

LEG. FINANCE - BILLS 1977 - 1978 660
HB 115 cont., thru HB 121, 660

	<u>Number</u>	<u>Percent</u>
Compliance Orders Issued	334	100.0%
Compliance Obtained Promptly	49	14.7
Compliance Obtained After Follow-up	45	13.5
Total Compliance	<u>94</u>	<u>28.2</u>
Orders Not Complied With at 6/30/75	(1) <u>240</u>	<u>71.8%</u>

(1) 24 orders were still not corrected as of November 15, 1977.

In order to determine if the non-compliance statistic had improved since our prior audit, we selected a sample of 630 building inspection files (Schedule A), and reviewed fire code violation compliance for the period July 1, 1975 through November 15, 1977. A summary of the results is as follows:

	<u>Number</u>	<u>Percent</u>
Fire Code Violations Issued	1834	100.0%
Compliance Obtained Promptly	827	45.1
Compliance Obtained With Follow-up	262	14.3
Total Compliance	<u>1089</u>	<u>59.4</u>
Violations Not Corrected With	<u>745</u>	<u>40.6%</u>

Note: An analysis of fire code violation compliance activity by area will be found at Schedule C; and by type of building at Schedule D.

The percent of non-compliance has improved from 71.8% to 40.5%, however, we suspect this mainly results from the fact that fewer inspections were made during the second test period. As shown at Recommendation No. 1, the inspection interval increased from 18.9 months to 29.1 months. If fewer buildings are being inspected then it is likely fewer fire code violations are issued, and thus compliance appears improved. In any event, the percent of non-compliance is too high to adequately protect life and property and a more vigorous enforcement of these violations is necessary. In that connection, the Division should fill all vacant Deputy Fire Marshall positions.

DIVISION OF FIRE PREVENTION

SCHEDULE A

ANALYSIS OF SAMPLE BY AREA AND BY TYPE
July 1, 1975 - November 15, 1977

<u>Type of Building</u>	<u>AREA</u>			<u>Total</u>
	<u>Anchorage</u>	<u>Fairbanks</u>	<u>Juneau</u>	
State Owned or Leased Buildings	84	46	43	173
Hospitals	13	3	5	21
Jails	4	2	3	9
Hotels/Motels	87	59	-0-	146
BIA Schools	22	13	1	36
Other Schools	104	61	41	206
Day Care Centers	19	16	-0-	35
Nursing Homes	1	1	2	4
	<u>334</u>	<u>201</u>	<u>95</u>	<u>630</u>

DIVISION OF FIRE PREVENTION

SCHEDULE B

ANALYSIS OF INSPECTION INTERVAL BY TYPE AND LOCATION
July 1, 1975 - November 15, 1977

<u>Type of Building</u>	<u>Inspection Interval</u>
State Owned or Leased	29.2 months
Hospitals	21.6 months
Jails	26.9 months
Hotels/Motels	29.5 months
BIA Schools	34.0 months
Other Schools	32.0 months
Day Care Centers	17.3 months
Nursing Homes	4.5 months
State-wide Average	29.1 months

<u>Area</u>	<u>Inspection Interval</u>
Anchorage	26.3 months
Fairbanks	34.0 months
Juneau	29.3 months
State-wide	29.1 months

DIVISION OF FIRE PREVENTION

SCHEDULE C

ANALYSIS OF FIRE CODE VIOLATION COMPLIANCE BY AREA
July 1, 1975 - November 15, 1977

	AREA			
	<u>Anchorage</u>	<u>Fairbanks</u>	<u>Juneau</u>	<u>Total</u>
Total Violations Issued	<u>1039</u>	<u>400</u>	<u>395</u>	<u>1834</u>
Compliance Obtained Promptly	<u>560</u>	<u>126</u>	<u>141</u>	<u>827</u>
Compliance Obtained After Follow-up	<u>142</u>	<u>20</u>	<u>100</u>	<u>262</u>
Total Compliance	<u>702</u>	<u>146</u>	<u>241</u>	<u>1089</u>
Compliance Not Obtained	<u>337</u>	<u>254</u>	<u>154</u>	<u>745</u>
Percent of Non-Compliance	<u>32.4%</u>	<u>63.5%</u>	<u>39.0%</u>	<u>40.6%</u>

DIVISION OF FIRE PREVENTION

SCHEDULE D

ANALYSIS OF FIRE CODE VIOLATION COMPLIANCE BY TYPE OF BUILDING
July 1, 1975 - November 15, 1977

<u>Type of Building</u>	<u>Total Violations Issued</u>	<u>Compliance Obtained Promptly</u>	<u>Compliance Obtained W/ Follow-Up</u>	<u>Compliance Not Obtained</u>
State Owned or Leased	391	211	41	139 35.5%
Hospitals	337	197	34	106 31.5
Jails	23	6	6	11 47.8
Hotels/Motels	301	148	64	89 29.6
BIA Schools	175	-0-	-0-	175 100.0
Other Schools	474	202	109	163 34.4
Day Care Centers	101	61	8	32 31.7
Nursing Homes	32	2	-0-	30 93.8
Totals	<u>1834</u>	<u>827</u>	<u>262</u>	<u>745</u>
	<u>100.8%</u>	<u>45.1%</u>	<u>14.3%</u>	<u>40.6%</u>

STATE OF ALASKA

DEPARTMENT OF PUBLIC SAFETY
OFFICE OF THE COMMISSIONERJAY S. HAMMOND, GOVERNOR
Richard L. Burton
Commissioner

POUCH W - JUNEAU 99811

February 21, 1978

RECEIVED

FEB 28 1978

LEGISLATIVE
AUDITMr. Gerald L. Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit
Pouch W
Juneau, Alaska 99801Subject: Special Report, A Follow-up
Review of the Division of
Fire Prevention, Department
of Public Safety, July 1,
1975 - November 15, 1977

Dear Mr. Wilkerson:

Thank you for a copy of the preliminary report concerning the subject review.
The following is our response.ORGANIZATION AND FUNCTION

- I. Fifteen (15) positions are authorized and budgeted. Three (3) additional positions have been authorized subject to program receipts (plan check fees) being available.

Program receipts have not been available due to:

- (a) Delay in publishing the 1976 edition of the Uniform Building Code which was planned to be adopted in conjunction with establishing a plan check fee.
 - (b) Extensive and time consuming review of proposed regulation revisions by the Department of Law, which is still in progress.
- II. Inspections is not the only function of the Division of Fire Prevention, i.e. fire investigations, construction plan reviews, fire prevention education and training are also major functions that are and must be performed.

FINDINGS AND RECOMMENDATIONS

- I. No. 1 Timeliness of inspection.

Mr. Gerald L. Wilkerson, CPA
Legislative Auditor

-2-

February 21, 1978

Subject: Special Report, a Follow-Up Review of the Division of Fire Prevention,
Department of Public Safety, July 1, 1975 - November 15, 1977

- (a) As stated in my response of January 2, 1976, when more stringent enforcement of violations is commenced a greater interval between inspections would result. Such is the case in hand and will remain status quo unless additional manpower is provided.
- (b) Additionally, during this period of time the Division has had three (3) employees attend the Public Safety Recruit Academy for a period of thirteen weeks each (1462.5 man hours total), again depleting an already understaffed function.
- (c) The Division, upon adoption of the updated codes and standards, will institute a computerized fire inspection program that should help alleviate human error in follow up on violations and improve scheduling of inspections. This computerized program should also provide an automatic internal audit of the inspection function. It will not improve the interval of inspections but should aid in the timeliness of reports and subsequent follow up.
- (d) To repeat, the Division cannot fill the authorized three (3) positions until funds are available from program receipts.

II. No.2 Compliance with correction orders.

This report is apparently attempting to compare "Compliance Orders Issued" to the number of "Violations Issued", i.e. 334 to 1834, and arriving at some percentage.

Without knowledge of the particular files reviewed, it is impossible to accurately respond as to why the non-compliance exists, other than to state that the majority of the files reviewed were state, city, borough, federal or school district facilities and any major violation noted would require a substantial monetary outlay, which would in turn require legislative or council approval of budget revisions or additions.

Needless to say, this is a time consuming process and while many violations still exist, I believe that if the violations found and recorded were a major life safety hazard the facilities would have been closed rather than merely cited for a violation.

Mr. Gerald L. Wilkerson, CPA
Legislative Auditor

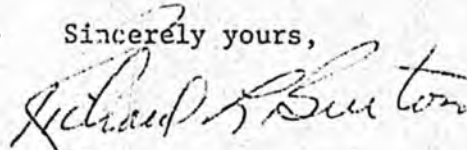
-3-

February 21, 1978

Subject: Special Report, A Follow-up Review of the Division of Fire Prevention,
Department of Public Safety, July 1, 1975 - November 15, 1977

If you need clarification on any point in this response or desire additional
information please contact me.

