

**ALASKA LEGISLATURE**

**1134**

**HOUSE and SENATE FINANCE COMMITTEE FILES,**

**1993-1994**

208

Position Title FWP State Trooper		Number of Positions 1	Range/Step 76/A	Bargaining Unit PSEA
Time Status PFT	Staff Months 12.0	Location Coldfoot	Election District 36	
Type of Expenditure		Justification		
1	2	3		
Salary*	59,428		<p>A fully trained and experienced law enforcement officer is needed to provide accident response, patrol, investigation, and search and rescue along the Dalton Highway. This Trooper position must have a 4 X 4 vehicle (class 056) in order to be able to travel the rough road during winter conditions. All other costs are average Trooper cost and are based upon experience. Other items of equipment needed by this FWP Troopers are a snow machine and a four-wheel all-terrain vehicle to allow for off-road patrol to enforce game regulations.</p> <p>One single-engine aircraft and its operation of approximately 300 hours is included with this position. The aircraft will be used for highway patrol, off-highway enforcement of game laws, search and rescue missions, and emergency evacuations.</p>	
Benefits*	25,075			
Premium Pay (Included in Above)				
Other				
Total Personal Services		84.5		
Travel		11.0		
Contractual		52.0		
Commodities		20.8		
Equipment		208.3		
Other				
Total Cost		376.6		
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004		376.6	
Program Receipts/GF	1005			
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				

REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety

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BRU Fish & Wildlife Protection

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COMPONENT Enforcement & ISU

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FY 94

Page 5 of 6

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Revised Date

Position Title AST State Trooper		Number of Positions 1	Range/Step 76/A	Bargaining Unit PSEA
Time Status PFT	Staff Months 12.0	Location Seven Mile	Election District 36	
Type of Expenditure		Amount		
1	2	3		
Salary*	47,585			
Benefits*	21,040			
Premium Pay (Included in Above)				
Other				
Total Personal Services		68.6		
Travel		11.0		
Contractual		21.9		
Commodities		2.5		
Equipment		27.7		
Other				
Total Cost		131.7		
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004	131.7		
Program Receipts/GF	1005			
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				
Justification  A fully trained and experienced law enforcement officer is needed to provide accident response, patrol, investigation, and search and rescue along the Dalton Highway. This Trooper position must have a 4 X 4 vehicle (class 158) in order to be able to travel the rough road during winter conditions. All other costs are average Trooper cost and are based upon experience.				

REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
BRU Alaska State Troopers  
COMPONENT Detachments

FY 94

Page 6 of 6  
Revised Date

# FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

BILL NO. 513 82

Revision Date: 3/22/93  
 Title: "An Act relating to the Dalton Highway"  
 Sponsor: Sen. Frank  
 Requestor: Senate Finance Committee

Dept. Affected: Public Safety  
 BRU: Fish & Wildlife  
 Component: Enforcement / Investigative Services  
 COMPONENT SERIAL NO. \_\_\_\_\_

**Expenditures/Revenues:**

(Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES	75.0	75.0	75.0	75.0	75.0	75.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	9.0	9.0	9.0	9.0	9.0	9.0
SUPPLIES	15.0	15.0	15.0	15.0	15.0	15.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>99.0</b>	<b>99.0</b>	<b>99.0</b>	<b>99.0</b>	<b>99.0</b>	<b>99.0</b>

CAPITAL	0.0	0.0	0.0	0.0	0.0	<del>99.0</del>
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REVENUE FUND SOURCE:	0.0	0.0	0.0	0.0	0.0	0.0
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**FUNDING:**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	99.0	99.0	99.0	99.0	99.0	99.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>99.0</b>	<b>99.0</b>	<b>99.0</b>	<b>99.0</b>	<b>99.0</b>	<b>99.0</b>

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY	3.0	3.0	3.0	3.0	3.0	3.0

Estimate of current year (FY93) Impact \$ \_\_\_\_\_

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

Prepared by: \_\_\_\_\_  
 Division: \_\_\_\_\_  
 Approved by Commissioner: \_\_\_\_\_  
 Agency: \_\_\_\_\_

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

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# FISCAL NOTE

2/24/93

**STATE OF ALASKA  
1993 LEGISLATIVE SESSION**

**BILL NO. SB 82**

Revision Date: February 1, 1993  
 Title: An Act relating to the Dalton Highway  
 Sponsor: Senators Frank, Sharp, Miller, Pearce, Phillips  
 Requestor: \_\_\_\_\_

TBA then FIN

Dept. Affected: Natural Resources  
 BRU: Resource Development  
 Component: Land Development  
 COMPONENT SERIAL NO. 431

**Expenditures/Revenues:**

(Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
<b>TOTAL OPERATING</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>CAPITAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>REVENUE FUND SOURCE:</b>	None	None	None	None	None	None

**FUNDING:**

(Thousands of Dollars)

1002 FEDERAL RECEIPTS						
1003 GF MATCH						
1004 GF						
1005 GF/PROG RECEIPTS						
1006 GF/MHTIA						
OTHER						
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**POSITIONS:**

FULL-TIME	None	None	None	None	None	None
PART-TIME	None	None	None	None	None	None
TEMPORARY	None	None	None	None	None	None

Estimate of current year (FY 93) impact \$ None

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

This bill will open up the Dalton Highway to public use to the Arctic Ocean. We expect that this increased public use will create additional infrastructure demands which will be met by the Department of Transportation and Public Facilities. In BLM's Utility Corridor Management Plan, they have suggested that the state develop a destination campground at the terminus of the Dalton Highway. If such a facility is needed it will be identified as a separate CIP funded project (in combination with available federal funds).

Did not  
travel w/orig.  
bill.

Prepared By: Ron Swanson  
 Division: Land

Phone: 762-2692  
 Date: Feb. 18, 1993

Approved by Commissioner: [Signature]  
 Agency: Natural Resources

Date: 2-22-93

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## SB 82 - Fiscal Note Analysis

	Seasonal Fish & Wildlife E..forcement Offc <u>Roving</u>	Seasonal Fish & Wildlife Enforcement Off <u>2 @ Coldfoot</u>
Personal Services	25.0	50.0
Travel	-	-
Contractual	3.0	6.0
Supplies	5.0	10.0
Equipment	-	-
	<hr style="width: 50%; margin: 0 auto;"/>	<hr style="width: 50%; margin: 0 auto;"/>
Total	33.0	66.0

Will allow for 3 seasonal (5 months) fish & wildlife enforcement officers; two to be stationed at Coldfoot and one roving.

These officers would use the Department's existing aircraft that is under utilized in Fairbanks. Four wheel drive vehicles and other equipment would come from the Department's current inventory.

REVISED

TO: Senator Frank  
FROM: Rick Solie  
RE: SB 82 - Opening the Dalton Highway: Senator Lincoln's questions  
DATE: March 18, 1993

Below are Senator Georgianna Lincoln's seven questions asked in Senate Transportation that I pulled from the committee minutes:

- 1) Concern about the trash along both sides of the Highway;

Response: the Bureau of Land Management is planning to construct wayside facilities, which would include trash receptacles (see attached BLM recreation plan).

- 2) Concern about the Department of Transportation's zero fiscal note;

Response: The DOT/PF has testified on numerous occasions ( John Horn 3/17/93) that they already maintain the road for heavy truck traffic and that private vehicle traffic will not cause additional maintenance requirements.

- 3) Requested a written report on the status of Tanana Chiefs Conference vs. State of Alaska lawsuit;

Response: see attached letter from the Department of law dated 3/17/93.

- 4) What are the state's recommendations for subsistence use in the BLM resource management plan for the Dalton Highway corridor?

Response: the state has made no single recommendation, but has over the past 14 years sent numerous memos and letters to the BLM (see attached "Chronology of Dalton Highway Management Related to Hunting").

- 5) What is the Oil Industry's position on opening the road?

Response: we understand that they are neutral as long as the road is opened to "a terminus near the Arctic Ocean".

- 6) Wants a briefing by Commissioner Blatchford regarding the status of negotiations with the North Slope Borough and Tanana Chiefs Conference;

Response: Commissioner Blatchford briefed the committee on 3/17/93 and indicated that the state is still working with the North Slope Borough and the Tanana Chief Conference on an agreement.

- 7) Wants a report by the Department of Fish & Game on Subsistence uses that would be affected by public access;

Response: see attached letter from the Department of Fish & Game that indicates that there would likely be no adverse impact and in fact additional hunting may help the caribou population.

# STATE OF ALASKA

## DEPARTMENT OF LAW

### OFFICE OF THE ATTORNEY GENERAL

March 17, 1993

The Honorable Steve Frank  
Alaska State Senate  
Room 518  
State Capitol  
Juneau, AK 99801-1182

Dear Senator Frank:

Rick Solie of your office asked us to provide a brief update on the status of the litigation pertaining to the Dalton Highway. He is a brief chronology:

- May, 1991 - Administration proposes opening Dalton Highway to public north of Dietrich Camp.
- June, 1991 - North Slope Borough (NSB) and Tanana Chiefs Conference (TCC) express concern over proposed opening and threaten litigation.
- June - July, 1991 - Litigation initiated by NSB and TCC to prevent road opening. State enjoined from opening road to public.
- August, 1991 - Superior Court in Anchorage rules that State does not have authority to open road and continues injunction.
- September, 1991 - State appeals Superior Court decision.
- May, 1992 - State files opening appeal brief seeking authorization to open road to public.
- December, 1992 - NSB files brief in opposition to states position.
- March, 1993 - TCC files brief in opposition to states position.
- April, 1993 - State will file reply brief to NSB and TCC's opposition briefs.

