

LEG. FINANCE - BILLS 1977 - 1978 966

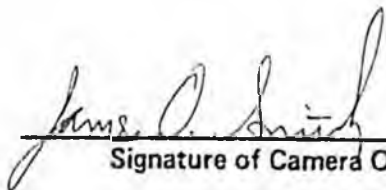
SB 431 thru SB 444

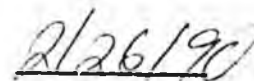


# RECORDS CERTIFICATION



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

Original sponsor: Resources Committee

Offered: 5/17/78  
Referred: Finance

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 521

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 state participation in the costs of  
7 construction of developmental access roads; and pro-  
8 viding for an effective date."

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

10 \* Section 1. AS 19.30.020 is amended to read:

11 Sec. 19.30.020. PURPOSE. The purpose of secs. 20 - 51 of this  
12 chapter is to facilitate the commercial development of mineral resources,  
13 except oil and gas, by authorizing funds to participate in construction  
14 of developmental access roads into areas where mining prospects of  
15 valid commercial promise are inaccessible to truck haulage. These  
16 access roads are to be constructed as rudimentary truck roads and to  
17 standards which can be readily improved for general public use. It is  
18 the intent of the state to participate with mineral resource developers  
19 up to 50 per cent for the cost of construction [AND MAINTENANCE] of  
20 developmental access roads under secs. 20 - 51 of this chapter.

21 \* Sec. 2. AS 19.30.030(c) is amended to read:

22 (c) The commissioner of natural resources shall review the appli-  
23 cation and, if found feasible and participating funds are available, may  
24 enter into a contract in which the state will participate with the  
25 applicant in the cost of construction of the road, up to \$100,000  
26 [\$50,000] or up to 50 per cent of the cost, whichever is lower; however,  
27 the applicant shall pay for all right-of-way acquisition.

28 \* Sec. 3. AS 19.30.040 is amended by adding new subsections to read:

29 Sec. 19.30.040. CONSTRUCTION [AND MAINTENANCE].

1 (f) The road, in addition to use by the applicant, will also be  
2 open to use by the state, its agents and contractors. The applicant  
3 shall indemnify the state and hold it harmless from any claims, demands,  
4 loss, liability or expense for injury or death of persons and damage to  
5 or loss of property arising out of this restricted use.

6 (g) The state reserves the option to open the road for general use  
7 should it be considered in the state's best interest to do so and the  
8 use does not interfere materially with the applicant's use. If the  
9 option to open the road for general use is exercised, the state shall  
10 assume its fair share of maintenance costs and liability for any re-  
11 sultant personal injury or property damage.

12 \* Sec. 4. AS 19.30.045 is amended to read:

13 Sec. 19.30.045. CANADIAN MINERALS. The state may elect, at the  
14 joint discretion of the commissioners of transportation and public faci-  
15 lities and natural resources, to authorize participation in a similar  
16 manner, to that authorized in secs. 20 - 40 of this chapter, in con-  
17 struction and maintenance of developmental access roads to the Alaskan  
18 border for the development of mineral resources which are in adjacent  
19 Canadian lands if such access roads are the most feasible way of devel-  
20 oping those mineral resources, and if it is considered by the commis-  
21 sioners to be in the interest of Alaska to construct the roads; however,  
22 the state may participate up to \$100,000 [\$50,000], or up to one-third  
23 of the cost of construction [AND OF THE MAINTENANCE] of these roads in  
24 Alaska, whichever is lower.

25 \* Sec. 5. AS 19.30.040(e) is repealed.

26 \* Sec. 6. This Act takes effect immediately in accordance with AS 01.10.-  
27 070(c).

Original sponsor: Resources Committee

Offered: 5/9/78  
Referred: Rules

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 521 am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

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15 VALID COMMERCIAL PROMISE] are inaccessible to truck haulage. These  
16 access roads are to be constructed as rudimentary truck roads and to  
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5 or loss of property arising out of this restricted use.

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15 lities and natural resources, to authorize participation in a similar  
16 manner, to that authorized in secs. 20 - 40 of this chapter, in con-  
17 struction and maintenance of developmental access roads to the Alaskan  
18 border for the development of mineral resources which are in adjacent  
19 Canadian lands if such access roads are the most feasible way of devel-  
20 oping those mineral resources, and if it is considered by the commis-  
21 sioners to be in the interest of Alaska to construct the roads; however,  
22 the state may participate up to \$100,000 [\$50,000], or up to one-third  
23 of the cost of construction [AND OF THE MAINTENANCE] of these roads in  
24 Alaska, whichever is lower.

25 \* Sec. 5. AS 19.30.040(e) is repealed.

26 \* Sec. 6. This Act takes effect immediately in accordance with AS 01.10.-  
27 070(c).

Introduced: 1/23/78  
Referred: Resources and  
Finance

1 IN THE SENATE

BY KERTTULA AND HUBER

2 SENATE BILL NO. 431

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 state participation with  
8 mineral resource developers in the construction of  
9 developmental access roads; and providing for an effec-  
10 tive date."

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

12 \* Section 1. The sum of \$1,000,000 is appropriated from the general fund  
13 to the Department of Natural Resources for the purpose of funding state  
14 participation in the construction of developmental access roads under AS 19.-  
15 30.020 - 19.30.051.

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

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THE LEGISLATURE OF THE STATE OF ALASKA  
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 431  
Title Special Appropriation for Development Access Roads  
Requested by Kerttula Date 3/3/78

II. FISCAL DETAIL

Agency Affected Department of Natural Resources  
Program Category Affected NEMEC  
Budget Request Unit(s) Affected Div. of Geological & Geophysical Surveys

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES						
200 TRAVEL			2.0	2.0	2.0	2.0
300 CONTRACTUAL			5.0			
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.			1,000.0			
TOTAL			1,007.0	2.0	2.0	2.0

FUNDING (Thousands of Dollars)

GENERAL FUND			1,007.0	2.0	2.0	2.0
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

The fiscal note assumes approximately 10 applications per year for assistance. The Division's role would be to inspect the prospect to ascertain whether funding is merited, requiring travel to and from the prospect. Existing geologists and mining engineer should be capable of handling the additional responsibilities. One-time contractual fees are necessary to formulate regulations.

IV. DATE 3/3/78

PREPARED BY Patrick W. Conheady  
AGENCY Dept. of Natural Resources  
PHONE 465-2400

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

# COMMITTEE REPORT

5/17/78

HOUSE

FURTHER: \_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

Mr. Speaker:

The Committee on FINANCE has had SR 431  
"An Act making a special appropriation to the Dept. of Natural Resources  
for state participation with mineral resource developers in the construction  
of developmental access roads; 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:

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COMMITTEE REPORT

HOUSE

FURTHER: FINANCE

5/11/78

Date: May 16, 1978

Mr. Speaker:

The Committee on RESOURCES has had SB 431

"An Act making a special appropriation to the Depart. of Natural Resources for state participation with mineral resource developers in the construction of developmental access roads; eff. 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:

Jon Bennett Do Pass

Wm. Akers No Rec.

D. Smith Do Pass

M. Miller " "

D. [unclear] " "

Alvin Osterback

Mark H. Snider Do Pass

Alvin Osterback  
Chairman

Introduced: 1/23/78  
Referred: Resources and  
Finance

1 IN THE SENATE

BY KERTTULA AND HUBER

2 SENATE BILL NO. 431

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 state participation with  
8 mineral resource developers in the construction of  
9 developmental access roads; and providing for an effec-  
10 tive date."

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

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13 to the Department of Natural Resources for the purpose of funding state  
14 participation in the construction of developmental access roads under AS 19.-  
15 30.020 - 19.30.051.

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

ALASKA STATE LEGISLATURE

11. TH Legislature SECOND Session

SENATE BILL NO. 431

By KERTTOLA

"An Act making a special appropriation to the Department of Natural Resources for state participation with mineral resource developers in the construction of developmental access roads; and providing for an effective date."

spec. approp/Dept. of natural resources

Introduced in the Senate 1/23/78, 1978

HISTORY IN THE SENATE

19 78	1 27	Read first time and referred to Committee on Resources and Finance												
	3 2	Reported back with recommendation that <i>be passed</i>												
	5 9	<i>increase to financing from 6 to 10 to 100</i>												
	5 10	<i>Reduce calendar</i>												
	5 11	Read second time and <i>advanced</i>												
	5 11	Read third time and												
	5 11	<table border="0"> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas 18</td><td>Yeas</td></tr> <tr><td>Nays 0</td><td>Nays</td></tr> <tr><td>Absent 8</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	PASS	Effective Date	Yeas 18	Yeas	Nays 0	Nays	Absent 8	Absent	Excused	Excused		
PASS	Effective Date													
Yeas 18	Yeas													
Nays 0	Nays													
Absent 8	Absent													
Excused	Excused													
		<table border="0"> <tr><td colspan="2">Reconsideration</td></tr> <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>	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
Reconsideration														
PASS	Effective Date													
Yeas	Yeas													
Nays	Nays													
Absent	Absent													
Excused	Excused													
	5 11	Reported correctly engrossed												
	5 11	Signed by President												
	5 11	Sent to House												

*Randy McIligan*  
SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19 78	May 12	Read first time and referred to Committee on Resources and Finance												
		Reported back with recommendation that												
		Read second time and												
		Read third time and												
		<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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Absent	Absent													
Excused	Excused													
		Reported correctly engrossed												
		Signed by Speaker												
		Returned to Senate												

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

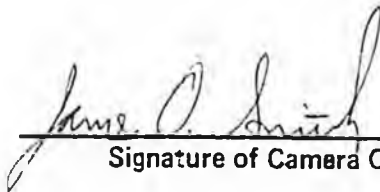
19		Received from House
		Reported correctly enrolled
		Sent to Governor
		..... By Governor
		Filed with Lt. Governor
		Chapter No. ....

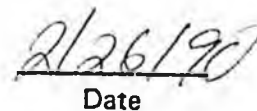


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\_\_\_\_\_  
Signature of Camera Operator

  
\_\_\_\_\_  
Date

**COMMITTEE REPORT**  
**SENATE**

FURTHER: \_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

Mr. President:

The Committee on \_\_\_\_\_ has had \_\_\_\_\_

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:

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\_\_\_\_\_  
Chairman

SENATE JOURNAL.

Senate Finance Committee

Letter of Intent on CS SB 460

The Legislature intends that these funds will be distributed immediately by Arctic Environmental Information and Data Center (AEIDC) to the Alaska Eskimo Whaling Commission and other entities to insure that the program will be implemented in the spring of 1978. This distribution will be based on Arctic Environmental Information and Data Center certification of an expenditure plan developed by the participating entities. A program report by the grantees shall be submitted to the Legislature by Arctic Environmental Information and Data Center on the accomplishments of this program no later than February 1, 1979.

In administering these funds, the Legislature expects Arctic Environmental Information and Data Center to receive, to the maximum extent possible, mutual agreement between the Alaska Eskimo Whaling Commission and federal and state wildlife agencies on the project for which grants are to be made.

---

John C. Sackett, Chairman  
Senate Finance Committee

Original sponsor: Ferguson

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 440

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 University  
7 of Alaska, Arctic Environmental Information and Data  
8 Center, for disbursement to the Alaska Eskimo Whaling  
9 Commission to assist voluntary efforts to ensure whale  
10 stock viability; and providing for an effective date."

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

12 \* Section 1. The sum of \$250,000 is appropriated from the general fund to  
13 the University of Alaska, Arctic Environmental Information and Data Center,  
14 for disbursement to the Alaska Eskimo Whaling Commission and other entities  
15 to assist the commission in (1) gathering data on the population, migration,  
16 and habits of the bowhead whale; (2) monitoring of the subsistence harvest of  
17 whales; (3) reducing the number of whales struck and lost; (4) presenting  
18 data gathered and otherwise representing the interest of Alaskan subsistence  
19 whalers to the federal government and the International Whaling Commission;  
20 and (5) submitting a report on the foregoing effort to the legislature by  
21 February 1, 1979.

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

# *Alaska Eskimo Whaling Commission*

Box 570  
Barrow, Alaska 99723

TESTIMONY IN SUPPORT OF SJR 37; SB 439; AND SB 440 BEFORE THE SENATE RESOURCES COMMITTEE BY JACOB ADAMS, CHAIRMAN, ALASKA ESKIMO WHALING COMMISSION

MR. CHAIRMAN, MY NAME IS JACOB ADAMS, AND I AM CHAIRMAN OF THE ALASKA ESKIMO WHALING COMMISSION. I AM HERE WITH MR. ARNOLD BROWER, PRESIDENT OF THE BARROW WHALING CAPTAINS ASSOCIATION. OUR BARROW WHALING COMMUNITY IS THE LARGEST OF EIGHT WHALING VILLAGES IN ALASKA. THE OTHERS ARE KAKTOVIK (BARTER ISLAND), WAINWRIGHT, PT. HOPE, KIVALINA, SAVOONGA AND GAMBEL. THE ALASKA ESKIMO WHALING COMMISSION WAS ORGANIZED WHEN THE BARROW WHALING CAPTAINS ASSOCIATION JOINED WITH THE NORTH SLOPE BOROUGH TO HOLD THE FIRST STATE-WIDE WHALING CAPTAINS CONFERENCE IN BARROW LAST AUGUST. THIS WAS AN HISTORIC GATHERING OF OUR WHALING CAPTAINS, IMPORTANT TO THE HISTORY OF THE ENTIRE ARCTIC, AND IMPORTANT TO THE DEVELOPMENT OF EFFECTIVE MANAGEMENT OF ALASKA'S SUBSISTENCE RESOURCES, PARTICULARLY OUR MIGRATORY SPECIES. THE MEETING WAS CALLED TO DEAL WITH THE INTERNATIONAL WHALING COMMISSION'S DECISION TO REGULATE NATIVE SUBSISTENCE WHALING, AND TO PLACE A "ZERO" SUBSISTENCE QUOTA ON THE BOWHEAD.