Sincerely yours,



RICHARD L. BURTON
Commissioner

RLB:RAH:vrh



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

2/14/90
Date

"An Act making a special appropriation to the Fire Suppression Fund; and providing for an effective date."

2/9/77

COMMITTEE REPORT

HOUSE

Mr. Speaker:

Date April 21, 1977

The Committee on Finance has had HB 115

under consideration. A Majority of the members of the Committee

recommends it DO PASS

recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR _____ AND THAT

CS FOR _____ DO PASS

"and" recommends it BE REFERRED TO THE _____

COMMITTEE

reports it back WITHOUT RECOMMENDATION

"other"

Members signing the Majority report:

<u>[Signature]</u>	_____	_____
<u>[Signature]</u>	_____	_____
<u>[Signature]</u>	_____	_____
<u>[Signature]</u>	_____	_____

Members NOT concurring in the Majority report:

<u>[Signature]</u>	recommends: <u>do not pass unless ems</u>
<u>[Signature]</u>	recommends: _____
<u>[Signature]</u>	recommends: <u>no rec</u>
_____	recommends: _____
_____	recommends: _____

[Signature] Chairman

Introduced: 1/25/77
Referred: Resources and
Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 115

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Fire
7 Suppression Fund; and providing for an effective
8 date."

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

10 * Section 1. The sum of \$750,000 is appropriated from the general fund
11 to the Fire Suppression Fund for the use of the Department of Natural
12 Resources in the suppression of fires under AS 41.15.

13 * Sec. 2. The portion of this appropriation remaining unexpended and
14 unobligated at the end of each fiscal year shall not lapse into the general
15 fund but shall remain in the Fire Suppression Fund and available for
16 expenditure.

17 * Sec. 3. This Act takes effect immediately in accordance with AS
18 01.10.070(c).

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THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. NB 114 - 115
 Title Fire Suppression Fund
 Requested by Office of the Governor Date 1/18/77

II. FISCAL DETAIL
 Agency Affected Department of Natural Resources
 Program Category Affected Division of Lands
 Budget Request Unit(s) Affected _____

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL		750.0	566.8	595.2	624.9	
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		750.0	566.8	595.2	624.9	

FUNDING (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
GENERAL FUND		750.0	566.8	595.2	624.9	
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
FULL TIME		0	0	0	0	
PART TIME		0	0	0	0	
TEMPORARY		0	0	0	0	

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)
 The requested legislation establishes a Fire Suppression Fund and appropriates from the General Fund monies sufficient to initiate the Fund and maintain it in future years at a level adequate to meet anticipated costs of annual fire fighting activities. The Fire Suppression Fund is a reserve from which fire fighting expenses will be paid; it is not a planned expenditure. Future annual inputs from the General Fund to the Fire Suppression Fund are difficult to predict, however, from 1970 through 1975 State outlays for fire suppression have ranged from \$1.2 million to \$99,646, averaging approximately \$539,855. Creation of a Fire Suppression Fund will enable prompt payment of fire fighting costs. With increasing State ownership of land, and responsibility for fire protection, the base cost can be expected to rise, even aside from inflation. Previously these payments have been met through supplemental or annual appropriations and have been subject to the delays implicit in that process.

IV. DATE _____ PREPARED BY George Hollett
 AGENCY Division of Lands
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named) _____
 PHONE Guy Martin 1/19/77

HB 114
HB 115

January 25, 1977

The Honorable Hugh Malone
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18 of the Alaska Constitution, and in accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill to establish a Fire Suppression Fund and a bill to appropriate \$750,000 to the fund. The fund would provide a ready source for the prompt payment of expenses incurred by the state in the suppression of forest fires. Currently such expenses are paid long after they are incurred from funds supplementally appropriated by the legislature during the following legislative session. This delay works great hardship upon private companies and individuals from whom the state purchases goods and services to assist in suppressing a forest fire. The state incurred expenses of approximately \$500,000 in suppressing the Eagle River forest fire last summer and encountered problems locating funds with which to pay. Indeed, a substantial portion of these expenses have still not been paid. These bills would go a long way toward solving this problem and prevent its recurrence.

Sincerely,

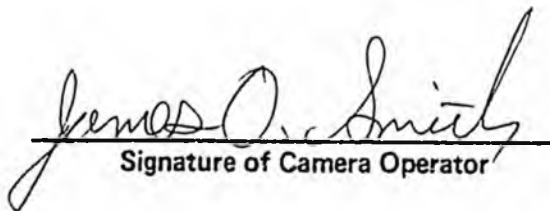
Jay S. Hammond
Governor

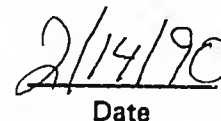


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Signature of Camera Operator


Date

1-26-77

COMMITTEE REPORT

HOUSE

_____ Date

Mr. Speaker:

The Committee on FINANCE has had HB 117 under consideration. A majority of the members of the Committee

- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for HB 117 and that CS for HB 117 do pass
- (and) recommends it be referred to the _____ committee
- reports it back without recommendation
- AND attaches a report of its intent
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____ recommends: _____

_____ recommends: _____

_____ recommends: _____

[Signature]
Chairman

Original sponsor: Cowper

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 117

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the legislative appropriation
7 process; and providing for an effective date."

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

9 * Section 1. AS 37.07.070 is amended to read:

10 Sec. 37.07.070. LEGISLATIVE REVIEW. The legislature shall con-
11 sider the governor's proposed comprehensive program and financial plan,
12 evaluate alternatives to the plan, make program selections among the
13 various alternatives and determine, subject to available revenues, the
14 level of funding required to support authorized state services. During
15 each regular session of the legislature, legislative review of the plan
16 shall be accomplished according to the following schedule:

17 (1) By the 45th legislative day, the legislature shall have
18 established by concurrent resolution the total amount of state general
19 funds that shall be available for appropriation for the budget year and
20 the tentative allocation of the funds among program categories in both
21 the operating and capital budgets. The resolution shall be introduced
22 by the finance committee of the house in which the general appropriations
23 bill was introduced.

24 (2) By the 90th legislative day, the house in which the
25 general appropriations bill was introduced by the governor shall have
26 calendared for second reading a version of the general appropriations
27 bill. The bill shall be supported with documentation to explain the
28 proposed appropriations and related statements of intent. In addition,
29 a list of other appropriations or measures with fiscal implications

1 pending before the legislature shall be included with the documentation
2 for the calendared bill.

3 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
4 070(c).

THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill, Resolution No. COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 117
 Title Relating to legislative appropriation process
 Requested by House Finance Date 2/15/77

II. FISCAL DETAIL
 Agency Affected Legislative Affairs Agency
 Program Category Affected General Government
 Budget Request Unit(s) Affected _____

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	None	None	None	None	None	None

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The Agency presently budgets for a 90-day session.

It is doubtful whether the Council will change this policy on the basis of this bill. Variable costs for the 1977 legislative session are estimated at \$18,500 per day. If the above bill did in reality shorten the average length of annual sessions, there would be a reduction in the amount of supplemental appropriations required.

IV. DATE 2/15/77 PREPARED BY M. R. Charney
 AGENCY Legislative Affairs Agency
 PHONE 465-3850
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

FORM 02-0018C
FOR BRIEF COMMUNICATIONS
MAY BE HANDWRITTEN

MEMORANDUM

State of Alaska

TO: LEGISLATIVE AFFAIRS AGENCY

DEPT _____
DIV _____
SEC _____

DATE : February 3, 1977

FROM: House Finance Committee

SUBJECT: CSHB 117

Please prepare a Committee Substitute for House Finance Committee per attached copy. Needed by 9:00 A.M., Friday, February 4, 1977.

Please send to attention of Anne Lindbeck, Rm. 411. Thank you.

Introduced: 1/26/77
Referred: Finance

FINANCE
BY GOWPER

1 IN THE HOUSE

2 CS HOUSE BILL NO. 117

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the legislative appropriation
7 process." and providing for an effective date.

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

9 *Section 1. AS 37.07.070 is amended to read:

10 Sec. 37.07.070. LEGISLATIVE REVIEW. The legislature shall consider
11 the governor's proposed comprehensive program and financial plan, evalu-
12 ate alternatives to the plan, make program selections among the various
13 alternatives and determine, subject to available revenues, the level of
14 funding required to support authorized state services. During each
15 regular session of the legislature, legislative review of the plan shall
16 be accomplished according to the following schedule:

17 (1) By the 45th legislative day, the legislature shall have
18 established by ^{concurrent} resolution the total amount of state general funds that
19 shall be available for appropriation for the budget year and the tenta-
20 tive allocation of the funds among program categories in both the
21 operating and capital budgets. The resolution shall be introduced by the
22 finance committee of the house in which the general appropriations Act was introduced.