WALTER J. HICKEL, GOVERNOR

PLEASE REPLY TO:

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ANCHORAGE, ALASKA 99501-1994  
PHONE: (907) 269-5100  
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KEY BANK BUILDING  
100 GUSHMAN ST., SUITE 400  
FAIRBANKS, ALASKA 99701-4679  
PHONE: (907) 451-2811  
FAX: (907) 451-2848

P.O. BOX 110300 - STATE CAPITOL  
JUNEAU, ALASKA 99811-0300  
PHONE: (907) 465-3600  
FAX: (907) 469-5295

The Honorable Steve Frank  
Alaska State Senate

March 17, 1993  
Page 2

June - September, 1993 - Oral arguments before the Alaska Supreme Court will probably be scheduled and heard.

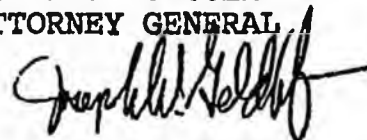
October, 1993 - March, 1994 - Decision by Alaska Supreme Court.

The significant issue presented to the Alaska Supreme Court for decision is whether the Department of Transportation and Public Facilities has statutory authority to open the road north of Dietrich to the public. There are four other minor issues presented for appellate review that revolve around the propriety of the Superior Court's grant of injunctive relief. The most significant of these minor issues is whether the superior court properly determined that the state administration should be enjoined from opening the road for failure to prepare a fiscal note.

Please call if we can answer additional questions.

Very truly yours,

CHARLES E. COLE  
ATTORNEY GENERAL



By: Joseph W. Geldhof  
Assistant Attorney General

JWG:pch

cc: Kathrine McHugh  
Deborah Behr

SFC-93  
# 41  
3-17-93

TO: Senator Frank  
FROM: Rick Solie  
RE: SB 82 - Opening the Dalton Highway: Senator Lincoln's questions  
DATE: March 17, 1993

Below are Senator Georgianna Lincoln's seven questions asked in Senate Transportation that I pulled from the committee minutes:

1) Concern about the trash along both sides of the Highway;

Response: the Bureau of Land Management is in the process of constructing wayside facilities, which would include trash receptacles (see attached BLM recreation plan).

2) Concern about the Department of Transportation's zero fiscal note;

Response: The DOT/PF has testified that they already maintain the road for heavy truck traffic and that private vehicle traffic will not cause additional maintenance requirements (John Horn is here to testify).

3) Requested a written report on the status of Tanana Chiefs vs. State of Alaska lawsuit;

Response: Have asked the Department of Law for a memo.

the state's opening of the road was stayed pending the litigation, which the state lost in superior court but has appealed to the Alaska Supreme Court. The state must file it's brief to the Supreme's by 4/30/93 and the court will probably begin oral arguments this coming summer.

4) What are the state's recommendations for subsistence use in the BLM resource management plan for the Dalton Highway corridor?

Response: have asked for formal responses submitted by Department of Fish & Game (see attached letter regarding BLM "Dalton Highway Recreation Management Plan").

5) What is the Oil Industry's position on opening the road?

Response: they are neutral as long as the road is opened to "a terminus near the Arctic Ocean".

6) Wants a briefing by Commissioner Blatchford regarding the status of negotiations with the North Slope Borough and Tanana Chiefs;

Response: Commissioner Blatchford is available for this morning's hearing

7) Wants a report by the Department of Fish & Game on Subsistences uses that would be affected by public access;

Response: see attached from Fish & Game that states that there would be no adverse impact and in fact additional hunting may help the caribou population.

# STATE OF ALASKA

## DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

WALTER J. HICKEL, GOVERNOR

P.O. BOX 25526  
JUNEAU, ALASKA 99802-5526  
PHONE: (907) 465-4100

February 26, 1993

FEB 26 1993

The Honorable Bert Sharp  
Chairman, Senate Transportation  
Committee  
State Capitol, Room 514  
Juneau, AK 99801-1182

Dear Senator Sharp:

Members of the Senate Transportation Committee requested information on the potential impact of opening the Dalton Highway north of Disaster Creek to the public. Opening this portion of the Dalton Highway to the public will increase use of the Dalton Highway corridor and areas accessible from the road by non-local residents and nonresidents for hunting, fishing, and possibly trapping. Increased competition with local residents for fish and wildlife resources might lead to more restrictive regulations being promulgated by the Federal Subsistence Board for lands under its jurisdiction. Closure of federal public lands currently open to non-subsistence uses near or readily accessible from the Dalton Highway corridor could result. We could only speculate as to how or if the state boards would respond if harvest pressures subsequently increased in areas under their jurisdiction.

We see no immediate nor long-term need to alter hunting seasons or bag limits on game species in areas adjacent to the Dalton Highway if the road is opened to the public. The areas near the road are already managed as a road accessible area because many hunters ignore the road closure. Most hunters using areas near to the road target caribou in the Central Arctic herd. This herd numbers about 22,000; annual harvest is 450 to 480 caribou. Bow hunters take about a hundred each year in the five-mile road corridor. The harvest of the Central Arctic herd could more than double before restrictions would be necessary.

Most hunters using the Dalton Highway hunt caribou in the Western Arctic herd. This herd numbers about 480,000; annual harvest is only 10,000. An increase in harvest would be beneficial to the long-term health of the herd. Few hunters use the Dalton Highway to access the Porcupine caribou herd because it usually migrates to Canada or eastern interior Alaska by August.

February 26, 1993

Residents of the Dalton Highway area have experienced increasing competition in recent years, in part because the permit requirement for travel north of Disaster Creek has not been strictly enforced. More hunters have used the road as an affordable (compared to air charters) jumping off point to access airstrips, river crossings, and transporters' bases north of the Yukon River and especially north of Coldfoot. This practice would continue and potentially generate additional conflict between local residents and nonlocal/nonresident hunters, fishers, and trappers.

The fall 1992 hunting season confirms that the public will travel from long distances to use the Dalton Highway Corridor--if the regulations offer sufficient incentive. Hunters drove from as far away as Haines to hunt under the federal subsistence regulations in the corridor. The conflicts and problems experienced last fall have been well-documented and are primarily a result of actions taken by the Federal Subsistence Board.

Increasing public use will require or encourage development of new and expansion of existing facilities to serve highway travelers. Further information is needed to measure what impacts such development might have on resource habitat and subsistence harvest areas used by local residents.

Finally, some residents and communities in northern Alaska are concerned that facilitating public use of the Dalton Highway will promote plans to construct new roads and make currently remote areas even more accessible. They envision this as leading to even more conflicts with local subsistence activities.

Sincerely,



Ron Somerville  
Deputy Commissioner

**FAX TRANSMITTAL SHEET**

To: Rick Solie

Date: 3/17/93

Number of pages (not including cover sheet): 26

From: Tina Cuning  
ANILCA Coordinator  
Anchorage

Contact #: (907) 349-5671  
(907) 267-2106  
(907) 267-2248  
Fax #: (907) 522-1906

# DRAFT

## Chronology of Dalton Highway Management Related to Hunting

February 9, 1979 Letter from Governor Jay Hammond to David Cline, Alaska Representative of the National Audubon Society, Juneau, Alaska. This letter was in response to Mr. Cline's concerns of the state's future use policy for the haul road.

At the time that this letter was written, the state envisioned that public access to the haul road would be by tour bus.

Public access will be by tour bus for . . . namely the safety and comfort of the travelling public, protection of the fragile northern environment and protection of traditional rural lifestyles. . . year-round industrial use with tour buses is the best way to minimize public costs while still meeting legal obligations to a) maintain the road for Alyeska's use, b) maintain public access, and c) charge no tolls.

As you are aware, big game hunting and fishing are currently prohibited within five miles of the pipeline by order of the Boards of Game and Fisheries. I support these actions fully. The potential conflict between urban sport hunters and rural subsistence will thus not be fueled by the state's policy on the use of the haul road.

March 19, 1980 Memo from Rick Caulfield, Resource Specialist Upper Yukon/Tanana Area, Subsistence Section, Alaska Department of Fish and Game to Tom Lonner, Chief Subsistence Section, Juneau. Subject: Comments on Haul Road Policy:

My concerns are directed primarily at the land and resource management policy provisions as they relate to subsistence concerns in adjacent communities.

Caulfield's comments include:

1. The need to develop and implement comprehensive policy for the Haul Road is obvious.
2. Hunting pressures would probably be significant along the corridor . . . The proximity of the corridor to Stevens Village, Rampart, Bettles, and Wiseman raises the possibility of conflicts between nonlocal and village users, although little has been done to identify potential conflicts.
3. The question of off-road vehicles (ORV's) raises similar concerns.
4. A cooperative planning and management effort including State and Federal agencies, affected regional

**DRAFT**

governments and agencies, and local communities could benefit local residents. . .

5. Additional research is required to document traditional land use patterns of affected communities.

April 11, 1980 Memo from Frances Ulmer, Director of the Division of Policy Development and planning to Jerry Reinwa, Governor's Budget Review committee. Subject: Governor's New Haul Road Policy--Implementation Costs:

"The purpose of this memo is to lay out on the table all the implementation costs of the Governor's new haul road policy."

October 9, 1980 Memo from Marguerite A. Paine, Habitat, to John Clark Assistant Chief, Habitat Protection Section. Subject: Region III Comments on the Draft Haul Road Legislation: This memo summarizes the comments by all Divisions in Region III in review of draft legislation concerning opening of the Haul Road.

Comments included: Section 19.40.100(1)- economic concerns, Section 19.40.100 -public use restrictions, Section 19.40.120(a) -use of off-road vehicles, and Section 19.40.990 - requests a definition of "motorized vehicle" and ". . . whether or not snowmachines are to be considered motorized vehicles."

Hunting - Not addressed in the legislation is the issue of hunting in the corridor. On this subject I received comments from the Game Division that hunting should not be legislatively closed but should be addressed by regulation instead.