THE IWC IMPOSED ITS BAN LAST JUNE, AND BY AUGUST WE HAD LEARNED THAT THE NATIONAL OCEANOGRAPHIC AND ATMOSPHERIC ADMINISTRATION, WORKING WITH A FEW WASHINGTON, D.C. WHALE CONSERVATIONIST LOBBYISTS, HAD BEEN TRYING SINCE 1970 TO USE THE INTERNATIONAL WHALING COMMISSION TO BRING ALASKA'S

BOWHEAD SUBSISTENCE HUNT UNDER REGULATION. UNTIL WE WERE CONTACTED EARLY IN 1977, WE HAD RECEIVED NO WORD OF THE IWC'S CONCERN ABOUT ALASKA'S SUBSISTENCE BOWHEAD WHALING. HAD WE BEEN ASKED EARLY ON TO ORGANIZE TO HELP THE U.S. RESPOND TO IWC CONCERNS, THERE WOULD HAVE BEEN NO BOWHEAD WHALE CONTROVERSY TODAY AND MUCH OF THE POLITICAL REACTION THAT RESULTED IN THE 1978 QUOTA OF JUST 12 BOWHEAD WHALES FOR ALASKA COULD HAVE BEEN AVOIDED.

SINCE ITS ORGANIZATION, THE ALASKA ESKIMO WHALING COMMISSION, CONSTITUTED OF WHALING CAPTAINS FROM EACH OF ALASKA'S 9 WHALING COMMUNITIES, HAS MET IN BARROW TO ADOPT ITS OWN BOWHEAD WHALING REGULATIONS, COPIES OF WHICH HAVE BEEN PROVIDED YOU. THE BASIC PROVISIONS OF THE AEWK MANAGEMENT PLAN IS TO PROVIDE FOR THE MANNER IN WHICH THE BOWHEAD WHALE HARVEST WILL TAKE PLACE, REPORTING REQUIREMENTS BY WHALING CAPTAINS, METHOD OF DETERMINING THE LEVEL OF HARVEST, ATTEMPTS TO HARVEST BY EACH VILLAGE AND PROVIDING FOR PENALTIES.

LAST WEEK, THE ALASKA ESKIMO WHALING COMMISSION MET TO RESPOND TO THE NEW IWC QUOTA. A CONSENSUS WAS REACHED BY THE COMMISSION TO ABIDE BY THE QUOTA FOR THE 1978 SEASON IF SEVERAL CONDITIONS WERE MET. THE CONDITIONS SET WERE REGULATIONS BY THE AEWK IN COOPERATION WITH THE FEDERAL GOVERNMENT, IMMEDIATE RESEARCH ON WEAPONS IMPROVEMENT, COMMITMENT BY THE GOVERNMENT TO PROVIDE FOR ALTERNATIVE SUBSISTENCE RESOURCES, FULL PARTICIPATION IN FUTURE IWC DECISIONS AND A COMMITMENT BY THE U.S. GOVERNMENT TO WORK

FOR RESTORATION OF A FULL SUBSISTENCE HUNT. BECAUSE WE BELIEVE IN COOPERATIVE MANAGEMENT OF SUBSISTENCE RESOURCES, THE COMMISSION DECIDED TO TRY TO COOPERATE WITH THE IWC QUOTA AND THE U.S. GOVERNMENT. OUR PROPOSAL IS NOW IN THE FEDERAL GOVERNMENT HANDS, WE WOULD ASK THE ALASKA STATE LEGISLATURE AND THE ADMINISTRATION TO REQUEST THAT THE U.S. GOVERNMENT COOPERATE WITH THE AEWG TO ACHIEVE THE BEST POSSIBLE MANAGEMENT OF THE BOWHEAD WHALE.

THE COMMISSION ALSO ENDORSED THE GOVERNMENT'S RESEARCH PROGRAM WITH THE EMPHASIS THAT THE RESEARCH BE DONE IN AN EXPEDITIOUS MANNER AND TO PROVIDE FOR PARTICIPATION BY THE WHALING CAPTAINS.

MR. CHAIRMAN, THE NATIONAL MARINE FISHERIES SERVICE WILL SPEND ABOUT \$700,000 ON BOWHEAD RESEARCH THIS YEAR. THIS WILL ENABLE THE EMPLOYMENT OF SCIENTISTS AND WHALERS TO COOPERATE IN AIR AND SURFACE SURVEILLANCE OF THE SPRING BOWHEAD MIGRATION. MOST OF US WHALERS BELIEVE THAT THERE ARE MANY MORE WHALES THAN THE 1300 ESTIMATED BY THE GOVERNMENT. WE FEEL THAT A MORE ACCURATE COUNT WILL JUSTIFY THE RESTORATION OF OUR SUBSISTENCE EXEMPTION FROM REGULATION BY THE IWC, AND THUS THE REMOVAL OF OUR SUBSISTENCE WHALING FROM THE INTERNATIONAL POLITICS OF COMMERCIAL WHALING.

WE WERE PLEASED TO HEAR THAT THE LEGISLATION BEFORE YOU HAD BEEN INTRODUCED. THIS LEGISLATION WILL PROVIDE THE STATE DEPARTMENT OF FISH AND GAME WITH THE AUTHORITY TO ACTIVELY PARTICIPATE AS WE ESTABLISH THE FIRST COOPERATE MANAGEMENT SYSTEM FOR AN IMPORTANT MIGRATORY SUBSISTENCE SPECIES. THIS WEEK, WE LEARNED THAT THE HOUSE VERSION OF THE D-2 BILL WILL

PROBABLY PROVIDE FOR STATE JURISDICTION OVER NATIVE SUBSISTENCE HUNTING IN ALASKA. THIS CONCESSION WILL NOT BE POPULAR IN RURAL ALASKA. I WOULD LIKE TO SUGGEST THAT THIS LEGISLATION WILL ENABLE THE STATE TO JOIN WITH SUBSISTENCE HUNTERS AND THE FEDERAL GOVERNMENT TO DESIGN A PROTOTYPE COOPERATIVE MANAGEMENT SYSTEM ABLE TO DEAL WITH A SINGLE MIGRATORY SPECIES THROUGHOUT ITS RANGE. THE WORK AND EXPERIENCE OF THE ALASKA ESKIMO WHALING COMMISSION WILL HAVE SIGNIFICANT IMPACT UPON THE EARLY DEVELOPMENT OF COOPERATIVE SUBSISTENCE RESOURCE MANAGEMENT REGIMES CAPABLE OF HONORING AND UPHOLDING NATIVE SUBSISTENCE HUNTING RIGHTS. ONCE SUCH A REGIME IS IN PLACE FOR THE BOWHEAD, ITS PRINCIPLES CAN BE APPLIED TO OTHER MARINE MAMMALS, AND TO THE CARIBOU. THERE HAS BEEN TALK OF TRANSFERRING JURISDICTION OVER THE SUBSISTENCE HUNTING OF OTHER MARINE MAMMALS FROM THE FEDERAL GOVERNMENT TO THE STATE. AND THERE IS THE PROBLEM OF THE MANAGEMENT OF THE U.S./CANADIAN ARCTIC CARIBOU HERDS. ALL OF THESE ARE SUBSISTENCE SPECIES MANAGEMENT PROBLEMS THE SOLUTIONS FOR WHICH COULD BE BASED UPON THE EXPERIENCE OF THE ALASKA ESKIMO WHALING COMMISSION. SUCCESSFUL STATE EXPERIENCE HERE COULD HELP REDUCE NATIVE OPPOSITION TO STATE REGULATION OF SUBSISTENCE HUNTING.

THE EXPENSES OF THE ALASKA ESKIMO WHALING COMMISSION HAVE BEEN PAID FROM A \$100,000 APPROPRIATION BY THE NORTH SLOPE BOROUGH ASSEMBLY THAT WAS MADE SHORTLY AFTER THE COMMISSION WAS FORMED. HOWEVER, WE WOULD LIKE TO SEE THE COMMISSION BECOME INDEPENDENT OF THE NORTH SLOPE BOROUGH,

AND THE MONEY AUTHORIZED AND APPROPRIATED BY THE LEGISLATION BEFORE YOU WOULD MAKE THIS POSSIBLE. THE COMMISSION WOULD USE THE MONEY TO EMPLOY A SMALL STAFF TO WORK CLOSELY WITH STATE AND FEDERAL AGENCIES INVOLVED IN WHALE RESEARCH AND WHALING SURVEILLANCE; TO ORGANIZE AND DIRECT ON-GOING WHALING WEAPONS IMPROVEMENT PROGRAMS; AND IN THE PRACTICAL PROBLEMS OF ENFORCEMENT OF THE AEWCS OWN REGULATIONS. ALL OF THIS WILL REQUIRE A SERIOUS WHALING VILLAGE EDUCATION PROGRAM AIMED AT LOCAL UNDERSTANDING OF THE NEED FOR QUOTA COMPLIANCE AND AEWCS REGULATION OF OUR PREVIOUSLY UNREGULATED HUNT OF THE BOWHEAD WHALE. EARLY STATE SUPPORT OF THE AEWCS WOULD STRENGTHEN OUR STATUS AND NEGOTIATIONS WITH THE NATIONAL MARINE FISHERIES SERVICE.

MR. CHAIRMAN, THE LEGISLATION BEFORE YOU WAS NOT REQUESTED BY THE ALASKA ESKIMO WHALING COMMISSION, BUT IT REFLECTS THE GOOD WILL THAT WE HAVE ENJOYED FROM ALL OF ALASKA AS WE HAVE BATTLED IN WASHINGTON, D.C. AND TOKYO TO DEFEND OUR SUBSISTENCE WHALING. THANKS TO A SENSITIVE LEGISLATURE, WE DIDN'T HAVE TO ASK FOR THE LEGISLATION, BUT WE APPRECIATE ITS INTRODUCTION AND YOUR EXPEDITIOUS HEARINGS.

THANK YOU VERY MUCH.

## AEWC MANAGEMENT PLAN

### Subpart A - Introduction

#### §100.1 Purpose of regulations

It is the purpose of the regulations contained herein to: (a) insure an efficient subsistence harvest of bowhead whales; and (b) provide a means within the Alaskan Eskimo customs and institution of limiting the bowhead whale harvest in order to prevent the extinction of such species.

#### §100.2 Scope of regulations

The regulations contained herein apply to the subsistence hunting of bowhead whales by Eskimos located in the State of Alaska.

### Subpart B - Alaska Eskimo Whaling Commission

#### §100.11 Powers

(a) The Alaska Eskimo Whaling Commission (hereinafter AEWC) is empowered to administer the regulations contained herein to insure that the purposes stated in §100.1 of these regulations are attained.

(b) The AEWC is empowered to enforce these regulations by:

(1) denying any person who violates these regulations the right to participate in hunting the bowhead whale.

(2) acting as an enforcement agent for any governmental entity authorized to enforce these regulations.

(c) The AEWC is empowered to promulgate interim regulations that are in addition to, but not in lieu of, regulations contained herein.

#### §100.12 Duties

(a) The AEWC shall administer and enforce the regulations contained herein (including any interim regulations.)

(b) The AEWC shall conduct village educational programs to facilitate compliance with these regulations, including training programs for whaling captains and crews.

(c) The AEWG shall initiate research for improvement of the accuracy and reliability of weapons.

Subpart C - Regulations

§100.21 Definitions

(a) "bowhead whale" means a whale whose scientific name is Baleana mysticetus and which migrates past whaling villages in Alaska.

(b) "captain" means the person in charge of a whaling crew.

(c) "harvest" means to kill and bring to shore or butchering area.

(d) "non-traditional weapons" means any instrument that could be used to harvest a bowhead whale that is not a traditional weapon.

(e) "Scientific Committee" means the committee established pursuant to §100.26 of these regulations.

(f) "traditional weapon" means a harpoon with line attached, darting gun, shoulder gun, lance or any other weapon approved by the AEWG with the concurrence of the Scientific Committee, as such a weapon in order to improve the efficiency of the bowhead whale harvest.

(i) "harpoon with line attached" means a harpoon with a rotating head which is attached to a line and float and which has no explosive charge. (See Figures 7 and 8 of Appendix E of the FEIS on the International Whaling Commission's Deletion of Native Exemption for the Subsistence Harvest of Bowhead Whales (October, 1977) (hereafter FEIS).