23 (2) By the 90th legislative day, the house in which the
24 general appropriations Act was introduced by the governor shall have
25 calendared for second reading a version of the general appropriations
26 Act. The bill shall be supported with documentation to explain the
27 proposed appropriations and related statements of intent. In addition,
28 a list of other appropriations or measures with fiscal implications
29 pending before the legislature shall be included with the documentation
for the calendared bill.

* Sec. 2 - immediate effective date

HB 117

Introduced: 1/26/77
Referred: Finance

1 IN THE HOUSE

BY COWPER

2 HOUSE BILL NO. 117

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

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#



RECORDS CERTIFICATION



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James O. Smith
Signature of Camera Operator

2/14/90
Date

COMMITTEE REPORT
SENATE

2/14/77

May 19, 1977

Date

Mr. President:

The Committee on Finance has had HB 117

Legislative appropriation process
under consideration. A majority of the members of the Committee

- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for _____ and that
CS for _____ do pass
- (and) recommends it be referred to the _____
committee
- reports it back without recommendation
- AND attaches a report of its intent
- (other) Submitted Recommendations

MEMBERS SIGNING THE MAJORITY REPORT:

<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

<u>[Signature]</u>	recommends: <u>Do Pass</u>
<u> </u>	recommends: <u> </u>
<u> </u>	recommends: <u> </u>

[Signature]
Chairman

Original sponsor: Cowper

Offered: 2/7/77
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 117

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

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29 a list of other appropriations or measures with fiscal implications

1 pending before the legislature shall be included with the documentation
2 for the calendared bill.

3 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
4 070(c).

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Introduced: 1/26/77
Referred: Finance

1 IN THE HOUSE

BY COWPER

2 HOUSE BILL NO. 117

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the legislative appropriation
7 process."

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

9 * Section 1. AS 37.07.070 is amended to read:

10 Sec. 37.07.070. LEGISLATIVE REVIEW. The legislature shall consider
11 the governor's proposed comprehensive program and financial plan, evalu-
12 ate alternatives to the plan, make program selections among the various
13 alternatives and determine, subject to available revenues, the level of
14 funding required to support authorized state services. During each
15 regular session of the legislature, legislative review of the plan shall
16 be accomplished according to the following schedule:

17 (1) By the 45th legislative day, the legislature shall have
18 established by resolution the total amount of state general funds that
19 shall be available for appropriation for the budget year and the tenta-
20 tive allocation of the funds among program categories in both the
21 operating and capital budgets.

22 (2) By the 90th legislative day, the house in which the
23 general appropriations Act was introduced by the governor shall have
24 calendared for second reading a version of the general appropriations
25 Act. The bill shall be supported with documentation to explain the
26 proposed appropriations and related statements of intent. In addition,
27 a list of other appropriations or measures with fiscal implications
28 pending before the legislature shall be included with the documentation
29 for the calendared bill.

Original sponsor: Cowper

Offered: 2/7/77
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 117

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the legislative appropriation
7 process; and providing for an effective date."

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

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10 Sec. 37.07.070. LEGISLATIVE REVIEW. The legislature shall con-
11 sider the governor's proposed comprehensive program and financial plan,
12 evaluate alternatives to the plan, make program selections among the
13 various alternatives and determine, subject to available revenues, the
14 level of funding required to support authorized state services. During
15 each regular session of the legislature, legislative review of the plan
16 shall be accomplished according to the following schedule:

17 (1) By the 45th legislative day, the legislature shall have
18 established by concurrent resolution the total amount of state general
19 funds that shall be available for appropriation for the budget year and
20 the tentative allocation of the funds among program categories in both
21 the operating and capital budgets. The resolution shall be introduced
22 by the finance committee of the house in which the general appropriations
23 bill was introduced.

24 (2) By the 90th legislative day, the house in which the
25 general appropriations bill was introduced by the governor shall have
26 calendared for second reading a version of the general appropriations
27 bill. The bill shall be supported with documentation to explain the
28 proposed appropriations and related statements of intent. In addition,
29 a list of other appropriations or measures with fiscal implications

1 pending before the legislature shall be included with the documentation
2 for the calendared bill.

3 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
4 070(c).

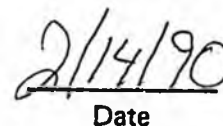


RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.


Signature of Camera Operator


Date

COMMITTEE REPORT

2/18/77

HOUSE

Mr. Speaker:

Date February 17, 1977

The Committee on FINANCE has had HR 121

under consideration. A Majority of the members of the Committee

recommends it DO PASS

recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR HR 121 AND THAT

CS FOR HR 121 DO PASS

"and" recommends it BE REFERRED TO THE _____

COMMITTEE

reports it back WITHOUT RECOMMENDATION

"other"

Members signing the Majority report:

<u>Ferguson</u>	<u>McKissick</u>	_____
<u>Thompson</u>	_____	_____
<u>_____</u>	<u>_____</u>	_____
<u>_____</u>	<u>_____</u>	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Original sponsor: Guy

Offered: 2/18/77
Referred: Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 121

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Commer-
7 cial Fisheries Entry Commission; and providing for an
8 effective date,"

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

10 * Section 1. The sum of \$38,000 is appropriated from the general fund to
11 the Commercial Fisheries Entry Commission for the purpose of providing appli-
12 cation assistance for those persons who were made eligible to apply for entry
13 permits under Isakson v. Rickey, 550 P. 2d 359 (1976).

14 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
15 070(c).

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JAY S. HAMMOND
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 28, 1977

The Honorable Steve Cowper
Chairman, House Finance Committee
Pouch V
Juneau, Alaska 99811

Dear Representative Cowper:

This is to convey my support for House Resources CSHB 121, which, as amended, appropriates \$38,000 from the general fund to provide application assistance to those persons made eligible to apply for entry permits under the Alaska Supreme Court decision in Isakson v. Rickey. The Commercial Fisheries Entry Commission has made similar application assistance available to thousands of Alaskans in the past to help them through the inherent complexities of the limited entry system.

A clarification from the State Supreme Court concerning precisely who would be eligible to apply under the terms of its decision in Isakson v. Rickey was, regrettably, not forthcoming until December of last year. Given the uncertainty of the exact size and nature of the applicant pool, the Commission might nonetheless have been able to take some initial steps in application assistance sooner than this, except for the Legislature's decision last session to reduce the Commission's budget to approximately 50% of the maintenance level that had been requested.

Alaska's limited entry program, as we all know, was given a substantial mandate of support in the November election, and it is now time to allow the Commission to get on promptly with the various aspects of its work. House Resources CSHB 121 is one important piece of that work. Since the application period for the new group of applicants created by the court is already underway, I would urge the Legislature's prompt action in approving this bill.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay S. Hammond".

Jay S. Hammond
Governor

STATE OF ALASKA

COMMERCIAL FISHERIES ENTRY COMMISSION

JAY S. HAMMOND, GOVERNOR

POUCH KB - JUNEAU 99801

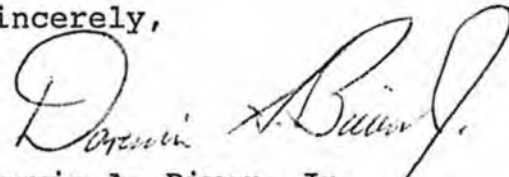
February 22, 1977

The Honorable Steve Cowper
Chairman, House Finance Committee
Capitol Building
Juneau, Alaska 99801

Dear Representative Cowper:

Enclosed please find the backup material presented to Representative Al Osterback, Chairman, House Resources Committee, for review prior to consideration of CSHB 121. The material may also be used when considering SB 88.

Sincerely,



Darwin A. Biwer, Jr.
Executive Director

DAB/d1

Enclosures

Original sponsor: Guy

Offered: 2/18/77
Referred: Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2

CS FOR HOUSE BILL NO. 121

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act making a special appropriation to the Commercial Fisheries Entry Commission; and providing for an effective date."

7

8

9

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

10

* Section 1. The sum of \$38,000 is appropriated from the general fund to the Commercial Fisheries Entry Commission for the purpose of providing application assistance for those persons who were made eligible to apply for entry permits under Isakson v. Rickey, 550 P. 2d 359 (1976).

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* Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-070(c).