The Game Division has received numerous complaints from citizens who feel that at present a few select people have exclusive hunting, fishing and trapping privileges along the Haul Road which is unfair. Management of the Haul road should provide an equal opportunity for all people to use the road.

November 17, 1980 Memo from Rick Jurick, Research Engineer Planning and Programming to Scott Grundy, Regional Supervisor, Habitat Protection, Department of Fish and Game, Fairbanks. Subject: Present and Future Communication Needs Along Haul Road

November 21, 1980 Memo from Marguerite A. Paine, Habitat, to Distribution. Subject: Haul Road Communication Needs. Attached is memo from DOT/PF requesting present and future radio communication needs along the Haul Road.

December 10, 1980 Memo from Ronald Skoog, Commissioner Department of Fish and Game, to Frances Ulmer, Director Division of Policy Development and Planning, Office of the Governor. Memo is regarding outstanding topics related to Haul Road management. Under one topic titled Legislation for the Haul Road, the department has strong opposition to the legislative closure of the Haul Road corridor to hunting:

We believe that any management action with regard to use of fish and wildlife should be handled administratively through existing procedures, namely the actions of the Board of Fisheries and Board of Game. . . . the legislative language should speak to a "prohibition against the discharge of firearms" instead of "against hunting", per se.

Regarding the issue of off-road vehicle use:

It is our position that the haul road corridor should be closed to all but industrial ORV activity origination from the Haul Road. . . . the activities of those who traditionally use ORV's in lands surrounding the corridor should be recognized.

July 25, 1983 NOTICE TO PUBLISHER from Department of Transportation/Public Facilities., Fairbanks to Anchorage Daily News.

Subject: NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES.

. . . proposes to amend regulations in Title 17 of the Alaska Administrative Code, dealing with operation of vehicles on Dalton Highway, . . .

1. 17 AAC 30 is proposed to be amended as follows:
  - a. Changing the references in the present regulations from "North Road" to "Dalton Highway."
  - b. Changing the Department's permit requirements such that the section of the Dalton Highway between the Yukon River and Dietrich Camp shall be open to use by the public throughout the year.
  - c. Deleting the Department of Public Safety as a location where permit applications may be obtained.
  - d. Changing the Department's requirements to provide that a permit may be issued to an owner or operator of a vehicle.

August 17, 1987 Memo from Dick Bishop, Regional Supervisor, Division of Game, Fairbanks to Lewis Pamplin, Director, Anchorage.

Subject: Recommendations from Rick Reakoff on Dalton Highway Management:

Rick Reakoff of Wiseman, Alaska recently came in to inform me of his concerns about hunting and management in the Dalton Highway corridor. He has four main concerns: (1) Bowhunters, who alone can legally hunt in the corridor, are inefficient and their activities result in substantial wounding losses of big game (he estimates five lost for each big game animal killed); (2) The corridor lies in a small valley and supports modest numbers of big game which are easily overharvested; (3) Despite the fact that Wiseman is considered rural, and its residents are considered subsistence users in relation to Gates of the Arctic National Park, they are unable to hunt for subsistence purposes in the Dalton Highway corridor (unless they used bows and arrows, which apparently are not customary or traditional in Wiseman). Mr. Reakoff believes that allowing nonlocals and nonresidents to hunt in the corridor using bows and arrows while precluding local people from hunting for subsistence purposes using firearms violates the subsistence priority law. He may be correct.

Because of this tangle of circumstances, Mr. Reakoff wants to see the rules changed so that local people have a hunting priority using firearms or, failing that, he wants to see the corridor closed to hunting. He asked that we request the Board to include Dalton Highway hunting on its fall agenda.

The Board has discussed the issue of subsistence hunting using firearms in the corridor and concluded they had no authority to provide that opportunity. [and] . . . has adopted generally conservative bag limits (and seasons).

November 5, 1987 Memo from Terry Haynes, Regional Supervisor for the Division of Subsistence, Alaska Department of Fish and Game, Fairbanks to Steven R. Behnke, Director for the Division of Subsistence, Headquarters. Subject: Dalton Highway Corridor Regulations and Restrictions. [Hunting and Transportation]. Memo refers to attachments of an August 17 memo from Dick Bishop to Lew Pamplin, brief community summaries prepared for the Joint Board meetings last spring, and a map of the area in question. [The last two items were not attached to file copy of this memo.]

Memo reiterates a Wiseman resident, Rick Reakoff, dissatisfaction with hunting restrictions and wildlife management in the Dalton Highway Corridor and repeated a question Terry raised in February 1985:

. . . whether AS 16.05.789 (prohibiting hunting with firearms north of the Yukon River within five miles on either side of the Dalton Highway between the Yukon River and the Arctic Ocean) had precedence over AS 19.40.010 (b), which reads:

It is the sense of the legislature that the construction of the [Dalton] highway will not impair the natural wilderness adjacent to the highway and will not unreasonably interfere with subsistence hunting, fishing, trapping and gathering.

Terry does not recall receiving a legal interpretation on this and notes that,; "A legal opinion on these seemingly contradictory statutes may be an essential first step to dealing with Mr. Reakoff's concerns." [Also mentioned in this memo were concerns over transportation restrictions.]

November 30, 1987 Letter from Elizabeth A. Benson, Division of Governmental Coordination, State of Alaska, to Mr. Dave Ruppert, project manager of the Department of the Interior, Bureau of Land Management, Fairbanks, responding to the Utility Corridor Draft Resource Management Plan (RMP) and Environmental Impact Statement (EIS).

Based on concerns about the evaluations of the potential impacts to fish and wildlife resources and possible mitigation measures, the state requested the documents include the Master Memorandum of Understanding (MMOU) currently in effect between the two agencies. This MMOU clarifies the duties of BLM and ADF&G with regards to these resources.

Some additional concerns addressed in this review included: land selection, utility corridor management, federal retention of and closure of the corridor, subsistence, development nodes, transportation and public access, cumulative impacts on water quality, areas of critical environmental concern and fish and wildlife resources.

October 28, 1988 Letter from Governor Steve Cowper to The Honorable Donald Hodel, Secretary of the Interior. Subject: State land selection along the Trans-Alaska Pipeline Utility Corridor.

Governor Cowper urges the Secretary to revoke PLO 5150 (" . . . a outdated administrative withdrawal. . . that was put in place to facilitate construction of the Trans-Alaskan Pipeline.") to allow the State to acquire land selections along the Corridor.

December 19, 1989 Letter from Division of Governmental

Coordination to Mr. Lester Rosenkrance acting state director of the Bureau of Land Management. This letter is a review of the proposed final Utility Corridor Resource Management Plan (RMP) and accompanying final Environmental Impact Statement (EIS for public lands north of the Yukon river:

\* Commends the BLM for stressing the importance of the corridor for energy transportation; however plan over-emphasizes management of the corridor as a tourist destination.

"State Selections"

\* the state would like the BLM consideration of additional State selections

\* the state believes that state ownership would result in less, rather than more, secondary development than proposed in the RMP.

\* the state continues to contest BLM's conclusion that a State selection must pass a planning process review of its merits in order to be conveyed.

"Fish and Wildlife Resources and Management"

Consistent with review of the draft plan, the state suggests:

. . . that the Memorandum of Understanding (MOU) between the BLM and the Alaska Department of Fish and Game (DFG) be incorporated into the final document to clearly demarcate the agencies' respective duties. . . . To remedy any confusion regarding the State's responsibility to manage populations of fish and wildlife, we suggest that the Record of decision (ROD) clarify that the plan does not alter the relationships established in the existing BLM/DFG MOU.

"Sheep Hunting on Areas of Critical Environmental Concern"

Viable sheep populations can be maintained through proper management of hunting activities. We suggest that the ROD clarify that hunting, per se, is not a serious management concern.

"Subsistence Use and Cooperative State-Federal Planning"

In response to the recommendation for a cooperative state-federal planning agreement for the Dalton Highway Recreation Management Area, the State believes that such a planning process is essential to minimize the impacts on subsistence uses of management actions in the area. Should the State eventually gain title to additional lands in the Utility Corridor, we would also recommend some type of cooperative interagency planning effort to include participation by all affected agencies.

Other topics addressed included areas of critical environmental

concern, aircraft altitude restrictions, ORV access, muskox transplant, mitigation, and water resource concerns.

1990 Public information handout titled "DALTON HIGHWAY (Formerly the North Slope Haul Road)" Milepost F 73.1 Elliott Highway to Prudhoe Bay, Alaska (excerpted from the 1990 edition of The MILEPOST).

The first 211 miles to Disaster Creek near Dietrich are open to public travel year-round. North of Disaster Creek travel is restricted to permit holders. . . . Permits are not issued for travel on the Dalton Highway north of Disaster Creek for reasons other than commercial or industrial uses. . . . Construction of the road began April 29, 1974, and was completed 5 months later. . . . The Bureau of Land Management manages 2.7 million acres of public land along the Dalton Highway between the Yukon and Pump station No.2.

Included in this handout are Mileposts listings and a map of the Dalton Highway.

1990 and 1991 Public information handout (publication date unknown) titled "Dalton Highway Corridor" (Hunter information Series #111-13, Alaska Department of Fish and Game, Division of Wildlife Conservation, Fairbanks, Alaska).

This handout has information about the area, hunting requirements, transportation, and permit requirements to drive north of Dietrich and a map of the Dalton Highway Management Area.

April 2, 1990 Board of Game letter to Governor Steve Cooper advised him of their concerns with respect to opening the Dalton Highway and to make recommendations to address th. concerns.

January 11, 1991 Tina Cunning, ANILCA Program Coordinator, Department of Fish and Game [Draft] Memo to the file. Subject: Dalton Highway Recreation Area Management Plan; State involvement and who's on first?

Included in these comments were the following:

1. There has been no coordination by the BLM with the Department of Fish and Game in preparing this plan.
2. The document does not contain or reference an "810 Evaluation, . . .