(ii) "darting gun harpoon" means a harpoon with an explosive charge and with a line and float attached. (See Appendix E of the FEIS in Figure 4.)

(iii) "shoulder gun" means a whaling gun, adapted from the era of commercial whaling in the 19th Century, which has an explosive charge and which has no attached line and float. (See Appendix E of the FEIS in Figure 5.)

(iv) "lance" means a non-explosive sharply pointed weapon without a harpoon head.

(g) "whaling crew" means those persons who participate directly in the harvest or attempted harvest of the bowhead whale and are under the supervision of a captain.

(h) "whaling village" means the Alaska Eskimo village in which resides a whaling captain and crew which participates in the harvest or attempted harvest of bowhead whales.

(i) "whaling season" means customary period of time during which the bowhead whale is harvested, either in the Spring or Fall.

§100.22 Registration

(a) Each captain shall register with the AEWG on forms provided by the AEWG for that purpose which discloses his name, address, age, qualifications as captain, names of crew members, and his willingness to abide by the regulations of the AEWG and to require his crew to abide by those regulations.

(b) The AEWG shall take into account any reading or language difficulties in developing procedures and forms for registration.

§100.23 Reports

(a) Each whaling captain shall be responsible for keeping a written record of the number of whales --

- (1) attempted to be harvested by using traditional weapons but not harvested,
- (2) harvested by the captain or his crew, and
- (3) sighted by the captain or his crew.

(b) Each whaling captain shall report the date, place, and time of any striking not resulting in harvesting and shall describe --

- (1) the size of the bowhead whale,
- (2) any known later attempted harvest or actual harvest of said whale, and
- (3) the reason for the captain or crew not harvesting the whale -- e.g. environmental factors, the failure of traditional weapons, or other reason.

(c) Each whaling captain shall make such other reports as the AEWG requires in order to accomplish the purposes of the regulations herein or in order to advance the scientific knowledge of the bowhead whale.

§100.24 Permissible harvesting methods

(a) No whaling captain or crew shall harvest or attempt to harvest the bowhead whale in any manner other than the traditional harvesting manner.

(b) "Traditional harvesting manner" means:

- (1) only traditional weapons shall be used, as defined in §100.21(f).
- (2) the bowhead whale may be struck with a harpoon or darting gun with line and float attached or simultaneously with harpoon and shoulder gun or darting gun.
- (3) the shoulder gun may be used
  - (i) when accompanied by harpoon with or without a darting gun.
  - (ii) after a line has been secured to the bowhead whale, or
  - (iii) when pursuing a wounded bowhead whale with a float attached to it.
- (4) the lance may be used after a line has been secured to the bowhead whale.

§100.25 Traditional proprietary claim

The bowhead whale shall belong to the captain and crew which first strikes the bowhead whale in the manner described in §100.24.

§100.26 Level of harvest

(a) The AEWG shall establish the levels of harvest and attempted harvest for each whaling village during each season. Such levels may be set by methods including, but not limited to, the following:

- (i) Specification of number of whaling crews permitted to harvest or attempt to harvest bowhead whales during specified periods;
- (ii) Specification of the size or age of whales which may be taken during specified periods, after consultation with the Scientific Committee.
- (iii) Specification of the number of whales that may be taken by each crew.
- (iv) Specification of the number of bowhead whales which may be harvested or attempted to be harvested by each village.

(b) The level of harvest supported by scientific data shall be no greater than that necessary to meet the cultural and nutritional needs of the Eskimo inhabitants of the State of Alaska.

(c) In establishing the levels of harvest and attempted harvest, the AEWG shall not establish levels of harvest or attempted harvest greater than the carrying capacity of the bowhead whale stock, supported by scientific data.

(d) The carrying capacity of the bowhead whale stock shall be determined by a Scientific Committee appointed by the Polar Research Board of the National Academy of Sciences. The Scientific Committee shall consist of nine members who are qualified by reason of their education and experience to make objective determination concerning the carrying capacity of the bowhead whale stock. Three of the nine members shall be members of the Eskimo community. The AEWG shall make recommendations to the Polar Research Board for the choice of Eskimo members.

(e) In determining the carrying capacity of the bowhead whale stock the Scientific Committee shall not consider any prospective threats to the species resulting from oil and gas development within the habitat of such species. Provided, however, that this section may be further implemented by the Scientific Committee and the AEWG at a later date in the event of actual risks.

(f) The mortality rate for attempted harvest shall be determined by the Scientific Committee.

Subpart D - Penalties

§100.31 Denial of participation in harvest:

(a) Any person who the AEWG determines has violated the regulations contained herein shall, after opportunity for a hearing before the AEWG, be prohibited from harvesting or attempting to harvest the bowhead whale for a period of not less than one whaling season nor more than five whaling seasons.

(b) Any person who willfully violates the regulations contained herein shall be subject to a fine of not more than \$1,000 assessed by the AEWG. No person shall harvest or attempt to harvest the bowhead whale until such fine has been paid.



**U.S. DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
**NATIONAL MARINE FISHERIES SERVICE**  
P. O. BOX 1668 - JUNEAU, ALASKA 99801

February 7, 1978

Honorable Kay Poland  
Alaska State Legislature  
Juneau, AK 99801

Dear Senator Poland:

In response to the request by the Senate Resources Committee in their final day of hearings on Senate Bills 439 and 440, and Senate Joint Resolution 37, the following information is submitted:

The average yearly take of bowhead whales by all Alaskan Eskimo villages for the past ten years is 24.4 whales. The take in 1976 was 48 whales.

The average yearly take of bowhead whales in Barrow for the past ten years is 13 whales. The take in 1976 was 23 whales.

The average yearly take of bowhead whales by Soviet natives for the past five years is 2 whales. They took no bowhead whales in 1976.

A call this morning to Dr. George Harry, Director of the Marine Mammal Division of National Marine Fisheries Service in Seattle, confirms that there has been no take of bowhead whales by Canadian Eskimos in recent years.

Bowhead whale catch statistic tables have been attached for your information. Please do not hesitate to call on us if we can be of any further assistance.

Sincerely,

Harry L. Rietze  
Director, Alaska Region

Table 13.--Bowhead whales taken by USSR natives in recent years

Year	Chukchi Sea	Bering Sea	Total
1972	0	1	1
1973	0	2	2
1974	1	2	3
1975	2	2	4
1976	0	0	0

Source: Personal communication from Dr. V.N. Mineev.

Tables taken from: "The 1976 Catch of Bowhead Whales (Balaena Musticetus) by Alaskan Eskimos, with a Review of the Fishery, 1973-1976, and Biological Summary of the Species." by Willman Marquette, U.S. Dept. of Commerce, May 1977

Table 14 -- Bowhead Whales taken by USSR natives in the western Bering Sea

Table 14. Bowhead Whales taken by Alaskan Eskimos and shore-based stations in the western Arctic Ocean.

Year	Barrow	Pt. Hope	Wainwright	Nuigsut	Icy Cape	Kaktovik	Gambell	Savoonga	Kivalina	Misc.	Total
1852	17										17
1853	7										7
1854-79											-
1880			5								5
1881	18										18
1882	1										1
1883	2										2
1884	10										10
1885	28	12									40
1886											-
1887	6										6
1888	2										2
1889	4										4
1890	1	1									2
1891	18										18
1892	8	0									8
1893											-
1894	10										10
1895	4										4
1896	6	33									39
1897	5										5
1898	42 $\frac{1}{2}$	1									43
1899											-
1900	19										19
1901		1									1
1902		2									2
1903	4	0									4
1904	2	0									2
1905	5										5
1906	1										1
1907	9	0									9
1908	23	13			10-12						46-48
1909	11	13			1						25
1910	2+										2
1911	1	3									4

Table 14 . (continued)

Year	Barrow	Pt. Hope	Wainwright	Nuigsut	Icy Cape	Kaktovik	Gambell	Savoonga	Kivalina	Misc.	Total
1912	2	1									3
1913	4	1									5
1914	1	2			1						4
1915		3									3
1916	5	7	1							1	14
1917		3			3					2	8
1918	1	7									8
1919	1	2									3
1920		3									3
1921		2									2
1922	1	13	3								17
1923										2	2
1924		16								9	25
1925	19	10	2								31
1926	4	13									17
1927	2	3									5
1928	11										11
1929	15										15
1930	7										7
1931	11	1									12
1932	7										7
1933	5										5
1934	4										4
1935	6										6
1936	4	4									8
1937	9										9
1938	4										4
1939	6										6
1940	0	5									5
1941	2	8	1								11
1942	10		1								11
1943	6										6
1944	0		2								2
1945	3	3									6
1946	9	2									11

Table 14. (continued)

Year	Barrow	Pt. Hope	Wainwright	Nuigsut	Icy Cape	Kaktovik	Gambell	Savoonga	Kivalina	Misc.	Total
1947	4	6									10
1948	5	0									5
1949	0	4	1								5
1950	4	2	2							1 (Cape Lisburne)	9
1951	9	4									13
1952	0	2+									2
1953	17	4					2				23
1954	1	3									4
1955	19	1	1				2				23
1956	2	2					1				5
1957	0	3					0				3
1958	0	2					0				2
1959	0	1									1
1960	15	4	0								19
1961	6	2	1				1				10
1962	5	6	1								12
1963	5	3	2								10
1964	11	1	1			2			1		16
1965	4	2	0								6
1966	7	5	1								13
1967	3	1	0								4
1968	10	3	2				1				16
1969	11	3	3							1 (Wales)	18
1970	15	8	0						1		24
1971	13	6	2				1		1	1 (Wales)	24
1972	17	14	2				2		1		38
1973	17	7	3	1		3	2	4			37
1974	9	6	1			2	2		0		20
1975	10	4	0				1		0		15
1976	23	12	3			2	1	7	0	0 (Wales)	48

37

1/. Combined catch of Eskimos and two vessels.

ARCTIC ENVIRONMENTAL INFORMATION  
DATA CENTER — AEIDC

— David Hickok — Director

Tuesday

Check File on SB 440 in Resources

NORTH SLOPE BOROUGH

P. O. BOX 69  
BARROW, ALASKA 99723

TELEPHONE (907) 852-2611

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Yatene Tlu Athakume Nufarame**  
(MERRY CHRISTMAS AND A HAPPY NEW YEAR)

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ARCTIC COASTAL ZONE  
MANAGEMENT PROGRAM



# THE ARCTIC COASTAL ZONE MANAGEMENT NEWSLETTER

Issue No.: Eight

Date: December 1977

## WHALERS FACE-OFF OPPONENTS IN TOKYO FOR IWC SHOWDOWN

NSB STRATEGY TAKES WHALERS TO TOKYO. When NSB Mayor Eben Hopson met with Vice President Walter Mondale at the White House on November 1st, he was told that the U.S. would try to make up for its failure to file an objection to the IWC bowhead subsistence whaling moratorium by convincing the IWC to lift the moratorium at its special meeting on December 6th in Tokyo.

Earlier NSB impressions were that the Japanese Government wanted to bargain increased sperm whale commercial quotas for a bowhead subsistence quota, and it was not clear that the Inupiat community should have anything to do with the Tokyo meeting. Some felt that Inupiat participation in the Tokyo IWC meeting would amount to de facto recognition of IWC jurisdiction over Inupiat subsistence whaling, especially if commercial quotas were to be traded for subsistence



Alaskan Whalers Meet Japanese Whalers in Tokyo

*This photograph was taken by Naouki Usui, a reporter with the Associated Press in Tokyo assigned to cover the IWC meeting. During a closed session of the IWC, Billy Neahok, NSB Director of Conservation and Environmental Security, took the press downstairs to meet with Japanese whalers demonstrating in front of the Foreign Ministry. Neahok, above, is using a model Umuah and crew made by Lori Kingik of Pt. Hope, to explain Inupiat subsistence whaling technique. Next to Neahok translating between the whalers is Mrs. Mitsuho Arakaki whose assistance to the Inupiat Whalers was provided by the Alaska State Office in Tokyo. The Japanese whalers commented that their families used to hunt the whale in similar small boats when Japan's whaling was exclusively for subsistence. After the IWC meeting, Neahok joined Charles "Elok" Edwardsen to travel to Hokkaido with Mrs. Arakaki to establish relations with the Ainu, and include them in the Arctic solidarity of the Inuit Circumpolar Conference.*

### ARCTIC RADIO NEWS PROGRAM AVAILABLE

"Alaska Today", a weekly 10-minute news broadcast is now being produced by the North Slope Borough. The purpose of the program is to familiarize listeners with the major problems facing those living in the Arctic, for example, oil and gas development, land claims issues, fish and game management and subsistence lifestyles. The program is aimed at audiences both throughout Alaska and outside.

"Alaska Today" is currently being presented on KHAR in Anchorage Sundays at 9:00 p.m. and is being made available to commercial and regional radio stations. The first four programs are entitled "The Story of Oil in Alaska," "The Pipeline and Alaska Native Land Claims," "Coastal Zone Management and the Alaskan Village," and "Energy Development and Small Communities."

The program is being produced under the direction of Marty Strauss of Advocacy Planning Associates. Mr. Strauss is a former VISTA worker with the Mauneluk Association where he worked as an environmental planner.

