

LEG. FINANCE - BILLS 1977 - 1978 817

HB 833 thru HB 838



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

2/23/90
Date

Original sponsors: Nakak, Guy,
Duncan, et al

Offered: 5/3/78
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 833

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
7 ment of Education for increased base support of region-
8 al resource centers; and providing for an effective
9 date."

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

11 * Section 1. The sum of \$400,000 is appropriated from the general fund to
12 the Department of Education for the purpose of increasing base support to the
13 Northwest, Bristol Bay, Western, Southcentral, and Southeastern Regional
14 Resource Centers. The amount appropriated shall be used to match appropri-
15 ations made for the regional resource centers by the school districts in
16 which they are located.

17 * Sec. 2. If the funds appropriated in this Act are insufficient to match
18 all of the local appropriations, the \$400,000 shall be distributed pro rata
19 among the regional resource centers based upon the level of local appropri-
20 ation by school districts for each center.

21 * Sec. 3. The unexpended and unobligated portion of this appropriation
22 lapses into the general fund on June 30, 1979.

23 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
24 070(c).

25

26

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28

29

Introduced: 3/7/78
Referred: Health, Education &
Social Services and Finance

BY NAKAK, GUY, DUNCAN,
GARDINER, MALONE AND
MEEKINS

1 IN THE HOUSE

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 833
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the
7 Department of Education for increased base support of
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9 effective date."

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14 Resource Centers. The amount appropriated shall be apportioned between the
15 resource centers on a pro rata basis to be determined by the Department of
16 Education.

17 * Sec. 2. The unexpended and unobligated portion of this appropriation
18 lapses into the general fund on June 30, 1979.

19 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
20 070(c).

Introduced: 2/14/78
Referred: Health, Education &
Social Services and Finance

BY NAKAK, GUY, DUNCAN,
GARDINER, MALONE AND
MEEKINS

1 IN THE HOUSE

2 HOUSE BILL NO. 833

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a supplemental appropriation to the
7 Department of Education for increased base support of
8 regional resource centers; and providing for an
9 effective date."

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

11 * Section 1. The sum of \$400,000 is appropriated from the general fund
12 to the Department of Education, for the fiscal year ending June 30, 1978,
13 for the purpose of increasing base support to the Northwest, Bristol Bay,
14 Western, Southcentral, and Southeastern Regional Resource Centers. The
15 amount appropriated shall be apportioned between the resource centers on a
16 pro rata basis to be determined by the Department of Education.

17 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
18 070(c).

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ST. MARY'S SCHOOL DISTRICT

BOX 71
ST. MARYS, ALASKA
99658

LICAUVICUAG ELEMENTARY

ANDREAFSKY HIGH

May 10, 1978

Representative Billy Akers
Pouch V-State Capitol
Juneau, Alaska 99811

Dear Billy:

The members of the St. Mary's School Board are very much in favor of the passage of CS for Sponsor Substitute for House Bill No. 833. This bill deals with a special appropriation to the Department of Education for increased base support of regional resource centers.

The St. Mary's City School District has profited very much from our membership in the Western Regional Resource Center.

Through the efforts of the Western Regional Resource Center, the total high school population of St. Mary's was given a vocational aptitude battery. This will enable to do much more in the area of career and academic guidance for these students.

Currently we are working with the Western Regional Resource Center to augment our guidance staff at the high school level.

The St. Mary's City School District will be most happy to commit any money it would be required to towards district financial support of the Western Regional Resource Center.

With every best wish, I remain,

Yours sincerely,

Flora Paulan

(Mrs.) Flora Paulan
President
St. Mary's School Board

cc: Senator John Sackett
Senator Glenn Hackney
Representative Steve Cowper
Representative Charles Parr

Mr. William D. Overstreet
Mr. Richard Hazen
Ms. Margaret Farrant

FP:deb



REPRESENTATIVE PHILLIP GUY

Alaska State Legislature

POUCH V
JUNEAU, ALASKA 99811

COMMITTEES:
HOUSE FINANCE

DISTRICT 17

A.V.C.P., INC.
NUSKOKWIM - YUKON

- AKIACHAK
- AKIAK
- ALAKANUK
- ANDREAFSKY
- ANIAK
- ATMAUTLUAK
- BETHEL
- CHEFORNAK
- CHEVAK
- CROOKED CREEK
- EEL
- EMMONAK
- GEORGETOWN (K)
- GOODNEWS BAY
- HAMILTON
- HOLITNA
- HOOPER BAY
- KASIGLOOK
- KIPNUK
- KONGIGANAK
- KOTLIK
- KWETHLUK
- KWIGILLINGOK
- LIME VILLAGE
- LOWER KALSKAG
- FORTUNA LEODE
- (MARSHALL)
- MEKORYUK
- MOUNTAIN VILLAGE
- NAPAIMUTE
- NAPAKIAK
- NAPASKIAK
- NEWTOK
- NIGHTMUTE
- NUNAPITCHUK
- NYAC
- OHOGAMIUT
- OSCARVILLE
- PILOT STATION
- PITKAS POINT
- PLATINUM
- RUSSIAN MISSION (K)
- RUSSIAN MISSION (Y)
- RED DEVIL
- SCAMMON BAY
- SHELDON'S POINT
- SLEETMUTE
- ST. MARY'S
- STONY RIVER
- TOKSOOK BAY
- TULUKSAK
- TUNTUTULIAK
- TUNUNAK
- UPPER KALSKAG

- AKIACHAK
- AKIAK
- ANIAK
- ATMAUTLUAK
- BETHEL
- CHEFORNAK
- EEL
- KALSKAG
- KASIGLUK
- KWETHLUK
- LOWER KALSKAG
- MEKORYUK
- NAPAKIAK
- NAPASKIAK
- NEWTOK
- NIGHTMUTE
- NUNAPITCHUK
- NYAC
- OSCARVILLE
- TOKSOOK BAY
- TULUKSAK
- TUNTUTULIAK
- TUNUNAK

May 18, 1978

Representative Steve Cowper
House Finance Committee

Dear Representative Cowper:

I would urge you to bring up House Bill 833 for a hearing in House Finance.

There are presently five Regional Resource Centers; Western, Bristol Bay, Southcentral, Southeast and Northwest.

The present level of funding is not adequate to demonstrate to school districts the capability of delivery services, (350,000 for five centers) and it is similar to having money to open a store but not having adequate funds to buy goods.

As you know, regional services are important in Alaska where geographic isolation limits many educational opportunities.

Thank you for giving this your attention.

Sincerely yours,

Phillip
Phillip Guy
Representative

enclosure

Steve,
as per our
conversation this
morning.
Thanks,
[Signature]

SOUTH EAST REGIONAL RESOURCE CENTER S.E.R.R.C.

127 S. FRANKLIN
JUNEAU, ALASKA 99801
(907) 586-6806

April 11, 1978

STATEWIDE REGIONAL RESOURCE CENTER

ADVISORY COMMITTEE

TO: House Finance Committee members

The attached materials provide the background materials in support of H.B. 833.

The additional appropriation request in HB 833 will augment the funding of \$350,000 presently in the Department of Education's budget for a total of \$750,000 for the next fiscal year. The attached statements and suggested budget reflect the views of the Statewide Regional Resource Center Advisory Committee and the RRC Directors.

It is our belief that the value of the Regional Resource Centers deserve special attention and it is hoped that this funding level essential to delivery of educational services will receive favorable consideration.

Advisory Committee:

Clark Glick, Chairperson (283-7644)
Orin Riffe, Member
Bob McConnell, Member
Mark Hanson, Member
Eula Ruby, D.O.E. Liaison
Margaret Farrant, Western RRC Director (276-1308)
Robert Brown, Bristol Bay RRC Director (842-5531)
John Stamm, Southcentral RRC Director (276-4524)
Art Morton, Northwest RRC Director (443-2824)
Allan Barnes, South East RRC Director (586-6806)
Shirley Rediger, Information Office (586-6806)

There are a variety of reasons to reconsider the Department of Education's budget request of \$350,000 to support Regional Resource Centers. Briefly:

1. The funding level is not adequate to demonstrate to school districts the capability of delivering educational services.
2. The Department of Education is conducting an internal assessment of educational service delivery. The Regional Resource Centers have been cited as an alternative to deliver services to districts. Through RRCs, a variety of educational services are more accessible to the consumer.
3. The original request for RRCs in 1976 was for \$800,000. The RRCs received \$400,000 creating a hardship in stabilizing a solid hard money program.
4. The fact that only four centers operated during the last fiscal year, and a fifth was organized this year with a drop from the \$400,000 to a \$300,000 funding level did create a financial hardship for the RRCs.
5. In a state with geographic isolation and ethnic diversity such as Alaska, there is a need to consider regional service efforts.
6. Currently there are five operating centers; South East, Southcentral, Northwest, Bristol Bay and Western. A sixth center may be organized in the near future. The drain on the existing \$350,000 request would create financial hardship for existing RRCs.
7. With the decentralization of S.O.S. and the creation of 21 new school districts, the demand for educational services has greatly increased. The RRCs can provide a stable source for a variety of support services.

8. The RRCs are controlled by local "Boards" representatives from each participating community; therefore, RRCs can be more responsive to local needs.
9. While securing grants and contracts may be a valid effort for RRCs, the nature of the dedicated funds and short term "soft" money aspects of competitive grants does not lend itself to a cadre or stabilized educational service delivery system. In addition, the diversity of RRC program staff can provide advantages to centers with grant-writing capability and leave other centers out of this type funding.
10. The RRC Directors and State Advisory Council recognizes the value of local district financial support as a viable funding method. In fact, it is their recommendation that over a five-year period decreased funding should occur. However, point #1 indicates a need to more fully demonstrate RRC's educational service delivery capabilities.
11. The prospect of six little DOEs being created is a valid concern. However, two issues counteract that possibility: 1) RRCs are locally controlled through Boards; and 2) RRCs are service providers and not regulatory.

\$750,000

1. Base Support \$100,000 for Center
 - Director
 - Office support (secretary, finance manager)
 - Rent
 - Travel
 - Supplies
 - Communication

2. Remaining monies distributed on average daily membership (ADM) applied toward program development and service delivery.
 - 2.1 Projections for 6 RRCs
 - 6 centers X 100,000 = \$600,000

 - ADM portion - 150,000
 - (150,000 ÷ 90,000 ADM = \$1.60 per ADM)

 - 2.2 Projection for 5 RRCs
 - Current duplication

 - 5 centers X 100,000 = 500,000
 - ADM portion - 250,000
 - (250,000 ÷ 40,000 ADM = \$6.25)

3. The \$100,000 is necessary for basic administration and operation of a center. The ADM portion is essential as an equalization factor for centers serving large numbers of students and teachers.

