Mar 14, 2010	9:23 AM	9:00 PM	11h 37m 01s	+ 6m 38s	3:11 PM	23.2°	148.754
Mar 15, 2010	9:19 AM	9:03 PM	11h 43m 39s	+ 6m 38s	3:10 PM	23.6°	148.794
Mar 16, 2010	9:16 AM	9:06 PM	11h 50m 18s	+ 6m 38s	3:10 PM	24.0°	148.835
Mar 17, 2010	9:12 AM	9:09 PM	11h 56m 56s	+ 6m 38s	3:10 PM	24.4°	148.876
Mar 18, 2010	9:09 AM	9:12 PM	12h 03m 35s	+ 6m 38s	3:10 PM	24.8°	148.917
Mar 19, 2010	9:05 AM	9:15 PM	12h 10m 13s	+ 6m 38s	3:09 PM	25.2°	148.957
Mar 20, 2010	9:01 AM	9:18 PM	12h 16m 52s	+ 6m 38s	3:09 PM	25.6°	148.998
Mar 21, 2010	8:58 AM	9:21 PM	12h 23m 30s	+ 6m 38s	3:09 PM	26.0°	149.039
Mar 22, 2010	8:54 AM	9:24 PM	12h 30m 08s	+ 6m 38s	3:08 PM	26.4°	149.080
Mar 23, 2010	8:51 AM	9:27 PM	12h 36m 47s	+ 6m 38s	3:08 PM	26.8°	149.122
Mar 24, 2010	8:47 AM	9:30 PM	12h 43m 25s	+ 6m 38s	3:08 PM	27.2°	149.163
Mar 25, 2010	8:43 AM	9:33 PM	12h 50m 04s	+ 6m 38s	3:07 PM	27.6°	149.205
Mar 26, 2010	8:40 AM	9:36 PM	12h 56m 43s	+ 6m 38s	3:07 PM	27.9°	149.246
Mar 27, 2010	8:36 AM	9:39 PM	13h 03m 21s	+ 6m 38s	3:07 PM	28.3°	149.289
Mar 28, 2010	8:32 AM	9:42 PM	13h 10m 00s	+ 6m 38s	3:07 PM	28.7°	149.331
Mar 29, 2010	8:29 AM	9:46 PM	13h 16m 40s	+ 6m 39s	3:06 PM	29.1°	149.374
Mar 30, 2010	8:25 AM	9:49 PM	13h 23m 19s	+ 6m 39s	3:06 PM	29.5°	149.417
Mar 31, 2010	8:22 AM	9:52 PM	13h 29m 59s	+ 6m 39s	3:06 PM	29.9°	149.460

11 Days

All times are in local time for Nome
Note that Daylight Saving Time starts on Sunday, March 14, 2010 at 2:00 AM and this is accounted for above.
March Equinox (Vernal Equinox) is on Saturday, March 20, 2010 at 9:32 AM in Nome.
About the Sun Calculator

Sun & Moon

Anchorage, Alaska, United States

Rising and setting times for the Sun

Date	Sunrise	Sunset	Length of day		Solar noon		
			This day	Difference	Time	Altitude	Distance (10^6 km)
Mar 1, 2010	8:00 AM	6:25 PM	10h 25m 25s	+ 5m 44s	1:12 PM	21.5°	148.240
Mar 2, 2010	7:57 AM	6:28 PM	10h 31m 10s	+ 5m 44s	1:12 PM	21.8°	148.277
Mar 3, 2010	7:53 AM	6:30 PM	10h 36m 54s	+ 5m 44s	1:11 PM	22.2°	148.314
Mar 4, 2010	7:50 AM	6:33 PM	10h 42m 39s	+ 5m 44s	1:11 PM	22.6°	148.352
Mar 5, 2010	7:47 AM	6:36 PM	10h 48m 24s	+ 5m 45s	1:11 PM	23.0°	148.391
Mar 6, 2010	7:44 AM	6:38 PM	10h 54m 10s	+ 5m 45s	1:11 PM	23.4°	148.430
Mar 7, 2010	7:41 AM	6:41 PM	10h 59m 55s	+ 5m 45s	1:10 PM	23.8°	148.469
Mar 8, 2010	7:38 AM	6:44 PM	11h 05m 40s	+ 5m 45s	1:10 PM	24.2°	148.509
Mar 9, 2010	7:35 AM	6:46 PM	11h 11m 25s	+ 5m 45s	1:10 PM	24.6°	148.549
Mar 10, 2010	7:32 AM	6:49 PM	11h 17m 11s	+ 5m 45s	1:10 PM	24.9°	148.589
Mar 11, 2010	7:29 AM	6:52 PM	11h 22m 56s	+ 5m 45s	1:09 PM	25.3°	148.630
Mar 12, 2010	7:25 AM	6:54 PM	11h 28m 42s	+ 5m 45s	1:09 PM	25.7°	148.670
Mar 13, 2010	7:22 AM	6:57 PM	11h 34m 27s	+ 5m 45s	1:09 PM	26.1°	148.711
Mar 14, 2010	8:19 AM	7:59 PM	11h 40m 13s	+ 5m 45s	2:09 PM	26.5°	148.751
Mar 15, 2010	8:16 AM	8:02 PM	11h 45m 58s	+ 5m 45s	2:08 PM	26.9°	148.792
Mar 16, 2010	8:13 AM	8:05 PM	11h 51m 43s	+ 5m 45s	2:08 PM	27.3°	148.833
Mar 17, 2010	8:10 AM	8:07 PM	11h 57m 29s	+ 5m 45s	2:08 PM	27.7°	148.874
Mar 18, 2010	8:07 AM	8:10 PM	12h 03m 14s	+ 5m 45s	2:07 PM	28.1°	148.914
Mar 19, 2010	8:03 AM	8:12 PM	12h 09m 00s	+ 5m 45s	2:07 PM	28.5°	148.955
Mar 20, 2010	8:00 AM	8:15 PM	12h 14m 45s	+ 5m 45s	2:07 PM	28.9°	148.996
Mar 21, 2010	7:57 AM	8:18 PM	12h 20m 30s	+ 5m 45s	2:07 PM	29.3°	149.037
Mar 22, 2010	7:54 AM	8:20 PM	12h 26m 16s	+ 5m 45s	2:06 PM	29.7°	149.078
Mar 23, 2010	7:51 AM	8:23 PM	12h 32m 01s	+ 5m 45s	2:06 PM	30.1°	149.119
Mar 24, 2010	7:48 AM	8:25 PM	12h 37m 46s	+ 5m 45s	2:06 PM	30.5°	149.161
Mar 25, 2010	7:44 AM	8:28 PM	12h 43m 31s	+ 5m 45s	2:05 PM	30.9°	149.202
Mar 26, 2010	7:41 AM	8:30 PM	12h 49m 16s	+ 5m 45s	2:05 PM	31.2°	149.244
Mar 27, 2010	7:38 AM	8:33 PM	12h 55m 01s	+ 5m 45s	2:05 PM	31.6°	149.286
Mar 28, 2010	7:35 AM	8:36 PM	13h 00m 46s	+ 5m 44s	2:04 PM	32.0°	149.329
Mar 29, 2010	7:32 AM	8:38 PM	13h 06m 31s	+ 5m 44s	2:04 PM	32.4°	149.371
Mar 30, 2010	7:28 AM	8:41 PM	13h 12m 16s	+ 5m 44s	2:04 PM	32.8°	149.414
Mar 31, 2010	7:25 AM	8:43 PM	13h 18m 01s	+ 5m 44s	2:03 PM	33.2°	149.457

12 Days

All times are in local time for Anchorage
Note that Daylight Saving Time starts on Sunday, March 14, 2010 at 2:00 AM and this is accounted for above.
March Equinox (Vernal Equinox) is on Saturday, March 20, 2010 at 9:32 AM in Anchorage

Sun & Moon

Juneau, Alaska, United States

Juneau is capital of the state Alaska

Rising and setting times for the Sun

Date	Sunrise	Sunset	Length of day		Solar noon		
			This day	Difference	Time	Altitude	Distance (10^6 km)
Mar 1, 2010	6:52 AM	5:29 PM	10h 36m 08s	+ 5m 04s	12:10 PM	24.4°	148.238
Mar 2, 2010	6:50 AM	5:31 PM	10h 41m 14s	+ 5m 05s	12:10 PM	24.7°	148.275
Mar 3, 2010	6:47 AM	5:33 PM	10h 46m 19s	+ 5m 05s	12:10 PM	25.1°	148.312
Mar 4, 2010	6:44 AM	5:36 PM	10h 51m 25s	+ 5m 05s	12:09 PM	25.5°	148.350
Mar 5, 2010	6:41 AM	5:38 PM	10h 56m 31s	+ 5m 05s	12:09 PM	25.9°	148.389
Mar 6, 2010	6:39 AM	5:40 PM	11h 01m 37s	+ 5m 06s	12:09 PM	26.3°	148.428
Mar 7, 2010	6:36 AM	5:43 PM	11h 06m 43s	+ 5m 06s	12:09 PM	26.7°	148.467
Mar 8, 2010	6:33 AM	5:45 PM	11h 11m 50s	+ 5m 06s	12:08 PM	27.1°	148.507
Mar 9, 2010	6:30 AM	5:47 PM	11h 16m 57s	+ 5m 06s	12:08 PM	27.4°	148.547
Mar 10, 2010	6:27 AM	5:49 PM	11h 22m 04s	+ 5m 06s	12:08 PM	27.8°	148.587
Mar 11, 2010	6:25 AM	5:52 PM	11h 27m 11s	+ 5m 06s	12:08 PM	28.2°	148.628
Mar 12, 2010	6:22 AM	5:54 PM	11h 32m 18s	+ 5m 07s	12:07 PM	28.6°	148.668
Mar 13, 2010	6:19 AM	5:56 PM	11h 37m 25s	+ 5m 07s	12:07 PM	29.0°	148.709
Mar 14, 2010	7:16 AM	6:59 PM	11h 42m 32s	+ 5m 07s	1:07 PM	29.4°	148.749
Mar 15, 2010	7:13 AM	7:01 PM	11h 47m 39s	+ 5m 07s	1:06 PM	29.8°	148.790
Mar 16, 2010	7:10 AM	7:03 PM	11h 52m 46s	+ 5m 07s	1:06 PM	30.2°	148.831
Mar 17, 2010	7:08 AM	7:06 PM	11h 57m 54s	+ 5m 07s	1:06 PM	30.6°	148.872
Mar 18, 2010	7:05 AM	7:08 PM	12h 03m 01s	+ 5m 07s	1:06 PM	31.0°	148.912
Mar 19, 2010	7:02 AM	7:10 PM	12h 08m 08s	+ 5m 07s	1:05 PM	31.4°	148.953
Mar 20, 2010	6:59 AM	7:12 PM	12h 13m 15s	+ 5m 07s	1:05 PM	31.8°	148.994
Mar 21, 2010	6:56 AM	7:15 PM	12h 18m 22s	+ 5m 07s	1:05 PM	32.2°	149.035
Mar 22, 2010	6:53 AM	7:17 PM	12h 23m 29s	+ 5m 07s	1:04 PM	32.6°	149.076
Mar 23, 2010	6:51 AM	7:19 PM	12h 28m 36s	+ 5m 06s	1:04 PM	33.0°	149.117
Mar 24, 2010	6:48 AM	7:21 PM	12h 33m 43s	+ 5m 06s	1:04 PM	33.4°	149.159
Mar 25, 2010	6:45 AM	7:24 PM	12h 38m 50s	+ 5m 06s	1:04 PM	33.8°	149.200
Mar 26, 2010	6:42 AM	7:26 PM	12h 43m 56s	+ 5m 06s	1:03 PM	34.1°	149.242
Mar 27, 2010	6:39 AM	7:28 PM	12h 49m 03s	+ 5m 06s	1:03 PM	34.5°	149.284
Mar 28, 2010	6:36 AM	7:30 PM	12h 54m 09s	+ 5m 06s	1:03 PM	34.9°	149.327
Mar 29, 2010	6:33 AM	7:33 PM	12h 59m 16s	+ 5m 06s	1:02 PM	35.3°	149.369
Mar 30, 2010	6:31 AM	7:35 PM	13h 04m 22s	+ 5m 06s	1:02 PM	35.7°	149.412
Mar 31, 2010	6:28 AM	7:37 PM	13h 09m 28s	+ 5m 05s	1:02 PM	36.1°	149.455

13 Days

All times are in local time for Juneau

Note that Daylight Saving Time starts on Sunday, March 14, 2010 at 2:00 AM and this is

Blue—Currently observe DST
Orange—No longer observe DST
Red—Have never observed DST

HISTORY

Alaska State Legislature

Representative Anna Fairclough – House District 17

A Brief History of Daylight Saving Time

- Standard Time Act was established March 19, 1918. Part of this Act also legislated for the observance of daylight saving time nationwide. That section of the act was repealed the following year, and DST thereafter became a matter left up to local jurisdictions.

- In 1918, in order to conserve resources for the war effort, the U.S. Congress placed the country on Daylight Saving Time for the remainder of WW I. It was observed for seven months in 1918 and 1919. The law, however, proved so unpopular that it was later repealed.

- When America went to war again, Congress reinstated Daylight Saving Time on February 9, 1942. Time in the U.S. was advanced one hour to save energy. It remained advanced one hour forward year-round until September 30, 1945.

- From 1945 to 1966, there was no U.S. law about Daylight Saving Time. So, states and localities were free to observe Daylight Saving Time or not.

- This, however, caused confusion -- especially for the broadcasting industry, and for trains and buses. Because of the different local customs and laws, radio and TV stations and the transportation companies had to publish new schedules every time a state or town began or ended Daylight Saving Time.

- By 1966, some 100 million Americans were observing Daylight Saving Time through their own local laws and customs. Congress decided to step in end the confusion and establish one pattern across the country.

- The Uniform Time Act of 1966 created Daylight Saving Time to begin on the **last** Sunday of April and to end on the last Sunday of October. Any area that wanted to be exempt from Daylight Saving Time could do so by passing a local ordinance.

- The law was amended in 1986 to begin Daylight Saving Time on the **first** Sunday in April.

Session: Alaska State Capitol • Juneau, AK 99801 • 907-465-3777 • Fax 907-465-2819
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Representative_Anna_Fairclough@legis.state.ak.us

- Following the 1973 Arab Oil Embargo, Congress put most of the nation on extended Daylight Saving Time for two years in hopes of saving additional energy.
- In 1974, Daylight Saving Time lasted ten months and then in 1975 it lasted for eight months, rather than the normal six months (then, May to October).
- The extension of daylight saving time was not continued due to public opposition to late sunrise times during the winter months.
- In 1976, the United States reverted back to the schedule set in the Uniform Time Act.
- Starting March 11, 2007, DST was extended another four to five weeks, from the second Sunday of March to the first Sunday of November.

LEGISLATIVE RESEARCH REPORT

JUNE 4, 2008

REPORT NUMBER 08.269

HISTORY OF DAYLIGHT SAVINGS TIME IN ALASKA

PREPARED FOR REPRESENTATIVE ANNA FAIRCLOUGH

BY TIM SPENGLER, LEGISLATIVE ANALYST

You asked for information on the history of daylight savings time.[1] Specifically, you requested a review of legislative history regarding attempts to eliminate daylight savings time in Alaska. Additionally, you asked if there is federal money attached to staying on daylight savings time.

Daylight Saving Time (DST) was first proposed in a whimsical essay in 1784 by Ben Franklin, as a suggestion for saving candles and lamp oil on summer evenings. It was first advocated seriously in 1907 by British builder William Willett, in the pamphlet *Waste of Daylight*. Daylight Savings Time was used during both World Wars to conserve energy for the war effort. In the United States, from the end of World War II until 1966, there was no uniform national plan. Instead, states and localities determined their own DST systems. In 1966, President Johnson signed the Uniform Time Act, establishing a consistent schedule for the country.[2]

The Uniform Time Act (UTA) decrees that all states go on DST on the second Sunday in March and off on the first Sunday in November.[3] The UTA provides that all states will be on DST unless their legislatures specifically reject it. Currently Arizona (with the exception of the Navajo reservation, which employs DST consistent with the Utah, Colorado, and New Mexico segments of the reservation) and Hawaii are the only states on standard time year round.[4]

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[1] Daylight savings is a system of setting clocks ahead so that both sunrise and sunset occur at a later hour, producing an additional hour of daylight in the evening. In the North Temperate Zone, clocks are usually set ahead one hour in the spring and set back to standard time in the fall.

[2] We found historical background information on DST on numerous sites including *National Geographic News*, *The History of Daylight Savings*, March 31, 2006 and on the *Wikipedia* and *MSN Encarta* web sites.

[3] From 1987-2006 DST commenced on the first Sunday in April and concluded on the last Sunday in October. The latest amendment to the Uniform Time Act—part of the Energy Policy Act of 2005—extended DST by four weeks in the belief that it would help conserve energy. The extended DST became effective in 2007.

[4] Arizona has not observed DST since 1968. This is largely an energy conservation measure since the temperature in the state is extremely hot during the summer, resulting in more power usage from air conditioning units in homes and businesses. Hawaii, because of its tropical climate, would not likely benefit from daylight savings time.

907-465-3991
907-465-3908 (fax)

Alaska Legislature
Legislative Research Services
w3.legis.state.ak.us/laa/research/research.php

State Capitol
Juneau, AK 99801

Attachment A

HB 4 (1999), 21st Alaska Legislature
HB 4 (1999), Bill History/Action

HB 409 (2002), 22nd Alaska Legislature
HB 409 (2002), Bill History/Action

SB 120 (2005), 24th Alaska Legislature
SB 120 (2005), Bill History/Action

CS HB 176(STA) (2005), 24th Alaska Legislature
HB 176 (2005), Bill History/Action

HOUSE BILL NO. 4

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES KOHRING, Davis

Introduced: 1/19/99
Referred:House Special Committee on World Trade and State/Federal Relations, Labor and Commerce

A BILL

FOR AN ACT ENTITLED

"An Act rejecting the use of daylight saving time."

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

*** Section 1.** AS 01 is amended by adding a new chapter to read:

Chapter 15. Standard Time.

Sec. 01.15.010. Exemption from daylight saving time. This state exempts itself from observation of advanced time, also known as daylight saving time, between 2:00 a.m. on the first Sunday in April and 2:00 a.m. on the last Sunday in October in each calendar year.

Bill History/Action for 21st Legislature

BILL: HB 4 **SHORT TITLE:** ELIMINATE DAYLIGHT SAVING TIME

BILL VERSION:

CURRENT STATUS: (H)L&C **STATUS DATE:** 03/05/99

THEN RLS

SPONSOR(s): REPRESENTATIVE(s) KOHRING, Davis

TITLE: "An Act rejecting the use of daylight saving time."

Bill Number: [ ] Display Bill | Next Bill

Full Text | Fiscal Notes | Minutes

Display Committee Action with Bill History

Jrn-Date	Jrn-Page	Action
01/19/99	0018	(H) PREFILE RELEASED 1/8/99
01/19/99	0018	(H) READ THE FIRST TIME - REFERRAL(S)
01/19/99	0019	(H) WTR, L&C
02/24/99	0307	(H) COSPONSOR(S): DAVIS
03/05/99	0364	(H) WTR RPT 1DP 2DNP 4NR
03/05/99	0364	(H) DP: BARNES; DNP: BERKOWITZ, COWDERY;
03/05/99	0364	(H) NR: MASEK, PHILLIPS, GREEN, JOULE
03/05/99	0364	(H) ZERO FISCAL NOTE (GOV/ALL DEPTS)
03/05/99	0364	(H) REFERRED TO LABOR & COMMERCE

Similar Subject Match or Exact Subject Match
TIME ZONES

Bill Number: [ ] Display Bill

Next Bill

Return to Basis Main Menu (21st Legislature)

HOUSE BILL NO. 409

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES LANCASTER BY REQUEST, Dyson, Kohring, Croft, Foster

Introduced: 2/13/02
Referred: Labor and Commerce

A BILL

FOR AN ACT ENTITLED

"An Act rejecting the use of daylight saving time."

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

*** Section 1.** AS 01 is amended by adding a new chapter to read:

Chapter 15. Standard Time.

Sec. 01.15.010. Exemption from daylight saving time. This state exempts itself from observation of advanced time, also known as daylight saving time, between 2:00 a.m. on the first Sunday in April and 2:00 a.m. on the last Sunday in October in each calendar year.

Bill History/Action for 22 Legislature

BILL: HB 409 **SHORT TITLE:** ELIMINATE DAYLIGHT SAVING TIME

BILL VERSION:

CURRENT STATUS: (H) RLS **STATUS DATE:** 04/09/02

SPONSOR(s): REPRESENTATIVE(s) LANCASTER BY REQUEST , Dyson, Kohring, Croft, Foster

TITLE: "An Act rejecting the use of daylight saving time."

Bill Number: [ ] Display Bill | Next Bill

Full Text | Fiscal Notes | Minutes

Display Bill History

Jrn-Date	Jrn-Page	Action
02/13/02	2233	(H) READ THE FIRST TIME - REFERRALS
02/13/02	2233	(H) L&C
03/06/02	2496	(H) COSPONSOR(S): KOHRING
03/15/02	2563	(H) COSPONSOR(S): CROFT
03/25/02	2674	(H) COSPONSOR(S): WILSON
03/27/02	Text	(H) L&C AT 3:15 PM CAPITOL 17
03/27/02	Text	(H) -- Meeting Canceled --
04/03/02	2788	(H) COSPONSOR REMOVED: WILSON
04/04/02	2806	(H) COSPONSOR(S): FOSTER
04/08/02	Text	(H) L&C AT 3:15 PM CAPITOL 17
04/08/02	Text	(H) Moved Out of Committee
04/08/02	Text	(H) MINUTE(L&C)
04/09/02	2847	(H) L&C RPT 3DP 2NR
04/09/02	2847	(H) DP: MEYER, CRAWFORD, MURKOWSKI
04/09/02	2847	(H) NR: KOTT, HALCRO
04/09/02	2847	(H) FN1: ZERO(H.L&C)
04/09/02	2847	(H) REFERRED TO RULES

Similar Subject Match or Exact Subject Match
TIME ZONES

Bill Number: [ ] Display Bill

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SENATE BILL NO. 120

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY SENATORS OLSON, Wagoner, Dyson, Stedman

Introduced: 2/28/05
Referred: Community and Regional Affairs, Labor and Commerce

A BILL

FOR AN ACT ENTITLED

"An Act exempting the state and its political subdivisions from daylight saving time."

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

*** Section 1.** AS 44.12 is amended by adding a new section to read:

Article 5. Standard Time.

Sec. 44.12.400. Exemption from daylight saving time. Under 15 U.S.C. 260a, this state exempts itself and all of its political subdivisions from observation of advanced time, also known as daylight saving time, between 2:00 a.m. on the first Sunday in April and 2:00 a.m. on the last Sunday in October in each calendar year, and the entire state and all of its political subdivisions shall observe the standard time that is otherwise applicable during that time period.

Bill History/Action for 24 Legislature

BILL: SB 120 **SHORT TITLE:** ELIMINATE DAYLIGHT SAVING TIME

BILL VERSION:

CURRENT STATUS: (S) L&C **STATUS DATE:** 04/14/05

SPONSOR(s): SENATOR(S) OLSON, Wagoner, Dyson, Stedman

TITLE: "An Act exempting the state and its political subdivisions from daylight saving time."

Bill Number: [ ] Display Bill | Next Bill

Full Text | Fiscal Notes | Minutes

Display Bill History

Jrn-Date	Jrn-Page	Action
02/28/05	0414	(S) READ THE FIRST TIME - REFERRALS
02/28/05	0414	(S) CRA, L&C
03/02/05	0447	(S) COSPONSOR(S): WAGONER, DYSON, STEDMAN
04/13/05	Text	(S) CRA AT 1:30 PM BELTZ 211
04/13/05	Text	(S) Moved SB 120 Out of Committee
04/13/05	Text	(S) MINUTE(CRA)
04/14/05	0959	(S) CRA RPT 3NR 1DP
04/14/05	0959	(S) NR: STEVENS G, WAGONER, STEDMAN
04/14/05	0959	(S) DP: ELLIS
04/14/05	0959	(S) FN1: ZERO(ADM)
04/14/05	0959	(S) REFERRED TO LABOR & COMMERCE

Similar Subject Match or Exact Subject Match
TIME ZONES

Bill Number: [ ] Display Bill

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CS FOR HOUSE BILL NO. 176(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 5/5/05
Referred: Rules

Sponsor(s): REPRESENTATIVES SALMON, Kohring, Croft, Gruenberg

A BILL

FOR AN ACT ENTITLED

"An Act authorizing an advisory vote on whether the legislature should exempt the state and its political subdivisions from daylight saving time."

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

*** Section 1.** The uncodified law of the State of Alaska is amended by adding a new section to read:

ADVISORY VOTE. At the next general election, in compliance with the election laws of the state, the lieutenant governor shall place before the qualified voters of the state a question advisory to the legislature. Notwithstanding AS 15.60.005 relating to preparation of the ballot proposition, the question shall appear on the ballot in the following form:

QUESTION

Shall the legislature exempt the state and all of its political subdivisions from daylight saving time, between 2:00 a.m. on the first Sunday in April and 2:00 a.m. on the last Sunday in October in each calendar year, so that the state and all of its political subdivisions observe the standard time that would

otherwise apply during that time period?

Yes [ ] No [ ]

Bill History/Action for 24 Legislature

BILL: HB 176 **SHORT TITLE:** ELIMINATE DAYLIGHT SAVING TIME

BILL VERSION:

CURRENT STATUS: (H) FIN **STATUS DATE:** 05/05/05

SPONSOR(s): REPRESENTATIVE(s) SALMON, Kohring, Croft, Gruenberg

TITLE: "An Act exempting the state and its political subdivisions from daylight saving time."

Bill Number: [ ] Display Bill | Next Bill

Full Text | Fiscal Notes | Minutes

Display Bill History

Jrn-Date	Jrn-Page	Action
02/25/05	0428	(H) READ THE FIRST TIME - REFERRALS
02/25/05	0428	(H) CRA, STA
04/07/05	Text	(H) CRA AT 8:00 AM CAPITOL 124
04/07/05	Text	(H) Moved Out of Committee
04/07/05	Text	(H) MINUTE(CRA)
04/08/05	0931	(H) CRA RPT 1DP 1DNP 3NR
04/08/05	0931	(H) DP: SALMON;
04/08/05	0931	(H) DNP: OLSON;
04/08/05	0931	(H) NR: CISSNA, KOTT, LEDOUX
04/08/05	0931	(H) FN1: ZERO(ADM)
04/23/05	Text	(H) STA AT 9:30 AM CAPITOL 106
04/23/05	Text	(H) Heard & Held
04/23/05	Text	(H) MINUTE(STA)
05/05/05	1577	(H) STA RPT CS(STA) NT 1DP 3NR 1AM
05/05/05	1577	(H) DP: SEATON;
05/05/05	1577	(H) NR: LYNN, GATTO, ELKINS;
05/05/05	1577	(H) AM: GRUENBERG
05/05/05	1577	(H) FN1: ZERO(ADM)
05/05/05	1577	(H) FN2: (GOV)
05/05/05	1631	(H) FIN REFERRAL ADDED AFTER STA
05/05/05	1631	(H) REFERRED TO FINANCE
05/05/05	Text	(H) STA AT 8:00 AM CAPITOL 106
05/05/05	Text	(H) Moved CSHB 176(STA) Out of Committee
05/05/05	Text	(H) MINUTE(STA)
03/16/06	Text	(H) FIN AT 1:30 PM HOUSE FINANCE 519
03/16/06	Text	(H) Scheduled But Not Heard
03/16/06	Text	(H) MINUTE(FIN)

Similar Subject Match or Exact Subject Match
TIME ZONES

Bill Number: [ ] Display Bill

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HEALTH

Scientific American Magazine - March 5, 2009

Does Daylight Saving Time Conserve Energy?

Recent studies shed some light on the efficiency of seasonally changing the clocks

By Charles Q. Choi

Starting this month, roughly one quarter of the world's population will lose sleep and gain sunlight as they set their clocks ahead for daylight saving. People may think that with the time shift, they are conserving electricity otherwise spent on lighting. But recent studies have cast doubt on the energy argument—some research has even found that it ultimately leads to greater power use.

Benjamin Franklin is credited with conceiving the idea of daylight saving in 1784 to conserve candles, but the U.S. did not institute it until World War I as a way to preserve resources for the war effort. The first comprehensive study of its effectiveness occurred during the oil crisis of the 1970s, when the U.S. Department of Transportation found that daylight saving trimmed national electricity usage by roughly 1 percent compared with standard time.

Scant research had been done since, during which time U.S. electricity usage patterns have changed as air conditioning and household electronics have become more pervasive, observes economist Matthew Kotchen of the University of California, Santa Barbara. But lately, changes to daylight saving policies on state and federal levels have presented investigators new chances to explore the before-and-after impacts of the clock shift.

In 2006 Indiana instituted daylight saving statewide for the first time. (Before then, daylight time confusingly was in effect in just a handful of Indiana's counties.) Examining electricity usage and billing since the statewide change, Kotchen and his colleague Laura Grant unexpectedly found that daylight time led to a 1 percent overall rise in residential electricity use, costing the state an extra $9 million. Although daylight time reduces demand for household lighting, the researchers suggest that it increased demand for cooling on summer evenings and heating in early spring and late fall mornings. They hope to publish their conclusions this year in the Quarterly Journal of Economics.

Investigators got another opportunity in 2007, when daylight time nationwide began three weeks earlier, on the second Sunday in March, and ended one week later in the fall. California Energy Commission resource economist Adrienne Kandel and her colleagues discovered that extending daylight time had little to no effect on energy use in the state. The observed drop in energy use of 0.2 percent fell within the statistical margin of error of 1.5 percent.

Not all recent analyses suggest that daylight saving is counterproductive. Instead of studying the impact daylight saving changes had on just one state, senior analyst Jeff Dowd and his colleagues at the U.S. Department of Energy investigated what effect it might have on national energy consumption, looking at 67 electric utilities across the country.

In their October 2008 report to Congress, they conclude that the four-week extension of daylight time saved about 0.5 percent of the nation's electricity per day, or 1.3 trillion watt-hours in total. That amount could power 100,000 households for a year. The study did not just look at residential electricity use but commercial use as well, Dowd says.

The disparities between regional and national results could reflect climate differences between states. "The effect we saw could be even worse in Florida, where air conditioning is used heavily," Kotchen suggests.

If time shifting turns out to be an energy waster, should the sun set on daylight saving? Certainly that would please farmers, who have long opposed it for how it disrupts their schedules. The chances, though, appear nil. "I'm skeptical we could change daylight saving time on a national level, because we've become accustomed to it," Kotchen says, adding that "we might want to consider it for other costs or benefits it could have." Retailers, especially those involved with sports and recreation, have historically argued hardest for extending daylight time. Representatives of the golf industry, for instance, told Congress in 1986 that an extra month of daylight saving was worth up to $400 million annually in extra sales and fees.

So instead of worrying about cranking up the air conditioner at home, think about what more you can do outdoors when the sun is out. Softball, anyone?

Moving the Hands Is Bad for the Heart

Springing forward may both end and save lives. Researchers at the Karolinska Institute in Stockholm and their colleagues looked at myocardial infarction rates in Sweden since 1987 and found that the number of heart attacks rose about 5 percent during the first week of daylight saving time (called summer time in Europe). In the October 30, 2008, New England Journal of Medicine, they suggest that this rise may result from the disruption of sleep patterns and biological rhythms.

On the other hand, the clock shift could help prevent traffic accidents by enabling more people to drive home in sunlight. By analyzing 28 years of U.S. automobile crash data, RAND Corporation economists and their colleagues suggest that a 1986 change in federal daylight saving time law—which moved the start of daylight time from the last Sunday in April to the first—produced an 8 to 11 percent drop in crashes involving pedestrians and a 6 to 10 percent dip in crashes for vehicular occupants. They reported the findings in a 2007 B.E. Journal of Economic Analysis & Policy study.

Editor's Note: This story was originally printed with the title "Spring Forward or Not?"

(page 1591), the second sentence should have begun with "Subtypes and sub-subtypes."

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1. Taylor BS, Sobieszczyk ME, McCutchan FE, Hammer SM. The challenge of HIV-1 subtype diversity. N Engl J Med 2008; 358:1590-602.
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3. Retraction: Molecular epidemiology and prevalence of drug resistance-associated mutations in newly diagnosed HIV-1 patients in Cameroon. Antivir Ther 2008;13:845. (Also available at http://www.intmedpress.com/images/File/Retraction_Nkengafac.pdf.)

Shifts to and from Daylight Saving Time and Incidence of Myocardial Infarction

TO THE EDITOR: More than 1.5 billion men and women are exposed to the transitions involved in daylight saving time: turning clocks forward by an hour in the spring and backward by an hour in the autumn. These transitions can disrupt chronobiologic rhythms and influence the duration and quality of sleep, and the effect lasts for several days after the shifts.[1,2]

We examined the influence of these transitions on the incidence of acute myocardial infarction. To calculate the incidence ratio, we compared the incidence of acute myocardial infarction during each of the first 7 days after the spring or autumn transition and the mean of the incidences on the corresponding weekdays 2 weeks before and 2 weeks after the day of interest. For example, for the Tuesday after the transition, we would have divided the incidence on that Tuesday by the mean of the incidence on the Tuesday 2 weeks earlier and the incidence on the Tuesday 2 weeks later. We used data from the Swedish registry of acute myocardial infarction, which provides high-quality information on all acute myocardial infarctions in the country since 1987. The incidence ratios, as measures of relative risk, and exact 95% confidence intervals were calculated.

The incidence of acute myocardial infarction was significantly increased for the first 3 weekdays after the transition to daylight saving time in the spring (Fig. 1A). The incidence ratio for the first week after the spring shift, calculated as the incidence for all 7 days divided by the mean of the weekly incidences 2 weeks before and 2 weeks after, was 1.051 (95% confidence interval [CI], 1.032 to 1.071). In contrast, after the transition out of daylight saving time in the autumn, only the first weekday was affected significantly (Fig. 1B); the incidence ratio for the whole week was 0.985 (95% CI, 0.969 to 1.002).

The effect of the spring transition to daylight saving time on the incidence of acute myocardial infarction was somewhat more pronounced in women than in men, and the autumn effect was more pronounced in men than in women. The separate analyses of the 1987–1996 and 1997–2006 periods yielded essentially the same results as those for the whole 1987–2006 period. The effects of transitions were consistently more pronounced for people under 65 years of age than for those 65 years of age or older.

The most plausible explanation for our findings is the adverse effect of sleep deprivation on cardiovascular health. According to experimental studies, this adverse effect includes the predominance of sympathetic activity and an increase in proinflammatory cytokine levels.[3,4] Our data suggest that vulnerable people might benefit from avoiding sudden changes in their biologic rhythms.

It has been postulated that people in Western societies are chronically sleep deprived, since the average sleep duration decreased from 9.0 to 7.5 hours during the 20th century.[4] Therefore, it is important to examine whether we can achieve beneficial effects with prolonged sleep. The finding that the possibility of additional sleep seems to be protective on the first workday after the autumn shift is intriguing. Monday is the day of the week associated with the highest risk of acute myocardial infarction, with the mental stress of starting a new workweek and the increase in activity suggested as an explanation.[5] Our results raise the possibility that there is another, sleep-related component in the excess incidence of acute myocardial infarction on Monday. Sleep-diary studies suggest that bedtimes and wake-up times are usually later on weekend days than on weekdays; the earlier wake-up times on the first workday of the week and the consequent minor sleep depri-

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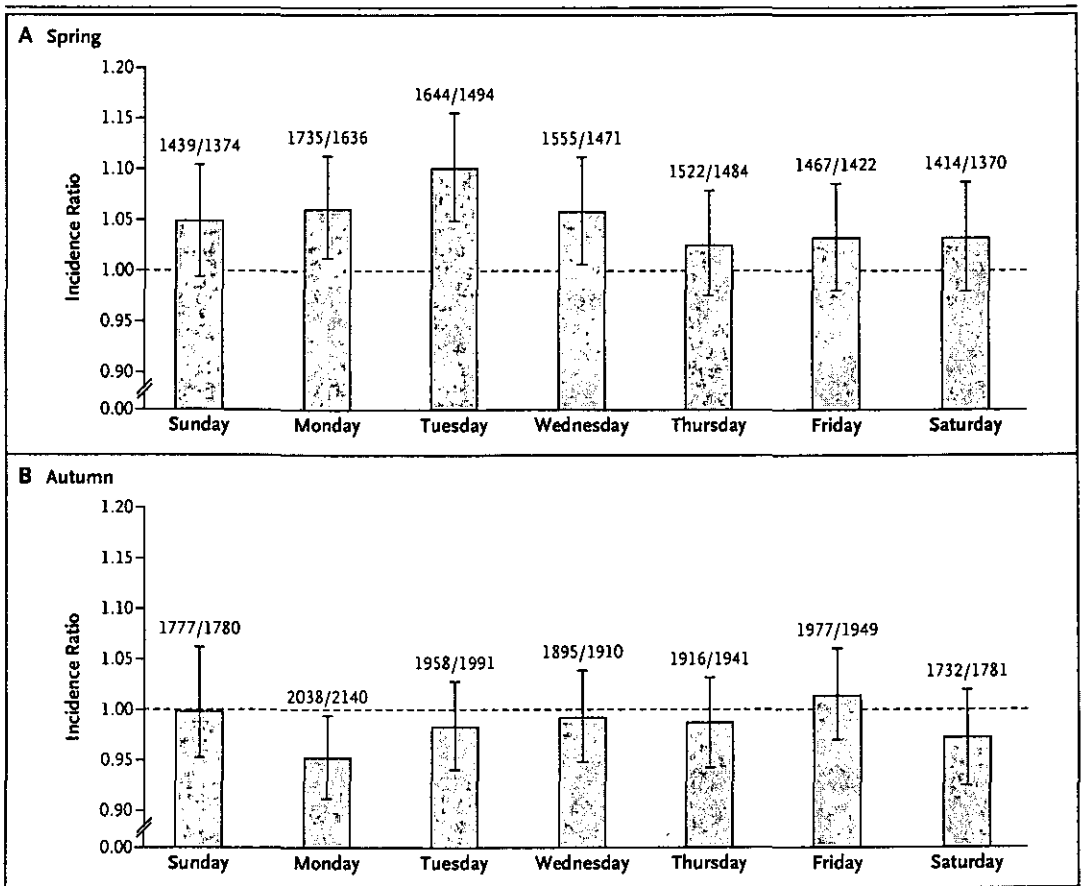

Figure 1. Incidence Ratios of Acute Myocardial Infarction on the First 7 Days after the Spring and Autumn Clock Shifts for Daylight Saving Time.

The incidence is represented by the ratio of the number of acute myocardial infarctions (as the main diagnosis) on the given day after the shift to the mean number on the corresponding days 2 weeks earlier and 2 weeks later (both numbers given above the bars). Analyses of the data for the spring shift are based on the 15 years between 1987 and 2006 in which Easter Sunday was not the transition day (Panel A). Analyses of the data for the autumn shift are based on all 20 years between 1987 and 2006 (Panel B). In the autumn (Panel B), the control period was defined as the corresponding weekdays 2 weeks before and 2 weeks after the day of interest. In spring (Panel A), we aimed to avoid interference with Easter, the only public holiday that could influence our results. For years in which Easter Sunday was celebrated 2 weeks after the Sunday of the spring shift, we defined the control period for the Sunday of the shift as the Sunday 3 weeks before and the Sunday 3 weeks after (thus skipping Easter Sunday). When we did not exclude Easter if it coincided with the exposure or control days, we observed an even higher effect size associated with the spring transition. The number of acute myocardial infarctions on the transition Sunday was adjusted for the difference in day length as compared with the control Sundays (i.e., 23 vs. 24 hours in the spring [Panel A] and 25 vs. 24 hours in the autumn [Panel B]). The results of secondary analyses for both spring and autumn, which included acute myocardial infarctions that were either the main or secondary diagnoses, were essentially similar to the results of the analyses that included main diagnoses alone, as were the results of analyses of the spring shift that were restricted to fatal cases. For the autumn shift, in contrast to the analyses of all acute myocardial infarctions, analyses restricted to fatal cases showed a smaller decrease in the incidence of acute myocardial infarction on Monday, and the risk of fatal acute myocardial infarction increased during the first week after the shift. I bars denote 95% confidence intervals.

vation can be hypothesized to have an adverse cardiovascular effect in some people. This effect would be less pronounced with the transition out of daylight saving time, since it allows for additional sleep. Studies are warranted to examine the possibility that a more stable weekly pattern of waking up in the morning and going to sleep at night or a somewhat later wake-up time on Monday might prevent some acute myocardial infarctions.

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Report

The Human Circadian Clock's Seasonal Adjustment Is Disrupted by Daylight Saving Time

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Summary

A quarter of the world's population is subjected to a 1 hr time change twice a year (daylight saving time, DST). This reflects a change in social clocks, not environmental ones (e.g., dawn). The impact of DST is poorly understood. Circadian clocks use daylight to synchronize (entrain) to the organism's environment. Entrainment is so exact that humans adjust to the east-west progression of dawn within a given time zone [1]. In a large survey (n = 55,000), we show that the timing of sleep on free days follows the seasonal progression of dawn under standard time, but not under DST. In a second study, we analyzed the timing of sleep and activity for 8 weeks around each DST transition in 50 subjects who were chronotyped (analyzed for their individual phase of entrainment [2]). Both parameters readily adjust to the release from DST in autumn but the timing of activity does not adjust to the DST imposition in spring, especially in late chronotypes. Our data indicate that the human circadian system does not adjust to DST and that its seasonal adaptation to the changing photoperiods is disrupted by the introduction of summer time. This disruption may extend to other aspects of seasonal biology in humans.

Results and Discussion

Despite the fact that ~1.6 billion people experience DST, few studies have investigated the impact of DST transitions on physiology and behavior. One found no effect on psychiatric disorders [3]. Others studied the effect on traffic accidents with inconsistent results [4–7]. Behavioral studies accompanying subjects across DST transitions are rare. The first study (65 subjects; 6 days prior to and 11 days after the autumn change) showed full adjustment of wake-up times after 5 days [8]. The second study recorded sleep EEGs and concluded that sleep architecture adjusts within several days to the spring DST transition [9]. The largest study (101 subjects) found instantaneous adjustment of bedtimes after both transitions, while wake-up times took about 1 week [10]. The longest study, so far (4 weeks around the spring change), found interindividual differences in adjustment (ranging from 1–2 days up to 2 weeks) [11] but no effects for the autumn change [12]. The first study [13, 14] considering different time-of-day preferences in their subjects (by the morningness-eveningness scale [15]) found a reduction in sleep duration by ~1 hr after the spring transition for morning and evening types. Whereas activity times adjusted immediately, sleep times took a week.

Studying the effects of DST transitions essentially investigates the potential re-entrainment of individuals to a new social schedule and should, therefore, consider chronotype (an individual's phase of entrainment), which differs substantially within a given population [2]. Depending on genotype [16], gender, age [17], and light exposure, our clocks will adopt a different phase relationship to dawn. We have developed a simple tool, the Munich ChronoType Questionnaire (MCTQ; see Experimental Procedures and Supplemental Data available online) to assess chronotype in a highly quantitative manner.

Assessment of how the human clock adjusts to DST transitions at nonequatorial latitudes is confounded by the fact that the times of dawn and dusk also change. Dawn times (see gray area in Figure 1) change rapidly around the spring DST transition (which often occurs close to the March equinox) and change to a lesser extent around the autumn transition (which often occurs more than a month after the September equinox). Given that daylight (including the low light levels at dawn) is the predominant zeitgeber for our circadian system [1, 19, 20], it is unlikely that it readily adjusts to the abrupt and purely social DST transitions.

We investigated the adaptation of the human circadian clock to both season and DST with two approaches. First, we mined the MCTQ database (containing ~55,000 subjects from Central Europe, including the date of entry) for seasonal changes in sleep timing at the population level. Second, we conducted a longitudinal study to describe the adaptation to DST transitions at the individual level (50 subjects investigated for 4 weeks before and 4 weeks after both the autumn and the spring transition in 2006 and 2007, respectively).

Mining the MCTQ database shows that midsleep on free days, MSF correlates with dawn under standard time, whereas it is scattered around 3:30 under DST (Figure 1A). Notably, the onset of DST elicits no significant change in sleep timing, whereas a large delay follows the offset of DST. Self-reported sleep duration changed significantly across seasons (by ~20 min; Figure 1B).

To understand the dynamics of how individuals respond to DST transitions, we evaluated both the phase of sleep (as midsleep, calculated from sleep logs) and the phase of activity (as center of activity, CoAct, calculated from wrist actimetry; see Experimental Procedures). Figure 2 shows how an individual's activity profile reflects early or late chronotype. The individual

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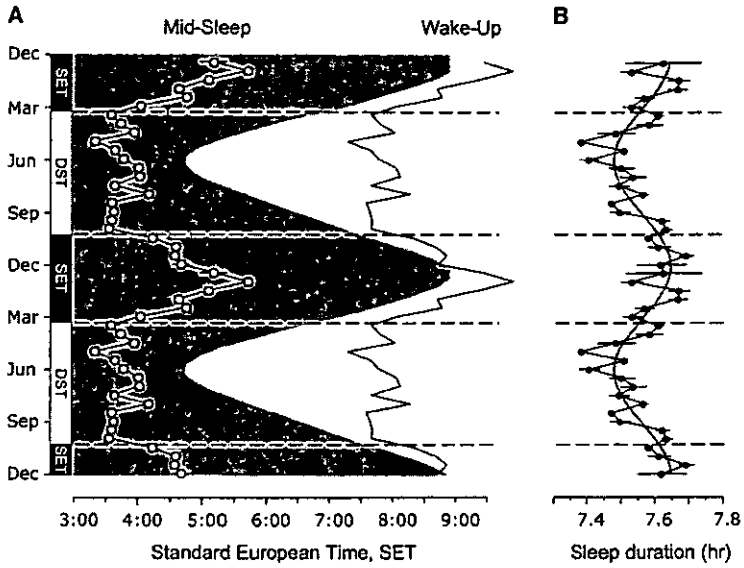

Figure 1. Seasonality in Sleep Timing Taken from the MCTQ Database

Annual time courses are double plotted (the same data are shown sequentially to more easily visualize systematic trends) ($n \approx 55{,}000$). (A) Half-monthly averages of midsleep times on free days [1], MSF (open circles ± SEM), and of wake-up times (line). DST periods are indicated by the open boxes and their transitions by dashed horizontal lines; dawn times are shown as a gray to white border. Whereas sleep times track dawn under standard time, midsleep is scattered around 3:30 (wake-up times around 7:40) under DST. Age and sex ratio were not significantly different in the 24 averages and showed no interactions.

(B) Seasonal changes in sleep duration (filled circles; averaged over both free and work days ± SEM) result in about 20 min more sleep in winter than in summer (cosine fit: $r = 0.75$; $p < 0.0001$).

weekly phase deviations from baseline are averaged for both markers (separately for free and work days) either for the entire cohort (Figure 3A) or for the different chronotype groups (Figure 3B; see legend for statistical analysis). The timing of midsleep and CoAct for all subjects on free days fully adjusted to the release from DST in autumn within 1 week (top left in Figure 3A). On workdays, this acute response of CoAct was less pronounced, followed by a gradual change over the four post-transition weeks (top right in Figure 3A). Whereas both midsleep and CoAct on workdays showed a constant (social) phase before the release from DST, they paralleled dawn thereafter, similar to the results shown in Figure 1A.

The spring transition was anticipated by midsleep on free days (hence, a reduced acute post-transition phase jump; Figure 3A). This was even more pronounced for the timing of activity (CoAct gradually advanced for 5 consecutive weeks) and indicates that the human clock tracks dawn as photoperiod increases. However, 2 weeks into DST, CoAct delayed again and settled at an advance of less than 30 min (final relative phase; see Experimental Procedures). Both midsleep and CoAct on workdays tracked the social clock before the spring change as they did in autumn. Whereas midsleep fully adjusted on workdays (60% of the subjects indicated using an alarm clock on workdays), the incomplete advance of CoAct on free days was similar for workdays.

Different chronotypes respond differently to time changes. Most people (except for extreme early chronotypes) adjust more readily to delays than to advances, i.e., they suffer less from jet lag after westward than after

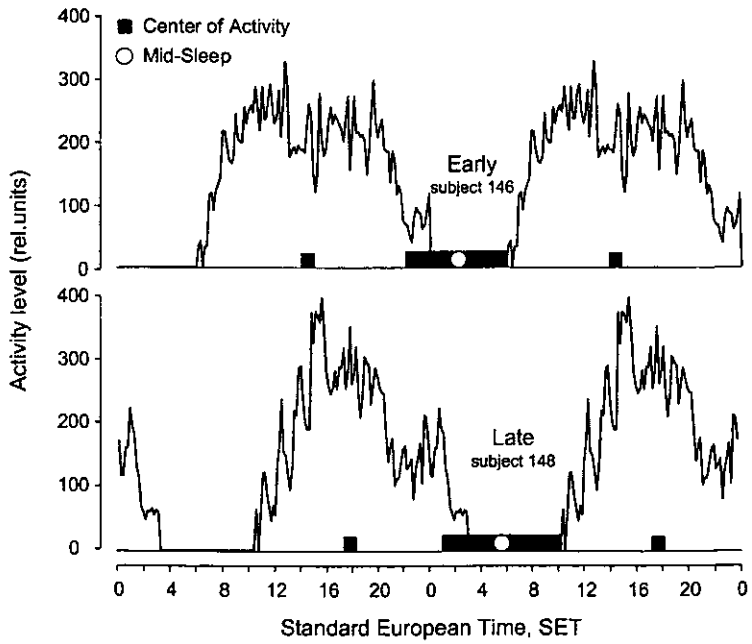

Figure 2. Comparison of Sleep Times and Activity Profiles between Different Chronotypes

Sleep times (black bars) and activity (black lines)—recorded during the two longitudinal studies around the autumn and the spring DST transition—averaged for the free days within the 4 weeks before the autumn change in an early (top) and a late (bottom) chronotype. Sleep onset and offset times are taken from the sleep logs; activity levels were measured by wrist actimetry. The phase of midsleep is indicated by an open circle within the sleep bar and the phase of the center of activity (CoAct, see Experimental Procedures) as a black square. Chronotype correlated highly with the CoAct at baseline (see Experimental Procedures; $r = 0.56$, $p < 0.0001$). Sleep log entries also correlated with the sleep times extracted from the activity records similarly for both transitions (for the autumn: $\text{sleep-onset}_{\text{before}}$: $r = 0.38$, $p < 0.001$; $\text{sleep-end}_{\text{before}}$: $r = 0.7$, $p < 0.001$; $\text{sleep-onset}_{\text{after}}$: $r = 0.22$, $p < 0.005$; $\text{sleep-end}_{\text{after}}$: $r = 0.55$, $p < 0.001$).

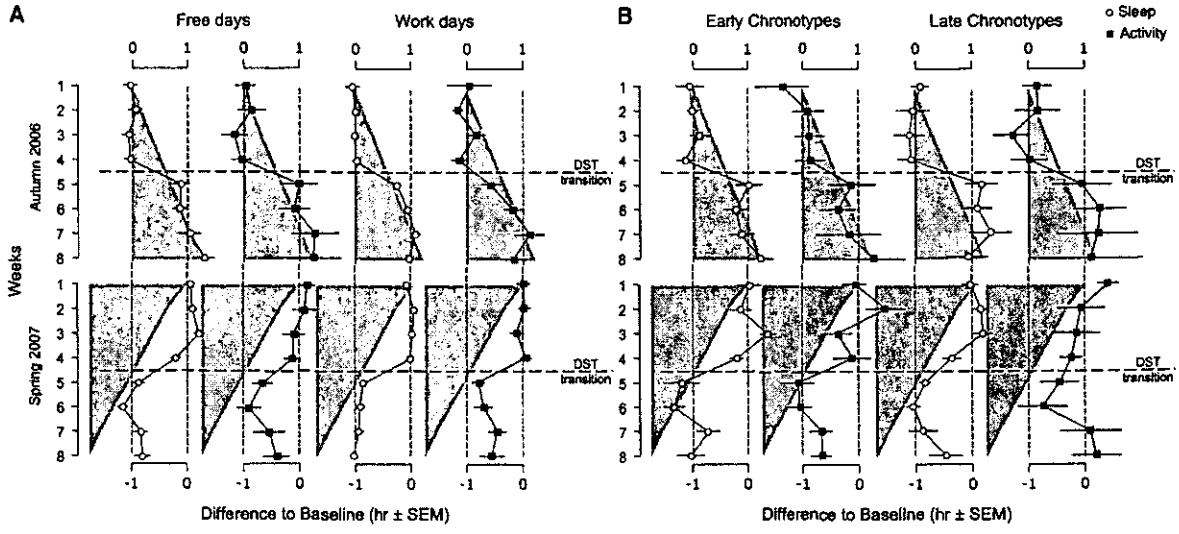

Figure 3. Adjustments to DST Transitions of Sleep and Activity Times Resulting from the Longitudinal Study

(A) Phase adjustments of midsleep (circles) and activity (CoAct, black squares) around the DST transitions expressed as weekly averages relative to each individual's baseline (average phase during the four pretransition weeks, see Experimental Procedures). Results are shown for the entire cohort both on free (left) and on work (right) days. The autumn transition is shown in the top panels; the spring transition is in the bottom panels. Horizontal bars connected to the respective symbols represent SEM, which were in most cases smaller than the size of the symbols. n = 50.