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Cost Estimates for Application Assistance
To Individuals Made Eligible to Apply for Entry Permits
Under the Alaska Supreme Court Decision in
ISAKSON vs RICKEY

Prepared at the request of the House Resources
Committee for its use in considering HB 121

Submitted by the Commercial Fisheries Entry Commission

February 17, 1977

STATE OF ALASKA

COMMERCIAL FISHERIES ENTRY COMMISSION

JAY S. HAMMOND, GOVERNOR

POUCH KB - JUNEAU 99881

February 17, 1977

The Honorable Alvin Osterback
Chairman
House Resources Committee
Room 118 Capital Bldg.
Juneau, Alaska 99811

Dear Representative Osterback:

Following your Committee's request on February 11, 1977, the Commercial Fisheries Entry Commission has prepared a total cost estimate for providing statewide application assistance to individuals made eligible to apply for entry permits under the Alaska Supreme Court decision in Isakson vs Rickey. Please note that much of the accompanying material is based on verbal cost estimates prepared over a short period of time by organizations willing to participate in this program.

The following points should also be considered:

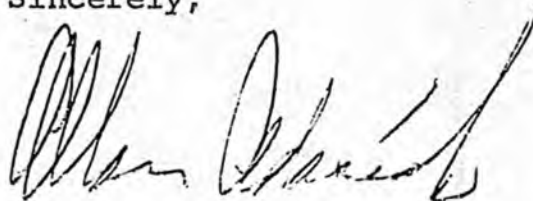
- 1) Contract negotiation expenses of \$630 are based on prompt action to get the assistance program moving as soon as possible. It is probable that all contracts could be negotiated by telephone and mail but this would require significantly more time.
- 2) The \$4,000 cost estimate for advertising includes newspaper publication of a list of eligible applicants who have not applied, radio announcements if public service time is not available or inadequate, and other "outreach" that may be necessary. Newspaper ads printing the names of potential applicants for the AYK salmon fisheries in 1976 cost over \$800 per publication. The actual cost for advertising will be contingent to a high degree on the applicant response as the application deadline approaches.
- 3) The actual cost for the Commission's employment of a temporary worker to process applications and monitor contract performance will fluctuate as a function of the number of applications received.
- 4) Commission cost estimates for training representatives and providing direct assistance to the people of Cook Inlet and Prince William Sound have attempted to allow for the contingencies of bad weather, travel delays and unusually extended assistance sessions.

The Honorable Alvin Osterback -2-

February 17, 1977

The Commission is ready to develop and present any other information which the Committee may require.

Sincerely,

A handwritten signature in dark ink, appearing to read "Allan Adasiak". The signature is written in a cursive style with a large initial "A" and a long, sweeping tail.

Allan Adasiak
Commissioner

ISAKSON APPLICATION ASSISTANCE

\$ 630 - Commission expenses to negotiate contracts

\$26,698 - Contractual agreement for application assistance:

Southeastern - \$2,740
Yakutat - \$ 208
Kodiak - \$2,000
Peninsula - \$6,000
Bristol Bay - \$9,750
Yukon-Kuskokwim - \$6,000

\$ 900 - Commission expenses to conduct training sessions.

\$ 2,000 - Commission expenses to provide application assistance:

Prince William Sound - \$ 500
Cook Inlet - \$1,500

\$ 4,000 - Commission expenses to advertise application period.

\$ 500 - Commission expenses for long distance telephone calls.

\$ 300 - Commission expenses for computer time to monitor assistance programs.

\$ 3,000 - Commission expense for hiring one temporary employee to process applications and clerical monitoring of assistance program.

\$38,028 - TOTAL

CONTRACT NEGOTIATIONS

<u>Schedule</u>	<u>Travel</u>	<u>Per Diem</u>
Day 1 - Fly Juneau to Anchorage Fly Anchorage to Dillingham (overnight Dillingham)	\$79.14 \$62.39	\$49
Day 2 - Fly Dillingham to Anchorage Fly Anchorage to Bethel (overnight Bethel)	\$62.39 \$70.87	\$51
Day 3 - Fly Bethel to Anchorage (overnight Anchorage)	\$70.87	\$50
Day 4 - Fly Anchorage to Juneau (arrive 1:15 pm)	\$79.14	\$25
	<hr/>	<hr/>
	\$424.90	+ \$175
	= \$599.80	
ground transportation +	30.00	
	<hr/>	
	\$629.80	

CONTRACT EXPENSE ESTIMATES

Southeastern

- SEACAP
P.O. Box 449
Juneau, Alaska 99802
Mr. Bill Marsh - 586-1990

All villages and towns except the Juneau vicinity. Estimated cost is \$2740.

Yakutat

- Cornelia Howard 784-3356(home)
P.O. Box 196 784-3257(office)
Yakutat, Alaska 99689

52 people @ \$4 each = \$208.

Kodiak

- Kodiak Area Community Development Corp.
P.O. Box 571
Kodiak, Alaska 99615 486-3296

Wayne Marshall - he will cover the entire island for a maximum of \$2,000.

Peninsula

- Aleut League
833 Gambell 278-3567
Anchorage, Alaska 99501
Mrs. Mary Skaflestad

Maximum estimate is \$6,000.

Bristol Bay

- Bristol Bay Native Association
Dillingham, Alaska 99576
Mr Ted Angasan 842-5257

1 person @ \$2,500 + 3 people for 25 days
@ \$30/day = \$2250, + travel - \$5,000 = \$9750.

Yukon Kuskokwim

- Mrs. Betty Hickling
Office of the Governor
Bethel, Alaska 99559
543-2286(office), 543-2184(home)

Estimated maximum for traveling to each village and hiring an assistant is \$6,000.

TRAINING SESSIONS

<u>Schedule</u>	<u>Travel</u>	<u>Per Diem</u>
Day 1 - Fly Juneau to Anchorage Fly Anchorage to Dillingham (overnight Dillingham)	\$79.14 \$62.39	\$49
Day 2 - (overnight Dillingham)		\$49
Day 3 - Fly Dillingham to Anchorage (overnight Anchorage)	\$62.39	\$50
Day 4 - Fly Anchorage to Bethel (overnight Bethel)	\$70.87	\$51
Day 5 - (overnight Bethel)		\$51
Day 6 - Fly Bethel to Anchorage Fly Anchorage to Kodiak (overnight Kodiak)	\$70.87 \$45.44	\$54
Day 7 - Fly Kodiak to Anchorage Fly Anchorage to Juneau (arrive 8:50 pm)	\$45.44 \$79.14	\$25
	<hr/>	<hr/>
	\$515.68	+ \$329
	= \$844.68	
ground transportation	+ 50.00	
	<hr/>	
	\$894.68	

DIRECT ASSISTANCE BY COMMISSION

Cook Inlet

ACTIVITY	TRAVEL	PER DIEM
Day 1 - Fly Juneau to Anchorage (overnight Anchorage)	\$79.14	\$50
Day 2 - (overnight Anchorage)		\$50
Day 3 - Drive Anc-Eagle River-Chugiak- Palmer-Wasilla-Willow-Anchorage (160 miles) (overnight Anchorage)	\$72.60	\$50
Day 4 - Drive Anchorage-Girdwood- Moose Pass-Seward (129 miles) (overnight Seward)	\$63.09	\$54
Day 5 - Drive Seward-Soldotna-Kasilof- Kenai (110 miles) (overnight Kenai)	\$57.10	\$54
Day 6 - Drive Kenai-Ninilchik-Anchor Point-Clam Gulch-Cohoe-Homer (100 miles) (overnight Homer)	\$54.00	\$54
Day 7 - (overnight Homer)		\$54
Day 8 - Drive Homer to Anchorage (240 miles) (overnight Anchorage)	\$97.40	\$50
Day 9 - Fly Anchorage to Juneau (arrive 1:15 pm)	\$79.14	\$25
miscellaneous cabfares	<u>\$30.00</u>	_____
	\$532.47	+ \$441
	subtotal	\$973.47
	maximum estimate	\$1,500.00

Ground transportation costs are computed on the basis of \$23 per day plus 21¢ per mile plus 10¢ per mile for gasoline.

