

HB

358

<TARGET><BILL>HB 358</BILL><SUBJECT>HB
358</SUBJECT><COMM>HFIN27</COMM></TARGET>

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version HB 358
 Fiscal Note Number _____
 () Publish Date _____

Identifier (file name) HB 358 - DCCED - QTA 3-20-12 Dept. Affected DCCED
 Title ANWR Advertising Contract Appropriation QTA Contracts
 Allocation QTA Contracts
 Sponsor Representative Pruitt
 Requester House Finance Committee OMB Component Number 1844

Expenditures/Revenues (Thousands of Dollars)

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

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates				
			FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES	FY13	FY13	FY14	FY15	FY16	FY17	FY18
Personal Services							
Travel							
Services	1,500.0						
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
TOTAL OPERATING	1,500.0	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	1,500.0					
1005	GF/Prgm (DGF)						
1037	GF/MH (UGF)						
1178	temp code (UGF)						
TOTAL		1,500.0	0.0	0.0	0.0	0.0	0.0

POSITIONS							
Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES							

Estimated SUPPLEMENTAL (FY12) operating costs _____ (separate supplemental appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY13) costs _____ (separate capital appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

This is a multi-year appropriation that lapses on June 30, 2015. It has been moved to the QTA Contracts appropriation/allocation.

Prepared by House Finance Staff
 Division House Finance Committee
 Approved by Co-Chair Bill Stoltz
House Finance Committee

Phone 465-4958
 Date/Time 3/20/12 12:00 PM
 Date 3/20/2012

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

BILL NO. HB 358

Analysis

HB 358 directs the Department of Commerce, Community, and Economic Development (DCCED) to contract with a qualified trade association (QTA) to conduct an advertising campaign to promote resource development in the Coastal Plain area of the Arctic National Wildlife Refuge. To be deemed eligible, the QTA will be required to match any funds appropriated on a one-to-one basis. This program is repealed July 1, 2015.

Although DCCED has previously administered tourism marketing programs under the QTA model, the costs to administer were related to the campaign scale, scope and budget. Without more information on the campaign proposed by HB358, the fiscal impact of this legislation cannot be accurately determined at this time.

CS FOR HOUSE BILL NO. 358(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES PRUITT, Millett, Costello, Thompson, Johansen, Keller, Olson, Saddler

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to an advertising campaign in support of opening the Arctic National**
2 **Wildlife Refuge for development."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
5 to read:

6 **ADVERTISING CAMPAIGN FOR OPENING THE ARCTIC NATIONAL**
7 **WILDLIFE REFUGE.** (a) Subject to appropriations for the purpose, the Department of
8 Commerce, Community, and Economic Development shall contract with a single qualified
9 trade association for the purpose of planning and executing an advertising campaign
10 advocating the opening of the Arctic National Wildlife Refuge for the purpose of resource
11 development in the 10-02 area. The contract may be awarded only if the qualified trade
12 association provides matching funds equal to at least 50 percent of the cost of the advertising
13 campaign described in the contract. Before the contract is executed, the advertising campaign
14 plan must be approved by the department.

1 (b) The contract awarded under (a) of this section must include essential components
2 identified by the department.

3 (c) If, during the term of a contract awarded under (a) of this section, funds are
4 appropriated to the department for an advertising campaign advocating the opening of the
5 Arctic National Wildlife Refuge for the purpose of resource development that are in addition
6 to the funds already committed under the contract, the contract may be amended to include
7 the additional funds and any additional activities required by the appropriation. The
8 department may require the qualified trade association to provide matching funds in any
9 amount for the additional funds, or the department may impose no matching requirement for
10 the additional funds.

11 (d) Materials produced under a contract awarded under (a) of this section

12 (1) are the joint property of the qualified trade association and the department;

13 (2) may not be used by the state or the qualified trade organization except as
14 provided in the contract entered into under (a) of this section;

15 (3) are not public records under AS 40.25.100 - 40.25.220.

16 (e) A qualified trade association may not use money from a contract awarded under
17 (a) of this section

18 (1) to lobby a municipality or an agency of a municipality or to lobby the state
19 or an agency of the state, as those terms are defined in AS 44.99.030(b);

20 (2) to raise funds that will be used to lobby a municipality or an agency of a
21 municipality or to lobby the state or an agency of the state, as those terms are defined in
22 AS 44.99.030(b);

23 (3) for administrative or overhead costs that directly support any effort to
24 lobby a municipality or an agency of a municipality or to lobby the state or an agency of the
25 state, as those terms are defined in AS 44.99.030(b); or

26 (4) in an advertising campaign that refers to a particular elected official or
27 candidate for public office or specifically promotes or criticizes a political party.