(B) The comparison between early (left) and late (right) chronotypes is shown for free days only (otherwise as in [A]). For the changes of midsleep on free days in autumn, a mixed ANOVA (within-subject design with chronotype [early, intermediate, and late] as a between-subject factor) shows a significant difference between all weeks ($F(4.33;117) = 10.00$, $p < 0.001$). For both transitions, post-hoc tests show that neither the 4 pre- nor the 4 post-transition weeks differ among each other, whereas they differ significantly across the transitions. In autumn, the CoAct times show no difference between the 8 weeks ($F(3.5; 94) = 1.89$, $p = .13$). The changes for CoAct of early chronotypes correlates better with dawn than with social time (r: 0.938 versus 0.896). In spring, the phase changes of both midsleep and CoAct differ significantly before versus after the transition (mixed-design ANOVA; midsleep: $F(4.57; 128) = 20.26$, $p \leq .001$; CoAct: $F(4.84;170) = 4.36$, $p \leq .001$), whereas they are statistically indifferent among the pre- and post-transition weeks. The changes for CoAct of late types between week 1 and 6 correlate better with dawn than with social time (r: 0.974 versus 0.774). Whereas post-hoc tests show that the final phases reached in the last two weeks show no significant difference relative to any of the 4 weeks prior to transition for both chronotypes, they differ significantly between early and late types ($t(49) = 2.13$, $p \leq 0.05$).

eastward flights [21]. A similar pattern is suggested for DST transitions [13, 14]. Our results show that adjustment to DST transitions is chronotype specific (Figure 3B). We present results only for early and late chronotypes here ("larks" and "owls;" those for intermediate chronotypes lie predictably in between the two extremes) and concentrate on the less socially influenced free days. Midsleep in both larks and owls showed a large phase jump in response to the autumn delay (compare with Figure 1A); the response of the CoAct suggests that owls delay more readily than larks (at a level below significance). The chronotype-specific differences are more marked after the spring change. Again, both midsleep and CoAct moved with dawn before the transition to DST (compare with Figure 1A), most prominently in the late chronotypes who gradually advanced their CoAct for five consecutive weeks (compare with Figure 3A). Midsleep of larks readily adjusted while an apparent full adjustment in owls was transient. Whereas larks advanced their CoAct by only 40 min, owls failed to adjust their CoAct to the advance of the social clock.

The similarity between the longitudinal study (50 individuals followed across the DST transitions) and those found in the database is remarkable (compare Figures 3A and 3B with Figure 1A). In both cases, the human circadian clock tracks dawn under standard time but not under DST. Whereas the human clock (as measured by the CoAct) predictably advances from autumn to spring (15:54 SET, averaged between Nov 19 and Dec 3, compared to 15:14 SET, averaged between Mar 24 and Apr 21), it remains locked to the same time between spring and autumn (14:36 SET for both, averaged between Apr 15-29 and Oct 3-28, respectively). These results, in combination with those from the database, suggest that the incomplete adjustment of activity in larks and the nonadjustment in owls continues beyond the four recorded post-transition weeks and throughout the months of DST. Our results also suggest that the circadian clock does not adjust to the DST transition in spring—especially in late types. Notably, the strongest reduction of average sleep duration (for 8 consecutive weeks; Figure 1B) follows the spring transition.

What could trigger the severe effect of DST on seasonal adaptation of the human clock? It is unlikely that midsleep tracks dawn throughout the summer, especially at higher latitudes. It is, however, equally unlikely that the abrupt cessation of dawn tracking, shown here, reflects a threshold beyond which the clock cannot advance (corresponding to a wake-up time around 7:30 SET, 8:30 DST). We have previously shown that the human clock is predominantly entrained to the natural light-dark cycle ($zeitgeber_N$) and that social time affects this entrainment [1]. Behaviorally induced light-dark cycles (e.g., by sleeping in a dark room with our eyes closed; $zeitgeber_B$) may compete with $zeitgeber_N$,

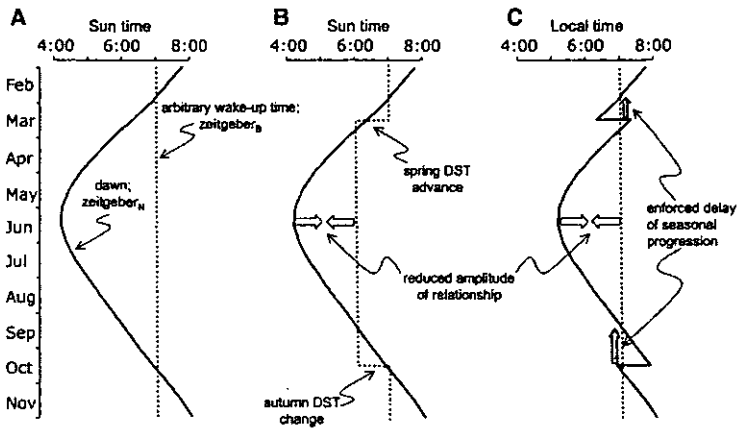

Figure 4. Relationship between Natural and Behavioral Light-Dark Cycles with and without DST

The relationship between the natural light-dark cycle (dawn, zeitgeber$_N$; solid curve) and the behavioral light-dark cycle (created by the use of artificial light and sleeping in dark rooms with closed eyes, zeitgeber$_B$, exemplified by an arbitrary wake-up time at 7 a.m.; dotted line) changes systematically with season (A). DST affects only zeitgeber$_B$ by advancing the social clock by 1 hr in spring and delaying it in autumn (B). The 1 hr advance corresponds to traveling 15° westward within the same time zone. DST transitions have large effects on the seasonal relationship between the two zeitgebers. This phenomenon becomes more apparent if natural dawn is drawn with respect to local time (consistent with social wake-up times) (C). The seasonal progression of the phase relationship between the two zeitgebers is delayed by 4 weeks in the spring and by 6 weeks in the autumn (vertical gray arrows). Hence, we repeat almost 20% of the seasonal progression of the two zeitgebers every year. In addition, DST artificially changes the amplitude of the phase relationship in summer (horizontal white arrows in [B] and [C]), which mimics a translocation of 17° latitude. The diagrams are drawn for the dawn times in Frankfurt/Main (50°7′N/8°41′E), which roughly corresponds to the average coordinates of the 50 subjects' places of residence. In this case, the longitudinal and latitudinal translocations would mean moving from Frankfurt to Morocco in spring and back in autumn. The amplitude of the relationships as well as the degree of their perturbations by DST increase with latitude.

especially in large cities where people efficiently shield themselves from environmental signals. We show here that zeitgeber$_B$ (sleep time, represented by midsleep) adjusts to DST, and therefore the "small" 1 hr time change induced by DST may have a much larger effect on our biological timing system (Figure 4). The seasonal progression in phase relationship between the two zeitgebers is pushed back by the equivalent of 4 and 6 weeks in spring and autumn, respectively. The large autumn setback is reflected in the sudden, strong delay (Figures 1A, 3A, and 3B). Assuming that the clock tracks dawn similarly in spring and autumn, the current transition from DST to standard time in late October is scheduled 1 month too late. In addition, DST reduces the seasonal amplitude of the relationship between the two zeitgebers (Figures 4B and 4C). DST-induced changes are theoretically equivalent to geographical translocations. The amplitude of the relationships as well as the degree of their perturbations by DST increase with latitude (notably, all equatorial countries either never introduced or abandoned DST). The examples shown in Figure 4 are based on the location of Frankfurt. The 1 hr DST advance in spring corresponds to traveling 15° westward and the reduction of amplitude corresponds to traveling 17° latitude southward. Thus, DST translocates the inhabitants of Central Germany to Morocco in spring and back in autumn, without changing time zone or climate.

In some animals, the circadian clock adopts a fixed phase in long photoperiods under laboratory conditions while they track dawn in short photoperiods [22, 23]. The interruption of seasonal adjustment in summer shown here, however, exactly coincides with the DST transitions and, therefore, suggests an additional effect of DST rather than a purely natural phenomenon. This would mean that DST severely affects our seasonal timing. Like other animals, humans are seasonal [24, 25] (in birth rates, mortality, suicide rates, etc.). However, seasonality in humans has drastically declined in industrialized countries over the last 60 years [26]. The main reason for this is probably increased shielding from natural zeitgebers, but DST might constitute an additional factor for the dissociation of human biology from the seasons.

Experimental Procedures

Subjects, Study Design, and Instruments

The study included the autumn DST transition (night of Oct 28/29, 2006; study period, Oct 3–Dec 3) and the spring DST transition (night of Mar 24/25, 2007; study period, Feb 19–Apr 29). Volunteers (autumn: n = 51, 34 F/29 M; spring: n = 49, 32 F/17 M; age: 18–59 yr, mean 34.5 yr) were recruited by word of mouth from Germany, Italy, Switzerland, France, Slovakia, The Netherlands, and Luxembourg. 43 subjects participated in both transitions and 6 new subjects were recruited for the spring study. Prerequisites were informed consent, regular daytime employment, no diagnosed psychiatric diseases or sleep disorders, and no traveling during the study periods. Delivery of questionnaires, logs, and actimeters were scheduled 1 week prior to the actual start of each study period, so that all participants were able to complete the full 8 weeks in autumn and spring. As a reward, subjects participated in a lottery, whereby any subject could win 250 EUR in each study period.

At the onset, participants completed an abbreviated version of the Munich ChronoType Questionnaire [2] (MCTQ; see Supplemental Data), which we developed to assess chronotype in a highly quantitative manner. The questionnaire contains questions about sleep times on both work and free days. Chronotype is then expressed as the time of midsleep on free days (MSF) because free-day schedules are less confounded by social obligations such as regimented work. The MSF is corrected for sleep debt accumulated over the work week (MSF$_{sc}$). MSF$_{sc}$ is a reliable marker for chronotype and correlates significantly with the daily rhythms of activity and physiology (e.g., melatonin, cortisol, or body temperature, recorded in constant routines) [18].

Every morning, directly after awakening, the following items were estimated and entered into the supplied sleep logs (see Supplemental Data): time spent outside during the prior day, bedtime, time of

preparing for sleep, sleep latency, subjective alertness at bedtime (0 to 10), time of wake up, time of getting up, use of an alarm clock, subjective sleep quality (0 to 10), subjective alertness at wake up (0 to 10), and whether it was the morning of a work or a free day. Time spent outside did not significantly contribute to DST adjustment, possibly because no significant differences were found in time spent outside among the subjects. All subjects continually wore waterproof actimeters (Daqtometer by Daqtix GbR, Oetzen Germany) around their wrists, storing movement accelerations every minute. Subjects kept a protocol indicating when not wearing the actimeter.

Data Analysis

Sleep and activity data were analyzed separately for work and free days (in many subjects, free days were not restricted to weekends, and some subjects also worked on Saturday or Sunday). Data were also analyzed separately for three chronotype groups based on midsleep on free days corrected for sleep debt (MSF_{sc}) as determined by the MCTQ (early: $MSF_{sc} < 3.5$, $N_{autumn}/N_{spring} = 11/12$; intermediate: n = 20/16; late: $MSF_{sc} > 4.5$, n = 19/15) [1]. As a single reference point for sleep, daily midsleep times were calculated from the sleep logs and were averaged for each week. Activity data, from wake up to sleep onset (as determined by the activity profiles), were consolidated to 10 min bins and also averaged for each week (the Sunday after the actual time change was excluded). For the determination of the activity's phase, we chose the center of gravity method [27] (CoAct), which is independent of the individual shape of the activity profile (see gray areas and squares in Figure 2). For further analysis, the weekly phases of both midsleep and CoAct for each subject were expressed as deviation from their average over the 4 weeks preceding each of the transitions (baseline). An additional average was calculated for weeks 7 and 8 in each study period (final relative phase). Figure 3A shows the averaged deviations from baseline of the entire cohort, and Figure 3B shows those for the three groups of chronotypes.

Supplemental Data

Two figures are available at http://www.current-biology.com/cgi/content/full/17/22/1996/DC1/.

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Transitions into and out of daylight saving time compromise sleep and the rest-activity cycles

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Abstract

Background: The aim of this study was to analyze the effects of transition out of and into daylight saving time on the rest-activity cycles and sleep. Rest-activity cycles of nine healthy participants aged 20 to 40 years were measured around transitions out of and into daylight saving time on fall 2005 and spring 2006 respectively. Rest-activity cycles were measured using wrist-worn accelerometers. The participants filled in the Morningness-Eveningness and Seasonal Pattern Assessment Questionnaires before starting the study and kept a sleep diary during the study.

Results: Fall transition was more disturbing for the more morning type and spring transition for the more evening type of persons. Individuals having a higher global seasonality score suffered more from the transitions.

Conclusion: Transitions out of and into daylight saving time enhanced night-time restlessness and thereby compromised the quality of sleep.

Background

Daylight saving time (DST) is commonly used worldwide and affects millions of people annually. It equals to one-hour time zone crossing eastward in the spring and westward in the fall. In the European Union, DST currently begins on the last Sunday of March, when the clocks are turned forwards by one hour, and ends on the last Sunday of October, when the clocks are turned backwards by one hour. The rationale for DST is to improve the match between the daylight hours with the activity peaks of a population. Fall transition out of DST increases the available daylight in the morning by one hour. Spring transition into DST leads to an increase of the available daylight in the evening. In our previous studies, we found that transition into daylight saving time may disrupt the rest-activity cycle in healthy adults [1,2]. Herein, our aim was to assess the daily rest-activity cycles together with night-time sleep at transitions out of and into daylight saving time in healthy adults. Our goal was to find out whether the changes induced by transition into DST were similar in fall and spring.

Results

Fall: before versus after transition

The movement and fragmentation index (P = 0.01; Z = -2,52) was increased in all the participants after the transition (Table 1). Sleep efficiency (P = 0.02; Z = -2.38) and relative amplitude (P = 0.02; Z = -2.43) were reduced in all except one participant after transition.

Table 1: Actigraphic data on sleep and the rest-activity cycles from fall 2005 (before versus after DST transition).

FALL	Mean/before	95% confidence interval/before	Standard deviation/before	Mean/after	95% confidence interval/after	Standard deviation/after	Significance
Sleep efficiency (%)	86.33	80.80 – 91.87	6.62	79.76	74.79 – 84.72	5.94	0.006
Movement and fragmentation index	23.13	16.50 – 29.75	7.92	35.66	26.02 – 43.30	9.14	0.003
Relative amplitude	0.93	0.90 – 0.96	0.36	0.85	0.74 – 0.96	0.14	0.055
Intra-daily stability	0.58	0.47 – 0.70	0.15	0.57	0.42 – 0.72	0.19	0.880
Intra-daily variability	0.83	0.73 – 0.93	0.13	0.82	0.67 – 0.97	0.19	0.857

Spring: before versus after transition

The movement and fragmentation index (P = 0.01; Z = -2.52) was increased after transition (Table 2). Sleep efficiency was not reduced significantly after the spring transition.

Fall before versus spring before

To see whether there was any difference in the baseline conditions, we compared the scores before the two transitions. There was none.

Sleep and rest-activity cycles in relation to MES and GSS

For the participants, the mean (SD and 95% CI) MES was 53.00 (6.75 and 47.82 to 58.18) and the mean (SD and 95% CI) GSS was 9.11 (5.75 and 4.69 to 13.53). Adjustments to transitions out of and into daylight saving time were not accurate or complete four days afterwards (see Figures 1, 2, 3, 4, 5, 6, 7 and 8). The spring transition was more harmful for the more evening type of persons, as the intra-daily stability was reduced more (P = 0.02; r = -0.80) among those with a lower MES. On fall such effect was not seen. Both transitions were more harmful for those persons having greater seasonal changes in mood and behavior. After the fall transition, the movement and fragmentation index was increased more (P < 0.05; r = -0.72) among those with a higher GSS.

Discussion

Our main finding was that transitions into and out of daylight saving time disrupted night-time sleep. The movement and fragmentation index was increased significantly after both transitions, on average by 54% in fall and 37% in spring. There is a small reservation while using movement and fragmentation index as it still is slightly unclear parameter [3]. However our experience is that movement and fragmentation index reflects well the quality of sleep. Unexpectedly, sleep efficiency was reduced after the transition out of DST only. The durations of slow-wave sleep stages tends to decrease and those of rapid-eye-movement sleep to increase during winter [4]. Transitions out of DST may affect sleep efficiency more than those into DST due to these underlying changes in sleep stages.

Moreover, the relative amplitude of the daily rest-activity cycles was decreased after the transition out of DST, not after the transition into DST. This may bear relevance to the circadian pacemaker whose function is affected by physical exercise and sleep stages [5,6]. Shortage of daylight in the morning during winter challenges the regulation of the circadian clockwork and keeps favoring its natural propensity for phase delays. This shortfall can be overcome by the increased responsiveness to light exposure [7] but may not be counteracted effectively enough among individuals predisposed to depressive disorder [8]. We found herein that individuals having higher global seasonality scores had more disruptions in their rest-activity cycles after the transitions. They may thus be more predisposed to such changes in general but in particular under conditions which challenge the circadian pacemaker, e.g. after shift work schedules or time zone crossings.

We found that the transition out of DST was more detrimental to individuals with the preference to morning

Table 2: Actigraphic data on sleep and the rest-activity cycles from spring 2006 (before versus after DST transition).

SPRING	Mean/before	95% confidence interval/before	Standard deviation/before	Mean/after	95% confidence interval/after	Standard deviation/after	
Sleep efficiency (%)	87.29	83.26 – 91.23	4.82	83.78	76.51 – 91.06	8.70	0.161
Movement and fragmentation index	20.93	15.82 – 26.05	6.12	28.68	18.82 – 38.55	11.80	0.019
Relative amplitude	0.94	0.92 – 0.96	0.03	0.91	0.88 – 0.95	0.05	0.140
Intra-daily stability	0.64	0.53 – 0.76	0.15	0.62	0.49 – 0.75	0.17	0.313
Intra-daily variability	0.92	0.76 – 1.10	0.20	0.84	0.66 – 1.02	0.24	0.354

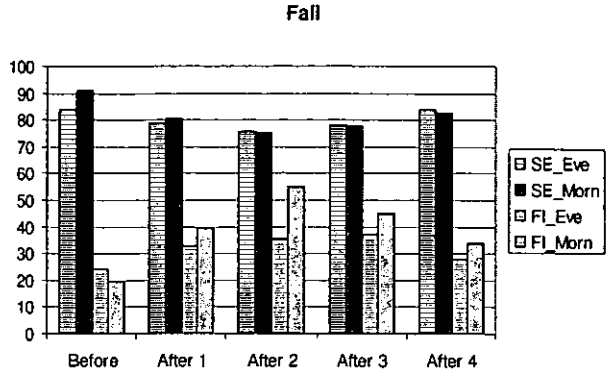

Figure 1
Changes in sleep efficiency (SE) and movement and fragmentation index (FI) in MES-subgroups/Fall. Before = mean for four days before transition, After 1,2,3 and 4 = means for the days after transition. Eve = MES-subgroup evening type, Morn = MES-subgroup morning type.

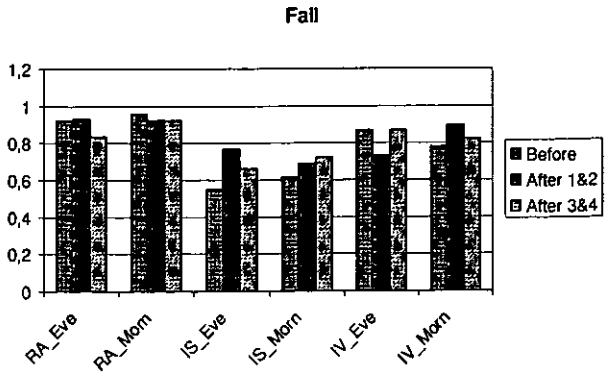

Figure 3
Changes in relative amplitude (RA), intra-daily stability (IS) and intra-daily variability (IV) in MES-subgroups/Fall. Before = mean for four days before transition, After 1&2 is mean for two days after transition, After 3&4 = is mean for the days three and four after transition. Eve = MES-subgroup evening type, Morn = MES-subgroup morning type.

activities. Also Kantermann et al. noticed in their recent study that the timing of activity does not adjust to the DST imposition in spring, especially in late chronotypes [9]. This was unexpected, since the fall transition brings one more hour light to the mornings. However, this option to have earlier light exposure may not materialize at all or not be enough to maintain the daily rest-activity cycle and night-time sleep undisturbed. To visualize, the sunrise to sunset times were 8:35 to 17:32 prior to the transition, and 7:38 to 16:29 one day and 7:40 to 16:26 two days after the transition.

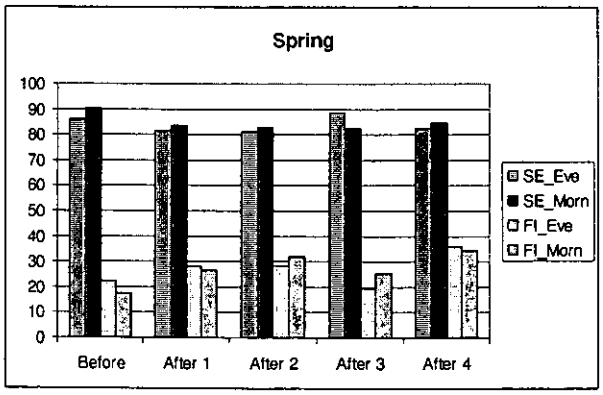

Figure 2
Changes in sleep efficiency (SE) and movement and fragmentation index (FI) in MES-subgroups/Spring. Before = mean for four days before transition, After 1,2,3 and 4 = means for the days after transition. Eve = MES-subgroup evening type, Morn = MES-subgroup morning type.

In contrast, the transition into DST affected more those with the preference to evening activities. This may have been due to the longer exposure to light in the evening which is known to delay the phase position of the circadian rhythms and their subsidiary rest-activity cycles. To visualize, the sunrise to sunset times were 6:07 to 18:46 prior the transition, and 7:04 to 19:49 one day and 7:01 to 19:51 two days after the transition.

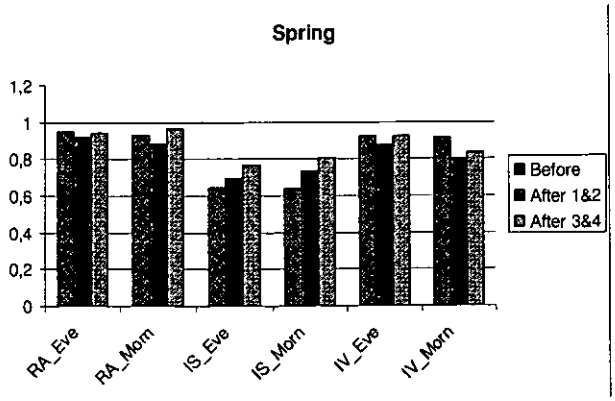

Figure 4
Changes in relative amplitude (RA), intra-daily stability (IS) and intra-daily variability (IV) in MES-subgroups/Fall. Before = mean for four days before transition, After 1&2 is mean for two days after transition, After 3&4 = is mean for the days three and four after transition. Eve = MES-subgroup evening type, Morn = MES-subgroup morning type.

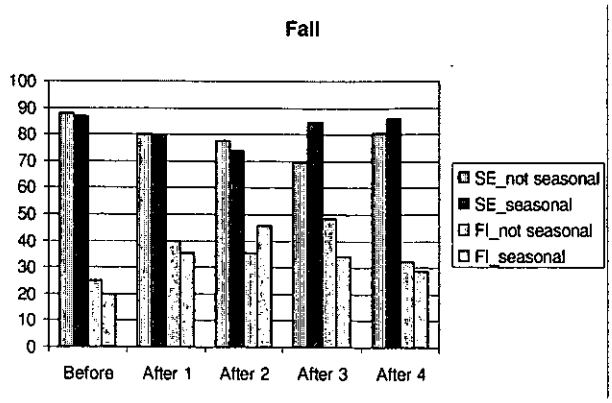

Figure 5
Changes in sleep efficiency (SE) and movement and fragmentation index (FI) in GSS-subgroups/Fall. Before = mean for four days before transition, After 1,2,3 and 4 = means for the days after transition. Not seasonal = GSS-subgroup not seasonal, seasonal = GSS-subgroup seasonal.

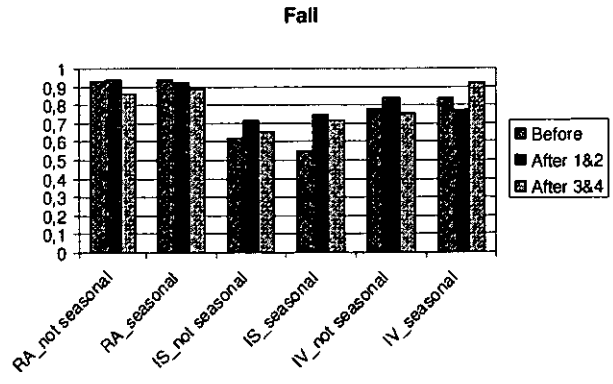

Figure 7
Changes in relative amplitude (RA), intra-daily stability (IS) and intra-daily variability (IV) in GSS-subgroups/Fall. Before = mean for four days before transition, After 1&2 is mean for two days after transition, After 3&4 = is mean for the days three and four after transition. Not seasonal = GSS-subgroup not seasonal, seasonal = GSS-subgroup seasonal.

Our findings herein on healthy individuals now show that night-time sleep and the rest-activity cycles are compromised after DST transitions. Earlier, it has been demonstrated that even moderate changes in the timing of the sleep-wake cycle may have profound effects on subsequent mood in healthy young persons [10]. The impact of these twice-a-year transitions on night-time sleep and the daily rest-activity cycles may be more detrimental among patients with mood disorders or circadian rhythm sleep disorders. Therefore, our findings need replication and extension on bigger as well as clinical samples.

Both animal and human studies have demonstrated that the principal clock can be reset with light exposure. Light exposure in the morning (as after fall transitions) advances the phase position of circadian rhythms, whereas light exposure in the evening (as after spring tran-

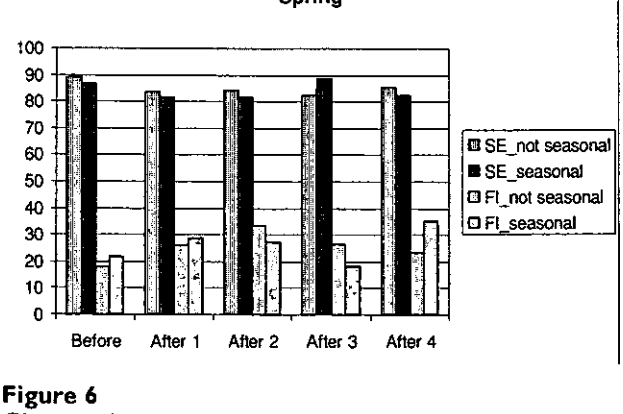

Figure 6
Changes in sleep efficiency (SE) and movement and fragmentation index (FI) in GSS-subgroups/Fall. Before = mean for four days before transition, After 1,2,3 and 4 = means for the days after transition. Not seasonal = GSS-subgroup not seasonal, seasonal = GSS-subgroup seasonal.

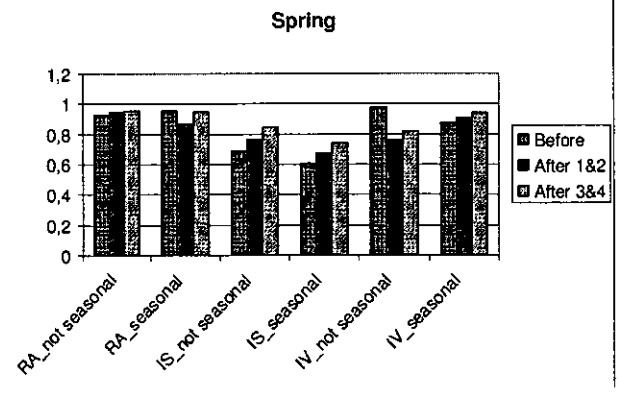

Figure 8
Changes in relative amplitude (RA), intra-daily stability (IS) and intra-daily variability (IV) in GSS-subgroups/Spring. Before = mean for four days before transition, After 1&2 is mean for two days after transition, After 3&4 = is mean for the days three and four after transition. Not seasonal = GSS-subgroup not seasonal, seasonal = GSS-subgroup seasonal.

sitions) delays the phase position [11]. The principal clock generating the endogenous rhythms is located in the suprachiasmatic nuclei of the anterior hypothalamus in the brain [12,13]. Light-dark transitions are the most important time-giver for this clock. Optimal sleep quality is achieved when the desired sleep time is aligned with the timing of the endogenous circadian rhythm of sleep and wake propensity [14].

Conclusion

Transitions out of and into daylight saving time enhance night-time restlessness and compromise the quality of sleep. They may thereby affect mood in a negative way and be a concern for individuals with mood disorder in particular.

Methods

For the study we had nine actigraphs. The study participants, aged 20–40, were eight women and one man. They were healthy and free of psychotropic medication. All were living in the capital area of Finland (60°12'N), and none was shift-worker nor crossed time zones during the study. All the participants gave a written informed consent. Participants were asked to retain their normal and regular daily schedule during the study. Identical measurement protocols were carried out twice on the same individuals, each wearing an exclusive accelerometer or actigraph (Actiwatch-Plus®, Cambridge Neurotechnology Ltd, Cambridgeshire, UK) throughout both study periods.

In fall 2005, DST was started 30 October at 3 a.m. Rest-activity cycles were measured for a period from 24 October to 3 or 10 November, thus yielding data for one week before and one (6 participants) or two (3 participants) weeks after the transition. In spring 2006, DST was started on 26 March at 3 a.m. Rest-activity cycles were measured for a period from 20 March to 3 April, thus yielding data for one week before and one week after the transition. The participants wore the units for all the time, except during short non-waterproof activities. The units were mounted in the non-dominant wrist and positioned using a standardized protocol, recording the intensity, amount and duration of movement in all directions over 0.05 g, with the sampling epoch of 30 sec. The sampling frequency of the units was 32 Hz at maximum, the filters being set from 3 to 11 Hz.

The participants filled in the Morningness-Eveningness Questionnaire [15]. Morningness-Evenigness Questionnaire (MEQ) is a self-report instrument for the assessment of the preference for the daily activity patterns whose sum yields the Morningness-Eveningness Score (MES), ranging from 16 to 86. The highest score indicates the definite preference of activities in the morning (morningness), whereas the lowest one indicates the definite preference of activities in the evening (eveningness). Participants also filled in the Seasonal Pattern Assessment Questionnaire [16]. Seasonal Pattern Assessment Questionnaire (SPAQ) is a self-report instrument for the assessment of the seasonal changes in the length of sleep, social activity, mood, weight, appetite, and energy whose sum yields the Global Seasonality Score (GSS), ranging from 0 to 24. Both SPAQ and MEQ were filled in before the study entry.

The week measured before and the week measured after the transitions were used for analysis. Sleep efficiency (actual sleep time divided by time in bed), sleep latency, actual sleep time (assumed sleep minus wake time), actual wake time, mean score in active periods, mean length of immobility, the movement and fragmentation index, bedtime and get-up time were analyzed with the software provided by the manufacturer (The Actiwatch Sleep Analysis 2001 software). Relative amplitude, intra-daily variability, and intra-daily stability were assessed using the non-parametric circadian rhythm analysis. The circadian period was assessed using fast Fourier transform analysis. All these variables were calculated for the weekdays (Monday to Thursday) before and for those after the transitions. We excluded the weekend (Friday to Sunday) from analysis. The participants kept a sleep diary. Each morning the participants marked down the time of awakening on that morning and the time of falling asleep the night before. Sleep diaries were used as assistance while doing the actigraphic analysis. Naps were scored using the Actiwatch Sleep Analysis software.

Five of the variables (the movement and fragmentation index, sleep efficiency, relative amplitude, intra-daily variability, intra-daily stability) were considered the outcome measures as decided a priori. Statistical significance was tested using non-parametric tests for two related samples [17]. Because of multiple tests, we counted a conservative Bonferroni correction (0.05 divided by 5) and considered the P values of <0.01 to be significant and those of >0.01 to <0.05 to be indicative of significance.

Authors' contributions

TAL made contributions to the analysis and interpretation of data and to the drafting and writing of the manuscript. SL participated in the planning of the study, in the analysis of data, and in the drafting of the manuscript. JL participated in the planning of the study and in the drafting of the manuscript. TP participated in the planning of the study, in the analysis of data, and in the drafting of the manuscript. All authors read and approved the manuscript.

Acknowledgements

The study was supported in part by grants from Academy of Finland (#201097 and #210262 to TP), and by a donation from GlaxoSmithKline to scientific work at the Institute.

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SCHOOLS

Daylight Savings Time
Franklin A. Cook

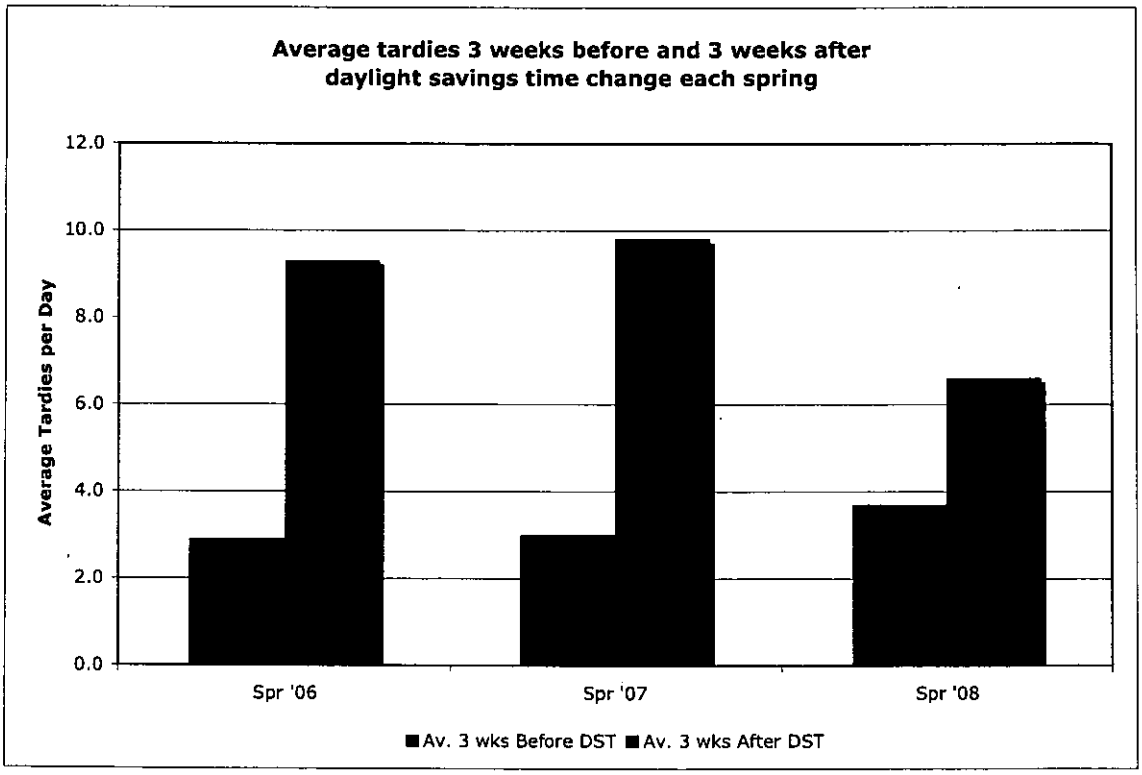
People are mostly diurnal biological creatures. That means that most of us will feel natural activity cycles of being sleepy or alert depending on the sunlight. People can overcome this and fight against it in order to be active during the time of their own choice by will power and/or by use of drugs (like caffeine). It can be difficult, but because of our location in the world this is even more difficult for us. If you go by solar time then in the winter solar time and clock time are pretty much the same for people in Anchorage, Fairbanks, and Juneau. During the summer solar time for them is just one hour earlier than clock time (clock says noon, but it is really about 11 AM). One hour is not a very difficult adjustment. For us it is different.

We are 400+ miles to the West. During the winter we are already an hour and 50 minutes earlier than clock time (clock says noon, but it is really about 10:10 AM). Now we are participating in daylight savings time and there is a two hour and 50 minute difference between what the clock says and the biological signals we get from our environment (the sun). Now when the clock says noon the actual solar time is about 9:10 AM. That is almost three hours earlier! If you ever felt like you should be having breakfast at noon instead of lunch now you know why. If a parent is finding it hard to get their child to school on time at 8:30 government time when their biological clock is telling them that it is really closer to 5:30 in the morning it begins to make more sense. Think about it.

Would we still be participating in daylight savings time if there were a three hour difference in Anchorage and Juneau? I would like to see them all set their clocks to spring forward two additional hours and see how well they adjust.

Lewis Angapak Memorial School Over a Three Year Period

	Av. 3 wks Before DST	Av. 3 wks After DST
Spr '06	2.9	9.3
Spr '07	3.0	9.8
Spr '08	3.7	6.6



Improving student attendance has been one of my greatest challenges as a school administrator. The change to daylight savings time each spring is not a simple and meaningless inconvenience in western Alaska. It is a detriment to my efforts to improve attendance. As can be seen in the graph above; the number of students coming to school late often triples after the time change. It is frustrating to have the state seemingly working against my efforts by supporting this useless time change every spring.

Franklin A. Cook
Site Administrator
Lewis Angapak Memorial School
Tuntutuliak, Alaska

----- Original Message -----
From: Jeff Friedman
To: Representative_Kurt_Olson@legis.state.ak.us ; Representative_John_Coghill@legis.state.ak.us ; Representative_Mike_Chenault@legis.state.ak.us ; Representative_Mark_Neuman@legis.state.ak.us ; Representative_Bob_Lynn@legis.state.ak.us ; Representative_Bob_Buch@legis.state.ak.us ; Representative_Lindsey_Holmes@legis.state.ak.us
Cc: representative_anna_fairclough@legis.state.ak.us ; crystal_koeneman@legis.state.ak.us ; kim_skipper@legis.state.ak.us ; Mike Doogan
Sent: Sunday, March 15, 2009 8:01 PM
Subject: Repeal of Daylight Savings Time

Dear Chair Olson and Members of the Labor and Commerce Committee:

I am writing in support of HB 19 which would repeal use of Daylight Savings Time in Alaska. This bill will be heard by the House Labor and Commerce committee this week.

Our biological clocks are reset each day when the sun reaches its hightest point in the sky. In Anchorage, that occurs at about 1:00 PM in the winter months (because we previously consolidated time zones for the State). During Daylight Savings Time, that occurs at 2:00 PM. This makes it particularly difficult for teenagers to wake up on time for school. They are already going through changes that make it hard for them to go to bed early and we have our time zone set different than solar time to add to the problem. Daylight Savings exacerbates the problem.

Studies have also shown an increase in accidents around the time we set our clocks ahead in the spring and the increase is greater than any decrease for setting clocks back in the fall. This is because people tend to be tired for a week after setting our clocks ahead. Tired people make more mistakes, thereby causing more accidents. This same week of being tired effects school children just before they take their high stakes tests in the spring.

While staying on standard time would make us be one hour further from the east coast, we would be one hour closer to Asia. Alaska is part of a global economy. People are just as likely to be doing business with Japan as they are New York. With the internet, 24 hour communication is becoming the norm, and

people understand that responses may come in at odd hours measured by local time.

The one problem that would occur with repealing DST is that we would change our time in relation to other places twice a year. This also happens in Arizona. I have not heard that it has been a problem there even though Arizona is also a big tourist destination. People can and will learn to cope with the time differences. People who routinely do business with offices in other states are free to adjust their own work schedules to be in their offices earlier if they wish.

Jeff Friedman
1534 D Street
Anchorage, AK 99501

Comeau_Carol

From: Petersen_Larry
Sent: Tuesday, October 28, 2008 11:05 AM
To: Comeau_Carol, Vakalis_George
Cc: Gardner_Rhonda
Subject: RE: Daylight savings time

Hi Carol and George,

We would be delighted to eliminate daylight savings time. Every year, twice a year, we must visit schools to eliminate issues related to clocks not properly adjusting to the change. Despite computerized presets, we still have issues and spend time adjusting intercoms, bells, clocks, ventilation systems computers, cell phones and lighting. Reflecting further, what advantage is it for Alaskans when it's dark when we go to work and dark when we go home? That one hours makes no difference to us. Larry

---

From: Comeau_Carol
Sent: Monday, October 27, 2008 1:17 PM
To: Level I; Level II
Cc: Siegfried_Robin
Subject: Daylight savings time

I have had an inquiry from a legislator wanting to know what our opinion is on any impacts on our schools or activities if daylight savings time was eliminated. Can you email any concerns and comments to Robin by Friday, October 31. Thanks.
Carol

Carol Comeau, Superintendent
Anchorage School District
5530 E. Northern Lights Blvd.
Anchorage, AK 99504
Phone: 907-742-4312 Fax: 907-742-4318
comeau_carol@asdk12.org

"There can be no keener revelation of a society's soul than the way in which it treats its children "
Nelson Mandela

Siegfried_Robin

From: Graff_Ed
Sent: Thursday, October 30, 2008 6:32 PM
To: Siegfried_Robin
Subject: Re: Daylight savings time

Hi, Robin! We've surveyed elementary principals and received minimal feedback on the impact to schools or activities with eliminating daylight savings.

Here are two of the more substantive comments:

In the winter (actually autumn), it makes it darker as school is getting out, making it dark both in the morning and after school; in the spring, the extra daylight makes students more hyperactive and sends a signal that school is virtually over.

As for Alaska, we are in the dark most of the winter—so either it is 10-3 daylight hours with DST where it could possibly be a little safer for a while for kids to walk to school and if we changed it to 11-4 daylight hours with no DST then it would make it a little safer for elementary kids to walk home. I think activities go on regardless and we start gaining light after Dec.

Please let me know if you need further information!

Ed

From: Comeau_Carol <Comeau_Carol@asdk12.org>
Date: Mon, 27 Oct 2008 13:16:33 -0800
To: Level I <LevelI@asdk12.org>, Level II <LevelII@asdk12.org>
Cc: Siegfried_Robin <Siegfried_Robin@asdk12.org>
Conversation: Daylight savings time
Subject: Daylight savings time

I have had an inquiry from a legislator wanting to know what our opinion is on any impacts on our schools or activities if daylight savings time was eliminated. Can you email any concerns and comments to Robin by Friday, October 31. Thanks.
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comeau_carol@asdk12.org

'There can be no keener revelation of a society's soul than the way in which it treats its children."
Nelson Mandela

10/30/2008

Siegfried_Robin

From: Mew_Mark
Sent: Monday, October 27, 2008 6:13 PM
To: Siegfried_Robin
Subject: FW: Daylight savings time

Robin:

All the CCTV Digital Video Recorders are preprogrammed to convert to and from daylight savings time at the appointed instants. The last time the feds adjusted the date it threw us into fits. The first year we had bad time stamps on all frames until the former official switch date arrived. That might have been 2 or 3 weeks; I don't remember exactly. Then the problem self corrected. The next year we didn't want to have that same headache, so went around at some expense and reprogrammed all the DVRs. Now if the state cancels daylight savings time we will have the same bad time stamps—messing up investigations for six months this time—or we will have to spend even more money to go fix things yet again.

Every time somebody dinks with this it costs us big bucks. I'm sure there are plenty of other systems like CCTV that are time-dependent. I often have to work with burglar alarm systems, and access control systems, and I don't know if or how they handle these changes. Larry and I.T. have lots of systems too. This could be like a mini Y2K. Feel free to tell Juneau that in my humble opinion, it 'aint broke so don't fix it, and if they just have to fix it anyway the / should cover our costs. This should not be an unfunded mandate. I don't gather we are the ones asking for this.

There might be a safety issue with kids going home in the dark, at least maybe kids who stay for after school activities. I say may, because I am not sure and I realize it could be a wash if we pick up extra light in the morning. I would defer to Steve on this issue.

Mark

From: Comeau_Carol
Sent: Monday, October 27, 2008 1:17 PM
To: Level I; Level II
Cc: Siegfried_Robin
Subject: Daylight savings time

I have had an inquiry from a legislator wanting to know what our opinion is on any impacts on our schools or activities if daylight savings time was eliminated. Can you email any concerns and comments to Robin by Friday, October 31. Thanks.
Carol

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comeau_carol@asdk12.org

"There can be no keener revelation of a society's soul than the way in which it treats its children."
Nelson Mandela

10/28/2008

Middle School Comments:
Impact of the Elimination of Daylight Savings Time

In favor of the elimination of DST

Principal comments:

1. I think it would be great to eliminate daylight savings time. The switch in the fall isn't so bad, but the switch in the spring is difficult for many kids and adults in Alaska. Kids take about 2 weeks to readjust, and between the increasing light anyway, the extra daylight in the evenings, and the spring fever in general, it detracts from the energy that should still be going into keeping the schedule and routine of school going until the end of the term.

2. The consensus at Mears is that it affects kids in a negative way to have daylight savings time. 100% consensus here that we would like to get rid of it!

3. It would improve the school – we want to get rid of it. Kids and staff are always tired the week following a change like that so it would increase learning to ban DST.

4. The only impacts that I can see to affect the school would be positive. I see staff members and students having additional time in the evening to be outside, in the sunshine and lightness. I see them coming to school more rejuvenated and chipper. I think we'd see less referrals, higher attendance, and higher achievement. (This is for both staff and students). Also – in the spring-time when we traditionally go off of DST, we would no longer have tired students, would have higher attendance that week, and everyone would be in a better mood. I just don't see any negatives for our school.

Staff comments:

1. I don't think it would matter at all. I'm all for eliminating it

2. I say we fall back and keep it that way forever and ever. No change after this last one.

3. Just listen to the news every day after a time change and remember what we'd save – missed work, no missed appointments...the list goes on.

4. I think it would be very helpful. In the past, there have been times when the spring Daylight savings time-change has happened at the same time as the high stakes standardized testing. That was detrimental to our students, especially our secondary students, because they were having to be awake and coherent an

10/31/08

hour earlier than their bodies were accustomed to. That is an extra burden when it is already a biological challenge for some adolescents to wake up early.

5. When we shifted onto Yukon Time back in the 80s we went onto a "de facto" daylight savings time. Right now we have a "double daylight savings time" in the summer with solar noon occurring just before 2:00 PM. I think going back to standard time is an excellent idea, and it makes even more sense in the lower 48 where there will be a lot of avoided air conditioning costs. I don't see many impacts. It would be a great thing! I never understood how "falling back" one hour during the fall and "springing forward" in the spring really changes anything in terms of day-light savings.

Potential Negative impact if DST is eliminated

Staff comments:

1. I never could figure out WHY we observed Daylight Savings Time here in Alaska, especially with all the daylight we have in the summer time. However, if Alaska doesn't observe it, and the rest of the country does, then we will be isolated even more by time, making us maybe even 6 hours apart from some cities in the Lower 48.

Lower Kuskokwim School District Resolution

09-04

RESOLUTION ON DAYLIGHT SAVINGS TIME

WHEREAS, the Lower Kuskokwim School District Board of Education is concerned about the education of the students in the State of Alaska; and

WHEREAS, the State of Alaska has established high academic standards for our students; and

WHEREAS, our students must be well rested for maximum academic performance; and

WHEREAS, the State of Alaska requires all students to take the Standards Based Assessments; and

WHEREAS, these tests determine the success or failure of AYP in the State of Alaska; and

WHEREAS, these tests are often administered after the state changes to Daylight Savings time, in the spring; and

WHEREAS, Daylight Savings Time means an additional hour of daylight and students are playing instead of sleeping at night.

NOW, THEREFORE BE IT RESOLVED that the Lower Kuskokwim School District Board of Education requests that the State of Alaska Legislature pass legislation that Alaska remain on Standard Time year round.

PASSED THIS 13th DAY OF MARCH, 2009

Susan Murphy, Vice President — Date: 3 Dec 09

Gary Baldwin, Superintendent of Schools — Date

WRANGELL PUBLIC SCHOOLS
DISTRICT OFFICE

GATEWAY TO THE STIKINE

P.O. BOX 2319
WRANGELL, ALASKA 99929
Telephone (907) 874-2347
Fax # (907) 874-3137

February 19, 2009

Honorable Representative Anna Fairclough
Alaska State Capitol Room 411
Juneau, AK 99801

Dear Representative Fairclough:

Thank you for bringing the issue of Daylight Savings Time to us. After discussion with the school board members and school administration, we would like to provide you with feedback in opposition to repealing Daylight Saving Time.

According to the school principals, there are no adverse effects to our students when we switch to Daylight Savings Time.

Being on Daylight Savings Time with the majority of the United States makes it easier for us to conduct business with schools and companies in other states. Our school board and staff like the consistency of knowing the amount of time difference without having to factor in the fact that we did not switch to Daylight Savings Time with the majority of the rest of the nation.

Please accept this letter OPPOSING the repeal of Daylight Savings Time. Thank you.

Sincerely,

Georgianna Buhler
School Board President

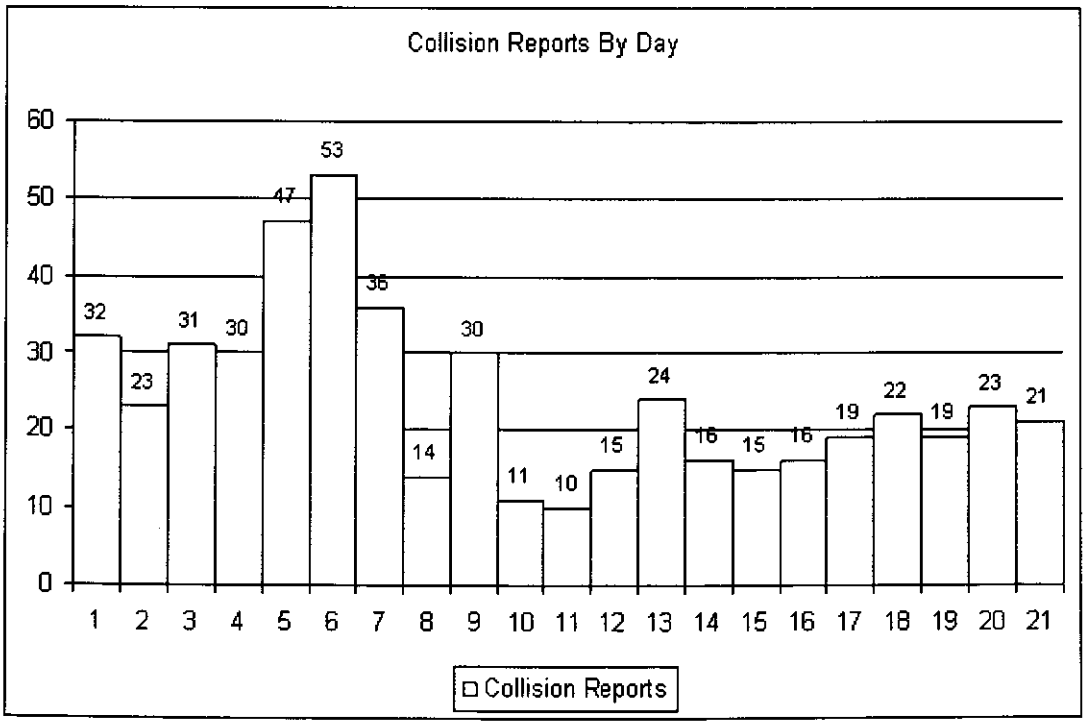
GB: kp
Cc: Representative Peggy Wilson
Cc: Senator Bert Stedman

SAFETY

Crime Analysis – Anchorage Police Department

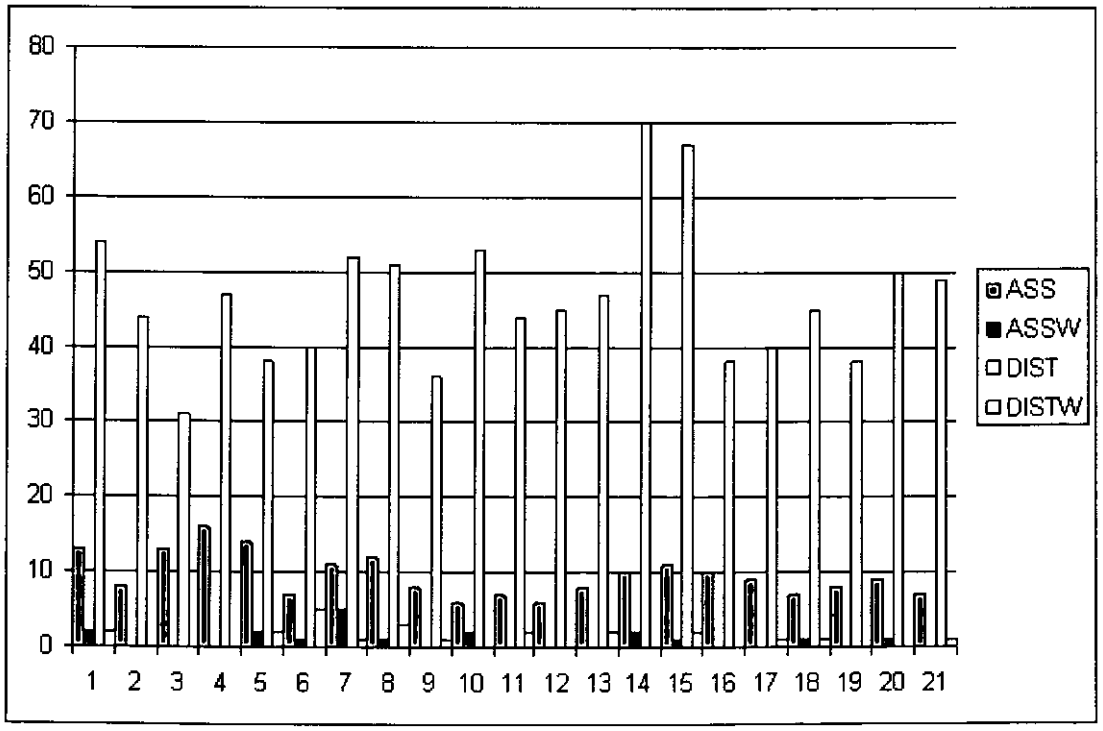
Collision data, 1 – 21 March 2009

March Collision Report Count		
Day	**Total**	**Precip**
1	32	Trace
2	23	
3	31	Snow
4	30	Snow
5	47	Snow
6	53	Trace
7	36	
8	14	
9	30	Snow
10	11	
11	10	
12	15	
13	24	Snow
14	16	Snow
15	15	
16	16	Trace
17	19	
18	22	
19	19	
20	23	
21	21	Snow
Grand Total	507	



Calls for Service 1 – 21 March 2009:

Day (March)	Assault	Assault with Weapon	Disturbance	Disturbance with Weapon	Grand Total
1	13	2	54	2	71
2	8		44		52
3	13		31		44
4	16		47		63
5	14	2	38	2	56
6	7	1	40	5	53
7	11	5	52	1	69
8	12	1	51	3	67
9	8		36	1	45
10	6	2	53		61
11	7		44	2	53
12	6		45		51
13	8		47	2	57
14	10	2	70		82
15	11	1	67	2	81
16	10		38		48
17	9		40	1	50
18	7	1	45	1	54
19	8		38		46
20	9	1	50		60
21	7		49	1	57



NOTE: Call For Service Data is raw data and is subject to change.