RESOLUTIONS COMMITTEE

November 1977

REGIONAL RESOURCE CENTERS

WHEREAS, the Regional Resource Center concept, as presently organized, has been fully operational for one year, and

WHEREAS, an additional Resource Center has become functional this year, and

WHEREAS, THE Regional Resource Centers are not presently funded at a level which provides for full and effective operation, then

THEREFORE BE IT RESOLVED, that the Association of Alaska School Boards supports the concept and encourages the State Legislature and Governor to appropriate adequate funds to operate full and effective centers.

COMMITTEE REPORT

HOUSE

5/3/78

FURTHER: _____

Date: _____

Mr. Speaker:

The Committee on FINANCE has had SSHB 833

"An Act making a special appropriation to the Dept. of Education for increased base support of regional resource centers; effective date"

under consideration and (a majority of the committee) (the committee reports it back as follows)

- 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 _____ new title same title

- AND attaches a Letter of Intent New Fiscal Note
- reports it back without recommendation
- and recommends it be referred to the _____ Committee

MEMBERS SIGNING DO PASS:

OTHER RECOMMENDATIONS:

Chairman

COMMITTEE REPORT

HOUSE

3/7/78

FURTHER: FINANCE

Date: 5-2-78

Mr. Speaker:

The Committee on HESS has had SSHB 833
"An Act making a special appropriation to the Department of Education for increased base support of regional resource centers; eff. date."

under consideration and (a majority of the committee) (~~the committee reports it back as follows~~)

~~(X)~~ recommends it do pass () recommends it do not pass

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(X) recommends it be replaced with CS for SSHB 833

and that it do pass () new title (X) same title

() AND attaches a Letter of Intent () New Fiscal Note

() reports it back without recommendation

() and recommends it be referred to the _____ Committee

MEMBERS SIGNING DO PASS:

[Signature] Do Pass
[Signature] Do Pass
[Signature] Do Pass
[Signature]

OTHER RECOMMENDATIONS:

PROPOSED: No Rec.

[Signature]
Chairman

4991
Rosenstein

Original sponsors: Nakak, Guy,
Duncan, et al

Offered: 5/3/78
Referred: Finance

1 IN THE HOUSE

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SOCIAL SERVICES COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 833

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Introduced: 3/7/78
Referred: Health, Education &
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4991
Rosenstein

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ALASKA STATE LEGISLATURE

TENTH... Legislature SECOND... Session

SPONSOR SUBSTITUTE

HOUSE BILL NO. 833

By NAKAK, GUY, DUNCAN, GARDINER, MALONE AND MEEKINS

"An Act making a special appropriation to the Department of Education for increased base support of regional resource centers; and providing for an effective date."

spec. approp. regional resources ctrs.

Introduced in the House 3-7-, 1978.

HISTORY IN THE HOUSE

19 78	Read first time and referred to Committee on										
Mar. 7	HESS and Finance										
	Reported back with recommendation that										
	Read second time and										
	Read third time and										
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	Reported correctly engrossed										
	Signed by Speaker										
	Sent to Senate										
	CHIEF CLERK OF THE HOUSE										

HISTORY IN THE SENATE

19	Read first time and referred to Committee on										
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	Reported correctly engrossed										
	Signed by President										
	Returned to House										
	SECRETARY OF THE SENATE										

HISTORY IN THE HOUSE

19	Received from Senate
	Concurred in Senate amendment thus adopting:
	Failed to concur in Senate amendment; asked Sen. to recede
	Senate receded from amendment
	Senate failed to recede from amendment
	FCC appointed by House
	FCC appointed by Senate
	FCC adopted
	To enrolling
	Reported correctly enrolled
	Sent to Governor
 by Governor
	Filed with Lt. Governor
	Chapter No.

HB 833

Resource Center



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

2/23/90
Date

Introduced: 4/14/78
Referred: Health, Education &
Social Services and Finance

BY NAKAK, FREEMAN, GARDINER,
GRUENING AND MEEKINS

1 IN THE HOUSE

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 834

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
7 ment of Transportation and Public Facilities for the
8 construction of a 26-bed youth home in Nome; and pro-
9 viding for an effective date."

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

11 * Section 1. The sum of \$800,000 is appropriated from the general fund
12 to the Department of Transportation and Public Facilities for the design and
13 construction in Nome of a facility able to house in a home style environment
14 on a long-term basis 26 youths between the ages of 12 and 17 years.

15 * Sec. 2. This Act takes effect July 1, 1978.

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COMMITTEE REPORT

HOUSE

4/24/78

FURTHER: _____

Date: _____

Mr. Speaker:

The Committee on FINANCE has had SSHB 834

"An Act making a special appropriation to the Department of Transportation & Public Facilities for the construction of a 26-bed youth home in Nome; e.d."

under consideration and (a majority of the committee) (the committee reports it back as follows)

- 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 _____ new title same title

- AND attaches a Letter of Intent New Fiscal Note
- reports it back without recommendation
- and recommends it be referred to the _____ Committee

MEMBERS SIGNING DO PASS:

OTHER RECOMMENDATIONS:

Chairman

4961
Guthrie

Introduced: 4/14/78
Referred: Health, Education &
Social Services and Finance

BY NAKAK, FREEMAN, GARDINER,
GRUENING AND MEEKINS

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8 construction of a 26-bed youth home in Nome; and pro-
9 viding for an effective date."

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

11 * Section 1. The sum of \$300,000 is appropriated from the general fund
12 to the Department of Transportation and Public Facilities for the design and
13 construction in Nome of a facility able to house in a home style environment
14 on a long-term basis 26 youths between the ages of 12 and 17 years.

15 * Sec. 2. This Act takes effect July 1, 1978.

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ALASKA STATE LEGISLATURE

TENTH Legislature SECOND Session

SPONSOR SUBSTITUTE

HOUSE BILL NO. 834

By NAKAK, FREEMAN, GARDINER, GRUENING, AND MEEKINS

"An Act making a special appropriation to the Department of Transportation and Public Facilities for the construction of a 26-bed youth home in Nome; and providing for an effective date."

26-bed youth home In Nome

Introduced in the House 4-14-19.78

HISTORY IN THE HOUSE

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Apr. 14	Reported back with recommendation that										
	Read second time and										
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PASS	Effective Date										
Yeas	Yeas										
Nays	Nays										
Absent	Absent										
Excused	Excused										
	Reconsideration										
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
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Excused	Excused										
	Reported correctly engrossed										
	Signed by President										
	Returned to House										
	SECRETARY OF THE SENATE										

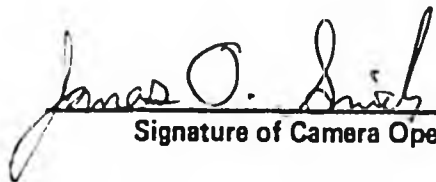
HISTORY IN THE HOUSE

19	Received from Senate
	Concurred in Senate amendment thus adopting:
	Failed to concur in Senate amendment; asked Sen. to recede
	Senate receded from amendment
	Senate failed to recede from amendment
	FCC appointed by House
	FCC appointed by Senate
	FCC adopted
	To enrolling
	Reported correctly enrolled
	Sent to Governor
 by Governor
	Filed with Lt. Governor
	Chapter No.



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

THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 835
 Title Special Appropriation to DNR for Reindeer Range Survey
 Requested by _____ Date 3/1/78

HB 835

II. FISCAL DETAIL

Agency Affected Natural Resources
 Program Category Affected Economic Development-Agriculture
 Budget Request Unit(s) Affected Administration and Support - Agriculture

EXPENDITURES (Thousands of Dollars)

	FY 78	FY 79	FY 80	FY 81	FY 82	FY 83
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL		80.0				
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		80.0				

FUNDING (Thousands of Dollars)

GENERAL FUND		80.0				
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

IV. DATE 3/1/78 PREPARED BY Patrick W. Conheady
 AGENCY Department of Natural Resources
 PHONE 465-2400

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Introduced: 2/14/78
Referred: Resources and
Finance

BY NAKAK, GARDINER, GRUENING,
HAYES, MEEKINS, MILES AND PARR

1 IN THE HOUSE

2 HOUSE BILL NO. 835

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
7 ment of Natural Resources for the continuation of the
8 Northwest area reindeer range survey; and providing for
9 an effective date."

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

11 * Section 1. The sum of \$80,000 is appropriated from the general fund to
12 the Department of Natural Resources for continuation of the reindeer range
13 grazing survey under agreement with the Northwest Reindeer Herders Associa-
14 tion.

15 * Sec. 2. The unexpended and unobligated portion of this appropriation
16 lapses into the general fund June 30, 1979.

17 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
18 070(c).

19

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21

22

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COMMITTEE REPORT

HOUSE

3/1/78

FURTHER: _____

Date: _____

Mr. Speaker:

The Committee on FINANCE has had HB 835
"An Act making a special appropriation to the Department of Natural Resources
for the continuation of the Northwest area reindeer range survey; e.d."

under consideration and (a majority of the committee) (the committee
reports it back as follows)

- 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 _____ new title same title

- AND attaches a Letter of Intent New Fiscal Note
 reports it back without recommendation
 and recommends it be referred to the _____ Committee

MEMBERS SIGNING DO PASS:

OTHER RECOMMENDATIONS:

Chairman

4992
Chenoweth

Introduced: 2/14/78
Referred: Resources and
Finance

1 IN THE HOUSE

BY NAKAK, GARDINER, GRUENING,
HAYES, MEEKINS, MILES AND BARR

2 HOUSE BILL NO. 835

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18 070(c).

ALASKA STATE LEGISLATURE

TENTH... Legislature SECOND... Session

HOUSE BILL NO. 835

By NAKAK, GARDINER, GRUENING,
HAYES, MEEKINS, MILES AND PARR

"An Act making a special appropriation to the Department of Natural Resources for the continuation of the Northwest area reindeer range survey; and providing for an effective date."

Reindeer range survey

Introduced in the House 2/14/1978, 1978

HISTORY IN THE HOUSE

19 78
Feb 14

Read first time and referred to Committee on Resources and Finance

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by Speaker
Sent to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

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PASS	Effective Date
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Reported correctly engrossed
Signed by President
Returned to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

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..... by Governor

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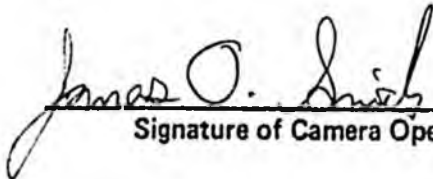
Chapter No.