DIRECT ASSISTANCE BY COMMISSION

Prince William Sound

ACTIVITY	TRAVEL	PER DIEM
Day 1 - Fly Juneau to Cordova (overnight Cordova)	\$60.60	\$58
Day 2 - (overnight Cordova)		\$58
Day 3 - Fly Cordova to Valdez (overnight Valdez)	\$41.00	\$58
Day 4 - Fly Valdez to Cordova Fly Cordova to Juneau	\$41.00 \$60.60	
miscellaneous cabfares	<u>\$25.00</u>	<u> </u>
	\$228.00	+ \$174
	subtotal	\$402.20
	maximum estimate	\$500.00

Yukon - Kuskokwim

Akiachak - 10
Akiak - 6
Alakanuk - 3
Atmoutluk - 3
Bethel - 11
Chetarnak - 6
Eck - 15
Emmonak - 1
Fortuna Ledge - 2
Soadneis Bay - 21
Hooper Bay - 1
Kasiulik - 3
Kipruk - 6
Kongiganak - 2
Kwethluk - 3
Kwigillinok - 3
Mt. Village - 3
Napaklak - 11
Napaskiak - 5
Nightmute - 4
Nonapitchuk - 4
Oscarville - 2
Platinum - 5
Quinhagak - 12

St. Marys - 2
Tocksook Bay - 11
Tuntutuliak - 5
Tununak - 2

162 = TOTAL

28 villages

Cook Inlet

Anchorage - 136
Anchor Point - 14
Chugiak - 4
Ivan Gulch - 8
Chitina - 2
Cohoe - 6
Eagle River - 3
English Bay - 1
Birdwood - 2
Halibut Cove - 2
Homer - 40
Kasilof - 10
Kenai - 66
Moose Pass - 1
N. Kenai - 1
Nimichik - 14
Palmer - 10
Port Graham - 9
Seldovia - 3
Seward - 9
Soldotna - 36
Spennard - 7
Tyonek - 5
Willow - 5

394 total

24 - villages, towns
and cities

Bristol Bay

Akknayik - 57

Miguit Lagoon - 3

Larks Point - 39

Dillingham - 174

Egik - 11

Egik - 24

Iliamna - 5

Ivanof Bay - 1

King Salmon - 4

Kolliganek - 34

Mankotak - 70

Naknek - 39

New Stuydak - 38

Newhalen - 1

Nondalton - 7

Pedro Bay - 2

Pilot Point - 11

Port Heiden - 14

Portage Creek - 12

D. Naknek - 29

Stuyhak - 1

Logak - 133

Trin Hills - 2

Ugashik - 3

714 - TOTAL

24 villages

Southeastern

Angoon - 4
Auke Bay - 4
Craig 14
Douglas - 17
Elfin Cove - 6
Gustavus - 1
Haines - 32
Hoonah - 13
Hydaburg - 10
JunEAU - 108
Kake - 9
Kasaan - 1
Ketchikan - 88
Klawock - 8
Metlakatla - 20
Meyers Chuck - 4
Mt. Edg-cumbe 4
Pelican - 10
Petersburg - 65
Point Baker - 16
Port Alexander - 2
Port Protection - 1
Sitka - 43
Skagway - 1
Tenakee Springs - 2

Ward Cove - 11
Wrangell - 39

533 - TOTAL

27 - towns

Penninsula-Alutian

Atka - 1
Dutch Harbor - 1
King Cove - 9
Port Moller - 6
Sand Point - 7
Unalaska - 1
Belkofski - 2

27 - TOTAL

KODIAK

Kodiak-83
Larsen Bay-3
Old Harbor-6
Ouzinkie-5
Port Lions-2

99 TOTAL

Prince William Sound

Copper Center-5
Cordova-88
Icy Bay-1
Paxson-1
Tatitlek-4
Valdez-8

107 TOTAL

Miscellaneous

Ambler-1
Nome-2
Stebbins-1
Unalakleet-2
Clear-7
College-4
Delta Jct.-3
Fairbanks-5
Galena-1
Nenana-1
Tanana-1
Tok-1
Alexander Creek-1
Pleasant Harbor-1
Port Bailey-1
Port Williams-3
Sutton-1

36-TOTAL

Introduced: 1/26/77
Referred: Resources and
Finance

1 IN THE HOUSE

BY GUY

2 HOUSE BILL NO. 121

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Commercial
7 Fisheries Entry Commission; and providing for an effec-
8 tive date."

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

10 * Section 1. The sum of \$22,225 is appropriated from the general fund to
11 the Commercial Fisheries Entry Commission for the purpose of providing the
12 necessary funds for contracting for nine limited entry application assistance
13 project assistants for the period January 15, 1977 to March 15, 1977.

14 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
15 070(c).

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Original sponsor: Guy

Offered: 2/18/77
Referred: Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 121

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Commer-
7 cial Fisheries Entry Commission; and providing for an
8 effective date."

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

10 * Section 1. The sum of \$38,000 is appropriated from the general fund to
11 the Commercial Fisheries Entry Commission for the purpose of providing appli-
12 cation assistance for those persons who were made eligible to apply for entry
13 permits under Isakson v. Rickey, 550 P. 2d 359 (1976).

14 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
15 070(c).

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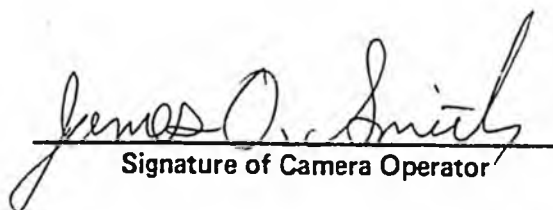
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Signature of Camera Operator


Date

MEMORANDUM

State of Alaska

TO: Allan Adasiak
Commissioner

DATE: May 17, 1977

FILE NO:

TELEPHONE NO:

FROM: Margie Baptiste
Administrative Assistant

SUBJECT: Current Financial Status
and Year End Projection

PERSONAL SERVICES

Current Balance	(53.2)
Anticipated Expenditures (includes benefits)	136.3
Year End Balance	(189.5)

TRAVEL

Current Balance	7.7
Anticipated Expenditures	4.2
Year End Balance	3.5

Anticipated Expenditures

Shellfish Research Group Meetings:	
Juneau-Seattle-Petersburg, 3 staff, 4 days	1.0
Juneau-Kodiak-Homer 3 staff, 4 days	1.2
Juneau-Cordova 3 staff, 2 days	.8
Subtotal	3.0
AYK Applicant Hearings:	
Anch-Bethel-Nome-Kotzebue 1 staff, 6 days	.8
Herring Applicant Hearings:	
Sitka-Petersburg-Ketchikan 1 staff, 4 days	.4
Total	4.2

CONTRACTUAL

Current Balance	40.0
Anticipated Expenditures	57.1
Year End Balance	(17.1)

Monthly Expenditures

IBM	.5
Xerox	.5
Garnicks Janitorial	.5
J.D. Telephone	1.5
General Leasing	.1
Pitney Bowes	.1
Postage	1.0
Central Duplicating	.5
Advertising & Subscriptions	.7
Misc.	<u>1.4</u>
Total	6.8

Anticipated Expenditures

Postage	3.0
Operating Cost Survey	2.5
Terminal (plus installation)	1.0
Data Processing	32.0
Professional Fees & Services	<u>5.0</u>
Total	43.5

COMMODITIES

Current Balance	3.1
Anticipated Expenditures	<u>1.0</u>
Year End Balance	2.1

Monthly Expenditures

Yukon Office Supply	.3
Capital Office Supply	.1
Misc. Supplies	<u>.1</u>
Total	.5

EQUIPMENT

Current Balance	1.8
Anticipated Expenditures (calculator)	<u>.2</u>
Year End Balance	1.6

(3)

SUMMARY
YEAR END PROJECTIONS

PERSONAL SERVICES	(189.5)
TRAVEL	3.5
CONTRACTUAL	(17.1)
COMMODITIES	2.1
EQUIPMENT	1.6
TOTAL	<u>(199.4)</u>

STATE OF ALASKA

COMMERCIAL FISHERIES ENTRY COMMISSION

JAY S. HAMMOND, GOVERNOR

POUCH KB - JUNEAU 93801

May 17, 1977

The Honorable John Sackett
Chairman, Senate Finance Committee
Alaska State Senate
Capitol Building
Juneau, Alaska 99801

Dear Senator Sackett:

The Senate Finance Committee has asked whether the \$38,000 that would be appropriated under CSHB 121 could be funded from the \$206.1 supplemental appropriation made to the Commercial Fisheries Entry Commission under CSSB 117.

A report on the Commission's current and projected year-end financial status accompanies this letter. It projects commission expenses through the end of FY 77 at \$199.4. That is far too close to the \$206.1 figure to allow the commission to fund the \$38,000 application assistance program from this year's budget.

A copy of the Consent Agreement in Gosuk v. Rickey also accompanies this letter as background information on assistance to be provided in connection with entry permit application programs. I am advised that the commission is in effect obligated because of this to provide the type of application assistance that would be made available under CSHB 121 to persons made eligible to apply for entry permits under the Alaska Supreme Court decision in Isakson v. Rickey.

The application period for these people began January 15, 1977 and has been extended twice in anticipation of application assistance funding. Approximately 3,200 applications were distributed to people believed to be eligible applicants. To date, the commission has received only some 650 completed applications. Legal Services attorneys and others have indicated to the commission that they know of people who are waiting for assistance to be made available because of complexity of the application form. With the approval of CSHB 121 the commission will be able to enter into contracts promptly to provide assistance to the applicants mentioned above in the most timely, effective way possible.