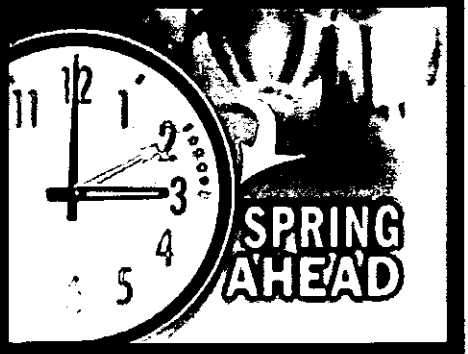
First Student

SAFETY ALERT

Daylight Saving Time:

One hour forward...

- At 2 AM Sunday, March 8, Daylight Saving Time will begin across the U.S. and parts of Canada.
- Remind all employees to turn their clocks forward one hour on Saturday evening, March 7th.



ELEVATED RISK

Please note this is an alert regarding a period of elevated risk!

Be Alert...

- During Daylight Saving Time the sun will "set" one hour later in the evening and the sun will rise one hour later in the morning.
- People lose one hour sleep and may be tired from the time change.
- Collisions and injuries increase when people have to adjust to time changes.

Remind everyone to work safely this week, drive cautiously and be on guard for dangerous actions of other motorists.

Increased Risk of Sleeping Children...

- *Children's sleep habits will be affected by the time change.*
  - It is very likely they may fall asleep on the bus during the ride home!
- *Stress to drivers and attendants to be on elevated alert.*
  - Especially this week while the children adjust to their new schedule.

Safety Actions Required for Your Location:

- *High-vis vest* – Make sure everyone is wearing it – no exceptions!
- *Yard lighting* – Lighting controlled by a timer, must be set to turn on one hour earlier prior to leaving Friday, March 6th in the PM.
- *Snow and ice* – If snow and ice are present in the yard, treat them before leaving on Friday, March 6th. Assign someone to inspect the yard early Monday, March 9th prior to employee's arrival and treat the yard again if necessary. Employees may be less alert and hazards may not be visible to employees in the dark.
- *Early A.M. pickups* – Advise employees to be extra cautious while performing early morning pickups.
- *Smoke and CO Detectors* – Change the batteries on any smoke and CO detectors at your location and at your home. Safety is a 24/7 activity!
- *Radio messages* – *Increase the sleeping child radio reminders in the AM, MD and PM!!*

Your plan provisions will be tested this week. Ensure they are all in place.

Injury Prevention
If you cannot do it safely, don't do it

ENERGY

Scientific American Magazine - March 5, 2009

Does Daylight Saving Time Conserve Energy?

Recent studies shed some light on the efficiency of seasonally changing the clocks

By Charles Q. Choi

Starting this month, roughly one quarter of the world's population will lose sleep and gain sunlight as they set their clocks ahead for daylight saving. People may think that with the time shift, they are conserving electricity otherwise spent on lighting. But recent studies have cast doubt on the energy argument—some research has even found that it ultimately leads to greater power use.

Benjamin Franklin is credited with conceiving the idea of daylight saving in 1784 to conserve candles, but the U.S. did not institute it until World War I as a way to preserve resources for the war effort. The first comprehensive study of its effectiveness occurred during the oil crisis of the 1970s, when the U.S. Department of Transportation found that daylight saving trimmed national electricity usage by roughly 1 percent compared with standard time.

Scant research had been done since, during which time U.S. electricity usage patterns have changed as air conditioning and household electronics have become more pervasive, observes economist Matthew Kotchen of the University of California, Santa Barbara. But lately, changes to daylight saving policies on state and federal levels have presented investigators new chances to explore the before-and-after impacts of the clock shift.

In 2006 Indiana instituted daylight saving statewide for the first time. (Before then, daylight time confusingly was in effect in just a handful of Indiana's counties.) Examining electricity usage and billing since the statewide change, Kotchen and his colleague Laura Grant unexpectedly found that daylight time led to a 1 percent overall rise in residential electricity use, costing the state an extra $9 million. Although daylight time reduces demand for household lighting, the researchers suggest that it increased demand for cooling on summer evenings and heating in early spring and late fall mornings. They hope to publish their conclusions this year in the Quarterly Journal of Economics.

Investigators got another opportunity in 2007, when daylight time nationwide began three weeks earlier, on the second Sunday in March, and ended one week later in the fall. California Energy Commission resource economist Adrienne Kandel and her colleagues discovered that extending daylight time had little to no effect on energy use in the state. The observed drop in energy use of 0.2 percent fell within the statistical margin of error of 1.5 percent.

Not all recent analyses suggest that daylight saving is counterproductive. Instead of studying the impact daylight saving changes had on just one state, senior analyst Jeff Dowd and his colleagues at the U.S. Department of Energy investigated what effect it might have on national energy consumption, looking at 67 electric utilities across the country.

In their October 2008 report to Congress, they conclude that the four-week extension of daylight time saved about 0.5 percent of the nation's electricity per day, or 1.3 trillion watt-hours in total. That amount could power 100,000 households for a year. The study did not just look at residential electricity use but commercial use as well, Dowd says.

The disparities between regional and national results could reflect climate differences between states. "The effect we saw could be even worse in Florida, where air conditioning is used heavily," Kotchen suggests.

If time shifting turns out to be an energy waster, should the sun set on daylight saving? Certainly that would please farmers, who have long opposed it for how it disrupts their schedules. The chances, though, appear nil. "I'm skeptical we could change daylight saving time on a national level, because we've become accustomed to it," Kotchen says, adding that "we might want to consider it for other costs or benefits it could have." Retailers, especially those involved with sports and recreation, have historically argued hardest for extending daylight time. Representatives of the golf industry, for instance, told Congress in 1986 that an extra month of daylight saving was worth up to $400 million annually in extra sales and fees.

So instead of worrying about cranking up the air conditioner at home, think about what more you can do outdoors when the sun is out. Softball, anyone?

Moving the Hands Is Bad for the Heart

Springing forward may both end and save lives. Researchers at the Karolinska Institute in Stockholm and their colleagues looked at myocardial infarction rates in Sweden since 1987 and found that the number of heart attacks rose about 5 percent during the first week of daylight saving time (called summer time in Europe). In the October 30, 2008, New England Journal of Medicine, they suggest that this rise may result from the disruption of sleep patterns and biological rhythms.

On the other hand, the clock shift could help prevent traffic accidents by enabling more people to drive home in sunlight. By analyzing 28 years of U.S. automobile crash data, RAND Corporation economists and their colleagues suggest that a 1986 change in federal daylight saving time law—which moved the start of daylight time from the last Sunday in April to the first—produced an 8 to 11 percent drop in crashes involving pedestrians and a 6 to 10 percent dip in crashes for vehicular occupants. They reported the findings in a 2007 B.E. Journal of Economic Analysis & Policy study.

Editor's Note: This story was originally printed with the title "Spring Forward or Not?"

Chugach Electric Association, Inc.
Chugach Retail Substation Load
15 Minute Demand (kW) Data
DST - March 9, 2008 at 2:00 AM
Data for weekends prior to, during, and after DST.

Day of Week	Before DST 2/29/2008-3/03/2008		During DST 3/07/2008-3/10/2008		After DST 3/14/2008-03/17/2008	
	Date and Time	kW	Date and Time	kW	Date and Time	kW
Friday	2/29/2008 0:15	132,323	3/7/2008 0:15	128,550	3/14/2008 0:15	134,417
Friday	2/29/2008 0:30	130,006	3/7/2008 0:30	126,076	3/14/2008 0:30	131,762
Friday	2/29/2008 0:45	128,562	3/7/2008 0:45	124,387	3/14/2008 0:45	129,776
Friday	2/29/2008 1:00	127,064	3/7/2008 1:00	122,913	3/14/2008 1:00	128,001
Friday	2/29/2008 1:15	125,560	3/7/2008 1:15	121,543	3/14/2008 1:15	126,229
Friday	2/29/2008 1:30	124,219	3/7/2008 1:30	120,206	3/14/2008 1:30	125,135
Friday	2/29/2008 1:45	123,243	3/7/2008 1:45	118,609	3/14/2008 1:45	123,613
Friday	2/29/2008 2:00	122,710	3/7/2008 2:00	117,673	3/14/2008 2:00	122,985
Friday	2/29/2008 2:15	122,396	3/7/2008 2:15	117,121	3/14/2008 2:15	122,386
Friday	2/29/2008 2:30	122,326	3/7/2008 2:30	117,014	3/14/2008 2:30	121,788
Friday	2/29/2008 2:45	121,633	3/7/2008 2:45	116,385	3/14/2008 2:45	121,069
Friday	2/29/2008 3:00	121,043	3/7/2008 3:00	115,927	3/14/2008 3:00	120,684
Friday	2/29/2008 3:15	120,925	3/7/2008 3:15	115,467	3/14/2008 3:15	119,965
Friday	2/29/2008 3:30	120,750	3/7/2008 3:30	115,364	3/14/2008 3:30	119,820
Friday	2/29/2008 3:45	120,822	3/7/2008 3:45	115,033	3/14/2008 3:45	119,668
Friday	2/29/2008 4:00	120,393	3/7/2008 4:00	114,809	3/14/2008 4:00	119,683
Friday	2/29/2008 4:15	121,063	3/7/2008 4:15	115,688	3/14/2008 4:15	119,912
Friday	2/29/2008 4:30	122,070	3/7/2008 4:30	116,431	3/14/2008 4:30	120,000
Friday	2/29/2008 4:45	122,866	3/7/2008 4:45	117,403	3/14/2008 4:45	120,632
Friday	2/29/2008 5:00	124,042	3/7/2008 5:00	118,622	3/14/2008 5:00	121,562
Friday	2/29/2008 5:15	126,588	3/7/2008 5:15	120,537	3/14/2008 5:15	123,240
Friday	2/29/2008 5:30	128,871	3/7/2008 5:30	122,040	3/14/2008 5:30	125,254
Friday	2/29/2008 5:45	131,580	3/7/2008 5:45	124,115	3/14/2008 5:45	127,465
Friday	2/29/2008 6:00	134,956	3/7/2008 6:00	127,190	3/14/2008 6:00	129,479
Friday	2/29/2008 6:15	142,573	3/7/2008 6:15	132,721	3/14/2008 6:15	133,582
Friday	2/29/2008 6:30	148,004	3/7/2008 6:30	137,702	3/14/2008 6:30	137,471
Friday	2/29/2008 6:45	153,012	3/7/2008 6:45	141,346	3/14/2008 6:45	141,138
Friday	2/29/2008 7:00	158,020	3/7/2008 7:00	144,772	3/14/2008 7:00	145,774
Friday	2/29/2008 7:15	163,190	3/7/2008 7:15	149,861	3/14/2008 7:15	150,397
Friday	2/29/2008 7:30	166,751	3/7/2008 7:30	153,685	3/14/2008 7:30	153,620
Friday	2/29/2008 7:45	170,460	3/7/2008 7:45	156,656	3/14/2008 7:45	156,103
Friday	2/29/2008 8:00	169,878	3/7/2008 8:00	156,628	3/14/2008 8:00	157,961
Friday	2/29/2008 8:15	168,349	3/7/2008 8:15	157,521	3/14/2008 8:15	158,777
Friday	2/29/2008 8:30	167,580	3/7/2008 8:30	158,335	3/14/2008 8:30	157,064
Friday	2/29/2008 8:45	165,995	3/7/2008 8:45	158,896	3/14/2008 8:45	156,728
Friday	2/29/2008 9:00	164,788	3/7/2008 9:00	158,951	3/14/2008 9:00	156,105
Friday	2/29/2008 9:15	164,499	3/7/2008 9:15	158,635	3/14/2008 9:15	156,935
Friday	2/29/2008 9:30	164,472	3/7/2008 9:30	158,563	3/14/2008 9:30	157,183
Friday	2/29/2008 9:45	164,682	3/7/2008 9:45	159,639	3/14/2008 9:45	156,962
Friday	2/29/2008 10:00	164,276	3/7/2008 10:00	160,159	3/14/2008 10:00	157,283
Friday	2/29/2008 10:15	164,176	3/7/2008 10:15	161,605	3/14/2008 10:15	157,656
Friday	2/29/2008 10:30	164,107	3/7/2008 10:30	161,920	3/14/2008 10:30	157,978
Friday	2/29/2008 10:45	163,750	3/7/2008 10:45	162,771	3/14/2008 10:45	158,187
Friday	2/29/2008 11:00	164,019	3/7/2008 11:00	162,844	3/14/2008 11:00	157,951
Friday	2/29/2008 11:15	163,280	3/7/2008 11:15	163,286	3/14/2008 11:15	157,766
Friday	2/29/2008 11:30	162,616	3/7/2008 11:30	163,456	3/14/2008 11:30	157,674
Friday	2/29/2008 11:45	162,788	3/7/2008 11:45	163,897	3/14/2008 11:45	157,590
Friday	2/29/2008 12:00	162,623	3/7/2008 12:00	163,754	3/14/2008 12:00	157,203
Friday	2/29/2008 12:15	162,539	3/7/2008 12:15	163,758	3/14/2008 12:15	156,877
Friday	2/29/2008 12:30	162,199	3/7/2008 12:30	163,431	3/14/2008 12:30	156,168
Friday	2/29/2008 12:45	161,851	3/7/2008 12:45	162,963	3/14/2008 12:45	155,593
Friday	2/29/2008 13:00	161,551	3/7/2008 13:00	161,603	3/14/2008 13:00	154,997

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	Before DST 2/29/2008-3/03/2008		During DST 3/07/2008-3/10/2008		After DST 3/14/2008-03/17/2008	
Day of Week	Date and Time	kW	Date and Time	kW	Date and Time	kW
Friday	2/29/2008 13:15	161,399	3/7/2008 13:15	161,091	3/14/2008 13:15	154,450
Friday	2/29/2008 13:30	160,624	3/7/2008 13:30	160,699	3/14/2008 13:30	154,278
Friday	2/29/2008 13:45	160,120	3/7/2008 13:45	159,809	3/14/2008 13:45	153,710
Friday	2/29/2008 14:00	160,100	3/7/2008 14:00	159,150	3/14/2008 14:00	154,058
Friday	2/29/2008 14:15	160,014	3/7/2008 14:15	159,653	3/14/2008 14:15	153,171
Friday	2/29/2008 14:30	160,005	3/7/2008 14:30	159,647	3/14/2008 14:30	153,665
Friday	2/29/2008 14:45	160,230	3/7/2008 14:45	160,280	3/14/2008 14:45	153,354
Friday	2/29/2008 15:00	160,331	3/7/2008 15:00	159,907	3/14/2008 15:00	152,979
Friday	2/29/2008 15:15	159,794	3/7/2008 15:15	159,560	3/14/2008 15:15	152,576
Friday	2/29/2008 15:30	158,953	3/7/2008 15:30	159,999	3/14/2008 15:30	152,344
Friday	2/29/2008 15:45	158,770	3/7/2008 15:45	159,909	3/14/2008 15:45	152,200
Friday	2/29/2008 16:00	158,839	3/7/2008 16:00	159,660	3/14/2008 16:00	151,655
Friday	2/29/2008 16:15	159,591	3/7/2008 16:15	159,840	3/14/2008 16:15	150,758
Friday	2/29/2008 16:30	159,598	3/7/2008 16:30	159,674	3/14/2008 16:30	150,845
Friday	2/29/2008 16:45	159,811	3/7/2008 16:45	159,996	3/14/2008 16:45	150,655
Friday	2/29/2008 17:00	159,809	3/7/2008 17:00	160,342	3/14/2008 17:00	149,772
Friday	2/29/2008 17:15	159,325	3/7/2008 17:15	159,499	3/14/2008 17:15	148,712
Friday	2/29/2008 17:30	159,475	3/7/2008 17:30	159,421	3/14/2008 17:30	148,676
Friday	2/29/2008 17:45	161,055	3/7/2008 17:45	160,395	3/14/2008 17:45	148,735
Friday	2/29/2008 18:00	162,137	3/7/2008 18:00	161,233	3/14/2008 18:00	148,962
Friday	2/29/2008 18:15	163,638	3/7/2008 18:15	161,031	3/14/2008 18:15	149,040
Friday	2/29/2008 18:30	166,890	3/7/2008 18:30	162,433	3/14/2008 18:30	149,120
Friday	2/29/2008 18:45	171,686	3/7/2008 18:45	165,310	3/14/2008 18:45	149,931
Friday	2/29/2008 19:00	177,560	3/7/2008 19:00	168,482	3/14/2008 19:00	149,630
Friday	2/29/2008 19:15	178,775	3/7/2008 19:15	171,086	3/14/2008 19:15	149,758
Friday	2/29/2008 19:30	179,286	3/7/2008 19:30	171,545	3/14/2008 19:30	149,933
Friday	2/29/2008 19:45	179,331	3/7/2008 19:45	170,889	3/14/2008 19:45	150,711
Friday	2/29/2008 20:00	178,783	3/7/2008 20:00	170,165	3/14/2008 20:00	153,123
Friday	2/29/2008 20:15	178,080	3/7/2008 20:15	169,142	3/14/2008 20:15	157,001
Friday	2/29/2008 20:30	177,605	3/7/2008 20:30	168,190	3/14/2008 20:30	162,458
Friday	2/29/2008 20:45	176,477	3/7/2008 20:45	167,313	3/14/2008 20:45	165,199
Friday	2/29/2008 21:00	175,370	3/7/2008 21:00	165,842	3/14/2008 21:00	165,286
Friday	2/29/2008 21:15	173,390	3/7/2008 21:15	163,620	3/14/2008 21:15	164,937
Friday	2/29/2008 21:30	171,170	3/7/2008 21:30	161,842	3/14/2008 21:30	164,820
Friday	2/29/2008 21:45	169,398	3/7/2008 21:45	159,824	3/14/2008 21:45	163,225
Friday	2/29/2008 22:00	167,172	3/7/2008 22:00	157,926	3/14/2008 22:00	161,537
Friday	2/29/2008 22:15	164,754	3/7/2008 22:15	155,579	3/14/2008 22:15	159,514
Friday	2/29/2008 22:30	162,332	3/7/2008 22:30	153,684	3/14/2008 22:30	156,965
Friday	2/29/2008 22:45	159,379	3/7/2008 22:45	150,327	3/14/2008 22:45	154,326
Friday	2/29/2008 23:00	156,189	3/7/2008 23:00	146,832	3/14/2008 23:00	151,581
Friday	2/29/2008 23:15	151,454	3/7/2008 23:15	143,764	3/14/2008 23:15	148,141
Friday	2/29/2008 23:30	148,749	3/7/2008 23:30	140,479	3/14/2008 23:30	145,388
Friday	2/29/2008 23:45	146,046	3/7/2008 23:45	137,853	3/14/2008 23:45	142,339
Saturday	3/1/2008 0:00	143,436	3/8/2008 0:00	134,960	3/15/2008 0:00	139,271
Saturday	3/1/2008 0:15	140,403	3/8/2008 0:15	131,745	3/15/2008 0:15	136,464
Saturday	3/1/2008 0:30	138,015	3/8/2008 0:30	129,542	3/15/2008 0:30	134,215
Saturday	3/1/2008 0:45	135,965	3/8/2008 0:45	127,760	3/15/2008 0:45	132,033
Saturday	3/1/2008 1:00	134,214	3/8/2008 1:00	126,154	3/15/2008 1:00	129,958
Saturday	3/1/2008 1:15	131,932	3/8/2008 1:15	123,871	3/15/2008 1:15	128,090
Saturday	3/1/2008 1:30	130,390	3/8/2008 1:30	122,534	3/15/2008 1:30	126,747
Saturday	3/1/2008 1:45	129,073	3/8/2008 1:45	121,269	3/15/2008 1:45	125,372
Saturday	3/1/2008 2:00	128,025	3/8/2008 2:00	120,398	3/15/2008 2:00	124,213

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Day of Week	Date and Time	kW	Date and Time	kW	Date and Time	kW
Saturday	3/1/2008 2:15	127,368	3/8/2008 2:15	119,440	3/15/2008 2:15	122,989
Saturday	3/1/2008 2:30	126,895	3/8/2008 2:30	118,398	3/15/2008 2:30	122,205
Saturday	3/1/2008 2:45	126,453	3/8/2008 2:45	118,069	3/15/2008 2:45	121,438
Saturday	3/1/2008 3:00	126,208	3/8/2008 3:00	117,622	3/15/2008 3:00	120,765
Saturday	3/1/2008 3:15	125,406	3/8/2008 3:15	117,170	3/15/2008 3:15	120,174
Saturday	3/1/2008 3:30	125,108	3/8/2008 3:30	116,728	3/15/2008 3:30	120,003
Saturday	3/1/2008 3:45	124,628	3/8/2008 3:45	116,240	3/15/2008 3:45	119,443
Saturday	3/1/2008 4:00	124,620	3/8/2008 4:00	115,570	3/15/2008 4:00	119,343
Saturday	3/1/2008 4:15	125,056	3/8/2008 4:15	115,791	3/15/2008 4:15	119,424
Saturday	3/1/2008 4:30	125,204	3/8/2008 4:30	115,718	3/15/2008 4:30	119,395
Saturday	3/1/2008 4:45	125,145	3/8/2008 4:45	116,105	3/15/2008 4:45	119,642
Saturday	3/1/2008 5:00	125,549	3/8/2008 5:00	116,421	3/15/2008 5:00	119,638
Saturday	3/1/2008 5:15	126,687	3/8/2008 5:15	117,376	3/15/2008 5:15	120,373
Saturday	3/1/2008 5:30	127,623	3/8/2008 5:30	117,801	3/15/2008 5:30	121,238
Saturday	3/1/2008 5:45	128,444	3/8/2008 5:45	118,470	3/15/2008 5:45	121,833
Saturday	3/1/2008 6:00	129,351	3/8/2008 6:00	119,466	3/15/2008 6:00	122,771
Saturday	3/1/2008 6:15	132,289	3/8/2008 6:15	122,568	3/15/2008 6:15	124,715
Saturday	3/1/2008 6:30	134,185	3/8/2008 6:30	123,584	3/15/2008 6:30	126,030
Saturday	3/1/2008 6:45	135,342	3/8/2008 6:45	125,009	3/15/2008 6:45	128,010
Saturday	3/1/2008 7:00	137,247	3/8/2008 7:00	127,387	3/15/2008 7:00	129,208
Saturday	3/1/2008 7:15	140,465	3/8/2008 7:15	130,388	3/15/2008 7:15	132,251
Saturday	3/1/2008 7:30	143,399	3/8/2008 7:30	130,479	3/15/2008 7:30	134,464
Saturday	3/1/2008 7:45	146,661	3/8/2008 7:45	129,705	3/15/2008 7:45	136,948
Saturday	3/1/2008 8:00	149,173	3/8/2008 8:00	130,637	3/15/2008 8:00	139,302
Saturday	3/1/2008 8:15	150,509	3/8/2008 8:15	132,576	3/15/2008 8:15	141,218
Saturday	3/1/2008 8:30	151,228	3/8/2008 8:30	134,540	3/15/2008 8:30	141,441
Saturday	3/1/2008 8:45	152,230	3/8/2008 8:45	136,745	3/15/2008 8:45	142,236
Saturday	3/1/2008 9:00	154,123	3/8/2008 9:00	138,812	3/15/2008 9:00	144,609
Saturday	3/1/2008 9:15	155,647	3/8/2008 9:15	141,135	3/15/2008 9:15	146,614
Saturday	3/1/2008 9:30	156,590	3/8/2008 9:30	143,715	3/15/2008 9:30	148,350
Saturday	3/1/2008 9:45	158,671	3/8/2008 9:45	145,773	3/15/2008 9:45	149,449
Saturday	3/1/2008 10:00	159,559	3/8/2008 10:00	147,400	3/15/2008 10:00	151,166
Saturday	3/1/2008 10:15	159,827	3/8/2008 10:15	148,473	3/15/2008 10:15	153,218
Saturday	3/1/2008 10:30	160,062	3/8/2008 10:30	149,267	3/15/2008 10:30	154,209
Saturday	3/1/2008 10:45	160,750	3/8/2008 10:45	149,598	3/15/2008 10:45	154,763
Saturday	3/1/2008 11:00	160,253	3/8/2008 11:00	151,028	3/15/2008 11:00	155,673
Saturday	3/1/2008 11:15	159,924	3/8/2008 11:15	152,042	3/15/2008 11:15	156,607
Saturday	3/1/2008 11:30	159,927	3/8/2008 11:30	152,244	3/15/2008 11:30	156,705
Saturday	3/1/2008 11:45	159,475	3/8/2008 11:45	152,063	3/15/2008 11:45	156,917
Saturday	3/1/2008 12:00	159,472	3/8/2008 12:00	151,871	3/15/2008 12:00	156,731
Saturday	3/1/2008 12:15	159,459	3/8/2008 12:15	151,373	3/15/2008 12:15	156,265
Saturday	3/1/2008 12:30	158,718	3/8/2008 12:30	151,603	3/15/2008 12:30	155,882
Saturday	3/1/2008 12:45	158,074	3/8/2008 12:45	151,868	3/15/2008 12:45	155,086
Saturday	3/1/2008 13:00	158,149	3/8/2008 13:00	151,355	3/15/2008 13:00	154,418
Saturday	3/1/2008 13:15	157,872	3/8/2008 13:15	151,023	3/15/2008 13:15	154,063
Saturday	3/1/2008 13:30	157,169	3/8/2008 13:30	150,739	3/15/2008 13:30	154,151
Saturday	3/1/2008 13:45	156,379	3/8/2008 13:45	150,259	3/15/2008 13:45	153,838
Saturday	3/1/2008 14:00	155,942	3/8/2008 14:00	149,615	3/15/2008 14:00	153,561
Saturday	3/1/2008 14:15	155,733	3/8/2008 14:15	149,886	3/15/2008 14:15	153,281
Saturday	3/1/2008 14:30	155,576	3/8/2008 14:30	150,022	3/15/2008 14:30	152,151
Saturday	3/1/2008 14:45	154,889	3/8/2008 14:45	150,058	3/15/2008 14:45	151,626
Saturday	3/1/2008 15:00	155,379	3/8/2008 15:00	149,900	3/15/2008 15:00	151,210

Chugach Electric Association, Inc.
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Data for weekends prior to, during, and after DST.

	Before DST 2/29/2008-3/03/2008		During DST 3/07/2008-3/10/2008		After DST 3/14/2008-03/17/2008	
Day of Week	Date and Time	kW	Date and Time	kW	Date and Time	kW
Saturday	3/1/2008 15:15	156,173	3/8/2008 15:15	149,865	3/15/2008 15:15	151,923
Saturday	3/1/2008 15:30	157,110	3/8/2008 15:30	150,101	3/15/2008 15:30	151,671
Saturday	3/1/2008 15:45	158,406	3/8/2008 15:45	151,047	3/15/2008 15:45	151,756
Saturday	3/1/2008 16:00	158,044	3/8/2008 16:00	151,317	3/15/2008 16:00	151,776
Saturday	3/1/2008 16:15	159,542	3/8/2008 16:15	151,889	3/15/2008 16:15	151,352
Saturday	3/1/2008 16:30	160,296	3/8/2008 16:30	153,041	3/15/2008 16:30	151,345
Saturday	3/1/2008 16:45	161,640	3/8/2008 16:45	154,075	3/15/2008 16:45	151,555
Saturday	3/1/2008 17:00	162,179	3/8/2008 17:00	154,482	3/15/2008 17:00	151,299
Saturday	3/1/2008 17:15	162,897	3/8/2008 17:15	155,237	3/15/2008 17:15	151,566
Saturday	3/1/2008 17:30	164,875	3/8/2008 17:30	156,418	3/15/2008 17:30	152,347
Saturday	3/1/2008 17:45	165,611	3/8/2008 17:45	157,403	3/15/2008 17:45	152,251
Saturday	3/1/2008 18:00	167,419	3/8/2008 18:00	157,380	3/15/2008 18:00	151,465
Saturday	3/1/2008 18:15	169,875	3/8/2008 18:15	159,185	3/15/2008 18:15	151,138
Saturday	3/1/2008 18:30	172,297	3/8/2008 18:30	160,992	3/15/2008 18:30	151,245
Saturday	3/1/2008 18:45	177,459	3/8/2008 18:45	163,679	3/15/2008 18:45	150,712
Saturday	3/1/2008 19:00	182,093	3/8/2008 19:00	167,506	3/15/2008 19:00	150,354
Saturday	3/1/2008 19:15	183,466	3/8/2008 19:15	170,582	3/15/2008 19:15	151,182
Saturday	3/1/2008 19:30	183,318	3/8/2008 19:30	170,948	3/15/2008 19:30	152,026
Saturday	3/1/2008 19:45	182,879	3/8/2008 19:45	170,253	3/15/2008 19:45	153,513
Saturday	3/1/2008 20:00	181,893	3/8/2008 20:00	169,273	3/15/2008 20:00	155,821
Saturday	3/1/2008 20:15	180,612	3/8/2008 20:15	168,064	3/15/2008 20:15	158,906
Saturday	3/1/2008 20:30	179,600	3/8/2008 20:30	167,197	3/15/2008 20:30	163,376
Saturday	3/1/2008 20:45	178,129	3/8/2008 20:45	165,895	3/15/2008 20:45	165,934
Saturday	3/1/2008 21:00	176,684	3/8/2008 21:00	164,513	3/15/2008 21:00	165,775
Saturday	3/1/2008 21:15	174,522	3/8/2008 21:15	162,780	3/15/2008 21:15	164,880
Saturday	3/1/2008 21:30	173,290	3/8/2008 21:30	160,651	3/15/2008 21:30	164,427
Saturday	3/1/2008 21:45	171,218	3/8/2008 21:45	158,705	3/15/2008 21:45	162,972
Saturday	3/1/2008 22:00	168,788	3/8/2008 22:00	156,684	3/15/2008 22:00	160,737
Saturday	3/1/2008 22:15	165,810	3/8/2008 22:15	154,151	3/15/2008 22:15	158,407
Saturday	3/1/2008 22:30	163,340	3/8/2008 22:30	151,927	3/15/2008 22:30	156,175
Saturday	3/1/2008 22:45	159,787	3/8/2008 22:45	149,458	3/15/2008 22:45	153,601
Saturday	3/1/2008 23:00	155,977	3/8/2008 23:00	146,096	3/15/2008 23:00	150,008
Saturday	3/1/2008 23:15	152,739	3/8/2008 23:15	141,799	3/15/2008 23:15	146,715
Saturday	3/1/2008 23:30	149,893	3/8/2008 23:30	138,866	3/15/2008 23:30	143,556
Saturday	3/1/2008 23:45	146,938	3/8/2008 23:45	135,658	3/15/2008 23:45	141,190
Sunday	3/2/2008 0:00	144,261	3/9/2008 0:00	133,611	3/16/2008 0:00	138,938
Sunday	3/2/2008 0:15	141,436	3/9/2008 0:15	130,874	3/16/2008 0:15	135,822
Sunday	3/2/2008 0:30	138,987	3/9/2008 0:30	128,515	3/16/2008 0:30	133,014
Sunday	3/2/2008 0:45	136,590	3/9/2008 0:45	126,724	3/16/2008 0:45	131,260
Sunday	3/2/2008 1:00	134,859	3/9/2008 1:00	124,677	3/16/2008 1:00	129,152
Sunday	3/2/2008 1:15	132,462	3/9/2008 1:15	122,903	3/16/2008 1:15	127,338
Sunday	3/2/2008 1:30	131,446	3/9/2008 1:30	121,375	3/16/2008 1:30	125,505
Sunday	3/2/2008 1:45	129,764	3/9/2008 1:45	119,861	3/16/2008 1:45	123,750
Sunday	3/2/2008 2:00	128,743	3/9/2008 2:00	DST	3/16/2008 2:00	122,639
Sunday	3/2/2008 2:15	127,685	3/9/2008 2:15	DST	3/16/2008 2:15	121,715
Sunday	3/2/2008 2:30	127,142	3/9/2008 2:30	DST	3/16/2008 2:30	121,134
Sunday	3/2/2008 2:45	126,585	3/9/2008 2:45	DST	3/16/2008 2:45	120,080
Sunday	3/2/2008 3:00	125,748	3/9/2008 3:00	112,570	3/16/2008 3:00	118,932
Sunday	3/2/2008 3:15	124,491	3/9/2008 3:15	111,695	3/16/2008 3:15	118,480
Sunday	3/2/2008 3:30	123,824	3/9/2008 3:30	111,339	3/16/2008 3:30	118,268
Sunday	3/2/2008 3:45	123,783	3/9/2008 3:45	110,667	3/16/2008 3:45	118,040
Sunday	3/2/2008 4:00	123,965	3/9/2008 4:00	116,120	3/16/2008 4:00	117,461

Chugach Electric Association, Inc.
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	Before DST 2/29/2008-3/03/2008		During DST 3/07/2008-3/10/2008		After DST 3/14/2008-03/17/2008	
Day of Week	Date and Time	kW	Date and Time	kW	Date and Time	kW
Sunday	3/2/2008 4:15	123,827	3/9/2008 4:15	115,992	3/16/2008 4:15	117,123
Sunday	3/2/2008 4:30	123,451	3/9/2008 4:30	115,138	3/16/2008 4:30	117,075
Sunday	3/2/2008 4:45	123,776	3/9/2008 4:45	114,921	3/16/2008 4:45	116,934
Sunday	3/2/2008 5:00	123,736	3/9/2008 5:00	114,597	3/16/2008 5:00	117,239
Sunday	3/2/2008 5:15	124,709	3/9/2008 5:15	115,356	3/16/2008 5:15	117,801
Sunday	3/2/2008 5:30	125,272	3/9/2008 5:30	115,344	3/16/2008 5:30	118,178
Sunday	3/2/2008 5:45	126,192	3/9/2008 5:45	115,265	3/16/2008 5:45	119,079
Sunday	3/2/2008 6:00	127,253	3/9/2008 6:00	115,683	3/16/2008 6:00	118,938
Sunday	3/2/2008 6:15	129,354	3/9/2008 6:15	117,108	3/16/2008 6:15	120,183
Sunday	3/2/2008 6:30	131,014	3/9/2008 6:30	118,172	3/16/2008 6:30	121,345
Sunday	3/2/2008 6:45	132,519	3/9/2008 6:45	119,226	3/16/2008 6:45	122,814
Sunday	3/2/2008 7:00	134,636	3/9/2008 7:00	119,799	3/16/2008 7:00	124,384
Sunday	3/2/2008 7:15	137,122	3/9/2008 7:15	121,611	3/16/2008 7:15	126,727
Sunday	3/2/2008 7:30	138,826	3/9/2008 7:30	124,032	3/16/2008 7:30	129,032
Sunday	3/2/2008 7:45	140,385	3/9/2008 7:45	125,907	3/16/2008 7:45	132,125
Sunday	3/2/2008 8:00	139,814	3/9/2008 8:00	128,005	3/16/2008 8:00	133,785
Sunday	3/2/2008 8:15	141,375	3/9/2008 8:15	130,779	3/16/2008 8:15	133,678
Sunday	3/2/2008 8:30	143,085	3/9/2008 8:30	132,123	3/16/2008 8:30	133,945
Sunday	3/2/2008 8:45	144,788	3/9/2008 8:45	132,854	3/16/2008 8:45	134,449
Sunday	3/2/2008 9:00	146,191	3/9/2008 9:00	132,873	3/16/2008 9:00	135,588
Sunday	3/2/2008 9:15	148,458	3/9/2008 9:15	133,630	3/16/2008 9:15	137,339
Sunday	3/2/2008 9:30	149,839	3/9/2008 9:30	134,552	3/16/2008 9:30	138,602
Sunday	3/2/2008 9:45	151,602	3/9/2008 9:45	135,683	3/16/2008 9:45	139,337
Sunday	3/2/2008 10:00	152,709	3/9/2008 10:00	137,071	3/16/2008 10:00	140,843
Sunday	3/2/2008 10:15	153,907	3/9/2008 10:15	139,017	3/16/2008 10:15	143,889
Sunday	3/2/2008 10:30	154,797	3/9/2008 10:30	140,675	3/16/2008 10:30	144,905
Sunday	3/2/2008 10:45	154,860	3/9/2008 10:45	143,000	3/16/2008 10:45	145,518
Sunday	3/2/2008 11:00	154,553	3/9/2008 11:00	143,928	3/16/2008 11:00	146,218
Sunday	3/2/2008 11:15	155,398	3/9/2008 11:15	144,184	3/16/2008 11:15	146,784
Sunday	3/2/2008 11:30	155,638	3/9/2008 11:30	145,075	3/16/2008 11:30	147,626
Sunday	3/2/2008 11:45	155,760	3/9/2008 11:45	146,334	3/16/2008 11:45	148,684
Sunday	3/2/2008 12:00	155,825	3/9/2008 12:00	147,081	3/16/2008 12:00	148,755
Sunday	3/2/2008 12:15	156,038	3/9/2008 12:15	147,595	3/16/2008 12:15	149,283
Sunday	3/2/2008 12:30	155,737	3/9/2008 12:30	148,480	3/16/2008 12:30	149,786
Sunday	3/2/2008 12:45	154,762	3/9/2008 12:45	148,706	3/16/2008 12:45	149,015
Sunday	3/2/2008 13:00	154,168	3/9/2008 13:00	148,924	3/16/2008 13:00	149,323
Sunday	3/2/2008 13:15	153,772	3/9/2008 13:15	148,518	3/16/2008 13:15	149,089
Sunday	3/2/2008 13:30	153,671	3/9/2008 13:30	148,694	3/16/2008 13:30	148,498
Sunday	3/2/2008 13:45	154,483	3/9/2008 13:45	148,865	3/16/2008 13:45	148,998
Sunday	3/2/2008 14:00	153,807	3/9/2008 14:00	148,490	3/16/2008 14:00	148,696
Sunday	3/2/2008 14:15	153,479	3/9/2008 14:15	147,873	3/16/2008 14:15	148,692
Sunday	3/2/2008 14:30	154,060	3/9/2008 14:30	147,411	3/16/2008 14:30	148,369
Sunday	3/2/2008 14:45	154,423	3/9/2008 14:45	147,194	3/16/2008 14:45	147,608
Sunday	3/2/2008 15:00	154,057	3/9/2008 15:00	146,520	3/16/2008 15:00	147,624
Sunday	3/2/2008 15:15	153,835	3/9/2008 15:15	146,726	3/16/2008 15:15	147,238
Sunday	3/2/2008 15:30	152,925	3/9/2008 15:30	146,364	3/16/2008 15:30	146,903
Sunday	3/2/2008 15:45	152,869	3/9/2008 15:45	146,144	3/16/2008 15:45	146,697
Sunday	3/2/2008 16:00	153,314	3/9/2008 16:00	144,946	3/16/2008 16:00	146,943
Sunday	3/2/2008 16:15	154,760	3/9/2008 16:15	144,696	3/16/2008 16:15	147,266
Sunday	3/2/2008 16:30	155,827	3/9/2008 16:30	145,183	3/16/2008 16:30	146,997
Sunday	3/2/2008 16:45	157,779	3/9/2008 16:45	145,832	3/16/2008 16:45	147,169
Sunday	3/2/2008 17:00	158,908	3/9/2008 17:00	146,565	3/16/2008 17:00	147,495

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	Before DST 2/29/2008-3/03/2008		During DST 3/07/2008-3/10/2008		After DST 3/14/2008-03/17/2008	
Day of Week	Date and Time	kW	Date and Time	kW	Date and Time	kW
Sunday	3/2/2008 17:15	160,211	3/9/2008 17:15	147,640	3/16/2008 17:15	148,571
Sunday	3/2/2008 17:30	161,441	3/9/2008 17:30	148,255	3/16/2008 17:30	148,833
Sunday	3/2/2008 17:45	163,671	3/9/2008 17:45	149,445	3/16/2008 17:45	149,297
Sunday	3/2/2008 18:00	165,859	3/9/2008 18:00	149,987	3/16/2008 18:00	149,629
Sunday	3/2/2008 18:15	168,455	3/9/2008 18:15	150,297	3/16/2008 18:15	150,200
Sunday	3/2/2008 18:30	170,965	3/9/2008 18:30	150,446	3/16/2008 18:30	150,337
Sunday	3/2/2008 18:45	175,896	3/9/2008 18:45	150,815	3/16/2008 18:45	150,404
Sunday	3/2/2008 19:00	181,199	3/9/2008 19:00	151,429	3/16/2008 19:00	150,546
Sunday	3/2/2008 19:15	184,498	3/9/2008 19:15	153,148	3/16/2008 19:15	151,230
Sunday	3/2/2008 19:30	185,634	3/9/2008 19:30	155,605	3/16/2008 19:30	152,673
Sunday	3/2/2008 19:45	185,387	3/9/2008 19:45	157,726	3/16/2008 19:45	154,702
Sunday	3/2/2008 20:00	184,362	3/9/2008 20:00	161,784	3/16/2008 20:00	156,336
Sunday	3/2/2008 20:15	183,363	3/9/2008 20:15	167,594	3/16/2008 20:15	159,961
Sunday	3/2/2008 20:30	182,502	3/9/2008 20:30	170,241	3/16/2008 20:30	165,966
Sunday	3/2/2008 20:45	180,301	3/9/2008 20:45	169,865	3/16/2008 20:45	170,221
Sunday	3/2/2008 21:00	178,012	3/9/2008 21:00	169,072	3/16/2008 21:00	170,939
Sunday	3/2/2008 21:15	175,741	3/9/2008 21:15	168,181	3/16/2008 21:15	170,252
Sunday	3/2/2008 21:30	172,646	3/9/2008 21:30	166,865	3/16/2008 21:30	169,674
Sunday	3/2/2008 21:45	169,774	3/9/2008 21:45	165,253	3/16/2008 21:45	167,459
Sunday	3/2/2008 22:00	166,616	3/9/2008 22:00	162,835	3/16/2008 22:00	164,782
Sunday	3/2/2008 22:15	162,916	3/9/2008 22:15	160,349	3/16/2008 22:15	161,626
Sunday	3/2/2008 22:30	159,139	3/9/2008 22:30	156,743	3/16/2008 22:30	157,938
Sunday	3/2/2008 22:45	154,345	3/9/2008 22:45	152,053	3/16/2008 22:45	153,148
Sunday	3/2/2008 23:00	150,282	3/9/2008 23:00	149,163	3/16/2008 23:00	148,975
Sunday	3/2/2008 23:15	145,014	3/9/2008 23:15	144,519	3/16/2008 23:15	143,847
Sunday	3/2/2008 23:30	141,053	3/9/2008 23:30	140,321	3/16/2008 23:30	139,470
Sunday	3/2/2008 23:45	137,822	3/9/2008 23:45	136,933	3/16/2008 23:45	136,413
Monday	3/3/2008 0:00	135,093	3/10/2008 0:00	134,565	3/17/2008 0:00	133,520
Monday	3/3/2008 0:15	132,464	3/10/2008 0:15	131,243	3/17/2008 0:15	130,576
Monday	3/3/2008 0:30	129,299	3/10/2008 0:30	128,396	3/17/2008 0:30	127,532
Monday	3/3/2008 0:45	127,239	3/10/2008 0:45	126,333	3/17/2008 0:45	125,965
Monday	3/3/2008 1:00	126,007	3/10/2008 1:00	124,290	3/17/2008 1:00	124,102
Monday	3/3/2008 1:15	124,745	3/10/2008 1:15	122,792	3/17/2008 1:15	122,320
Monday	3/3/2008 1:30	123,593	3/10/2008 1:30	121,331	3/17/2008 1:30	121,177
Monday	3/3/2008 1:45	122,461	3/10/2008 1:45	119,773	3/17/2008 1:45	120,296
Monday	3/3/2008 2:00	121,548	3/10/2008 2:00	118,667	3/17/2008 2:00	119,590
Monday	3/3/2008 2:15	121,127	3/10/2008 2:15	117,871	3/17/2008 2:15	118,682
Monday	3/3/2008 2:30	121,077	3/10/2008 2:30	117,101	3/17/2008 2:30	117,450
Monday	3/3/2008 2:45	120,399	3/10/2008 2:45	116,303	3/17/2008 2:45	116,786
Monday	3/3/2008 3:00	120,164	3/10/2008 3:00	115,389	3/17/2008 3:00	116,121
Monday	3/3/2008 3:15	120,205	3/10/2008 3:15	114,761	3/17/2008 3:15	115,799
Monday	3/3/2008 3:30	119,995	3/10/2008 3:30	114,348	3/17/2008 3:30	116,171
Monday	3/3/2008 3:45	120,323	3/10/2008 3:45	114,428	3/17/2008 3:45	116,126
Monday	3/3/2008 4:00	120,322	3/10/2008 4:00	114,279	3/17/2008 4:00	116,017
Monday	3/3/2008 4:15	121,225	3/10/2008 4:15	114,457	3/17/2008 4:15	116,990
Monday	3/3/2008 4:30	122,200	3/10/2008 4:30	114,644	3/17/2008 4:30	117,655
Monday	3/3/2008 4:45	123,213	3/10/2008 4:45	115,345	3/17/2008 4:45	118,239
Monday	3/3/2008 5:00	124,273	3/10/2008 5:00	116,219	3/17/2008 5:00	119,053
Monday	3/3/2008 5:15	126,970	3/10/2008 5:15	117,935	3/17/2008 5:15	122,122
Monday	3/3/2008 5:30	130,024	3/10/2008 5:30	119,720	3/17/2008 5:30	124,980
Monday	3/3/2008 5:45	133,297	3/10/2008 5:45	121,073	3/17/2008 5:45	127,876
Monday	3/3/2008 6:00	136,305	3/10/2008 6:00	123,914	3/17/2008 6:00	131,297

Chugach Electric Association, Inc.
Chugach Retail Substation Load
15 Minute Demand (kW) Data
DST - March 9, 2008 at 2:00 AM
Data for weekends prior to, during, and after DST.

	Before DST 2/29/2008-3/03/2008		During DST 3/07/2008-3/10/2008		After DST 3/14/2008-03/17/2008	
Day of Week	Date and Time	kW	Date and Time	kW	Date and Time	kW
Monday	3/3/2008 6:15	142,982	3/10/2008 6:15	128,402	3/17/2008 6:15	137,320
Monday	3/3/2008 6:30	149,592	3/10/2008 6:30	132,816	3/17/2008 6:30	143,595
Monday	3/3/2008 6:45	153,968	3/10/2008 6:45	136,672	3/17/2008 6:45	148,435
Monday	3/3/2008 7:00	158,519	3/10/2008 7:00	139,979	3/17/2008 7:00	154,054
Monday	3/3/2008 7:15	163,598	3/10/2008 7:15	144,388	3/17/2008 7:15	159,283
Monday	3/3/2008 7:30	166,620	3/10/2008 7:30	148,544	3/17/2008 7:30	163,570
Monday	3/3/2008 7:45	166,814	3/10/2008 7:45	150,807	3/17/2008 7:45	167,212
Monday	3/3/2008 8:00	164,465	3/10/2008 8:00	152,109	3/17/2008 8:00	166,690
Monday	3/3/2008 8:15	164,071	3/10/2008 8:15	154,873	3/17/2008 8:15	165,288
Monday	3/3/2008 8:30	163,029	3/10/2008 8:30	155,893	3/17/2008 8:30	163,790
Monday	3/3/2008 8:45	161,096	3/10/2008 8:45	154,395	3/17/2008 8:45	161,446
Monday	3/3/2008 9:00	159,882	3/10/2008 9:00	153,059	3/17/2008 9:00	159,305
Monday	3/3/2008 9:15	159,208	3/10/2008 9:15	152,441	3/17/2008 9:15	158,425
Monday	3/3/2008 9:30	159,382	3/10/2008 9:30	151,808	3/17/2008 9:30	158,906
Monday	3/3/2008 9:45	159,851	3/10/2008 9:45	152,041	3/17/2008 9:45	157,840
Monday	3/3/2008 10:00	159,817	3/10/2008 10:00	151,008	3/17/2008 10:00	157,982
Monday	3/3/2008 10:15	160,421	3/10/2008 10:15	152,018	3/17/2008 10:15	158,380
Monday	3/3/2008 10:30	160,702	3/10/2008 10:30	152,202	3/17/2008 10:30	158,510
Monday	3/3/2008 10:45	161,065	3/10/2008 10:45	152,499	3/17/2008 10:45	158,063
Monday	3/3/2008 11:00	161,656	3/10/2008 11:00	152,582	3/17/2008 11:00	158,081
Monday	3/3/2008 11:15	161,442	3/10/2008 11:15	152,629	3/17/2008 11:15	157,388
Monday	3/3/2008 11:30	161,930	3/10/2008 11:30	152,457	3/17/2008 11:30	157,359
Monday	3/3/2008 11:45	162,337	3/10/2008 11:45	152,832	3/17/2008 11:45	157,117
Monday	3/3/2008 12:00	161,881	3/10/2008 12:00	152,647	3/17/2008 12:00	156,462
Monday	3/3/2008 12:15	162,049	3/10/2008 12:15	152,511	3/17/2008 12:15	156,358
Monday	3/3/2008 12:30	161,892	3/10/2008 12:30	152,425	3/17/2008 12:30	155,994
Monday	3/3/2008 12:45	162,129	3/10/2008 12:45	152,755	3/17/2008 12:45	155,468
Monday	3/3/2008 13:00	161,464	3/10/2008 13:00	152,063	3/17/2008 13:00	154,873
Monday	3/3/2008 13:15	161,306	3/10/2008 13:15	151,493	3/17/2008 13:15	154,737
Monday	3/3/2008 13:30	161,120	3/10/2008 13:30	151,317	3/17/2008 13:30	154,806
Monday	3/3/2008 13:45	161,293	3/10/2008 13:45	151,579	3/17/2008 13:45	154,653
Monday	3/3/2008 14:00	160,926	3/10/2008 14:00	151,039	3/17/2008 14:00	153,926
Monday	3/3/2008 14:15	160,960	3/10/2008 14:15	150,384	3/17/2008 14:15	153,648
Monday	3/3/2008 14:30	161,823	3/10/2008 14:30	150,623	3/17/2008 14:30	153,746
Monday	3/3/2008 14:45	163,258	3/10/2008 14:45	150,338	3/17/2008 14:45	153,751
Monday	3/3/2008 15:00	163,516	3/10/2008 15:00	149,950	3/17/2008 15:00	154,171
Monday	3/3/2008 15:15	163,775	3/10/2008 15:15	149,420	3/17/2008 15:15	154,303
Monday	3/3/2008 15:30	163,797	3/10/2008 15:30	149,713	3/17/2008 15:30	153,845
Monday	3/3/2008 15:45	163,682	3/10/2008 15:45	149,678	3/17/2008 15:45	153,395
Monday	3/3/2008 16:00	164,003	3/10/2008 16:00	149,636	3/17/2008 16:00	153,710
Monday	3/3/2008 16:15	164,198	3/10/2008 16:15	148,753	3/17/2008 16:15	153,775
Monday	3/3/2008 16:30	164,501	3/10/2008 16:30	148,642	3/17/2008 16:30	152,406
Monday	3/3/2008 16:45	164,981	3/10/2008 16:45	149,199	3/17/2008 16:45	152,060
Monday	3/3/2008 17:00	165,721	3/10/2008 17:00	148,612	3/17/2008 17:00	152,132
Monday	3/3/2008 17:15	166,105	3/10/2008 17:15	147,497	3/17/2008 17:15	151,912
Monday	3/3/2008 17:30	167,102	3/10/2008 17:30	147,900	3/17/2008 17:30	152,134
Monday	3/3/2008 17:45	169,164	3/10/2008 17:45	148,746	3/17/2008 17:45	152,405
Monday	3/3/2008 18:00	172,052	3/10/2008 18:00	148,425	3/17/2008 18:00	152,742
Monday	3/3/2008 18:15	173,638	3/10/2008 18:15	148,398	3/17/2008 18:15	151,973
Monday	3/3/2008 18:30	175,365	3/10/2008 18:30	148,474	3/17/2008 18:30	151,239
Monday	3/3/2008 18:45	178,676	3/10/2008 18:45	148,724	3/17/2008 18:45	150,604
Monday	3/3/2008 19:00	184,039	3/10/2008 19:00	149,330	3/17/2008 19:00	150,598

Chugach Electric Association, Inc.
Chugach Retail Substation Load
15 Minute Demand (kW) Data
DST - March 9, 2008 at 2:00 AM
Data for weekends prior to, during, and after DST.