3. The document includes an inadequate analysis of available information, . . .

4. The proximity of the Dalton Highway to TAGS . . . .

On December 6, 1991, Wildlife Division alerted the Commissioner's Office of several proposals in the plan being promoted by the State Pipeline Coordinator's Office which change hunting and access restrictions contrary to statute and Board decisions. Decisions resulting from the initiatives and plans pursued in Dalton Highway planning which affect fish and/or wildlife will require involvement by the Alaska Boards of Game and Fisheries.

November, 1991 Bureau of Land Management completed "Recreation Area Management Plan". (Plan approved by Dee Ritchie, Bureau of Land Management, District Manager, Arctic District, on October 11, 1991.)

November, 1991 Dalton Highway Recreation Area Management Plan Summary (no day date given). This document provides a summary of the "Recreation Area Management Plan".

November 18, 1991 Letter from Dee Ritchie, Arctic District Manager for the Bureau of Land Management to "Dear Alaskan". This letter was inserted into the "Dalton Highway Recreation Area Management Plan Summary", inviting all Alaskans to an open house at the BLM office building in Fairbanks on December 12, 1991. "The open house will give you the opportunity to discuss the plan with the various staff members involved in its preparation."

December 2, 1991 Alaska Department of Fish and Game, Weekly Report, November 21-27, by Region III Division of Wildlife Conservation:

Regional Supervisor Chris Smith attended a meeting of the North Slope Borough Fish and Game Management Committee to discuss results of the hunter check station on the Dalton Highway last fall. NSB residents were concerned about the impact of increasing numbers of hunters on local subsistence uses. Ways for NSB residents to become involved in making decisions regarding road access also were discussed.

December 6, 1991 Memo from Chris Smith, Regional Supervisor, Division of Wildlife Conservation, Alaska Department of Fish and Game, Fairbanks, thru David Kelleyhouse, Director, to Carl Rosier,

Commissioner. Subject: Opening of the Dalton Highway.

The Tanana Chiefs Conference and the North Slope Borough is opposing the opening the Dalton Highway to unrestricted public use because they are concerned that it would lead to a increase use by non-locals and result in a negative impact on subsistence resources. But,

...results of our check station efforts along the Dalton Highway clearly reveal that maintaining the existing restrictions on public use will not prevent continued expansion of nonlocal use. . .The purpose of this memo is to brief you on these results and suggest how they may relate to the governor's efforts to open the road.

"WHY AREN'T RESTRICTIONS EFFECTIVE?"

1. Ineffective enforcement. Permit requirements for travel north of the Disaster creek are not being enforced and more hunters are accessing unrestricted.

2. There is unrestricted use on the Tanana Chiefs Conference region. Hunters can legally use the Dalton Highway as a "jumping off point" to access areas in the central Brooks range and North Slope.

In addition, DOT/PF will issue a permit to travel beyond Disaster Creek to any hunter with a signed contract with a guide or transporter operating in the restricted area. Thus the increasing numbers of hunters will not be stemmed by the existing restrictions (even with enforcement) and the impacts will not be limited to the immediate highway corridor in any event.

"HOW DOES THIS RELATE TO THE GOVERNOR'S EFFORTS?"

This evidence suggest that the impacts of increasing numbers of hunters may not be mitigated by the existing restrictions. Therefore, there can be little basis for arguing that the existing restrictions are needed to protect subsistence uses.

Since the board is recognized in law as the rule-making body for dealing with issues of hunter access, wildlife use and allocation, the board process can be used to provide an alternative method to the current litigation for identification and resolution of potential conflicts between local and nonlocal hunters.

December 6, 1991 Memo from Chris Smith, Regional Supervisor of Wildlife Conservation, Fairbanks, to David Kelleyhouse, Director of the Alaska Department of Fish and Game. Subject: Dalton Highway

Issues.

Smith expresses concerns over the State Pipeline Coordinator's Office Planning efforts Meeting November 14, 1991. (Minutes of meeting attached from Jerry Brossia, State Pipeline Coordinator). Chris voiced concern over the Pipeline Coordinator's Office taking the lead in coordinating resolution of the following issues.

As you know there are numerous state and federal statutes and regulations dealing with access, hunting and trapping along the Dalton highway. Some of these regulations are complementary, others contradictory. The Federal Subsistence Board is considering proposals for federal regulations that would override state statutes. BLM has given indications that they plan to eliminate regulations that prohibit ORV use on their lands and seem to be promoting such use in spite of state statutes and regulations prohibiting it.

Chris plans to attend the next meeting on January 10, 1992, since hunting within the Dalton corridor is on their agenda.

December 24, 1991 Letter from Jerry Brossia, State Pipeline Coordinator to Edward F. Spang, Bureau of Land Management.  
Subject: Dalton Highway Recreation Area Management Plan.

Brossia thanked him on the behalf of Governor Hickel for the packet regarding the Highway Recreation Area Management Plan and emphasizing the need for continued cooperation and coordination on this issue. Further stating that the governor ". . . shares the common goal of opening the Dalton Highway to the public and this plan is a positive step in that direction."

Mr. Brossia further informs him that he has been assigned the lead for the State on this matter and will be asking the Department of Transportation and Public Facilities and Department of Natural Resources, Division of Parks and Outdoor Recreation to participate in these meetings.

January 21, 1992 Weekly Report, January 9-15, 1992.  
Region III (Fairbanks), Alaska Department of Fish and Game,  
Division Wildlife Conservation:

Chris Smith and Phil Brna (Habitat Division representative to the State Pipeline Coordinations Office) attended the second the Dalton Highway planning meeting in Anchorage. Representatives from BLM, DOT/PF, DEC, DNR, Tanana Chiefs, North Slope Borough, Alyeska, Yukon Pacific Co. (YPC) and the Division of Governmental Coordination also attended. BLM is expecting 3-5,000

more visitors along the Dalton this year in conjunction with Celebration '92. BLM will offer brochures and is planning development of waysides and campgrounds; only the campground at the Arctic Circle will be completed for this year. In addition, BLM is revising their off-road vehicle regulations to allow the use of ORV's on designated trails during the summer. Interest also was expressed in providing oil field tours. YPC expects to need exclusive use of the road for up to three years once construction of a gas line begins. The entire group supported DWC proposed management of hunting along the Dalton; many in attendance felt that the potential value of wildlife viewing opportunities along the road far outweighs the limited hunting opportunity.

January 28, 1992 Memo from Tina Cuning, ANILCA Program Coordinator, Department of Fish and Game, Anchorage, to Distribution. Subject: BLM Recreation Plan; Past state Positions and Current Status.

Attached is a January 13, 1992 memo from Chris Smith documenting a recent meeting held related to planning along the Dalton Highway. Subsequent to that meeting, I have spoken to Paul Rusanoski seeking to clarify the state's concerns, historic concerns, and coordination involvement in the planning process. Paul and I agreed to the following steps:

1. The department will review the past outstanding issues. . .
2. Other departments may wish to review their previous positions and outstanding issues related to the Utility Corridor Plan and other plans in the area.
3. Consider in light of any identified outstanding issues, whether the Division of Governmental Coordination should be reinstated with responsibility for coordination of the state's involvement in the Dalton Highway Recreation Management Plan.

February 24, 1992 File Notes: Public Safety voices concerns over not being included in Haul Road Planning meeting held January 10, 1992.

This meeting had people from other agencies who spoke on behalf of public safety and fish and wildlife issues and that the pipeline coordinator's office was the lead agency in originating a meeting that has to deal with matters which are primarily transportation and public safety issues in the first place.

March 10, 1992 Memo from Tina Cuning, ANILCA Program Coordinator, Department of Fish and Game to Al Ott, Habitat Division, Fairbanks. Subject: Dalton Highway plan concerns by Gates SRC; comments needed.

Al Ott will coordinate the department's involvement in Dalton Highway issues. Al will conduct an assessment of the department's past concerns to advise the Division of Governmental Coordination.

April 17, 1992 Memo from Terry Haynes, Statewide Coordinator for the Division of Subsistence, Fairbanks to Rob Bosworth, Director of the Division of Subsistence, Juneau. Subject: Federal Subsistence Board. This memo summarizes actions taken by the Federal Subsistence Board at its April 6-10 meeting in Anchorage. The following proposal involved the Dalton Highway Corridor Management Area.

<u>PROPOSAL NO.</u>	<u>ACTION TAKEN</u>
125,144,128,	
114,118,	Proposal #128 was amended and adopted; the use of firearms by federally-qualified subsistence users for hunting moose and sheep in units 24 and 26 is authorized in the Dalton Highway Corridor Management Area; a federal registration permit is required; ORV's cannot be used in the corridor except where authorized by current regulation (the BLM cannot adopt regulations more liberal than those allowed by the state, which would be required to take the action requested in proposal #144

Terry notes some of his state/federal management concerns:

Although the effects of the growing number of divergent state resident and federal subsistence regulations cannot yet be fully evaluated, I am concerned that confusion and non-compliance may prevail in some areas. Much depends upon the nature of the differences in the state and federal regulations and such factors as the amount of federal public land involved, the proximity of the affected GMUs to urban areas, regulations in adjoining units, the health of the resource(s) involved, and the level of harvest effort in the area. Whether or not federal agencies will provide usable land status maps to aid hunters in distinguishing between state, federal public, and private lands is unclear, but would seem essential if the federal regulations are to be enforceable.