Stations interested in presenting the program should contact "Alaska Today," 610 H Street, Anchorage, AK 99501, or call 907/274-2414.

quotas. It wasn't until the last week in November that it was decided that an Alaska Eskimo Whaling Commission delegation should attend the meeting. It was learned that the IWC's Scientific Committee had met earlier in Australia to reconsider the low North Pacific Sperm Whale quotas set at the regular meeting of the IWC in Australia last June. Apparently the IWC had used biological data from the more depleted South Pacific Sperm Whale population for determining the maximum sustainable yield from the less depleted North Pacific Sperm Whale population, and the result was a quota reduction from 7,000 in 1976-77 to only 763 for 1977-78, a figure that would wipe out the Japanese and Russian Pacific whaling industry. Toward the end of November, it was announced that the IWC's Scientific Committee had recommended a North Pacific sperm whale quota of 6,444, only a 10% reduction from the 1976 quota.

Thus, it was clear that the Tokyo bowhead moratorium negotiations would be far more complex than a matter of swapping quotas.

#### THE CANADIAN PROBLEM

The remarkable political cooperation between the U.S. and the whale conservationists, symbolized by the appointment of Tom Garrett, a Washington, D.C. conservationist lobbyist, as Deputy U.S. Commissioner to the IWC, clearly had been damaged by the bowhead subsistence ban controversy. The Government was clearly embarrassed by its complicity in the conservationist plot to use the IWC to ban subsistence whaling, and Vice President Mondale's assurances that the U.S. would work to overturn the ban meant that the conservationists had to go elsewhere for political support of its fight to ban subsistence whaling along the Arctic Coast. As it turned out, "elsewhere" was the Canadian Government.

The NSB had heard that Canada might be a problem in October, and had communications been better between Barrow and Ottawa and the Canadian Arctic, the Inupiat whalers might have enjoyed Canada's support in Tokyo. NSB officials heard in mid-November that the Canadian government was conferring with ITC about its bowhead subsistence policy, but there was no consultation between ITC and Barrow over the matter.

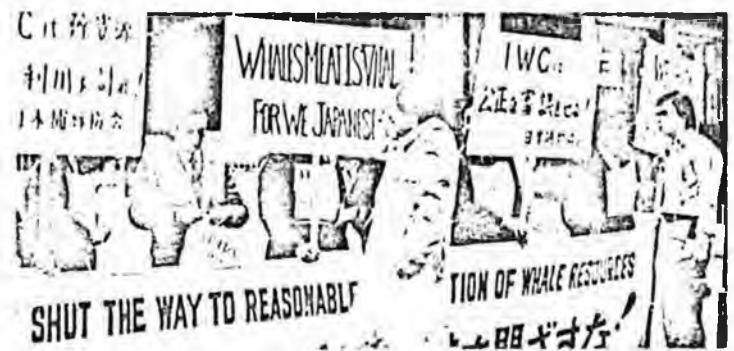
When the 12-person AEWG delegation caught the Northwest Orient Airlines 747 to Tokyo, William Aron and other members of the U.S. delegation were on board and expressed concern to the Inupiat whalers that there might be trouble getting the necessary 3/4 vote to establish a new bowhead quota. He said that Canada, France, New Zealand and Australia were likely to oppose the U.S. position on the restoration of the bowhead subsistence hunt.

#### THE U.S. POSITION

The position of the United States was to seek restoration of exemption from IWC regulation for subsistence bowhead whaling on condition of U.S. regulation featuring a cooperative bowhead stocks management program with the AEWG. In addition, the U.S. proposed that the National Marine Fisheries Service enforce a 1978 quota of 15 taken, 30 struck and lost, whichever occurred first.



Canadian Native Leaders Confer With Alaskan In Tokyo  
— Sam Raddi, facing camera, and Randy Pokiak, left, from the Canadian Inuvialuit Committee on Original Peoples' Entitlement (COPE) with Arnold Brower and Jacob Adams of the Alaska Eskimo Whaling Commission during coffee break at the IWC meeting in Tokyo, Dec. 6-7, 1977.



#### Whalers At IWC Meeting

— The Japanese Ministry in front of which Japanese whalers were demonstrating in protest against their quota. Alaskan Whalers Dale Stotts and Charlie Edwardsen stopped to chat on their way in.

#### THE ALASKAN DELEGATION

The Alaskan delegation included the Inupiat whalers and State officials. The whalers were headed by NSB Mayor Eben Hopson, AEWG Chairman Jacob Adams, and Barrow Whaling Captains Association President Arnold Brower, all of whom were included as members of the U.S. delegation, and traveled with diplomatic visas. They were accompanied by Gambel whalers Roger Silook, AEWG vice-chairman, and Dwayne Ozeeva; and NSB officials Billy Neakok, Charles Edwardsen, Dale Stotts, and John Buchholdt. Other Alaskans flying to Tokyo to defend subsistence whaling were Charles Meacham, Office of the Governor, and John Burns, Alaska Department of Fish and Game; State Representative Thelma Buchholdt; and NSB consultant Roger Lewis. And to insure that an accurate press account was written about the Tokyo meeting, NSB Mayor Eben Hopson arranged for Stanton Patty to take leave from the Seattle Times to come to Tokyo to observe. Patty is a veteran columnist specializing in Alaskan social and political development, and a long-time friend of Hopson.

Arriving in Tokyo after delays caused by mechanical problems with the aircraft in Anchorage, the delegation had three days over the weekend to get the lay of the land and politic with the various IWC delegations. A special surprise was the arrival of Sam Raddi and Randy Pokiak from the Canadian Inuvialuits' Committee on Original Peoples Entitlement (COPE). Both Raddi and his associate Pokiak were added to the Canadian IWC delegation at the last minute when Bob Delury, Canadian Arctic Resources Committee, notified Raddi that the Canadian government was planning to oppose the U.S. position, and in any event would have no Inuit delegates to the IWC. With less than 48 hours notice, Raddi pressured the Canadian government to add him and Pokiak to the Canadian delegation so that he could work to seek Canadian support of Inupiat subsistence whaling rights.

Raddi's presence in Tokyo was good news, and provided the Inupiat whalers with insight into the politics of the Canadian delegation. Raddi's success in coming to Tokyo to help defend subsistence whaling was in contrast to that of the Greenlandic Inuit. In late November, Hopson had telexed Denmark's Greenland Minister in Copenhagen requesting that the Danes send either Moses Olsen or Angalamortug Olsen with Danish IWC Commissioner Einar Lehmke. According to Lehmke, the Greenland Ministry queried the Greenland Provincial Council with this request, but the Land Council did not send a Greenlander to Tokyo. NSB



**Alaska Eskimo Whaling Commission in Washington, D. C., In International Subsistence Native Rights Battle**

*Standing, left to right: John Oktollik (Pt. Hope), Dwayne Oozeva (St. Lawrence Island), Conrad Oozeva (Gambell), Arnold Brower, Sr., (Barrow), Jake Adams (Barrow), Charlie Edwardsen (North Slope Borough), Senator Stevens, Eben Hopson (Mayor-North Slope Borough), Senator Hollings (D. No. Carolina).*

*Seated, left to right (including reclining by chair): Rossman Peetook (Wainwright), Mildred Aishanna (Barter Island), Rosita Wort (North Slope Borough), Jack Antogame (Gambell), Dale Stotts (Barrow), Herman Aishanna (Barter Island), Roger Silook (Gambell), Billy Neakoh (Barrow).*

officials did not accept this excuse because Greenland's Land Council is regarded as part of the Danish government's colonial administration of Greenland, and failure to be represented in Tokyo should not have been blamed on the Greenland Inuit.

However, it turned out that Denmark, who failed to provide for Inuit representation on her IWC delegation, cooperated fully with the United States and the Inupiat whalers, while Canada, who was pressured to include Raddi and Pokiak, steadfastly opposed the U.S. position and advanced an especially repressive position of her own.

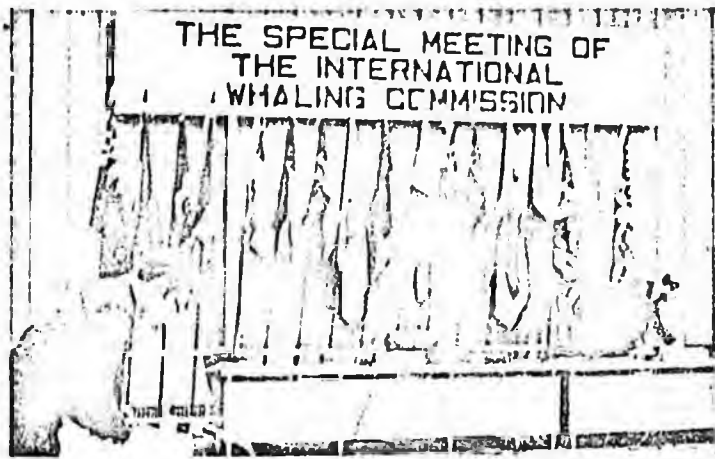
The U.S. IWC delegation was headed up by Richard Frank, Director of the National Oceanographic and Atmospheric Administration, and by Assistant Secretary of State Patsy Mink. To the surprise of the Inupiat whalers, Tom Garrett was still listed as Deputy U.S. Commissioner in spite of his embarrassing racist behavior of recent months. William Aron, formerly the U.S. Commissioner and before that, long-time Deputy Commissioner, was listed merely as an advisor to the U.S. delegation. While embarrassing, both Aron and Garrett were valued for their knowledge of IWC politics, which probably did add strength to the U.S. delegation.

After arriving in Tokyo Friday night, the Alaska and U.S. delegations had the following two days to learn about the political lay of the land and plan strategy. It soon became clear that the sperm whale quota recommendations of the IWC's Scientific

Committee would be approved quickly, leaving time for what was shaping up as an incredibly petty numbers game. With the exception of such staunch whaling moratorium countries as Netherlands, most of the IWC nations were in favor of lifting the bowhead subsistence ban, and the argument revolved around just how many bowhead the Inupiat could hunt. Several nations were under instructions to vote for the lowest possible bowhead subsistence quota.

**U. S. DELEGATION MEETING**

The entire U.S. delegation met together for the first time in the auditorium of the U.S. Embassy Monday evening. The room was dominated by a huge seal of the United States that hung over the front of the room, and whatever differences there were between the members of the delegation, all felt an overriding awareness of being Americans trying to get each other out of trouble in a foreign country. This meeting was the first opportunity provided to the Inupiat whalers to meet with those who had been conspiring to ban subsistence bowhead whaling since 1970. The room was tense with distrust and resentment. The team had yet to be organized. The meeting got underway at 8:30 P.M. About 30 people were present. NOAA's Prudence Fox, a highly regarded whale conservationist who has felt real anguish about conflict with Inupiat subsistence whaling rights, chaired the meeting, and as she began Charles



**Tokyo Forum For Whalers Show-Down**

*Aides prepare delegates' places in the hall of the Japanese Ministry in front of flags of the seventeen whaling nation-members of IWC.*

"Etok" Edwardsen moved about the room with his buzzing automatic camera as if collecting evidence of some potential crime about to be committed. The Alaskans felt unfriendly vibes.

The meeting began with reports from those who had lobbied delegations assigned to them earlier. Richard Frank reported that Canada planned to promote a new bowhead subsistence quota of just 6 whales, and that the Canadians had said that this had the approval of the Canadian Inuit. At this point, the Inupiat whalers entered the conversation when Billy Neakok and Dale Stotts reported on their breakfast meeting with the Canadian delegation that morning at the Imperial Hotel.

Raddi set up the breakfast meeting as soon as he had arrived Sunday evening, and he learned with Neakok and Stotts that the Canadian delegation was under instructions from Ottawa to seek a bowhead subsistence quota of just 6 whales. Raddi and the Alaskans protested, but there was little Commissioner Martin, called back from retirement for this mission, could do. How was it, then, that Richard Frank should be told by Martin that the Inuit concurred with the Canadian position when Sam Raddi and Randy Pokiak had protested their government's position earlier that morning?

The U.S. delegation listened to Neakok and Stotts with interest. Here was evidence of Canadian duplicity, and all began to regard Canada as a common problem drawing all closer together under the huge hanging Seal of State.