	Before DST 2/29/2008-3/03/2008		During DST 3/07/2008-3/10/2008		After DST 3/14/2008-03/17/2008	
Day of Week	Date and Time	kW	Date and Time	kW	Date and Time	kW
Monday	3/3/2008 19:15	186,274	3/10/2008 19:15	150,132	3/17/2008 19:15	151,254
Monday	3/3/2008 19:30	186,082	3/10/2008 19:30	151,622	3/17/2008 19:30	151,544
Monday	3/3/2008 19:45	185,859	3/10/2008 19:45	153,285	3/17/2008 19:45	151,982
Monday	3/3/2008 20:00	184,700	3/10/2008 20:00	156,209	3/17/2008 20:00	153,923
Monday	3/3/2008 20:15	183,856	3/10/2008 20:15	161,420	3/17/2008 20:15	156,954
Monday	3/3/2008 20:30	182,339	3/10/2008 20:30	166,286	3/17/2008 20:30	161,705
Monday	3/3/2008 20:45	180,418	3/10/2008 20:45	168,153	3/17/2008 20:45	167,627
Monday	3/3/2008 21:00	178,765	3/10/2008 21:00	167,821	3/17/2008 21:00	169,431
Monday	3/3/2008 21:15	176,081	3/10/2008 21:15	166,622	3/17/2008 21:15	168,452
Monday	3/3/2008 21:30	172,566	3/10/2008 21:30	165,745	3/17/2008 21:30	167,134
Monday	3/3/2008 21:45	169,300	3/10/2008 21:45	164,370	3/17/2008 21:45	164,974
Monday	3/3/2008 22:00	165,639	3/10/2008 22:00	161,404	3/17/2008 22:00	161,938
Monday	3/3/2008 22:15	161,404	3/10/2008 22:15	158,384	3/17/2008 22:15	158,647
Monday	3/3/2008 22:30	157,101	3/10/2008 22:30	155,227	3/17/2008 22:30	155,301
Monday	3/3/2008 22:45	151,388	3/10/2008 22:45	150,278	3/17/2008 22:45	150,766
Monday	3/3/2008 23:00	147,456	3/10/2008 23:00	146,443	3/17/2008 23:00	146,844
Monday	3/3/2008 23:15	143,161	3/10/2008 23:15	142,959	3/17/2008 23:15	142,772
Monday	3/3/2008 23:30	139,632	3/10/2008 23:30	139,442	3/17/2008 23:30	138,821
Monday	3/3/2008 23:45	136,663	3/10/2008 23:45	136,212	3/17/2008 23:45	135,085
Monday	3/4/2008 0:00	133,652	3/11/2008 0:00	132,449	3/18/2008 0:00	132,659
Total Energy (kWh) for Period[1]		14,633,216		13,630,115		13,849,703
Estimated Class Contributions						
Residential		7,613,241		7,091,357		7,205,602
Small Commercial		1,417,926		1,320,727		1,342,005
Large Commercial		5,529,001		5,149,990		5,232,959
Street Lighting		73,048		68,041		69,137
Total Energy (kWh)		14,633,216		13,630,115		13,849,703

Source: Chugach Electronic Meter Readings and SCADA energy accounting.

[1] Conversion from kW to kWh requires dividing kW by 4

The New York Times

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OP-ED CONTRIBUTOR

What's the Point of Daylight Time?

By MATTHEW J. KOTCHEN and LAURA E. GRANT

Santa Barbara, Calif.

WHY do we — along with 75 other countries — alternate between standard time and daylight time? Although many people believe it has an agricultural provenance, daylight time has always been a policy meant to save energy. As Benjamin Franklin argued, if people moved up their summer schedules by an hour, they could live by "sunshine rather than candles" in the evenings.

Energy conservation was the motivation for daylight time during World Wars I and II and the oil embargo of the 1970s, and it remains so today — even though there has been little scientific evidence to suggest daylight time actually helps us cut back on electricity use.

Recently, however, we were able to conduct a study in Indiana, where daylight time was instituted statewide only in 2006. Before that year, daylight time was in effect in just a handful of counties. This change of policy offered a unique, natural experiment to measure the overall effect on residential electricity consumption. We could compare the amount of energy used by households in the late-adopting counties during the two years before they switched to daylight time with the amounts they used during the year afterward — while using counties that always practiced daylight time as a control group.

We found that daylight time caused a 1 percent overall increase in residential electricity use, though the effect varied from month to month. The greatest increase occurred in late summer and early fall, when electricity use rose by 2 percent to 4 percent.

Daylight time costs Indiana households an average of $3.29 a year in higher electricity bills, or about $9 million for the whole state. We also calculated the health and other social costs of increased pollution emissions at $1.7 million to $5.5 million per year.

What explains this unexpected result? While daylight time reduces demand for household lighting, it increases demand for heating in the early spring and late fall (in the mornings) and, even more important, for cooling on summer evenings. Benjamin Franklin was right about candles, in other words, but he did not consider air-conditioners.

In regions of the United States where demand for air-conditioning is greater than in Indiana, this spike in cooling costs is likely to be even greater. Arizona, one of the hottest states, may have it right; it does not practice daylight time.

Eliminating daylight time would thus accord with President-elect Barack Obama's stated goals of conserving

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DOES DAYLIGHT SAVING TIME SAVE ENERGY? EVIDENCE FROM A NATURAL EXPERIMENT IN INDIANA

Matthew J. Kotchen
Laura E. Grant

Working Paper 14429
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NATIONAL BUREAU OF ECONOMIC RESEARCH
1050 Massachusetts Avenue
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October 2008

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Does Daylight Saving Time Save Energy? Evidence from a Natural Experiment in Indiana
Matthew J. Kotchen and Laura E. Grant
NBER Working Paper No. 14429
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JEL No. H43,Q4,Q5,Q51

ABSTRACT

The history of Daylight Saving Time (DST) has been long and controversial. Throughout its implementation during World Wars I and II, the oil embargo of the 1970s, consistent practice today, and recent extensions, the primary rationale for DST has always been to promote energy conservation. Nevertheless, there is surprisingly little evidence that DST actually saves energy. This paper takes advantage of a natural experiment in the state of Indiana to provide the first empirical estimates of DST effects on electricity consumption in the United States since the mid-1970s. Focusing on residential electricity demand, we conduct the first-ever study that uses micro-data on households to estimate an overall DST effect. The dataset consists of more than 7 million observations on monthly billing data for the vast majority of households in southern Indiana for three years. Our main finding is that—contrary to the policy's intent—DST increases residential electricity demand. Estimates of the overall increase are approximately 1 percent, but we find that the effect is not constant throughout the DST period. DST causes the greatest increase in electricity consumption in the fall, when estimates range between 2 and 4 percent. These findings are consistent with simulation results that point to a tradeoff between reducing demand for lighting and increasing demand for heating and cooling. We estimate a cost of increased electricity bills to Indiana households of $9 million per year. We also estimate social costs of increased pollution emissions that range from $1.7 to $5.5 million per year. Finally, we argue that the effect is likely to be even stronger in other regions of the United States.

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1. Introduction

Daylight Saving Time (DST) is currently practiced in 76 countries and directly affects more than 1.6 billion people worldwide. The well-known mnemonic of "spring-forward, fall-back" describes the annual ritual: turn clocks forward one hour in the spring, and turn them back one hour in the fall. Less well known is that DST is a policy designed to conserve energy.[1] Benjamin Franklin (1784) is credited with the basic idea after observing that people were sleeping during sunlit hours in the early morning and burning candles for illumination in the evening. He argued that if people adjusted their schedules to earlier in the day during summer months, when day length is longest, an immense sum of tallow and wax could be saved by the "economy of using sunshine rather than candles." To encourage the behavior, Franklin satirically proposed the firing of cannons to awaken people at dawn and a tax on window shutters that keep out sunlight.[2]

More than a century later, William Willet (1907) proposed the simple advancement of clock time during summer months in order to avoid "The Waste of Daylight." But it was not until World War I that the idea finally took hold. Germany was the first country to implement a DST policy, with the aim of reducing demand for electrical lighting so that more coal could be diverted to the war effort. Thirty-one other nations, including the United States, soon followed with their own DST policies, but the practice was generally repealed after the war ended. Decades later, and for the same reason, 52 countries again implemented various DST policies during World War II. In the United States, year-round DST was practiced for three years and then repealed entirely.

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[1] A common misperception is that DST is an agricultural policy. Farmers have historically been one of the most organized groups against the practice of DST, as it requires them to work in morning darkness for an extra hour in order to coordinate with the timing of markets. See Prerau (2005) for a detailed discussion of DST's long and controversial history.

[2] Interestingly, Franklin also recognized that his calculations of the economic savings during the summer were an underestimate because of general equilibrium effects. He wrote that "... I have calculated upon only one half of the year, and much may be saved in the other, though the days are shorter. Besides, the immense stock of wax and tallow left unconsumed during the summer, will probably make candles much cheaper for the ensuing winter, and continue them cheaper as long as the proposed reformation shall be supported."

The Uniform Time Act of 1966 was the first federal DST law in the United States that was not part of a wartime initiative. The Act established that DST would begin on the last Sunday in April and end on the last Sunday in October.[3] Then, the oil embargo of the early 1970s prompted temporary changes to federal DST policy, when the Emergency Daylight Saving Time Energy Conservation Act of 1973 imposed year-round DST for 15 months. A more enduring change, again with the intent of energy conservation, occurred in 1986, when the start date was moved forward by three weeks. The DST regime in practice today includes a further extension authorized within the Energy Policy Act of 2005. Having begun in 2007, DST now starts three weeks earlier, on the second Sunday in March, and lasts one week longer, until the first Sunday in November. Figure 1 shows the sunrise and sunset times, the time shifting of DST, the 2007 extensions on both ends, and the day length throughout the year (the middle line) for a representative location in southern Indiana.

Congressional debate about the most recent extension to DST focused on the potential energy savings. It was forecasted that each additional day of DST would save the equivalent of 100,000 barrels of oil per day (Congressional Record 2005a, 2005b). But the 2005 Energy Policy Act specifically requires that research be conducted to estimate the actual effects on energy demand, and Congress retains the right to repeal the extensions if the conservation benefits are not realized. Despite the conservation rationale for DST's current and historical practice, surprisingly little research has been conducted to determine whether DST actually saves energy.[4] Even among the few studies that do exist, which we review in the next section, the evidence is inconclusive. Hence, the need to better understand the DST effect on energy consumption is immediately policy relevant. What is more, with worldwide energy demand expanding rapidly, along with concerns about climate change, it is increasingly important to know whether DST,

[3] Individual states could opt for exemption, but only Arizona, Hawaii, Indiana, and a few U.S. territories have done so in various ways over the years.

[4] Other effects of DST have been studied in more detail. These include studies that investigate the effects on safety (e.g., Coate and Markowitz 2004; Sullivan and Flannagan 2002; Coren 1996a, 1996b), health (e.g., Kantermann et al 2007), economic coordination (Hamermesh et al 2006), and stock market performance (Kamstra et al 2000, 2002; Pinegar 2002).

which is among the most uniformly applied policies on the planet, has its intended effect of energy conservation.

In this paper, we investigate whether DST does in fact save energy, with a focus on residential electricity consumption. Our research design takes advantage of the unique history of DST in the state of Indiana, combined with a data set of monthly billing cycles for the majority of households in the southern portion of the state for the years 2004 through 2006. While some counties in Indiana have historically practiced DST, the majority have not. This changed with a state law that required all counties to begin practicing DST in 2006. The initial heterogeneity of DST among Indiana counties and the policy change in 2006 provides a natural experiment—with treatment and control sets of counties—to empirically identify the relationship between DST and residential electricity demand.

Our results provide the first empirical estimates of DST effects on electricity demand in the United States since the mid-1970s. The study is also the first ever to use residential microdata. A unique feature of the research design, due to the natural experiment, is that we are able to estimate, for the first time, an overall DST effect and different effects throughout the year over the entire DST period, including the periods of transition. We also run an engineering model that simulates the effect of DST on household electricity demand. These results are comparable with our empirical estimates and highlight seasonal differences in the quantity and timing of electricity demand for lighting, heating, and cooling. A further contribution of the paper is that we estimate changes in pollution emissions due to DST and quantify the associated social costs and/or benefits.

We find that the overall DST effect on electricity consumption runs counter to conventional wisdom: DST results in a 1-percent overall increase in residential electricity demand, and the effect is highly statistically significant. We also find that the effect is not constant throughout the DST period. In particular, DST causes the greatest increase in consumption later in the year, with October estimates ranging from an increase of 2 to nearly 4 percent. To help interpret these results, we simulate the effect of DST for an Indiana household with a U.S. Depart-

ment of Energy model for residential electricity demand (eQuest). Consistent with Benjamin Franklin's original conjecture, DST is found to save on electricity used for illumination, but there are increases in electricity used for heating and cooling. Both the empirical and simulation results suggest that the latter effect is larger than the former. A final component of our analysis is the calculation of costs associated with DST. We find that the policy costs Indiana households an average of $3.29 per year in increased electricity bills, which aggregates to approximately $9 million over the entire state. We also calculate the social costs in terms of increased pollution emissions, and these estimates range from $1.7 to $5.5 million per year.

The remainder of the paper proceeds as follows: The next section reviews existing evidence on the effect of DST on electricity consumption. Section 3 describes the research design and data collection. Section 4 contains the empirical analysis. Section 5 provides a discussion of the results with comparisons to engineering simulations and cost estimates. Section 6 concludes with a brief summary and remarks about the generalizability of our results.

2. Existing Evidence

The most widely cited study of the DST effect on electricity demand is the U.S. Department of Transportation (1975) report that was required by the Emergency Daylight Saving Time Energy Conservation Act of 1973. The most compelling part of the study is its use of the 'equivalent day normalization technique,' which is essentially a difference-in-differences approach. Using hourly electricity load data from 22 different utilities for a period of days before and after transitions in and out of DST, days are partitioned into DST-influenced periods (morning, evening) and uninfluenced periods (midday, night). It is then assumed that differences in the difference between influenced and uninfluenced periods, before and after the transition are due to the DST effect. The results indicate an average load reduction of approximately 1 percent during the spring and fall transition periods, but a subsequent evaluation of the study, conducted by the National Bureau of Standards (Filliben 1976), concludes that the energy savings are questionable and statistically insignificant.

The California Energy Commission (CEC 2001) conducts a simulation-based study to estimate the effects of DST on statewide electricity consumption. A system of equations is estimated to explain hourly electricity demand as a function of employment, weather, temperature, and sunlight. The Commission then simulates electricity use under different DST regimes. The results indicate that practicing winter DST reduces consumption by 0.5 percent, and DST as currently practiced leaves electricity consumption virtually unchanged between May and September, but may reduce consumption between 0.15 and 0.3 percent during April and October.[5] More recently, the CEC modeling approach is used to consider the actual extensions to DST that occurred in 2007 (CEC 2007). Based on the spring and fall extensions, the simulation predicts a decrease in electricity consumption of 0.56 percent, but the 95-percent confidence interval includes zero and ranges from a decrease of 2.2 percent to an increase of 1.1 percent.

The U.S. Department of Energy (DOE 2006) also conducts a study to estimate the potential energy saving impacts of the 2007 DST extensions. Using hourly electricity data immediately before and after the DST transitions in 2004, the study estimates DST effects and extrapolates them into the extension periods to predict what might happen beginning in 2007. The results of most relevance here are the actual DST effects. The main findings of the study include the following: a decrease in electricity demand of 0.4 percent at the points of transition, but the estimate is very imprecise; morning increases in demand that are more than offset by evening decreases; southern regions of the United States experience lower energy savings; and energy savings are slightly greater during the spring transition compared to the fall transition.[6]

Kellogg and Wolff (in press) take advantage of a quasi-experiment that occurred in Australia with the extension of DST in conjunction with the Sidney Olympic Games in 2000. Using a comparison of electricity load data from two different states, where only one experi-

[5] The Indiana Fiscal Policy Institute (2001) attempts to replicate the CEC approach and estimate the potential effects of DST in Indiana; however, the results are not conclusive. While the statistical models are reported as very preliminary and appear to have never been completed, the results indicate that DST in Indiana could either increase or decrease electricity consumption.

[6] Currently underway, but not yet released, is the official U.S. DOE report to Congress required by the Energy Policy Act of 2005. The report will use 2007 data to estimate the actual, rather than potential, energy savings due to extended DST.

enced the extension of DST, they find that DST increases demand for electricity in the morning and decreases demand in the evening. While in some cases the net effect is an increase in demand, the combined results are not statistically different from zero. Kellogg and Wolff also apply the CEC simulation technique to determine whether it reasonably predicts what actually occurred with the Australian DST extension. They find that the simulation fails to predict the morning increase in consumption and overestimates the evening decrease. Their study provides the first empirical results that question whether DST policies actually produce the intended effect of reducing electricity demand.

Using an engineering simulation model, Rock (1997) also finds evidence that DST might increase, rather than decrease, electricity consumption. He calibrates a model of energy consumption for a typical residence using utility records and chosen parameters for construction type, residential appliances, heating and cooling systems, lighting requirements, and number of occupants. In order to account for differences in weather and geographic location, the model simulates DST scenarios for 224 different locations within the United Sates. The results indicate that DST, as it is currently practiced, increases electricity consumption by 0.244 percent when averaged over the different locations. Results for alternative scenarios indicate that extending DST year-round would save an average of 0.267 percent, but the overall effect of year-round DST compared to no DST would leave electricity consumption virtually unchanged.

A similar methodology is employed in two recent studies that take place in Japan, where DST is continually debated but not currently practiced. Fong *et al.* (2007) use a simulation model to investigate the effects of DST on household lighting, and they find a reduction in electricity consumption that differs by region.[7] Shimoda *et al.* (2007) conduct a similar exercise, with the added consideration of DST's effect on residential cooling. When considering both effects, they find that implementing DST results in a 0.13-percent increase in residential electricity consumption. The underlying mechanism for the result is that residential cooling is

[7] Aries and Newsham (2008) review other studies, many of which are technical reports not published in peer-reviewed journals, that focus on lighting energy use in the United States and other countries. They find no clear DST effect other than some evidence for a reduction in evening peak demand for electricity.

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greater in the evening than in the morning, and implementing DST aligns an additional hour of higher outdoor air temperature and solar radiation with the primary cooling times of the evening.

This review of existing studies suggests that the evidence to date is inconclusive about the effect of DST on electricity consumption. None of the empirical studies finds an overall effect that is statistically different from zero, and the simulation-based studies find mixed results. Hence, given the widespread practice of DST, its conservation rationale, and the recent changes to policy, there is a clear need for further research that informs the question of whether DST actually saves energy.

3. Research Design and Data Collection

Our study takes advantage of the unique history of DST in the state of Indiana. The practice of DST has been the subject of long-standing controversy in the state, due in large part to the importance of agriculture in Indiana, and the state's location split between the Eastern and Central Time Zones. For more than 30 years prior to 2006, the resultant policy has been three different time scenarios within the state: 77 counties on Eastern Standard Time (EST) that did not practice DST; 10 counties clustered in the north- and south-western corners of the state on Central Standard Time (CST) that did practice DST; and 5 counties in the south-eastern portion of the state on EST that did practice DST.[8] The different time scenarios changed in 2006 when the entire state began practicing DST as required by a law that passed the state legislature in 2005. Also beginning in 2006, a handful of counties switched from EST to CST.

Let us now be more precise about time and timing in the southern portion of Indiana, where our study takes place. The shaded counties in Figure 2 are those included in the study. It is useful to partition the counties into four sets, as shown in the figure. The SE and SW counties experienced no change; they practiced DST prior to 2006 and have remained on EST and CST,

[8] These differences in the practice of DST were possible because of a 1972 amendment to the Uniform Time Act of 1966 (15 U.S.C. 260-67). The amendment was a direct response to Indiana's ongoing time regime debate, and it permitted states with multiple time zones to allow exemptions from the practice of DST.

respectively. The NE counties began practicing DST for the first time in 2006, but remained on EST. The NW counties also began practicing DST for the first time in 2006, but changed time zones from EST to CST simultaneously at the spring transition into DST. In effect, the NW counties did not advance clocks one hour in April 2006, but did turn them back one hour at the end of October 2006.[9]

The pattern of time and timing in southern Indiana creates a natural experiment to identify the effect of DST on residential electricity demand. The empirical strategy relies on having monthly billing data for households located within the different sets of counties before and after the policy change in 2006. Considering only the DST periods of each year, we can partition electricity demand into pre-2006 and 2006 periods. Among the different counties, we thus have treatment and control groups when moving from the before to after period. The NE counties serve as a treatment group because they began practicing DST for the first time in 2006. The other sets of counties serve as a control group because their clock time never changed during the DST period of the year, before and after the policy change.[10] The key identification assumption is that, after controlling for changes in observables, such as weather and the practice of DST, changes from year to year in electricity demand would otherwise be the same for the treatment and control groups of counties. With this assumption, identification of the DST effect comes from a difference-in-differences estimate between the two groups, before and after the policy change.

Table 1 shows selected variables from the 2000 U.S. Census for the different sets of counties and in total. The majority of people live in the eastern counties. The northern counties have a larger fraction of the population classified as rural and farm, although the overall pro-

[9] Specific counties included in the study are the following: (NE) Bartholomew, Brown, Crawford, Decatur, Franklin, Jackson, Jefferson, Jennings, Lawrence, Monroe, Orange, Scott, Ripley, Washington; (SE) Clark, Dearborn, Flyod, Harrison; (SW) Gibson, Posey, Warrick; (NW) Daviess, Knox, Martin, Pike. Counties in southern Indiana not included in the study because data were not available from Duke Energy are the following: (SE) Ohio, Switzerland; (SW) Spencer, Vanderburgh; (NW) Dubois, Perry.

[10] Recall that clock time did not change for all counties in the control group, but for different reasons. The policy had no effect on the SE and SW counties, but clock time did not change for the NW counties because the first practice of DST and the switch in time zones occurred simultaneously.

portion of people living on farms is small. All four sets of counties are similar with respect to median age and average household size. Electric heat is more common in the eastern counties, and income is higher in the southern counties, where average commute times are also somewhat higher.

We obtained data on residential electricity consumption from Duke Energy, which provides electrical service in southern Indiana to the majority of households in the counties shown in Figure 2.[11] The dataset consists of monthly billing information for all households serviced by Duke Energy in the study area from January 2004 through December 2006. All households in the service area faced the same standard residential rate, and there were no rate changes between 2004 and 2006.

Several variables are important for our analysis. The *meter position* is a unique number for each electricity meter. We refer to these positions as *residences*, and for each one, we have data for its *zip code* and *county*. For each monthly observation at each residence, we also have codes that identify which ones belong to the same *tenant*. This enables us to account for the fact that people move and to identify the observations that belong to the same tenant within each residence.[12] Each observation includes *usage amount*, which is electricity consumption in kilowatt-hours (kWh), and *number of days*, which is the number of calendar days over which the usage amount accumulated. With these two variables, we are able to calculate *average daily consumption* (ADC). Finally, each monthly observation includes a *transaction date*, which is the date that the usage amount was recorded in the utility company's centralized billing system.

The actual read-date of each meter occurs roughly every 30 days and is determined according to assigned billing cycles. Residences are grouped into billing cycles and assigned a cohort number for one of 21 monthly read-dates (i.e., the weekdays of a given month). Meters are read for billing cycle 1 on the first weekday of each month, billing cycle 2 on the second

[11] Cinergy formerly provided electrical service in southern Indiana but was acquired by Duke Energy in 2005. Alternative electrical service providers are the investor-owned utility Vectren and rural electric membership cooperatives.

[12] The data does not permit us to follow tenants from one residence to another, but this is not a limitation for our analysis.

weekday, and so forth throughout the month. This staggered system allows the utility company to collect billing information and provide 12 bills to customers on an annual basis. In a separate file, we obtained data on the assigned *billing cycle* for each meter position. We then merged these datasets so that each monthly observation is associated with its assigned *read-date*, according to Duke Energy's billing-cycle schedule.

We also collected and merged data on weather. Data on average daily temperature were obtained from the National Climatic Data Center.[13] We collected these data for every day in 2004 through 2006 from 60 different weather stations in southern Indiana and neighboring Kentucky. For each day and all 60 weather stations, we calculated heating and cooling degree days, as these provide standard metrics for explaining and forecasting electricity demand. The reference point for calculating degree days is 65° Fahrenheit (F). When average daily temperature falls below 65° F, the difference is the number of heating degrees in a day. When average daily temperature exceeds 65° F, the difference is the number of cooling degrees in a day. We then matched each residence to a climate station using its zip code and a nearest-neighbor GIS approach; and for each observation, we collected the exact days corresponding to the dates of the billing cycle. Heating degrees in each day were summed over the days in the billing cycle to yield the heating degree days variable for each monthly observation. A parallel procedure was used to create the cooling degree days variable. We then used the number of days for each observation to calculate variables for *average heating degree days* (AHDD) and *average cooling degree days* (ACDD). This approach gives nearly residence-specific weather data for each billing cycle.

The original dataset included 7,949,207 observations, 229,818 residences, and 413,802 tenants; however, several steps were taken, in consultation with technical staff at Duke Energy, to clean and prepare the data. In order to focus on the most regular bills, we first dropped all observations that had a number of days less than 15 and greater than 35 (1.52 percent of the

[13] These data are available online at www.ncdc.noaa.gov/oa/ncdc.html.

data).[14] We also dropped all of the observations for which the transaction date did not closely align with the scheduled billing cycle. The vast majority of transaction dates fall within 0 to 3 days after the scheduled read-date, as meter-readers typically enter data into the system on the following workday. Those with transaction dates that were more than one day earlier than the scheduled read date or more than 5 days later were deemed irregular and dropped (an additional 5.20 percent of the data). Finally, we considered irregular and dropped all observations that had less than 1 kWh for average daily consumption (an additional 1.76 percent of the data). The final dataset includes 7,267,392 observations, 223,889 residences, and 384,083 tenants.

Table 2 reports descriptive statistics disaggregated into the different sets of counties and combined. Reflecting the relative populations, the majority of data come from the NE counties, followed by those in the SE, with fewer in the western counties. Average daily consumption—between 35 and 36 kWh/day—is very similar among all sets of counties. As expected, average cooling degree days is higher in the south counties, while average heating degree days is higher in the north counties.

Figure 3 illustrates average daily consumption and the weather variables graphically for each month in the dataset. We show the natural log of ADC separately for the control and treatment sets of counties, along with AHDD and ACDD. The first thing to note, which is to be expected, is the close correspondence between ADC and the weather variables. Electricity demand is greater in months with high AHDD and ACDD. Also worth noting are the differences between the treatment and control groups. Inspection of the trends for ADC reveals that the control group tends to have greater electricity demand during the DST periods, while the treatment group tends to have greater electricity demand during the non-DST periods. It appears that differences in AHDD and ACDD influence this pattern, as the control group tends to be hotter during the DST periods, and the treatment group tends to be colder during the non-DST

[14] The cutoff at 15 days is standard in econometric analysis of residential electricity demand (e.g., Reiss and White 2003), and Duke Energy considers bills with more than 35 days irregular.

periods. These patterns underscore the importance of accounting for weather when trying to explain variation in electricity demand.

4. Empirical Analysis

Indiana's 2006 change to DST policy provides a natural experiment for identifying the effect of DST on residential electricity demand. As mentioned previously, the approach is based on a comparison between the treatment and control groups of counties. Referring back to in Figure 1, recall that the NE counties began practicing DST for the first time in 2006. The other sets of counties either practiced DST for all the years 2004 through 2006, or had no change in clock time during the DST period in 2006 due to the offsetting effect of changing time zones. Our identification strategy thus comes from a difference-in-differences (DD) comparison between the two groups, before and after the DST policy change.[15]

We begin with a simple comparison of means for average daily consumption. First consider only the monthly electricity bills with start- and end-dates entirely within the DST period of each year. The first two columns of Table 3 report *lnADC* for both the treatment and control groups, before and after the policy change. We also report the before-after difference and the DD between groups. These comparisons indicate that electricity demand increased for both groups, but demand increased 1.9 percent more in the treatment group. While this result suggests that DST may increase electricity demand, the simple comparison of means does not provide a formal test, nor does it control for other variables that may be changing differentially over time between groups, namely weather.

As a point of comparison, we conduct the same procedure using electricity bills with start- and end-dates entirely outside the DST period of each year. This calculation can be

[15] An alternative identification strategy is to compare the DST and non-DST periods with a DD approach in the years prior to the policy change. This strategy relies on the assumption that different sets of counties would have the same differences in consumption at different times of the year, if not for the differential practice of DST. We find this assumption less plausible because of the potential confounders of differences in the distribution of air conditioning and/or electric heat. Although not reported in the paper, we estimate models using this approach and find results with magnitudes nearly twice as large as those presented here. The following estimates should therefore be considered conservative.

thought of as a quasi-counterfactual because it provides an estimate of how the two groups differ in their differences to 2006 during the non-DST period of the year, when there was no policy change.[16] We again find that electricity demand increased for both groups, but in this case, demand increased 0.91 percent less in the treatment group. The fact that this result, when there was no policy change, has a lower magnitude and the opposite sign provides further evidence that DST may increase electricity demand.

To more rigorously investigate the DST effect on residential electricity demand, we estimate standard DD, treatment-effects models. We once again begin using only electricity bills that fall entirely within the DST period of each year.[17] Our regression models have the following general specification:

$$(1) \qquad lnADC_{it} = \delta Year2006_t \times NE_i + f(ACDD_{it}, AHDD_{it}, NE_i) + \theta_t + \nu_i + \varepsilon_{it},$$

where subscripts i denote tenants, $Year2006_t$ is a dummy variable for whether the observation occurs during 2006, NE_i is a dummy variable for whether the residence is in the NE set of counties, θ_t is a time-specific intercept, ν_i is a tenant-specific intercept, and ε_{it} is the error term. Equation (1) does not specify a particular functional form for the weather variables because we try several different specifications, some of which allow the effect of weather to differ between the treatment and control groups. The estimate of δ is of primary interest, as it captures the average DD in electricity demand for 2006 between the treatment and control groups. Again, the key identification assumption here is that, after controlling for differences in weather and time-invariant unobserved heterogeneity among tenants, electricity demand would have followed the same trend in the treatment and control groups, but for the effect of the change in DST.

[16] For this calculation, we exclude electricity bills in the NW counties during November and December of 2006, when and where there is the confounding effect of a time-zone change.

[17] To be even more specific, for these DST and non-DST models, we drop the monthly electricity bills that straddle the date of transition in or out of DST; however, later in this section we use these dropped observations to estimate the DST effect at the spring and fall transitions.

All standard errors are clustered at the billing-cycle within each county in order to make statistical inference robust to potential serial and spatial correlation. The importance of considering serial correlation in DD estimation is well known (see Bertrand et al 2004), and clustering at this level accounts for potential serial correlation of household electricity demand. Clustering at the billing-cycle also has the advantage of accounting for potential serial correlation due to the timing of meter reads earlier or later in the month, which is not captured with month-year dummies used to control for the time trend in specification (1). The relatively broad level of clustering should also ally concerns about potential spatial correlation. Within counties, billing cycles are closely aligned with neighborhoods because they are designed as meter-reading walking routes. The clustering thus account for spatial correlation that may arise because of neighborhood characteristics, such as the density of housing, type and date of construction, and possibly socio-economic characteristics.

Table 4 reports the fixed-effects estimates of equation (1). We include four specifications that account for weather in different ways. The variables ACDD and AHDD enter linearly in models (a) and (b). The only difference is that model (b) includes interactions with the treatment group so that weather is allowed to affect electricity demand differently in the treatment and control groups. The models in columns (c) and (d) are more flexible, with dummy variables for ACDD and AHDD binned at each integer. This includes 18 dummies for ACDD and 16 dummies for AHDD. In parallel, the only difference in model (d) is that each weather dummy variable is also interacted with the treatment group to allow differences in the effect of weather between groups. The estimate of δ for all four models is positive, highly statistically significant, and of similar magnitude. The estimates fall between 0.008 and 0.0103. The interpretation is that DST causes an increase in electricity demand that ranges from 0.8 to 1.03 percent over the entire DST period.

Table 5 reports the fixed-effects estimates for the quasi-counterfactual experiment. Using only data for the non-DST period of each year, we estimate a slightly modified version of equation (1). To take advantage of all the data, we include an additional dummy variable,

NWchg2006, to account for the time-zone change that occurred in the NW counties at end of 2006. Another difference is that models (c) and (d) do not include dummy variables for ACDD, as there are exceedingly few cooling degree days in Indiana during the non-DST period of the year. These models do, however, include 32 dummy variables for AHDD, which are also interacted with the treatment group in model (d). All estimates of the quasi-counterfactual DST effect are negative and have relatively small magnitudes, ranging from 0.3 percent to 0.6 percent. While three of the four estimates are not statistically distinguishable from zero, despite having close to 2.4 million observations, the coefficient in model (c) is marginally, statistically significant. Generally, we interpret these results in support of our key identification assumption that the trend in electricity demand is similar between the treatment and control groups of counties, other than for the change in DST policy and differences due to weather.

We now disaggregate our estimate of the overall DST effect into monthly estimates in order to investigate whether the effect of DST differs throughout the year. In particular, we estimate equation (1) separately for each month of the year based on the meter-read date. Following the same practice, we estimate equations for both the DST and non-DST periods, and we continue to exclude observations that straddle the DST transitions, meaning that we do not have monthly models for April or November. For simplicity, we report disaggregated estimates consistent with inclusion of the weather variables in column (a) in Tables 4 and 5.[18] Rather than report each of the 10 equations, we focus on estimates of δ, that is, the DST and quasi-counterfactual effects. We illustrate these results graphically in Figure 4, along with the 95-percent confidence intervals (standard errors are again clustered at the county × billing-cycle level). We find that the effect of DST is not statistically different from zero in May and June. It is, however, positive and statistically significant for the months July through October, with magnitudes ranging from 1 to 2 percent. As expected, during the non-DST months, we find no statistically significant differences between the treatment and control groups.

[18] Alternative specifications of the weather variables have little affect on the estimate interest.

The fact that monthly billing data is structured around billing cycles—with consistent read-dates within each month—allows us to decompose the estimates even further. We separate the observations into billing cohorts where the month is divided into three segments: those with read-dates in the first third of the month, the second third of the month, and the last third of the month.[19] We then estimate parallel models for each cohort in each month. In effect, this disaggregates the monthly estimates into third-of-month estimates. These results are shown in Figure 5. We again do not find consistent evidence for DST effects in May and June, yet through the DST period, there is a clear upward trend. In the later half of the DST period, nearly every estimate indicates that DST causes an increase in electricity consumption, with the effect appearing to be strongest during the October read-dates, when estimates range between 2 and 4 percent. In the non-DST periods, all coefficients except one are not statically different from zero, as one would expect if the DST periods are identifying the effect of changing the clock.

The final set of models that we estimate take advantage of the monthly observations that straddle the transition dates in and out of the DST period. We have thus far dropped these observations from the analysis, but we now use them to focus on estimates of the DST effect at the time of transition. In parallel with equation (1), we estimate models for the spring and fall transitions that have the following form:

$$(2) \quad lnADC_{it} = \delta DSTfrac \times Year2006_t \times NE_i + \beta_1 ACDD_{it} + \beta_2 AHDD_{it} + \gamma_1 Year2005_t + \gamma_2 Year2006_t + \nu_i + \varepsilon_{it},$$

where the main difference is the interaction of *DSTfrac* with the treatment-effect variable.[20] This new term is the fraction of the number of days in the billing cycle that are in the DST pe-

[19] Because there are 21 billing cycles in each month, this procedure means that there are 7 billing cycles in each cohort. In principle, we could estimate the DST effect for each billing cycle separately, rather than combining them into cohorts. But there is a tradeoff between having more precisely timed estimates and having less data upon which to estimate the effect. We thus follow the segmentation in Reiss and White (2003), whereby 7 billing cycles are combined into one cohort.

[20] We again report only specifications in which the weather variables enter linearly and without interactions with the treatment group.

riod. Once again, the coefficient δ is of primary interest, and its interpretation remains the same: the percentage change in average daily consumption due to the practice of DST. But here the effect is identified off of marginal changes in the number of days in DST.

Table 6 reports the fixed-effects estimates of equation (2) for both the spring and fall models. For the spring transition, we find a positive and statistically significant effect, with a magnitude of approximately 1.2 percent. The coefficient estimate for the fall transition model is also positive, but has a very small magnitude and is not statistically different from zero. While both of these transition results are of interest, they should be interpreted with caution because they are based on an attempt to extract a daily effect out of inherently monthly data. This, of course, makes it difficult to precisely estimate the effect. The same caution does not apply, however, to the estimates reported previously, where the models are based on data for which all days in the monthly billing cycle are subject to the same treatment effect.

5. Discussion

In this section we consider two questions. First, what are the underlying mechanisms that give rise to the estimates of the DST effect on residential electricity consumption? To answer this question we provide evidence from an engineering simulation model. Second, given that DST causes an overall increase in residential electricity consumption, what are the costs? We answer this question in terms of increased residential electricity costs and the social costs of increased pollution emissions.

A. Engineering Simulations

We ran simulations on eQuest, an interface program based on a versatile U.S. Department of Energy simulation model of a building's energy demand, including electricity.[21] The program has standardized design parameters for various building types, but all parameters can be altered

[21] The program description and download can be found at www.doe2.com. eQuest has the complete DOE-2 (version 2.2) building energy use simulation program embedded. Rock (1997) uses an older version of DOE-2.

by the user. We ran many simulations with different sets of parameters based on advice we received from program experts. While the numerical estimates differ among simulations, the general pattern of results remains the same. Here we report the results for a single family residence in southern Indiana with parameter settings thought to be most representative.[22] Embedded in the software is hourly weather data averaged from 1961 through 1990. Using 2006 as the calendar year, we ran simulations for the DST periods of the year, with and without the option to implement DST.

The first column of Table 7 reports the simulated percentage change in electricity consumption by month. Electricity consumption increases in 6 out of the 7 months. The only month associated with a savings is July, and the magnitude is less than half of a percent. The increased consumption that occurs in the spring months of April and May, at approximately 0.7 and 1.7 percent, respectively, tapers off in mid-summer. By September and October the simulated increase in consumption is well over 2 percent. Note that the pattern of these results is similar in many respects to our estimates in the previous section. We found some evidence, based on the model presented in Table 6, of an increase in electricity consumption at the time of transition in April. Referring back to Figure 5, we also found that the largest increases in consumption occur in late summer and early fall. In particular, the October read-dates, which reflect half of September's consumption because there is nearly a 30-day lag on average, have magnitudes of increased electricity consumption that are very similar to the predictions of the simulation model.

[22] Details about the program settings for the results presented here are the following: We use the multi-family, low-rise schematic to model a single-family dwelling in Evansville, IN. The dwelling is a single-story, wood-frame construction, front and rear entry points with appropriate square footage for a family of four (~1800 sq ft). The rectangular footprint (35' x 51') is oriented N-S in the lengthwise direction, with doors on both N and S sides. We modify the roof to 'pitched' with recommended default settings. Day lighting controls are set at 100 percent to simulate electricity-use change due to daylight relative to clock-time. Occupancy schedules are default, based on daytime work and leisure outside of the home. Heating in the residence is forced-air resistance electric, and cooling is typical Freon-coil air conditioning. Seasonal thermostat set points to initiate the HVAC system for occupied are 76F for cooling and 68F for heating, for unoccupied 80F and 65F, respectively. Fans are cycled intermittently at night, except are shut off from midnight to 4am. Further details about the simulations and results are available upon request.

Beyond corroboration of our findings, the value of the simulation exercise is that we can decompose electricity consumption into its component parts. The last three columns in Table 7 report the simulated change in average daily consumption by month for lighting, cooling, and heating separately. In all months, other than October, DST saves on electricity used for lighting; therefore, it appears that the "Benjamin Franklin effect" is occurring. But when it comes to cooling and heating, the clear pattern is that DST causes an increase in electricity consumption. The changes in average daily consumption are far greater for cooling, which follows because air-conditioning tends to draw more electricity and DST occurs during the hotter months of the year.

These results indicate that the findings of Shimoda *et al.* (2007) for Japan apply to Indiana as well. Moving an hour of sunlight from the early morning to the evening (relative to clock time) increases electricity consumption for cooling because (*i*) demand for cooling is greater in the evening and (*ii*) the build-up of solar radiation throughout the day means that the evening is hotter. Though not shown here, this is precisely the pattern that we find in the simulated daily electricity profiles for each month. In some months, as can be seen in Table 7, the cooling effect out weights the Benjamin Franklin effect.

There is also evidence for a heating effect that causes an increase in electricity consumption. When temperatures are such that heating is necessary, having an additional hour of darkness in the morning, which is the coldest time of day, increases electricity consumption. Kellogg and Wolff (2006) find evidence for the heating effect in their study of DST extensions in Australia. While the magnitude of the heating effect does not appear to be as large in our Indiana simulation results, it is likely to be more substantial when considering extensions to DST, which push further into the colder and shorter days of the year.

B. Costs of DST in Indiana

To begin calculating the costs of DST in Indiana, we need to establish the baseline of what electricity consumption would be without the practice of DST. We take advantage of all the

data during the DST period to establish the baseline. For all observations that were subject to DST, we subtract the estimate of 0.96 percent that comes from model (a) in Table 4. Average daily consumption is then calculated from these adjusted observations and all others that were not subject to DST, yielding an overall estimate of 30.12 kWh/day. It follows that the effect of DST—under the pre-2007 dates of practice—is an increase in consumption for the average residence of 61.01 kWh/year (i.e., 0.0096 × 30.12 kWh/day × 211 days/year). Extrapolating this estimate to all 2,724,429 households in the state of Indiana implies that DST increases statewide residential electricity consumption by 166,217 megawatt hours per year (MWh/year).

With this estimate, it is straightforward to derive the increased residential electricity costs per year. The average price paid for residential electricity service from Duke Energy in southern Indiana is $0.054/kWh. Multiplying this price by the change in a household's consumption implies a residential cost of $3.29 per year. Extrapolating once again to the entire state yields a cost of $8,963,371 per year in residential electricity bills due to the practice of DST.[23]

The statewide increase in electricity consumption of 166,217 MWh/year also provides the basis for calculating the social costs of pollution emissions.[24] We follow the general approach used in Kotchen *et al.* (2006). The first step is to determine the fuel mix for electricity generation. According to the Energy Information Administration (EIA 2006), the fuel mix for generation in Indiana is 94.8 percent coal, 2 percent natural gas, 0.1 percent petroleum, and 4.9 percent from other sources (gases, hydroelectric, and other renewables). We assume the change in generation due to DST comes entirely from coal, as it accounts for such a vast majority of the state's electricity generation. Emission rates—in tons of emissions per MWh of electricity generation from coal—are taken from Ecobilan's Tool for Environmental Analysis and Man-

[23] A more precise estimate would account for price differences in different areas of the state. But the estimate presented here should be treated as an underestimate. According to the Energy Information Administration (EIA 2006) the average retail price of electricity throughout Indiana in 2006 was $0.0646/kWh. At this price, the increased cost to residential electricity bills is $10,737,645 per year.

[24] The focus on changes in consumption rather than generation means that we do not take account of transmission and distribution loses, which can be substantial. This is one respect in which the social costs of pollution emissions reported here should be treated as conservative.

agement (TEAM) model, which is a life-cycle assessment engineering model (Ecobilan 1996). The first column in Table 8 reports the marginal emissions for carbon dioxide, lead, mercury, methane, nitrogen oxides, nitrous oxide, particulates, and sulfur dioxide. The second column reports the change in emissions for each pollutant, which is simply the product of marginal emissions and the change in overall electricity generation.

The next step is to quantify the marginal damages of each pollutant. For this we use a benefits transfer methodology and report low- and high-marginal damage scenarios where possible. The two exceptions are mercury and sulfur dioxide. We have only one estimate for mercury, and the values for sulfur dioxide are the tradable permit price in 2007, rather than the marginal damages. The reason for using the sulfur permit price is that total emissions are capped, so the marginal costs are reflected in the permit price, as the increase in emissions due to DST must be abated somewhere because of the binding cap. Table 8 reports the range of values in 2007 dollars for all pollutants, and we refer readers to Kotchen *et al.* (2006) for details on the specific references for each estimate.

The final step is to simply multiply the marginal damages by the change in emissions for each pollutant. The last two columns of Table 8 report these total damage costs for each pollutant, for the low and high scenarios. After summing the results across all pollutants, the low and high estimates for the social costs of emissions are approximately $1.7 million and $5.5 million per year. In the low scenario, increases in carbon dioxide, particulates, and sulfur dioxide account for the vast majority of the costs. In the high scenario, increases in carbon dioxide account for a much greater share of the costs, with the difference reflecting uncertainty about the economic impacts of climate change. In both scenarios the costs of increases in lead, mercury, and methane are negligible.

6. Conclusion

The history of DST has been long and controversial. Throughout its implementation during World Wars I and II, the oil embargo of the 1970s, more consistent practice today, and recent

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extensions, the primary rationale for DST has always been the promotion of energy conservation. Nevertheless, there is surprisingly little evidence that DST actually saves energy. This paper takes advantage of a unique natural experiment in the state of Indiana to provide the first empirical estimates of DST effects on electricity consumption in the United States since the mid-1970s. The results are also the first-ever empirical estimates of DST's overall effect.

Our main finding is that—contrary to the policy's intent—DST results is an overall increase in residential electricity demand. Estimates of the overall increase in consumption are approximately 1 percent and highly statistically significant. We also find that the effect is not constant throughout the DST period: there is some evidence for an increase in electricity demand at the spring transition into DST, but the real increases come in the fall when DST appears to increase consumption between 2 and 4 percent. These findings are generally consistent with simulation results that point to a tradeoff between reducing demand for lighting and increasing demand for heating and cooling. According to the dates of DST practice prior to 2007, we estimate a cost to Indiana households of $9 million per year in increased electricity bills. Estimates of the social costs due to increased pollution emissions range from $1.7 to $5.5 million per year.

Although this paper focuses exclusively on residential electricity consumption, it is likely to be the portion of aggregate electricity demand that is most responsive to DST. Changes in the timing of sunrise and sunset occur when people are more likely to be at home, where and when behavioral adjustments might occur. Commercial electricity demand, in contrast, is likely to be greatest at inframarginal times of the day and generally less variable to changes in the timing of daylight. But future research that accounts for commercial and industrial electricity demand would be useful.

It is also worth considering how the results reported here might generalize to other locations in the Unites States. Answers to this question are, of course, limited by the fact that Indiana is the only place where such a natural experiment has occurred. There are nevertheless several reasons we might infer that DST increases electricity demand across a much broader area.

First, existing simulations suggest that DST increases electricity consumption on average over 224 different locations throughout the United States (Rock 1997). Our results also corroborate the results of such simulation exercises. Second, even when prior research finds little or no electricity savings from DST in the United States, the effect is smaller in more southern regions (DOE 2006). Finally, the fact that we identify the underlying tradeoff between artificial illumination and primarily air-conditioning suggests that the DST effect that we estimate is likely to be even stronger in the more populated, southern regions of the Unites States. Further south, the days are shorter during the summer, meaning that decreases in electrical use from lighting are likely to be smaller, and air conditioning is more common and intensively used, meaning that increases in electricity for cooling are likely to be bigger.

The results of this research should inform ongoing debate about the recent extensions to DST that took place in 2007. As mentioned earlier, the Energy Policy Act of 2005 requires that research be conducted to evaluate whether the extensions yield conservation benefits. While our results suggest that the extensions to DST are most likely to increase, rather than decrease, demand for residential electricity, further research is necessary to examine the effects of the extensions themselves. At present, we are still awaiting release of the official Department of Energy study.

In conclusion, we find that the longstanding rationale for DST is questionable, and if anything, the policy seems to have the opposite of its intended effect. Nevertheless, there are other arguments made in favor of DST. These range from increased opportunities for leisure, enhanced public health and safety, and economic growth. In the end, a full evaluation of DST should account for these multiple dimensions, but the evidence here suggests that continued reliance on Benjamin Franklin's old argument alone is now misleading.

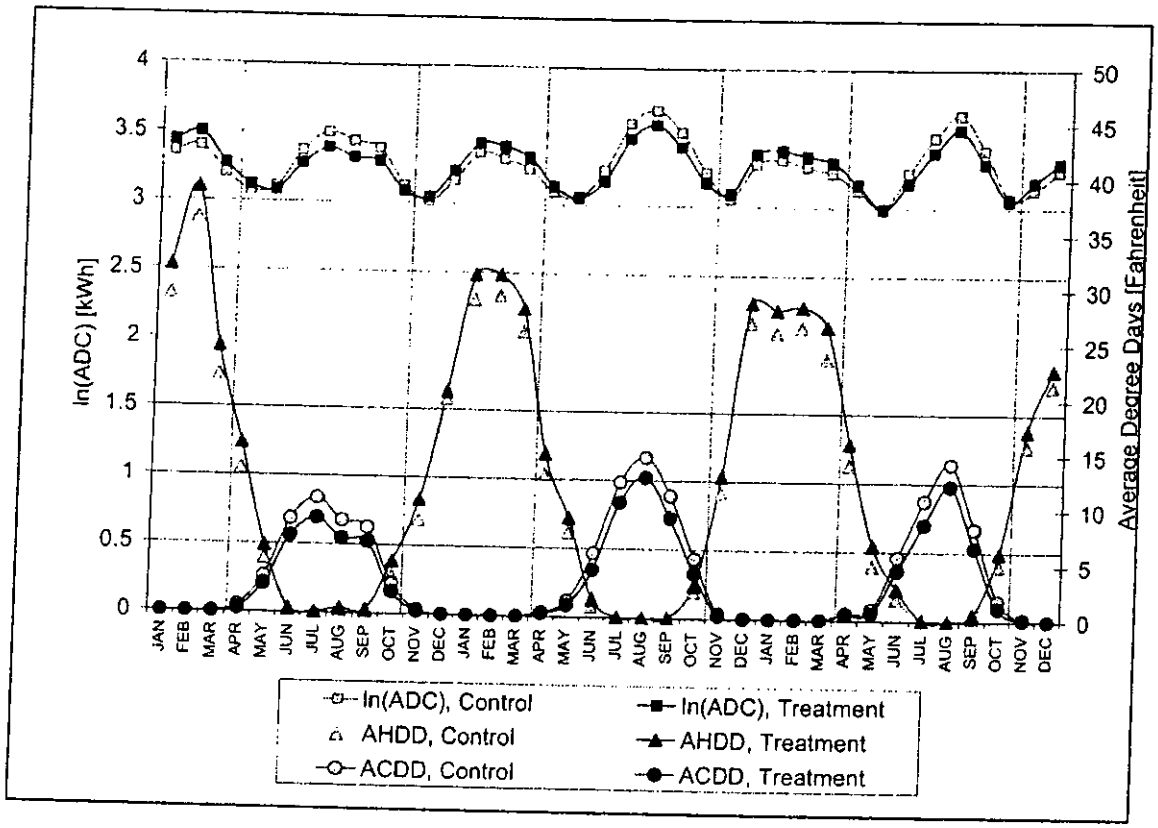

Figure 3: Average daily consumption, average heating degree days, and average cooling degree days by month 2004-2006 for the control and treatment sets of counties

Table 1: U.S. Census data for different sets of counties in southern Indiana

	Set of counties				
Census variable	SE	SW	NE	NW	Total
Number of counties	4	3	14	4	25
Total population	247,729	111,944	506,932	92,282	958,887
Proportion of population rural	0.389	0.456	0.493	0.537	0.466
Proportion of population rural and farm	0.018	0.029	0.032	0.063	0.031
Median age	36.5	37.6	35.9	37.4	36.4
Number of households	96,011	42,490	195,597	35,748	369,846
Average household size	2.5	2.6	2.5	2.5	2.5
Proportion households with electric heat	0.313	0.284	0.334	0.218	0.311
Median household income in 1999	$42,964	$43,505	$38,076	$33,717	$39,553
Average per capita commute time (minutes)	12.00	11.18	10.58	9.56	10.92

Notes: All data taken from the 2000 U.S. Census. Cells weighted appropriately by either population or number of households.

Table 2: Descriptive statistics for different sets of counties in the data set

	Set of counties				
Variable	SE	SW	NE	NW	Total
Observations	1,295,108	316,746	5,097,035	558,503	7,267,392
Residences	39,643	9,595	157,477	17,174	223,889
Tenants	66,148	14,387	276,339	27,209	384,083
Average daily consumption (kWh/day)	35.10	35.91	35.86	35.00	35.66
	(25.26)	(26.08)	(28.99)	(26.95)	(28.08)
Average cooling degree days	4.01	3.88	3.14	3.59	3.36
	(5.09)	(4.92)	(4.18)	(4.53)	(4.43)
Average heating degree days	11.19	11.86	12.91	12.47	12.53
	(11.29)	(11.82)	(12.44)	(12.30)	(12.23)

Notes: Standard deviations reported in parentheses.