April 27, 1992 Letter from Tina Cuning, ANILCA Program

Coordinator, Alaska Department of Fish and Game, to Raymond Paneak, Chairman of GAAR, Subsistence Resource Commission, Fairbanks. The letter thanks him for sending a copy of the "Draft Hunting Plan Recommendation 4: Impacts on Subsistence Hunting and Land Use Decisions" and supports the commission's request for a forum in which residents of the affected area can discuss their concerns:

The Department has been urging both state and federal agencies to improve coordination in dealing with the effects of increasing use of the Dalton Highway. This expanding public use south of Disaster Creek led the department to operate a hunter check station last year along the Dalton Highway. . . . The Alaska Board of Game recently used information from the check station to address potential conflicts between users along the Dalton Highway. These data and other information may be helpful in protecting opportunities for subsistence uses in your area.

May 27, 1992 Memo from Jerry Brossia, State Pipeline Coordinator to Distribution. Subject: Haul Road Planning Meeting Minutes (5/22/92). This memo contains meeting notes and summary. Subject titles are as follows:

Purpose: Introduction: Celebration "92" Special Concerns: Legal Brief on Status of Opening of the haul Road: Who Should Coordinate Meetings and Work Programs: Operations and Maintenance Cost: Responsibilities: Wayside, Dumps, etc.: Hunting Within the Corridor and Hunter Education: Federal Subsistence Board Proposal to Open Haul Road to Rifle Hunting: Public Safety Concerns: Campgrounds at Deadhorse: Available Funds from Federal Highway Bill to State and Federal Agencies: Communication System Report on Use of Alyeska Towers: Historical Properties and Access: Closing Remarks:

**Hunting Within the Corridor and Hunter Education:**

A growing hunter impact will soon have to be faced along the corridor. Increasing numbers of hunters creates: 1) increased demand on resources and 2) public safety. Short-term and long-term usage should be addressed sooner rather than later. Should a hunter information booth be located at the checkpoint to inform hunters? What about those hunters who are flown in?

Many hunters will be using the road as a jumping off location to fly to various areas in the interior. This will cause additional problems within the villages and previously uninhabited, unmonitored areas. The effects on wildlife movement will be affected. Bow and arrow hunting only will still be allowed with five miles of the

corridor from Yukon to Prudhoe.. . .

**Federal Subsistence Board Proposal to open Haul Road to Rifle Hunting:**

Subsistence hunting with firearms will be allowed on BLM land. Permits will be issued for the five mile boundary of the road to State statutes. These permits will not be valid on State land. Providing hunters with sufficient information will be difficult.

The sectioned titled **Public Safety Concerns:** was quite lengthy but mainly outlined that: "Three main issues exist for safety: 1) enforcement, 2) accident response, and 3) search and rescue."

Attached to this memo is a copy of "BUDGET INCREMENT PROBLEM STATEMENT", Item: Dalton Highway Trooper Position. This problem statement address the essential elements of a problem-solving approach in stationing a trooper on the Dalton Highway.

May 28, 1992 Federal register/ Vol.57.No.103/ Thursday, May 28, 1992/ Notices. **Supplemental Rules for Dalton Highway Recreation Area, Arctic District, Alaska.** These are final regulations adopted by the Bureau of Land management which restrict use of pack animals, camping areas, etc..

June 17, 1992 Memo from Tina Cunning, ANILCA Program Manager, to Sally Gibert, State CSU Coordinator, Division of Governmental Coordination. Subject: "haul road planning status". The memo contained concerns over May 27, 1992 minutes of a "Haul Road Planning Meeting" held May 22, 1992 in Anchorage. "haul road planning status" The following are excerpts from these concerns:

1. Why did the recent meeting participants conclude this function should transfer to the Alaska Department of Transportation and Public Facilities? or would only the planning functions transfer while DGC would resume coordination?

2. Would you consider locating and reviewing the state's positions (should be official DGC correspondence)?

3. What is the status of Bureau of Land Management's implementation plans?

June 29, 1992 SYSM note from Sally Gibert, State CSU Coordinator to Tina Cunning, ANILCA Program Coordinator, advising her that she was working on a reply to her concerns expressed in the June 17,

1992, Haul Road memo. She notes need for a paper trail.

June 30, 1992 Memo from Tina Cunning, ANILCA Program Coordinator to Sally Gibert State CSU Coordinator, Division of Governmental Coordination. Subject: Dalton Hwy Regulations. There are several questions and concerns addressed in this memo regarding BLM's published regulations on May 28, 1992. One of these concerns was the firearms issue:

"3. The discharge of firearms is prohibited within one (1) mile of all developed campgrounds."

Alaska Statutes prohibit use of firearms for hunting within 5 miles of the highway. The Federal Subsistence Board recently deleted its regulation which prohibited use of firearms for hunting within 5 miles of the highway. By its absence, subsistence hunters on federal lands will assume that hunting with firearms within the corridor is permitted.

- Can federal regulations be more liberal than a state statute for same area?

- Have the enforcement conflicts in this situation been considered?

- How can these regulations (43 CFR 8365.1-6 which contradict state statute be promulgated alongside other BLM regulations (43 CFR 8365.1-7) which require consistency with state and local laws?

- The Dalton Highway Recreation Management Area (1.1 million acres) presumably also includes private and state lands--is this regulation presumed to apply on state and private lands even if the state statute is repealed?

- Is this regulation consistent with state regulations on discharge of firearms within the vicinity (1/4 mile ?) of campgrounds.

- What is a developed campground? Only those provided by BLM?

July 1, 1992-June 30, 1993. Subsistence Management Regulations for Federal Public Lands in Alaska, subsistence taking of fish and wildlife, effective July 1, 1992-June 30, 1993. GENERAL PROVISIONS FOR TAKING WILDLIFE, METHOD AND MEANS OF TAKING WILDLIFE:

During open seasons listed in this booklet, eligible subsistence users may hunt by any method, except those

listed below. You may not hunt during a closed season or in an area closed to hunting (p 7).

Firearms are not restricted as a "method" except that:

- B. When hunting big game, you may NOT:
1. use a firearm other than a shotgun, muzzle-loaded rifle, or rifle or pistol using a center-firing cartridge, . . .
  2. use a crossbow in any area restricted to hunting by bow and arrow only.

August 4, 1992 Memo from Sally Gibert State CSU Coordinator to Tina Cuning ANILCA Coordinator, DFG. Subject: Response to "Haul Road Planning Status" memo of June 17, 1992. This responds to concerns over the haul road issues and coordination.

DGC will continue to coordinate formal responses to the Bureau of Land Management on federal plans and activities for the Dalton Highway corridor, e.g. the recent public use regulations.

Sally advises that since many issues concern intra-state issues, there was a consensus that DOT/PF would be the most appropriate lead agency, and DOT/PF Commissioner Turpin has decided to accept this comprehensive coordination role.

Sally planned to get back to Tina about the status of BLM's implementation plans after contacting BLM.

August 12, 1992 Certified letter from the United States Department of the Interior, Bureau of Land Management, to State of Alaska, Department of Natural Resources, Division of Lands. Subject: "This document confirms that all right, title, and interest of the United States in and to the described lands is vested in the State of Alaska." The letter identifies state land along Dalton Highway Corridor. Confirms land from approximately milepost 300.3 north to the Arctic Ocean is state land. (Excluding some land in the immediate vicinity of the Prudhoe Bay oil fields.) Attached are legal descriptions and maps.

August 13, 1992, News release in the Fairbanks Daily News Miner by Kelly Bostian, "Law may allow many hunters in pipeline corridor":

A loophole in a federal subsistence hunting regulation may allow subsistence hunters from throughout the state to hunt caribou with firearms along the Dalton Highway north of the Yukon River, which is an illegal activity under state law.

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The article describes how the loophole occurred and defines who can take advantage of it.

August 14, 1992 Memo from Molly Birnbaum, Project Review Coordinator, State Pipeline Coordinators Office, DGC. Subject: Dalton Highway-BLM Regulation Change.

On May 28, 1992 BLM published regulations in the Federal Register effective June 1, which established public use restrictions along the Dalton Highway corridor. These new regulations effect various interests and were not subject to review or advance notice. . . . The state is preparing to make a coordinated state response and will be making the decision of what sort of action would be the best to take after all the concerns are identified.

It was decided at the Haul Road Planning meeting on May 22, 1992 that DOT/PF would take the lead in intra-state planning and coordinating the opening of the haul road to the public. Department of Governmental Coordination ". . . will continue to coordinate formal responses to the BLM on federal plans and activities for the Dalton Highway Corridor, such as this recent public use regulation change."

Attached were regulations for circulation to all interested agency representatives, and comments were due to her by Sept. 4, 1992.

August 14, 1992 Federal Subsistence Board "For Immediate Release" titled: **Subsistence Hunting in Pipeline Corridor: Allowed Only for Rural Residents:**

This information release is an attempt to clarify who could hunt with firearms within the Dalton Highway corridor. The first paragraph states that subsistence hunting with firearms in the Dalton Highway Corridor is allowed only on federal public land and only by rural Alaska residents. Then goes on to say:

This does not include residents of the Municipality of Anchorage, the Fairbanks North star borough, Eielson Air Force Base, or other areas of the state that are considered non-rural.

The next paragraph states that subsistence hunting is permitted only on Bureau of Land Management land under federal subsistence regulations. Mr. Tom Boyd who oversees subsistence activities for the Bureau of Land Management in Alaska is quoted as saying: "There seems to be a lot of confusion on who can hunt and what they can hunt."

Boyd explained that hunting for sheep and moose is limited to local

residents of the area and specific communities that have "customary and traditional use" of the resources. Many of the sheep and moose hunts are also by permit only.

The fourth paragraph states the things get more complicated with caribou:

Things get more complicated with caribou, according to Boyd. Caribou herds in the corridor other than the Central Arctic and Western Arctic herds in Game Management Unit (GMU) 26 can be hunted under federal subsistence regulations by rural residents from outside the local area.

The next paragraph basically says the federal staff did not think there would be a problem with people out of the local area coming up to take advantage of the subsistence hunt along the Dalton Highway corridor because, to quote Mr Boyd again:

The bottom line is, however, that the Dalton Highway is a remote, long road over rugged terrain, and there are limited caribou in the area, . . .