The group moved on to discuss the Federal bowhead whale regulations that had earlier been published in the Federal register. The Inupiat whalers were annoyed because the Vice President had assured them that the AEWG would be allowed to regulate bowhead subsistence whaling, and the AEWG did not want quotas to be set until reliable research proved their need. The published Federal regs stipulated a quota of 15 taken, 30 struck and lost, whichever happened first. The Inupiat whalers regarded the publication of the Federal regs to be a betrayal of Mondale's promise, and wanted the AEWG's regulations to be adopted by the government. (See related story)

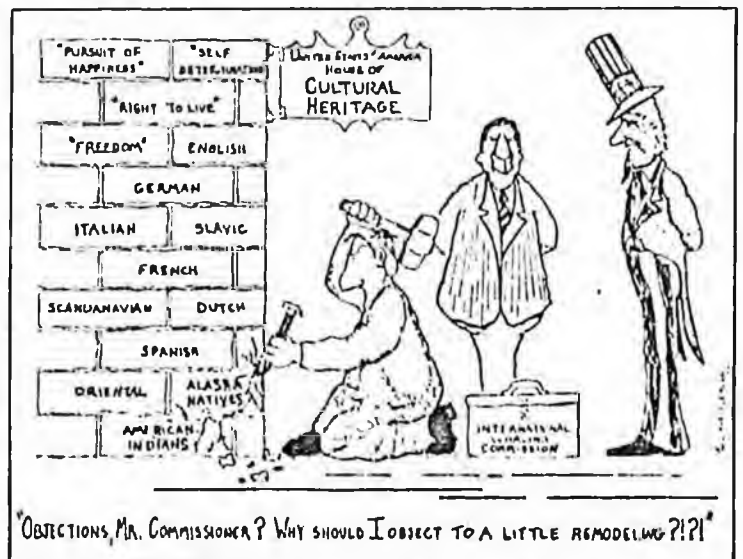
**Whalers' Management Plan Triumphs**

Wearing his hat as Washington, D.C. lobbyist for

the Defenders of Wildlife, Tom Garrett, still U.S. Deputy Commissioner to the IWC, had written a 7-page letter criticizing the government's proposed bowhead conservation program for not being tough enough, and repeated the slanderous charges of wasteful whaling practices that he felt were not being addressed by the government. Fortunately, Garrett was out of the room making xerox copies of his letter when discussion of regulation began. AEWG lawyer Lynn Sutcliff passed out copies of the AEWG's published regulations, and it was clear that few had bothered to read them before, but they took time to read them then. When Garrett passed out copies of his critique, which began by alleging that "Eskimos take lactating females," the Inupiat whalers were asked how the AEWG would prevent their crews from taking females with calves. Arnold Brower responded by pointing out that the taking of females with calves was unusual because such females customarily traveled together in the 3rd run which usually occurred when the ice turned rotten. He said that this run occurred far offshore, and was customarily not hunted by Inupiat whalers. Thus, it would be easy to prohibit the taking of lactating females. Brower explained this in a way that caused the dawning throughout the U.S. delegation of a new comprehension of whaling as a natural part of the bowhead's ecology, where natural laws obtain. Lactating females naturally do not travel through the leads in which all bowhead whaling is conducted in the spring when most whales are taken. Most regard the debate over lactating female whales to have been the critical point when the delegation began to realize that the Inupiat whalers knew more about the bowhead than anyone else, and were just as ardent in the cause of bowhead whale conservation; that cooperative bowhead whale stocks management under the direction of the AEWG would be necessary for successful management.

Steve Perles, a young lawyer from Senator Ted Stevens' staff, chuckled at the sudden reconciliation and concessions being made to the AEWG's management jurisdiction, and coined the expression "peel on" to describe the growing strength of the AEWG's positions as the basis for the U.S. position on the bowhead subsistence quota and bowhead stocks management.

By the end of the evening, while the Inupiat whalers felt bad about Canada, they felt good about



- Courtesy Dave Fleming, Caribou News

having come to friendly terms with those who had for so long plotted to ban bowhead subsistence whaling.

#### IWC MEETING — INCREDIBLE NUMBERS GAME

The IWC meeting began on Tuesday morning in large parliamentary chambers on the 7th floor of the Japanese Foreign Ministry. The delegates were met by a large group of Japanese commercial whalers who conducted an orderly demonstration in support of the restoration of Japanese sperm whale quotas. After an initial plenary session, the IWC closed its meeting to the public and got to work. A Technical Committee was appointed under the chairmanship of the Icelandic Commissioner, and this committee took on the task of drafting resolutions on the North Pacific Sperm and Bowhead whales. The resolution approving the Scientific Committee's Commercial Sperm Whale quota recommendations took about an hour, and the Technical Committee turned to the harder task of dealing with the Bowhead subsistence quota.

Under the gavel of Mr. Thordur Asgeirsson of Iceland, who impressed all by his conciliatory manner, the Technical Committee began a debate that soon made it clear that the IWC nations were generally annoyed with the United States, and that there was a greater hunger for revenge than for justice.

Although it was never advanced as an official Canadian position, Canada sought after a quota of six whales, which they said was based upon the IWC's Scientific Committee report issued from its meeting earlier in Australia. The report said that the Special Meeting has been called to discuss sperm whales and that it was felt that inadequate notice had been given to allow for substantive discussion of the bowhead; that the present bowhead population is estimated at about 1300 whales; that information on the bowhead was inadequate to provide any satisfactory guide for management of the 1300 bowhead whales with a non-zero quota; that the Committee reiterated its statement of June 1977 that taking of any bowhead whales could adversely affect the stock and prevent its eventual recovery; but that the Committee recognized that the Commission may wish to discuss other considerations of subsistence and cultural needs that are beyond the expertise of the Scientific Committee. Canada and other nations justified their opposition to the U.S. bowhead quota position of 15/30 on purely conservative conservationist grounds, and placed no faith in assurances from the Inupiat whalers that the 1300 population figure was grossly inaccurate. When asked why they discounted Inupiat reports of increasing numbers of bowhead, Canada and the conservationists said that they regarded the Inupiat estimates to be just as subjective and self-serving as the inaccurately high whale species population estimates made by commercial whaling ship captains.

Unable to reach any conclusion, the Technical Committee agreed to appoint a Working Group to work on the problem, and under the Chairmanship of Norway, the Commissioners from Canada, U.S., New Zealand, Denmark, USSR and the United Kingdom began drafting a bowhead resolution. However, even this working group was not able to reach agreement on a number for a new bowhead quota, and the draft resolution was given to the Technical Committee with blank spaces to be filled in by the full Committee.

#### U. S. ABANDONS NATIVE SUBSISTENCE EXEMPTION RESTORATION DEMAND

By late afternoon, the full Technical Committee was able to fill in the blanks with the number 18. Eighteen whales struck. This was regarded as a decent compromise between the U.S. position and that of Canada (six taken.) When this new number of 18 was discussed with the Inupiat whalers, Hopson reluctantly agreed with this compromise, arguing that new AEWG regulations restricting the use of the shoulder gun to whales already secured to line with a harpoon would eliminate whatever struck and lost problems that might have existed, and that the U.S. need not continue the disturbing myth of large numbers of bowhead whales struck and lost that had been so slanderously developed by NOAA since 1970.

Early Monday evening, the U.S. delegation met at the U.S. Embassy to consider the Technical Committee's report and reaching agreement on the compromise figure of 18, and U.S. silently retreated from its earlier stand to hold out for restoration of subsistence exemption from IWC regulation in favor of U.S. regulation. The delegation meeting broke to enable attendance of a lavish reception at the New Otani Hotel in honor of the IWC, which had just that day restored most of Japan's sperm whale quota. The reception, lavishly hosted by the Ministry of Agriculture and Forests, Japan's fisheries ministry, provided a friendly atmosphere in which the bowhead whale was discussed with interest, after which several of the Commissioners wired home for new instructions.

#### THE BELUGA BATTLE

By Wednesday morning, most of the delegations had received their instructions about the compromise figure of 18, and it began to appear that some opposition nations might be counted upon to abstain in order to make a 3/4's vote possible for the new quota to pass. The entire U.S. delegation caucused at the Japanese Foreign Ministry in a room that looked down on the Japanese Whaler's demonstrating in front of the Ministry. They had added a sound track which played an essay in English that explained in eloquent terms what they thought of the IWC, and the sound almost drowned out Bill Aron's voice as he led the meeting while Richard Frank argued with the Technical Commissioners about IWC rules for observers. It was at this meeting that Aron revealed a second fall-back position that Frank had decided to use if necessary: 15/18, fifteen whales taken or 18 struck and lost, whichever happens first. There was a howl of protest from the Alaskans who pointed out that Hopson's compromise of 18 already constituted a significant concession from the original U.S. position, and that the U.S. should hold to it. Patsy Mink settled the issue by saying that she would stay with 18. Then the U.S. delegation went through the Technical Committee's Working Group's draft bowhead resolution with its blank spaces and noticed that the last paragraph, added by Canada, restricted the Inupiat community from any increase take of Beluga Whales as a result of its decreased take of Bowhead.

The Alaskans were outraged. The IWC was organized to provide international regulation of commercial hunting of the bowhead whales, the Alaska Eskimo Whaling Commission could at least understand the IWC's interest in bowhead subsistence whaling, but

- there was absolutely no basis for IWC regulation of the beluga whale which is not a great whale, and has never been commercially hunted.

The Inupiat whalers were outraged that the IWC was trying to claim jurisdiction over another subsistence hunt in violation of Inupiat subsistence hunting rights, and that this was being concurred in by the U.S. delegation.

The beluga whale is an important subsistence species hunted along the entire Arctic coastal range of Alaska, Canada and Greenland, with heavy concentration in the Mackenzie Bay where the Canadian government has begun the Arctic OCS program and where Dome Petroleum announced that one of their three deep-water exploration off Tuktoyuktuk had discovered a significant reserve of oil. When the Canadian Government decided to oppose the U.S. quota proposal, it decided to consult with the Inuit Tapirisat (Eskimo Brotherhood) of Canada (ITC). The ITC was not up to speed about the U.S./IWC plot to regulate Native subsistence whaling, but it asked the Canadian government to protect Native subsistence hunting rights, and expressed concern for increased pressure upon the beluga whale resulting from decreased take of bowhead whales.

Responding to this concern, Canada added the beluga whaling restrictions in the language of the resolution drafted by the Working Group of the Technical Committee.

As the U.S. delegation discussed Canada's move to bring the beluga under IWC jurisdiction, the Inupiat whalers learned that the U.S. Marine Mammal Commission has long advocated bringing the beluga whale under the jurisdiction of the IWC, although not a word of this had ever been mentioned to the Native community of Alaska or Canada. Hearing this, Hopson took the floor to vigorously protest this flaky attempt to extend IWC jurisdiction to a species about which there was no evidence of depletion, and which was taken only for subsistence use by Native people. The U.S. delegation agreed to work to eliminate this language from the resolution on the bowhead whale.

#### THE SHOWDOWN — 12 - 18 QUOTA

Following the uproar about the beluga whale, strategy to gain support for the U.S. position was discussed. It was agreed to ask Denmark to move the compromise figure of 18 if the Technical Committee were to defeat the 15/30 figures.

When the Technical Committee met later to consider the Working Group's draft resolution, the 15/30 quota was defeated with only Argentina, Denmark, Mexico and the U.S. voting in favor. Voting against were Australia, Canada, Holland, New Zealand, Norway, England and the USSR. France, Iceland, Japan and South Africa abstained. This was the key vote that revealed the great hostility of most IWC nations toward the United States.

Hopson's compromise figure was treated with more respect. To the surprise of everyone, it was moved by the USSR before Denmark could do so, and it passed by a narrow margin of 7 to 6, with two abstentions. Voting against were Australia, Canada, Iceland, Holland, Norway and England. France and South Africa abstained. And so, the Technical Committee sent its resolution to the full Commission calling for a bowhead subsistence quota of 18 whales.

While the quota of 18 was able to pass the Technical Committee with just a majority vote, it would require a 3/4 vote by the full Commission. 15/30 had no chance. Richard Frank decided to fall back to his 15/18 position, and his motion to amend the Technical Committee's resolution was amended by Denmark. It failed 5 for, 3 against, with 7 abstentions. Norway, seconded by the USSR, moved to amend the resolution with a 12/18 figure. This passed with precisely the necessary 3/4 vote of 10 for, 3 against, with only two abstentions. Australia, Canada and The Netherlands voted no. Iceland and England abstained. Thus, the IWC confirmed its claim to be able to regulate Native American subsistence whaling by United States citizens, something that it had been secretly urged to do since 1970 by an axis of U.S. civil servants and the Washington, D.C. conservationist lobby. This all happened in Tokyo on December 8, 1977, another day of infamy caused by Washington, D.C. bureaucrats who betrayed their Trust obligations to protect the constitutional rights of America's Inupiat community.

## ICC - GREENLAND

### THE GREENLANDIC LAND CLAIMS MOVEMENT

*(The following remarks are edited from an interview with Carl Christian Olsen, taken November 14, 1977 — Ed.)*

Until about 200 years ago, Greenland was completely unaffected by European contact and independent. And then, without asking anybody, the missionaries came and the colonizers put up the Danish flag.

That was the first occupation of Greenland which went on until the 1880's when Denmark sent a navy captain to east Greenland for expeditions with Greenlanders (Greenlandic Eskimos) as interpreters. When he arrived in Angmagssalik, he raised the Danish flag and said, "We have come to save you east Greenlanders from extinction!" From the early 1400's, the whole coast of Greenland had been occupied by Greenlandic Eskimos.