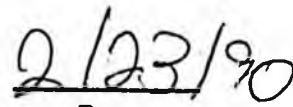


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Signature of Camera Operator


Date

COMMITTEE REPORT

HOUSE

5/8/78

FURTHER: _____

Date: 5-9-78

Mr. Speaker:

The Committee on FINANCE has had HB 837

"An Act relating to interpreters for handicapped persons in civil or criminal litigation or administrative proceedings; e.d." under consideration and (a majority of the committee) (the committee reports it back as follows)

- 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 _____ new title same title
- AND attaches a Letter of Intent New Fiscal Note
- reports it back without recommendation
- and recommends it be referred to the _____ Committee

MEMBERS SIGNING DO PASS:

OTHER RECOMMENDATIONS:

Thorne

Langston

Mackens

Stewart

Thorne

Thorne

Shor

Chairman

AMENDMENT

OFFERED IN THE HOUSE:

By: HOUSE FINANCE

To: JUDICIARY
COMMITTEE SUBSTITUTE HOUSE BILL No. 837

SENATE BILL No. _____

PAGE: 1

LINE: 20

After "witness" place a period (".") and delete
Lines 21 through 26.

Original sponsors: Meekins and Phillips

Offered: 5/8/78
Referred: Finance

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 837

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to interpreters for deaf persons in
7 civil or criminal litigation or administrative pro-
8 ceedings; and providing for an effective date."

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

10 * Section 1. AS 09.65 is amended by adding new sections to read:

11 Sec. 09.65.110. DEAF PERSONS. (a) When a witness or a party in a
12 civil or criminal proceeding is a deaf person, the court shall appoint a
13 qualified interpreter, unless the deaf person knowingly and voluntarily
14 files a statement with the court indicating that he does not desire the
15 court to appoint a qualified interpreter for him.

16 (b) The fees and expenses of an interpreter appointed under (a) of
17 this section shall be set in accordance with Rule 83 of the Rules of
18 Civil Procedure. In a criminal proceeding the state or the municipality
19 shall pay the fees and expenses of a qualified interpreter for the
20 defendant or his witness. ~~if~~

21 ~~(1) the defendant makes a verified statement and provides~~
22 ~~other information in writing under oath showing his inability to obtain~~
23 ~~a qualified interpreter, and provides any other information required by~~
24 ~~the court concerning his inability to obtain such an interpreter; and~~

25 ~~(2) it appears to the court that the defendant is without~~
26 ~~means and is unable to obtain a qualified interpreter.~~

27 (c) The party requiring the services of a qualified interpreter
28 for himself or his witness in a civil proceeding shall pay the inter-
29 preter's fees and expenses.

1 (d) As used in this section,

2 (1) "deaf person" means a person who, because he is deaf or
3 because he has a physical hearing impairment or physical speaking im-
4 pairment, cannot readily understand or communicate in the English langu-
5 age or cannot understand the proceedings;

6 (2) "qualified interpreter" means a person who is readily
7 able to communicate with the deaf person, translate the proceedings for
8 him, and accurately repeat and translate the statements of the deaf
9 person to the court.

10 * Sec. 2. AS 12.25 is amended by adding a new section to read:

11 Sec. 12.25.145. DEAF PERSONS. (a) Upon the arrest of a deaf
12 person and before interrogating or taking the statement of the deaf
13 person, the arresting officer, or when the arrest is by a private per-
14 son, the officer to whom the deaf person is delivered, shall make avail-
15 able to the deaf person, before an interrogation or the taking of a
16 statement, a qualified interpreter to assist the deaf person throughout
17 the interrogation or taking of a statement. The state or, if the arrest
18 is made by a municipality, the municipality shall pay the fees and
19 expenses of the qualified interpreter.

20 (b) As used in this section,

21 (1) "deaf person" means a person who, because he is deaf or
22 because he has a physical hearing impairment or physical speaking im-
23 pairment, cannot readily understand or communicate in the English langu-
24 age, or cannot understand the proceedings or a charge made against him,
25 or is incapable of presenting or assisting in the presentation of his
26 defense;

27 (2) "qualified interpreter" means a person who is readily
28 able to communicate with the deaf person, translate the proceedings for
29 him, and accurately repeat and translate the statements of the deaf

1 person to the officer or other person.

2 * Sec. 3. AS 44.62 is amended by adding a new section to read:

3 Sec. 44.62.635. DEAF PERSONS. (a) When a deaf person is a party
4 to a proceeding before an agency, he is entitled to a qualified inter-
5 preter to interpret the proceedings to the deaf person and to interpret
6 the testimony of the deaf person to the agency.

7 (b) Except as provided in (c) of this section, the agency shall
8 appoint the qualified interpreter for the deaf person, and the agency
9 shall fix and pay the fees and expenses of the qualified interpreter.

10 (c) If the deaf person knowingly and voluntarily files with the
11 agency a written statement that he does not desire a qualified inter-
12 preter to be appointed for him, the agency shall not appoint such an
13 interpreter for the deaf person.

14 (d) As used in this section,

15 (1) "deaf person" means a person who, because he is deaf or
16 because he has a physical hearing impairment or physical speaking im-
17 pairment, cannot readily understand or communicate the English language,
18 or cannot understand the proceedings or a charge made against him, or is
19 incapable of presenting or assisting in the presentation of his defense;

20 (2) "qualified interpreter" means a person who is readily
21 able to communicate with the deaf person, translate the proceedings for
22 him, and accurately repeat and translate the statements of the deaf
23 person to the agency.

24 * Sec. 4. This Act does not apply to arrests made or actions, suits or
25 proceedings begun before the effective date of this Act.

26 * Sec. 5. This Act takes effect July 1, 1978.
27
28
29

Introduced: 2/14/78
Referred: Judiciary and
Finance

1 IN THE HOUSE

BY MEEKINS AND PHILLIPS

2 HOUSE BILL NO. 837

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to interpreters for handicapped per-
7 sons in civil or criminal litigation or administrative
8 proceedings; and providing for an effective date."

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

10 * Section 1. AS 09.65 is amended by adding new sections to read:

11 Sec. 09.65.110. HANDICAPPED PERSON. (a) When a witness or a
12 party in a civil or criminal proceeding is a handicapped person, the
13 court shall appoint a qualified interpreter, unless the handicapped
14 person knowingly and voluntarily files a statement with the court indi-
15 cating that he does not desire the court to appoint a qualified inter-
16 preter for him.

17 (b) The fees and expenses of an interpreter appointed under (a) of
18 this section shall be set in accordance with Rule 83 of the Rules of
19 Civil Procedure. In a criminal proceeding the state or the municipality
20 shall pay the fees and expenses of a qualified interpreter for the
21 defendant or his witness if

22 (1) the defendant makes a verified statement and provides
23 other information in writing under oath showing his inability to obtain
24 a qualified interpreter, and provides any other information required by
25 the court concerning his inability to obtain such an interpreter; and

26 (2) it appears to the court that the defendant is without
27 means and is unable to obtain a qualified interpreter.

28 (c) The party requiring the services of a qualified interpreter
29 for himself or his witness in a civil proceeding shall pay the inter-

1 preter's fees and expenses.

2 (d) As used in this section,

3 (1) "handicapped person" means a person who cannot readily
4 understand or communicate in the English language or cannot understand
5 the proceedings because he is deaf or because he has a physical hearing
6 impairment or physical speaking impairment;

7 (2) "qualified interpreter" means a person who is readily
8 able to communicate with the handicapped person, translate the proceed-
9 ings for him, and accurately repeat and translate the statements of the
10 handicapped person to the court.

11 * Sec. 2. AS 12.25 is amended by adding a new section to read:

12 Sec. 12.25.145. HANDICAPPED PERSON. (a) Upon the arrest of a
13 handicapped person and before interrogating or taking the statement of
14 the handicapped person, the arresting officer, or when the arrest is by
15 a private person, the officer to whom the handicapped person is de-
16 livered, shall make available to the handicapped person, before an
17 interrogation or the taking of a statement, a qualified interpreter to
18 assist the handicapped person throughout the interrogation or taking of
19 a statement. The state or, if the arrest is made by a municipality, the
20 municipality shall pay the fees and expenses of the qualified inter-
21 preter if

22 (1) the handicapped person, after the arrest, makes a veri-
23 fied statement and provides other information in writing under oath
24 showing his inability to obtain a qualified interpreter, and provides
25 any other information required by the court having jurisdiction over the
26 offense for which the handicapped person was arrested concerning his
27 ability to obtain such an interpreter; and

28 (2) it appears to the court that the handicapped person was
29 without means and was unable to obtain a qualified interpreter.

1 (b) As used in this section,

2 (1) "handicapped person" means a person who cannot readily
3 understand or communicate in the English language, or cannot understand
4 the proceedings or a charge made against him, or is incapable of pre-
5 senting or assisting in the presentation of his defense, because he is
6 deaf or because he has a physical hearing impairment or physical speak-
7 ing impairment;

8 (2) "qualified interpreter" means a person who is readily
9 able to communicate with the handicapped person, translate the pro-
10 ceedings for him, and accurately repeat and translate the statements of
11 the handicapped person to the officer or other person.

12 * Sec. 3. AS 44.62 is amended by adding a new section to read:

13 Sec. 44.62.635. HANDICAPPED PERSON. (a) When a handicapped
14 person is a party to a proceeding before an agency, he is entitled to a
15 qualified interpreter to interpret the proceedings to the handicapped
16 person and to interpret the testimony of the handicapped person to the
17 agency.

18 (b) Except as provided in (c) of this section, the agency shall
19 appoint the qualified interpreter for the handicapped person, and the
20 agency shall fix and pay the fees and expenses of the qualified inter-
21 preter if

22 (1) the handicapped person makes a verified statement and
23 provides other information in writing under oath showing his inability
24 to obtain a qualified interpreter, and provides any other information
25 required by the agency concerning his inability to obtain such an inter-
26 preter; and

27 (2) it appears to the agency that the handicapped person is
28 without means and is unable to obtain a qualified interpreter.

29 (c) If the handicapped person knowingly and voluntarily files with

1 the agency a written statement that he does not desire a qualified
2 interpreter to be appointed for him, the agency shall not appoint such
3 an interpreter for the handicapped person.

4 (d) As used in this section,

5 (1) "handicapped person" means a person who cannot readily
6 understand or communicate the English language, or cannot understand the
7 proceedings or a charge made against him, or is incapable of presenting
8 or assisting in the presentation of his defense, because he is deaf or
9 because he has a physical hearing impairment or physical speaking im-
10 pairment;

11 (2) "qualified interpreter" means a person who is readily
12 able to communicate with the handicapped person, translate the proceed-
13 ings for him, and accurately repeat and translate the statements of the
14 handicapped person to the agency.