Hunting with firearms in the corridor is allowed only on BLM land which ends near Pump Station No.2 south of the Prudhoe Bay Closed Area. A permit is required for driving the Dalton Highway north of Disaster Creek.

August 16, 1992 Memo from Tina Cuning, ANILCA Program manager, Department of Fish and Game, to Chris Smith, Regional Supervisor, Division of Wildlife, Fairbanks. Subject: Firearms in Dalton corridor; BLM regulations. Tina requested to be keep informed of any correspondence Chris may have with BLM, Federal Subsistence Board, or staff in reference to the request in weekly report of July 1, 1992:

. . . staff have asked BLM for clarification of who is eligible to hunt in federal subsistence hunts, and what methods and means are allowable according to federal law.

Additional comments:

. . . the Federal Subsistence Board dropped its prohibition of firearms for hunting within the Dalton Highway corridor. . . It is my understanding that a request has been made to the Attorney General's office seeking clarification of whether federal regulations can be in conflict with state law."

The only BLM-promulgated regulations. . . are the unilateral regulations recently adopted prohibiting

**DRAFT**

firearms near campgrounds within the Dalton Highway corridor.

. . . the question keeps rising--does Title VIII give the federal government authority to **regulate methods and means** in addition to **providing opportunity** for subsistence uses of wildlife? . . . documentation of any concerns, problems, and confusion is important for the administrative record.

August 17, 1992 Memo from: Richard Burton, Commissioner, Department of Public Safety, Thru: Pat Ryan, Chief of Staff, To: Charles Cole, Attorney General, Department of Law. Subject: Request for A.G.'s Opinion. Conflict between State and Federal Hunting Regulations. This memo requests guidance from the Attorney General regarding the present federal regulations conflict with state law. State law prohibits the use of firearms while the absence of a federal prohibition thereby allows firearms.

*Note: ADF&G Legislative History Vol.34, p.556. Udall refers to a 1964 Interior Department Solicitor's opinion:*

*Just as any other landowner, the Secretary's regulations of such activities on Federal lands may be more restrictive, but are not more liberal than State regulations.*

August 18, 1992 Memo from Chris Smith, Regional Supervisor, Division of Wildlife Conservation, Fairbanks thru David Kelleyhouse, Director to Carl Rosier Commissioner. Subject: Firearms Use in the Dalton Highway Corridor.

The following concerns were addressed:

. . . the Federal Subsistence Board's (FSB) action to open the Dalton Highway Corridor Management Area to use firearms for federally eligible subsistence hunters.

. . . FSB did not adopt a federal regulation to actively override the state statute that prohibits use of firearms in this area (AS 16.05.789). The federal regulations are simply silent on the matter, i.e., there is no federal prohibition to match the state's. . . the federal government has passively overturned a state statute by telling federally eligible hunters that they can violate a state statute on federal land.

FSB might argue that ANILCA provides them the authority to override the state statute to provide the federally mandated preference for rural residents, . . . Perhaps

Cheri Jacobus could advise us on this.

Given the lack of explicit federal authorization to use firearms, under normal legal construction, the more restrictive state statute would prevail and the state could actively enforce the prohibition on use of firearms. To my knowledge, the Department of Public Safety has no plans to enforce AS 16.05.789. While I am not yet convinced that we have a "resource" problem on our hands, there is certainly a growing public perception problem and I expect some user conflicts this fall.

. . . due to the FSB's different approach to defining what constitutes a rural area, all residents of GMU 20 (i.e. Delta Junction and Ft. Greeley) are eligible to hunt for most species with firearms in the corridor. This may increase the number of firearms hunters over what was previously expected.

We will be establishing a hunter check station on the Dalton next week in cooperation with BLM and other federal agencies which should provide us with more specific and updated information on developments.

August 27, 1992 BLM news release "RADIO ACTUALITY LAND, LAND OWNERSHIP CHANGE AFFECTS NORTHERN HUNTING". This news release attempts to clarify where federal subsistence hunters are eligible to hunt by telling them where they can not hunt. Transfer of some of the lands to the state makes some of the area along the corridor state land and subject to state regulations and not eligible for federal subsistence hunter regulations.

The state has assumed ownership of all Utility Corridor lands formerly managed by the Bureau of Land Management on the Dalton highway from milepost Mile 173 to Mile 181 (the Coldfoot area), and from Mile 301 (just north of Toolik Lake) north to the Arctic Ocean. The 7,289 acres in the Coldfoot area and 617,616 acres in the unit north of Toolik Lake are now administered by Alaska State Hunting Regulations. Game Management Units 24 and 26B are affected.

The Assistant Secretary of the Interior signed the final decision and approved the federal lands for conveyance to the state of Alaska under the Alaska Statehood Act and the Alaska National Interest Lands Conservation Act on Wednesday, August 19.

News release explains that more information may be obtained at the hunter checkpoint station at milepost 61.9 or by contacting state Fish and Game Wildlife Conservation office, Fairbanks.

September 4, 1992 Memo from Al Ott Regional Supervisor, Habitat Division, Fairbanks, to Molly Birnbaum, Project Review Coordinator, State Pipeline Office, Division of Governmental Coordination. Subject: Dalton Highway BLM Regulations. This memo expresses concern over no coordination from BLM with the state on regulations published on May 28, 1992.

. . . suggest that the state formally notify the BLM that future regulation development should be fully coordinated with the state prior to finalization."

Attached memorandum from Canning to Gibert dated June 30, 1992.

September 4, 1992 Weekly report Region III (Fairbanks), Alaska Department of Fish and Game, Division of Wildlife Conservation.

Bowhunters are continuing to express frustration over the allowance of firearms under federal subsistence regulations within the corridor. Hunters are being informed about the change in land status that affects hunting methods. A few reported violations are being investigated by Fish and Wildlife Protection.

October 20, 1992 Memo from Terry Haynes, Division of Subsistence, Fairbanks to Greg Bos, Division of Wildlife Conservation, Anchorage. Subject: Federal Subsistence Board Staff Committee Meeting October 19, 1992.

\* One of the agenda items apparently included the Dalton Highway Corridor regulations.

\* Terry attended the public meeting held on October 14 in Fairbanks to discuss federal regulations, regional councils, etc. and had the following comments:

The meeting was well-attended, principally by Dalton Highway Corridor bowhunters. They were universally angry about the fact that Delta Junction and Fort Greely residents could hunt there with firearms under the federal regulations and that the regulations were being abused by non-rural residents. Folks were angry and hostile. One person sought information on the Fortymile caribou situation.

November 2, 1992 Weekly Report, October 22-28 Alaska Department of Fish and Game, Division of Wildlife Conservation, (Region III) Fairbanks:

**DRAFT**

Region III continues to receive complaints from bow hunters about Federal subsistence hunters from nonlocal areas using firearms to take caribou in the Galbraith Lake area. Recent surveys indicate that only Central Arctic and Western Arctic Herd caribou are presently in GMU 26B. We have requested BLM to inform nonlocal hunters that, based on herd distribution, it is illegal for hunters from communities outside GMU's 24, 25 and 26 to hunt in the Dalton corridor with firearms. No response has been received to date.

November 13, 1992 Letter from Dee Ritchie, Arctic District manager for the Bureau of Land Management, Fairbanks Alaska, to Chris Smith Regional Supervisor, Wildlife Conservation, Fairbanks, DFG. The letter proposes a temporary closure to the federal subsistence hunt of caribou in the Dalton Highway Corridor Management Area. Closure would extend for the date enacted to July 1, 1993.

This letter states that the "intent" of the Federal Board's removal of the firearm restriction was to allow the local resident of the Dalton Highway Corridor "... to hunt with rifles, as they had customarily done prior to the passage of Alaska Statute 16.05.789."

The letter further explains that if there has been no determination for customary and traditional use of the game population made by the Federal Subsistence Board, then that game population is open to subsistence use by all rural residents of Alaska. No determination has been made for the Western Arctic, Central Arctic, or Ray Mountains Caribou Herds in GMU's 20F, 24, or 25 A&D, or for the Porcupine Caribou Herd in any GMU along the Dalton Highway. Which opened the avenue for rural subsistence hunters from all over the state to participate in this federal subsistence. The BLM concerns are summed up as follows:

Since the lifting of the firearm restriction, hunters from as far away as Haines have driven up the Dalton Highway to take caribou under federal regulations. Many hunters from the Delta Junction/Ft. Greeley area have participated in this hunt. This influx of hunters from south of the Yukon River, never intended by managers or ANILCA, has accounted for an estimated 15-20% of the caribou harvest from the DHCMA. This harvest interferes with efforts by legitimate subsistence users and bowhunting sportsmen; and if allowed to continue, could have a detrimental impact on the health of some caribou populations.

The Arctic District will provide to the Federal subsistence Board in spring, 1993, a proposal, with supportive background material, for making eligibility determinations.

Ritchie requested comments from Chris on this proposed temporary closure.

December 1, 1992 Letter from Chris Smith in reply to Dee Ritchie, Arctic District Manager BLM:

The department agrees that a closure of this hunt, pending further determinations of customary and traditional use of caribou in this area is appropriate. We can identify no adverse effects of this action, and see numerous advantages.

December 7, 1992 SYSM note from Margo thru Laura McCarthy, Support Coordinator to Tina Cuning, ANILCA Program Coordinator, Alaska Department of Fish and Game. Subject: Dalton Highway Federal Hunting. This note was to let Tina know that she's pursuing whether there was a letter that went out from Region III to BLM on this subject. So far "nothing", Chris Smith may have something, will check further. Suspect much was done via phone.