About 15 years later, Knud Rasmussen came to Thule in west Greenland in an expedition. He started a



Greenland Homerule Leaders In Barrow

*Carl Christian Olsen with Henrietta Rasmussen and their child, "Inuk," at the ICC meeting in Barrow. The two Greenlanders are now working as exchange teachers in Barrow with the North Slope School District.*

# STATE OF ALASKA

## DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, GOVERNOR

SUPPORT BUILDING - JUNEAU 99801

March 2, 1978

*SB. 440*

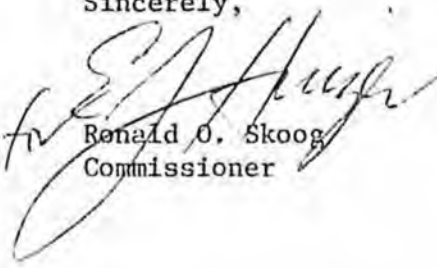
The Honorable John Butrovich  
Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Dear Senator Butrovich:

This is to re-confirm the testimony of the Department of Fish and Game before the Senate and House Resource Committees on SB 440 and HB 687.

The Department favored the concept of providing funding for increased research on the bowhead whale, but suggested that another agency would be more appropriate than Fish and Game as the agency responsible to disburse funds and oversee the program. This recommendation was based on the facts that the Department never has had legal responsibility or authority in great whale management; has not requested assumption of management of these species from the Department of Commerce; and does not have specific expertise in this field.

Sincerely,

  
Ronald O. Skoog  
Commissioner

cc: Keith Specking

Introduced: 1/26/78  
Referred: Resources and  
Finance

1 IN THE SENATE

BY FERGUSON

2 SENATE BILL NO. 440

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 Fish and Game for disbursement to the Alaska  
8 Eskimo Whaling Commission to assist voluntary efforts  
9 to ensure whale stock viability; and providing for an  
10 effective date."

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

12 \* Section 1. The sum of \$250,000 is appropriated from the general fund to  
13 the Department of Fish and Game for disbursement to the Alaska Eskimo Whaling  
14 Commission to assist the commission in (1) gathering data on the population,  
15 migration, and habits of the bowhead whale; (2) monitoring of the subsistence  
16 harvest of whales; (3) reducing the number of whales struck and lost; and  
17 (4) presenting data gathered and otherwise representing the interest of  
18 Alaskan subsistence whalers to the federal government and the International  
19 Whaling Commission.

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



# University of Alaska, Fairbanks

Fairbanks, Alaska 99701

March 8, 1978

Arctic Environmental Information  
and Data Center  
707 A Street  
Anchorage, Alaska 99501

Senator John Butrovich  
Alaska State Senate  
Pouch V  
Juneau, AK 99811

Dear John:

This follows up on your conversation with Chancellor Cutler relative to some unit of the University's research organization managing the proposed appropriation of \$250,000 for bowhead whale harvest surveillance, investigations and research in conjunction with the Alaska Eskimo Whaling Commission.

My involvement in this matter began when I was in Juneau shortly after committee discussions on Senator Ferguson's bill SB 440. At that time Frank explained to me some difficulties being encountered with the concept of ADF&G management of these funds. He asked me if AEIDC could administer the funds or if I could recommend some other University research group to handle matters.

I told Frank that the University group with the most involvement in this issue was at AEIDC but also that the Alaska Sea Grant Program also had the background to handle it, if desired.

A summary of AEIDC's recent involvement is as follows:

1. We prepared a summary report of marine mammal information and status in Alaska for the U.S. Marine Mammal Commission.
2. We prepared a critique of the scientific knowledge being used by the International Whaling Commission and later I introduced a resolution within the Polar Research Board of the National Academy of Sciences on the issue of the availability and application of scientific knowledge.
3. We reviewed the bowhead whale plan proposed by the National Marine Fisheries Service and wrote a critique for the Eskimo whalers.
4. We offered the suggestion that a committee of the National Academy of Sciences might be most useful in supervising, or advising upon, the conduct of whale research and thus possibly elevate the issue away from eskimo-governmental-conservation confrontation.

UNIVERSITY OF ALASKA

Senator John Butrovich  
Page 2  
March 8, 1978

Frank then indicated he would like AEIDC to manage the funds and asked if I would talk to Clem Tillion and Chancy Croft about such a prospect. I agreed and did talk to Clem and Chancy.

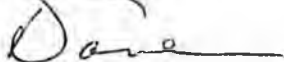
In conversation with Frank and later with Chancy I pointed out that if it was decided to involve AEIDC that I felt I would need specific direction from the legislature, since I had no wish to end up in the middle of counter accusations over improper fund administration--either from the legislature, the science community, or my Eskimo friends.

Specifically the legislature should, in my opinion whether AEIDC is involved or not, decide:

- a. What portion of the \$250,000 should be used for Alaska Eskimo Whaling Commission administration or management?
- b. What portion of the \$250,000 can be used by AEIDC for fund administration?
- c. What are the duties of fund administration? Scientific or fiscal oversight? Reports to the legislature? Liaison and cooperation with NMFS? Coordination with other research activity?
- d. Is it contemplated that whaling research will be funded by the State beyond this year?

With these thoughts in mind, plus my interest in some other legislation, I'll plan on being in Juneau March 13, 14 or 15 and we can discuss these matters further.

Sincerely,



David M. Hickok  
Director

DMH:ec

cc: Senator Frank Ferguson  
Senator Chancy Croft  
Senator Clem Tillion  
Dr. Howard Cutler  
Mr. Jake Adams  
Ms. Ellen Partridge

Same letter to Rep. Steve Cowper

Introduced: 1/26/78  
Referred: Resources and  
Finance

1 IN THE SENATE

BY FERGUSON

2 SENATE BILL NO. 440

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

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#

A M E N D M E N T

Offered in the SENATE

By SENATE FINANCE COMMITTEE

To: \_\_\_\_\_ SENATE BILL NO. 440

\_\_\_\_\_ HOUSE BILL NO. \_\_\_\_\_

AMENDMENT: Page 1 Line 6, 7, & 13

Delete "Department of Fish and Game" and substitute "University of Alaska, Arctic Environmental Information and Data Center (AEIDC)".

A M E N D M E N T

Offered in the SENATE

By SENATE FINANCE COMMITTEE

To: \_\_\_\_\_ SENATE BILL NO. 440

\_\_\_\_\_ HOUSE BILL NO. \_\_\_\_\_

AMENDMENT: Page 1 Line 6, 7, & 13

Delete "Department of Fish and Game" and substitute "University of Alaska, Arctic Environmental Information and Data Center (AEIDC)".

A M E N D M E N T

OFFERED IN THE SENATE:

By: Ferguson

To: \_\_\_\_\_ SENATE BILL No. 440

HOUSE BILL No. \_\_\_\_\_

PAGE: 1

LINE: 13

Delete "Department of Fish and Game" and substitute "A.E.I.D.C.,  
University of Alaska".



# 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 A. Smith  
Signature of Camera Operator

2/26/90  
Date

**COMMITTEE REPORT**  
**SENATE**

FURTHER: \_\_\_\_\_

Date: \_\_\_\_\_

Mr. President:

The Committee on \_\_\_\_\_ has had \_\_\_\_\_

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:

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\_\_\_\_\_  
Chairman

Original sponsors: Hickney, Ray,  
Colletta, et al

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 441

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 special appropriations to the Office of  
7 the Governor and the Department of Education; and  
8 providing for an effective date."

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

0 \* Section 1. The sum of \$30,000 is appropriated from the general fund to  
1 the Office of the Governor for the purpose of providing funds to the Native  
2 Improvement and Development Association of Sitka (NIDAS) to use for prelimi-  
3 nary funding to establish a pilot project whose purpose is to cause the  
4 rehabilitation of troubled youth.

5 \* Sec. 2. The sum of \$35,000 is appropriated to the Department of Educa-  
6 tion, office of the commissioner, for the purpose of establishing an educa-  
7 tional ombudsman.

8 \* Sec. 3. The unexpended and unobligated portion of the appropriation  
9 made in sec. 1 of this Act lapses into the general fund June 30, 1978.

0 \* Sec. 4. The unexpended and unobligated portion of the appropriation  
1 made in sec. 2 of this Act lapses into the general fund June 30, 1979. ✓

2 \* Sec. 5. This Act takes effect immediately in accordance with AS 01.10.-  
3 079(c).

SENATE JOURNAL

SENATE FINANCE COMMITTEE

LETTER OF INTENT

CSSB 441

The amount appropriated to the Department of Education in Section 2 of CSSB 441 is for the establishment of the position of educational ombudsman for the Anchorage School District. This position will report directly to the Commissioner of Education and will handle the concerns of parents within the Anchorage School District.

Introduced: 1/27/78  
Referred: Health, Education  
& Social Services and  
Finance

BY HACKNEY, RAY, COLLETTA,  
KERTTULA AND POLAND

1 IN THE SENATE

2 SENATE BILL NO. 441

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

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13 rehabilitation of troubled youth.

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

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STANDING COMMITTEE REPORTS

Letter of Intent accompanying SENATE BILL NO. 441 reported out of the Finance Committee (February 23, page 326 of the journal) follows:

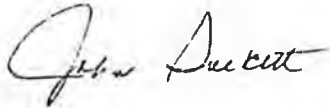
SB  
441

## SENATE FINANCE COMMITTEE

## LETTER OF INTENT

## CSSB 441

The amount appropriated to the Department of Education in Section 2 of CSSB 441 is for the establishment of the position of educational ombudsman for the Anchorage School District. This position will report directly to the Commissioner of Education and will handle the concerns of parents within the Anchorage School District.



The State Affairs Committee has had SENATE BILL NO. 471 (annual motor vehicle registration tax) under consideration and the committee recommends it be replaced with COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 471 and reports it back as follows: Senator Kerttula, Co-Chairman, and Senators Willis and Huber signed "do pass". Senators Ray and Bradley signed "no recommendation".

SB  
471

SENATE BILL NO. 471 was referred to the Finance Committee.

The State Affairs Committee has had SPONSOR SUBSTITUTE FOR SENATE BILL NO. 473 (special appropriation to the Department of Natural Resources) under consideration and the committee recommends it do pass. The report was signed by Senator Kerttula, Co-Chairman, and concurred in by Senators Willis, Ray, Bradley and Huber.

SS  
SB  
473

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 473 was referred to the Finance Committee.

CS     The State Affairs Committee has had COMMITTEE SUBSTITUTE  
 HB     FOR HOUSE BILL NO. 577 (special appropriation to the  
 577     Department of Education for costs of broadcasting the  
        Arctic Winter Games) under consideration and the committee  
        reports it back as follows: Senator Kerttula, Co-Chairman,  
        and Senators Willis and Bradley signed "do pass". Senators  
        Ray and Huber signed "no recommendation".

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 577 was referred  
 to the Finance Committee.

HB     The State Affairs Committee has had HOUSE BILL NO. 672  
 672     (special appropriation to the Office of the Governor,  
        Arctic Winter Games) under consideration and the committee  
        reports it back as follows: Senator Kerttula, Co-Chairman,  
        and Senators Willis and Bradley signed "do pass". Senators  
        Ray and Huber signed "no recommendation".

HOUSE BILL NO. 672 was referred to the Finance Committee.

HB     The State Affairs Committee has had HOUSE BILL NO. 735  
 735     (special appropriation to the City of Sand Point for a  
        runway) under consideration and the committee recommends  
        it do pass. The report was signed by Senator Kerttula,  
        Co-Chairman, and concurred in by Senators Willis, Huber,  
        Bradley and Ray.

HOUSE BILL NO. 735 was referred to the Finance Committee.

#### INTRODUCTION AND REFERENCE OF SENATE BILLS

SB     SENATE BILL NO. 521 by the Resources Committee, entitled:  
 521

"An Act increasing the limit of state  
 participation in the costs of construction  
 of developmental access roads; and provid-  
 ing for an effective date."

was read the first time and referred to the Resources  
 Committee and the Finance Committee.

SB     SENATE BILL NO. 522 by the Rules Committee by request of  
 522     the Governor, entitled.

"An Act making a supplemental appropriation  
 to the Department of Transportation and  
 Public Facilities, Anchorage International  
 Airport; and providing for an effective date."

was read the first time and referred to the State Affairs  
 Committee and the Finance Committee.

Final

Introduced: 1/27/78  
Referred: Health, Education  
& Social Services and  
Finance

Finance

BY HACKNEY, RAY, COLLETTA,  
KERTTULA AND POLAND

1 IN THE SENATE

2 CS SENATE BILL NO. 441

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

and the Dept  
of Education

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

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

9 \* Section 1. The sum of \$30,000 is appropriated from the general fund to  
10 the Office of the Governor for the purpose of providing funds to the Native  
11 Improvement and Development Association of Sitka (NIDAS) to use for prelimi-  
12 nary funding to establish a pilot project whose purpose is to cause the  
13 rehabilitation of troubled youth.

14 \* Sec. 5. This Act takes effect immediately in accordance with AS 01.10.-  
15 070(c).

16 → Sec 2. The sum of \$ 35,000 is appropriated  
17 from the general fund to the Department  
18 of Education, Office of the Commissioner, for  
19 the purpose of establishing an educational  
20 ombudsman.