15 * Sec. 4. This Act does not apply to arrests made or actions, suits or
16 proceedings begun before the effective date of this Act.

17 * Sec. 5. This Act takes effect July 1, 1978.
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Original sponsors: Meekins and Phillips

Offered: 5/8/78
Referred: Finance

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 837

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to interpreters for deaf persons in
7 civil or criminal litigation or administrative pro-
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16 (b) The fees and expenses of an interpreter appointed under (a) of
17 this section shall be set in accordance with Rule 83 of the Rules of
18 Civil Procedure. In a criminal proceeding the state or the municipality
19 shall pay the fees and expenses of a qualified interpreter for the
20 defendant or his witness if

21 (1) the defendant makes a verified statement and provides
22 other information in writing under oath showing his inability to obtain
23 a qualified interpreter, and provides any other information required by
24 the court concerning his inability to obtain such an interpreter; and

25 (2) it appears to the court that the defendant is without
26 means and is unable to obtain a qualified interpreter.

27 (c) The party requiring the services of a qualified interpreter
28 for himself or his witness in a civil proceeding shall pay the inter-
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1 (d) As used in this section,

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11 Sec. 12.25.145. DEAF PERSONS. (a) Upon the arrest of a deaf
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18 is made by a municipality, the municipality shall pay the fees and
19 expenses of the qualified interpreter.

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11 agency a written statement that he does not desire a qualified inter-
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24 * Sec. 4. This Act does not apply to arrests made or actions, suits or
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Original sponsors: Meekins and Phillips

Offered: 5/8/78
Referred: Finance

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 837

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

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7 able to communicate with the deaf person, translate the proceedings for
8 him; and accurately repeat and translate the statements of the deaf
9 person to the court.

10 * Sec. 2. AS 12.25 is amended by adding a new section to read:

11 Sec. 12.25.145. DEAF PERSONS. (a) Upon the arrest of a deaf
12 person and before interrogating or taking the statement of the deaf
13 person, the arresting officer, or when the arrest is by a private per-
14 son, the officer to whom the deaf person is delivered, shall make avail-
15 able to the deaf person, before an interrogation or the taking of a
16 statement, a qualified interpreter to assist the deaf person throughout
17 the interrogation or taking of a statement. The state or, if the arrest
18 is made by a municipality, the municipality shall pay the fees and
19 expenses of the qualified interpreter.

20 (b) As used in this section,

21 (1) "deaf person" means a person who, because he is deaf or
22 because he has a physical hearing impairment or physical speaking im-
23 pairment, cannot readily understand or communicate in the English langu-
24 age, or cannot understand the proceedings or a charge made against him,
25 or is incapable of presenting or assisting in the presentation of his
26 defense;

27 (2) "qualified interpreter" means a person who is readily
28 able to communicate with the deaf person, translate the proceedings for
29 him, and accurately repeat and translate the statements of the deaf

1 person to the officer or other person.

2 * Sec. 3. AS 44.62 is amended by adding a new section to read:

3 Sec. 44.62.635. DEAF PERSONS. (a) When a deaf person is a party
4 to a proceeding before an agency, he is entitled to a qualified inter-
5 preter to interpret the proceedings to the deaf person and to interpret
6 the testimony of the deaf person to the agency.

7 (b) Except as provided in (c) of this section, the agency shall
8 appoint the qualified interpreter for the deaf person, and the agency
9 shall fix and pay the fees and expenses of the qualified interpreter.

10 (c) If the deaf person knowingly and voluntarily files with the
11 agency a written statement that he does not desire a qualified inter-
12 preter to be appointed for him, the agency shall not appoint such an
13 interpreter for the deaf person.

14 (d) As used in this section,

15 (1) "deaf person" means a person who, because he is deaf or
16 because he has a physical hearing impairment or physical speaking im-
17 pairment, cannot readily understand or communicate the English language,
18 or cannot understand the proceedings or a charge made against him, or is
19 incapable of presenting or assisting in the presentation of his defense;

20 (2) "qualified interpreter" means a person who is readily
21 able to communicate with the deaf person, translate the proceedings for
22 him, and accurately repeat and translate the statements of the deaf
23 person to the agency.

24 * Sec. 4. This Act does not apply to arrests made or actions, suits or
25 proceedings begun before the effective date of this Act.

26 * Sec. 5. This Act takes effect July 1, 1978.
27
28
29

Introduced: 2/14/78
Referred: Judiciary and
Finance

1 IN THE HOUSE

BY MEEKINS AND PHILLIPS

2 HOUSE BILL NO. 837

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to interpreters for handicapped per-
7 sons in civil or criminal litigation or administrative
8 proceedings; and providing for an effective date."

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

10 * Section 1. AS 09.65 is amended by adding new sections to read:

11 Sec. 09.65.110. HANDICAPPED PERSON. (a) When a witness or a
12 party in a civil or criminal proceeding is a handicapped person, the
13 court shall appoint a qualified interpreter, unless the handicapped
14 person knowingly and voluntarily files a statement with the court indi-
15 cating that he does not desire the court to appoint a qualified inter-
16 preter for him.

17 (b) The fees and expenses of an interpreter appointed under (a) of
18 this section shall be set in accordance with Rule 63 of the Rules of
19 Civil Procedure. In a criminal proceeding the state or the municipality
20 shall pay the fees and expenses of a qualified interpreter for the
21 defendant or his witness if

22 (1) the defendant makes a verified statement and provides
23 other information in writing under oath showing his inability to obtain
24 a qualified interpreter, and provides any other information required by
25 the court concerning his inability to obtain such an interpreter; and

26 (2) it appears to the court that the defendant is without
27 means and is unable to obtain a qualified interpreter.

28 (c) The party requiring the services of a qualified interpreter
29 for himself or his witness in a civil proceeding shall pay the inter-

1 preter's fees and expenses.

2 (d) As used in this section,

3 (1) "handicapped person" means a person who cannot readily
4 understand or communicate in the English language or cannot understand
5 the proceedings because he is deaf or because he has a physical hearing
6 impairment or physical speaking impairment;

7 (2) "qualified interpreter" means a person who is readily
8 able to communicate with the handicapped person, translate the proceed-
9 ings for him, and accurately repeat and translate the statements of the
10 handicapped person to the court.

11 * Sec. 2. AS 12.25 is amended by adding a new section to read:

12 Sec. 12.25.145. HANDICAPPED PERSON. (a) Upon the arrest of a
13 handicapped person and before interrogating or taking the statement of
14 the handicapped person, the arresting officer, or when the arrest is by
15 a private person, the officer to whom the handicapped person is de-
16 livered, shall make available to the handicapped person, before an
17 interrogation or the taking of a statement, a qualified interpreter to
18 assist the handicapped person throughout the interrogation or taking of
19 a statement. The state or, if the arrest is made by a municipality, the
20 municipality shall pay the fees and expenses of the qualified inter-
21 preter if

22 (1) the handicapped person, after the arrest, makes a veri-
23 fied statement and provides other information in writing under oath
24 showing his inability to obtain a qualified interpreter, and provides
25 any other information required by the court having jurisdiction over the
26 offense for which the handicapped person was arrested concerning his
27 ability to obtain such an interpreter; and

28 (2) it appears to the court that the handicapped person was
29 without means and was unable to obtain a qualified interpreter.

1 (b) As used in this section,

2 (1) "handicapped person" means a person who cannot readily
3 understand or communicate in the English language, or cannot understand
4 the proceedings or a charge made against him, or is incapable of pre-
5 senting or assisting in the presentation of his defense, because he is
6 deaf or because he has a physical hearing impairment or physical speak-
7 ing impairment;

8 (2) "qualified interpreter" means a person who is readily
9 able to communicate with the handicapped person, translate the pro-
10 ceedings for him, and accurately repeat and translate the statements of
11 the handicapped person to the officer or other person.

12 * Sec. 3. AS 44.62 is amended by adding a new section to read:

13 Sec. 44.62.635. HANDICAPPED PERSON. (a) When a handicapped
14 person is a party to a proceeding before an agency, he is entitled to a
15 qualified interpreter to interpret the proceedings to the handicapped
16 person and to interpret the testimony of the handicapped person to the
17 agency.

18 (b) Except as provided in (c) of this section, the agency shall
19 appoint the qualified interpreter for the handicapped person, and the
20 agency shall fix and pay the fees and expenses of the qualified inter-
21 preter if

22 (1) the handicapped person makes a verified statement and
23 provides other information in writing under oath showing his inability
24 to obtain a qualified interpreter, and provides any other information
25 required by the agency concerning his inability to obtain such an inter-
26 preter; and

27 (2) it appears to the agency that the handicapped person is
28 without means and is unable to obtain a qualified interpreter.

29 (c) If the handicapped person knowingly and voluntarily files with

1 the agency a written statement that he does not desire a qualified
2 interpreter to be appointed for him, the agency shall not appoint such
3 an interpreter for the handicapped person.

4 (d) As used in this section,

5 (1) "handicapped person" means a person who cannot readily
6 understand or communicate the English language, or cannot understand the
7 proceedings or a charge made against him, or is incapable of presenting
8 or assisting in the presentation of his defense, because he is deaf or
9 because he has a physical hearing impairment or physical speaking im-
10 pairment;

11 (2) "qualified interpreter" means a person who is readily
12 able to communicate with the handicapped person, translate the proceed-
13 ings for him, and accurately repeat and translate the statements of the
14 handicapped person to the agency.

15 * Sec. 4. This Act does not apply to arrests made or actions, suits or
16 proceedings begun before the effective date of this Act.

17 * Sec. 5. This Act takes effect July 1, 1978.

STATE OF ALASKA
THE LEGISLATURE

POUCH 7 - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3810


LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

May 5, 1978

SUBJECT: CSHB 837; interpreters for the deaf/handicapped

TO: Representative Terry Gardiner
Chairman, House Judiciary Committee

FROM: Richard A. Bradley 
Legislative Counsel

I have prepared the committee substitute as requested by the committee for HB 837, a bill providing interpreter's for the handicapped.

I have reservations about the substitution of "deaf" for "handicapped." While as a matter of legislative style, it is legally possible and very likely effective to define, for example, apples to include oranges, the better rule is avoid such usages and rather define a term that actually encompasses all intended members of the class addressed in the legislation.

In HB 837, note that the former defined term "handicapped person" includes the deaf as well as those with a "physical hearing impairment" [the hard of hearing] and those with a "physical speaking impairment" [the mute]. While the mute person may be mute because he cannot hear, he may also be mute because of a "physical speaking impairment" not affecting his hearing, particularly if the problem is not congenital.

In my view, the use of "handicapped person" in HB 837 is clearer and more effective.

Because I had discussed this issue with Representative Meekins, I am providing him with a copy of this memorandum.