28 (f) The provisions of AS 36.30 do not apply to the award of a contract under (a) of
29 this section. A qualified trade association may, under the performance of a contract awarded
30 under (a) of this section, award a subcontract only on a competitive basis after providing
31 adequate notice of the availability of the subcontract and considering all responses.

1 (g) In this section,

2 (1) "department" means the Department of Commerce, Community, and
3 Economic Development;

4 (2) "qualified trade association" means a private, nonprofit organization whose
5 primary purposes include the promotion of resource development in the state and that is
6 broadly representative of different segments of the resource industry in the state.

7 * **Sec. 2.** Section 1 of this Act is repealed July 1, 2015.

*Adopted
3/20/12*

27-LS1406V
Bailey
3/19/12

CS FOR HOUSE BILL NO. 358(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

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Sponsor(s): REPRESENTATIVES PRUITT, Millett, Costello, Thompson, Johansen, Keller, Olson, Saddler

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4 (2) "qualified trade association" means a private, nonprofit organization whose
5 primary purposes include the promotion of resource development in the state and that is
6 broadly representative of different segments of the resource industry in the state.

7 * **Sec. 2.** Section 1 of this Act is repealed July 1, 2015.

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version HB 358
Fiscal Note Number 1
(H) Publish Date 3/5/12

Identifier (file name) HB358-DCCED-DED-03-02-12 Dept. Affected DCCED
Title ANWR Advertising Contract Appropriation Economic Development
Allocation Economic Development
Sponsor Representative Pruitt
Requester House Labor & Commerce OMB Component Number 2743

Expenditures/Revenues (Thousands of Dollars)

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

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates				
			FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES	FY13	FY13					
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
TOTAL OPERATING	***	***	***	***	***	***	***

FUND SOURCE (Thousands of Dollars)

1002	Federal Receipts						
1003	GF Match						
1004	GF						
1005	GF/Prgm (DGF)						
1037	GF/MH (UGF)						
1178	temp code (UGF)						
TOTAL		***	***	***	***	***	***

POSITIONS

Full-time						
Part-time						
Temporary						

CHANGE IN REVENUES

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Estimated SUPPLEMENTAL (FY12) operating costs 0.0 (separate supplemental appropriation required;
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY13) costs 0.0 (separate capital appropriation required)
(discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

This is the initial fiscal note for HB358

Prepared by Wanetta Ayers, Director
Division Economic Development
Approved by JoEllen Hanrahan
Commerce, Community, and Economic Development

Phone 269-4048
Date/Time 3/2/12 1:30 PM
Date 3/3/2012

FISCAL NOTE #1

STATE OF ALASKA
2012 LEGISLATIVE SESSION

BILL NO. HB 358

Analysis

HB 358 directs the Department of Commerce, Community, and Economic Development (DCCED) to contract with a qualified trade association (QTA) to conduct an advertising campaign to promote resource development in the Coastal Plain area of the Arctic National Wildlife Refuge. To be deemed eligible, the QTA will be required to match any funds appropriated on a one-to-one basis. This program is repealed July 1, 2015.

Although DCCED has previously administered tourism marketing programs under the QTA model, the costs to administer were related to the campaign scale, scope and budget. Without more information on the campaign proposed by HB358, the fiscal impact of this legislation cannot be accurately determined at this time.

Alaska State Legislature

Session:
State Capitol Rm. 421
Juneau, AK 99801
Phone: (907) 465-3438
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Interim:
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Representative Lance Pruitt

Co-Chair, House Energy Committee

HB 358 Sectional Analysis

Section 1.

This legislation is modeled after the states Tourism Marketing Contracts statute in AS 44.33.125.

- (a) Requires the Dept. of Commerce, Community, and Economic Development to contract to a single qualified trade association for an advertising campaign advocating resource development in the 10-02 area of ANWR. It requires the trade association to provide matching funds for the campaign and for the campaign to be approved by the dept.
- (b) The contract must include essential components required by the dept.
- (c) If additional funds are appropriated they may be added to a contract. The dept. may require the association to match additional funds.
- (d) Materials produced under a contract are joint property of the association and the department and may be used only as provided by the contract.
- (e) Money appropriated for a contract may not be used to lobby a municipality or the state, to raise funds to be used to lobby a municipality or the state, or for administration or overhead costs that support an effort to lobby a municipality or the state.
- (f) The state procurement code does not apply to a contract, but a subcontract awarded by the association must be awarded on a competitive basis following adequate notice.
- (g) Defines terms used in the bill.