21 Sec 3. The ~~amount~~ unexpended balance of  
22 the amount appropriated in section 1 of  
23 ~~this~~ shall lapse on June 30, 1978

24 Sec 4. The unexpended balance of the amount  
25 appropriated in section 2 shall lapse  
26 on June 30, 1979.  
27  
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29

Intent

CS SB 441

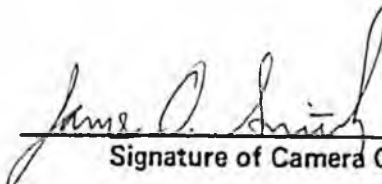
The amount appropriated to the Department of Education in Section 2 of CSSB 441 is for the establishment of the position of educational ombudsman ~~in~~ for the Anchorage School District. This position will report directly to the Commissioner of Education and will handle <sup>the</sup> concerns of parents within ~~that~~ the Anchorage School District.

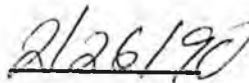


# RECORDS CERTIFICATION



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

  
\_\_\_\_\_  
Signature of Camera Operator

  
\_\_\_\_\_  
Date

# COMMITTEE REPORT

## HOUSE

4/5/78

FURTHER: \_\_\_\_\_

Date: 4/9/78

Mr. Speaker:

The Committee on Finance has had SB 441

"An Act making a special appropriation to the Office of the Governor; 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:

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OTHER RECOMMENDATIONS:

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Signature]  
Chairman

Introduced: 1/27/78  
Referred: Health, Education  
& Social Services and  
Finance

BY HACKNEY, RAY, COLLETTA,  
KERTTULA AND POLAND

1 IN THE SENATE

2 SENATE BILL NO. 441

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 Office of  
7 the Governor; and providing for an effective date."

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

9 \* Section 1. The sum of \$30,000 is appropriated from the general fund to  
10 the Office of the Governor for the purpose of providing funds to the Native  
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12 nary funding to establish a pilot project whose purpose is to cause the  
13 rehabilitation of troubled youth.

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

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#

Introduced: 1/27/78  
Referred: Health, Education  
& Social Services and  
Finance

BY HACKNEY, RAY, COLJETTA,  
KERTTULA AND POLAND

1 IN THE SENATE

2 SENATE BILL NO. 441

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

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13 rehabilitation of troubled youth.

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

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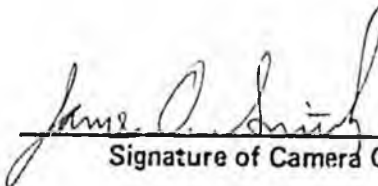
#

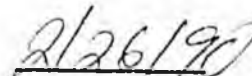


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\_\_\_\_\_  
Signature of Camera Operator

  
\_\_\_\_\_  
Date

COMMITTEE REPORT  
SENATE

FURTHER: \_\_\_\_\_

Date: \_\_\_\_\_

Mr. President:

The Committee on FINANCE has had SP 664  
*relating to Public Land Act*

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:

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OTHER RECOMMENDATIONS:

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\_\_\_\_\_  
Chairman

STATE OF ALASKA  
Inter-Department Route Slip

TO:  
MAIL STATION NUMBER 3501

DEPARTMENT Legislative Finance

ATTENTION \_\_\_\_\_

- |  |  |
|--|--|
| <input type="checkbox"/> Approval      | <input type="checkbox"/> Note & Return       |
| <input type="checkbox"/> Signature     | <input type="checkbox"/> Initial & Return    |
| <input type="checkbox"/> Comment       | <input type="checkbox"/> Return As Requested |
| <input type="checkbox"/> Contact Me    | <input type="checkbox"/> Return For Approval |
| <input type="checkbox"/> Prepare Reply | <input type="checkbox"/> Necessary Action    |
| <input type="checkbox"/> For Your File | <input type="checkbox"/> Your Information    |

Remarks:

*Copy of this error, earlier,  
attached in original*

FROM:  
MAIL STATION NUMBER 2500

DEPARTMENT Commerce

BY Tom Burke DATE 4/11

THE LEGISLATURE OF THE STATE OF ALASKA  
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CSSB 444 - relating to Native handicraft

Title \_\_\_\_\_

Requested by \_\_\_\_\_ Date 3/24/78

II. FISCAL DETAIL

Agency Affected Commerce & Economic Development

Program Category Affected Development

Budget Request Unit(s) Affected Economic Enterprise

CSB 444

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES			25.7	27.2		
200 TRAVEL			4.2	4.5		
300 CONTRACTUAL			77.6	82.2		
400 COMMODITIES			.2	.2		
500 EQUIPMENT			1.0	1.1		
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>			<b>108.7</b>	<b>115.2</b>		

FUNDING (Thousands of Dollars)

GENERAL FUND			108.7	115.2		
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME			1	1		
PART TIME						
TEMPORARY						

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

The identification of Alaskan crafts is an integral part of an arts and crafts development program. The Alaska Federation of Natives is currently promoting this vital industry on a contractual basis. For FY'79, the Native program would be contracted to AFN, the "resident" program would be administered in-house. The fiscal disparity with HB 756 is due to sec. 2.AS45.65.030 (b) - color changes by region and agent numbers on seals.

<u>Native Identification Program</u>		<u>Resident Identification Program</u>	
Personnel	\$31,200	Personnel - Dev. Spec. 1 range 16	\$25,700
Transportation, Per Diem	6,750	Transportation, Per Diem	4,200
Promotion "Silver Hand"	10,000	Promotion "resident craft"	6,000
Printing of 12 colors of stickers & tags	1,600	Printing of 6 regions stickers & tags	800
Consumables, postage, rent, etc.	16,050	Consumables, postage, rent, etc.	6,400
	<u>\$65,300</u>		<u>\$43,100</u>

Assumes inflation @ 6%

IV. DATE March 28, 1978

PREPARED BY

*J.R. Deagen*  
James R. Deagen

AGENCY

Economic Enterprise

PHONE

465-2021

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. SB 444  
Title An Act relating to Native handicraft  
Requested by \_\_\_\_\_ Date 1/31/78

II. FISCAL DETAIL

Agency Affected Commerce & Economic Development  
Program Category Affected Development  
Budget Request Unit(s) Affected \_\_\_\_\_

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL			111.7	118.4		
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL			111.7	118.4		

FUNDING (Thousands of Dollars)

GENERAL FUND			111.7	118.4		
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME			1	1		
PART TIME						
TEMPORARY						

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

The identification of Alaskan crafts is an integral part of an arts and crafts development program. The Alaska Federation of Natives is currently promoting this vital industry on a contractual basis. For FY'79, the Native program would be contracted to AFN, the "resident" program would be administered in-house.

Native Identification Program  
Personnel.....\$31,200  
Transportation, Per Diem..... 6,750  
Promotion "Silver Hand"..... 10,000  
Printing of 36 types of  
stickers & tags..... 4,600  
Consumables, postage, rent, etc. 16,050  
\$68,600

Resident Identification Program  
Personnel - Dev. Spec. I range 16...\$25,700  
Transportation, Per Diem..... 4,200  
Promotion "resident craft"..... 6,000  
Printing of 6 regions stickers & tags. 800  
Consumables, postage, rent, etc.....6,400  
\$43,100

Assumes inflation @ 6%

IV. DATE March 2, 1978 PREPARED BY James R. Deagen  
AGENCY Economic Enterprise  
PHONE 465-2021  
Original: Legislative Finance  
cc: Budget and Management  
Prime Sponsor (First Legislator Named)

## Native Handicraft

An Act relating to identification seal of Native Crafts.

IDENTIFICATION SEAL FOR NATIVE HANDICRAFTS. A person who makes an authentic article of Native handicraft in the state may obtain an identification seal to identify the article as being the product of authentic Native handicraft. The identification seal may be affixed only to authentic articles of Native handicrafts made in the state.

COMMISSIONER OF COMMERCE TO ADMINISTER. The commissioner of commerce is responsible for the administration of the seal, including 1) the design, method of affixing, preparation, issuance and control of identification; 2) the issuance of permits to agents to distribute the seals; 3) the supervision of the use of the seals and 4) the enforcement of the civil and criminal provisions of this chapter.

SILVER HAND. The Silver Hand symbol shall be recognized as the official Native Handicraft symbol. It shall bear the words "Authentic Native Handicraft from Alaska". When room permits it shall also state: "This Silver Hand symbol is your guarantee that this is a genuine, made-in-Alaska item. It has been painstakingly hand crafted and finished by Alaskan Native artists and craftsmen. Where possible, only Alaskan materials have been used in the creation of this article, and to a great extent only traditional Native methods have been used." It should also include a blank line for the artist and the origin.

PERMITS TO ISSUE IDENTIFICATION SEALS. A resident of the state may apply to the commissioner of commerce for a permit as agent to issue identification seals within the state. The commissioner of commerce may examine or investigate an applicant to determine whether the applicant has sufficient knowledge of the handicrafts, customs and populace of the area in which he resides to identify authentic articles of handicrafts, and may issue permits to qualified applicants. Permits shall be issued without charge. The permit may limit the authority of the agent to a certain geographical area or to a particular type of handicraft. The commissioner of commerce shall prescribe the form of the application and permit, the period for which the permit is valid, and the procedure for renewal of the permit.

AFFIXING SEALS TO NATIVE HANDICRAFTS. A maker may present an article to an agent for a seal. The agent shall, without charge, inspect and determine if the article is an authentic Native article of handicraft. If he determines it is authentic, he shall, without charge, affix the seal.

PENALTIES. (A) A person who knowingly or willingly affixes or attaches the identification seal knowing that it is not an authentic Native article of handicraft, is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$1,000 or by imprisonment for not more than one year or by both. (B) A person who knowingly or willfully sells or offers for sale an article with the seal affixed or attached, knowing that the article is not an authentic Native article of handicraft, is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than \$1,000, or by imprisonment for more than one year or both. (C) A person who willfully alters, changes, or counterfeits the identification seal is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than \$1,000 or by imprisonment for not more than one year or by both.

DEFINITIONS. Unless the context otherwise requires:

- (1) "Native" means a resident having not less than one-quarter Eskimo, Aleut or Indian blood;
- (2) "Authentic Native Article of Handicraft" means an article made in the state which is composed wholly, or in some significant respect, of natural materials, and which is produced, decorated or fashioned by an Alaska Native.

Original sponsors: Ray, Bradley,  
Ferguson and Sackett

Offered: 3/23/78  
Referred: Finance

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

2 CS FOR SENATE BILL NO. 444

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 Native handicraft."

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

8 \* Section 1. AS 45.65.010 is amended to read:

9 Sec. 45.65.010. IDENTIFICATION SEAL FOR [NATIVE] HANDICRAFT. A  
10 person who makes an authentic article of Native handicraft in the state  
11 may obtain an identification seal as specified in sec. 30 of this chap-  
12 ter to identify the article [AS BEING THE PRODUCT OF AUTHENTIC NATIVE  
13 HANDICRAFT]. The identification seal may be affixed only to authentic  
14 articles of [NATIVE] handicraft made in the state.

15 \* Sec. 2. AS 45.65.030 is amended to read:

16 Sec. 45.65.030. COMMISSIONER TO PREPARE IDENTIFICATION SEAL. (a)  
17 The commissioner shall prepare and design

18 [(1) IDENTIFICATION SEALS WITH A DISTINCTIVE DESIGN BEARING  
19 THE WORDS "AN AUTHENTIC RESIDENT ALASKAN CRAFT MADE IN ALASKA" WHICH MAY  
20 NOT INCLUDE: THE SILVER HAND SYMBOL; AND]

21 (2) identification seals incorporating the silver hand symbol  
22 and bearing in black letters the words "Authentic Native Handicraft";  
23 and ["AN AUTHENTIC ALASKAN INDIAN CRAFT MADE IN ALASKA", "AN AUTHENTIC  
24 ALASKAN ESKIMO CRAFT MADE IN ALASKA" OR "AN AUTHENTIC ALASKAN ALEUT  
25 CRAFT MADE IN ALASKA".]

26 (3) identification seals incorporating the black hand symbol  
27 and bearing in silver letters the words "Authentic Handicraft from  
28 Alaska".

29 (b) The seals shall have a letter symbol and color change to

1 designate the area in the state in which the article was produced, and a  
2 number to designate the agent or permittee in the area who authorized  
3 the use of the label.

4 \* Sec. 3. AS 45.65.040 is amended to read:

5 Sec. 45.65.040. PERMITS TO ISSUE IDENTIFICATION SEALS. A resident  
6 of the state may apply to the commissioner for a permit as agent to  
7 issue identification seals in the state. The commissioner may examine  
8 or investigate an applicant to determine whether the applicant has  
9 sufficient knowledge of the handicrafts, customs, and populace of the  
10 area in which he resides to identify authentic articles of handicraft  
11 and to distinguish between "Authentic Native Handicraft" and "Authentic  
12 Handicraft from Alaska", and may issue permits to qualified applicants.  
13 Permits shall be issued without charge. The permit may limit the au-  
14 thority of the agent to a certain geographical area or to a particular  
15 type of handicraft. The commissioner shall prescribe the form of the  
16 application and permit, the period for which the permit is valid, and  
17 the procedure for renewal of the permit. He may suspend or revoke the  
18 permit in the manner provided in art. 8 of the Administrative Procedure  
19 Act (AS 44.62.330 - 44.62.639). Native craftsmen [CRAFTSPEOPLE] may  
20 apply to the commissioner for a special craftsman [CRAFTSPERSON] permit.  
21 The commissioner shall ascertain whether the applicant is an Alaskan  
22 resident engaged in arts and crafts production. If this is the case,  
23 the craftsman [CRAFTSPERSON] shall be issued a permit to use seals on  
24 his own crafts products.