RAB:jpd

cc: Representative Russ Meekins, Jr. ✓

A M E N D M E N T

OFFERED IN THE HOUSE:
JUDICIARY

BY: HOUSE FINANCE

TO: COMMITTEE SUBSTITUTE HOUSE BILL No. 837

SENATE BILL No. _____

PAGE: 1

LINE: 20

After "witness" place a period (".") and delete
Lines 21 through 26.



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. Irish
Signature of Camera Operator

2/23/90
Date

COMMITTEE REPORT

4/17/78

HOUSE

FURTHER: _____

Date: 4/17/78

Mr. Speaker:

The Committee on FINANCE has had HR 238

"An Act relating to the North Slope Haul Road."
under consideration and (a majority of the committee) (the committee reports it back as follows)

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 238

and same title () new title () same title

() AND attaches a Letter of Intent () New Fiscal Note

() reports it back without recommendation

() and recommends it be referred to the _____ Committee

MEMBERS SIGNING DO PASS:

OTHER RECOMMENDATIONS:

[Signature]
Chairman

THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for HB-838
 Title North Slope Road FY 79 Oct. thru June (contract forces)
 Requested by J.H. Hogan Date May 10, 1978

II. FISCAL DETAIL

Agency Affected Department of Transportation and Public Facilities
 Program Category Affected Transportation, General Government
 Budget Request Unit(s) Affected DOT/PF Interior Region Maint. & Operations
Highways, Buildings and Communications

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES			412.9			
200 TRAVEL			56.4			
300 CONTRACTUAL			5756.5			
400 COMMODITIES			733.0			
500 EQUIPMENT			338.8			
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL			7297.6			

FUNDING (Thousands of Dollars)

GENERAL FUND			7297.6			
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME			9			
PART TIME						
TEMPORARY						

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

1. This note does not include working capital fund, Fish and Game Environmental conservation and Public Safety.
2. It is assumed that the monies needed to maintain the road by State Force is the upper limit on awarding contract.
3. All camp facilities will be maintained and built by the State and used by the contractor.

IV. DATE May 10, 1978 PREPARED BY James F. O'Sullivan
 AGENCY Department of Transportation & Public Facilities
 PHONE 465-3910
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CS for HB-838
 Title North Slope Road FY 79 October thru June (State Forces)
 Requested by J. Hogan Date May 10, 1978

II. FISCAL DETAIL
 Agency Affected Department of Transportation and Public Facilities
 Program Category Affected Transportation & General Government
 Budget Request Unit(s) Affected DOT/PF Interior Highways, Maint. & Operations
Buildings, Communications

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES			2645.4			
200 TRAVEL			983.9			
300 CONTRACTUAL			2172.2			
400 COMMODITIES			1052.8			
500 EQUIPMENT			348.4			
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL			7202.7			

FUNDING (Thousands of Dollars)

GENERAL FUND			7202.7			
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME			46			
PART TIME			9			
TEMPORARY						

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

1. This note does not include the working capital fund Fish and Game, environmental conservation, and Public Safety.
2. This note is for the work to be done by State force. (see attached note for contract forces).
3. And additional 209,529 would be required in the CIP budget for equipment to fund additional peices needed for winter maintenance.

IV. DATE May 10, 1978 PREPARED BY James F. O'Sullivan
 AGENCY Department of Transportation & Public Facilities
 Original: Legislative Finance PHONE 465-3910
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Original sponsors: Parr, Beirne,
Bennett, et al

Offered: 6/10/78
Referred: Finance

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 838

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the North Slope Road."

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

8 * Section 1. AS 19.10 is amended by adding a new section to read:

9 Sec. 19.10.105. NORTH SLOPE ROAD. (a) The North Slope Road is
10 designated part of the state highway system, effective on the date of
11 transfer to the state under terms of the contract between the Alyeska
12 Pipeline Service Company and the state.

13 (b) The department may not give preferential access to the North
14 Slope Road to any group of users. Whenever the highway is open, it
15 shall be open to the general public in the same manner as any other
16 state highway.

17 (c) The department shall maintain the highway for use by the
18 general public for 12 months each year.

19 (d) In the event of conflict between this section and other por-
20 tions of this title, the provisions of this section shall govern.

21 (e) The appropriate departments shall conduct immediately an
22 impact study to determine the need for public protection of fish and
23 game resources and the security of the Trans-Alaska Oil Pipeline.

24 * Sec. 2. AS 38.05.035(a) is amended by adding a new paragraph to read:

25 (15) classify and make available for disposition under state
26 law land of the state along the North Slope Road which may, in the
27 director's judgment, be necessary to serve the traveling public; pending
28 classification, the director shall issue temporary-use permits for no
29 more than a 10-year period, with subsequent renewals for 10-year terms.

1 to applicants who agree to provide necessary services for the traveling
2 public; the director, with the approval of the commissioner, shall
3 determine the land to be made available under this paragraph and the
4 limitations, conditions, and terms of the permit; the permits shall be
5 offered at public auction to the highest bidder; after classification, a
6 permit holder has the rights granted under the permit and the right to
7 meet the highest bid offered at the first disposal of the land subject
8 to the permit after the expiration of the permit.

9 * Sec. 3. AS 44.33.020 is amended by adding a new paragraph to read:

10 (22) assist persons wishing to provide services to travelers
11 on the North Slope Road in obtaining the use of existing facilities and
12 the creation of new facilities.

13 * Sec. 4. AS 16.05.920 is amended by adding a new subsection to read:

14 (c) Mechanical vehicles may not be operated off the right-of-way
15 of the North Slope Road north of the Yukon River Bridge except as pro-
16 vided under federal or state law. No person may hunt within five miles
17 of the right-of-way of the North Slope Road north of the Yukon River
18 Bridge. Sport fishing from the right-of-way of the North Slope Road
19 north of the Yukon River Bridge may be permitted under regulation of the
20 Board of Fisheries.

21 * Sec. 5. AS 19.25 is amended by adding a new section to read:

22 ARTICLE 5. MAINTENANCE OF NORTH SLOPE ROAD.

23 Sec. 19.25.270. MAINTENANCE OF NORTH SLOPE ROAD. (a) It shall be
24 the general policy of the department to maintain the North Slope Road
25 under bid contract.

26 (b) The procedures of the department established under AS 19.10.-
27 170 - 19.10.250 shall be utilized in any maintenance of the North Slope
28 Road.

29 (c) If no satisfactory bid is received, the department is respon-

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sible for maintenance for the period specified in AS 19.10.105(c).

Original sponsors: Parr, Beirne,
Bennett, et al

Offered: 6/10/78
Referred: Finance

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 838

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

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11 transfer to the state under terms of the contract between the Alyeska
12 Pipeline Service Company and the state.

13 (b) The department may not give preferential access to the North
14 Slope Road to any group of users. Whenever the highway is open, it
15 shall be open to the general public in the same manner as any other
16 state highway.

17 (c) The department shall maintain the highway for use by the
18 general public for 12 months each year.

19 (d) In the event of conflict between this section and other por-
20 tions of this title, the provisions of this section shall govern.

21 (e) The appropriate departments shall conduct immediately an
22 impact study to determine the need for public protection of fish and
23 game resources and the security of the Trans-Alaska Oil Pipeline.

24 * Sec. 2. AS 38.05.035(a) is amended by adding a new paragraph to read:

25 (15) classify and make available for disposition under state
26 law land of the state along the North Slope Road which may, in the
27 director's judgment, be necessary to serve the traveling public; pending
28 classification, the director shall issue temporary-use permits for no
29 more than a 10-year period, with subsequent renewals for 10-year terms,

1 to applicants who agree to provide necessary services for the traveling
2 public; the director, with the approval of the commissioner, shall
3 determine the land to be made available under this paragraph and the
4 limitations, conditions, and terms of the permit; the permits shall be
5 offered at public auction to the highest bidder; after classification, a
6 permit holder has the rights granted under the permit and the right to
7 meet the highest bid offered at the first disposal of the land subject
8 to the permit after the expiration of the permit.

9 * Sec. 3. AS 44.33.020 is amended by adding a new paragraph to read:

10 (22) assist persons wishing to provide services to travelers
11 on the North Slope Road in obtaining the use of existing facilities and
12 the creation of new facilities.

13 * Sec. 4. AS 16.05.920 is amended by adding a new subsection to read:

14 (c) Mechanical vehicles may not be operated off the right-of-way
15 of the North Slope Road north of the Yukon River Bridge except as pro-
16 vided under federal or state law. No person may hunt within five miles
17 of the right-of-way of the North Slope Road north of the Yukon River
18 Bridge. Sport fishing from the right-of-way of the North Slope Road
19 north of the Yukon River Bridge may be permitted under regulation of the
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24 the general policy of the department to maintain the North Slope Road
25 under bid contract.

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27 170 - 19.10.250 shall be utilized in any maintenance of the North Slope
28 Road.

29 (c) If no satisfactory bid is received, the department is respon-

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sible for maintenance for the period specified in AS 19.10.105(c).

BY PARR, BEIRNE, BENNETT, BRADLEY,
BROWN, CARPENTER, CHATTERTON,
COWPER, DANKWORTH, FREEMAN,
GRUENING, HAYES, LETHIN, MALONE,
MEEKINS, SNIDER, SWANSON AND
URION

1 IN THE HOUSE

2 HOUSE BILL NO. 838

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the North Slope Haul Road."

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

8 * Section 1. AS 19.10 is amended by adding a new section to read:

9 Sec. 19.10.105. NORTH SLOPE HAUL ROAD. (a) The North Slope Haul
10 Road is designated part of the state highway system, effective on the
11 date of transfer to the state under terms of the contract between the
12 Alyeska Pipeline Service Company and the state.

13 (b) The department may not give preferential access to the North
14 Slope Haul Road to any group of users. Whenever the highway is open, it
15 shall be open to the general public.

16 (c) As a minimum the department shall maintain the highway for use
17 by the general public from May 1 to September 30 of each year. The
18 department may enter into agreements with users of the highway for its
19 maintenance for the period from October 1 to April 30, but these agree-
20 ments may not limit use of the highway by the general public.

21 (d) In the event of conflict between this section and other por-
22 tions of this title, the provisions of this section shall govern.

23 * Sec. 2. AS 38.05.035(a) is amended by adding a new paragraph to read:

24 (15) classify and make available for disposition under state
25 law land of the state along the North Slope Haul Road which may, in the
26 director's judgment, be necessary to serve the traveling public; pending
27 classification, the director shall issue temporary-use permits for no
28 more than a five-year period, with one renewal for a five year term, to
29 applicants who agree to provide necessary services for the traveling

1 public; the director, with the approval of the commissioner, shall
2 determine the land to be made available under this paragraph and the
3 limitations, conditions, and terms of the permit; the permits shall be
4 offered at public auction to the highest bidder; after classification,
5 a permit holder has the rights granted under the permit and the right
6 to meet the highest bid offered at the first disposal of the land
7 subject to the permit after the expiration of the permit.