Section 2. Act is repealed July 1, 2015.

Alaska State Legislature

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Juneau, AK 99801
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Representative Lance Pruitt

Co-Chair, House Energy Committee

Sponsor Statement

HB 358

ANWR Advertising Contract

House Bill 358 would create a contract with the state and a qualified trade organization to advertise opening the coastal plain of the Arctic National Wildlife Refuge to oil and gas exploration and development.

The Alaska National Interest Lands Conservation Act of 1980 prohibited leasing or other development leading to production of oil and gas from the Arctic National Wildlife Refuge. Today domestic demand for oil continues to rise while domestic crude production continues to fall, with the result that the United States imports additional oil from foreign sources.

The oil industry has shown at Prudhoe Bay, as well as at other locations along the Arctic coastal plain, that it is capable of conducting responsible oil and gas activity without adversely affecting the environment or wildlife populations.

HB 358 would help dispel erroneous information and myths about the development of the Arctic National Wildlife Refuge. Promoting this issue on a national level is paramount to success in Congress. Support HB 358 and help bring ANWR to the front of America's energy conversation.

March 5, 2012

The Honorable Lance Pruitt
Alaska House of Representatives
Capitol Room 421
Juneau, AK 99801

Re: Support of House Bill 358

Dear Representative Pruitt,

The Alaska State Chamber of Commerce (Alaska Chamber) is an organization dedicated to improving the business climate in Alaska. The Alaska Chamber represents hundreds of statewide businesses from Ketchikan to Barrow that share a common goal: to make Alaska a viable and competitive place to do business. Today, I am writing in support of House Bill (HB) 358.

Last fall, Alaska Chamber members adopted twenty-six positions they believe will positively impact the business environment in Alaska. One of the positions is: "Support Oil and Gas Exploration and Development in Alaska's Federal Arctic; Outer Continental Shelf (OCS), National Petroleum Reserve-Alaska (NPRA), and the Arctic National Wildlife Refuge (ANWR)."

The Alaska Chamber strongly supports oil and gas exploration and production in Alaska's federal Arctic areas; including the Beaufort Sea, Chukchi Sea, NPRA, and the 10-02 area of ANWR. The Alaska Chamber also encourages the Alaska Congressional Delegation, the Alaska Legislature and Governor to support and strongly advocate for responsible development of these valuable resources, while the ASCC commits to actively support and participate in the education and advocacy efforts to open these areas.

HB 358 would leverage state funds with private sector trade association funds to provide education throughout the nation on opening ANWR. Alaskans rarely agree on things, but polling indicates that 78 percent or more of Alaskans support opening ANWR. HB 358 would help educate our friends, family and fellow citizens across the United States on this important national issue.

The Alaska Chamber looks forward to continued support and eventual passage of HB 358.

Sincerely,



Rachael A. Petro
President/CEO



ALASKA STATE
CHAMBER
OF COMMERCE

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217 2nd Street
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Alaska 99801
(907) 586-2323
FAX 463-5515

Regional Office
630 E. Fifth Ave.
Suite 102
Anchorage
Alaska 99501
(907) 278-2722
FAX 278-6643

www.alaskachamber.com



ANWR:

**JOBS AND
ENERGY
FOR AMERICA**

ARCTIC POWER
P. O. Box 100220
Anchorage, AK 99510

425 8th Street NW
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Washington, DC
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<http://www.anwr.org>