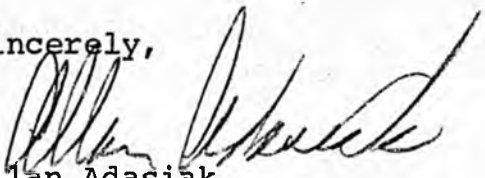
Senator John Sackett

May 17, 1977

-2-

I would be happy to provide any further information the committee may desire on this matter.

Sincerely,



Allan Adasiak
Commissioner

AA:dw

Enclosures

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 121
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making special appropriations to the Office of
7 the Governor; and providing for an effective date."

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

9 * Section 1. The sum of \$38,000 is appropriated from the general fund to
10 the Commercial Fisheries Entry Commission for the purpose of providing appli-
11 cation assistance for those persons who were made eligible to apply for entry
12 permits under Isakson v. Rickey, 550 P. 2d 359 (1976).

13 * Sec. 2. The sum of \$275,000 is appropriated from the general fund to
14 the New Capital Site Planning Commission.

15 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
16 070(c).

COMMITTEE REPORT

SENATE

4/29/77

5/2/77 Date

Mr. President:

The Committee on FINANCE has had CSHB 121 special appropriation to the Commercial Fisheries Entry Commission under consideration. A majority of the members of the Committee

- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for CSHB 121 and that CS for CSHB 121 do pass and see.
- (and) recommends it be referred to the _____ committee
- reports it back without recommendation
- AND attaches a report of its intent
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

John D. ... Mr. ...
... no rec. ...
... ...

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____ recommends: _____
_____ recommends: _____
_____ recommends: _____

John D. ...
Chairman

Cost Estimates for Application Assistance
To Individuals Made Eligible to Apply for Entry Permits
Under the Alaska Supreme Court Decision in
ISAKSON vs RICKEY

Prepared at the request of the House Resources
Committee for its use in considering HB 121

Submitted by the Commercial Fisheries Entry Commission

February 17, 1977

STATE OF ALASKA

COMMERCIAL FISHERIES ENTRY COMMISSION

JAY S. HAMMOND, GOVERNOR

POUCH KB - JUNEAU 99811

February 17, 1977

The Honorable Alvin Osterback
Chairman
House Resources Committee
Room 118 Capital Bldg.
Juneau, Alaska 99811

Dear Representative Osterback:

Following your Committee's request on February 11, 1977, the Commercial Fisheries Entry Commission has prepared a total cost estimate for providing statewide application assistance to individuals made eligible to apply for entry permits under the Alaska Supreme Court decision in Isakson vs Rickey. Please note that much of the accompanying material is based on verbal cost estimates prepared over a short period of time by organizations willing to participate in this program.

The following points should also be considered:

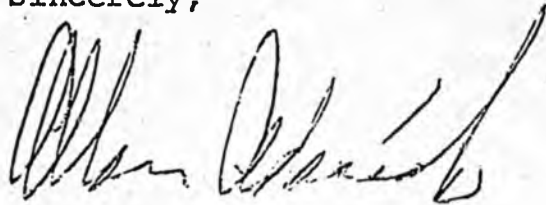
- 1) Contract negotiation expenses of \$630 are based on prompt action to get the assistance program moving as soon as possible. It is probable that all contracts could be negotiated by telephone and mail but this would require significantly more time.
- 2) The \$4,000 cost estimate for advertising includes newspaper publication of a list of eligible applicants who have not applied, radio announcements if public service time is not available or inadequate, and other "outreach" that may be necessary. Newspaper ads printing the names of potential applicants for the AYK salmon fisheries in 1976 cost over \$800 per publication. The actual cost for advertising will be contingent to a high degree on the applicant response as the application deadline approaches.
- 3) The actual cost for the Commission's employment of a temporary worker to process applications and monitor contract performance will fluctuate as a function of the number of applications received.
- 4) Commission cost estimates for training representatives and providing direct assistance to the people of Cook Inlet and Prince William Sound have attempted to allow for the contingencies of bad weather, travel delays and unusually extended assistance sessions.

The Honorable Alvin Osterback -2-

February 17, 1977

The Commission is ready to develop and present any other information which the Committee may require.

Sincerely,

A handwritten signature in dark ink, appearing to read "Allan Adasiak". The signature is written in a cursive style with a large, sweeping initial "A".

Allan Adasiak
Commissioner

ISAKSON APPLICATION ASSISTANCE

\$ 630 - Commission expenses to negotiate contracts

\$26,698 - Contractual agreement for application assistance:

Southeastern - \$2,740
Yakutat - \$ 208
Kodiak - \$2,000
Peninsula - \$6,000
Bristol Bay - \$9,750
Yukon-Kuskokwim - \$6,000

\$ 900 - Commission expenses to conduct training sessions.

\$ 2,000 - Commission expenses to provide application assistance:

Prince William Sound - \$ 500
Cook Inlet - \$1,500

\$ 4,000 - Commission expenses to advertise application period.

\$ 500 - Commission expenses for long distance telephone calls.

\$ 300 - Commission expenses for computer time to monitor assistance programs.

\$ 3,000 - Commission expense for hiring one temporary employee to process applications and clerical monitoring of assistance program.

\$38,028 - TOTAL

CONTRACT NEGOTIATIONS

<u>Schedule</u>	<u>Travel</u>	<u>Per Diem</u>
Day 1 - Fly Juneau to Anchorage Fly Anchorage to Dillingham (overnight Dillingham)	\$79.14 \$62.39	\$49
Day 2 - Fly Dillingham to Anchorage Fly Anchorage to Bethel (overnight Bethel)	\$62.39 \$70.87	\$51
Day 3 - Fly Bethel to Anchorage (overnight Anchorage)	\$70.87	\$50
Day 4 - Fly Anchorage to Juneau (arrive 1:15 pm)	\$79.14	\$25
	\$424.90	\$175
	= \$599.80	
	ground transportation + 30.00	
	\$629.80	

CONTRACT EXPENSE ESTIMATES

Southeastern

- SEACAP
P.O. Box 449
Juneau, Alaska 99802
Mr. Bill Marsh - 586-1990

All villages and towns except the Juneau vicinity. Estimated cost is \$2740.

Yakutat

- Cornelia Howard 784-3356(home)
P.O. Box 196 784-3257(office)
Yakutat, Alaska 99689

52 people @ \$4 each = \$208.

Kodiak

- Kodiak Area Community Development Corp.
P.O. Box 571
Kodiak, Alaska 99615 486-3296

Wayne Marshall - he will cover the entire island for a maximum of \$2,000.

Peninsula

- Aleut League
833 Gambell 278-3567
Anchorage, Alaska 99501
Mrs. Mary Skaflestad

Maximum estimate is \$6,000.

Bristol Bay

- Bristol Bay Native Association
Dillingham, Alaska 99576
Mr. Ted Angasan 842-5257

1 person @ \$2,500 + 3 people for 25 days
@ \$30/day = \$2250, + travel - \$5,000 = \$9750.

Yukon Kuskokwim

- Mrs. Betty Hickling
Office of the Governor
Bethel, Alaska : 99559
543-2286(office), 543-2184(home)

Estimated maximum for traveling to each village and hiring an assistant is \$6,000.

TRAINING SESSIONS

<u>Schedule</u>	<u>Travel</u>	<u>Per Diem</u>
Day 1 - Fly Juneau to Anchorage Fly Anchorage to Dillingham (overnight Dillingham)	\$79.14 \$62.39	\$49
Day 2 - (overnight Dillingham)		\$49
Day 3 - Fly Dillingham to Anchorage (overnight Anchorage)	\$62.39	\$50
Day 4 - Fly Anchorage to Bethel (overnight Bethel)	\$70.87	\$51
Day 5 - (overnight Bethel)		\$51
Day 6 - Fly Bethel to Anchorage Fly Anchorage to Kodiak (overnight Kodiak)	\$70.87 \$45.44	\$54
Day 7 - Fly Kodiak to Anchorage Fly Anchorage to Juneau (arrive 8:50 pm)	\$45.44 \$79.14	\$25
	<hr/>	<hr/>
	\$515.68	+ \$329
	= \$844.68	
ground transportation	+ 50.00	
	<hr/>	
	\$894.68	

DIRECT ASSISTANCE BY COMMISSION

Cook Inlet

ACTIVITY	TRAVEL	PER DIEM
Day 1 - Fly Juneau to Anchorage (overnight Anchorage)	\$79.14	\$50
Day 2 - (overnight Anchorage)		\$50
Day 3 - Drive Anc-Eagle River-Chugiak- Palmer-Wasilla-Willow-Anchorage (160 miles) (overnight Anchorage)	\$72.60	\$50
Day 4 - Drive Anchorage-Girdwood- Moose Pass-Seward (129 miles) (overnight Seward)	\$63.09	\$54
Day 5 - Drive Seward-Soldotna-Kasilof- Kenai (110 miles) (overnight Kenai)	\$57.10	\$54
Day 6 - Drive Kenai-Ninilchik-Anchor Point-Clam Gulch-Cohoe-Homer (100 miles) (overnight Homer)	\$54.00	\$54
Day 7 - (overnight Homer)		\$54
Day 8 - Drive Homer to Anchorage (240 miles) (overnight Anchorage)	\$97.40	\$50
Day 9 - Fly Anchorage to Juneau (arrive 1:15 pm)	\$79.14	\$25
miscellaneous cabfares	<u>\$30.00</u>	
	\$532.47	+ \$441
	subtotal	\$973.47
	maximum estimate	\$1,500.00

Ground transportation costs are computed on the basis of \$23 per day plus 21¢ per mile plus 10¢ per mile for gasoline.