8 * Sec. 3. AS 44.33.020 is amended by adding a new paragraph to read:

9 (22) assist persons wishing to provide services to travelers
10 on the North Slope Haul Road in obtaining the use of existing facilities
11 and the creation of new facilities.
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CHARLIE PARR

ALASKA LEGISLATURE

S. R. Box 50599
Fairbanks, Alaska 99701
456-5029

Pouch V
Juneau, Alaska 99811
465-3797

May 23, 1978

The Honorable Steve Cowper
Chairman, House Finance Committee
Alaska State House of Representatives
Pouch "V"
Juneau, Alaska 99811

Dear Steve:

I have received a copy of a letter to you from Ms. Frances A. Ulmer, Director, Division of Policy Development and Planning, Office of the Governor, dated May 19, 1978. Apparently all other legislators received copies. Ms. Ulmer's letter deals with what she calls "some serious deficiencies" in CSHB 838 which is the enabling legislation for the North Slope Haul Road. I should like to reply to some of the issues she raises.

Frankly, the first objections-to the section which requires that the North Slope Road be open for twelve months each year for all users-are quibbles. The intent of this section of the bill is quite simply to prevent the Governor from limiting the use of the road to certain specified groups, as he has indicated a number of times is his plan. I was a member of the Special Committee which considered the Haul Road and introduced legislation, and to the best of my knowledge at no time did anyone interpret this section to forbid closing the road in an emergency for safety purposes. The section would, I hope, stop the Governor from closing it to all vehicles other than buses and Alyeska and Northwest Alaskan trucks. One can only wonder why none of the previous administration representatives who testified before the Special Committee or the State Affairs Committee raised these objections.

Ms. Ulmer would also like "North Slope Road" defined. It can easily be defined as that section from the North bank of the Yukon to Prudhoe Bay. (One should note that her own division must have understood it when the division published a two-volume, 264-page study on the road in December 1977.)

She says that the legislation would require that "the Department of Transportation treat this road differently from any other." The legislation is necessary precisely because the Governor has made it clear that he intends to treat the haul road differently. If there is any assurance that the road would be treated as are the Taylor, the Denali and the Richardson Highways, there would be no need for the legislation.

Honorable Steve Cowper
Chairman, House Finance Committee
May 23, 1978
Page - 2 -

The letter makes a big point of the fact that the State controls only two hundred feet of right of way through the BLM corridor. This is a fact which is known to everyone and has been known to everyone for a long long time. The writer does mention state lands which are within the corridor but does not specify why none of these can be made available. She does not explain why the State, which is applying to BLM for six or seven maintenance facility sites, could not also apply for tourist facility sites, and ignores the 88 material sites, some of which might be used. Further, although she points out the planning and zoning jurisdiction of the North Slope Borough, she does not point out that on state facilities the Governor has the authority, if he chooses to use it, to override a planning and zoning decision by a municipality.

Section 4 of the bill, which was added in the State Affairs Committee, is attacked because of alleged vagueness and because of conflict with the jurisdiction of the Board of Game. Everyone is familiar with the flip-flop done by the Board of Game at its Spring meeting in Fairbanks, on the subject of hunting within five miles of the Road. An emergency regulation had been in effect during the use of the road by Alyeska and it was expected that this would be converted into a standard regulation by the Board. In fact, the Board killed the regulation and then reversed itself and reinstated it. This section of the bill could be removed without doing any damage.

It might be pointed out to DPDP and others who have objected so strongly to the North Slope Road because of "environmental considerations", that the prohibition of off-road vehicle use was designed to meet their concerns.

The rest of the letter repeats the old, old arguments which were hashed over again and again as the Special Committee considered this matter and before it made its decision to introduce a bill. One notes that this same old argument about "no facilities" is advanced. None of the persons who raise this argument seem to remember that the Alcan was in use before these "facilities" were in place.

DPDP is concerned about Northwest Alaskan Pipeline's need for the road for gasline construction. Unless plans have changed, the gasline will turn the corner at Fairbanks and go to the Yukon border, following generally the route of the Alcan. Commissioner Harris of DOT, in response to a direct question, said that the department did not intend to close the Alcan when work on that part of the gasline is going on. One wonders why there is such a great difference between the North Slope road and the Alcan as regards the gas pipeline.

Honorable Steve Cowper
Chairman, House Finance Committee
May 23, 1978
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I do not know why the Division of Policy Development and Planning found it necessary, at this late date, to write you a letter incorporating all of the old worn out arguments against opening the North Slope Hall Road. The only assumption I can make is that the letter is not directed to you as much as to all the other members of the legislature, that it is an attempt to lobby legislators against approval of CSHB 879. Perhaps those legislators who were not present during the hearings of the Special Committee might wish to discuss with committee members the reasons for the committee's recommendations.

Sincerely



Charles H. Parr

CHP:sg

cc: Ms. Frances A. Ulmer
All legislators

STATE OF ALASKA

JAY S. HAMMOND, Governor

OFFICE OF THE GOVERNOR

DIVISION OF POLICY DEVELOPMENT AND PLANNING

Phone 465-3512

Pouch AD - Juneau 99811

May 19, 1978

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

Dear Mr. Cowper:

I would like to bring to your attention some serious deficiencies in CSHB 838 "An Act relating to the North Slope Road".

Section 1 creates a new section, AS 19.10.105, which requires the state to maintain the North Slope Road for 12 months each year for any and all users. There are three problems with this section.

(1) Subsection (b) of AS 19.10.105 precludes "preferential access . . . to any group of users" and requires that the road must be open to all if it is open to any. This provision eliminates the Commissioner's existing authority to close the road for the safety or welfare of drivers. It would preclude, for example, closures to all but emergency vehicles necessary for oil spills, explosions, etc. Unlike any other road in the state highway system, restrictions on the basis of vehicle type will be precluded.

(2) Subsection (c) requires that the road be maintained "for use by the general public for 12 months each year". As indicated above, other roads can be closed when necessary for the safety and welfare of the public (avalanches, mud slides, earthquakes, washouts, ice conditions, etc.). This section would remove the Commissioner's authority to do so, regardless of the conditions, because it must be maintained for use "12 months each year."

Numerous factors exist which justify preferential access for certain types of users under certain circumstances for this road more than any other not less. Just to mention a few: (1) unavailability of any facilities for the public, (2) environmental impact to the region, (3) level of maintenance required for different types of users, (4) security problems associated with the Alyeska Pipeline, (5) safety of drivers.

The Honorable Steve Cowper
May 19, 1978
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(3) "North Slope Road" is not defined. Is it the road north of Fairbanks, the Yukon River Bridge or some other demarcation? That is a significant problem in light of the fact that this section would require that the Department of Transportation treat this road differently from any other, as discussed above.

Section 2 of CSHB 838 requires the Department of Natural Resources to "make available...land of the state along the North Slope Road for necessary facilities." The department cannot make available that which does not exist. The road is within a federal corridor which is under the jurisdiction of the Bureau of Land Management, Department of Interior. * The state's ability to make land available is restricted to 100 feet on either side of the centerline (which is enough for the road, shoulders and drainage, but not for the construction of facilities). Although there is some possibility that the D-2 bill may make some of the federal land in the corridor state land in the future that transfer will not make land available for facilities before October, 1978. That portion of the corridor which is within the jurisdiction of the North Slope Borough's planning and zoning authorities may or may not be available for facilities for the public, inasmuch as the Borough has indicated its opposition to unrestricted public use and has zoned the area for industrial use.

Section 4 of the bill adds a new subsection to Title 16, changing current law in three ways.

(1) The first sentence prohibits the operation of a "mechanical vehicle off of the right-of-way of the North Slope Road north of the Yukon River Bridge." Several questions are raised by this new prohibition: anywhere in Alaska north of the bridge, regardless of how far from the road? by any person, including state personnel (state troopers, medical aides, pipeline surveillance officials)? does the prohibition apply regardless of whether the land is state or federal, public or private? Currently BLM controls what kinds of vehicles can be used on BLM land, under what circumstances and by whom. Does this prohibition attempt to supersede federal regulatory control? Can it?

(2) The second sentence precludes hunting north of the bridge within five miles of the road. Current law confers to the Board of Game the authority to regulate hunting. The Board has closed the area to big game hunting by emergency regulation. Is it the purpose of this sentence to remove the Board's authority or to annul the existing regulation? What about subsistence hunting within the area?

* State land which is within the corridor: airport leases at Galbraith, Prospect, Dietrich; 160 acres at Tatalina River, south of the Yukon; some land at Prudhoe Bay.

The Honorable Steve Cowper
May 19, 1978
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(3) The third sentence provides that sport fishing "may be permitted under regulation of the Board of Fisheries" north of the bridge. As with the mechanical vehicle restriction, there is no area limitation (five miles or five hundred) so it appears to apply anywhere north of the bridge. However, it is unclear what this sentence actually means, as the Board already has this authority, not only for sport fishing, but commercial and subsistence fishing, as well. Does this sentence in any way change existing authority of the Board over any kind of fishing "north of the bridge?"

Section 5 of the bill mandates a policy to maintain the road "under bid contract". However, if no "satisfactory bid is received," the department "is responsible for maintenance for the period specified in AS 19.10.105(c)." My principal objection to this section is its vagueness. What is a "satisfactory bid" (cost effective? technically adequate? a favorite bidder)? Why reference the period specified in AS 19.10.105(c)?

In closing, I want to emphasize the practical problems associated with the requirement of CSHB 838 that the road be opened to all users this fall. No facilities currently exist for public users of the road: no gas stations, restaurants, motels, telephones or medical facilities. The land which would be necessary for these facilities is primarily controlled by BLM; BLM has begun a public-involved land planning process to decide how that land should be classified. Secretary of Interior Cecil Andrus has indicated his preference that the road be restricted to industrial users until the end of gasline construction. But, even if some BLM land is made available, it would not be available soon enough for construction of facilities which the public could use during 1978 and perhaps not even during 1979. In spite of the total lack of essential facilities, the public will be on the road in October if CSHB 838 passes. I ask you to consider the grossly expanded liability of the state to road users under these conditions. Please also consider the potentially expanding costs to the state if these facilities for the public are to be provided by the state (for the sake of safety or timeliness or to reduce liability).