Table 3: Differences in average daily consumption between 2004-2005 and 2006

	DST period		Non-DST period	
	Treatment: NE	Control: SE, SW, NW	Treatment: NE	Control: SE, SW, NW
Years 2004-2005	3.1256	3.2239	3.2940	3.2147
Year 2006	3.1814	3.2607	3.3068	3.2366
Difference	0.0558	0.0368	0.0128	0.0219
Difference-in-difference (DD)	0.0191		-0.0091	

Notes: Average daily consumption reported as *lnADC*. In order to account for the unbalanced panel, we first calculate averages within tenants and then average between tenants. Difference is interpreted as the percentage change from years 2004-2005 to year 2006. Difference-in-difference is the percentage difference in the treatment group compared to the control group. Differences may not compute exactly due to rounding. For the non-DST control group, we exclude electricity bills in the NW counties during Nov. and Dec. of 2006, when and where there was a policy change due to the shifting of time zones

Table 5: Quasi-counterfactual non-DST period fixed-effects models for changed average daily consumption in 2006

	(a)	(b)	(c)	(d)
Year 2006 × Treatment group	-0.0030	-0.0004	-0.0064*	-0.0029
	(0.0029)	(0.0028)	(0.0031)	(0.0031)
Average cooling degree days (ACDD)	0.0065	-0.0483**	0.0244	-0.0060
	(0.0292)	(0.0178)	(0.0248)	(0.0211)
Average heating degree days (AHDD)	0.0150**	0.0144**	--	--
	(0.0004)	(0.0005)		
ACDD × Treatment group	--	0.1008*	--	0.0453
		(0.0494)		(0.0424)
AHDD × Treatment group	--	0.0008	--	--
		(0.0005)		
ACDD dummies	--	--	--	--
AHDD dummies	--	--	Yes	Yes
ACDD dummies × Treatment group	--	--	--	--
AHDD dummies × Treatment group	--	--	--	Yes
NWchg2006	0.0062	0.0039	0.0041	0.0015
	(0.0077)	(0.0076)	(0.0079)	(0.0076)
Month-year dummies	Yes	Yes	Yes	Yes
Observations	2,374,790	2,374,790	2,374,790	2,374,790
Tenants	340,328	340,328	340,328	340,328
R-squared (within)	0.080	0.080	0.080	0.081

Notes: The left-hand side variable is *lnADC*. Standard errors, reported in parentheses, are clustered at the county × billing-cycle level, of which there are 387 clusters. Models (c) and (d) include 31 categories for AHDD, and each of these dummy variables is interacted with the treatment group in model (d). ** and * indicate statistical significance at the 99- and 95-percent levels, respectively.

Table 7: Simulation results for changes in monthly electricity demand due to DST

	DST effect	Difference in average daily consumption (DST – no DST)		
		Lighting	Cooling	Heating
April	0.73%	-4.1	6.8	2.2
May	1.69%	-6.0	10.5	4.4
June	0.03%	-7.5	6.8	0.4
July	-0.05%	-7.5	6.7	0.0
August	0.60%	-5.7	9.7	0.0
September	2.31%	-1.9	11.7	2.6
October	2.39%	2.4	10.4	1.8
Overall	0.98%	-4.5	9.1	1.7

Notes: Simulation results based on 2006 simulations in southern Indiana. Quantities reported in the last three columns are changes in average daily consumption (kWh/day) due to DST for the period indicated. DST effect is the percentage change and does not correspond exactly to the percentage change in lighting, cooling, and heating, as the overall effect also captures other relatively small changes in electricity consumption.

Table 8: The social costs to Indiana of Pollution emissions from DST

	Emissions (tons/MWh)	Δ emissions (tons)	Marginal damages		Total damages	
			Low	High	Low	High
Carbon dioxide	1.134E-00	188,490.08	$2.82	$20.55	$531,485	$3,872,566
Lead	6.752E-07	0.11	$572.52	$2,457.32	$64	$276
Mercury	2.490E-08	0.00	$58.90	$58.90	$0	$0
Methane	1.336E-05	2.22	$79.96	$343.16	$178	$762
Nitrogen oxides	5.275E-03	876.79	$77.20	$179.41	$67,686	$157,304
Nitrous oxide	4.868E-05	8.09	$853.54	$7,690.35	$6,906	$62,226
Particulates	8.540E-04	141.95	$954.91	$3,282.86	$135,548	$465,999
Sulfur dioxide	1.060E-02	1,761.90	$518.98	$518.98	$914,391	$914,391
Total					$1,656,259	$5,473,524

Notes: Emissions (tons/MWh) taken from Ecobilan's TEAM model, copyright 2006. Δ emissions are the product of emissions and the DST change in electricity consumption of 166,217 MWh/year. All dollars values are reported in 2007 dollars.

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COMMERCE

NFIB

The Voice of Small Business®

ALASKA

January 31, 2010

The Honorable Anna Fairclough
State Capitol Building
Juneau, Alaska 99801-1182

Dear Representative Fairclough:

RE: House Bill 19

On behalf of the National Federation of Independent Business/Alaska, I wish to respectfully share our support for House Bill 19 that eliminates daylight savings time in Alaska. The National Federation of Independent Business is the largest small-business advocacy group in Alaska.

In our 2010 member ballot, NFIB/AK members voted overwhelmingly that Daylight savings time should be eliminated in Alaska. We believe its original purpose is long past and it has no current value. The change from five to two time zones in Alaska's northern latitude has created a situation where changing time in the spring and fall makes little sense. Thus, while it may be a nice idea elsewhere, it is a cumbersome activity that provides no real value to Alaskans.

Sincerely yours,

Dennis L. DeWitt
Alaska State Director

Cc: NFIB/AK Leadership Council

National Federation of Independent Business – ALASKA
P. O. Box 34761•Juneau, AK 99803-4761•907 723 6667•www.NFIB.com

First National Bank
ALASKA

D. H. CUDDY, PRESIDENT

March 13, 2009

Representative Anna Fairclough
House of Representatives, Room 411
State Capitol, Juneau, AK 99801-1182
Mailstop: 3100

Re: House Bill 19: Repeal of Daylight Saving Time

Dear Representative Fairclough:

For many reasons, the Daylight Saving Time law should be repealed. Some of the principal reasons are as follows:

- By the first of March, I am going to work in the daylight, but when the law mandates that I turn the clocks forward, I am going to work in the dark again. Either way, it is daylight when I drive home at night. Therefore, Daylight Saving Time causes me to *lose* daylight during business hours.

- I have long believed that Daylight Saving Time wastes energy over the course of a year, and a recent study cited by *Fast Company* magazine has found this to be the case.

- Daylight Saving Time is an anachronism that originated in response to political and climactic factors in World War I England which have no relevance in Alaska in 2009.

- It would be nice to be on the same time schedule as the Pacific Coast at least six months out of the year, but Daylight Saving Time prevents that.

- Daylight Saving Time is just a complete nuisance and inconvenience, twice a year, and it accomplishes nothing in the state of Alaska.

Sincerely,

D. H. Cuddy,
Chairman and President

DHC:lb

Corporate Headquarters • 101 W. 36th Avenue • P.O. Box 100720 • Anchorage, AK 99510-0720
907/777-3555 • FAX: 907/777-3003 • www.FNBAlaska.com • Member FDIC

EQUAL HOUSING LENDER

KTUU • TV
ANCHORAGE, ALASKA

February 5, 2010

Representative Anna Fairclough
Room 421
State Capitol
Juneau, AK 99801-1182

Re: HB 19

Dear Representative Fairclough,

We understand and appreciate your reasons for introducing HB 19, eliminating Daylight Savings time in Alaska. I feel it necessary, however, to let you know how the bill would negatively affect television broadcasters in Alaska.

You may remember that prior to the beginning of satellite television in 1984, television programs aired in Alaska on a one-week or two-week delay. The business of selling advertising to agents on the east coast was largely conducted by mail. Neither is the case today.

KTUU airs most of its programming at the same time it airs in LA. Our feed for NBC Nightly News, for example, comes in at 5:28:30pm and airs live. It begins in LA at 6:28:30pm. Our prime time line-up airs 7-10pm, while in LA prime time is scheduled from 8 to 11pm. The proposal in front of you would require that entire blocks of programming would have to be recorded and played back at an appropriate time, requiring additional investment in equipment and personnel.

Children's programming is also a concern. We are required by the FCC to air three hours each week of programming targeted to meet the educational needs of children. That programming must air in consistent time periods, no earlier than 7am. NBC schedules weekend sports to begin at 2pm ET, or 10AM AK. We air our children's programming from 7am to 10am on Saturday.

The business of negotiating and selling advertising across time zones is always a challenge when doing business with, or from, Alaska. Adding another hour to our time difference adds to that difficulty.

I'm sure you're hearing from other businesses that interface with the "Lower 48." While the merits of Daylight Savings time in Alaska can certainly be debated, the merits of facilitating business relationships cannot. From our position as a broadcaster, exacerbating the time difference is an idea we cannot support.

Sincerely,

Susan

Susan Lucas
President/General Manager
Northern Lights Media Inc.
KTUU-TV

Anna - I would love to talk with you about our perspective — Sue

Northern Lights Media, Inc
701 East Tudor Road • Suite 220 • Anchorage, AK 99503-7488
(907) 762-9202 • Fax (907) 561-0882
www.ktuu.com

State IT Response

Rep. Anna Fairclough

From: Dubey, Anand (DOA) [anand.dubey@alaska.gov]
Sent: Monday, March 16, 2009 10:42 AM
To: Rep. Anna Fairclough
Cc: Crystal Koeneman, Petro, Rachael A (DOA), Brooks, Kevin A (DOA)
Subject: RE: HB 19 DST
Follow Up Flag: Follow up
Flag Status: Red

Representative Fairclough,

Your IT specialists are correct.

Basically we have two scenarios in ETS:

Scenario 1: Systems that we need to remediate every year to conform to DST
Scenario 2. Systems that have been remedied and do not need to be updated every year

For scenario 1 we would not have remediate every year if DST was to go away.
For scenario 2 we would have to change from DST to non DST one time.....I do not have a clear quantification of the amount of labor necessary to accomplish this one time fix for scenario 2.

Respectfully,

Anand Dubey
Director
ETS

From: Rep. Anna Fairclough [mailto:Representative_Anna_Fairclough@legis.state.ak.us]
Sent: Sunday, March 15, 2009 5:35 PM
To: Dubey, Anand (DOA)
Cc: Koeneman, Crystal (LAA)
Subject: RE: HB 19 DST

Director Dubey,

Thank you for your response

It appears, while we would have to do maintenance of our system, it is the same type of maintenance that we do when we change over to DST. Have I understood your comments correctly?

Our IT specialists informed me that each Personal Computer would not have to click the box as the Central Process Unit would reset and time-stamp the entire system to a specific time

Representative Fairclough

From: Dubey, Anand (DOA) [mailto:anand.dubey@alaska.gov]
Sent: Friday, March 13, 2009 3:41 PM
To: Rep. Anna Fairclough

3-19-2009

SARAH PALIN
GOVERNOR

DEPARTMENT OF CORRECTIONS
Office of the Commissioner

550 W. 7th Ave. Suite 601
Anchorage, AK 99501
Phone: (907)269-7397
Fax: (907) 269-7390

March 17, 2009

Dear Representative Fairclough,

Thank you for your request for input on HB 19, the repeal of Daylight Saving Time. Departmentally we are taking a neutral stance on the issue and I would offer the following as issues and challenges we face in the implementation of Daylight Saving Time:

(1) Each spring we pay for one hour not worked by every Correctional Officer on duty at the time we "spring forward" (a rough estimate would be 150-200 officers on duty at that time);

(2) Each fall we pay an additional hour worked by every Correctional Officer on duty at the time we "fall back" (a rough estimate would be 150-200 officers on duty at that time);

(3) The basic concept, as I understand it, is somewhat moot in Alaska due to the normal rapid increase in daylight that is occurring at the same time the time change is initiated.

Again, thank you for the opportunity to offer comment on the issue.

Sincerely,

Joe

cc: Dwayne Peeples
Sam Edwards

State of Alaska

Department of Revenue

Administrative Services Division

SARAH PALIN, GOVERNOR
333 Willoughby Avenue, 11th Floor
P.O. Box 110400
Juneau, Alaska 99811-0405
Phone: (907) 465-2300
Fax: (907) 465-2394

March 16, 2009

The Honorable Anna Fairclough
Representative
Alaska State Legislature
State Capitol, Room 421
Juneau, AK 99801-1182

Dear Representative Fairclough;

Upon the passage of HB 19, Alaska's daylight saving time would be eliminated. Every agency in the state was asked to respond as to any impact the time change might have on its operations. For the Department of Revenue, no direct fiscal impact would be realized, however, some operating functions would need to change.

Alaska's state employees who interact with east coast based financial institutions and advisors will have more limited hours in which to complete their communications. These employees include investment officers, equities managers and finance staff. Currently, most of the state's investment officers begin their work day at 5:00am when the trading floors open on the east coast. If HB 19 is passed, the department will need to make the choice of losing an hour of prime investment time or requiring certain employees to begin the work day an hour earlier for eight months of the year; 4:00am for investment officers. Of course, this change would have a similar impact on positions in Alaska's private financial sector as well.

Any Department of Revenue software application changes would be made within existing budgets.

Sincerely,

Ginger Blaisdell
Director

ALASKA STATE LEGISLATURE

SENATOR DONALD C. OLSON, CHAIR

SENATOR ALBERT KOOKESH
SENATOR JOE THOMAS
SENATOR HOLLIS FRENCH
SENATOR LINDA MENARD

ALASKA STATE CAPITOL
ROOM 514
JUNEAU, ALASKA 99801-1182
907) 465-3877
FAX: (907) 465-4821

SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

TO: All Committee Members

FROM: Senator Donald Olson

RE: Committee Agenda

LOCATION: Beltz Rom 105 (TSB)

DATE/TIME: Thursday March 18 – 3:30 p.m.

AGENDA

I. Committee Hearings

1. HB 19 Eliminate Daylight Savings Time

Alaska State Legislature

Representative Anna Fairclough – House District 17

Date: March 1, 2010

To: Senator Donny Olson
Chair, Senate Community & Regional Affairs Committee

From: Representative Anna Fairclough

Re: CSHB 19 "An Act exempting the state and its political subdivisions from daylight saving time."

In direct response to a number of concerns raised by Alaskans, my constituents and various groups, such as K-12 educators, the elderly, northwestern rural communities, and others, our office has been researching the possible repeal of Daylight Saving Time (DST) in Alaska.

It is clear from two statewide polls done in 2004 and '05, that a strong majority of Alaskan's statewide favor the repeal of DST for a variety of reasons. As most of you know in 1983, with congressional approval, Alaska consolidated its five time zones into two. This was done to better consolidate our communities and to enhance public services.

Alaska Standard Time (AST) now covers most of our state, with only a few Aleutian Islands in the Hawaii – Aleutian Time Zone. AST is one hour earlier then Pacific Standard Time and four hours earlier then Eastern Standard Time.

Daylight Saving Time was actually an idea that originated as an American domestic policy during World War I to save energy.

I urge your careful consideration of the health issues we have raised, balanced with consideration of the impact to our business community. I request that you move to pass this bill out of committee and on to the Senate floor for a vote.

Thank you for your support,

Anna Fairclough

Representative Anna Fairclough

CC: Senator Joe Thomas
Senator Hollis French
Senator Albert Kookesh
Senator Linda Menard

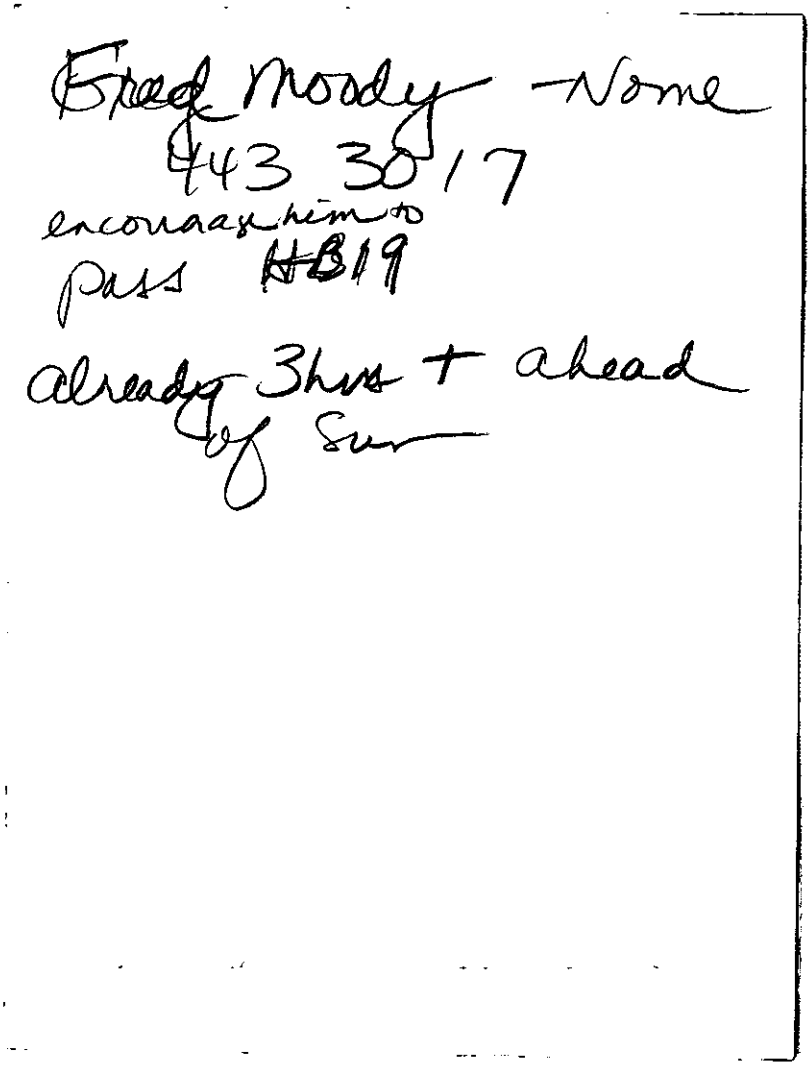
Session: Alaska State Capitol • Juneau, AK 99801 • 907-465-3777 • Fax 907-465-2819
Interim: 10928 Eagle River Road, Suite 238 • Eagle River, AK 99577 • 907-694-8944 • Fax 907-694-8945
Representative_Anna_Fairclough@legis.state.ak.us

		2010	2009
Q.17	What is your overall opinion of the leadership of the Alaska state legislature these days -- does it seem to be working better than it has in the past, about the same, or worse?		
	Better	19%	21%
	Same	**63%**	63%
	Worse	16%	13%
	Unsure	2%	3%
Q.18	How would you rate the job Governor Sean Parnell and the executive branch of state government is doing these days -- would you say you...?		
	Strongly approve	12%	
	Somewhat approve	**69%**	
	Somewhat disapprove	12%	
	Strongly disapprove	2%	
	Unsure	5%	
Q.19	Do you currently have healthcare coverage? **Yes**	**86%**	
	(Skip to Q.21) No	14%	
Q.20	How satisfied are you with your healthcare coverage? Would you say ...?		
	Very satisfied	40%	
	Mostly satisfied	**47%**	
	Mostly dissatisfied	9%	
	Very dissatisfied	3%	
	Unsure	1%	
Q.21	Generally speaking, do you strongly favor, somewhat favor, somewhat oppose or strongly oppose the healthcare reform plan proposed by President Obama and Congress?		
	Strongly favor	16%	
	Somewhat favor	20%	
	Somewhat oppose	12%	
	Strongly oppose	**46%**	
	Unsure	6%	
Q.22	In early March this year, Alaska will switch to Daylight Savings Time. In November, we will adjust our clocks and switch back again. What is your opinion about that -- do you support Alaska switching to Daylight Savings Time for the summer and then switching back in the fall, or should we leave our clocks the same throughout the year?		
	Switch clocks	41%	
	Leave the same	**55%**	
	Unsure	4%	

PUBLIC TESTIMONY SUPPORT FOR HB 19

3/18 @ 1:30pm- Francis Bell from Eagle River. 696-1403

Alaskans complain that Daylight Savings puts us five hours behind the east coast. This autumn just "don't fall back." We will be in the same time zone as Seattle for half the year and only three hours behind the east coast.



Christina Apathy

From: lltr@gci.net on behalf of Lori Landstrom [lltr@gci.net]
Sent: Wednesday, March 17, 2010 5:19 PM
To: Sen. Donny Olson; Sen. Joe Thomas; Sen. Hollis French; Sen. Albert Kookesh; Sen. Linda Menard; Senator_Gary_Stevenes@legis.state.ak.us
Subject: HB 19-eliminate DST

Dear Senators,
Please pass this bill out of your committee and keep it moving to passage of the full senate. Daylight Savings Time is a waste of money. It has not been shown to save money, as originally thought. It messes up children and adults sleep schedule twice a year, this is particularly hard on young school age children and the elderly.
Thank you.
Lori Landstrom and Terry Rude
Seward, AK

Christina Apathy

From: chumlee@gci.net on behalf of jim weber [chumlee@gci.net]
Sent: Wednesday, March 17, 2010 5:25 PM
To: Sen. Donny Olson
Subject: HB 19
Attachments: "AVG certification"

Don: please pass HB 19 out of your committee with favorable recommendations of passage. We need HB 19.

Jim Weber
Wasilla

Christina Apathy

From: Lisa Torkelson [lisa@advanced-design.com]
Sent: Wednesday, March 17, 2010 6:35 PM
To: Sen. Donny Olson
Subject: HB 19 support

Honorable Senator Olson,

Thank you for scheduling HB 19, the elimination of Daylight Savings Time. Please support the bill.

I couldn't tell by the bill text which time zone is being proposed, but anything is better than switching twice a year. DST has no relevance to current life except to disrupt routines (and frustrate parents with kids!).

If folks are concerned about being too removed from East Coast, then let's join up with the Pacific coast. When our state experiences sunrises and sunsets all over the clock, eventually few will notice.
Does the Alaskan farmer care whether it's light or dark when he milks his cows? Do Alaskans really save energy with the current system when if the sun sets at 2am instead of 1am? Can anyone tell by the sun what time it is, on any given day, anyway? NO!

If Arizona and Hawaii can do it, then our state can follow their common sense examples. Please support this perpetually introduced bill and get on with life in one zone.

Sincerely,

Lisa
--
^*^*^*

Christina Apathy

From: Cindy Hanson [chanson@ahfc.state.ak.us]
Sent: Wednesday, March 17, 2010 5:33 PM
To: Sen. Donny Olson; Sen. Joe Thomas; Sen. Hollis French; Sen. Albert Kookesh; Sen. Linda Menard
Subject: Daylight Savings Time

I would really appreciate Alaska dropping out of the Daylight Savings. I believe it is not necessary anymore.

Thank you,
Cynthia Hanson
Wasilla, AK
907/376-3074

Christina Apathy

From: Rosemary Hanrath [hanrathr@mtaonline.net]
Sent: Wednesday, March 17, 2010 5:48 PM
To: Sen. Donny Olson
Subject: HB 19

Dear Senator: I live too remote to attend the March 18 hearing re: Act to Eliminate Daylight Savings Time. However, I express my sincere desire to see DST eliminated.

In this technical age there is no longer a need to attempt to match Lower 48 times. We are in constant contact via fax, computer, phone and etc.

The twice yearly time change causes Alaska citizens unquestionable upsets. Medical routines including the taking of prescriptive medicines and the sleep patterns disrupt us for many days as we make the re-adjustment spring and fall.

With the many summer hours of daylight the title "Daylight Savings" is laughable if the consequences were not so serious.

As a 43 year resident of this wonderful State, I urge you with the committee to forward HB 19 for Senate vote to delete. Thank you,
Rosemary Hanrath

Christina Apathy

From: Carl Markon [cmarkon@acsalaska.net]
Sent: Wednesday, March 17, 2010 6:02 PM
To: Sen. Donny Olson
Subject: An Act to Eliminate Daylight Saving Time in Alaska

I fully endorse the act to eliminate the daylight saving time in Alaska.
In short, it's just stupid since be the end of the week, it does not make any difference anyway if we are on Alaska Standard Time or Alaska Daylight Time (with is sort of a oxymoron anyway this far north).

Christina Apathy

From: ggage@gci.net on behalf of Glen [ggage@gci.net]
Sent: Wednesday, March 17, 2010 6:30 PM
To: Sen. Donny Olson
Subject: DST is a waste of time

Hi,

I would like to let you know that I do not think Daylight Savings Time does anything to improve the lives of Alaskans!
Because of the daily changes to the length of daylight at our longitude, any differences only effect about 20 days each spring and fall. The downside is that twice a year I have to go through the process of changing each clock in the house. Personally I feel out of sorts each time the time changes, even one hour less sleep can turn a day upside down.
I would ask you to vote to eliminate daylight savings time in Alaska!

Thank you,
Glen Gage
11424 Lower Sunny Cir
Eagle River, AK 99577

Christina Apathy

From: Mario Lanza [doclanza@alyeskafamilymedicine.com]
Sent: Wednesday, March 17, 2010 7:02 PM
To: Sen. Donny Olson; Sen. Joe Thomas; Sen. Hollis French; Sen. Albert Kookesh; Sen. Linda Menard
Attachments: DST.doc

Dear Senators,

Please see the attached document for commentary on Daylight savings time.

Thank you,

Mario A. Lanza, MD, FAAFP
President and Medical Director,
Alyeska Family Medicine, Inc.

To: Members of the Alaska State Legislature

Re: Medical Issues of DST

I hope this brief commentary will aid you in your upcoming decision regarding DST.

I have been a family physician in Anchorage for over 15 years. During that time I have had tens of thousands of patient encounters involving several thousand different people. Both from that experience and from my observations of the Anchorage population in general, I can tell you without hesitation that Seasonal Affective Disorder (SAD) is very real, much more common than reported in the medical literature, and has great effects on our community. Predictably the number of patients I see and treat for depression increases dramatically between the end of September and the end of January. In addition the number of people who complain of various symptoms for which no diagnosis is ever found is much greater in this time frame. Watching the behavior of the population in general also shows me that people just slow down during the winter. The majority of people would not meet the formal criteria for SAD, but their stress level is much higher and their productivity is lower.

My experience and observations also show me that the single most important factor in the causation of SAD is beginning one's day in the dark. The rising sun is a natural cue for humans to end sleep and begin their days. This is why when we use light therapy to treat SAD we recommend that the best time to use the light is first thing in the morning. It should be noted that light therapy has been shown to be the single best therapy for SAD.

Ideally, it would be best if we, for the most part, started our days near or only slightly after dawn, however, it would be very impractical, and in some regions impossible, to manipulate the time in Alaska so that the sun was always up when most people are rising. Because of our extreme northern geography and vast size I will limit the rest of this discussion to central Alaska, because this is where over 75% of the population resides.

The first thing I would like to point out is that central Alaska would naturally be in the same time zone as Hawaii. Therefore, we already push sunrise one hour later than it would otherwise be. This means at the equinox instead of the sun rising at 0600 and setting at 1800, it rises at 0700 and sets at 1900. DST doubles this effect, causing sunrise to be two hours later than it would naturally. So at the equinox the sun does not rise until 0800 and sets at 2000. The combination of these two factors increases by four the number of months people rise and or begin their workday in the dark, two months at the beginning of winter and two at the end of winter. On the other hand if the timing of the onset of DST were adjusted so that the sun never rose later than 0600 (because of DST) it would have little if any bearing on SAD. I must admit in the natural order in does not make much sense for Anchorage to have days at the peak of summer that start at about 0200 and end at 2200. During these very long days having the clock shifted off by two hours makes perfect sense but for the rest of the year this policy wreaks havoc on our bodies' natural clocks.

In summary my recommendation would be to take whatever measures are necessary in order to have as much of the population start their days after sunrise, for as many months of the years as possible. This would mean, as a start, discontinuing DST. It may also mean going back to having Alaska be in more than the current two time zones. Another option would be to shift the whole state to the Hawaii time zone to have the vast majority of the population living on natural time and to lessen the impact on those who live in the far west of the state. In any case it is going to take some seriously out of the box thinking to solve this dilemma. Alaska is unique in so many other ways why should our time keeping be any different. I encourage you all to be bold and think so far outside the box that no one can even see the box anymore.

Sincerely,

Mario A. Lanza, MD, FAAFP
President and Medical Director,
Alyeska Family Medicine, Inc.

Christina Apathy

From: Jerri Sansone [tj_sansone@yahoo.com]
Sent: Wednesday, March 17, 2010 7:10 PM
To: Sen. Donny Olson
Subject: day light savings time

please vote for the removal of day light savings time from Alaska; it is no longer needed due to the updates in technology. thank you.

Jerri Sansone
338-5306

Christina Apathy

From: Steve Adams [smokey@mosquitonet.com]
Sent: Wednesday, March 17, 2010 7:22 PM
To: Sen. Donny Olson
Subject: Daylight Saving Time

Senator:

Please do everything in your power to end this madness known as Daylight Saving Time in Alaska !

Thank You.

Steve Adams

Christina Apathy

From: Duffield [ryduffield@gmail.com]
Sent: Wednesday, March 17, 2010 7:27 PM
To: Sen. Donny Olson
Subject: Daylight Saving Time

Dear Senator Olson,

I understand Daylight Saving Time is to be on the Thursday agenda and I'd like to voice my opinion on the subject please.

I am totally opposed to DST and have been for 50+ years. In my nearly 70 years of life I have never yet met a person who was not opposed to it. It is truly an exercise in stupidity that only seems to enjoy support by the business community. I contend that the business community can fend for itself and adjust their business hours on an individual basis to suit their inter-state needs without affecting the general population of the state. I have 40+ timepieces of varying types that have to be reset twice annually for this nonsense and there is absolutely no benefit from it, whatever. There are some contested studies that show some minute fuel savings but everyone has some study to support any position. It does not mean it is valid though. Arizona and Hawaii, at least, have done just fine for years letting the stupid people around them changing their clocks twice a year and they survive, very well. Alaska has 4 "real" time zones which we combined into 2 many years ago and we have survived the trauma. Surely we can spare us all a whole lot of inconvenience and endure the temporary trauma of disassociating ourselves from this national nonsense. As I say, if businesses find it inconvenient, then they can simply adjust the work hours of selected employees to take care of their inter-state needs. I seriously doubt the state of Alaska has more inter-state business than the state of Hawaii with their volume of tourism, yet they thrive. And they are even more impacted than most of the Alaskan population..

I will share this same message with all members of the Senate Community and Regional Affairs Committee.

Please work to rid Alaska of this nonsense. If you succeed your efforts will be appreciated for generations to come.

Thank you,

Robert Duffield
P.O. Box 55901
3039 Hurst Road
North Pole, AK 99705
Tel: 907-488-3824
Email: ryduffield@gmail.com

--
Sent from my PC

Christina Apathy

From: LLKILE@aol.com
Sent: Wednesday, March 17, 2010 7:36 PM
To: Sen. Donny Olson
Subject: daylight savings time

It would be nice to know that we can do something simple before we tackle the tough task like the gas pipeline! Please, do something simple ... get rid of daylight savings time! All around the water cooler the past three days, everyone has been gripping about this topic and it is unanimous that we don't care for it. Except for a few businesses that do business on the East Coast, daylight savings does not do a lot for Alaskans. We finally get to wake up to sunlight (after a long winter) and daylight savings puts us back into the morning dark! Depressing ..... Then we add daylight to the evening and go back to sleep in the daylight? It is much nicer to drive to work in the daylight than it is to get another hour of it at night and my dog does not care!

Thank you

Christina Apathy

From: Buesseler_Joe [Buesseler_Joe@asdk12.org]
Sent: Wednesday, March 17, 2010 7:42 PM
To: Sen. Donny Olson

Please dump Daylight savings time. Please.

Joe

716

Christina Apathy

From: Beth Jacobs [mukluktok@gmail.com]
Sent: Wednesday, March 17, 2010 7:48 PM
To: Sen. Donny Olson
Subject: Daylight Savings time

Oh, we would be so happy to have daylight savings time eliminated.
Twice a year it is such a hassle for people for church and work and there are no benefits for us Alaskans.
Thanks so much,
Beth and George Jacobs, Mukluk News, Tok

Christina Apathy

From: phyllis haggland [phaggland@yahoo.com]
Sent: Wednesday, March 17, 2010 8:06 PM
To: Sen. Donny Olson
Subject: Daylight Savings Time

Please eliminate Daylight Savings Time in Ak. It's costly and useless. Thank you. Phyllis Haggland

718

Christina Apathy

From: Darell Tweet [dtweet@gmail.com]
Sent: Wednesday, March 17, 2010 8:07 PM
To: Sen. Donny Olson
Subject: House Bill 19

Hi Senator,

Just writing to voice my strong support for HB 19, the bill to eliminate daily savings time. Day light savings just doesn't make sense for Alaska!

Proud constituent,

Darell Tweet

Christina Apathy

From: Ray [rayban@gci.net]
Sent: Wednesday, March 17, 2010 8:11 PM
To: "Undisclosed-Recipient:;>"@NONE
Subject: Fw: House Bill 19

> Sen. Olson, Sen. Thomas, Sen. French, Sen. Kookesh and Sen. Menard:
>
> I support House Bill 19 strongly as I am extremely opposed to Daylight
> Savings Time. It is very disruptive to my family in many ways.
>
> 1) It's dangerous for my children: My sons are forced to ride the bus
> in the dark for an extra month with bus drivers who are forced to
> drive in the dark on icy roads. Then they are forced to wait at the
> bus stop in the dark with moose lurking and other commuters who may
> not see them by the side of the road.
> 2) It's dangerous for me: I and every other commuter on the road
> before 7am am forced to drive longer in the dark thus increasing the
> potential for accidents and moose collisions.
> 3) My wife's family in Nome say that it throws their internal clocks
> off - just when they are finally getting some sun.
>
> In summary, I see no benefit for Alaskans from Daylight Savings Time
> and only added disruption and risk. I urge you to pass HB19 from your
> committee and allow a full vote of the Senate. Thank you for your time
> and for listening to my concerns about the welfare of my family. -
> Ralph Bendixen, Senate District 6, House District 16

Christina Apathy

From: dww@acsalaska.net
Sent: Wednesday, March 17, 2010 8:13 PM
To: Sen. Donny Olson
Subject: HB 19

Senator Olson:

I support HB 19 - An Act to Eliminate Daylight Saving Time in Alaska.

David Wiswar
11309 Coppet Street
Fairbanks, AK 99709
907.457. 2344

Christina Apathy

From: Loretta Mattson [goldie@ptialaska.net]
Sent: Wednesday, March 17, 2010 9:11 PM
To: Sen. Donny Olson
Subject: Eliminate Daylight Savings time

I hope you can get this off our backs.
Loretta Mattson
Kasilof, AK

Christina Apathy

From: Paula & Robert Caywood [cmmgen@mtaonline.net]
Sent: Wednesday, March 17, 2010 9:16 PM
To: Sen. Donny Olson; Sen. Joe Thomas; Sen. Hollis French; Sen. Albert Kookesh; Sen. Linda Menard
Subject: HB 19 - An Act to Eliminate Daylight Saving Time in Alaska

To Whom It May Concern:

We support this bill. Alaska does not benefit in energy savings from daylight savings. The changing of the clocks is hard on children having to adjust their schedules. The problems that would arise from not being on the same time as most of the other states would be minimal as other states have already eliminated daylight savings without problems.

Paula & Robert Caywood
P.O. Box 774042
Eagle River, AK 99577
907-694-8758

_____ Information from ESET Smart Security, version of virus signature database 4953 (20100317)
_____

The message was checked by ESET Smart Security.

http://www.eset.com

Christina Apathy

From: jay [jaynolfi@mtaonline.net]
Sent: Wednesday, March 17, 2010 10:13 PM
To: Sen. Donny Olson
Subject: HB 19

Senator Linda, please have staff get a copy of the email to the remaining members of your committee. I am having trouble getting it to them.

I support the elimination of Daylight Saving Time in Alaska for all the right reasons and especially because as an 87-year old lady I feel like I am being robbed of an hour of my life time each year I am compelled to turn the clock ahead.

Seriously, in Alaska, playing this game is nonsense.

I urge you to please concur with the HB.

Jay Nolfi
907-892-6356
jaynolfi@mtaonline.net

Christina Apathy

From: seinfeld@gci.net on behalf of Jim Adams [seinfeld@gci.net]
Sent: Wednesday, March 17, 2010 10:29 PM
To: Sen. Donny Olson
Cc: neal_foster@legislature.state.ak.us
Subject: hb-19 daylite savings time

Good evening Sen. Olson,
You probably heard the NOme boys came in second in a hard fought battle for the 3A State Basketball championship; losing by one point at the buzzer.
Next time!

I am hoping you will support the end of Daylite Savings time in Alaska. It's already started: "March Madness!"

In summer up here, Dalite Savings does not make any sense as it's daylite practically all 24 hours. Let's get back to "body clock"
time which is more in tune
with actual sunrise and sunset.

Opponents say "we will fall further behind! " With todays
technology, anyone can keep up with anything they want going on down south. Are we in that big of rush to go "somewhere"? If someone wants to keep up with what's going on in New York, they can move there; but they won't because even they will admit things are in too much of a rush down there. That's probably part of why they moved up here.

Thank you for your support to end Dalite savings time.

Christina Apathy

From: Elizabeth Wood [ewood@mosquitonet.com]
Sent: Wednesday, March 17, 2010 10:49 PM
To: Sen. Donny Olson; Sen. Joe Thomas; Sen. Hollis French; Sen. Albert Kookesh; Sen. Linda Menard
Cc: Rep. Anna Fairclough
Subject: HB 19 ending daylight savings time in Alaska

I FULLY support eliminating the daylight savings time process in the state of Alaska.
Elizabeth Wood

Christina Apathy

From: flashlightman@gci.net on behalf of flashlightman [flashlightman@gci.net]
Sent: Wednesday, March 17, 2010 10:52 PM
To: Sen. Donny Olson
Subject: Daylight Savings

Dear Senator,

The wife and I would like to eliminate the daylight savings in Alaska, seeing this is still in the winter time when the change is done and we can see no real benefit, except maybe trying to keep in touch with the East coast for an extra hour from 12-5 their time(for business'). I still see children walking in the dark on their way to school, keep the extra light in the morning, safer trips to work, safer children walking that are more obvious, no more running around changing clocks and no more waking up an hour earlier. Alaskans don't need the change, there is no real reason for it.

Thank you.

Gerritt K. Waterlander
Eagle River, Alaska

Christina Apathy

From: starlightak@gci.net on behalf of Stella Huffer [starlightak@gci.net]
Sent: Wednesday, March 17, 2010 10:56 PM
To: Sen. Donny Olson
Subject: Elimination of Daylight Savings Time
Attachments: image001.gif

I am writing in support of the elimination of Daylight Savings Time. I've read literature on the subject and believe that, for Alaska, the change is unnecessary. With our long, extended days in the summer, I don't believe we need the change to benefit our lifestyles. It creates chaos with children as well as some adults who have a difficult time with the change. If there were a economical benefit for DST, I could understand it but not in Alaska. We're blessed with our long, light-filled days.

Sincerely,

Stella Huffer
Eagle River, Alaska

Christina Apathy

From: BNeagle2@aol.com
Sent: Wednesday, March 17, 2010 11:19 PM
To: Sen. Donny Olson
Subject: support HB 19 to eliminate DST in Alaska

Dear Senator Olson,

I am writing to urge you to support HB 19 to Eliminate Daylight Savings Time in Alaska. Going to DST serves no practical purpose for Alaska, and only creates unnecessary hassles twice a year. A friend summed it up well following the time change, telling people, "You didn't lose an hour, the government took it from you. It will be given back to you in the fall, but you will not accrue any interest." I believe that it is just added government tampering with our lives here in Alaska, and we should just not participate any longer. The original ideas for implementing DST are no longer relevant, and businesses are quite adept at dealing across multiple time zones with all the world markets. Arizona and Indiana seem to succeed just fine not participating in DST, Alaska should as well.

Please consider supporting HB 19, I do not know of a single friend here in Fairbanks that is in favor of DST - it is just irrelevant for us. Now is the time to move this bill forward.

Sincerely,
Brett Nelson

2425 Nugget Loop
Fairbanks, AK 99709
455-4075

Christina Apathy

From: beeman@gci.net on behalf of Tom Elliott [beeman@gci.net]
Sent: Wednesday, March 17, 2010 11:28 PM
To: Sen. Donny Olson
Subject: Daylight Saving Time

Dear Senator,

Alaskans have spoken repeatedly expressing, via various polls, the view that Daylight Savings Time is unneeded in this State. I believe, further, that it is simply foolishness carried on for reasons that fall apart under objective examination.

Tom Elliott
P.O. Box 672547
Chugiak, Alaska 99567

Christina Apathy

From: mixfam@gci.net on behalf of Teresa Miksch [mixfam@gci.net]
Sent: Thursday, March 18, 2010 5:48 AM
To: Sen. Donny Olson
Subject: Daylight Savings Time

Please change the rules so that Alaska stays on normal time. We don't need DST. No one I talk to wants it. This has been an ongoing discussion the for 25+ years that I've lived here.

If it wasn't an issue, it wouldn't come up so often.

This is silly and a waste of voter's money to not just vote to eliminate it and be done with it.

Thanks for listening.

Teresa Miksch
Eagle River, AK

Christina Apathy

From: Swan, Glenn E. [SwanGE@ci.anchorage.ak.us]
Sent: Thursday, March 18, 2010 6:50 AM
To: Sen. Joe Thomas; Sen. Donny Olson
Cc: Sen. Hollis French; Sen. Albert Kookesh; Sen. Linda Menard
Subject: HB-19

Today the Senate Community & Regional Affairs Committee will be hearing HB 19 – An Act to Eliminate Daylight Saving Time in Alaska. I say its about time we did away with an antiquated time change that does nothing for the citizens of Alaska. I support this bill and hope that you will pass it.

Thank-you

Glenn Swan
16811 mercy Eagle River
Alaska 99577
694-8747

Christina Apathy

From: PATRICK KUKOWSKI [tbirdskis@gci.net]
Sent: Thursday, March 18, 2010 7:18 AM
To: Sen. Donny Olson
Subject: hb19

My family and I support HB19. Thank you for your service. patrick kukowski

Christina Apathy

From: Marty, Roger [roger.marty@shawgrp.com]
Sent: Thursday, March 18, 2010 7:29 AM
To: Sen. Donny Olson
Subject: Daylight Saving Time . . .
Attachments: image001.gif

Honorable Senator Donald Olson,

I am most pleased to see Alaska is moving towards the abolishment of daylight savings time.

I am a thirty five year Fairbanks resident and work at Fort Wainwright. The company I work for is based in Baton Rouge, LA and along the east coast. Everyone I must work with on a daily basis is at least three hours ahead of us and in many cases four hours. This means I must start very early each day so I can deal with corporate business before those offices close at 11:00 A.M. Fairbanks time.

In essence deleting daylight savings time will effectively add an extremely productive hour to my work day.

I cannot believe that all Alaskan businesses do not feel the same as we all must deal with the east coast in some form or other.

Thank you for taking time to read my message and tackling a long needed change in the 50th State.

God Bless and God Speed

R.M. Marty
Project Manager
Shaw Infrastructure, Inc.
Shaw Environmental & Infrastructure Group
P.O. Box 35262
Fort Wainwright, AK 99703
907.361.7001 direct
907.687.2388 cell
907.361.6834 fax
roger.marty@shawgrp.com

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Christina Apathy

From: Jeff and Pam Schmitz [jschmitz@alaska.net]
Sent: Thursday, March 18, 2010 7:37 AM
To: Sen. Donny Olson; Sen. Kevin Meyer; Rep. Chris Tuck; Sen. Joe Thomas; Sen. Hollis French; Sen. Albert Kookesh; Sen. Linda Menard; Rep. Anna Fairclough
Subject: Hearing on HB 19

Anna,

Thank you so much for this timely email. I appreciate the opportunity to respond and give my input to the process.

Gentlemen of the committee,
Please pass HB 19 out of committee - we will be doing Alaskans a massive favor by eliminating this dinosaur. None of the arguments for it hold water. There are no quantifiable energy savings or anything else that can be concretely shown to be of benefit. Rather, there **ARE** a host of problems that DST generates - tons of non patched business computers to change, countless clocks, thermostats, car radios, etc. Then there are the definable downsides - more accidents in the morning hours, sunlight in the eyes of E -W commuters four times a year vice two, cycling commuters that lose a week of safer commuting each spring, folks late for work, shift scheduling problems and readjusting to the other areas of the country/world that do (or do not) change. Arizona is a sterling example of a mainstream, high population, business centric state that does not mess with this concept. It works well for them.

Sorry this is short but I lost an hour this last Sunday.....Still trying to make it up!!

Bottom line: Ditch DST

Thanks,

Jeff Schmitz
911 Fairwood Drive
Anchorage 99518

Christina Apathy

From: Candace Hiner [chiner@ahfc.state.ak.us]
Sent: Thursday, March 18, 2010 7:53 AM
To: Sen. Donny Olson
Subject: Please help us eliminate daylight savings in AK
Attachments: image001.jpg; image004.jpg

I'm in favor of eliminating daylight savings in Alaska

Candace J. Hiner

Alaska Housing Finance Corporation
Information Systems, Operations Manager
(907) 330-8351 voice (907) 338-5476 fax

Christina Apathy

From: C M Tyler [tylercm@gmail.com]
Sent: Thursday, March 18, 2010 8:05 AM
To: Sen. Donny Olson
Subject: Pass HB 19 please

Pass HB 19 please

Please for the sake of the health of the school children pass HB 19. The fact that we all suffer time changes for the apparent reason that it is easier for some businesses to be in the time zone of the lower 48 is a crime. If they want to be in that time zone let them go there. I rather like the idea of "We don't give a damn how they do it outside".

Thank you for considering this matter.

Sincerely

Carol Tyler

Big Lake Alaska

tylercm@gmail.com

Christina Apathy

From: Heidi [boreallodge@juno.com]
Sent: Thursday, March 18, 2010 2:46 PM
To: Sen. Donny Olson; Sen. Joe Thomas; Sen. Hollis French; Sen. Albert Kookesh; Sen. Linda Menard
Subject: Hearing on HB 19 – An Act to Eliminate Daylight Saving Time

Dear Representatives;

If it is not too late -
I am supportive of eliminating Daylight savings time in Alaska.
I never have known why we honor this custom in the land of the midnight sun!? - I have always hated the change each spring.
I find it a disruptive annoyance to daily routine each spring, and am always relieved in the fall when we change back to standard time :)
Also I take volunteer weather readings for NOAA, which all have to be observed and recorded in standard time, so it is always a little confusing to remember to take scheduled readings an hour later than my clock reads each day.

I for one support eliminating daylight savings :)
Thanks!
Heidi Schoppenhorst

Scott & Heidi Schoppenhorst
Boreal Lodging
Boreal Coffee & Gifts
#1 Timberwolf Trail
Wiseman Village, AK 99790
PH/FAX: 907-678-4566
boreallodge@Juno.com
www.boreallodge.com

Diet Help
Cheap Diet Help Tips. Click here.

Christina Apathy

From: nick danger [pack122@msn.com]
Sent: Thursday, March 18, 2010 2:54 PM
To: Sen. Donny Olson; Sen. Joe Thomas; Sen. Hollis French; Sen. Albert Kookesh; Sen. Linda Menard
Subject: HB19

please pass HB19, we alaskans are sick of daylight savings time, we dont want it , we dont need it, it doesnt help us at all.....please please please get rid of it...
Thanks

The New Busy is not the old busy. Search, chat and e-mail from your inbox. Get started.

Christina Apathy

From: David Baldwin [djbaldwin@mac.com]
Sent: Thursday, March 18, 2010 1:55 PM
To: Sen. Donny Olson
Subject: Eliminate Daylight Savings

I support eliminating daylight Savings.

Dave Baldwin

Sent from my iPhone

740

Christina Apathy

From: Angel Ortiz [a1ortiz15@gmail.com]
Sent: Thursday, March 18, 2010 12:51 PM
To: Sen. Donny Olson
Subject: HB 19

Dear Senator:
I believe that the time change for Alaska is not necessary at all. With e-mail and 24/7 means of communication available to us, buseness with the lower 48 is easy. We get plenty of light here in the summer too.
Thanks for your work.

--
Angel L. Ortiz-Sierra
19501 N. Mitkof Lp
Eagle River, AK 99577
907-694-7111 home
907-742-7010 work

4821

907/ 465 - ~~4821~~

COMMITTEE ON REGIONAL AFFAIRS

REGARDING HB-19

FROM WALT SONEN, BOX 107, SELDOVIA, AK 99663
907/ 234-8795

I FULLY SUPPORT THE ELIMINATION OF DAYLIGHT SAVINGS TIME IN ALASKA, SOUTHCENTRAL ALASKA, THE MAJORITY POPULATION CENTER, IS ESSENTIALLY ON DAYLIGHT SAVINGS TIME ALL WINTER. STARTING NOW UNTIL LATE IN THE YEAR, NOON HERE OCCURS AT ABOUT 2 PM. ANOTHER ARGUMENT WHICH MAY HAVE RESONANCE AMONG THE BUSINESS COMMUNITY WHICH SOUTHEAST AK USED SUCCESSFULLY FOR YEARS PRIOR TO THE SHEFFIELD ADMINISTRATION IS THAT, SHOULD WE DO AWAY WITH DAYLIGHT SAVINGS, ALASKA'S CLOCKS WOULD BE IN SYNC WITH PACIFIC TIME FOR MORE THAN 1/2 OF THE YEAR. WE HAVE PLENTY OF SUNSHINE IN THE SUMMER, PLEASE GET OUR CLOCKS MORE NEARLY IN SYNC WITH THE SUN.

THANKS, Walt Sonen

Christina Apathy

From: Watson, Sylvia E (GOV) [sylvia.watson@alaska.gov]
Sent: Friday, March 19, 2010 7:27 AM
To: Sen. Donny Olson
Subject: Hearing on HB 19 - An Act to Eliminate Daylight Saving Time in Alaska

I so wish they would pick one time and call it good, this switching is not good for my little bitty mind.

Sylvia Watson
Administrative Support Specialist
Office of Governor Sean Parnell
Division of Admistrative Services
240 Main Street Ste 301
Juneau, AK 99801

Phone: (907) 465-3870
Fax: (907) 465-2211

sylvia.watson@alaska.gov
http://gov.state.ak.us

Christina Apathy

From: James Bethany [jamesleebethany@gmail.com]
Sent: Friday, March 19, 2010 10:49 AM
To: Sen. Donny Olson
Subject: HB - 19 Daylight Savings Time

To: Senator Donald Olson
From: James Bethany (Alaskan since circa 1990)
Date: March 19, 2010
Subject: HB 19 – An Act to Eliminate Daylight Savings Time in Alaska

Dear Senator Donald Olson,

My name is James Bethany and I am writing you to let you know that I fully support HB 19. I would like to see this act approved not only in the lower House of the Alaska Legislature, but also within the upper Senate within the Alaska Legislature, and signed into law by Governor Parnell this Legislative session. Let's work together to do away with Daylight Savings Time here in the greatest state, of Alaska.

The argument from those within the business community that by doing away with daylight savings time, will somehow put such establishments at a competitive disadvantage, is simply a fallacy. If this were the case, then Arizona (which as you know is a state that does not adhere to daylight savings) would have discontinued the practice of not setting time pieces in accordance to daylight savings each Spring season. Additionally, I am disturbed by those who argue for daylight savings time here in Alaska. I find it a little offensive that those same people seem to think it's okay for our fellow Alaskans who live out along the Aleutian Islands or St. Lawrence Island to live under a separate time zone, Hawaiian time zone, which is an hour behind the rest of Alaska and Alaska Time Zone. Why is it acceptable for our fellow Alaskans who live along the Aleutian Islands and St. Lawrence Island to be segregated, to be put in a totally different time zone (Hawaiian Time Zone), but not acceptable for the rest of Alaska to join them and live under a single unified time zone? Let's work together to enact this act to do away with Daylight Savings Time here in Alaska and bring all Alaskans under a single unified time zone. The argument that by Alaskans not adhering to Daylight Savings Time, will somehow put Alaskans at a disadvantage with regard to news and information, is simply a fallacy, especially in this age of 24 cable hour news, radio, and immediate news postings via the internet. With regard to the latter, I immediately posted news of the Haiti and Chile earthquakes as soon as I saw mention of the events on BBC's website. I then immediately began posting this news on my social networking sites, as well as, twitter to warn people living along shorelines about the potential of a tsunami approaching.

Finally, thank you for taking the time to read my thoughts on HB 19 and I hope you will join me in working to do away with Daylight Savings Time here in Alaska, in order to bring ALL Alaskans together within a unified time zone.

Regards,

James Bethany
jamesleebethany@gmail.com
Anchorage, AK

Christina Apathy

From: Jeff [jwsperry@gci.net]
Sent: Friday, March 19, 2010 2:29 PM
To: Sen. Donny Olson; Sen. Albert Kookesh; Sen. Hollis French; Sen. Joe Thomas
Subject: hb19

Senators: I just received a notice today of a hearing about HB19 that was held yesterday. Unfortunately since the time of the hearing has already passed I was unable to teleconference in to the hearing.
I would like to express my support for HB19 and to say that I am very much in favor of eliminating daylight savings time in Alaska. With all of the daylight that we have from March to September it does not appear to me that we need to participate in the changing of the clocks
Please support this bill and pass it this year.
thank you very much
Jeff Sperry
17151 Vanover Circle
Eagle River, Ak
99577

Christina Apathy

From: Brooks and Diane [northernludwig5@acsalaska.net]
Sent: Sunday, March 21, 2010 3:44 PM
To: Sen. Donny Olson
Subject: HB 19 Repeal Daylight Savings Time

Dear Senator Olson,

Please vote to repeal daylight savings time(HB 19). Our family has a difficult time adjusting twice a year to the time change. This time of year it makes it twice as hard to get the kids to bed at 8:00pm and takes us six weeks to get back on track. Keep life simple. Ax daylight savings time in Alaska. If Juneau needs to be on daylight savings time to connect with Seattle then incorporate Juneau but please don't penalize the rest of us.

Sincerely,

Brooks, Diane, Fin, Eli, and Ian Ludwig
3530 Starship Lane
Fairbanks, Alaska

Christina Apathy

From: Joanne Frey [alaskalighthousecottage@gmail.com]
Sent: Saturday, March 20, 2010 1:13 PM
To: Sen. Donny Olson
Subject: daylight savings time

Please consider eliminating daylight savings time in Alaska. I am a teacher and it is very disruptive to the students and it leaves students in the dark that much longer after the long dark winter. You can see the grumpiness in all of the students when the change occurs and it takes at least a week for the adjustment to happen. Just when the hope of sun is beginning to set in, it is dark in the morning again.

I also do business here and with the lower 48 and I do not find that the time we lose for business contact is significant.