DIRECT ASSISTANCE BY COMMISSION

Prince William Sound

ACTIVITY	TRAVEL	PER DIEM
Day 1 - Fly Juneau to Cordova (overnight Cordova)	\$60.60	\$58
Day 2 - (overnight Cordova)		\$58
Day 3 - Fly Cordova to Valdez (overnight Valdez)	\$41.00	\$58
Day 4 - Fly Valdez to Cordova Fly Cordova to Juneau	\$41.00 \$60.60	
miscellaneous cabfares	<u>\$25.00</u>	
	\$228.00	+ \$174
	subtotal	\$402.20
	maximum estimate	\$500.00

Yukon-Kuskokwim

Akushak - 10
Akkiak - 6
Alakanuk - 3
Atmanutluk - 3
Bethel - 11
Chiefornak - 6
Eek - 15
Eminonak - 1
Irtuna Ledge - 2
Iroodineis Bay - 21
Irooser Bay - 1
Kasiqulik - 3
Kipruk - 6
Kongiganak - 2
Kwethluk - 3
Kwigillinok - 3
N.F. Village - 3
Nopakiak - 11
Nopaskiak - 5
Nughtmutz - 4
Nupitchuk - 4
Scarville - 2
Platinum - 5
Sunhagak - 12

St. Marys - 2
Todsok Bay - 11
Tuntutuliak - 5
Tununak - 2

162 = TOTAL

28 villages

Cook Inlet

Anchorage - 136
Anchor Point - 14
Chugiak - 4
Clam Gulch - 8
Chitina - 2
Cohoe - 6
Eagle River - 3
English Bay - 1
Girdwood - 2
Halibut Cove - 2
 Homer - 40
Kasilof - 10
Kenai - 66
Moose Pass - 1
N. Kenai - 1
Nimilchik - 14
Palmer - 10
Port Graham - 9
Seldovia - 3
Seward - 9
Soldotna - 36
Spennard - 7
Tyonek - 5
Willow - 5

24 - villages, towns
and cities

394 total

Bristol Bay

Aknajik - 57
Iliqik Lagoon - 3
Larks Point - 39
Sillingham - 174
Egegik - 11
Ekwok - 24
Iliamna - 5
Ivanof Bay - 1
King Salmon - 4
Koliganek - 34
Monokotak - 70
Naknek - 39
New Stuychak - 38
Newhalen - 1
Nondalton - 7
Pedro Bay - 2
Pilot Point - 11
Port Hadden - 14
Portage Creek - 12
S. Naknek - 29
Stuychak - 1
Togiak - 133
Twin Hills - 2
Ugashik - 3

24 villages

714 - TOTAL

Southeastern

Angoon - 4
Auke Bay - 4
Craig 14
Douglas - 17
Elfin Cove - 6
Gustavus - 1
Haines - 32
Hoonah - 13
Hydaburg - 10
JunEAU - 108
Kake - 9
Kasaan - 1
Ketchikan - 88
Klawock - 8
Metlakatla - 20
Meyers Chuck - 4
Mt. Edg-cumbe 4
Pelican - 10
Petersburg - 65
Point Baker - 16
Port Alexander - 2
Port Protection - 1
Sitka - 43
Skagway - 1
Tenakee Springs - 2

Ward Cove - 11
Wrangell - 39

533 - TOTAL

27 - towns

Peninsula-Alutian

Atka - 1
Dutch Harbor - 1
King Cove - 9
Port Moller - 6
Sand Point - 7
Unalaska - 1
Belkotski - 2

27 - TOTAL

KODIAK

Kodiak-83
Larsen Bay-3
Old Harbor-6
Ouzinkie-5
Port Lions-2

99 TOTAL

Prince William Sound

Copper Center-5
Cordova-88
Icy Bay-1
Paxson-1
Tatitlek-4
Valdez-8

107 TOTAL

Miscellaneous

Anchorage-1
Nome-2
Stebbins-1
Unalakleet-2
Clear-7
College-4
Delta Jct.-3
Fairbanks-5
Galena-1
Nenana-1
Tanana-1
Tok-1
Alexander Creek-1
Pleasant Harbor-1
Port Bailey-1
Port Williams-3
Sutton-1

36-TOTAL

1 IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

2 THIRD JUDICIAL DISTRICT

3 AT ANCHORAGE

4 ANTONE GOSUK, WILLIE WASSILLIE)
5 PETER MOONIN, JUANITA MELSHEIMER,)
6 BENJAMIN MEGANACK, SR.,)
7 EPHIM MOONIN, for themselves and)
8 all others similarly situated)

9 Plaintiffs,)

10 vs.)

11 ROY RICKEY, individually and)
12 in his capacity as Commissioner)
13 of the Alaska Commercial)
14 Fisheries Entry Commission;)
15 HAROLD HANSON, individually)
16 and in his capacity as)
17 Commissioner of the Alaska)
18 Commercial Fisheries Entry)
19 Commission; CHARLES JAY STOVALL)
20 individually and in his capacity)
21 as Commissioner of the Alaska)
22 Commercial Fisheries Entry)
23 Commission,)

24 Defendants.)

25 Civil No. 75-506C

RECEIVED
Department of Law

MAR 14 1975

AM 3 8 9 10 11 12 1 2 3 4 5 6 PM

26 CONSENT AGREEMENT

27 This agreement is entered into this 10th day of
28 March, 1975, by and between Matthew D. Jamin, Attorney for
29 Plaintiffs herein and Richard Burnham, Attorney for the
30 Commercial Fisheries Entry Commission and the State of Alaska,
31 Defendants herein.

32 Whereas, the Commercial Fisheries Entry Commission
desires that all those persons eligible to apply for entry
permits be given a fair opportunity to do so without prejudice
due to language barriers, poverty, geography, or lack of
education; and

Whereas, towards that end, the CFEC since the
inception of the application period pre-printed points which
need no further verification on requested applications; and

ATTORNEY GENERAL, STATE OF ALASKA
STATE CAPITOL
POUCH K. JUNEAU, ALASKA 99811
PHONE 465-3000

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Whereas, towards that end, the CFEC has

(1) already trained 258 persons in the communities of Anchorage, Bethel, Cordova, Dillingham, Juneau, Kenai, Ketchikan, Kodiak, Seattle and Soldotna

(2) given direct application completion assistance to approximately 900 persons; and

(3) entered into contracts with individuals and organizations to provide assistance as detailed in Attachment 1; and

Whereas, the CFEC realizes the possibility of difficulties in completion of application may still exist, and that the CFEC has an obligation to use every reasonable effort to assist applicants who by reason of language, geography, education or poverty, are unable to complete an application prior to the deadline of March 18. The parties to this agreement agree the CFEC will do the following:

A. All persons who, according to commission records, have participated as gear license holders between 1969 and 1972 in a fishery requiring a permanent entry permit for 1975, and who have not requested an application form by February 28, 1975, will be notified by the commission by mail and be advised that they are eligible to apply for an entry permit and of assistance available to them. Such notification shall be based on the most current mailing addresses available to the commission. A copy of this list will be provided plaintiffs on or about March 10, but in no case later than March 17.

B. All applicants who were gear license holders between 1960 and 1972 need only assert the year(s) in which they fished and the CFEC will examine records available to it to attempt in good faith to verify the applicant's participation in the fishery.

1 C. Consistent participation generally will not
2 require the production of actual fish tickets. The applicant
3 need only assert participation for the minimum required weeks.
4 The CFEC will examine the records available to it and attempt
5 in good faith to verify consistency.