There are countless reasons why the Legislature should resist an unrestricted opening of the road to the general public this fall, including Alyeska's concern for pipeline security, Northwest Pipeline's need for the road for gasline construction (the road itself will be used in some location as a work pad for laying pipe), and the many reasons indicated by the groups which have testified in opposition to unrestricted public use of the road: Federal State Land Use Planning Commission, Tanana Chiefs Conference, Doyon, Arctic Slope, North Slope Borough, Alyeska, Northwest Pipeline Company, many conservation organizations, Alaska Transportation Planning Council, Hinto, Bettles, Rampart, Stevens Village, Allakaket/Alatna, plus many more.

The Honorable Steve Cowper
May 19, 1978
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Please take a moment to review the attached "Haul Road Fact Sheet" which in outline form reviews all of the basic facts which were published in a report by the Division in December, 1977: "North Slope Haul Road: An Analysis of the Issues."

Thank you for your consideration of these comments.

Sincerely,



Frances A. Ulmer
Director

Attachment

cc: all Legislators
all Commissioners

HAUL ROAD FACT SHEET

1. Governor's Haul Road Position

- a. Haul Road will become a state highway come October of this year.
- b. Road usage will be limited to industrial activities, at least until completion of gas pipeline.
- c. Road will be closed to private autos during this period (i.e., not limiting industrial/resource development - just private autos initially).
- d. Bus operations will be permitted (see below for FHWA/DOT position).
- e. State will provide public recreational facilities on the north side of the Yukon River. The public is, and will still be able to drive to north of the bridge.
- f. The state will maintain the road for industrial users on a year-round basis.
- g. The state has been looking into ways to have the major industrial users of the road share in its maintenance costs.
- h. The state has been investigating possible "user charges" for what will be essentially exclusive use of the road (see FHWA/DOT position).
- i. The Commissioner of DOT/PF now has broad powers to control use of the road to protect the health, safety and welfare of the general public.
- j. The citizen's Alaska Transportation Planning Council will be used to provide policy guidance on future road use.

2. Adjacent Lands

- a. State responsibility (through DOI grant) limited to 100' on either side of ROW centerline. No development totally possible within the ROW.
- b. BLM has ultimate responsibility for use and management of adjacent lands--facilities (state and private), lateral roads, development, permits, etc.
- c. BLM, State, North Slope Borough and North Star Borough working together to develop a management plan for uses of corridor lands. Completion date - September - October 1978.

- d. Governor and BLM will shortly be signing a Memorandum of Understanding for the joint planning of public lands in Alaska.
- e. Planning and zoning authority is statutorily delegated to the North Slope Borough (north of Atigun Pass), the state (except for overriding reasons) shall comply with local ordinances and regulations.
- f. North Slope Borough's new zoning ordinance restricts uses to maintenance, emergency and service facilities necessary for road upkeep. All other uses conditional, requiring a Borough permit.

3. Haul Road Costs

a. <u>COST FACTORS (In Millions of Dollars)</u>			
	<u>Operating Costs</u>	<u>Capital Costs</u>	Total
Restricted Use			
Year-Round			
FY 79	\$7.3	\$12.7	20.0
FY 80	9.2	-	9.2
Restricted Use			
Summer Only			
FY 79	5.7	12.2	17.9
FY 80	5.8	-	5.8
Public			
Year-Round			
FY 79	7.9	13.0	20.9
FY 80	9.8	-	9.8
Public			
Summer Only			
FY 79	6.1	12.7	18.8
FY 80	6.7	-	6.7

Examples

- General public access (year-round) increases operating costs between \$600.000 - \$800.0000 annually (mainly public safety, fish and wildlife protection, environmental monitoring).
- Year-round maintenance, as opposed to seasonal, increases operating costs by approximately \$1 MM - \$3 MM annually.

- b. Greatest operating expenditure option - unrestricted year-round maintenance (\$9.8 MM in FY 80) is approximately 70 percent higher (\$4.0 MM annually) than the lowest cost option - restricted use, summer only (\$5.8 MM in FY 80).
- c. Unrestricted year-round - opening could increase the total annual maintenance budget of the state highway system by approximately 20 percent.
- d. Note: Capital cost figures do not include provision for public facilities (rest stops, gas stations, lodges, restaurants).
- e. Needed for start-up by October 78 (no matter which use option is decided upon), FY 78 special capital appropriation of approximately \$12.2 MM.

4. Impacts of Private Auto Access

- a. Increases environmental pressures affecting streams, fish and wildlife, tundra, waste disposal, etc.
- b. Integrity of oil pipeline becomes of critical concern.
- c. Conflict with construction of gas pipeline (road = work pad at certain locations) is certain.
- d. Safety--no facilities for the general public.
- e. Note: no impact however on resource development in northern Alaska by restricting private autos--those uses would be permissible.

5. Land Manager's Position

- a. Department of the Interior (Andrus) - restrict to industrial use.
- b. North Slope Borough - restrict to industrial use.
- c. Administration - restrict to industrial use.

6. Public Opinion

- a. Opposing unrestricted public access (in addition to all the land managers) - Alaska Transportation Planning Council, Alaska Growth Policy Council, F-SLUPC, Tanana Chiefs Conference, Doyon Corporation, all the conservation organizations, Northwest Pipeline, Alyeska, BP, Exxon, villages of Minto, Rampart, Stevens Village, Evansville, Bettles, Allakaket/Alatna.

- b. Supporting general public use - Alaska Truckers Assoc., Alaska Visitor's Assoc., Alaska Chapter - Assoc. of General Contractors of America, Anchorage and Fairbanks Chambers of Commerce, ARCO, Fairbanks Industrial Development Corp., Valdez.
- c. Dittman poll (Nov. 77 - Jan. 78): don't open Haul Road - statewide - 23 percent, Fairbanks - 24 percent, Anchorage - 21 percent.

7. User Fees

- a. Dittman poll: support for user fees - statewide - 56 percent, Fairbanks - 45 percent, Anchorage - 64 percent, union and non-union members - 57 percent.
- b. Also supporting some form of "user pay program" - Alaska Visitor's Association (industrial reimbursement for state winter maintenance), Anchorage Chamber of Commerce, Growth Policy and Transportation Planning Councils, North Slope Borough, conservation organizations.

8. FHWA/DOT Position

- a. No direct tolls acceptable, but, some form of "user charge" would be acceptable.
- b. Bus service would satisfy the public access provisions of the highway on the Federal-aid system.
- c. There are indications from DOT/FHWA that the above two actions would be O.K., at least during gas pipeline construction, without necessitating state repurchase of the road north of the Bridge or loss of FAS status.
- d. FHWA states, "we expect the state to impose certain restrictions on general public access."

9. Bus Service

- a. In January, the Division of Tourism sent out a letter to all the surface transportation carriers in Alaska (plus the AVA and ATC) informing them of the Governor's policy in support of a Haul Road bus service.
- b. Both the Arctic Slope Native Corporation (in conjunction with the North Slope Borough) and Westours (out of Seattle) have filed with the Alaska Transportation Commission to provide a bus service along the road.

- c. Private operators will have to make arrangements for facilities with BLM, Alyeska, Northwest, Prudhoe Bay owners and operators.

10. Facilities

- a. BLM-state-Alyeska-Northwest negotiating for use of existing facilities. State has identified seven specific camps and three airports needed for joint Departments of Transportation, Public Safety, and Fish and Game activities. Many will need major renovation and/or reconstruction.
- b. State budget does not include, however, accommodations to support private autos--service stations, rest stops, restaurants, lodging. Private sector responsibility - BLM land. Preferential sites being developed by joint state-federal-local corridor management planning effort.

11. Regulations In Effect

- a. Hunting - closed to big game hunting - five miles either side of TAPS.
- b. Sport fishing - closed to sport fishing - five miles either side of TAPS.
- c. Subsistence fishing - all waters between the Kalubik River and Bullen Point (Prudhoe Bay area).
- d. Commercial fishing - closed in the Yukon drainage except for Yukon River and a portion of the Tanana River.
- e. ORV use - BLM responsibility.

THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for HB-838
 Title North Slope Road FY 79 Oct. thru June (contract forces)
 Requested by J.H. Hogan Date May 10, 1978

II. FISCAL DETAIL

Agency Affected Department of Transportation and Public Facilities
 Program Category Affected Transportation, General Government
 Budget Request Unit(s) Affected DOT/PP Interior Region Maint. & Operations
Highways, Buildings and Communications

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES			412.9			
200 TRAVEL			56.4			
300 CONTRACTUAL			5756.5			
400 COMMODITIES			733.0			
500 EQUIPMENT			338.8			
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL			7297.6			

FUNDING (Thousands of Dollars)

GENERAL FUND			7297.6			
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME			9			
PART TIME						
TEMPORARY						

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

1. This note does not include working capital fund, Fish and Game Environmental conservation and Public Safety.
2. It is assumed that the monies needed to maintain the road by State Force is the upper limit on awarding contract.
3. All camp facilities will be maintained and built by the State and used by the contractor.

IV. DATE May 10, 1978 PREPARED BY James E. O'Sullivan
 AGENCY Department of Transportation & Public Facilities
 PHONE 465-3910
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Juneau Telephone number: 465-3850

TO: Steve Cowper, Chairman House Finance Committee
Juneau, Alaska

FROM: Herb Bartel, Planning Director
North Slope Borough

We understand that your committee is holding hearings on HB 838, a bill designed to open the Haul Road to use by the general public for 12 months each year. The North Slope Borough is strongly opposed to such a bill, as you will note in the attached copy of testimony delivered by Borough Mayor Eben Hopson before the Special Joint Senate/House Legislative Committee on the Haul Road on March 9, 1978. We would urge each member of your committee to read Mayor Hopson's testimony and give it their most careful consideration. It is difficult to understand how the State Legislature could respond unfavorably to the factual, economic, environmental and cultural arguments made by Mayor Hopson in his testimony against forced wide-open public use of the Haul Road.

TESTIMONY BY NORTH SLOPE BOROUGH MAYOR FRED HOPSON
BEFORE THE SPECIAL JOINT SENATE/HOUSE LEGISLATIVE
COMMITTEE ON THE NORTH SLOPE HAUL ROAD
MARCH 9, 1978

I AM HAPPY TO MEET TODAY WITH THIS SPECIAL JOINT COMMITTEE TO DISCUSS WELL-PLANNED AND EFFICIENT TRANSPORTATION, INCLUDING ROAD TRANSPORTATION. HAVING TRAVELED SAFELY THROUGH THE HARSH, UNCHARTED AREAS OF THE ARCTIC FOR THOUSANDS OF YEARS, THE PEOPLE OF THE NORTH SLOPE BOROUGH ARE EXPERTS IN THE FIELD OF ARCTIC TRANSPORTATION. WE HAVE MANY RECORDS OF TRADITIONAL TRAVEL AND USE IN THE HAUL ROAD AREA AND HAVE ALREADY IDENTIFIED OVER 30 HISTORIC SITES THERE, INCLUDING GRAVES, CABINS AND PRIME SUBSISTENCE AREAS.