Thank You for Your Consideration,

Joanne Frey
311 third Ave.
Seward, AK 99664

Christina Apathy

From: Carpender Thomas [carp@me.com]
Sent: Saturday, March 20, 2010 9:21 AM
To: Sen. Donny Olson
Subject: HB 19 Eliminate daylight saving in Alaska

Dear Senator Olson,

I was one of the people that testified at the COMMUNITY & REGIONAL AFFAIRS hearing on Thursday 3/18/10. I was however was disappointed to see that the only thing accomplished was a "Heard & Held." We as citizens took time out of our busy days to attend the hearing and I think you owe us more than "Heard & Held." When are you going to move on this issue? It was plain to me that there is a majority of my fellow Alaskans feel as I do that we should eliminate daylight saving in Alaska. We have waited long enough for this so I would appreciate it if you would get with your fellow CRA members and vote to send HB 19 on to Labor and Commerce.

Thank you for taking time to read my message and for your service to our state.

Thomas Carpender
401 Beaver Blvd
North Pole AK 99705-7649
907 488 2888

Christina Apathy

From: harold parker [dippercreek@hotmail.com]
Sent: Friday, March 19, 2010 6:15 PM
To: Sen. Donny Olson
Subject: Daylight saving

Ms. Fairclough,
Thanks so much for sending this info to me, on HB19. We returned from the 'bush' after the time mentioned. But do want to encourage any move to eliminate daylight saving time for Alaska - lets do it!

If some businesses really have a hard time coordinating with contacts 'outside' in other time zones, they can start work an hour earlier, not make the rest of us do so...No good real reason to have it; good reasons not to have it. Putting the whole population 2 hours off sun time for 6-7 months a year is not only silly, but also stresses many normal persons' sleep-wake cycles, sends thousands of kids to school in the dark for 2-3 extra months... Harold Parker, Chugiak, Ak.

Christina Apathy

From: Dick Gunlogson [dickgun@mtaonline.net]
Sent: Monday, March 22, 2010 10:56 AM
To: Sen. Donny Olson

Dear Senator Olson,

I am FWD to you my comments written to Senator Anna Fairclough regarding the bill to change DST in Alaska.
I urge you to consider and pass this bill out of your Committee quickly so it can continue toward final passage this session.

Sincerely,

Dick Gunlogson
Willow

Christina Apathy

From: Dick Gunlogson [dickgun@mtaonline.net]
Sent: Monday, March 22, 2010 11:06 AM
To: Sen. Donny Olson
Subject: Fwd:

Begin forwarded message:

From: Dick Gunlogson <dickgun@mtaonline.net>
Date: March 17, 2010 8:21:00 PM ADT
To: Senator_Linda_Menard@legis.state.ak.us
Subject:

Dear Senator Menard,

I am please to see that there is still life in the interest to change how DST affects our lives. I am strongly opposed to our
current situation concerning DST. Strangely, or perhaps not so strangely, considering how long ago it happened, a very large number of people now in Alaska do not know that, unless you live in SE Alaska which is properly in the Yukon Standard Time Zone, we live on one hour of DST the year around. Three fourths or more of the State of Alaska does not lie in Yukon Standard Time. Most of it is in the Alaska Standard Time Zone and another part is far enough WEST to be in the Bering Sea Time Zone. Why should nearly all of Alaska be forced into the Yukon Time Zone merely because the Capitol is in Juneau and the small percentage of people who live there, mostly State Government employees, do not want to be inconvenienced by on Alaska Standard Time. (Another reason to move the Capitol?)

For over forty years I operated my Hunting Lodge on the Alaska Peninsula between Port Moller and Cold Bay, on the Bering Sea side. In that area, being in the Bering Sea Time Zone , we were three hours out of phase with the sun and the dictates of State of Alaska time. While that did not really affect our actual hunting operations, because we ignored it, it did affect every relationship we had with the 'main stream.' Which was airline schedules, work schedules of people we needed because of our business - F&W Service in CBY, state employees in CBY, fuel service and on.

I was just beginning to rejoice in the fact that, in spite of being on the year around DST of one hour, it was getting daylight on a clear sky about 7am, when BOOM! Double DST ensued. Now we are back in morning darkness for another month to make up for that hour. This is not good for schools nor for the children who are forced to continue to be up in the dark. In fact DST forces our schools and children to be in the dark in way too much of spring and fall. Do we really need even one hour, much less two, of DST in Alaska? Arizona has been fine without it as have other places in the US. Not many of us play golf in the late afternoon at this time of year nor do anywhere near a majority of us need to be on the phone to the Wall Street big wigs at closer to NYC time. If it is that important to have daylight in the afternoon for a few businesses let them adjust their work day to accommodate their wishes. I firmly believe that, given the chance, a large majority of Alaskans would vote to do away with at least the second hour of DST if not vote to return to Standard Alaska Time.
I suppose this is not a 'big deal' in the political arena of the Legislature but it is at least as important to consider as the Marmot!

Sincerely,

Dick Gunlogson
Willow, Alaska

Community and Regional Affairs Standing Committee

Written testimony in regard to HB19, Elimination of Daylight Savings, sponsored by Anna Fairclough.

Submitted on March 17, 2010 by
Sandra Matthews
P. O. box 265
Kasilof AK 99610

My husband and I are supporters of HB19, The Elimination of Daylight Savings. Twice every year we have to go through the process of changing the time on 15 or 16 clocks and forcing our bodies to make a sudden adjustment to a new schedule. The time change in the spring is the worst of the two and takes at least several days to adjust to.

A state at our latitude does not gain anything by implementing daylight savings time. We have eighteen to twenty hours of daylight in the summer and eighteen to twenty hours of darkness in the winter. How does shifting time back and forth one hour twice a year change that?

The argument made by the business community that it is easier to make business calls to other states when we are using daylight savings is weak. With computers, fax machines, text messages, e- mails, and cell phones, we already conduct interstate communication around the clock. Now that we are involved in a global economy that same technology helps us get past those worldwide time conflicts.

In my opinion implementing daylight savings is of no use and it should be eliminated.

Christina Apathy

From: Wedin John [john@eye-cue.com]
Sent: Monday, March 22, 2010 7:34 PM
To: Sen. Donny Olson
Subject: At the end of the day...

Senator Olson,

I'm sure you have more important issues on your plate right now, but honestly, this is an EASY one. Sunset tonight in Anchorage is AFTER 10 PM! Can you really believe that Alaskans need to SAVE DAYLIGHT? Meanwhile, sunrise is at 7:40 a.m. If we did not observe DST, it would be at 6:40 a.m. and that WOULD save daylight, energy and time when Alaskans can really use it. There are DOZENS of reasons to repeal our ridiculous adherence to DST, but really...all you have to do is talk to your constituents. See if you can find ONE in ten of them that likes DST.

Please at least make this part of the conversation in your committee. It really shouldn't take more than a half hour to make a decision to do the right thing, and that - obviously - is repeal DST.

John Wedin

[Following is an email I sent you on 3/18. No response to this to date. Please let me know if you need further information on why we should abolish DST]

Dear Senator Olson,

Among all the controversial issues, heated debates, divisive controversies and ponderous dilemmas the legislature faces in 2010, the abolition of DST (HB-19) is a no-brainer. No matter what else does - or doesn't - get accomplished in Juneau this year, if this legislature can abolish DST in Alaska, it will have one bright, shining and positive achievement.

Starting with professional associates and clients, I have informally polled more than 200 Alaskans over the past three years regarding DST, and I can count the supporters of this absurd practice on one hand (LESS THAN 2%). in other words, 98% of the Alaskans I have spoken with are in favor of abolishing DST in Alaska.

*This - to varying degrees - is the Land of the Midnight Sun. We DO NOT save daylight in Alaska when we go through the arduous hoops of turning millions of clocks forward - and back - twice every year. In fact, we expend more energy (natural gas, electricity, etc.) when we implement DST.

*Hawaii and Arizona DO NOT practice DST. Both states decided it did not make a significant difference in their states, and they abolished the practice. IT MAKES EVEN LESS SENSE IN ALASKA.

*We are not sheep, nor a "me too" state that blindly follows what other states do. ARE WE??? DST makes sense in Washington, Idaho, Oregon, Michigan, Illinois, New York, Maine, and a dozen other northern tier states. IT DOES NOT MAKE SENSE IN ALASKA! None. Whatsoever.

*You will find a small hand full of DST supporters...most of them are professional folks who work with east coast enterprises. I am among them. I have clients and associates on the East Coast and norther tier states who practice DST. However, the impact of NOT following their lead on DST poses a very small inconvenience to

my business. And, compared to total nonsense and inconvenience of DST here locally, this is really a non-factor.

Please "see the light" here and do the right thing for you, your constituents and most every Alaskan who calls the Last Frontier home.

Sincerely,

John Wedin

john@eye-cue.com
907-248-7663

Christina Apathy

From: vada moore [vada@alaska.net]
Sent: Monday, March 22, 2010 6:17 PM
To: Sen. Donny Olson; Sen. Joe Thomas; Sen. Hollis French; Sen. Albert Kookesh; Sen. Linda Menard
Subject: Fw: Daylight Savings Time

Do hope your committees will be able to abolish Daylight Savings for Alaska. Thank you Vada L Moore
----- Original Message -----
From: Rep. Anna Fairclough
To: vada moore
Sent: Sunday, March 21, 2010 3:52 PM
Subject: RE: Daylight Savings Time

Vada,

The bill passed the House of Representatives last session. We are currently in the Senates Community and Regional Affairs; the bill was heard and held last Thursday because of a lack of a quorum. If you support the bill (the repeal of DST) you may want to send an email to the Committee Members. The bill will still need to be heard in the Senate Labor and Commerce Committee, then Senate Finance. I have listed below the members of the Senate's Community and Regional Affairs Committee.

Thank you for your support.

Anna

Senate Community and Regional Affairs Committee

>Chair - Senator Donald Olson
><mailto:Senator_Donald_Olson@legis.state.ak.us>Senator_Donald_Olson@leg
>is.state.ak.us

> 907-465-3707
>
>Vice Chair - Senator Joe Thomas
><mailto:Senator_Joe_Thomas@legis.state.ak.us>Senator_Joe_Thomas@legis.s
>tate.ak.us
>
>
> 907-465-2327
>
>Member - Senator Hollis French
><mailto:Senator_Hollis_French@legis.state.ak.us>Senator_Hollis_French@l
>egis.state.ak.us
>
>
> 907-465-3892
>
>Member - Senator Albert Kookesh
><mailto:Senator_Albert_Kookesh@legis.state.ak.us>Senator_Albert_Kookesh
>@legis.state.ak.us
>
>

> 907-465-3473
>
>Member - Senator Linda Menard
><mailto:Senator_Linda_Menard@legis.state.ak.us>Senator_Linda_Menard@leg
>is.state.ak.us
>
>
> 907-465-6600
>

From: vada moore [mailto:vada@alaska.net]
Sent: Sunday, March 21, 2010 3:40 PM
To: Rep. Anna Fairclough
Subject: Daylight Savings Time

Was very pleased yo hear you were introducing a bill to get rid of Daylight Savings Time. It has always been such a joke for us here in Alaska. Hope you succeed. Vada L Moore

Christina Apathy

From: germini@acsalaska.net
Sent: Tuesday, March 23, 2010 9:05 AM
To: Sen. Donny Olson
Cc: Sen. Hollis French; Sen. Albert Kookesh; Sen. Linda Menard; Sen. Joe Thomas
Subject: HB 19

Dear Senators,

David Germini, Electrician, Fairbanks , AK resident since 1981

I wish to express my support for HB 19 / the repeal of DST in AK.

I will make this brief this morning because I leaving for work. I listened to the teleconference Thursday afternoon and all the points I would have made were brought forth, even the star gazing.

I have been advocating this bill since I first heard about it last year and have asked many people(20 or 30) what there opinion of DST is. Overwhelmingly the response was either "it is foolish" or "I don't like it".

I think it should be a persons right to have the time of day be the way it was intended. I find DST very intrusive.

You really should look at the police records. I live in town 18th ave in Fairbanks and in the last week I am hearing a lot more traffic late at night. Last week someone a block away was running a 988 loader to remove snow at 9pm. I called FPD dispatch to find out if there was a curfew and I had to wait because all the dispatchers were busy..... and it wasn't even a Friday night.

In closing, below is a cut and paste from a Channel 11 KTVF-TV on line survey. I looked at it Sunday evening.

Sincerely Yours; David Germini

Do you think Alaska needs to participate in Daylight Savings Time?

Yes; it's difficult enough to be 4 hours off Eastern Time, let alone 5. (9.8%)
No; it's just a hassle and makes no sense here. (85.4%)
It doesn't matter to me. (4.9%)

Christina Apathy

From: Mullikin Surveys [mullikin@xyz.net]
Sent: Tuesday, March 30, 2010 9:37 PM
To: Sen. Donny Olson
Subject: Daylight Savings

Please vote to eliminate Daylight Savings Time and the government mandated necessity of changing our clocks twice a year.

Most people have two clocks – one on the wall and the second one is a biological clock inside their body.

One clock can be reset somewhat easily (or not). However, resetting the biological clock is very difficult and frustrating for most people, including you and me. Children, in particular, are confused by this time change. The damage to each individual twice a year far outweighs any alleged "savings".

It is not necessary to hire experts about this issue. You already know the correct solution to this problem.

Don & Judy Mullikin
P.O. Box 790
Homer, AK 99603

Christina Apathy

From: Jerad McClure [jeradlainak@gmail.com]
Sent: Thursday, April 08, 2010 8:51 AM
To: Sen. Donny Olson
Subject: HB19

Dear Senator Olson,

I would like to let you know of my support for HB19, the bill to end DST in Alaska. This unfixed set of time, that has to change twice a year, is a change that causes unnecessary stress and chaos in every Alaskan's life. Sure, we all seem to do well enough with it as it is right now, but in reality we are all simply used to this drastic reprogramming of our daily habits. With the end of DST in Alaska, we will all achieve a better societal harmonious balance with each other. Please do what you can to get this bill out of your committee and passed by the Senate.

Thanks for your time,

Jerad McClure

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Christina Apathy

From: Erika Wolter [twoalaskanrivers@gmail.com]
Sent: Friday, April 09, 2010 6:02 PM
To: Sen. Donny Olson
Cc: Sen. Joe Thomas; Sen. Albert Kookesh; Sen. Hollis French; Sen. Linda Menard
Subject: Please Schedule HB19 For Hearing

Senator Olson,

I am writing to you to request that you schedule HB19, "Eliminated Daylight Savings Time" for a hearing in Community and Regional Affairs. This bill passed quickly through the House last year but seems to be stalled in the Senate. With only a week left in the legislative session, and with two more committees after CRA, the bill needs to move forward as soon as possible. I believe the majority of Alaskans support this bill. I know I certainly do.

Sincerely,
Erika Wolter
Anchorage, AK

Christina Apathy

From: Michelle Sikma
Sent: Tuesday, March 16, 2010 10:18 AM
To: Sen. Donny Olson; Sen. Joe Thomas; Sen. Albert Kookesh; Sen. Linda Menard; Sen. Hollis French
Subject: Constituent Comment - SUPPORT HB19 Daylight Savings

Karl Reid
875 Polly Way
North Pole, AK 99705
488-9147
District 11

Supports HB19; wishes to see this bill passed in the Senate quickly.

Michelle Sikma
Office & Constituent Relations Manager
Rep. Tammie Wilson
State Capitol, Room 415
(907) 378-5778-Cell
(907) 465-4797-Office
(907) 465-3884-Fax

Christina Apathy

From: Frizzera, Kathryn I (DNR) [kathryn.frizzera@alaska.gov]
Sent: Thursday, March 18, 2010 8:06 AM
To: Sen. Donny Olson
Subject: Daylight Savings Time

Senator Olson
Please vote to rescind Daylight Savings Time in Alaska.
Thank you!
Kathy

Fairbanks

763

Christina Apathy

From: CH [spotmom@mtaonline.net]
Sent: Thursday, March 18, 2010 8:16 AM
To: Sen. Donny Olson
Cc: Sen. Joe Thomas; Sen. Hollis French; Sen. Albert Kookesh; Sen. Linda Menard
Subject: PASS THIS BILL!! HB 19 - An Act to Eliminate Daylight Saving Time in Alaska

Importance: High

Please pass HB19 and eliminate the daylight savings time in Alaska. This is an outdated useless leftover from the past.

In the internet age with 24-7 support lines, online shopping, email and a host of other means to communicate, the one hour time change has become meaningless, as if in Alaska "daylight savings" had any meaning anyway!

Businesses who do not want to eliminate daylight savings must only be dealing with the West coast. The one hour change still does not help us work with businesses on the East coast, but somehow we manage that much larger time zone difference.

This bi-annual disruption of our sleep patterns (which we are still trying to recover from since we used to get up at 4:30 AM, now we get up at 3:30 AM!) and the sheer annoyance of resetting 15 clocks twice a year has got to stop.

Sincerely,
Rod and Cathy Herrin
Wasilla, AK
373-7440

Christina Apathy

From: dkbohac@gci.net on behalf of Kent [dkbohac@gci.net]
Sent: Thursday, March 18, 2010 8:35 AM
To: Sen. Donny Olson
Subject: HB 19

Dear Senator Olson

It is my understanding a bill to repeal DST in Alaska (HB 19) passed the state house & is now before the senate.
Please Senator Davis, support HB 19 & repeal daylight savings time in Alaska!
We think in-place of wasting time changing clocks, thermostats, auto clocks, etc. we all can put that time to better use. Let alone getting our human clocks back on time, that by its self gets harder each year!
Thank you for your time.

Mr. & Mrs. Bohac
12320 Liberty rd
Anchorage Alaska
907-345-2703

Christina Apathy

From: Ley Schleich [leyschleich@mac.com]
Sent: Thursday, March 18, 2010 9:20 AM
To: Sen. Donny Olson
Subject: YES to HB 19 An Act to Eliminate Daylight Saving Time

Honorable Senator Olson,

I fully support HB19 and hope you do too.

The time change is detrimental to our health and interferes with the normal adjustment to the seasonal change in daylight. It imposes on us a need to rise in the dark. Travelers, including commuters and school children must contend with dark and treacherous conditions. Our sleep patterns are disrupted again with the daylight that extends well into the night hours.
All this hinders our emotional and social health and our cognitive functioning, in addition t

We deal with a lot of harsh conditions related to weather and nature here that are completely out of our control and we just adapt to them. However, DST is a nuisance at best and truly harmful to our personal and social health...and we can do something about it.

I applaud Representative Fairclough for bringing this forward for consideration, and hope that you vote for it in the Committee and when givent the opportunity to do so in the full Senate.

Sincerely,
Ley Schleich
3080 E Wanamingo
Wasilla, Alaska
907-373-0623

Christina Apathy

From: Terry & Vicky Carda [tvcarda@aptalaska.net]
Sent: Thursday, March 18, 2010 9:30 AM
To: Sen. Donny Olson
Subject: HB 19, An Act to Eliminate Daylight Saving Time in Alaska

I wish to have daylight saving time in Alaska eliminated. I feel there is no need for daylight saving time in Alaska. I have also read in Reader's Digest and heard on CNN that there are health problems stemming from people losing an hour of sleep in the spring when daylight saving time begins. Please eliminate daylight saving time in Alaska. Thank you.

Vicky Wontorski

Christina Apathy

From: Mikael & Brian Porcello [mbporcello@ak.net]
Sent: Thursday, March 18, 2010 10:07 AM
To: Sen. Donny Olson
Subject: HB 19

Senator Olson,

Just a quick note to put in my two cents regarding Daylight Savings in Alaska. I am for eliminating Daylight Savings in Alaska. As a parent and teacher, it is one big inconvenience.

Happy Spring and Thanks for all you do,

Mikael Porcello

Christina Apathy

From: Grete Perkins [grete@mtaonline.net]
Sent: Thursday, March 18, 2010 10:13 AM
To: GRETE PERKINS
Subject: Daylight savings

Dear Senator~

I urge you to support the act to Eliminate Daylight Saving!

It just doesn't make sense for Alaska!

Sincerely,

Grete Perkins
Talkeetna, AK

Christina Apathy

From: Bruce Tweet [bktweet@gmail.com]
Sent: Thursday, March 18, 2010 9:01 AM
To: Sen. Donny Olson
Subject: Hearing on HB 19- Eliminate Daylight Saving Time in Alaska

Dear Senator Olson,

Please help do away with Daylight Savings Time in Alaska. I makes no sense to have it in place.

Please vote to Eliminate Daylight Saving Time for Alaska.

Hearing on HB 19 – An Act to Eliminate Daylight Saving Time in Alaska

Thank you.

Sincerely,

Kathi Tweet

Nome, Alaska

Christina Apathy

From: tacoloco@gci.net on behalf of Anabel Galindo [taco.loco@acsalaska.net]
Sent: Thursday, March 18, 2010 8:59 AM
To: Sen. Donny Olson
Subject: HB 19

Senator Olson

I support House bill HB 19. As a business owner I see no need for daylight savings here in Alaska. I regularly conduct business outside of Alaska and there is no benefit from daylight savings.

Sincerely

Adam Galindo
Vice Persident
Taco Loco Products
taco.loco@acsalaska.net
Tel: 907-561-1648
Fax: 907-561-1717

Christina Apathy

From: Debby Bossie [debbyb@cityelectricinc.com]
Sent: Thursday, March 18, 2010 9:07 AM
To: Sen. Donny Olson
Subject: Hearing on HB 19 - An Act to Eliminate Daylight Saving Time in Alaska

Senator Donald Olson:
I just want to say that I am totally for this bill.
I do not believe we need Daylight Savings Time in Alaska.
Thank you
Deb

Deborah J Bossie
Contract Administrator
City Electric, Inc.
(907)264-6455

Christina Apathy

From: Jerad McClure [jeradlainak@gmail.com]
Sent: Monday, April 12, 2010 12:50 PM
To: Sen. Donny Olson
Subject: HB 19

Dear Senator Olson,

Please allow HB 19 to be voted on by the committee. It is very important that this bill be allowed to move forward and be voted on by the whole Senate.

Thanks for your time,

Jerad McClure

Christina Apathy

From: dhees@gci.net
Sent: Thursday, March 18, 2010 11:44 AM
To: Sen. Donny Olson; Sen. Joe Thomas; Sen. Hollis French
Subject: HB 19- An Act to Eliminate Daylight Savings Time

I am writing to express my desire to see Daylight Savings Time eliminated from Alaska. When Spring comes each year the days are almost exactly the same time in terms of dark and light. I work and when I get up it is daylight, there is no need to change the hour forward taking us back into darkness in the early morning hours. When I get off work it is still daylight. When it is dark in the morning it is not safe for kids walking to school.
Please do whatever you can to repeal this silliness. Let the day begin and end the same every day.
Thank you very much.
Penni Hees
PO BOX 2115
Kodiak AK 99615
907-486-4025

Christina Apathy

From: Sandy's Insurance [sak@mtaonline.net]
Sent: Thursday, March 18, 2010 11:23 AM
To: Sen. Donny Olson
Subject: FW: Elimination of Daylight Savings Time

From: Sandy's Insurance [mailto:sak@mtaonline.net]
Sent: Thursday, March 18, 2010 11:22 AM
To: 'Senator_Hollis_French@legis.state.ak.us'
Subject: Elimination of Daylight Savings Time

HB 19

It's about time. It makes no sense to continue using Daylight Savings Time as we gain so much daylight anyway. Staying closer to Washington time is just not important since most business is conducted via the internet.

Thanks for listening.

Joanne Jaynes
jo.jaynes@hotmail.com
PO Box 774874
Eagle River, AK 99577

Christina Apathy

From: Ralph &/or Cheryl [hivue@mtaonline.net]
Sent: Thursday, March 18, 2010 11:26 AM
To: Sen. Donny Olson
Cc: Sen. Hollis French; Sen. Joe Thomas; Sen. Albert Kookesh; Sen. Linda Menard
Subject: Hearing on HB 19 - An act to Eliminate daylight saving time in Alaska

Dear Senators,

I am writing to express my thoughts about the elimination of daylight saving time in Alaska. I am for getting rid of it.

My wife and I just shake our heads every spring (especially now that the change has been moved to March instead of April) when we have to deal with our kids having to get up an hour earlier for school. Just put them to bed earlier might be the reply. My answer is that even if you did that, due to the extra daylight in the evening, they may not go to sleep right away. Here in the far north we have enough natural light in the evenings during spring and summer. Why on earth do we think we have to add to it?

I don't buy the argument about it being harder to do business with the east coast if we do away with daylight saving time, either. Hawaii and Arizona have been getting along just fine for years without making the switch twice a year. And Hawaii is even farther from the east coast in terms of time (one hour) than we are!

Please consider eliminating daylight saving time. We don't need it in Alaska. It would make life simpler in our hectic world!

Sincerely,

Ralph Erickson
7732 Hiland Rd.
Eagle River, AK 99577

Christina Apathy

From: David Gallagher [denalidave2@gmail.com]
Sent: Thursday, March 18, 2010 11:41 AM
To: Sen. Donny Olson
Subject: NO DAYLIGHT SAVING TIME

NO DAYLIGHT SAVING TIME
Registered Voter David Gallagher 3141 E 112th Ave. Anchorage, Ak 99516

From: VanWingerden, Doug J [mailto:VanWiDJ@BP.com]
Sent: Monday, March 15, 2010 4:54 PM
To: Sen. Donny Olson
Subject: Daylight Savings Time

Dear Senator Olson,

I am writing to encourage you to support the effort to end daylight savings time in Alaska. This time change has no real benefit to the majority of people who live and work in this state. It is a major inconvenience for everyone except for a few folks who believe it somehow helps commerce. I hope you will consider the desire of the vast majority of regular folks who live here and not succumb to the pressure of a few. Please do what you can to repeal the daylight savings time law.

Sincerely,

Doug VanWingerden
PO Box 521455
Big Lake, AK 99652

Community and Regional Affairs Standing Committee

Written testimony in regard to HB19, Elimination of Daylight Savings, sponsored by Anna Fairclough.

Submitted on March 17, 2010 by
Sandra Matthews
P. O. box 265
Kasilof AK 99610

My husband and I are supporters of HB19, The Elimination of Daylight Savings. Twice every year we have to go through the process of changing the time on 15 or 16 clocks and forcing our bodies to make a sudden adjustment to a new schedule. The time change in the spring is the worst of the two and takes at least several days to adjust to.

A state at our latitude does not gain anything by implementing daylight savings time. We have eighteen to twenty hours of daylight in the summer and eighteen to twenty hours of darkness in the winter. How does shifting time back and forth one hour twice a year change that?

The argument made by the business community that it is easier to make business calls to other states when we are using daylight savings is weak. With computers, fax machines, text messages, e- mails, and cell phones, we already conduct interstate communication around the clock. Now that we are involved in a global economy that same technology helps us get past those worldwide time conflicts.

In my opinion implementing daylight savings is of no use and it should be eliminated.

Christina Apathy

From: Robin [geordiebc@aol.com]
Sent: Thursday, March 18, 2010 11:52 AM
To: Sen. Donny Olson; Sen. Hollis French; Sen. Albert Kookesh; Sen. Linda Menard
Subject: Note from Robin Koutchak on Daylight Savings Time

Dear Senators -
I urge your support of HB 19 to repeal Daylight Savings Time in Alaska. Last session I provided Ms. Fairclough and others with information I acquired which refuted any economical "savings" whatsoever from Daylight Savings Time. In fact, it has also been shown that there is a spike in heart attacks whenever the time changes for DST. I believe this - I know my stress level skyrockets. I think one of the biggest hardships to living in Alaska is trying to get your young kids to bed on time and keep them on a schedule - DST makes this even harder. I can also say that driving in, commuting everyday from the Valley to my job as an assistant attorney general in Anchorage I experience the oddity of watching the sun come up one week and then suddenly, I am driving in darkness in the mornings again. For what? In a few weeks I know it will be light again but how does this SAVE anything???
I am also aware that in the past the argument that kept most Alaskan's clinging to DST was the idea that it was "easier to do business with east coast businesses." In the day of the internet e-mail and texting - with most of you having Blackberry's or iPhones, this idea is outdated and invalid as well.

I would like to participate in the 3:30 hearing today but I will be at work. Besides, "yelling is telling but a letter is better."
Please, open your minds to this change that Alaskan's want. No one will miss an end to Daylight Savings Time. From the kvetching that goes on in my office and my house and the schools my kids go to, I can tell you the majority of people will not have heartburn if you approve this bill. There is NO reason to stall this bill. It's been vetted and it's ready. "Just do it".
Thanks and forgive me for all of my cliche's ....I am exhausted.
Robin L. Koutchak as a private citizen and constituent

Robin Koutchak *aka* GeordieBC@aol.com

From: Wedin John [mailto:john@eye-cue.com]
Sent: Thursday, March 18, 2010 9:43 AM
To: Sen. Donny Olson
Subject: At the end of the day...

you can look back and say you did the right thing.

Dear Senator Olson,

Among all the controversial issues, heated debates, divisive controversies and ponderous dilemmas the legislature faces in 2010, the abolition of DST (HB-19) is a no-brainer. No matter what else does - or doesn't - get accomplished in Juneau this year, if this legislature can abolish DST in Alaska, it will have one bright, shining and positive achievement.

Starting with professional associates and clients, I have informally polled more than 200 Alaskans over the past three years regarding DST, and I can count the supporters of this absurd practice on one hand (LESS THAN 2%). in other words, 98% of the Alaskans I have spoken with are in favor of abolishing DST in Alaska.

*This - to varying degrees - is the Land of the Midnight Sun. We DO NOT save daylight in Alaska when we go through the arduous hoops of turning millions of clocks forward - and back - twice every year. In fact, we expend more energy (natural gas, electricity, etc.) when we implement DST.

*Hawaii and Arizona DO NOT practice DST. Both states decided it did not make a significant difference in their states, and they abolished the practice. IT MAKES EVEN LESS SENSE IN ALASKA.

*We are not sheep, nor a "me too" state that blindly follows what other states do. ARE WE??? DST makes sense in Washington, Idaho, Oregon, Michigan, Illinois, New York, Maine, and a dozen other northern tier states. IT DOES NOT MAKE SENSE IN ALASKA! None. Whatsoever.

*You will find a small hand full of DST supporters...most of them are professional folks who work with east coast enterprises. I am among them. I have clients and associates on the East Coast and norther tier states who practice DST. However, the impact of NOT following their lead on DST poses a very small inconvenience to my business. And, compared to total nonsense and inconvenience of DST here locally, this is really a non-factor.

Please "see the light" here and do the right thing for you, your constituents and most every Alaskan who calls the Last Frontier home.

Sincerely,

John Wedin
john@eye-cue.com
907-248-7663

From: Sara Hornberger [mailto:shornb2@gmail.com]
Sent: Thursday, March 18, 2010 9:43 AM
To: Sen. Donny Olson
Subject: HB 19 - An Act to Eliminate Daylight Saving Time

We oppose Daylight Saving Time and support HB 19. Spring time change to Daylight Saving Time is very disruptive to most people. If there are business people and interests who need the change. let them adjust their personal schedules and not impose their desires, needs, and interests on the rest of us.
Respectfully, Charles and Sara Hornberger - Port Alsworth and Anchorage

---

From: Vicki Tweet [mailto:dvtweet@yahoo.com]
Sent: Thursday, March 18, 2010 9:49 AM
To: Sen. Donny Olson
Subject: House Bill #19

Please support this bill! It is long overdue. Thank you
Vicki Tweet

From: Kaye Laughlin [mailto:laughlin.kaye11@gmail.com]
Sent: Thursday, March 18, 2010 9:34 AM
To: Sen. Donny Olson
Subject: NO to daylight savings time

Dear Senator Olson:
From discussions with other family members, friends and business colleagues, I've concluded that I am not alone in deciding that Daylight Savings Time has outlived its usefulness with the advent of instant communications. My mother told me that Daylight Savings Time was deemed a necessity during World War II because the farmers were working in the factories and needed the daylight to work in their agricultural fields. Well, you know farming is also a round-the-clock activity now and not dependent on daylight.
I know for a fact that work is accomplished internationally for any given project. For example, when I worked on a wind generation project for Los Angeles, individuals in other countries were working on components of my project while I slept, and vice versa. That same concept exists for Alaskan businesses. Additionally, government continues to work. I can (and do) email my senators/representatives and the President while they sleep – and presto! They respond while I sleep.

I would like to point out a couple of serious downsides to Daylight Savings Time:

- Medication schedules are affected – especially when medications need to be taken at specific times to not conflict or counteract with other medications. There is also the dilemma when to take the medication...add an hour, subtract and hour – or stay on the "clock" schedule and hope for the best.
- SLEEP DISRUPTIONS – sleeping patterns and sleep quality are vital for good health – regardless the age. I would bet you noticed that you get tired at sluggish the "wrong" times, that you are not sleepy when you should be, and that your eating patterns are also altered. Now – think how the lack of sleep is now being discussed in the medical studies as a link to mental and physical conditions including diabetes.

  Now – take the sluggish feeling and think about it a little bit. The lack of being alert because of sleep disruptions can easily be translated to mistakes at work and accidents including driving and operating other equipment (including aircraft).

Enough said. My thoughts are echoed by others I've talked with. I am an Alaska resident, business owner and voter since 1981 (and I make sure my kids and grandkids vote too).

Thank you for your time and allowing me to ask you to vote AGAINST Daylight Savings Time.

Kaye Laughlin

907 863 7254

Kaye Laughlin

From: nick danger [mailto:pack122@msn.com]
Sent: Thursday, March 18, 2010 10:50 AM
To: Sen. Donny Olson
Subject: daylighyt savings

please , no more daylight savings for alaska, vote to get rid of it.

Thank you

From: Karen Glenn [mailto:kglenn@SEAVIEWSEWARD.ORG]
Sent: Thursday, March 18, 2010 10:39 AM
To: Sen. Donny Olson
Subject: Eliminating daylight savings time

I am for eliminating daylight savings time in Alaska.

Karen L Glenn
Administrative Manager
SeaView Community Services
P.O. Box 1045
Seward, AK 99664
907-224-5257 main
907-422-1002 direct (New)
907-224-7081 fax
kglenn@seaviewseward.org

-----Original Message-----
From: Buesseler_Joe [mailto:Buesseler_Joe@asdk12.org]
Sent: Thursday, March 18, 2010 9:31 AM
To: Sen. Donny Olson
Subject:

Please do us a favor, and dump the DST. It serves us no practical purpose.

Joe Buesseler

Christina Apathy

From: Jerry Winchester [jwinchester@winchesteralaska.com]
Sent: Thursday, March 18, 2010 3:40 PM
To: Sen. Donny Olson
Cc: Rep. Anna Fairclough
Subject: Daylight Savings Time

Senator Olson,
I wanted to express my sincere and complete support of eliminating Daylight Savings time from Alaska. I am a life-long Alaskan and have extensive experience traveling Alaska as an Architect and lover of the Outdoors in my 57 years.

1. Humans are much more tied to Sun time that our arbitrary clocks. There is significant evidence that we, as humans, are geared to sun time or daylight.
2. Daylight Savings Time was developed by the nation to try and save daylight in the summer due to the latitude of the nation as a whole and the changes of daylight in the summer. This was not created for Alaska where our daylight is radically different.
3. Alaska has 5 time zones if they were allocated per the actual sun times from Southeast Alaska to the Aleutians.
4. With the advent of Alaska Time many years ago we arbitrarily set our clocks to one hour east of Sun Time during the Winter, in Anchorage, and two hours east of Sun Tim in the Summer with Daylight Savings Time. This effectively made South East Alaska the standard for Alaska Time Zone. For West coast of Alaska, like Bethel and Nome they are two hours off of Sun Time in the Winter and Three hours off in the summer. This Alaska Time Zone was obviously set up for South East Alaska and with the acceptance of Central Alaska, but with no clear idea of the major implications to Western Alaska.
5. With most of Alaska two hours off of Sun Time in the Summer and much of Alaska three hours off, this seriously influences the daily schedule of all of Alaska and specifically rural Alaska.
6. I believe that this time change has a significant effect on our school children their education. Children are asked to get up earlier and go to school earlier by Sun Time than anywhere in the nation by at least two hours. There is significant evidence that children do not learn well in the early morning, especially in High School. Go to any High School in Anchorage and a large percentage of students are very groggy or asleep the first two periods of the day. This is not a an issue that they did not go to bed early enough, it is that their bodies are asked to operate significantly off of Sun Time, daylight.
7. We need to address this issue in all its implications, not just connecting to New York Stock Exchange, or satisfying SE Alaska.

Thanks for your attention to this matter. Jerry Winchester

Winchester Alaska, Inc. - Architects & Planners
Gerald (Jerry) L. Winchester, Architect
Mail: 645 G St. Ste 100-613
Anchorage, Alaska 99501
Physical: 425 G. St., Ste. 510
Anchorage, Alaska 99501
Phone: 907 272-4347
Mobile: 907 230-7158
Fax: 907 272-5751
e-mail: jwinchester@winchesteralaska.com

PUBLIC TESTIMONY OPPOSING HB 19

Christina Apathy

From: Joe & Billie Hardy [jhardy@alaska.net]
Sent: Wednesday, March 17, 2010 8:33 PM
To: Sen. Donny Olson
Subject: HB 19 NO

I do NOT support HB 19.
We have a hard enough time staying in step with business in the rest of the country as it is.
I would be in favor of the whole country eliminating daylight savings time, NOT just Alaska.
Thank you,
Billie Hardy

Christina Apathy

From: CJ Floyd [cjfloyd49@earthlink.net]
Sent: Wednesday, March 17, 2010 9:07 PM
To: Sen. Donny Olson
Cc: Rep. Anna Fairclough
Subject: HB19 -- Revocation of Daylight Savings Time in Alaska

Dear Sen. Olson:
As chairman of the Senate Community & Regional Affairs committee I urge you to take swift action to defeat HB19.
Certainly the Legislature has more urgent and critical matters with which to deal.
Nothing of value would be gained by forcing Alaska to be further out of step with the rest of the nation than it is already. Perhaps in the year 3535 the Alaska Legislature will have resolved the many urgent and pressing matters before it and will have the time to tinker with such petty and trivial matters as the relevance of Daylight Savings Time. Until then I urge you to waste no more valuable legislative time with this type of insignificant and irrelevant nonsense.
Respectfully yours
Curtis J. Floyd
An Alaska voter

Christina Apathy

From: Frontier Heating Concepts [fhcinc@mtaonline.net]
Sent: Wednesday, March 17, 2010 10:13 PM
To: Rep. Anna Fairclough; Sen. Linda Menard; Sen. Albert Kookesh; Sen. Hollis French; Sen. Joe Thomas; Sen. Donny Olson
Subject: Re: Update on Daylight Saving Time - Hearing to be held Thursday, March 18, 2010 @ 3:30pm
Attachments: pastedGraphic.tiff

Well -

I normally don't respond back to global emails but this one I will.

I **do not** nor **will I** support any change to the Daylight Savings Time change. Most of America is on it now. It was years and years while living in Ohio that Indiana or parts thereof didn't change it was always a challenge to keep track of the difference in time when conducting business.

Again - I'm not normally boisterous but I am hard pressed to think that this issue is worth the money (Alaskans' money) to be spent on trying to change

Our forefathers did this for a reason. Let's not try to re-create the wheel or throw some extra spokes in it.

Leave it alone!

Thanks for allowing me to share my thoughts...

Andrew Good, Owner

FRONTIER
Heating Concepts, Inc.

Phone 907-355-8031
Fax 907-746-8032
Address 14067 E. Doc McKinley Ave.,
Palmer, AK 99645

www.frontierheatingconcepts.com

On Mar 17, 2010, at 4:12 PM, Rep. Anna Fairclough wrote:

Daylight Saving Time Update...

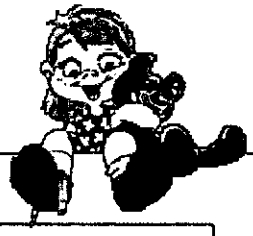
Christina Apathy

From: wilnbev@ak.net on behalf of Willard N Bev [wilnbev@ak.net]
Sent: Wednesday, March 17, 2010 10:38 PM
To: Sen. Donny Olson
Subject: Daylight Savings
Attachments: 02.jpg; stampa_girl_line_en.gif

Dear Sen. Olson:

I am in favor of keeping Daylight Savings Time, especially in summer. When our children were young we'd take them on evening picnics after work. Those are among their fondest memories. That extra hour, even with long hours of light, gives families a chance to play together. It also allows the Alaska resident to fish for several hours after work--not everything needs be done for the visitors! Lastly, and perhaps most important to many businesses and those who have loved ones on the East Coast, four hours difference is enough! Five hours would seriously compromise many. Thank you for your attention.

Beverly Dunham
Seward



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Christina Apathy

From: kesslersj@aol.com
Sent: Thursday, March 18, 2010 12:06 AM
To: Sen. Donny Olson; Sen. Joe Thomas; Sen. Hollis French; Sen. Albert Kookesh; Sen. Linda Menard
Cc: kesslersj@aol.com; Rep. Anna Fairclough
Subject: Comments for Daylight Saving Time - Hearing Thursday, March 18, 2010
Attachments: image002.jpg

Honorable Senators Olson, Thomas, French, Kookesh and Menard:

Rep. Fairclough sent this message to me today asking me to comment to your committee about HB 19 – An Act to Eliminate Daylight Saving Time in Alaska.

I am very much AGAINST eliminating daylight saving time in Alaska (with one possible exception).

My reasoning is simple: there is little to gain -- only eliminating the bother of changing clocks twice per year and having to endure minor modifications to the biological clock. On the contrary, the loss of additional business-contact time with the rest of the United States is dramatic. Currently most of Alaska is 4 hours behind Washington DC, 3 hours behind communities in Texas, and 1 hour behind Seattle/Portland. These locations are where Alaska does most of its lower 48 business. And there is A LOT of lower 48 business. Eliminating daylight savings would make us 5 hours behind Washington DC, 4 hours behind communities in Texas and 2 hours behind Seattle/Portland during a large part of the year. The inconvenience for my job, where I work with folks in Washington DC would be dramatic. We would have a total of 3 hours to get work done. 4 is bad enough -- 3 would be much more than 25% worse. I believe the true economic cost of eliminating daylight savings and being 1 more hour away from these important lower 48 communities would be significant.

The one possible exception would be for far western Alaska which is on Hawaii-Aleutian time. If those in Adak and west were OK with not using daylight savings, that might be OK. By not changing they would stay consistent with the rest of their time zone (State of Hawaii). With few people in that time zone, it might not make a great difference if they're two versus one hour different from the rest of Alaska. You should specifically ask residents of the Hawaii-Aleutian time zone their preference.

Thank you for listening. Have a good hearing tomorrow. And, again, my recommendation is to NOT ADOPT this legislation.

/s/ Steve

Steve Kessler
2820 Kempton Hills Dr
Anchorage, AK 99516
kesslersj@aol.com

-----Original Message-----
From: Rep. Anna Fairclough <Representative_Anna_Fairclough@legis.state.ak.us>
Sent: Wed, Mar 17, 2010 3:12 pm
Subject: Update on Daylight Saving Time - Hearing to be held Thursday, March 18, 2010 @3:30pm

Christina Apathy

From: David Thomson [thomson@gci.net]
Sent: Thursday, March 18, 2010 6:34 AM
To: Sen. Donny Olson
Cc: Sen. Albert Kookesh; Sen. Joe Thomas; Sen. Hollis French; Sen. Linda Menard; Sen. Dennis Egan
Subject: HB 19 Daylight Savings Time - opposed to repeal

Dear Senator Olson:

RE: Senate CRA Committee hearing on HB 19

I wish to register myself as opposed to repealing Daylight Savings Time (DST) in Alaska. I am not able to attend the hearing today, March 19, on HB 19. Please accept this email as my testimony.

As a resident of Southeast Alaska, DST does provide more sunlight. I have lived in Juneau for 26 years and remember when we were on Pacific Time. When the state went to 2 time zones, it was a compromise for Juneau with regards to summer daylight – the amount of summer sunlight was reduced. Overall, I think it was a good choice to consolidate time zones for business and life within the State. Repealing DST would mean another loss of summer sunlight in Southeast. That would diminish my quality of life. Evening daylight in southcentral and interior would remain abundant, so many may see no difference and encourage the repeal.

I really don't understand the motivation by some to encourage repeal of DST. What is the great advantage to repeal it?

The sponsor, Representative Fairclough, contends that educators feel it has an adverse impact on our children with regard to taking critical exams. I don't understand how that conclusion can be drawn. It is the middle of March in Juneau right now and the sun has risen before school starts. In another week, that will be true in Anchorage. If exams are taken in April or May, what is the issue regarding sunlight?

I do not find the task of changing clocks cumbersome and time consuming. Many devices now come with a simple switch to adjust to DST. Those who find the switch bothersome are really only late for Sunday activities once a year in the spring when the clock moves forward. The change in fall gives another hour of sleep and plenty of time to arrive at church.

For me it's a quality of life issue. Life is better with DST. If I keep the lights off a little longer and the thermostat lower due to the sunlight, it's a bonus.

~thank you.
David Thomson
Juneau

Christina Apathy

From: Suzy Crosby [suzy@alaskastatefair.org]
Sent: Thursday, March 18, 2010 4:55 PM
To: Rep. Anna Fairclough
Cc: Sen. Donny Olson; Sen. Joe Thomas; Sen. Hollis French; Sen. Albert Kookesh; Sen. Linda Menard
Subject: FW: Please leave our daylight hours alone -- Keep DST in Alaska! -- Please delete previous copy

Please delete previous copy sent from this email, if you received it.

Thanks,

Suzy

March 18, 2010

Dear Ms. Fairclough,

I was extremely dismayed to hear of the House of Representatives' efforts to end Daylight Savings Time in Alaska, and disappointed with the way you slanted your "research questions" to ensure that the answers would generally validate only one of the two opposing viewpoints.

First, here are my reasons for requesting that Daylight Savings Time be left alone:

1) The majority of Alaskans either work or attend school at standardized hours, and their lives operate around a schedule that incorporates those daytime hours and a typical bedtime following the 10:00 news. From late May through mid-July, sunrise averages 4:30 am -- what is the benefit of having the sun shining at 3:30 am when the vast majority of people are asleep? It is extremely unlikely that people are going to keep getting up earlier and earlier so as to enjoy the extra daylight on long summer MORNINGS if DST is repealed, since their work hours will remain unchanged.

2) On the other hand, the majority of Alaskans treasure the opportunity to come home after a day of work in the summer and have long daylight hours stretching into the evening. Currently the sun sets between 10:00 and 11:00 pm throughout the entire month of May and most of July and August. Most Alaskans would be quite unhappy about having to end their outdoor evening activities at 9:00 pm due to darkness during the early and later parts of the summer. All of our daylight-dependent activities (sports, outdoor concert events, picnics, festivals, etc.) are based around having daylight late into the evening, and those in the later part of the summer would suffer the most. Again, due to typical work schedules, late-summer events that customarily start at 7 or 8 pm cannot readily be rescheduled to start at 6 pm in order to finish before dark -- people attend events based on their work schedules.

Here's just one specific example using one of Alaska's biggest statewide events, attended by nearly 300,000 people annually: Evening concerts at the Alaska State Fair start at 7:30 pm, which allows time for Anchorage Fairgoers to negotiate traffic, park their vehicles and be at the concert by start

time. Sunset on Sept. 1 is 9:09 pm, which allows ample time for a 90-minute show and an exit from the Fairgrounds before pitch dark sets in. With the loss of DST, either the Fairgoers will be in pitch darkness for the last half of the show, or the concert would have to start an hour earlier, which would force people to leave work early in order to make it in time. Now apply that same concept to whatever activities you or your family and friends pursue on a late summer evening – whether it's a kids' soccer game, fishing, a bike ride, or just a backyard barbecue, your sense of being in the "Land of the Midnight Sun" just came to a screeching halt. Latitudes in southern Canada will be able to lay equal claim to the title, as our sunset times would be the same as (or earlier than) theirs.

3) As far as business is concerned -- we are already out of sync enough with the East coast by being four hours behind. Eliminating DST would put us an additional hour behind Seattle and **five** hours behind the East coast for **eight months** out of the year, creating further difficulty in conducting business nationwide. Worse, no one would ever be able to keep track of what time it really is in Alaska as it would be constantly changing back and forth. Besides being at an added disadvantage in doing business, being another hour separated from friends and family in the lower 48 would add further inconvenience.

4) Has anyone considered the fact that all computers, cell phones and other electronic devices automatically correct the time for DST? It's not that difficult or time-consuming to set household clocks and thermostats in spring and fall, but just try telling your cell phone to set to a different time. Many of today's cell phones are satellite programmed to reset to time zones and local times. As an aside – we've all learned to check smoke detector batteries when we change our clocks, and I wonder if the number of fire fatalities would increase statistically without the semi-annual reminder associated with DST? (I add this comment in response to the statistics which suggest an increased rate of heart attacks following the time change.)

5) I find it appalling that the legislature should be the ones taking it upon themselves to make a decision that will have such a far-reaching and disruptive effect on the lives of over half a million people, in ways that most will not recognize until they realize they have been cheated out of over 200 hours of evening daylight in the summer. Trading off our evening light for additional hours of morning light is not in the best interest of most Alaskans. Let the people whose lives will be affected at least have a say by voting -- this issue is far too significant to be decided by a few individuals in Juneau.

Now take another look at these questions which you circulated as part of your "research" :

- Does DST really save energy, especially today when many people work inside?
- Does DST have anything to do with farming? Lots of people thought it did in the past.
- Does DST adversely impact student performance?
- Does DST in Alaska provide more sunlight?
- Does DST create more darkness in the morning?
- Has technology changed to improve communication within the business community?

These questions might not be out of place in a classroom, but some are rather short-sighted, as well as biased, in this context. Why not rephrase some of them to address specific and pertinent issues? For example:

• ***Does gaining an hour of morning*** daylight really save energy, especially today when many people work inside?

• Does DST in Alaska provide more sunlight ***in the summer evenings, when the majority of Alaskans can benefit from it most***?

• Does ***it affect you adversely when*** DST creates more darkness in the morning ***for a few weeks, considering that in exchange you get an extra hour of daylight after work***?

• Has technology changed to improve communication within the business community, ***or will being an extra hour behind the rest of the country for 2/3 of the year still be a detriment and an inconvenience in both your business and personal communications?***

If the primary objection to Daylight Savings Time is the adverse effects of the semi-annual time change itself, then based on my arguments in favor of having that extra hour of daylight at the end of the day instead of in the morning, I would propose the following compromise: keep Alaska on Daylight Savings Time all year long. This would address both the concerns of summer outdoor evening activities and the business time lag with the East Coast, as well as eliminating the need to change clocks back and forth. Please consider this as a viable third choice. If the concept of darker mornings is burdensome for residents of western Alaska, then perhaps the change that needs to be addressed is that of adding back one of the time zones eliminated in 1983.

Respectfully submitted,

Suzy Crosby
Wasilla

Christina Apathy

From: Gregory F Durocher [gfdurocher@usgs.gov]
Sent: Thursday, March 18, 2010 2:45 PM
To: Sen. Donny Olson; Sen. Joe Thomas; Sen. Hollis French; Sen. Albert Kookesh; Sen. Linda Menard; Rep. Anna Fairclough
Subject: Reasons to preserve Daylight Savings Time

Hello all-

Unlike many people who oppose Daylight Savings Time solely because they don't like the inconvenience of re-setting a clock twice a year, there are those of us who have to deal on a daily or weekly basis with our headquarters or business partners on the East Coast, and who would be severely hampered by us moving 5 hours away from them instead of the current 4 hours for half the year.

There are also those who are opposed because they have to wait 10 days for the sun to catch up following the change. I know one writer to the editor (retired by the way - so not concerned about business), who goes on several outside trips each year - and has to put up with much more than just an hour each time. Suddenly our change inconveniences his mornings here, but it only takes 10 days for the sun to catch up at nearly 6 minutes per day of change.

If the argument about a 1 hour change adversely affecting children is to be believed, then we should cancel spring breaks, saving thousands of children from being exposed to multiple time zones in only 1 week! I don't thing we could cancel Christmas vacation however - but that specious argument would suggest that we should!

In closing, consider those whose jobs depend upon staying connected rather than those who are merely inconvenienced by clock-setting!

Thanks,

Greg Durocher
U. S. Geological Survey
Alaska Science Center - ESIC
gfdurocher@usgs.gov
907-786-7009

Earth Science or Alaska Questions?
Send inquiries to askusgs@usgs.gov

Christina Apathy

From: Tony Bell [silver_hawk12ga@hotmail.com]
Sent: Thursday, March 18, 2010 1:40 PM
To: Sen. Donny Olson
Subject: Re: Daylight Saving Time

Senator,
Regarding the daylight saving issue: This autumn do not "fall" back one hour. This puts Alaska in the Pacific time zone and only three hours behind D. C. for 18 weeks. Next Spring we do not "Spring" ahead and that will leave us where we are today. We don't change and the differences with other zones are mitigated.
Respectfully,

Francis A. Bell
17333 Toakoana Drive
Eagle River, AK 99577-8510
907-969-1403 home
90-441-6168 cell

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--Forwarded Message Attachment--
From: silver_hawk12ga@hotmail.com
To: olson@legis.state.ak.us
Subject: Senator, Regarding the daylight saving issue: Thi...
Date: Thu, 18 Mar 2010 13:36:03 -0800

Senator,
Regarding the daylight saving issue: This autumn do not "fall" back one hour. This puts Alaska in the Pacific time zone and only three hours behind D. C. for 18 weeks. Next Spring we do not "Spring" ahead and that will leave us where we are today. We don't change and the differences with other zones are mitigated.
Respectfully,
Francis A. Bell
17333 Toakoana Drive
Eagle River, AK 99577-8510
907-969-1403 home
90-441-6168 cell

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Christina Apathy

From: wilnbev@ak.net on behalf of Willard N Bev [wilnbev@ak.net]
Sent: Thursday, March 18, 2010 1:30 PM
To: Sen. Donny Olson
Subject: Daylight saving's time
Attachments: hatdog4.jpg; stampa_girl_line_en.gif

Please do NOT change this!!
As it is we have to make major adjustment's when doing business with the lower 48.
The 4hrs difference now with the East coast is awkward enough to make it 5 is even worse. Even closer is the west coast and making it 2hrs would not help.