January 22, 1993 Memo from Herb Melchior, Regional biologist, Division of Wildlife Conservation, Fairbanks to Chris Smith, Regional Supervisor, Division of Wildlife Conservation, Alaska Department of Fish and Game, Fairbanks. Subject: Dalton Highway Corridor: Federal Subsistence Season Closure for Caribou. The memo explains the status of the proposal to close federal subsistence hunting of the caribou within the Dalton Highway Corridor is that FSB has the proposal and is reviewing it. There has been no action taken. The USF&WS :

. . . is submitting a proposal to the FSB to limit subsistence hunting in all areas (on federal land) lacking C&T determinations to residents of the GMU in which they reside, and the contiguous subunits(s) (or GMU if not divided into subunits).

1992-1993 Public information handout entitled "HUNTER MILEPOST FOR THE DALTON HIGHWAY", Compiled by the Alaska Department of Fish and Game. Handout is a table that lists game management unit/subunit/land boundaries, milepost from beginning of the Dalton Highway and miles from Prudhoe Bay. The table footnote states:

State game regulations require all hunters to stop (both going north and going south) at the Dalton Highway Hunter Check Station (5 AAC 92.530 (7) (B))."

1992-1993 Hunting Information Public information handout

**DRAFT**

(publication date unknown) entitled "Help Preserve Hunting in the Dalton Highway Corridor Management Area". This handout is sponsored by the Golden North Archery Association and Alaska Department of Fish and Game and has information on hunting in the Dalton Highway corridor. Handout provides background information for the area, Game Management Units, and urges people to:

First and foremost, act in a legal, ethical and courteous manner while in the corridor. Second, report any game violations you witness to Alaska Fish and Wildlife Safeguard.

Following this introduction is a list of illegal and unethical hunting practices and information on how to report violations and how to help reduce user conflicts.

February 3, 1993 File notes: Tina Cuning, phone call to Lance Nelson, Attorney Generals Office, Anchorage. Subject: Status of AG's opinion request on firearms along the Dalton Highway.

Response to opinion is in Juneau office-call Steve to check on status. Lance had talked to enforcement in fall--basically gave verbal advise--no documentation but possibly some notes in file.

February 3, 1993 File notes from Tina Cuning, ANILCA Program Manager, Department of Fish and Game from phone conversation with Steve White, Attorney General office, Juneau. Subject: Status of AG's opinion request on firearms along the Dalton Highway. Steve explained his office was under the impression that the federal agency was doing something to their regulations so it wouldn't be a problem again. If it still needs answering we're to let him know. Advised him that we would be forwarding a copy of the Dalton Highway Chronology Kiana has prepared to check for accuracy.

JFL-93  
#41  
3-17-93



**U.S. Department of the Interior  
Bureau of Land Management**



**Arctic District  
Fairbanks, Alaska**

November 1991

# Dalton Highway Recreation Area Management Plan

## Summary



578 2 2 1996

### **The Bureau Mission**

**The Bureau of Land Management is responsible for the stewardship of our public lands. It is committed to manage, protect, and improve these lands in a manner to serve the needs of the American people for all times.**

**Management is based on the principles of multiple use and sustained yield of our nation's resources within a framework of environmental responsibility and scientific technology.**

**These resources include recreation, range, timber, minerals, watershed, fish and wildlife, wilderness, air, scenic, scientific and cultural values.**

# **Dalton Highway Recreation Area Management Plan**

## **Summary**

prepared by:

**The Bureau of Land Management  
Arctic District  
1150 University Avenue  
Fairbanks, Alaska 99709-3844  
Telephone: (907) 474-2202**

November 1991

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# Dalton Highway Recreation Area Management Plan

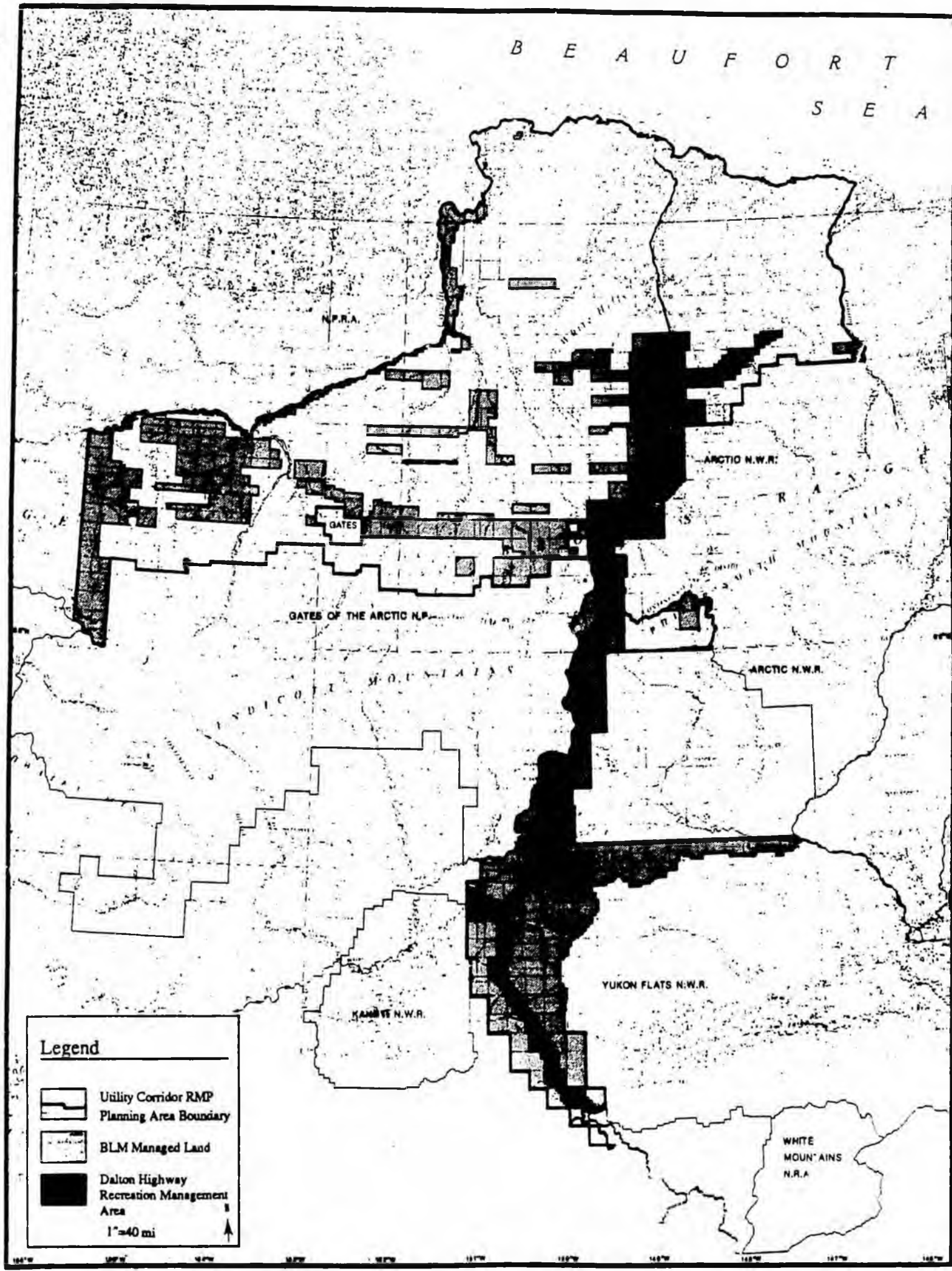
## Background

The Dalton Highway Recreation Area Management Plan is a direct descendant of the Utility Corridor Resource Management Plan (RMP), completed in January 1991. The Utility Corridor RMP, a *general* land use plan, recognized a need for more detailed and specific planning for recreation along the Dalton Highway. To facilitate this recreation-specific planning, or *activity planning*, the RMP established five recreation management areas, one of which is the Dalton Highway Recreation Management Area (see page 3). The RMP placed a very high priority on completion of a recreation activity management plan for this area.







*\* Note: The Utility Corridor RMP addressed many issues, including recreation, mineral development and state selection of lands. The RMP planning area included not only the Utility Corridor, but many other lands north of the Yukon River, including the Central Arctic Management Area and the Venetie Block. The total RMP planning area included 6.1 million acres of BLM-managed land.*

B E A U F O R T  
S E A



**Legend**

-  Utility Corridor RMP
  -  Planning Area Boundary
  -  BLM Managed Land
  -  Dalton Highway Recreation Management Area
- 1" = 40 mi

144°W 146°W 148°W 150°W 152°W 154°W 156°W 158°W 160°W

# Dalton Highway Recreation Management Area

## Recreation Planning Area

The Dalton Highway Recreation Area Management Plan (RAMP) addresses approximately 1.1 million acres of public land within the Utility Corridor. It does not cover all Utility Corridor lands—only those corridor lands closest to existing roads, including the Dalton Highway, the Bettles winter road, the Tramway Bar (mining) road and the Wiseman-Nolan-Hammond roads.

## A Need to Plan

Since 1981, much of this area has been accessible to anyone with a car or motorhome. While recreational activity along the Dalton Highway is still relatively light, it is significant and it is increasing. Although there is little data on visitor use, BLM recreation planners in the corridor area estimate that approximately 11,000 visitors arrive by privately owned vehicle and approximately 5,400 visitors travel through as part of commercial tour groups between June and September each year. These figures are expected to triple in the next 10 years if the road north of Disaster Creek (mile 211 Dalton Highway) is opened to public travel.