49 ANWR points from the 49th State

- 1) The 10-02 Area has more conventional oil potential in one spot than any single or collective regional onshore location in North America.
- 2) ANWR has been the most continually active energy issue on Capitol Hill for the past 30 years.
- 3) To date Alaskan oil saved America importing 16,058,674,205 barrels of oil since 1977 when the Trans-Alaska Pipeline opened.
- 4) In 2010 alone the Trans-Alaska Pipeline, operating at 1/3rd capacity, saved America importing \$15,207,988,866 worth of oil.
- 5) Importing oil is the single largest contributor to our national debt. In 2011 a full TAPS would save America \$195,300,000 per day.
- 6) At \$90 pb the mean value of ANWR oil is \$936 billion. At 100\$pb it is worth over \$1.3 Trillion
- 7) Every Alaskan State Legislature, every single Alaskan Congressional delegate, and every single Alaskan Governor has supported opening the 10-02 every year since the debate began. In a 2008 poll 78% of Alaskans supported exploration in ANWR.
- 8) Alaska Federation of Natives (AFN), Alaska's Native governing body, supports exploration; the North Slope Borough (the Government of the Arctic) supports exploration, the Village of Kaktovik (ANWR's only settlement) supports exploration, the Arctic Slope Regional Corporation (representing all natives in the Arctic) supports exploration.
- 9) The State of Alaska position on ANWR is echoed by hundreds of national organizations from all walks of life.
- 10) A majority of Americans support opening the 10-02. This has been proven in a number of independent public polls in 2008 and 2009.
- 11) When told the fact that Alaskans support this issue, more than half of all doubters on ANWR convert.

- 12) Millions more Americans will benefit from the oil and gas from ANWR in one day than will ever visit ANWR in a lifetime.
- 13) No species of animal, fish, insect, or bird has declined in population within the oil fields of Prudhoe Bay since development began negating doomsday claims by environmentalists.
- 14) A job created is better than a job lost! Declining production and an empty pipeline means one thing, jobs lost and lost state, federal and private revenue.
- 15) ANWR has the potential to double Prudhoe Bay's current output. This output could last over 30 years.
- 16) The predictions on Prudhoe Bay was 9 billion barrels; we surpassed 16 billion barrels in 2009.
- 17) The USGS estimates for ANWR now used by all in this debate are based on 37% recovery rate; today we recover over 60%.
- 18) Green organizations will raise more money and spend more money on the ANWR issue in one year than any other environmental issue. It is their golden goose and egg.
- 19) In its first 20 years Prudhoe Bay development has caused well over \$50 billion to be spent by industry buying goods and services nationwide.
- 20) Even after exploration begins, over 90% of ANWR will always be completely off limits to any development.
- 21) 30 years have past since the first, "it will take 10 years to develop" argument was raised in Congress.
- 22) ALL energy provisions in the National Stimulus plan now being implemented could be paid for with ANWR oil royalties / taxes, costing Americans nothing.
- 23) You cannot conserve your way into energy independence. Conservation produces no energy. Production produces energy.
- 24) ANWR is a part of the solution, no one has ever argued that it is the whole solution.
- 25) Saying theoretical "NO" to fossil fuels, leaves us to find other alternative energy sources, not one of which has the current capacity to sustain us or supply us with the products oil does. ALL "alternative energies" use oil and gas to make their component parts.
- 26) The fact is, "oil is where you find it". Roughly 14% of the onshore Arctic areas has strong oil and gas potential. All of which are opposed by greens.

- 27) Oil spills in the Arctic are reported and cleaned up by law. Oil spills in any regular city business' parking lot are not.
- 28) A growing economy means increased energy consumption. The two are directly correlated. This is true, even with increased technological efficiencies.
- 29) An increasing population means increased energy consumption. The two are directly correlated. This is true, even with increased technological energy efficiencies.
- 30) The EIA estimates oil to reach \$106 pb by 2014 and remain above that line thereafter.
- 31) America imports 60% of its oil from abroad.
- 32) In 2010 the US imported over 13.2 million barrels of oil and petroleum products a day (EIA)
- 33) In 2009 we imported an average 12.9 million barrels of oil and petroleum products a day (EIA). The oil alone cost us \$922,072,320 per day, or \$38 million dollars an hour....just for raw crude alone.
- 34) ANWR is not an oil bank. It takes years and years to do exploration and then produce oil. Currently we do not even have any hard data on what is exactly there.
- 35) Given the timeline to produce oil, waiting for a shortage of supply caused by war, hurricane or politics, before approving exploration is a "too little, too late" strategy that will only lead us into a worse economic and social crisis.
- 36) America is perhaps the only nation, developed or otherwise that deliberately refuses to access its own natural resources, preferring instead to play NIMBY and buy from abroad.
- 37) In testimony to Congress during the debate to construct the Trans-Alaska Pipeline (1972) Sierra Club biologists argued to build the pipeline east along the Coastal Plain through (now) ANWR's 10-02 Area and down through Canada, stating it would travel with the flow of the caribou's migration and that the area had no scenic beauty or value.
- 39) ANWR oil production, under current legislation, can take up no more than 2000 acres, or 3.1 sq.miles.
- 40) ANWR oil production demands use of "best technology available" and a "take in- take out" policy. This is not an option but the law.
- 41) ANWR oil production would be monitored 24/7 by local hire Wildlife Monitors who have the power to mitigate exploration activity if negative environmental effects are seen.
- 42) Wilderness designation will be near permanent in a political sense. It is nearly impossible to undo it.