On the other side of the coin is that extra hour of Sun was very nice to have when I still had family living at home. It added quality time to many of our evening outing's and fishing trips with the Kid's.

So again please don't put us back into the day's . Was not this the reason we deleted some of the time zone.s in Alaska a few year's back to lessen the time difference's between our state and the other's?

Thank you for the opportunity to comment on this.

Willard Dunham Mayor
City of Seward
Box 167
Seward,Alaska

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Christina Apathy

From: Jean Lewis [jlewis@cityofseward.net]
Sent: Thursday, March 18, 2010 3:22 PM
To: Sen. Donny Olson
Cc: Sen. Joe Thomas; Sen. Hollis French; Sen. Albert Kookesh; Sen. Linda Menard
Subject: Daylight Saving's Time
Attachments: image001.jpg

Please do NOT change this!!

As it is, we have to make major adjustments when doing business with the lower 48.

The 4 hours difference now with the East coast is awkward enough to make it 5 is even worse. Even closer is the West coast and making it 2 hours would not help.

On the other side of the coin is that extra hour of sun was very nice to have when I still had family living at home. It added quality time to many of our evening outings and fishing trips with the kids.

So again, please don't put us back into the days. Was this not the reason we deleted some of the time zones in Alaska a few years back, to lessen the time difference's between our state and the others?

Thank you for the opportunity to comment on this.

Willard Dunham, Mayor
City of Seward
PO Box 167
Seward, Alaska 99664

Jean A. Lewis

City Clerk

P.O. Box 167

Seward, Alaska 99664

(907) 224-4045

clerk@cityofseward.net

Christina Apathy

From: B&K Bracken--Petersburg, AK, Lodging&Tours [visitpetersburgalaska@gmail.com]
Sent: Thursday, March 18, 2010 1:04 PM
To: Rep. Anna Fairclough; Sen. Donny Olson; Sen. Joe Thomas; Sen. Hollis French; Sen. Albert Kookesh; Sen. Linda Menard
Subject: Re: Update on Daylight Saving Time - Hearing to be held Thursday, March 18, 2010 @ 3:30pm

Dear Representative Fairclough and members of the Senate Community and Regional Affairs Committee,

When the subject of the daylight savings time change came up, I said I was in favor of dropping it.
However, I must clarify that. I am in favor ONLY if the rest of the US drops it.
I think it's a ridiculous idea, but I do feel we should stay in step with the rest of the country.

For example, most Alaskans have family spread across the country. I am now four hours earlier than my family in Massachusetts. If we drop daylight savings time, I will be five hours earlier for eight months of the year.

With Washington DC in the Eastern time zone, we have very few business hours to deal directly with federal offices. By 8:00 a.m. here, it's already lunch hour there, so with the status quo we've lost five hours. If we change daylight savings time, we've lost another hour. I'm sure this has been pointed out.

There are many scenarios that could be shared.

It is my wish to maintain the status quo--keep Daylight Savings Time the way it is, unless the rest of the country changes.

Respectfully,
Kathy Bracken,
Petersburg, Alaska
Alaska resident since 1971

3/18 @ 3:30pm Shirley Platt from Palmer. 907-745-7826

Against Daylight Savings Bill. Not necessary.

KTUU • TV
ANCHORAGE, ALASKA

February 5, 2010

Senator Donald Olson
Room 508
State Capitol
Juneau, AK 99801-1182

Re: HB 19

Dear Senator Olson,

I'd like to let you know how the Daylight Savings Time bill in front of the legislature would negatively affect television broadcasters in Alaska.

You may remember that prior to the beginning of satellite television in 1984, television programs aired in Alaska on a one-week or two-week delay. The business of selling advertising to agents on the east coast was largely conducted by mail. Neither is the case today.

KTUU airs most of its programming at the same time it airs in LA. Our feed for NBC Nightly News, for example, comes in at 5:28:30pm and airs live. It begins in LA at 6:28:30pm. Our prime time line-up airs 7-10pm, while in LA prime time is scheduled from 8 to 11pm. The proposal in front of you would require that entire blocks of programming would have to be recorded and played back at an appropriate time, requiring additional investment in equipment and personnel.

Children's programming is also a concern. We are required by the FCC to air three hours each week of programming targeted to meet the educational needs of children. That programming must air in consistent time periods, no earlier than 7am. NBC schedules weekend sports to begin at 2pm ET, or 10AM AK. We air our children's programming from 7am to 10am on Saturday.

The business of negotiating and selling advertising across time zones is always a challenge when doing business with, or from, Alaska. Adding another hour to our time difference adds to that difficulty.

I'm sure you're hearing from other businesses that interface with the "Lower 48." While the merits of Daylight Savings time in Alaska can certainly be debated, the merits of facilitating business relationships cannot. Exacerbating the time difference is simply a bad idea.

Sincerely,

Susan Lucas
President/General Manager
Northern Lights Media Inc.
KTUU-TV

Northern Lights Media, Inc
701 East Tudor Road • Suite 220 • Anchorage, AK 99503-7488
(907) 762-9202 • Fax (907) 561-0882
www.ktuu.com

Christina Apathy

From: Laurie Prax [laurie@kvakradio.com]
Sent: Wednesday, March 17, 2010 3:58 PM
To: Sen. Donny Olson
Subject: HB 19 - Daylight Savings Opposition Remarks

Dear Senator Olson,

I am writing about the proposed Daylight Savings Time bill HB19. I own KVAK AM and KVAK FM in Valdez, Alaska and am very concerned by the ramifications your bill presents if Alaska eliminates daylight savings time and the rest of the world does not.

In the radio and television business, on-air programming is operated by computer scripts that rely on precise timing. Many programs we rely on are picked up via satellite at a specific time of day. Most of these programs, like ABC programming, are produced on the East Coast. If daylight savings time were eliminated in Alaska, we would not only have to account for the four hour time difference we do now, but re-write our scripts each time New York moves an hour ahead or back for daylight savings time. This is a considerable amount of additional programming and, in the case of a small station like mine, is substantial enough that I would have to consider dropping some of the valuable programming our community now enjoys.

Our station conducted an on-air poll about eliminating Daylight Savings Time on our website. Our on-air and website question was "What do you think about eliminating daylight savings time?" We received a lot of responses in support of eliminating daylight savings time. Most responses were from people who wanted more sunlight. The following week, we asked the question, "If Alaska eliminated daylight savings time and the rest of the US did not, would that present any problems for you?" We received many comments from people who said they had computer programs that were time specific and they would have to spend considerable time and energy figuring out what to do if daylight savings continued elsewhere, but not in Alaska. One respondent said he had answered the week prior in support of the proposal, but after thinking about it thought it was a bad idea. Several respondents said that changing daylight savings time would be fine as long as the rest of the United States did. Most were concerned that it would be hard to keep up with time elsewhere when making telephone calls for business or pleasure.

I am concerned that the only issue that has been presented is one of health. While that is important and I think you probably have great support in the proposal for those valuable health benefits, I think most people are assuming this proposal is not just limited to Alaska and therefore not realizing the implications of the change. I believe the burden this change would place on business is great enough that it should not be considered unless it is part of a national change.

I am President of the Alaska Broadcasters Association and we when we first discussed your proposal at one of our meetings, board members were ambivalent about the change. When we started thinking about how it would affect programming at each of our stations, it became apparent it would pose a large challenge for broadcasters in our state.

If you are interested in understanding what the ramifications changing daylight savings time would pose for broadcasters, I would be happy to discuss with you or your staff in more detail. I'm sure I could even arrange a tour and explanation at a station in Anchorage, Juneau or via the internet.

I thank you for your time.

Best Regards,

Laurie Prax
KVAK Radio
PO Box 367
Valdez, AK 99686
907-835-5825
907-255-5825 (cell)

3/18/10

To: Crystal Koeneman @907 465 2819

I am opposed to HB19. I don't care if it is a chore to change all the clocks, because here in South East we enjoy that extra hour of daylight in the evening. I usually mow my lawn at night.

Of all the information presented by Representative Anna Fairclough, I'm most concerned about being two hours behind the west coast and five hours behind the east coast. As a business owner, this will be a pain in the neck.

Sincerely,

Linda Herff

KINDER KOMFORT

P. O. Box 1186

Petersburg, AK 99833

907-772-4100

Petersburg Legislative Information Office
State of Alaska
Legislative Affairs Agency

PO Box 1470
Petersburg, AK 99833
Petersburg_lio@legis.state.ak.us
907.772.3741 Fax 772.3779

FAX TRANSMISSION

TO: **Senate Community & Regional Affairs**
FAX: **907.465.4821**
PHONE: **907.465.3707**

DATE: **3.18.10**

3 page to follow this cover. 2 pages written copy of oral testimony given before SCRA and 1page written comment for HB 19: Eliminate Daylight Savings Time. Please enter it into the Bill record.

Thank you,

Ellen Rojcewicz
Petersburg LIO

I oppose HB 19.

It seems a driving reason to eliminate daylight saving is the time change in spring and fall inconveniences Alaskans for a few days. If we don't stay in synch with most of the rest of the US, all Alaskans will be inconvenienced a lot more than that. In SE Alaska we will be inconvenienced every day during spring, summer and fall.

Remember we already lost an hour of our evenings back in 1983. HB 19 adds a second hour for the part of the year when most of us spend time outdoors. Talk about driving Alaskan away from healthy outdoor activities towards more sedentary indoor activities.

Driving into Petersburg one sunny evening last spring, I noticed how many people were headed out the road for a picnic or other recreation after work. Then I thought, oh my, if HB 19 passes, loss of that one hour will significantly cut into their time to enjoy nature. On that day loss of that hour would have meant they would be driving out the road as the sun set. Remember southern southeast Alaska has much less evening light than the rest of the state. I treasure our long summer evenings. How sad it will be to lose them.

Ironically, the sun will set in Seattle, Washington, which recognizes daylight savings time, later than Petersburg every day of the year. The same goes for Portland, Oregon. Even San Francisco, California will have later sunsets than Petersburg all but 54 days of the year

I can understand why residents of Anchorage and points further west don't like daylight savings. They have to get up in the dark in spring and fall. The problem developed when Alaska, except for far out the Aleutians, was combined into one time zone. If you overlay a map of Alaska over the continental US, you can see the tip of the Aleutians reaches the shore of the Pacific Ocean in California while southern SE Alaska touches the Atlantic in

Georgia. How many Americans would like to see the lower 48 compressed into one or two time zones?. It was crazy to put the state with the greatest distance between east and west into essentially one time zone. Much smaller states including Oregon, North Dakota, South Dakota, Nebraska, Kansas, Texas, Michigan, Indiana, Kentucky, Tennessee and Florida are all located in two time zones.

I think most Alaskans would be much happier to go back to the old time zone divisions and stay in synch with the rest of the nation. A few days of inconvenience has less impact than HB 19 would promulgate.

For southeast Alaskans HB 19 means: If you want to go fishing after work, have a ball game or barbecue, you'd better stock up on flashlights and plan on breakfast barbecues. After all, sunrises will be before 3:00 AM at the summer solstice. If you value long summer evenings, perhaps you should move somewhere else.

Otherwise HB 19[illegible] should be good news for the Petersburg Utility Department. More evening indoor time equates to more revenue from use of electricity. The hospital clinic should be happy because more indoor time equates to poorer health. Same for Petersburg Mental Health Services.

Finally, if you must mess with time in Alaska, if Alaskans just can't deal with changing their clocks with the rest of the nation, I suggest one amendment. Instead of staying on standard time year round, stay on daylight saving time year round. That change would be far preferable

Thank you.

Don Cornelius
P.O. Box 1727
Petersburg, AK 99833

doncorn@gci.net

Christina Apathy

From: Don Cornelius [doncorn@gci.net]
Sent: Friday, March 19, 2010 9:23 AM
To: Sen. Donny Olson
Subject: HB 19 corrected message

Dear Senator Olson:

Thanks for hearing my testimony regarding HB 19 yesterday. A couple of other ideas popped into my mind last night.

Rep. Fairclough claimed the wave to eliminate DST is developing near the equator and spreading north. State's that stay on standard time include Hawaii and Arizona. These states and equatorial regions have one thing Alaska doesn't. Heat. When I travel to tropical areas I'm relieved when the sun goes down. At last I can go outside to sit on a deck or wherever and enjoy the relief. In Alaska it gets cold, biting insects descend on us. I go indoors. Earlier sunsets equate to going inside earlier. That's because we're an evening oriented society so, for most Alaskans starting our day one hour earlier and going to bed one hour earlier usually isn't an option

She claimed that electricity use rises when the country goes on DST.
I've read the opposite. That DST saves about one percent in electric usage.

Here's what happened to me once. My wife, Karen, and I were making a dash to catch an Alaska ferry. We arrived in Beaver Creek, Yukon, just before midnight on a most-of-the-night drive. Just minutes before Canadian customs closed. Now we're one hour off from western Canada and if we eliminate DST, we'll be two hours off. Better get to Beaver Creek or the Haines border crossing before 10:00 PM or you'll be stuck there for the night. Coming into Alaska from Canada early in the morning you'll have to wait two hours for US Customs to open. One more inconvenience.

Thanks,

Don Cornelius

Christina Apathy

From: Jim [jimer53@starband.net]
Sent: Thursday, March 25, 2010 8:54 PM
To: Sen. Albert Kookesh; Rep. Beth Kerttula; Rep. Anna Fairclough; Sen. Joe Thomas; Sen. Donny Olson; Sen. Hollis French; Rep. Bill Thomas
Subject: We don't want to drop DST
Attachments: RE_ Testimony concerning HB19 .eml

I sure hope the legislators from Anchorage et al don't have their way in dropping DST (nothing against you Anchorage legislators listed in my address bar). We in Southeast Alaska stand to lose an hour of our precious evening daylight. Please don't let this happen.

Some guy from Petersburg said today in the empire that Southeasterners are not fighting hard enough. All I can say is wow.

I still say the desire of Anchorage and other western populations to drop DST is another way of saying they don't like our new time zones that came into effect in Sept 1983. Change the clock cannot be that big of deal. Alaska time - dst or not - was a result of an effort from a Juneau group to save the capital, much like the FRANK initative. I say change our time zones back to where they were in 1982. Souteast on Pacific time and Anchorage two hours behind us. It's only right. Anchorage has a point, but they don't need to drag us all into this time change to their liking only.

Jim Erickson
Hoonah, AK

Christina Apathy

From: Margo Waring [margowaring@gmail.com]
Sent: Thursday, March 25, 2010 7:23 PM
To: Sen. Joe Thomas; Sen. Hollis French; Sen. Albert Kookesh; Sen. Linda Menard; Sen. Donny Olson
Subject: HB 19

Dear Members of the Senate Community and Regional Affairs Committee,

A recent letter to the editor of the Juneau Empire brought to my attention the swift passage of HB 19 through the Legislature. I ask you to halt that progress. Abolishing daylight savings time is a bad idea for residents of southeast Alaska.

First, you all remember the "compromise" that the citizens of Alaska agreed to in 1983 to go on to a single time zone, Anchorage's. The adoption of the single time zone was contentious but most of us realized the benefit. I worked for the state in the decade prior to the single time zone. Contacting multiple individuals practically required a spreadsheet. Adopting the single time zone was a hardship to people in Southeast and to people in Western Alaska whose time zones had more accurately reflected their position on the globe. For Southeast, the trade off was that we would put up with morning darkness for much of the year and in return have long evenings in the summer.

Now, Western Alaska is asking to tip the balance of the compromise more in their favor and, thereby, relegate Southeast to short summer evenings and long hours of sunlight while we sleep. It does us no good to have summer sunshine at 2:00 in the morning. We would rather have it at 9:00 in the evening.

Please do not keep HB 19 in your committee.

Margo Waring

Christina Apathy

From: Karen Schramek [kschramek@gci.net]
Sent: Friday, March 26, 2010 3:04 PM
To: Sen. Donny Olson
Subject: HB 19 - Time Change

Hello,
My husband and I are really really opposed to changing the states time, at least for SE Alaska. If anything, we'd like to go back to Seattle time.
Please stop this bill in the Senate!
Thank you,

Karen and Jim Schramek
Petersburg, AK

Christina Apathy

From: Doug Riemer [nordicair@gci.net]
Sent: Friday, March 26, 2010 7:08 PM
To: Sen. Donny Olson
Subject: HB 19

Daylight savings time levels the field for Alaskans. We were forced to make a time change in 1983 but because daylight savings time was in effect, we were able to enjoy summer light until 9:30PM. If we get rid of daylight savings time, we will have daylight from 3AM until 8:30 AM in the summer months. This will negatively impact our fishing and tourism industries. Southeast has seen a decrease in population due to changes in economics. This will further damage our communities. Please stop HB 19.

Kathi and Doug Riemer

Doug Riemer
Nordic Air,LLC
907 772-3535
nordicair@gci.net

Christina Apathy

From: Ethel Smith [lethaleethel@gmail.com]
Sent: Sunday, March 28, 2010 1:05 PM
To: Sen. Donny Olson
Subject: HB 19

Dear Sir/Madam,

I am writing in reference to HB 19.

The main reason this bill is a bad idea for all Alaskans is that Alaska is already 4 hours behind the east coast. If HB 19 passes will we will be 5 hours behind the east coast from March to November. This will adversely affect business and travel. Many of us who live here are dependent on businesses in the lower 48. Several of us already go to work at 7 am and cannot communicate with our east-coast offices after noon. Those of us who travel for work know what 4-hour jet lag feels like in a meeting the next morning. Five hours will only be worse and will make the travel more difficult.

Many of us also have families "down south", who are already difficult to visit to because of long, expensive flights. Adding another hour or more to travel may mean that we need to spend more time in airports, use more vacation time (paid or unpaid), and possibly spend more nights in airports.

For those of us in southeast Alaska, it will result in the sun coming up around 1 am and going down around 9:30 pm on summer solstice. This will adversely affect jobs that depend on summer evening light – commercial fishing, construction, tourism, etc. More evening light in Alaska also means more people outside fishing, boating, and hiking, and more time for tourists to also do those things or stroll our streets and shop. Additionally having more daylight at the end of the day means children will more likely play outside after school. Research has shown that more available daylight in the evening does decrease the number of traffic accidents, traffic fatalities, and incidences of crime. Why should south central and western Alaska be the only beneficiaries of the summer-time light? Southeast Alaska already compromised on our summer evening light when they made one time zone for all of Alaska in 1983. Thank you for your consideration.

Sincerely,

Ethel H. Smith

Christina Apathy

From: Cynthia Wallesz [cynthia@eatalaskasalmon.com]
Sent: Tuesday, March 30, 2010 1:54 PM
To: Sen. Gary Stevens; Sen. Johnny Ellis; Sen. Con Bunde; Sen. Lesil McGuire; Sen. Bert Stedman; Sen. John Coghill; Sen. Hollis French; Sen. Linda Menard; Sen. Bettye Davis; Sen. Lyman Hoffman; Sen. Kevin Meyer; Sen. Joe Thomas; Sen. Fred Dyson; Sen. Charlie Huggins; Sen. Donny Olson; Sen. Tom Wagoner; Sen. Dennis Egan; Sen. Albert Kookesh; Sen. Joe Paskvan; Sen. Bill Wielechowski
Subject: HB19

Hello Senators:
I own a small fishing business in Petersburg where my husband and I fish for salmon and ship it fresh and frozen all around the country. While juggling our customer's orders I am constantly calculating how many hours ahead we are from this or that customer. I oppose eliminating daylight savings because I see only negative concequences to being yet another hour away (sometimes) from the rest of the country. Also, I appreciate currently being apart of daylight savings as it brings consistancy with what most of the country lives by. Not participating in daylight savings makes Alaska that much more confusing to do business with as potential customers simply struggle to figure out which time zone we're on...we have enough challenges in the marketplace (such as logistics and transportation). Thank you for the work you do and for reading my thoughts on HB19. Please contact me if you want to discuss this further.

--Cynthia Wallesz

Cynthia Wallesz
Lofoten Fish Company
P.O. Box 2028
Petersburg, AK 99833
(907) 772-2680
(360) 201-7287-cell
www.eatalaskasalmon.com

Christina Apathy

From: chrystalsmith@gci.net on behalf of Chrystal Smith [chrystalsmith@gci.net]
Sent: Tuesday, March 30, 2010 2:32 PM
To: Sen. Donny Olson
Subject: Please Oppose HB 19 - Banning Daylight Savings Time

Dear Senator Olson:

Please oppose HB 19, which would end Daylight Savings Time in Alaska. Businesses, governmental entities, and individuals would all be negatively affected by passage of this bill.

I agree thoroughly with those who have expressed opposition to this bill (in legislative hearings and letters to the editor) and would mourn the loss of long summer evenings that are perfect for hiking, fishing, boating, or gardening. We Alaskans value our recreational pursuits and summer is an ideal time to make the most of our natural environment, particularly here in Southeast. Daylight Savings Time helps us do that, and banning it would negatively impact our leisure time.

However, ending Alaska Daylight Savings Time would have an even greater (and more important) impact on our state's businesses and governmental entities, most of whom have regular communication and interaction with suppliers and distributors, financial institutions, government agencies, and professional colleagues in other parts of the US. If Alaska does not have Daylight Savings Time, we will be one more hour behind all but minute areas of the rest of the US, Canada, and, indeed, the entire northern hemisphere. Investors who count on their connections to Wall Street will be five hours behind the East Coast instead of four; government employees or other citizens who need to consult with colleagues in DC will have an hour less to conduct teleconferences, call congressional offices, or negotiate via phone with federal agencies; tourism companies or seafood distributors working with customers in Europe will be at an even greater disadvantage because of the added time differential; Alaska corporations with operations across North America or in Europe will face increased difficulty making personal connections during their working day. And just think of the impact on Alaskans' business and personal travel and on tourism if Alaska is two hours behind Seattle, Los Angeles, or the Yukon.

I could give many more examples, but each of us can recall the difficulty (at work or home) of being as much as four hours behind the rest of the country. Just imagine how much harder it would be if yet another hour were added! Please make sure that HB 19, now in front of the Senate Community and Regional Affairs Committee (with further referrals to Labor & Commerce and Finance) does not pass.

Thank you for your service to Alaska.

Chrystal Smith

Juneau

523-4974

Petersburg Legislative Information Office
State of Alaska
Legislative Affairs Agency

PO Box 1470
Petersburg, AK 99833
Petersburg_lio@legis.state.ak.us
907.772.3741 Fax 772.3779

FAX TRANSMISSION

TO: **Senate Community & Regional Affairs**
FAX: **907.465.4821**
PHONE: **907.465.3707**

DATE: **3.30. 2010**

1 page to follow this cover. Written comment for HB 19: Eliminate Daylight Savings. Please provide it to all SCRA Members and enter it into the Bill record.

Thank you,

Ellen Rojcewicz
Petersburg LIO

Regarding HB 19

I live in Petersburg and I work in the medical field. The time change process every 6 months is a nuisance for us just like everyone else in the state, and I have often thought it would be a good idea if we would just hold one time all year round. After thinking about this a bit more, I realize that there are several advantages to keeping Daylight Savings Time.

If we don't change our clocks, we are 1 hour different from the West Coast, and 4 hours from the East Coast. With HB 19, there will be a 6 months period when we will be 2 hours and 5 hours different respectively. So, for example in April, if we didn't spring forward, if the Anchorage time is 1:00 pm, the east coast is time is 6:00 pm. In terms of banking, commerce, trade, and health care, maybe this isn't such a good idea. If I need to speak to an expert about a vital piece of medical equipment that isn't working properly, I may have to deal with an answering machine instead of a live person, resulting in a delay that will potentially delay critical laboratory results. That may not mean much to you, but to the 7 day old infant, that might be a bit of a problem. Minutes and hours are critical!

Alaska is blessed with long summer days. These days need to extend into the evening when we can all enjoy the bounties of summer. If HB 19 passes, then hard earned summer nights will be shortened. I put my time in the winter here so I can enjoy every minute of daylight in the summer. I don't want to have to get up at 3am to make my days longer. Now, up in the interior, these lost hours are not as much an impact as they would be for us in Southeast Alaska. Is SE Alaska the red headed step child of the legislature?

I have an aunt that lives in Florida. I have a hard time calling her after work because she goes to bed at 9:00. I get off at 5:00, 10 pm her time. And when I get a call at home from someone in the lower 48 and they don't know the time difference, I might be woken up at 4 am or earlier!

One more consideration: what will it cost to update software worldwide to accommodate HB 19? If we are doing international business overseas, how do we and our business partners keep time zones straight?

Maybe the time has come to eliminate Daylight Savings time across the nation, but then this should be standardized across the country, not a patchwork of various time zones across our great nation.

Please do not vote for HB19.

Elizabeth Bacom
PO Box 683
Petersburg, AK 99833
907-518-0808

Christina Apathy

From: Megan & Walter C. Pasternak [mwpstnk@ptialaska.net]
Sent: Wednesday, March 31, 2010 11:29 AM
To: Sen. Donny Olson; Sen. Joe Thomas; Sen. Albert Kookesh; Sen. Linda Menard; Sen. Hollis French; Sen. Bert Stedman; Rep. Peggy Wilson
Subject: Re: HB 19

Dear Members of the Senate Community and Regional Affairs Committee and Sen. Bert Stedman and Rep. Peggy Wilson: I am writing to express my adamant opposition to passage of HB 19 which would eliminate daylight savings time in Alaska and place the entire state two time zones away from Seattle in the summer and one zone away in the winter. As you all know, Alaska has strong ties to the Pacific Northwest both commercially and through families.

The discrepancy between summer and winter would be difficult for Outside entities to have to keep track of. The time system we have in place now, since uniting the state into one zone in 1983, has been working very well. Moving us an hour later in the summer would put hardships on those needing to contact others during business hours. The bigger the discrepancy, the narrower the window we would have to contact those outside the state unless we change our working hours to very early in the morning. It is hard enough now, being four hours different from those on othe East Coast.

Long summer evenings have always been a large and important part of life in Alaska. Many of our activities and means of making a living are based on those hours. Subsistence food gathering often takes place after work hours along with recreational opportunities like fishing, clam digging, berry gathering, hiking, walking, biking and playing organized sports like softball and Little League for both adults and children alike. Having it ligher in the very early morning hours would do nothing to help Alaskans get their much needed outdoor-based exercise, leading to even more obesity in our society.

Morning darkness is much more favorable than evening darkness, especially in the winter months. It is better for one's mental health and safety.

The effects on the broadcast industry, upon which the highly rural Alaska relies heavily, would also be disruptive and detrimental.

Please do not let this bill get any further in the legislature. It will do no one any good.

Thank you.

Megan Pasternak
Box 830
Sitka, AK 99835
907-747-5943

Christina Apathy

From: Dave Harris [dkh@gci.net]
Sent: Friday, April 02, 2010 6:25 AM
To: Sen. Donny Olson
Subject: daylight savings time

Hello,
I wanted to let you no that I do not support the daylight savings bill I hear is slipping through. Putting us further away from the west coast is not a good idea for business operations, and more importantly to me, as a resident of Southeast, we will lose a precious hour of light in the evening. Please reject this idea as it can only be based on the laziness of some, and will significantly hurt our quality of life here.
Thanks you for our time,

Dave Harris
Juneau, Alaska

Christina Apathy

From: jkna parise [jknparise@hotmail.com]
Sent: Friday, April 02, 2010 9:17 AM
To: Sen. Donny Olson
Subject: Daylight Savings Time

Senator Olson,

I am the Director of Fixed Income Investments for the Alaska Permanent Fund. I am not writing as a representative of the APFC but as an Alaska citizen. Currently, I work New York hours because we must be present during market hours to effectively manage the $7+ billion bond portfolio. As you can imagine, running a portfolio in Alaska presents some challenges and one of them is the time difference between us and NY. Adding an additional hour during the summer would only make matters worse and add additional confusion for our business contacts. It will also make staffing of investment professionals more difficult because of the stress on their families. On a personal note, I already wake up before 4:00 am to come to work and miss some of the evening with my family because I have to go to bed early for work. Coming into work an hour early would be a hardship on myself and family and severely reduce my quality of life in Alaska. Also, our parents live on the East Coast and this bill would make it even worse than it already is to communicate with them. I understand the hardships this bill would cause people but I don't understand how it benefits Alaska to be even further away from the rest of the country. Thank you for your help.

Jim Parise
Juneau
907-790-1057

The New Busy is not the old busy. Search, chat and e-mail from your inbox. Get started.

Christina Apathy

From: Tyron Walker [TYRONW@city.ketchikan.ak.us]
Sent: Saturday, April 03, 2010 12:10 AM
To: Sen. Donny Olson
Subject: Oppose HB 19, Daylight Savings

Senator – I cannot express how apposed to HB 19, (ending daylight savings) I am. It amazes me that with all the more important issues facing the state, the legislature has taken the time to even contemplate this bill.

If this bill were to pass I see it as an example of alienating an entire region of the state. Myself and what I estimate to be the 100,000 other residences in Southeast enjoy the extra hour of daylight we get in the evening as a result of daylight savings. Due to our latitude we do not get the 20+ hours of daylight the rest of the state enjoys during the summer.

By not maintaining daylight savings with the rest of the country we would be 2 hours different than our major business partner; Washington State during half the year. This causes a major inconvenience. 20 some years ago when the legislature moved to "Alaska time" we in Southeast lost an hour of daylight. This bill would cause us to loose another.

Because of our longitude, we in Southeast should be on "Western time zone". This bill would move us to "Hawaiian time zone". This is not fair.

Please do not vote for this bill.

Sincerely, Ty Walker
61 Clover View Rd.
Ketchikan, AK 99901

Christina Apathy

From: WILLIAM JOHNSON [wfj@gci.net]
Sent: Sunday, April 11, 2010 12:26 PM
To: Sen. Donny Olson
Subject: PLEASE retain daylight savings time - sink HB19

Dear Senator,

My work requires frequent communication with other U.S. time zones, particularly with Washington, D.C. It is frequently difficult to arrange conferences and phone calls among multiple parties in places four hours away. It would be horrible to try this when it's five hours away. This, coupled with the issue of our time difference sometimes being X hours and other times being X+1 hours (or is it X-1 hours?) depending on the date, will further impede business with my clients, vendors, and colleagues.

I urge you to bury the dreadful idea of altering daylight savings time and keep our time zone synchronized with the rest of the world.

Sincerely,
William Johnson
1075 Fritz Cove Road
Juneau, AK 99801

Christina Apathy

From: Marty D. Laudert [MDLaudert@gvea.com]
Sent: Thursday, March 18, 2010 9:23 AM
To: Sen. Donny Olson
Subject: HB-19

Please do not eliminate daylight savings time. It works very well just the way it is. The extra hour in the evening during spring and fall is ideal for the true Alaska lifestyle. I use this hour of daylight for various outdoor activity after my 8-5 workday.

Thank you

Marty Laudert
3238 Edby Rd
Fairbanks AK 99709
1 907 750 1953

Christina Apathy

From: Cheryl A. Laudert [CALaudert@gvea.com]
Sent: Thursday, March 18, 2010 8:55 AM
To: Sen. Donny Olson
Subject: daylight savings
Attachments: image001.gif

Leave daylight savings the way it is today. Light in the evening in the fall is most valuable to me and my family.

824

Christina Apathy

From: Jim [jimer53@starband.net]
Sent: Thursday, March 18, 2010 9:15 AM
To: Sen. Albert Kookesh; Sen. Joe Thomas; Sen. Hollis French; Sen. Linda Menard; Sen. Donny Olson; Rep. Beth Kerttula; Rep. Cathy Munoz
Subject: Testimony concerning HB19

Dear Senator_Albert_Kookesh@legis.state.ak.us;

Senator_Joe_Thomas@legis.state.ak.us;

Senator_Hollis_French@legis.state.ak.us;

Senator_Linda_Menard@legis.state.ak.us;

Senator_Donald_Olson@legis.state.ak.us

Representative_Anna_Fairclough@legis.state.ak.us

Quote : Link here

"On September 15, 1983, Secretary Elizabeth Dole signed a plan to reduce the number of time zones in Alaska from four to two; two weeks later, the plan became effective.

The shift was made to facilitate doing business in Alaska, improve communications, and unify residents".

In 1982-3 there were a bunch of us who were against this decision to change our time zone to Alaska time but nobody listened; the time zones were change anyway. A group from Juneau said what is quoted above, "improve communications, and unify residents" which interpeted as and actually meant, "Save the Capital for Juneau".

So are we still unified or what?

This desire to drop daylight saving time is just a front for people who do like the time zone they are in. I too have a heavy dislike for our time zone changes and would like it to be changed back to pre-1983 or back to Pacific time (in Southeast Alaska) and let Anchorage and other disgruntled areas do what's best for them all under a Federal decision. Dropping daylight saving would effectively edge them towards their proper zone west of Southeast Alaska but is not the way to acomplish this fairly for all Alaska residents concerned.

I understand what the western areas of Alaska must feel when the sun is still set at the noon but "rob peter to pay paul" is not right. Doing away with Daylight saving time would further push Southeast away from our desire clock hour or 2 hours away from Pacific time in the summer. I like many others enjoy our daylight time after work etc.

There is a better way to do this. PLEASE petition the Federal Government to let us go back to the way it was (pre 1982) so we can all stop our dislike of the time zones we are now in. Otherwise, leave it alone.

Sincerely,

James Erickson

District C

Hoonah, Alaska

826

Christina Apathy

From: chilcoot2@gmail.com on behalf of Craig Wm. Black [chilcoot@mtaonline.net]
Sent: Thursday, March 18, 2010 11:09 AM
To: Sen. Donny Olson
Subject: Repeal Daylight Time, But Not Via Rep. Fairclough's Bill

Dear Senator Olson,

I write today to let you know I join in Rep. Fairclough's goal of repealing daylight savings time. However, I disagree with her plan to have Alaska do so by itself.

I urge you to support HRJ20, which urges Congress to get rid of DST nationally. But I urge you to oppose HB19, which would have Alaska go it alone.

I am a sports fan. NFL, Major League Baseball, NHL, the biggies. As things are right now, it's hard to follow sports in Alaska, since so many games are well underway (if not over) by the time working stiffs like me get home from work to watch.

If Alaska repeals DST, the first 10 weeks of Sunday's NFL slate will begin at 8:00 AM rather than the current 9:00 AM. That's too early!
To watch a weeknight Mariner home game, I'll need to be home by first pitch at 5:00 PM. The World Series will start at 3:15 PM. It's crazy.

Factor in the hassle of Alaska sometimes being 2 hours behind the west coast most of the year but 1 hour behind during the winter, we'll have a lot of headaches trying to coordinate activities with people elsewhere. To what end?

I agree that DST serves no purpose in Alaska. But it also serves no purpose anywhere else. We should work with our Congressional delegation to come up with a national fix. HJR20 would give our delegation the encouragement to do what's right for the nation AND Alaska.

So we need to be smart about killing DST. That's this sports fan's view.

Sincerely,

Craig Black
20620 Ptarmigan Blvd.
Eagle River, AK 99577
(907) 696-6699
chilcoot@mtaonline.net

Christina Apathy

From: Dick [hockref@acsalaska.net]
Sent: Thursday, March 18, 2010 11:26 AM
To: Sen. Donny Olson
Cc: Sen. Joe Thomas; Sen. Hollis French; Sen. Albert Kookesh; Sen. Linda Menard
Subject: HB19

Please put me down for keeping daylight savings time!

As a retired educator, I have watched children come to school in the dark and leave in the dark during our winter months. With DST, they are able to leave school with some daylight left. If we are going to do anything with DST, we should go on DST permanently ALL YEAR LONG!!!!

Then at least school children and many employed people would have a little daylight to enjoy on their way home. We would also enjoy the
benefit of being more in sync with the rest of the U.S.. Being on
the same time as Seattle or the west coast when they are off DST would benefit many businesses as well.

So please either kill this bill or go on DST all year long. Being on DST all year long should satisfy Rep. Fairclough reasons for changing our present system.

Thank you for your work.

Richard Waisanen
Soldotna

VIKING TRAVEL, INC.
David Berg, President
101 N. Nordic Drive
P.O. Box 787
Petersburg AK 99833

www.AlaskaFerry.com
Phones: 800.327.2571
907.772.3818
Fax: 907.772.3940
E-Mail: david@Alaskaferry.com

Monday, March 15, 2010

Senate Community and Regional Affairs
FAX 907-465-4821

Subject HB19

SCRA Chair, Senator Donald Olson;
Vice-Chair, Senator Joe Thomas;
Member Senators Hollis French, Albert Kookesh and Linda Menard.

Ladies and Gentlemen:

We oppose the change of our present daylight time system and schedule.

If daylight savings time was dropped, our Southeast Alaska morning sunrises would happen earlier (2:50AM on June 21st) and sunsets earlier, therefore shortening our apparent active day.

In addition, the change of the rest of the country to daylight time would set us off from their regular time changes.. part of the year we'd be one hour from Pacific Time, and the rest of the year two hours from Pacific time.

Time Zones are confusing enough for residents and travelers alike.

Proponents complain that daylight time is not needed. Well, it may not be required, but would sure confuse the rest of the world. In addition, in Alaska, one may use blackout shades or other devices to keep sunlight out of rooms when sleep is a priority.

Let's stay with our present system and drop ideas like this that waste our time when there are other pressing items to deal with during our legislative session.

Best regards,
Viking Travel, Inc. and David and Nancy Berg

David A. Berg
President

HB 19 - Log

3/18, 11am - Allan Barnes from Anchorage called regarding HB 19. He is against the Daylight Savings Bill. "Leave well enough alone."

HB 156

SENATE COMMITTEE REPORT

DATE: 4/3/09

FURTHER: State Affairs

DATE TURNED IN TO OFFICE: 4/9/09

Community and Regional Affairs Committee considered HOUSE BILL NO. 156

HB 156 ALLOWING CERTAIN LANDFILL FEE WAIVERS

"An Act relating to municipal fees charged for disposal of waste material from the substantial rehabilitation, renovation, demolition, removal, or replacement of a structure on deteriorated property."

and recommends:

[ ] be **replaced** with [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] adopt **previous** [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] attached amendment(s)

[ ] adopt _____Letter of Intent

[ ] 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#
CED	3/16			✓	1

[ ] **APPROPRIATION - no fiscal note**

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
Joe Thomas	Thomas	✓			
Albert Kookesh	KOOKESH			X	
Linda Menard	MENARD	✓			
CHAIR:	OLSON			✓	

Alaska State Legislature

Chairman
State Affairs Committee

Member
Judiciary Committee
Labor & Commerce Committee
Health & Social Services Committee
Military & Veterans Affairs Committee

Finance Subcommittees
Labor and Workforce Development
Military and Veterans' Affairs
Public Safety

A Communication From
REPRESENTATIVE BOB LYNN
District 31 Anchorage

E-Mail: Representative_Bob_Lynn@legis.state.ak.us
"Bob Lynn's Alaska Blog" www.RepLynnBlog.com

Session:
Alaska State Capitol, #104
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Phone: (907) 465-4931
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Interim:
716 W. 4th Ave., #650
Anchorage, AK 99501-2133

Phone: (907) 269-0205
Fax: (907) 269-0207

HOUSE BILL 156
SPONSOR STATEMENT

HB-156 grants municipalities the authority to waive disposal fees or "tipping fees" in municipal landfills for waste material resulting from renovations that take place on "deteriorated properties" as defined in Alaska Statute 29.45.050(o).

When run-down properties are allowed to go unattended and unrepaired, the negative impact on communities and their surrounding areas can be severe. Vacant deteriorated properties can become a haven for crime. The blighted conditions lower property values and the standard of living in the communities where they are located.

Currently Alaska statute does not provide for municipalities to waive or reduce tipping fees. HB-156 amends Alaska Statute 29.35.050 to allow municipalities the option, if they choose, to grant disposal fee waivers for properties classified as "deteriorated."

This measure will create an avenue, at no cost to the State, to allow cities to provide incentives to property owners to renovate and improve "deteriorated properties," and by doing so, encourage economic redevelopment in municipalities across the State of Alaska.

Contact: Dirk Moffatt, (907) 465-4931

Revised: April 2, 2009

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM March 5, 2009

SUBJECT: Municipal fees for waste disposal; sectional summary (HB 156, Work Order No. 26-LS0470\R)

TO: Representative Bob Lynn
Attn: Dirk Moffatt

FROM: Tamara Brandt Cook
Director TBC

Sec. 1. Technical change to limit home rule limitation list to the subsections of AS 29.35.050 that are currently home rule limitations. The subsection added in bill sec. 3 is optional rather than mandatory and, therefore, not appropriate to treat as a limitation.

Sec. 2. Technical change that conforms to bill sec. 1.

Sec. 3. Permits a municipality to exempt from a fee for the use of a landfill or dumping area the disposal of waste material from the substantial rehabilitation, renovation, demolition, removal, or replacement of a structure on deteriorated property. The exemption must be provided for in an ordinance and the ordinance may apply the exemption to some or all types of deteriorated property. Provides a definition of "deteriorated property."

TBC:plm
09-144.plm

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: **HB 156**
() Publish Date:

Identifier (file name):HB156-CED-RCA-03-16-09
Dept. Affected: DCCED
Title: Allowing Certain Landfill Fee Waivers
RDU: Regulatory Commission of Alaska
Component: Regulatory Commission of Alaska
Sponsor: Representative Lynn
Requester: House Community and Regional Affairs
Component Number: 2417

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2010**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**
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**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2009) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

This legislation proposes to allow municipalities to partially or totally exempt landfill fees for the disposal of waste materials from work done to rehabilitate deteriorated properties. While the Regulatory Commission of Alaska issues certificates of convenience for landfills, the rates are not regulated. There would be no fiscal impact to the department due to passage of this bill.

Prepared by: Tyson Fick, Legislative Liaison
Phone 465-2503
Division: Department of Commerce, Community and Economic Development
Date/Time 3/16/09 - 2:00pm
Approved by:
Date

(Revised 9/10/2008 OMB)

Relevant Alaska Statute

Title 29 Municipal Government, Chapter 35. Municipal Power and Duties

Sec. 29.35.050. **Garbage and solid waste services.**

(a) Notwithstanding AS 29.35.200 - 29.35.220, a municipality may by ordinance

(1) provide for the establishment, maintenance, and operation of a system of garbage and solid waste collection and disposal for the entire municipality, or for districts or portions of it;

(2) require all persons in the municipality or district to use the system and to dispose of their garbage and solid waste as provided in the ordinance;

(3) award contracts for collection and disposal, or provide for the collection and disposal of garbage and solid waste by municipal officials and employees;

(4) pay for garbage and solid waste collection and disposal from available money;

(5) require property owners or occupants of premises to use the garbage and solid waste collection and disposal system provided by the municipality;

(6) fix charges against the property owners or occupants of premises for the collection and disposal; and

(7) provide penalties for violations of the ordinances.

(b) The governing body of a municipality may not prohibit a person holding a valid certificate from the former Alaska Public Utilities Commission or from the Regulatory Commission of Alaska from continuing to collect and dispose of garbage, refuse, trash, or other waste material, or provide other related services in an area in the municipality if the certificate authorizes the collection and disposal of garbage, refuse, trash, or other waste material and providing of other services in the area, and the certificate was originally issued before the municipality provided similar services. Except as provided in (c) of this section, a municipality may not provide for a garbage, refuse, trash, or other waste material collection and disposal service in an area to the extent it lies in an area granted to a garbage, refuse, trash, or other waste material carrier by a

certificate issued by the former Alaska Public Utilities Commission or by the Regulatory Commission of Alaska to the carrier until it has purchased the certificate, equipment, and facilities of the carrier, or that portion of the certificate that would be affected, at fair market value. A municipality may exercise the right of eminent domain to acquire the certificate, equipment, and facilities of the carrier, or that portion of the certificate that would be affected.

(c) A municipality may establish an intermediate transfer site for the collection and disposal of garbage, refuse, trash, or other waste material without purchasing the certificate, equipment, or facilities of a waste material carrier certificated by the former Alaska Public Utilities Commission or by the Regulatory Commission of Alaska. The municipality may, without compensating a certificated waste carrier operating in the area, provide for or contract with a certificated or noncertificated entity to provide for the collection and disposal of waste material left at the intermediate transfer site.

(d) This section applies to home rule and general law municipalities.

Relevant Alaska Statute

"Deteriorated Property" as defined in Statute Sec. 29.45.050. (o)

Title 29 Municipal Government, Chapter 45. Municipal Taxation

Sec. 29.45.050. **Optional exemptions and exclusions.**

(o) A municipality may by ordinance partially or totally exempt all or some types of deteriorated property from taxation for up to 10 years beginning on or any time after the day substantial rehabilitation, renovation, demolition, removal, or replacement of any structure on the property begins. A municipality may by ordinance permit deferral of payment of taxes on all or some types of deteriorated property for up to five years beginning on or any time after the day substantial rehabilitation, renovation, demolition, removal, or replacement of any structure on the property begins. However, if the entire ownership of property for which a deferral has been granted is transferred, all tax payments deferred under this subsection are immediately due, and the deferral ends. Otherwise, deferred tax payments become due as specified by the municipality at the time the deferral is granted. The amount deferred each year is a lien on that property for that year. Only one exemption and only one deferral may be granted to the same property under this subsection, and, if an exemption and a deferral are granted to the same property, both may not be in effect on the same portion of the

property during the same time. An ordinance adopted under this subsection must include specific eligibility requirements and require a written application for each exemption or deferral. An application for a deferral must specify when payment of taxes for each year of deferral will become due, together with an explanation of the reasons for each proposed date for consideration by the municipality. In this subsection, "deteriorated property" means real property that is commercial property not used for residential purposes or that is multi-unit residential property with at least eight residential units, and that meets one of the following requirements:

(1) within the last five years, has been the subject of an order by a government agency requiring environmental remediation of the property or requiring the property to be vacated, condemned, or demolished by reason of noncompliance with laws, ordinances, or regulations;

(2) has a structure on it not less than 15 years of age that has undergone substantial rehabilitation, renovation, demolition, removal, or replacement, subject to any conditions prescribed in the ordinance; or

(3) is located in a deteriorating or deteriorated area with boundaries that have been determined by the municipality.

(p) A municipality may by ordinance partially or totally exempt from taxation a private leasehold, contract, or other interest held by or through an applicant or proposed applicant in any property, assets, project, or development project owned by the Alaska Industrial Development and Export Authority under AS 44.88. Nothing in this subsection prohibits a municipality from entering into an agreement and receiving payments in lieu of taxes authorized under AS 44.88.140 (b).

(q) A municipality may by ordinance partially or totally exempt from taxation land from which timber is harvested that is infested by insects or at risk of being infested by insects due to an infestation in the area in which the land is located. A municipality may provide that an exemption for land under this subsection applies only to increases in assessed value that result from the timber harvest. A municipality may by ordinance partially or totally exempt from taxation improvements to real property, including personal property affixed to the improvements, if the improvements are

(1) located on land from which timber is harvested that is infested by insects or at risk of being infested by insects due to an infestation in the area in which the land is located; and

(2) used for or necessary to the harvest of the timber that is infested by insects or in danger of insect infestation.

(r) A municipality may by ordinance exempt from taxation an amount not to exceed $10,000 of the assessed value of real property owned and occupied as a permanent place of abode by a resident who provides in the municipality volunteer (1) fire fighting services and is certified as a fire fighter by the Department of Public Safety, or (2) emergency medical services and is certified under AS 18.08.082 . If two or more individuals are eligible for an exemption for the same property, not more than two exemptions may be granted.

(s) A municipality may by ordinance partially or wholly exempt from taxation the real property owned and occupied as a permanent place of abode by a resident who is the widow or widower of a member of the armed forces of the United States injured serving on active duty while eligible for hostile fire or imminent danger pay who dies because of the injury or complications related to the injury or its treatment. The ordinance must include requirements for determining eligibility for the exemption and a procedure for applying for the exemption.

IF ADOPTED, THIS ORDINANCE MAY BE REPEALED BY THE VOTERS THROUGH REFERENDUM.

By:	Bonnie Williams
Referred to the Economic Development Commission:	03/10/05
Introduced:	06/02/05
Postponed to the Call Of the Chair:	06/23/05
Substituted:	07/14/05
Amended:	07/14/05
Adopted:	07/14/05

FAIRBANKS NORTH STAR BOROUGH

ORDINANCE NO. 2005-26

AN ORDINANCE AMENDING THE FAIRBANKS NORTH STAR BOROUGH CODE OF ORDINANCES RELATING TO THE CRITERIA FOR TAX EXEMPTION AND/OR DEFERRALS FOR PURPOSES OF ECONOMIC DEVELOPMENT OR DETERIORATED PROPERTY AND PROVIDING FOR WAIVER OF TIPPING FEES FOR MATERIALS REMOVED FROM DETERIORATED PROPERTY

WHEREAS, at various times in the past the borough has granted tax exemptions in order to assist and encourage economic growth; and

WHEREAS, the assembly has established no eligibility requirements to guide it in granting tax exemptions and deferrals; and

WHEREAS, state law requires that municipalities establish specific eligibility requirements to grant economic development and deteriorated property tax exemptions or deferrals; and

WHEREAS, established eligibility requirements would allow for greater flexibility in accomplishing the borough's economic development goals; and

WHEREAS, tax exemptions and deferrals may encourage the improvement of certain deteriorated properties.

NOW THEREFORE BE IT ORDAINED by the Assembly of the Fairbanks North Star Borough.

Section 1. Classification. This ordinance is of a general and permanent nature and shall be codified.

Section 2. Section 3.08.020 of the Fairbanks North Star Borough Code of Ordinances is amended by adding the following:

O. As permitted by 29.45.050(m), AS 29.45.050(o), and Chapters 3.10 and 3.11, economic development and deteriorated property.

Section 3. Title 3 of the Fairbanks North Star Borough Code of Ordinances is hereby amended by adding the following:

CRITERIA FOR REAL PROPERTY TAX EXEMPTIONS AND DEFERRALS

3.11.010 General criteria

In order for property to be considered for an economic development or deteriorated property tax exemption or deferral, an applicant must complete the application process described in Chapter 3.10.

3.11.020 Categories

The two categories of tax exemptions provided under this chapter are "economic development property" and "deteriorated property."

3.11.030 Economic Development Property – Specific Criteria

The assembly may grant a partial or total exemption and/or deferral for economic development property only if there is a clear and convincing demonstration that such exemption and/or deferral will provide direct economic benefit to the borough, and:

A. the property will be used by a trade, industry, or business that is not already developed within the borough and such use will:

1.a. directly generate sales outside of the borough of goods and/or services produced in the borough; or b. materially reduce the importation of goods and/or services from outside of the borough; and

2. directly create significant new employment in the borough;

B. the exemption and/or deferral is necessary to:

1.a. the long-term viability of the trade, industry, or business operation; or b. the economic feasibility of initiating a trade, industry, or business with the reasonable likelihood of long-term economic viability; and

2. promote or improve the economic development of the borough;

C. the exemption and/or deferral will provide measurable public benefits commensurate with the level of incentive granted;

D. the property owner is in compliance with all Alaskan municipal and state of Alaska tax obligations; and

E. the location of the trade, industry, or business is compatible with land use and development plans of the borough.

3.11.040 Limitations on economic development property tax exemptions and deferrals

Real property that has previously been taxed by the borough shall not qualify for an economic development property tax exemption or deferral under this chapter.

3.11.050 Deteriorated Property – Specific Criteria

The assembly may grant a partial or total exemption and/or deferral for deteriorated property only if there is a clear and convincing demonstration that such exemption and/or deferral will provide direct economic benefit to the borough, and:

A. the exemption and/or deferral is necessary to

1. the economic feasibility of completing improvements on the property; and

2. promote or improve the economic development of the borough;

B. the property is commercial property not used for residential purposes, or is multi-unit residential property with at least eight residential units;

C. the property

1. within the last five years, has been the subject of an order by a government agency requiring environmental remediation of the property or requiring the property to be vacated, condemned or demolished by reason of noncompliance with laws, ordinances, or regulations; or

a. is located in a deteriorating or deteriorated area with boundaries that have been determined by the assembly after a public hearing;

b. the exemption and/or deferral will provide measurable public benefits commensurate with the level of incentive granted;

D. the property owner is in compliance with all Alaskan municipal and state of Alaska tax obligations; and

E. the improvements planned for the property are compatible with land use and development plans of the borough.

3.11.060 Limitations on deteriorated property tax exemptions and deferrals

Any tax exemption or deferral for deteriorated property shall not take effect until January 1 of the year after:

A. the exemption or deferral has been approved by the Assembly; and

B. the planned improvements on the property have been substantially completed or the property is beneficially occupied.

3.11.070 Definitions

"Deteriorating or deteriorated area" as used in this chapter means an area that is characterized by:

1. unsafe, unsanitary, vacant, or overcrowded building(s);
2. overgrown or unsightly vacant lots;
3. a significant percentage of tax delinquent properties; and/or
4. economically or socially undesirable land uses.

Section 4. Subsection 8.12.055.C. of the Fairbanks North Star Borough Code of Ordinances is amended as follows:

The borough mayor may waive tipping fees for materials to the landfill for borough recycling or hazardous waste disposal programs and for community cleanup activities. The mayor may waive tipping fees for debris from private residences in the borough damaged by fire if there is no reimbursement for such waived fees from any other source. The mayor, when there is a direct and primary benefit to the public, may waive tipping fees for materials removed from deteriorated property, as defined in Section 3.11.070(D), during the course of rehabilitation, repair, construction, reconstruction, renovation, demolition, removal or replacement of any structure on such property.

Section 5. Effective Date. This ordinance is effective at 5:00 p.m. on the first Borough business day following its adoption.

PASSED AND APPROVED THIS 14TH DAY OF JULY 2005.