25 \* Sec. 4. AS 45.65.050 is amended to read:

26 Sec. 45.65.050. AFFIXING SEALS TO [NATIVE] HANDICRAFT. A maker  
27 having obtained a permit may place seals on articles manufactured by  
28 himself. Other craftsmen [CRAFTSPEOPLE] may present an article of  
29 handicraft to an agent for a seal. The agent shall, without charge,

1 inspect and determine if the article is an "Authentic Native Handicraft"  
2 or an "Authentic Handicraft from Alaska". After making this determina-  
3 tion, he shall, without charge, affix the appropriate seal [AN AUTHENTIC  
4 NATIVE ARTICLE OF HANDICRAFT. IF HE DETERMINES IT IS AUTHENTIC, HE  
5 SHALL, WITHOUT CHARGE, AFFIX THE SEAL].

6 \* Sec. 5. AS 45.65.060(a) and (b) are amended to read:

7 (a) A person who knowingly or wilfully affixes or attaches the  
8 identification seal provided for in secs. 10 - 70 of this chapter to an  
9 article, knowing that it is not an authentic article of handicraft, or  
10 knowing that it is the inappropriate seal as provided in sec. 30 of this  
11 chapter, is guilty of a misdemeanor, and upon conviction is punishable  
12 by a fine of not more than \$5,000, or by imprisonment for not more than  
13 one year, or by both.

14 (b) A person who knowingly or wilfully sells or offers for sale an  
15 article with the seal affixed or attached, knowing that the article is  
16 not an authentic article of handicraft, or knowing that affixed or  
17 attached to it is the inappropriate seal as provided in sec. 30 of this  
18 chapter, is guilty of a misdemeanor, and upon conviction is punishable  
19 by a fine of not more than \$5,000, or by imprisonment for not more than  
20 one year, or by both.

21 \* Sec. 6. AS 45.65.070 is repealed and re-enacted to read:

22 Sec. 45.65.070. DEFINITIONS. In secs. 10 - 70 of this chapter,  
23 unless the context otherwise requires,

24 (1) "Authentic Handicraft from Alaska" means an article made  
25 in the state by an Alaska resident artist or craftsman, and created with  
26 Alaskan materials where possible;

27 (2) "Authentic Native Handicraft" means an article made in  
28 the state which is composed wholly, or in some significant respect, of  
29 natural materials, and which is produced, decorated or fashioned by an

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Alaska Native;

(3) "commissioner" means the commissioner of commerce and economic development;

(4) "Native" means a resident having not less than one-quarter Eskimo, Aleut or Indian blood.

Original sponsors: Ray, Bradley,  
Ferguson and Sackett

Offered: 3/23/78  
Referred: Finance

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

2 CS FOR SENATE BILL NO. 444

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

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10 person who makes an authentic article of Native handicraft in the state  
11 may obtain an identification seal as specified in sec. 30 of this chap-  
12 ter to identify the article [AS BEING THE PRODUCT OF AUTHENTIC NATIVE  
13 HANDICRAFT]. The identification seal may be affixed only to authentic  
14 articles of [NATIVE] handicraft made in the state.

15 \* Sec. 2. AS 45.65.030 is amended to read:

16 Sec. 45.65.030. COMMISSIONER TO PREPARE IDENTIFICATION SEAL. (a)  
17 The commissioner shall prepare and design

18 [(1) IDENTIFICATION SEALS WITH A DISTINCTIVE DESIGN BEARING  
19 THE WORDS "AN AUTHENTIC RESIDENT ALASKAN CRAFT MADE IN ALASKA" WHICH MAY  
20 NOT INCLUDE THE SILVER HAND SYMBOL; AND]

21 (2) identification seals incorporating the silver hand symbol  
22 and bearing in black letters the words "Authentic Native Handicraft";  
23 and ["AN AUTHENTIC ALASKAN INDIAN CRAFT MADE IN ALASKA", "AN AUTHENTIC  
24 ALASKAN ESKIMO CRAFT MADE IN ALASKA" OR "AN AUTHENTIC ALASKAN ALEUT  
25 CRAFT MADE IN ALASKA".]

26 (3) identification seals incorporating the black hand symbol  
27 and bearing in silver letters the words "Authentic Handicraft from  
28 Alaska".

29 (b) The seals shall have a letter symbol and color change to

1 designate the area in the state in which the article was produced, and a  
2 number to designate the agent or permittee in the area who authorized  
3 the use of the label.

4 \* Sec. 3. AS 45.65.040 is amended to read:

5 Sec. 45.65.040. PERMITS TO ISSUE IDENTIFICATION SEALS. A resident  
6 of the state may apply to the commissioner for a permit as agent to  
7 issue identification seals in the state. The commissioner may examine  
8 or investigate an applicant to determine whether the applicant has  
9 sufficient knowledge of the handicrafts, customs, and populace of the  
10 area in which he resides to identify authentic articles of handicraft  
11 and to distinguish between "Authentic Native Handicraft" and "Authentic  
12 Handicraft from Alaska", and may issue permits to qualified applicants.  
13 Permits shall be issued without charge. The permit may limit the au-  
14 thority of the agent to a certain geographical area or to a particular  
15 type of handicraft. The commissioner shall prescribe the form of the  
16 application and permit, the period for which the permit is valid, and  
17 the procedure for renewal of the permit. He may suspend or revoke the  
18 permit in the manner provided in art. 8 of the Administrative Procedure  
19 Act (AS 44.62.330 - 44.62.639). Native craftsmer [CRAFTSPEOPLE] may  
20 apply to the commissioner for a special craftsman [CRAFTSPERSON] permit.  
21 The commissioner shall ascertain whether the applicant is an Alaskan  
22 resident engaged in arts and crafts production. If this is the case,  
23 the craftsman [CRAFTSPERSON] shall be issued a permit to use seals on  
24 his own crafts products.

25 \* Sec. 4. AS 45.65.050 is amended to read:

26 Sec. 45.65.050. AFFIXING SEALS TO [NATIVE] HANDICRAFT. A maker  
27 having obtained a permit may place seals on articles manufactured by  
28 himself. Other craftsmen [CRAFTSPEOPLE] may present an article of  
29 handicraft to an agent for a seal. The agent shall, without charge,

1 inspect and determine if the article is an "Authentic Native Handicraft"  
2 or an "Authentic Handicraft from Alaska". After making this determina-  
3 tion, he shall, without charge, affix the appropriate seal [AN AUTHENTIC  
4 NATIVE ARTICLE OF HANDICRAFT. IF HE DETERMINES IT IS AUTHENTIC, HE  
5 SHALL, WITHOUT CHARGE, AFFIX THE SEAL].

6 \* Sec. 5. AS 45.65.060(a) and (b) are amended to read:

7 (a) A person who knowingly or wilfully affixes or attaches the  
8 identification seal provided for in secs. 10 - 70 of this chapter to an  
9 article, knowing that it is not an authentic article of handicraft, or  
10 knowing that it is the inappropriate seal as provided in sec. 30 of this  
11 chapter, is guilty of a misdemeanor, and upon conviction is punishable  
12 by a fine of not more than \$5,000, or by imprisonment for not more than  
13 one year, or by both.

14 (b) A person who knowingly or wilfully sells or offers for sale an  
15 article with the seal affixed or attached, knowing that the article is  
16 not an authentic article of handicraft, or knowing that affixed or  
17 attached to it is the inappropriate seal as provided in sec. 30 of this  
18 chapter, is guilty of a misdemeanor, and upon conviction is punishable  
19 by a fine of not more than \$5,000, or by imprisonment for not more than  
20 one year, or by both.

21 \* Sec. 6. AS 45.65.070 is repealed and re-enacted to read:

22 Sec. 45.65.070. DEFINITIONS. In secs. 10 - 70 of this chapter,  
23 unless the context otherwise requires,

24 (1) "Authentic Handicraft from Alaska" means an article made  
25 in the state by an Alaska resident artist or craftsman, and created with  
26 Alaskan materials where possible;

27 (2) "Authentic Native Handicraft" means an article made in  
28 the state which is composed wholly, or in some significant respect, of  
29 natural materials, and which is produced, decorated or fashioned by an

1 Alaska Native;

2 (3) "commissioner" means the commissioner of commerce and  
3 economic development;

4 (4) "Native" means a resident having not less than one-  
5 quarter Eskimo, Aleut or Indian blood.

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Introduced: 1/30/78  
Referred: Commerce

BY RAY, BRADLEY, FERGUSON AND  
SACKETT

1 IN THE SENATE

2 SENATE BILL NO. 444

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 Native handicraft."

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

8 \* Section 1. AS 45.65.010 is amended to read:

9 Sec. 45.65.010. IDENTIFICATION SEAL FOR NATIVE HANDICRAFT. A  
10 person who makes an authentic article of Native handicraft [IN THE  
11 STATE] may obtain an identification seal as specified in sec. 30 of this  
12 chapter to identify the article [AS BEING THE PRODUCT OF AUTHENTIC  
13 NATIVE HANDICRAFT]. The identification seal may be affixed only to  
14 authentic articles of Native handicraft [MADE IN THE STATE].

15 \* Sec. 2. AS 45.65.030 is amended to read:

16 Sec. 45.65.030. COMMISSIONER TO PREPARE IDENTIFICATION SEAL. (a)  
17 The commissioner shall prepare and design

18 [(1) IDENTIFICATION SEALS WITH A DISTINCTIVE DESIGN BEARING  
19 THE WORDS "AN AUTHENTIC RESIDENT ALASKAN CRAFT MADE IN ALASKA" WHICH MAY  
20 NOT INCLUDE THE SILVER HAND SYMBOL; AND]

21 (2) identification seals incorporating the silver hand symbol  
22 and bearing in black letters the words "Native Craft"; and ["AN AUTHEN-  
23 TIC ALASKAN INDIAN CRAFT MADE IN ALASKA", "AN AUTHENTIC ALASKAN ESKIMO  
24 CRAFT MADE IN ALASKA" OR "AN AUTHENTIC ALASKAN ALEUT CRAFT MADE IN  
25 ALASKA".]

26 (3) identification seals incorporating the black hand symbol  
27 and bearing in silver letters the words "Resident Alaskan Native Craft  
28 Made in Alaska".

29 (b) The seals specified in (a)(3) of this section shall have a

1 letter symbol and color change to designate the area in the state in  
2 which the article was produced, and the seals specified in (a)(2) and  
3 (3) of this section shall have a number to designate the agent or per-  
4 mittee in the area who authorized the use of the label.

5 \* Sec. 3. AS 45.65.040 is amended to read:

6 Sec. 45.65.040. PERMITS TO ISSUE IDENTIFICATION SEALS. A resident  
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9 or investigate an applicant to determine whether the applicant has  
10 sufficient knowledge of the handicrafts, customs, and populace of the  
11 area in which he resides to identify authentic articles of handicraft,  
12 or to distinguish between resident Alaskan Native crafts made in Alaska  
13 and other Native crafts and may issue permits to qualified applicants.  
14 Permits shall be issued without charge. The permit may limit the author-  
15 ity of the agent to a certain geographical area or to a particular type  
16 of handicraft. The commissioner shall prescribe the form of the appli-  
17 cation and permit, the period for which the permit is valid, and the  
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19 permit in the manner provided in art. 8 of the Administrative Procedure  
20 Act (AS 44.62.330 - 44.62.639). Native craftspeople may apply to the  
21 commissioner for a special craftsperson permit. The commissioner shall  
22 ascertain whether the applicant is an Alaskan resident engaged in arts  
23 and crafts production. If this is the case, the craftsperson shall be  
24 issued a permit to use seals on his own crafts products.

25 \* Sec. 4. AS 45.65.050 is amended to read:

26 Sec. 45.65.050. AFFIXING SEALS TO NATIVE HANDICRAFT. A maker  
27 having obtained a permit may place seals on articles manufactured by  
28 himself. Other craftspeople may present an article of handicraft to an  
29 agent for a seal. The agent shall, without charge, inspect and deter-

1 mine if the article is a Native craft or a resident Alaskan Native craft  
2 made in Alaska. After making this determination, he shall, without  
3 charge, affix the appropriate seal [AN AUTHENTIC NATIVE ARTICLE OF  
4 HANDICRAFT. IF HE DETERMINES IT IS AUTHENTIC, HE SHALL, WITHOUT CHARGE,  
5 AFFIX THE SEAL].

6 \* Sec. 5. AS 45.65.060(a) and (b) are amended to read:

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9 article, knowing that it is not an authentic article of handicraft, or  
10 knowing that it is the inappropriate seal as provided in sec. 30 of this  
11 chapter, is guilty of a misdemeanor, and upon conviction is punishable  
12 by a fine of not more than \$5,000, or by imprisonment for not more than  
13 one year, or by both.

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Introduced: 1/30/78  
Referred: Commerce

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