- 43) The battle to undo a Wilderness designation will be larger than the battle to open up ANWR.
- 44) The environmental movement is openly against any exploration in the Arctic north of the Brooks Range. This was formally codified in a letter to the President by their main leaders, Sen. Inslee and Rep. Markey in 2009.
- 45) The 10-02 Area contains private land that is effectively locked up by the ANILCA bill that created ANWR's current shape. Private property rights are thus being ignored in the ANWR debate.
- 46) The villagers of Kaktovik in the 10-02 consider it a great insult that they are often ignored in this debate and that their land is considered "pristine" and uninhabited. To them, it is used and an important part of their daily operating lives.
- 47) ANWR's 10-02 is the "dinner plate" for the Inupiat of Kaktovik. They would not support this issue if they felt their source of daily sustenance would be at risk.
- 48) The Inupiat villagers of the Arctic who's sacred land this has been for over 10,000 years, for the past 30 years of development has worked together with the State and the Industry to mitigate a beneficial and positive social, environmental, and economic solution to the development of Prudhoe Bay, America's largest oil field situated on their land. The great success of this effort has made them strong supporters of the fight to open ANWR.
- 49) ANWR is not an "either / or" situation. The choice is not black or white, yes or no. ANWR is a case of responsible management and governance. It is a case of careful planning, environmental sensitivity and compromise. All Alaskans are aware of this and promote this and believe this can be done right. That is precisely why we overwhelmingly support this cause.



THE ALLIANCE

...for responsible development of Alaska's Oil, Gas & Mineral Resources

Friday, March 2nd, 2012

Representative Pruitt:

On behalf of the 460 members and 35,000 employees represented by the Alaska Support Industry Alliance, please accept this letter as our support of HB 358.

The Alliance is the link between Alaska's resources and Alaska's people. The state's inability to access the abundant resources in ANWR is a source of great frustration for our member employers who know the personal and state wealth that would result from the opening of ANWR.

We recognize that the battle to open ANWR is at the national level, and that we, as Alaskans, must take responsibility for ensuring that the ANWR message is communicated correctly and effectively at the national level.

HB 358 is a simple solution to a complex problem. Allowing a local trade association to partner with the state by investing their resources in the promotion of their industry is an excellent idea!

Thank you for your work on this bill.

Sincerely,

Rebecca Logan

General Manager

Alaska Support Industry Alliance



**GENERAL
TEAMSTERS
LOCAL 959
STATE OF ALASKA**

Affiliated with the International Brotherhood of Teamsters
Rick Boyles, Secretary-Treasurer
520 E. 34th Ave., Suite 102, Anchorage, Alaska 99503
Phone (907) 565-8122 • Fax (907) 565-8199

March 13, 2012

Via Email

Representative Bill Stoltze
Co-Chair House Finance Committee

Representative William "Bill" Thomas, Jr.
Co-Chair House Finance Committee

Representative Anna Fairclough
Vice-Chair House Finance Committee

Re: House Bill 358: ANWR advertizing Contract

Dear Representative(s) Stoltze, Thomas, Jr. and Fairclough:

On behalf of our members of Teamsters Local 959 across this great state, we want to go on record thanking Representative Lance Pruitt for being proactive with introducing House Bill 358. This bill provides a contract opportunity to be created between the state and a "qualified" trade organization that would advertise opening the Arctic National Wildlife Refuge (ANWR).

We understand the need to educate our friends and colleagues in the lower forty-eight. In addition, if ANWR is opened, there truly is an opportunity for us to provide energy for America and not rely on other countries.

We believe that hiring an organization to educate and promote the many benefits of opening ANWR for production is a huge investment in our state. The more knowledgeable the public, the more support we gain in Congress.

As such, we thank you for hearing House Bill 358 and ask your support in moving the bill from committee.

Sincerely,

Teamsters Local 959

Rick Boyles
Secretary-Treasurer

c: House Finance Committee Members