Garry Hutchison
Presiding Officer

ATTEST:

Mona Lisa Drexler, CMC
Municipal Borough Clerk

Ayes: Romans, Sattley, Rex, Hopkins, Aldridge, Frank, Hutchison
Noes: None
Excused: Williams, Bartos

House Community and Regional Affairs Committee
Alaska State Legislature
State Capitol
Juneau, AK 99801

ANCHORAGE DOWNTOWN PARTNERSHIP, Ltd.
317 West 4th Avenue, Suite 317
Anchorage, AK 99507
Tel 907-279-5650
Fax 907-279-5651

March 10, 2009

Re: Support for HB 156

To the House Community & Regional Affairs Committee:

On behalf of Anchorage Downtown Partnership, Ltd., I would like to ask for passage of House Bill 156 introduced by Representatives Bob Lynn, Jay Ramras and Harry Crawford.

We believe HB 156 ("An Act relating to municipal fees charged for disposal of waste material from the substantial rehabilitation, renovation, demolition, removal, or replacement of a structure on deteriorated property") will give municipalities the flexibility they need to assist developers who tackle difficult development or redevelopment projects in deteriorated zones throughout our state.

We respectfully ask that you approve this bill.

Warm regards,

Christopher M. Schutte
Executive Director

Fairbanks North Star Borough
Office of the Mayor
809 Pioneer Road • PO Box 71267 • Fairbanks, Alaska 99707-1267 •
907/459-1300
Fax 907/459-1102
Email mayor@co.fairbanks.ak.us

March 5, 2009

Statement of Support of HB 156

Fairbanks North Star Borough Mayor's Office

Good morning, my name is Kathryn Dodge. I work as Mayor Whitaker's Economic Development Specialist and I am also the Fairbanks North Star Borough's Alaska Regional Development Organization (ARDOR) director. I am here to speak on HB 156, a bill that would allow municipalities to waive tipping fees for substantial rehabilitation, renovation, demolition, removal or replacement of a deteriorated property.

I am certain that all of you can think of a deteriorated property in your community that you would love to see redeveloped. I am equally certain that as you think of that property, and you envision it being renovated or rehabilitated and returned to productive use, you intuitively recognize the value that action would have to your community's well-being and surrounding property values.

For these reasons, I have no objection to HB 156. In may be helpful in rehabilitating deteriorated properties in our municipalities. Further, given that adoption of this change requires Assembly approval and therefore, public comment on the public value of granting waivers to deteriorated properties, and presumably for each actual waiver considered, I encourage you to support this bill.

Alaska Commercial Properties, Inc.
1901 Airport Way, Suite 102
Fairbanks, AK 99701
Phone: (907) 456-6008
Fax: (907) 456-6474
realty@realtyalaska.com

March 3, 2009

Regarding: House Bill No. 156

Dear Senate Bunde,

I would like to express my opinion that I support House Bill No. 156, "An Act relating to municipal fees charged for disposal of waste material from the substantial rehabilitation, renovation, demolition, removal, or replacement of a structure on deteriorated property."

We have many properties in several major cities here in Alaska that have been neglected and abandoned due to their age or construction methods that hinder our communities. Many of the reasons are the safety, health risks, and fire hazards. These properties also put blight on the neighborhoods and a heavy burden on our cities.

With the economy being in such disarray and municipalities facing short falls in their budgets, it makes sense to give developers a helping hand in trying to either restore such properties or simply remove them if it enhances the property and nearby properties. These actions can make our cities a safer place to live without taxing our cities financial resources, as when the fire or police departments are called out to spend countless hours looking for vandals.

I believe that this bill will help better the communities throughout the State of Alaska.

Sincerely,

Shawn Evans
REALTOR, GFBR, NAR

March 3, 2009

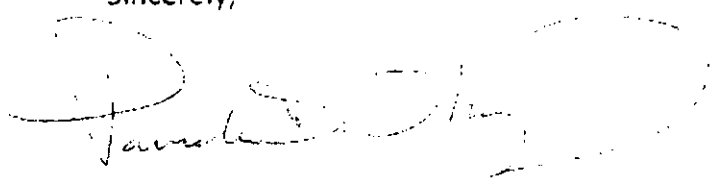
Regarding: House Bill No. 156

Dear Representative Ramras,

I am in support of House Bill No. 156 regarding "An Act relating to municipal fees charged for disposal of waste material from the substantial rehabilitation, renovation, demolition, removal, or replacement of a structure on deteriorated property."

This bill will give investors incentive to purchase run down properties that hinder our communities and renovate or remodel them to bring up the property value. This bill will create renovation projects to the high number of buildings abandoned due to their poor construction and age in the State of Alaska. These abandoned buildings have created safety issues, health risk, and fire hazards.

Sincerely,



Pamela Throop
Owner, Broker
Alaska Commercial Properties, Inc.

March 3, 2009

Regarding: House Bill No. 156

Dear Representative Ramras,

I, Greg Eckert, am in support of House Bill No. 156 regarding "An Act relating to municipal fees charged for disposal of waste material from the substantial rehabilitation, renovation, demolition, removal, or replacement of a structure on deteriorated property."

This bill will give investors incentive to purchase run down properties that hinder our communities and renovate or remodel them to bring up the property value. This bill will create renovation projects to the high number of building abandoned due to their poor construction and age in the State of Alaska. These abandoned buildings have created safety issues, health risk, and fire hazards.

Sincerely,

Greg Eckert

Greg Eckert
Equipment Operator
American Mechanical Inc.

March 3, 2009

Regarding: House Bill No. 156

Dear Representative Ramras,

I, Rebecca Norris, am in support of House Bill No. 156 regarding "An Act relating to municipal fees charged for disposal of waste material from the substantial rehabilitation, renovation, demolition, removal, or replacement of a structure on deteriorated property."

This bill will give investors incentive to purchase run down properties that hinder our communities and renovate or remodel them to bring up the property value. This bill will create renovation projects to the high number of building abandoned due to their poor construction and age in the State of Alaska. These abandoned buildings have created safety issues, health risk, and fire hazards.

Sincerely,

Rebecca Norris

Rebecca Norris
Executive Assistant
Alaska Commercial Properties, Inc.

March 3, 2009

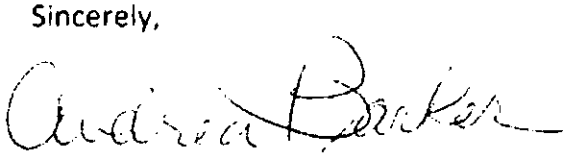
Regarding: House Bill No. 156

Dear Representative Ramras,

I, Andrea Barker, am in support of House Bill No. 156 regarding "An Act relating to municipal fees charged for disposal of waste material from the substantial rehabilitation, renovation, demolition, removal, or replacement of a structure on deteriorated property."

This bill will give investors incentive to purchase run down properties that hinder our communities and renovate or remodel them to bring up the property value. This bill will create renovation projects to the high number of building abandoned due to their poor construction and age in the State of Alaska. These abandoned buildings have created safety issues, health risk, and fire hazards.

Sincerely,



Andrea Barker
REALTOR, GFBR, NAR
Alaska Land & Residential Properties

March 3, 2009

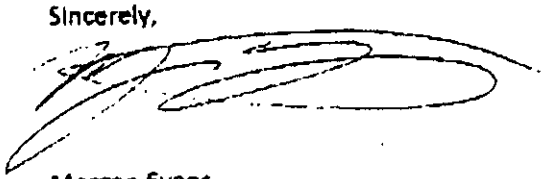
Regarding: House Bill No. 156

Dear Representative Ramras,

I, Morgan Evans, am in support of House Bill No. 156 regarding "An Act relating to municipal fees charged for disposal of waste material from the substantial rehabilitation, renovation, demolition, removal, or replacement of a structure on deteriorated property."

This bill will give investors incentive to purchase run down properties that hinder our communities and renovate or remodel them to bring up the property value. This bill will create renovation projects to the high number of building abandoned due to their poor construction and age in the State of Alaska. These abandoned buildings have created safety issues, health risk, and fire hazards.

Sincerely,



Morgan Evans
Vice President
Alaska Commercial Construction

March 3, 2009

Regarding: House Bill No. 156

Dear Representative Ramras,

I, Dave Schroeder, am in support of House Bill No. 156 regarding "An Act relating to municipal fees charged for disposal of waste material from the substantial rehabilitation, renovation, demolition, removal, or replacement of a structure on deteriorated property."

This bill will give investors incentive to purchase run down properties that hinder our communities and renovate or remodel them to bring up the property value. This bill will create renovation projects to the high number of building abandoned due to their poor construction and age in the State of Alaska. These abandoned buildings have created safety issues, health risk, and fire hazards.

Sincerely,

Dave Schroeder
Superintendent
Alaska Commercial Construction

March 3, 2009

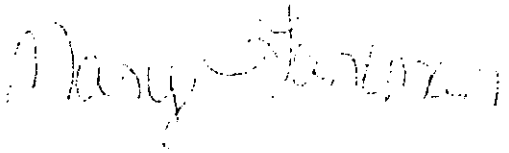
Regarding: House Bill No. 156

Dear Representative Ramras,

I am in support of House Bill No. 156 regarding "An Act relating to municipal fees charged for disposal of waste material from the substantial rehabilitation, renovation, demolition, removal, or replacement of a structure on deteriorated property."

This bill will give investors incentive to purchase run down properties that hinder our communities and renovate or remodel them to bring up the property value. This bill will create renovation projects to the high number of buildings abandoned due to their poor construction and age in the State of Alaska. These abandoned buildings have created safety issues, health risk, and fire hazards.

Sincerely,



Mary Gantman
Bookkeeper
Alaska Commercial Construction

HB 273

SENATE COMMITTEE REPORT

DATE: 3/25/10

FURTHER:

DATE TURNED
IN TO OFFICE: _____

Community and Regional Affairs Committee considered CS FOR HOUSE BILL NO. 273(FIN)

HB 273 MUNICIPAL GENERAL GRANT LAND

"An Act relating to general grant land entitlements for the City and Borough of Wrangell and for the Haines Borough; and providing for an effective date."

and recommends:

[ ] be **replaced** with [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] adopt **previous** [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] attached amendment(s)

[ ] adopt _____Letter of Intent

[ ] 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#
DNR	2/8			V	1

[ ] **APPROPRIATION - no fiscal note**

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
Joe Thomas	Thomas	✓			
Albert Kookesh	Kookesh	Y			
Lyda Menard	MENARD	✓			
CHAIR:	Olson			X	

ALASKA STATE LEGISLATURE

Interim:
P.O. Box 109
Wrangell, AK 99929
Phone: (907) 874-3088
Fax: (907) 874-3055

Session:
State Capitol, Room 406
Juneau, AK 99801-1182
Phone: (907) 465-3824
1-800-686-3824
Fax: (907) 465-3175

REPRESENTATIVE PEGGY WILSON
HOUSE DISTRICT 2

SPONSOR STATEMENT

Committee Substitute for House Bill 273 (FIN)

"An Act relating to general grant land entitlements for the City and Borough of Wrangell and for the Haines Borough; and providing for an effective date."

HB 273 is introduced to complete the formation of the City and Borough of Wrangell and the Haines Borough through land entitlements that the state grants to support local governments.

Upon formation each borough receives a general land grant entitlement from the state under AS.29.65.010. This bill would grant 9,006 acres to Wrangell and 3,167 acres to Haines.

The State has an established policy to assist the formation and operation of new local governments by giving land grants that benefit long-term sustainability and address the needs of the residents.

The additional acreage is critically important to provide for the needs of the Boroughs in order to accomplish their economic, cultural, habitat, settlement and resource development goals.

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: CSHB 273(CRA)
(H) Publish Date: 2/26/10

Identifier (file name):HB273-DNR-TAD-02-08-2010
Title: Municipal General Grant Land
Sponsor: Rep. P. Wilson
Requester: Community and Regional Affairs

Dept. Affected: Natural Resources
RDU: Resourse Development
Component: Title Acquisition and Defense
Component Number: 2459

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
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	0.0
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )	0.0	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2010) cost: 0.0

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

DNR anticipates no need for additional funding under this proposed legislation. Processing is done as part of existing program funding.

Prepared by: Dick Mylius, Director
Division: Mining, Land and Water
Phone: 269-8600
Date/Time: February 8, 2010

Approved by: Tom Irwin, Commissioner
Natural Resources
Date: February 8, 2010

Representative Wilson –

The following is a brief summary of Wrangell's concerns that Carol and I visited with you about today over the phone:

- It came to the City and Borough of Wrangell's attention this week that a large parcel of land titled "Cleveland Peninsula" was being considered for University of Alaska land selection contained within HB 295. It had been previously communicated to Wrangell from representatives of DNR that this area had already been transferred and patented to the University of Alaska and was not part of the Supreme Court decision of 2005. In the language contained within HB 295, this parcel is referred to as "Cleveland Peninsula," locally this area of land is referred to as "Sunny Bay," and in the Southeast Area Plan it is listed as C-01 comprised of 2,514 acres designated General Use.

  This land is <u>imperative</u> to the City and Borough of Wrangell. AICS/Crossings operates a rehabilitation/educational year round environmental program in the immediate vicinity of this location. This represents approximately 80 full-time positions and a large payroll in Wrangell – their current headquarters. Wrangell originally wanted to select all or portions of this land as part of our Borough Entitlement but it was not part of our negotiations with DNR because we thought it was off the table.

  Knowing what we know now, we would like this parcel to be similarly listed as is Thom's Place, Earl West Cove, and Olive Cove is in the proposed legislation. If this is to occur, Wrangell would also request that additional acreage be added to HB 273 so that we would be able to include portions or all of this parcel.

- This brings us to our second concern. The Wrangell Borough Assembly, while pleased with the progress that has been made on HB 273, believes the City and Borough of Wrangell should receive more than 6,500 acres, in order to provide for the needs of our Borough for future economic growth and sustainability. Southeast Alaska cannot continue to be penalized because there is little state land in our area.

We apologize for the misunderstandings and confusion that this is creating – especially after all of the hard work that has been done by all involved. We have had discussions with Bruce Phelps and Mary Montgomery regarding the parcel as late as this afternoon in order to inform them of our concerns and to confirm/clarify the status of the Cleveland Peninsula parcel.

Please contact either Carol or me if you have any questions. As always we are willing to testify in writing, teleconference, or in person. If you feel it is best for Carol and I to testify in person next week, please let us know as early as possible.

Thanks for all of your help Reid. It is appreciated.

Sincerely,

Timothy D. Rooney
Borough Manager
City and Borough of Wrangell

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF MINING, LAND AND WATER

RESOURCE ASSESSMENT & DEVELOPMENT SECTION

SEAN PARNELL, GOVERNOR

550 WEST 7TH AVENUE, SUITE 1050
ANCHORAGE, ALASKA 99501-3579
PHONE: (907) 269-8534
FAX: (907) 269-8915

December 10, 2009

The Honorable Donald McConachie
Mayor of City and Borough of Wrangell
P.O. Box 531
Wrangell, AK 99929

Re: Certificate of Entitlement

Dear Mayor McConachie,

In response to your letter dated October 19, 2009 requesting an expedited entitlement certification for the City and Borough of Wrangell pursuant to AS 29.65.030, please find enclosed the Department decision, included with a map and table. The municipal entitlement to the newly certified City and Borough of Wrangell has been reduced by the previous land conveyed to the City of Wrangell.

The city may appeal this decision in accordance with 11 AAC 02. Any appeal must be received by December 29, 2009, and may be mailed or delivered to Tom Irwin, Commissioner, Department of Natural Resources, 550 W. 7th Avenue, Suite 1400, Anchorage, Alaska 99501; faxed to 1-907-269-8918, or sent by electronic mail to dnr_appeals@alaska.gov. If no appeal is filed by that date, this decision then goes into effect on January 11, 2010. An eligible person must first appeal this decision in accordance with 11 AAC 02 before appealing this decision to Superior Court. A copy of 11 AAC 02 may be obtained from any regional information office of the Department of Natural Resources.

If you have any questions concerning this action, you may contact Sandra Swanger-Jensen, Municipal Entitlement Manager at (907) 269-8526.

Sincerely,

Bruce Phelps, Section Chief
Resource, Assessment & Development Section

Enclosure: Dept. decision, map & table

Cc: Tim Rooney, Borough Manager
Carol Rushmore, Zoning Administrator/Planning
David Kelley, Southeast Region Office/Juneau
Mike Curran, Regional Office/Ketchikan
John "Chris" Maisch, Div. of Forestry/Fairbanks

ALASKA DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND, AND WATER

DIRECTOR'S DECISION
LAND ENTITLEMENT CERTIFICATION UNDER AS 29.65.030
CITY AND BOROUGH OF WRANGELL

Action: On May 30, 2008, the Alaska Department of Commerce, Community, and Economic Development (DCCED) certified the incorporation of the City and Borough of Wrangell, as a unified home rule borough, concurrently dissolving the City of Wrangell. All rights, powers, duties, assets, and liabilities of the former city were immediately succeeded to the City and Borough of Wrangell under the provisions of AS 29.06.450(c) and 29.06.520.

In accordance with AS 29.65.030 the borough is entitled to 10 percent of the maximum total acreage of vacant, unappropriated, unreserved (VUU) state general grant land within the boundaries between the date of incorporation and two years thereafter unless requested on an expedited basis by resolution.

On October 22, 2009, a certified copy of a resolution was received from the City and Borough of Wrangell requesting an expedited certification of their land entitlement. The Director of Mining, Land and Water is required to certify the borough's entitlement within six months of this action. This decision is in response to the request and constitutes the Determination of Municipal Entitlement Acreage for the City and Borough of Wrangell.

Authority: This certification is authorized pursuant to AS 29.65.030. Authority to execute this certification has been delegated to the Chief of Resource Assessment and Development Section within the Division of Mining, Land, and Water.

Area of Application: The area of application is coterminous with the Certificate of Incorporation certified on May 30, 2008.

Administrative Record: Department of Natural Resources certification case file ADL 104904 for the City and Borough of Wrangell comprises the administrative record used for the basis of this certification.

Requirements of AS 29.65.030: AS 29.65.030 provides that municipalities incorporated after July 1, 1978, are entitled to a "general grant land" entitlement that is no less than 10 percent of the maximum total acreage of VUU lands within the municipal boundaries that existed between the date of its incorporation and two years thereafter. The definition of "general grant land" and "VUU land" is defined under AS 29.65.130 as follows:

> *"General Grant Land"* is land that has been patented or tentatively approved to the state from the United States under Section 6(a) or (b) of the Alaska Statehood Act.
>
> *"Vacant, Unappropriated, Unreserved Land"* is general grant land as defined above excluding minerals as required by Section 6(i) of the Alaska Statehood Act that has not been set aside by statute for one or more particular uses or purposes such as legislatively designated areas for refuges. In addition, the land must be unclassified or, if classified under AS 38.05.300, is classified for agricultural, grazing, material, public recreation, settlement or was classified no earlier that September 1, 1983 as resource management that is still classified as resource management under AS 38.05.300.

State land within the following townships or portions of townships have been identified as meeting the criteria established above and have been used in determining the borough's entitlement as illustrated on MAP 1 (VUU Land within the City & Borough of Wrangell) and TABLE 1 (State Land Determined to be VUU-City & Borough of Wrangell). Land use classifications have been derived from the Central-Southern Southeast Area Plan.

MTR	Acres
T062, S080E, CRM	1,100.26
T063, S080E, CRM	578.96
T068, S084E, CRM	752.00
T065, S089E, CRM	830.83
T065, S090E, CRM	3,259.13
T068, S086E, CRM	253.65
T068, S087E, CRM	2,271.46
T063, S085E, CRM	78.78
T064, S085E, CRM	3,485.76
T062, S085E, CRM	148.57
T062, S084E, CRM	4,183.31
T063, S084E, CRM	3,711.35
T064, S084E, CRM	1,294.77
T065, S085E, CRM	1,935.18
T066, S085E, CRM	193.43
T065, S086E, CRM	552.52
T066, S086E, CRM	405.35

Total VUU Area = 25,035 acres, more or less.
10% of the Total VUU Area = 2,503.5 acres.

Inclusion of Former City of Wrangell Acreage. Under AS 29.06.459(c)," a municipality succeeding to a dissolved municipality succeeds to all rights, powers, duties, assets, and liabilities." Acreage provided to the former municipality is counted against the acreage provided to the new municipality. DNR certified the City's entitlement as 551 acres (DNR appeal response dated December 15, 1988).

Determination of Entitlement Acreage. The amount of acreage that the borough is entitled to under AS 29.65.030 is determined to be 1,952.5 (2,503.5 - 551).

Finding and Decision: Pursuant to 29.65.030 and AS 29.65.130, there are 25,035 acres of state land that exist within the corporate limits of the municipality of which 10% may be conveyed to a municipality, equivalent to 2503.5 acres, which must be reduced by the amount of land conveyed (551 acres) previously conveyed to the City of Wrangell. The City and Borough of Wrangell's municipal entitlement is, therefore, 1,952.5 acres.

The finding presented above has been reviewed and been found to be complete and accurate. The casefile has been found to be complete and the requirements of all applicable statutes have been satisfied. It is my finding that the municipal entitlement of the City and Borough of Wrangell is 1,952.5 acres.

Bruce Phelps, Chief
Resource Assessment and Development Section

12/10/09
Date

HAINES BOROUGH, ALASKA

P.O. BOX 1209 • HAINES, ALASKA 99827

Administration 907.766.2231 • (fax) 907.766.2716

Tourism 907.766.2234 • (fax) 907.766.3155

Police Dept. 907.766.2121 • (fax) 907.766.2128

Fire Dept. 907.766.2155 • (fax) 907.766.3373

March 16, 2010

The Honorable Representative Bill Thomas
Alaska State Capital Building
Juneau, Alaska 99811

Re: CSHB 273

Dear Representative Thomas:

The Haines Borough appreciates your efforts to correct an inequity regarding municipal land grants afforded to boroughs upon incorporation. This amendment will address two shortcomings. Haines was one of the first areas of the state surveyed (due to its rich resources). This resulted in a severe limitation of the total VUU (vacant, unappropriated, unreserved) lands available for conveyance under AS.29.65.010. The former Third-class Haines Borough received the smallest entitlement of any borough in the state.

With encouragement from the State and approval of its citizens, the Third-class borough was dissolved and a new home-rule borough incorporated in October 2002. This new municipality, incorporated after July 1, 1978 per AS.29.65.030, should have been considered for an entitlement of 10% of VUU lands within the boundaries of the municipality. This was not done and the Haines Borough is not requesting that full entitlement that perhaps is due under the law.

The Haines Borough has identified through its public process 1,809 acres of VUU land it would respectfully request under an amendment to HB 273. The bulk of these lands are contiguous to lands already selected by the borough that surround vital watershed and economic resources in Excursion Inlet. All of these parcels have been identified by AKDNR as available for selection by the borough.

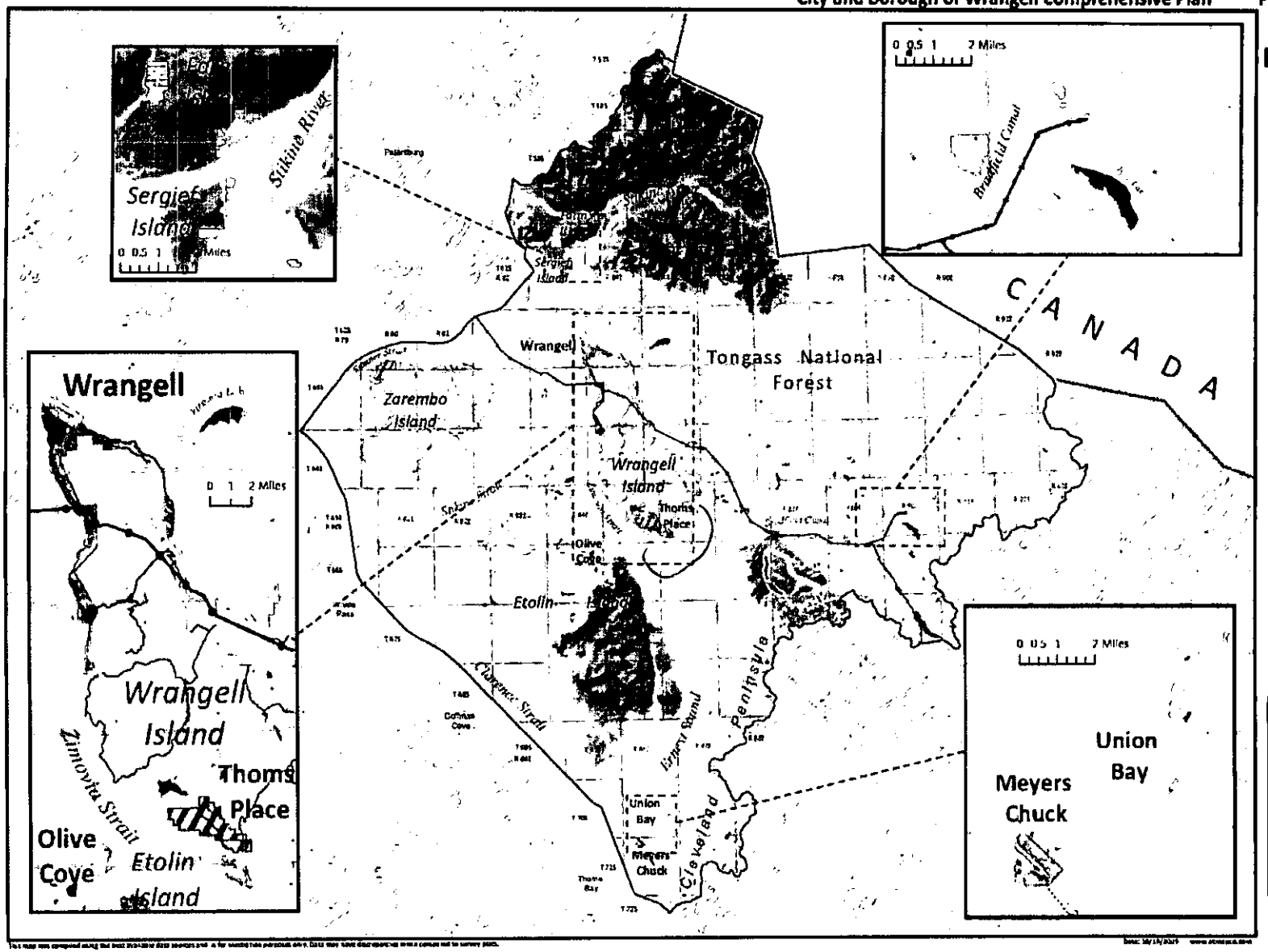
On March 9, 2010, the Haines Borough Assembly unanimously approved the selection of these lands and respectfully requests passage of this amendment on behalf of the Haines Borough.

Thank you,

Janice Hill

Janice Hill, Mayor
Haines Borough, Alaska

Cc: Senator Albert Kookesh


Land Status
Federal - Tongass Nat'l Forest
Federal - Tongass Wilderness Area
State of Alaska
State Selected
Alaska Mental Health Trust
City and Borough of Wrangell
Private
Existing Powerline
0 Miles 15
Alaska
CANADA
Gulf of Alaska
City and Borough of Wrangell
Wrangell
Tongass National Forest
Zarembo Island
Wrangell Island
Etolin Island
Clarence Strait
Zimovia Strait
Thoms Place
Olive Cove
Union Bay
Meyers Chuck
Bradfield Canal
Sergief Island
Stikine River
Sumner Strait
Ernest Sound
Cleveland Peninsula
0 1 2 Miles
0 0.5 1 2 Miles

HB 276

SENATE COMMITTEE REPORT

DATE: 2/12/10

FURTHER:

DATE TURNED IN TO OFFICE: 2/23/10

Community and Regional Affairs Committee considered CS FOR HOUSE BILL NO. 276(CRA)

HB 276 FORT ROUSSEAU CAUSEWAY HIST PARK

"An Act amending the description of parcels within the Fort Rousseau Causeway State Historical Park; and providing for an effective date."

and recommends:

[ ] be **replaced** with [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] adopt **previous** [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] attached amendment(s)

[ ] adopt _____Letter of Intent

[ ] 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#
DOT	1/28			✓	1

[ ] **APPROPRIATION - no fiscal note**

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
Sandra Menard	MENARD	✓			
Thomas	THOMAS	✓			
	French			✓	
CHAIR:	OLSON			✓	

ALASKA STATE LEGISLATURE

Interim:
P.O. Box 109
Wrangell, AK 99929
Phone: (907) 874-3088
Fax: (907) 874-3055

Session:
State Capitol, Room 406
Juneau, AK 99801-1182
Phone: (907) 465-3824
1-800-686-3824
Fax: (907) 465-3175

REPRESENTATIVE PEGGY WILSON
HOUSE DISTRICT 2

SPONSOR STATEMENT
Committee Substitute for House Bill 276
"An Act amending the description of parcels within the Fort Rousseau Causeway State Historical Park; and providing for an effective date."

The description of the Fort Rousseau Park boundary in the legislation forming the park inadvertently included uplands, tidelands, and water immediately adjacent to the Sitka Rocky Gutierrez Airport. The parcel in question must remain part of the airport to allow the state to meet airport safety and security responsibilities.

This bill will correct the boundary by excluding all property within 1,100 feet of the runway centerline from the park. The uplands that will be retained within the airport are an area next to the runway, where a number of critical navigational aids and communications equipment are located, and a short adjacent section of the causeway.

If the property boundary is not corrected, the state could be precluded from management actions that are essential to airport operations such as restricting access to the property, precluding activities that are unsafe, or constructing additional facilities that become necessary. This would place the state in an untenable position as the airport owner and operator.

Finally, the Federal Aviation Administration requires that the state demonstrate adequate property interest in any airport for which it accepts Airport Improvement Program (AIP) grant funds. This program provides 95% of the funding for capital improvements that are made at our airports—Sitka has received over $32 million dollars in AIP grants since 1982. Failure to comply with the AIP grant assurances regarding control over airport property can result in the FAA's withholding additional grants.

26-LS0826\R

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: CSHB 276(CRA)
(H) Publish Date: 2/3/10

Identifier (file name): HB276-DOT&PF-CO-1-28-10
Title: Fort Rousseau Causeway Park
Sponsor: Rep. Wilson
Requester: H. CRA

Dept. Affected: DOT&P
RDU: Admin and Support Services
Component: Commissioner's Office
Component Number: 530

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
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	0.0
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2010) cost: _____

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

There is no fiscal impact to the Department by the passage of this bill

Prepared by: Mary Siroky, Legislative Liaison — Phone 465-4772
Division: DOT&PF, Commissioner's Office — Date/Time 1/28/10 4:30pm
Approved by: Frank Richards — Date 1/28/2010
Deputy Commissioner, DOT&PF

(Revised 11/6/2009 OMB)

U.S. Department
of Transportation

**Federal Aviation
Administration**

Alaskan Region Airports Division
222 W. 7th Avenue, Box 14
Anchorage, Alaska 99513-7587

JAN 29 2010

Gary L. Davis
Regional Director, Southeast Region
Department of Transportation and Public Facilities
6860 Glacier Hwy
Juneau, AK 99811

Sitka Rocky Guiterrez Airport Property Boundary

Dear Mr. Davis,

Thank you for your recent inquiry regarding the Sitka Airport and the Fort Rousseau Park boundary. As owner and operator of the Sitka Rocky Gutierrez Airport, the State of Alaska Department of Transportation and Public Facilities (DOTPF) must retain adequate land interest sufficient to protect lands needed for aviation and airport uses to be in compliance with airport operational requirements and DOTPF's obligations as a recipient of FAA Airport Improvement Program grant funds.

The existing Airport Layout Plan approved by the Federal Aviation Administration (FAA) depicts lands needed for Airport purposes. During the Environmental Impact Statement for the Sitka Rocky Gutierrez Airport completed September 28, 2009, the FAA reaffirmed that the boundary depicted on the Sitka Airport Layout Plan is needed to ensure control of lands necessary for airport and aviation uses and public safety.

The Airport property boundary depicted on the Sitka Airport Layout Plan is 1100' from runway centerline. Some of the lands immediately adjacent to the Airport, within the Airport property boundary were included in the description of the Fort Rousseau Park boundary in the legislation forming the park. A number of critical navigational aids and communications equipment are located are located on the lands.

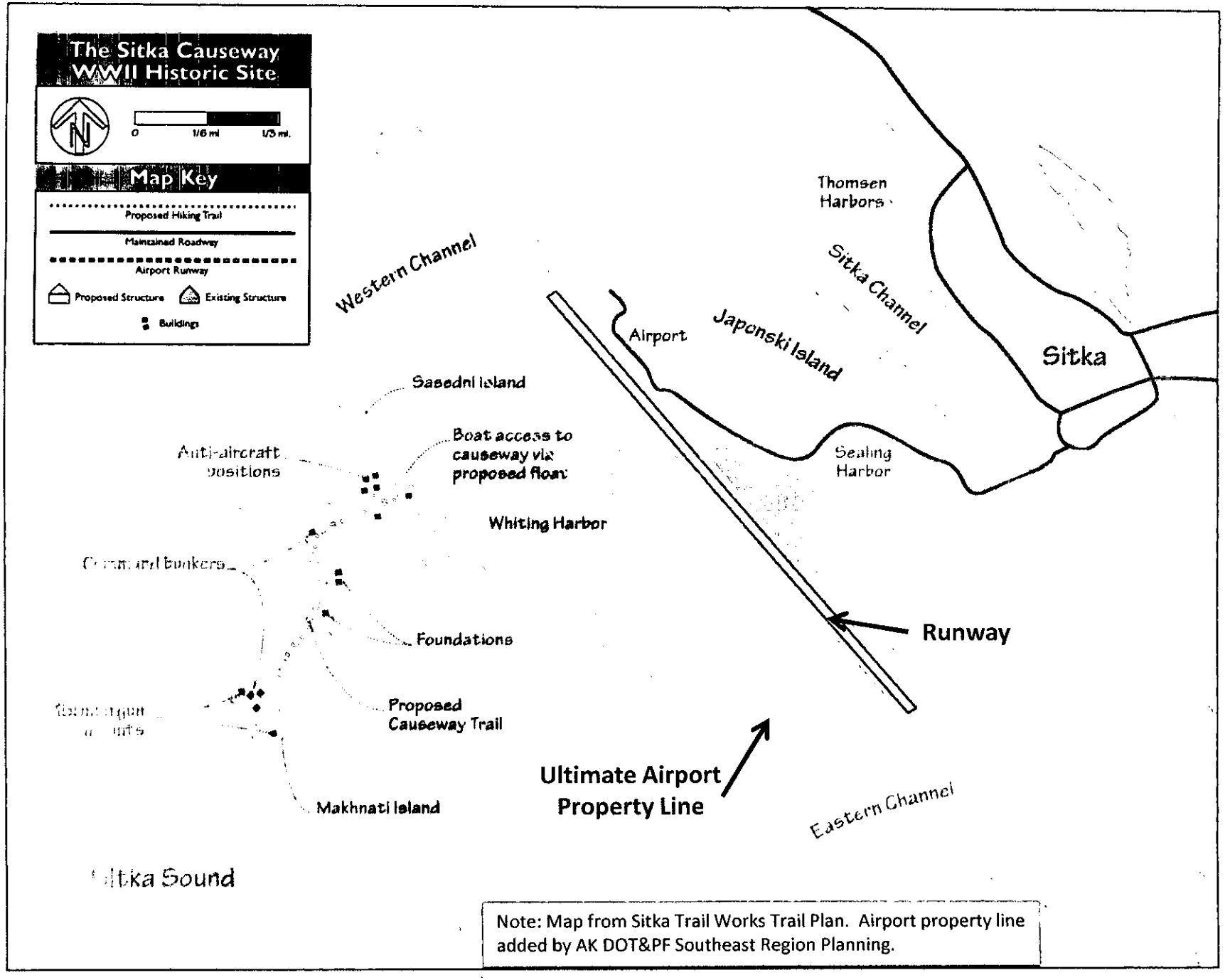
The FAA believes that the lands depicted on the attached Figure prepared by DOTPF showing the overlap between the Airport property boundary and the Fort Rousseau Park boundary are needed to satisfy DOTPF's obligations to maintain control of lands needed for airport and aviation purposes.

Sincerely,

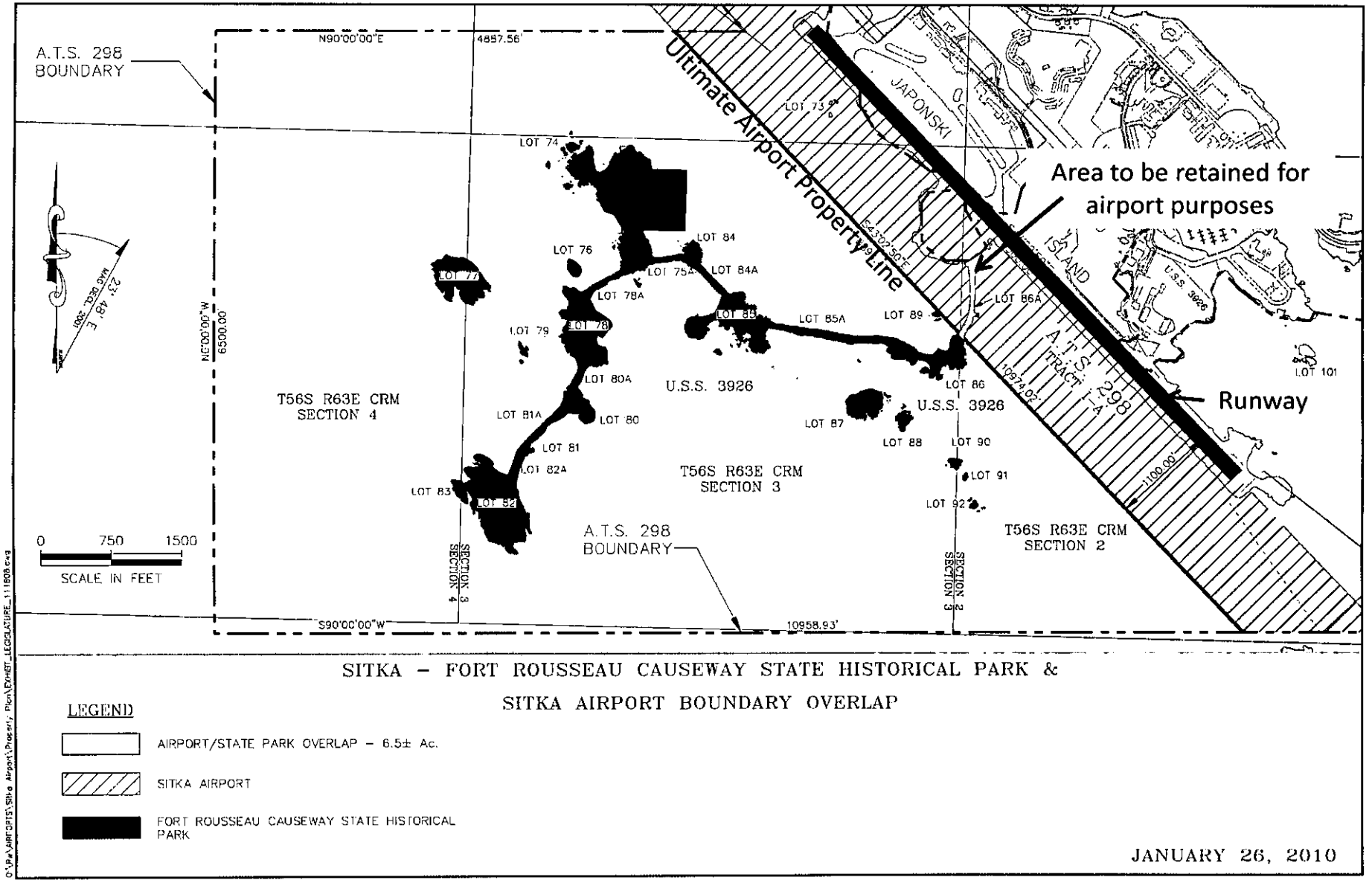
James W. Lomen, P.E.
Deputy Division Manager

Attachment:
Sitka Airport – Fort Rousseau Boundary Overlap

Cc:
Verne Skagerberg
Transportation Planner, SE region DOTPF



Note: Map from Sitka Trail Works Trail Plan. Airport property line added by AK DOT&PF Southeast Region Planning.



SITKA – FORT ROUSSEAU CAUSEWAY STATE HISTORICAL PARK &

SITKA AIRPORT BOUNDARY OVERLAP

LEGEND

- AIRPORT/STATE PARK OVERLAP – 6.5± Ac.
- SITKA AIRPORT
- FORT ROUSSEAU CAUSEWAY STATE HISTORICAL PARK

JANUARY 26, 2010

O:\Pw\AIRPORTS\Sitka Airport\Property Plan\DOWNST_LEGISLATURE_111809.dwg

FORT ROUSSEAU CAUSEWAY STATE HISTORICAL PARK
MANAGEMENT PLAN

Working First Draft—50% Complete

Prepared by:
AKDNR, Division of Parks and Outdoor Recreation,
Interpretation and Education Unit

Prepared for:
AKDNR, Division of Parks and Outdoor Recreation
Sitka Trail Works, Inc.
Sitka State Parks Citizens Advisory Board

Existing Conditions and Issues

The following section presents an overview of the park's existing conditions and management issues. The next section, "Recommendations," provides ideas for preserving and enhancing the park's conditions and mitigating concerns.

Land Ownership

Ownership of the causeway islands, the causeway itself, and the surrounding intertidal zone is complex. The Sitka Naval Operating Base, including Fort Ray and Fort Rousseau, were decommissioned in 1944 and the property was transferred to the federal government. The causeway islands became eligible for state selection in 1963 and the lands were officially conveyed to the state in 1968. The conveyance did not, however, include submerged lands or intertidal areas, which remained under federal ownership by the Bureau of Land Management.[39]

On March 4, 2008, House Bill 176, sponsored by Representative Peggy Wilson, designated the 60-acre Fort Rousseau Causeway State Historical Park (SHP). Alaska Governor Sarah Palin signed House Bill 176 into law on April 2, 2008. The park, however, still lies within the Sitka Rocky Gutierrez Airport management area, managed by the Alaska Department of Transportation and Public Facilities and overseen by the Federal Aviation Administration. The submerged lands and intertidal area are still under federal ownership by the Bureau of Land Management.

Access

Visitors must use water-based transportation to reach the park; access by land is not permitted. The causeway is attached to the land base of Sitka at Japonski Island; however, the Sitka Rocky Guiterrez Airport and its runway, located on Japonski Island, block access to the causeway. A fence surrounds the airport runway to prevent unauthorized access. Crossing the runway is not only dangerous but violates airport security.

Most park users access the park by boat at Whiting Harbor and disembark on Sasedni Island. Access to other islands is weather and tide dependent.

Facilities and Infrastructure

Historic Structures

The structures on Fort Rousseau were built in 1941-1943. When the fort was decommissioned in 1944, some of the structures were dismantled and sent elsewhere; others were left on the causeway and not maintained. Today, all of the structures are open to exploration; however some of the structures are safer due to less deterioration and better sources of natural light. There are sharp objects strewn about and holes in the floor in many of the structures; some of the holes have been covered with plywood. The structures on Makhnati Island are easier to find due to less vegetation on the island and appear to be in the best shape overall. On Sasedni and Gold islands many of the structures are covered with plants and organic matter. The dampness of the islands is also affecting the structures by causing concrete leeching and creating standing water. Organic matter and metals are staining

39. Carson Dorn, Inc., *Phase I Environmental Assessment for the Sitka World War II Causeway*, 3.

RECOMMENDATIONS

The following section provides recommendations for mitigating concerns/issues presented in the previous section and for enhancing park conditions and the visitor experience.

LAND OWNERSHIP

The plan recommends continuing to foster a good working relationship with the Department of Transportation and Public Facilities and the Sitka Rocky Gutierrez Airport and ultimately finishing the transfer of ownership and management of the causeway islands to the Department of Natural Resources. The plan also recommends continuing to foster a good working relationship with the Bureau of Land Management and the Sitka Tribe of Alaska regarding management and use of the causeway itself and the surrounding intertidal zone.

ACCESS

LAND ACCESS

[redacted]

MARINE ACCESS

[redacted]

The location and designs for these landing areas have not been determined at this time. Choosing the location, design, and materials will be dependent on funding and further inspection of the area by engineers and park managers. However, it is likely that the kayak and small boat landing zones will be recommended for Whiting Harbor off Sasedni Island.

It is also likely that a kayak or small boat landing area on Makhnati Island will be necessary. The location, design, and materials for this landing will be dependent on funding and further inspection of the area by engineers and park managers. For possible locations, see figure X (NEED TO INCLUDE).

FACILITIES AND INFRASTRUCTURE

The "Facilities and Infrastructure Concept Design" (figure X – TO BE DEVELOPED) presents an idea for how facilities and infrastructure might be placed in the park. The following are explanations for the proposed facilities and infrastructure.

ALASKA STATE LEGISLATURE

Interim:
P.O. Box 109
Wrangell, AK 99929
Phone: (907) 874-3088
Fax: (907) 874-3055

Session:
State Capitol, Room 406
Juneau, AK 99801-1182
Phone: (907) 465-3824
1-800-686-3824
Fax: (907) 465-3175

REPRESENTATIVE PEGGY WILSON
HOUSE DISTRICT 2

House Bill 276
"An Act amending the description of parcels within the Fort Rousseau Causeway State Historical Park; and providing for an effective date."

HB 176 – Create Fort Rousseau Causeway Park (2007)

Excerpts of Committee Minutes

House Resources Committee
House Finance Committee
Senate Resources Committee
Senate Finance Committee

26-LS0826\R

1:20:12 PM

CO-CHAIR JOHNSON inquired whether there is public access to the area by any other means besides the water.

MR. STONE said the water is the only accessible point because airport development resulted in closing the [land] access to the causeway.

MR. STONE, in response to Co-Chair Gatto, said the U.S. Army Corps of Engineers built the causeway.

1:21:07 PM

CO-CHAIR GATTO observed that the airport runway is over a mile long and close to Sitka. He asked whether a car could be driven to the causeway.

MR. STONE explained that there is no longer access by car due to the installation of security fencing, but that the causeway did have car access long ago. In further response to Co-Chair Gatto, Mr. Stone confirmed that permission for access would not be granted by airport authorities. In response to Representative Guttenberg, Mr. Stone stated that the main access to the causeway is by boat. Sitka Trail Works also makes a skiff available to the public, he said. The area gets heavy use during the summer months by local residents who skiff to the causeway to picnic and visit the site.

HOUSE BILL NO. 176 April 19, 2007 testimony in H FIN

An Act creating the Fort Rousseau Causeway State Historical Park.

C2:07:01 PM

DEBORAH LYONS, (TESTIFIED VIA TELECONFERENCE), EXECUTIVE DIRECTOR, SITKA TRAIL WORKS, SITKA, testified in favor of HB 176, an Act creating the Fort Rousseau Causeway Historical State Park. Sitka Trail Works has over 300 member-households and is in a partnership Memorandum of Agreement with the City and Borough of Sitka.

of the causeway road.

SENATE RESOURCES
May 09, 2007

HB 176-CREATE FORT ROUSSEAU CAUSEWAY PARK

CHAIR HUGGINS announced HB 176 to be up for consideration. [CSHB 176(RES) was before the committee.] He asked Representative Wilson to give them a brief background on the park.

4:08:40 PM
REPRESENTATIVE PEGGY WILSON, sponsor of HB 176, replied that during World War II the Army wanted to have a defense across Sitka in case the Japanese came back. So, they connected 800 ft. of causeway from one island to another and to this day many historical artifacts are still there - like an anti-aircraft gun, bunkers and ammo magazine structures. This causeway has already been added to the National Registry of Historical Places and has been designated as a landmark by the National Park Service. This bill makes sure that it becomes the Fort Rousseau Causeway State Historical Park.

SENATOR STEVENS asked who Rousseau was. When no one knew the answer, he added that he was the commander of the American troops when Sitka became a part of the United States in 1867.

REPRESENTATIVE WILSON said Alaska doesn't have many areas that go back to WWII and this bill is trying to preserve this history. She explained that Sitka Trail Works was awarded a federal grant of $140,700 to begin work on renovating the Fort Rousseau Causeway and $60,000 of the grant money was given to the State's Historical Preservation Office in the Department of Natural Resources (DNR) to pay for site mapping, culture survey and inventory work; another $14,000 was used for a phase 1 environmental assessment. Another federal trails grant is pending for this project in the federal transportation legislation for 2008 and 2009.

She said the causeway business plan shows modest tourism dollars of around $12,000 per year at first. As the program grows, the budget will be about $16,800 per year which would eventually be supplanted by tourism dollars with an additional $20,000 going into the general fund to be used for other parks. She explained further that the idea is to take tourists back and forth and there is no way to get to the island except on a boat.

CHAIR HUGGINS asked if that was what the "boat charter costs

Co-Chair Stedman asked how the Park is accessed. Representative Wilson said the area is accessible by boat.

Co-Chair Stedman asked why the area is not accessible by car. Representative Wilson explained that the area is closed off to traffic due to its proximity to the airport.

Co-Chair Hoffman MOVED to REPORT CSHB 176 (RES) out of Committee with individual recommendations and the attached fiscal notes.

There being NO OBJECTION, it was so ordered.

CSHB 176(RES) was REPORTED out of Committee with a "do pass" recommendation and fiscal note #2 by the Department of Natural Resources.

AT EASE: 9:37:45 AM
RECONVEINE: 9:42:36 AM

Dike Trail

Reid Harris

From: Siroky, Mary P (DOT) [mary.siroky@alaska.gov]
Sent: Friday, January 29, 2010 2:21 PM
To: Reid Harris
Subject: FW: Dike trail

More info - I still have some questions about these numbers but wanted to share with you

-m-

-----Original Message-----
From: Skagerberg, Verne R (DOT)
Sent: Friday, January 29, 2010 1:54 PM
To: Siroky, Mary P (DOT)
Cc: Davis, Gary L (DOT); Hughes, Andrew N (DOT)
Subject: RE: Dike trail

The short answer to that question is "exceedingly expensive and virtually impossible."

We are constructing a Runway Safety Area extension of 280' at an estimated cost of $30M. The seawall improvements that we contemplated, but are not going to do, had an estimated cost of $36M. Anything along the lines of an access trail around the runway would likely require at least as much fill as those two combined because any trail would have to be outside the RSA, the Object Free Area, the Primary Surface, etc., etc. It would also have to be separated from the runway by a security fence that would have to be below the elevation of the runway surface and, therefore, below high tide a goodly part of the time.

If we were able to place additional fill around the runway, we would never do so without using the additional surface for Runway Safety Area until we met FAA standards. The estimated cost of building a full standard RSA at Sitka exceeds $175M.

-----Original Message-----
From: Siroky, Mary P (DOT)
Sent: Friday, January 29, 2010 10:35 AM
To: Skagerberg, Verne R (DOT)
Subject: Dike trail

In sitka what would it cost?

HJR

46

SENATE COMMITTEE REPORT

DATE: 2/26/10

FURTHER:

DATE TURNED IN TO OFFICE: 3/9/10

Community and Regional Affairs Committee considered HOUSE JOINT RESOLUTION NO. 46

HJR 46 SUPPORTING DENALI COMMISSION

Urging Congressional support for the reauthorization of the Denali Commission.

and recommends:

[ ] be **replaced** with [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] adopt **previous** [ ] **SCS** or [ ] **CS** _____ (_____)

[ ] attached amendment(s)

[ ] adopt _____ Letter of Intent

[ ] 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#
LEG	2/19/10			✓	1

[ ] **APPROPRIATION - no fiscal note**

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	French	X			
	Thomas	✓			
	MENARD	✓			
	Kookesh	*			
CHAIR:	OLSON	✓			

ALASKA STATE LEGISLATURE

House Community & Regional Affairs Committee

Rep. Cathy Muñoz, Co-Chair

State Capitol Building, Room 409
Juneau, Alaska 99801-1182
Phone (907) 465-3744
Fax (907) 465-2273
Rep_Cathy_Munoz@legis.state.ak.us

Rep. Bob Herron, Co-Chair

State Capitol Building, Room 411
Juneau, Alaska 99801
Phone: (907) 465-4942
Fax: (907) 465-4589
Rep_Bob_Herron@legis.state.ak.us

HJR 46, Supporting Denali Commission
Sponsor Statement

The importance of the Denali Commission to Rural Alaska's infrastructure needs cannot be overstated. Since 1999, the Commission has very successfully promoted rural development by providing economic, infrastructure, job training, and health care support in rural communities.

The Denali Commission has invested approximately $1 billion to improve the infrastructure and sustainability of rural Alaska, complementing the state's investment of about $2 billion toward the same purposes.

Today, the Denali Commission brings together stakeholders from throughout Alaska to advise the Denali Commission in the wise investment of its Federal resources. These investments offer a means for effective local and state partnership in finding ways to sustain rural Alaska's communities and culture.

This Resolution urges the Obama administration to reauthorize the commission for an additional five years and urges the United States Congress to provide funding to provide for the continued success of the Denali Commission in its vital mission.

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: **HJR46**
() Publish Date:

Identifier (file name): HJR46-LEG-COU-2-19-10
Dept. Affected: Legislature
Title: Urging Congressional support for the reauthorization of the Denali Commission.
RDU: Legislative Council
Component: Council and Subcommittees
Sponsor: House Community and Regional Affairs Committee
Requester: House Community and Regional Affairs Committee
Component Number: 783

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
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**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

This Legislation has zero fiscal impact on the Legislative Affairs Agency.

Prepared by: Karla Schofield, Deputy Director — Phone 465-6626
Division: Legislative Affairs Agency — Date/Time 2/19/10 3:17 PM
Approved by: Pamela Varni, Executive Director — Date 2/19/2010
Legislative Affairs Agency

(Revised 11/6/2009 OMB)