6 D. Vessel ownership need not be proven if the
7 vessel appears in the name of the applicant in the 1973
8 edition of Merchant Vessels of the United States, or a listing
9 of vessels registered in Alaska in 1972 as provided by the
10 U.S. Coast Guard.

11 E. Place of residence need not be proven if the
12 applicant purchased a 1972 commercial license or gear license
13 and his license application shows his place of residence.

14 F. In order to assist applicants in securing
15 evidence to prove these items, necessary for the completion
16 of their applications the CFEC agrees to:

17 1. Identify individuals, organizations or
18 businesses with the records, knowledge, or experience to
19 assist applicants in completing their applications. A list
20 of such individuals, organizations, and businesses is
21 attached hereto as Attachment 2.

22 2. Accept requests for extensions of time
23 for submission of applications, in accordance with 20 AAC
24 05.510(d). "Good cause shown" as used in 20 AAC 05.510(d)
25 includes inability to understand the application or applica-
26 tion procedures, or problems which may arise from geography
27 and transportation prior to the March 18 deadline.

28 3. Accept applications which are received
29 by the deadline, and assert eligibility for points but which
30 do not contain complete supporting evidence.

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4. Contract with, hire, or otherwise secure individuals, organizations, or businesses, for the purpose of placing persons in rural locations to assist applicants in the completion of their applications. Such persons will be trained by the CFEC and be provided with information available to the CFEC to assist in application completion.

5. CFEC will provide the plaintiffs with lists to the extent of its records:

a. of all persons who held a salmon gear license between 1969 and 1972 for a fishery subject to limited entry in 1975 and commercially harvested that fishery resource;

b. of all persons who requested an application on or before March 18, 1975;

6. An interim list of those persons in (a) and (b) above will be provided to plaintiffs on March 10, 1975. An updated list of those persons in (b) above will be provided on or before March 30, 1975.

7. The CFEC or its agent or contractor will travel to, or otherwise see that assistance is or has been available in the following communities:

Southeast

- | | |
|----------------|------------|
| Juneau | Sitka |
| Hydaburg | Wrangell |
| Angoon | Petersburg |
| Hoonah | Ketchikan |
| Pelican | Saxman |
| Haines/Klukwan | Metlakatla |
| Craig/Klawock | Kake |
| Yakutat | |

ATTORNEY GENERAL, STATE OF ALASKA
STATE CAPITOL
POUCH K, JUNEAU, ALASKA 99811
PHONE 465-3000

1 Prince William Sound - Cook Inlet

2 Anchorage Eklutna
 3 Cordova Ninilchik
 4 Soldotna/Kenai Salamatof
 5 Tyonek Kasilof-Cohoe
 6 Seldovia Knik
 7 Homer Alexander Creek (by phone)
 8 English Bay
 9 Port Graham

6 Alaska Peninsula-Aleutian Islands

7 Cold Bay False Pass
 8 Akutan Nelson Lagoon
 9 Sand Point Belkofski
 10 Unalaska King Cove

10 Bristol Bay

11 Togiak/Twin Hills Pedro Bay
 12 Aleknagik Kokhanok
 13 Manokotak Naknek
 14 Dillingham South Naknek
 15 Clarks Point Savononski
 16 Ekuk Egegik
 17 Koliganek Uganshik
 18 New Stuyahok Pilot Point
 19 Ekwok Port Heiden
 20 Portage Creek Chignik Lake
 21 Levelock Ivanof Bay
 22 Igiugig Perryville
 23 New Halen Chignik
 24 Nondalton Chignik Lagoon
 25 Iliamna

19 Arctic-Yukon-Kuskokwim

20 Assistance will be provided on an "as needed basis"
 21 to all communities in the Yukon-Kuskokwim delta areas by
 22 University of Alaska Cooperative Extension Service, Marine
 23 Advisory Program.

24 8. At each of the communities listed in 7 above,
 25 the defendants or their agents, or contractors will make every
 26 reasonable effort to

27 a. make assistance available to all fishermen
 28 in the community in completing their applications
 29 for permits

30 b. assure that all eligible applicants in
 31 the community are aware of the assistance available
 32 to them.

1 Assistance as used herein may include, but not be limited to
2 providing help in: filling out applications; gathering and
3 submitting proof required; and if the application is not com-
4 pleted by March 18, 1975, requesting an extension of time as
5 provided in 2 above.

6 c. maintain records for persons contacted
7 subsequent to the date of this agreement who held
8 a gear license and fished between 1969 and 1972,
9 or requested an application prior to March 18, 1975,
10 which indicate:

- 11 1. name, address, and if available,
12 social security number
- 13 2. whether assistance was provided
- 14 3. reasons why no assistance was pro-
15 vided, if known
- 16 4. maintain records subject to limita-
17 tions of present agent, contractor or
18 commission records for each of the
19 persons who either held a gear license
20 and fished between 1969 and 1972, or
21 requested an application prior to
22 March 18, 1975, who are not covered
23 by 8 (c).

24 9. In fulfillment of this obligation, defendants
25 shall make a reasonable attempt to make their services known
26 and available to persons for whom no listing is provided by
27 CFEC records and who are by virtue of having held a gear
28 license during 1960 to 1968 and having sold fish under another
29 person's name or set net number are eligible to apply.

1 Whereas, the named plaintiffs are interested in
2 obtaining entry permits for the various fisheries in which they
3 have participated in the past, and;


4 Whereas, they recognize the expressed need for an
5 application process, and;

6 Whereas, they recognize the need may exist for
7 obtaining assistance in completing their application, and the
8 need may exist for obtaining evidence unavailable to the Entry
9 Commission, the plaintiffs herein agree to:

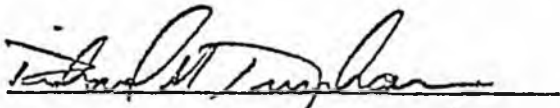
10 A. Seek the assistance offered above of which they
11 have knowledge, and to which they are able to avail themselves
12 and to seek such other and further assistance as may be
13 necessary from individuals or organizations able to assist
14 applicants in completing their applications.

15 B. Withdraw plaintiffs motion for a preliminary
16 injunction. If there is a significant breach of one of the
17 provisions herein, both the plaintiffs and the defendants
18 agree that such breach shall render them liable for contempt
19 as if this agreement had been entered into by court order.
20 This agreement is offered by the parties for the purposes of
21 reaching a fair and just settlement of plaintiffs motion for
22 a preliminary injunction. If accepted by the parties it will
23 be incorporated in a decree signed by the court. If this
24 agreement is not accepted by the parties herein or by the
25 court, nothing herein shall be construed as an admission of
26 either parties liability in this matter.

27
28 Dated this 10th day of March, 1975

29
30 

31 Matthew Jamin
32 ATTORNEYS FOR PLAINTIFFS
ALASKA LEGAL SERVICES



Richard M. Burinam
ASSISTANT ATTORNEY GENERAL
ATTORNEY FOR THE DEFENDANTS

It is so ordered _____
Judge Edmond Burke

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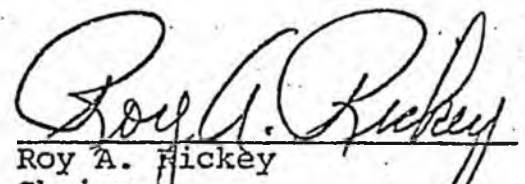
IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT
AT ANCHORAGE

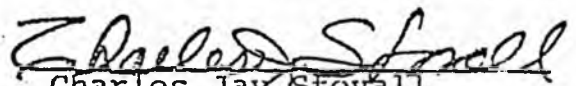
ANTONE GOSUK, et. al.,)
)
Plaintiffs,)
)
vs.)
)
ROY RICKEY, et. al.,)
)
Defendants)
)
Civil No. 75-506C

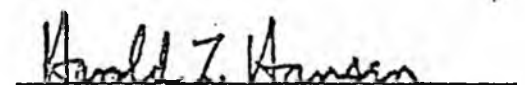
We the undersigned Commissioners of the Alaska Commercial Fisheries Entry Commission have read the Consent Agreement proffered as settlement of the civil case Antone Gosuch, et. al. vs. Roy Rickey, et. al. and agree to the contents thereof.

We hereby authorize Richard Burnham, Assistant Attorney General for the State of Alaska to act as our attorney at law in the above mentioned case and further authorize him to enter said consent agreement in settlement of the case.

Dated this 7th day of March, 1975.


Roy A. Rickey
Chairman


Charles Jay Stovall
Commissioner


Harold Hansen
Commissioner

ATTORNEY GENERAL, STATE OF ALASKA
STATE CAPITOL
FOUCH K. JUNEAU, ALASKA 99511
PHONE 465-3800