BUT THE MAIN REASON I TRAVELED OVER 1,100 MILES FROM BARROW TO APPEAR HERE TODAY IS TO TELL YOU THAT THE NORTH SLOPE BOROUGH STRONGLY OPPOSES A FORCED OPENING OF THE HAUL ROAD NORTH OF THE YUKON TO THE GENERAL PUBLIC. SUCH AN OPENING WOULD BE A FISCAL AND ENVIRONMENTAL NIGHTMARE, NOT ONLY FOR BOROUGH RESIDENTS BUT FOR ALL THE PEOPLE OF THIS STATE.

EVEN THOUGH THE BOROUGH HAS BEEN IN EXISTENCE FOR ONLY ABOUT SIX YEARS, WE ARE EXPERTS IN ARCTIC ROAD CONSTRUCTION AND MAINTENANCE. THE BOROUGH HAS ALREADY SPENT OVER \$7 MILLION IN CAPITAL FUNDS AND ABOUT \$1 MILLION A YEAR IN OPERATING

FUNDS TO BUILD AND MAINTAIN ROADS IN OUR EIGHT COMMUNITIES. WE ARE VIRTUALLY ON OUR OWN IN THIS EFFORT. DESPITE REPEATED REQUESTS FROM THE BOROUGH, THE STATE HAS YET TO FUND ONE MILE OF DESIGNATED STATE SECONDARY SYSTEM ROADS IN OUR COMMUNITIES. AND THEN SOME OF YOU HAVE THE NERVE TO SERIOUSLY PROPOSE THAT THE STATE NOW SPEND AROUND \$20 MILLION NEXT YEAR ALONE, JUST TO CONSTRUCT FACILITIES AND MAINTAIN THE HAUL ROAD AS A WIDE-OPEN PUBLIC ROAD...THIS IN A STATE WHICH NOW ALLOCATES ONLY SOME \$50 MILLION TO MAINTAIN ITS ENTIRE HIGHWAY SYSTEM.

I KNOW IT COULD COST THE STATE SOME FUNDS TO MAINTAIN THE ROAD FOR EVEN THE MOST RESTRICTED INDUSTRIAL USE, BUT I AM CONFIDENT THAT THOSE WHO BUILD THE GAS LINE AND OTHER INDUSTRIAL USERS CAN BE PERSUADED TO PICK UP A GOOD PORTION OF THOSE COSTS. IT IS CERTAINLY LEGAL AND MORE ECONOMICAL TO OPEN THE ROAD ONLY IN SUMMER AND LIMIT PUBLIC ACCESS TO A CONTROLLED TOUR BUS, SUCH AS THAT PROPOSED BY THE ARCTIC SLOPE REGIONAL CORPORATION. WE HAVE DOUBTS WHETHER THE STATE HAS ACCURATELY ANTICIPATED ALL OF THE COST DIFFERENCES BETWEEN RESTRICTED INDUSTRIAL AND WIDE-OPEN PUBLIC USE. HOWEVER, EVEN USING THE FIGURES WE HAVE BEEN GIVEN, IT WOULD COST AROUND A MILLION DOLLARS A YEAR MORE TO OPEN THE ROAD TO THE GENERAL PUBLIC. AND, WE STILL HAVEN'T SEEN ANY FIRM FINANCIAL COMMITMENT BY ANYONE TO PROVIDE ALL THE NECESSARY FACILITIES AND SERVICES DEMANDED BY THE TRAVELING PUBLIC, ESPECIALLY IN A HARSH, REMOTE AREA.

NONE OF THE COST ESTIMATES TO DATE HAVE CONSIDERED SCHOOLS, PUBLIC SAFETY, PLANNING OR OTHER MUNICIPAL SERVICES FOR COMMUNITIES WHICH MIGHT SPRING UP ALONG THE ROAD IF IT IS OPENED TO THE GENERAL PUBLIC. THE FAIRBANKS INDUSTRIAL COMMISSION REPORT ON HAUL ROAD COSTS ESTIMATED THAT 50 PERCENT OF THOSE WHO WOULD OCCUPY HAUL ROAD MAINTENANCE CAMPS WOULD BE FAMILIES. WILL THE FAIRBANKS NORTH STAR BOROUGH SEND TEACHERS UP AND DOWN THE ROAD TO PRUDHOE BAY TO TEACH THE CHILDREN OF THESE FAMILIES? WILL THE STATE SEND THEM? WHAT ABOUT THEIR GARBAGE, THEIR UTILITY NEEDS, THEIR PUBLIC SAFETY NEEDS, THEIR EMERGENCY HEALTH CARE NEEDS? THE NORTH SLOPE BOROUGH ALREADY HAS A CAPITAL IMPROVEMENTS PROGRAM OF OVER \$150 MILLION JUST TO MEET THE BASIC HEALTH, SAFETY AND SUPPORT FACILITIES OF ITS COMMUNITIES. THIS FOLLOWS YEARS AND YEARS OF RELATIVE STATE AND FEDERAL NEGLECT OF OUR AREA. AND NOW THE STATE WANTS TO STIMULATE COSTLY NEW COMMUNITIES ALONG A NEW PUBLIC ROAD.

WHILE WE ARE TALKING ABOUT MONEY, LET'S TALK SOME MORE ABOUT WELL-PLANNED AND WELL-MAINTAINED TRANSPORTATION SYSTEMS. WE NOTED WITH ALARM SOME STATE AND FEDERAL REPORTS WHICH INDICATED THAT NATIONAL ENERGY DEVELOPMENT HAS SERIOUSLY DAMAGED EXISTING ALASKA HIGHWAYS AND FURTHER THAT, ACCORDING TO THE FEDERAL GOVERNMENT, "...REPAIR AND RESTORATION OF THE DAMAGED HIGHWAYS IS NOT A FEDERAL RESPONSIBILITY..." FOR EXAMPLE, APPARENTLY A 1976 REVIEW OF PIPELINE-RELATED HIGHWAY IMPACTS

SHOWED THAT \$55 MILLION WAS NEEDED FOR IMMEDIATE HIGHWAY REPAIR AND \$300 MILLION FOR RESTORATION. NOW, IF THE FEDERAL GOVERNMENT DOESN'T SUPPLY ALL OR PART OF THIS MONEY, WHERE WILL IT COME FROM? HOW CAN THE STATE ADEQUATELY MAINTAIN ITS EXISTING ROADS AND STILL DISCUSS A NEW CAPITAL, A PERMANENT FUND AND OTHER MAJOR EXPENDITURES, NOT TO MENTION THIS NEW FORCED WIDE-OPEN PUBLIC USE OF THE HAUL ROAD? PLEASE TELL ME WHERE ALL THE MONEY IS COMING FROM. IF THE NORTH SLOPE BOROUGH PRACTISED SUCH POOR FINANCIAL AND PROJECT PLANNING, WE'D HAVE BEEN BROKE LONG AGO.

NOW, LET'S DISCUSS SOME OF THE CULTURAL AND ENVIRONMENTAL DISASTERS INVOLVED IN PUNCHING OPEN THIS ROAD THROUGH THE BOROUGH. THE PEOPLE OF ANAKTUVUK PASS ALREADY REPORT A SUBSTANTIAL INFLUX OF OUTSIDE CAMPERS AND HUNTERS ARRIVING BY AIR EACH SUMMER: AS MANY AS 10 PLANES A DAY LAND AT THE VILLAGE. THE PEOPLE CAMP RIGHT NEAR THE TOWN AND GO OFF HUNTING OR DISTURBING SUBSISTENCE AND HISTORICAL SITES WITHOUT EVEN CHECKING WITH THE VILLAGE RESIDENTS. IF THE ROAD WAS OPENED TO THE GENERAL PUBLIC, WE WOULD SEE UNPRECEDENTED NUMBERS OF PEOPLE FLOCKING ALL OVER THE LANDSCAPE. WE HAVE ENOUGH PROBLEMS ALREADY TRYING TO CONTROL THOSE WHO ARRIVE BY AIR. WHAT GUARANTEES CAN THE STATE AND THE BUREAU OF LAND MANAGEMENT GIVE US THAT THE HAUL ROAD AND ITS ADJACENT AREAS WILL BE FULLY PATROLLED, THAT ALL RELEVANT LAWS WILL BE ENFORCED AND THAT WILDLIFE AND TRADITIONAL SITES WILL BE FULLY PROTECTED? WHO WILL ARREST POACHERS, PICK UP

ALL THE LITTER AND PROMPTLY REMOVE WRECKED AND ABANDONED VEHICLES?

WE ARE CONCERNED ABOUT THE EFFECTS OF THE HAUL ROAD AND PIPELINE ON OUR CARIBOU MIGRATION. WE ARE ALREADY SEEING REPORTS OF HAUL ROAD CORRIDOR-RELATED FRAGMENTATION OF CARIBOU GROUPS AND INTERFERENCE WITH NORMAL GROUP FORMATION. THERE ARE ALSO DOCUMENTED REPORTS OF LESS FREQUENT CARIBOU SIGHTINGS IN THE AREA OF THE ROAD. CAN ANYONE SERIOUSLY SUGGEST THAT A FORCED OPENING OF THE ROAD TO THE GENERAL PUBLIC WOULD DO ANYTHING BUT FURTHER DEplete OUR SUBSISTENCE RESOURCES, SUCH AS THE CARIBOU WHICH IS ALREADY AN ENDANGLED SPECIES?

WE ARE ALSO CONCERNED ABOUT THE HEAVY USE OF CULVERTS INSTEAD OF BRIDGES FOR STREAMS AND OTHER DRAINAGE UNDER THE ROAD. THIS CAN SERIOUSLY HINDER FISH MIGRATION AND MAY CAUSE MAJOR EROSION PROBLEMS SINCE THE WATER FLOWS MUCH FASTER THROUGH CULVERTS. WE HAVE ALSO FIELD CHECKED SOME OF THE CULVERTS AND FOUND THEM TO BE PARTLY CAVED-IN AND FULL OF ICE, PROMISING MORE PROBLEMS IN LATE SPRING. WE UNDERSTAND THAT THE CULVERTS WERE PUT IN TO SAVE MONEY BUT, AGAIN, IT SOUNDS LIKE POOR TRANSPORTATION PLANNING TO SAVE MONEY WITH CULVERTS AND THEN TURN AROUND AND BLOW THE FUNDS ON SUBSIDIZING A WIDE-OPEN PUBLIC ROAD.