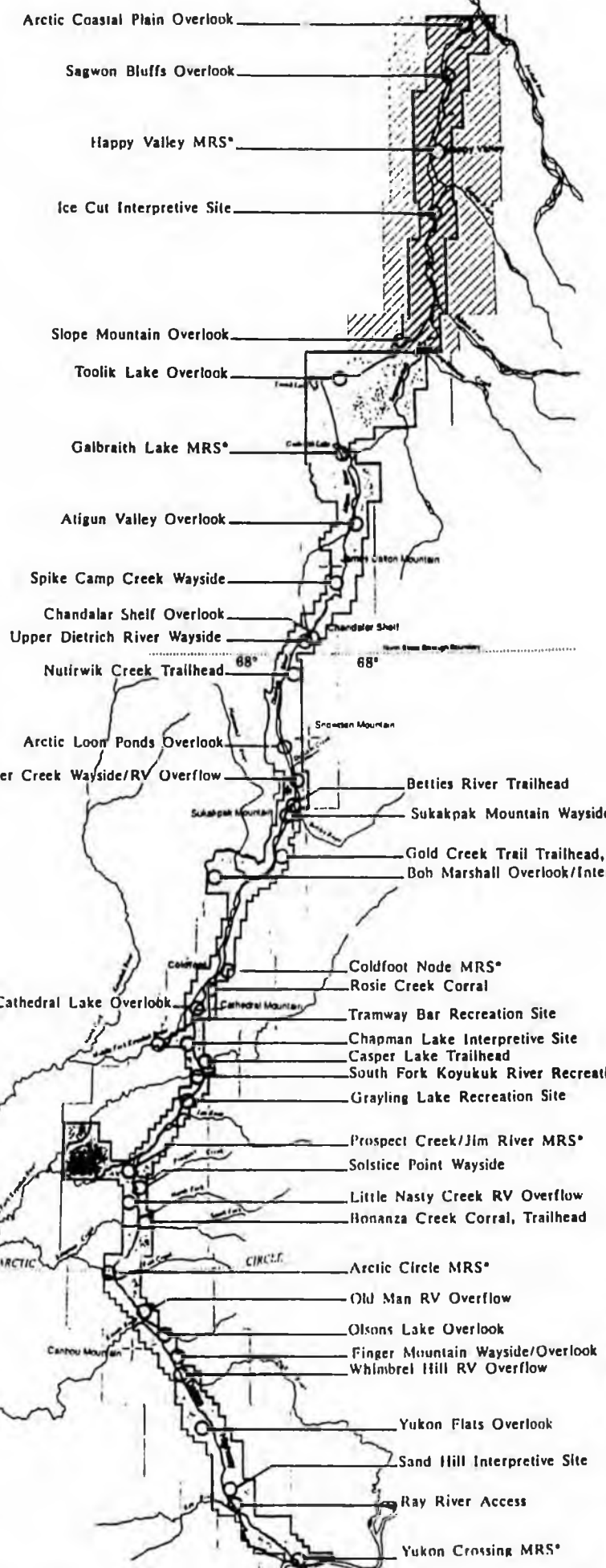
Existing tourist facilities are few and far between along the Dalton Highway. To accommodate current and future recreational demands, ensure visitor safety, manage the resources and protect the integrity of the energy transportation corridor, BLM needs to identify not only appropriate management objectives, policies and actions, but future staffing and funding requirements.



## Management Objectives

Using BLM's Recreation Opportunity Spectrum classifications, the Dalton Highway Recreation Management Area has been divided into four management zones, each with a different management objective or strategy. The zones are defined on page 9.





**Recreation Area Management Plan**  
**Facilities**

**Legend**

- Dalton Highway Recreation Management Area
- Utility Corridor Boundary
- State Selection Areas (not located here will be developed only with the concurrence of the state)
- Multiple Recreation Site

Map Location

Scale in Miles 0 5 10

## Recreation Opportunity Spectrum Classifications

**Rural:** This classification includes the four areas identified by the Utility Corridor RMP as development nodes. The nodes are located at Yukon Crossing, Coldfoot, Chandalar Shelf and Happy Valley. A high degree of recreational development will be allowed in these areas. Development will include visitor centers, campgrounds, dump stations and commercial operations providing lodging, RV hookups, food, auto repair, etc.

**Roaded Modified:** These areas are characterized by a significant modification of the landscape and include former construction camps, existing pump stations and areas of extensive mining activity. In some of these areas, recreation activity and new development is considered inappropriate. In others, such as within the *roaded modified* area near Prospect Creek, a campground is proposed. Large-scale recreational development, such as campgrounds, will be limited to *roaded modified* and *rural areas*.

**Roaded Natural:** This area generally includes lands within a half-mile either side of the Dalton Highway, the Bettles winter road, the Tramway Bar (mining) road and the Wiseman-Nolan-Hammond roads. The area's boundaries vary from the half-mile standard where necessary according to terrain and resultant viewshed. Within this zone, limited recreational facilities will be provided, including overlooks, waysides, small picnic areas and horse corrals. BLM will strive to maintain a generally natural environment while protecting the corridor's primary function of being a transportation corridor for energy materials.

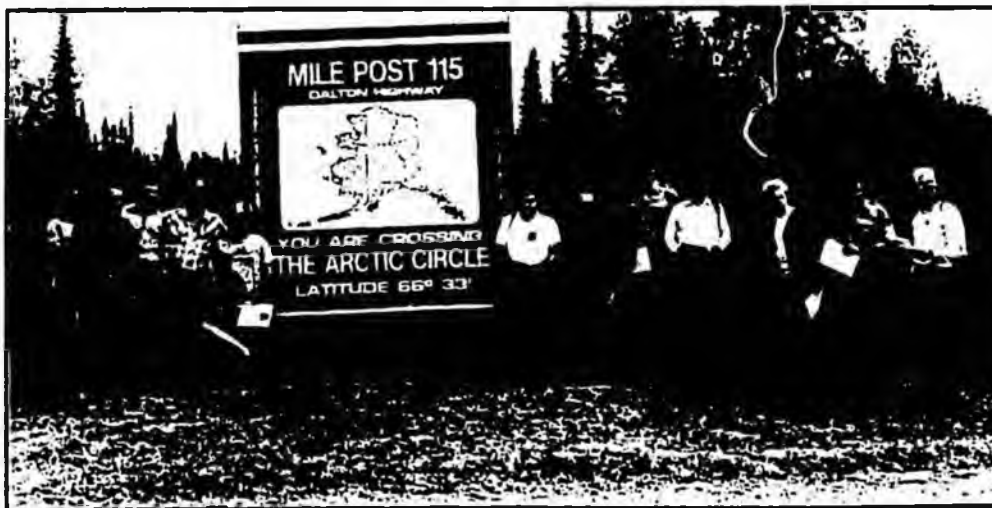
**Semi-Primitive Modified:** These lands are generally more than a half-mile from improved roads and are characterized by an essentially unmodified environment. Facility development will be limited to marking and occasional clearing (or other minor improvement) of existing trails, and possible rehabilitation of existing cabins that are in trespass on public lands.

## Proposed Facilities and Construction Schedule

Several factors were considered in developing an implementation schedule for facility construction. Among the considerations were: the issue(s) to be addressed by the proposal (safety was considered a high priority), current and projected user demand, project cost, available staffing and site location. Another factor that would be considered prior to construction would be the status of the Dalton Highway for public travel. Construction of certain facilities will not occur if the northern part of the road remains closed. Construction of facilities north of Toolik Lake, on lands to be opened to state selection under the Utility Corridor RMP, will occur only if the state concurs and appropriate agreements are reached. Lands that will be opened to state selection at Coldfoot will not include lands identified by the BLM as necessary for facility development.

BLM's Arctic District has proposed the following facility construction schedule for the Dalton Highway Recreation Management Area, however, implementation could be affected by any of several factors discussed above.

*Note: Facility construction and implementation of all aspects of the proposed plan are dependent on adequate funding. If such funding is not available, implementation schedules will be adjusted accordingly.*



# Construction Phase 1

## Phase 1 Construction (first 3 years):

### Yukon Crossing:

- Temporary Visitor Contact Station \*
- Dump station
- RV Overflow \*

### Yukon Flats Overlook

### Whimbrel Hill RV Overflow \*

### Finger Mountain:

- Wayside
- Interpretive Site

### Old Man Camp RV Overflow \*

### Arctic Circle:

- Wayside/Interpretive Site \*
- Campground
- RV Overflow \*

### Little Nasty Creek RV Overflow \*

### Solstice Point Wayside/Interpretive Site \*

### Prospect Creek/Jim River RV Overflow \*

### South Fork Koyukuk Recreation Site (sanitation and litter only) \*

### Cathedral Lake Overlook

### Rosie Creek Corral

### Coldfoot:

- Marion Creek Campground
- Dump Station \*
- Administrative Site
- Trailhead
- RV Overflow \*

### Sukakpak Mountain Wayside/Interpretive Site \*

### Disaster Creek RV Overflow \*

### Upper Dietrich River Wayside

### Spike Camp Creek Wayside

### Atigun Valley Overlook

### Galbraith Lake:

- Visitor Contact Station
- Wayside \*
- RV Overflow \*

### Toolik Lake Overlook

### Happy Valley RV Overflow \*\*

\* Denotes projects to be completed for Rendezvous '92, the year-long celebration of the 50th anniversary of the completion of the Alaska Highway in 1942.

\*\* Denotes sites on land available for state selection (no development without state concurrence)

# Construction Phases 2 and 3

## **Phase 2 Construction (years 4 - 6):**

### **Yukon Crossing:**

- Permanent Visitor Center
- Campground
- River Parking
- Administrative Site

### **Ray River Access**

### **Bonanza Creek:**

- Trailhead and Corral
- Cabin

### **Prospect Creek Campground**

### **Grayling Lake Recreation Site**

### **South Fork Koyukuk Recreation Site**

### **Chapman Lake Interpretive Site**

### **Tramway Bar Recreation Site**

### **Coldfoot:**

- Visitor Center
- River Access

### **Bob Marshall Interpretive Site**

### **Gold Creek Trailhead**

### **Disaster Creek Wayside**

### **Arctic Loon Ponds Overlook**

### **Chandalar Shelf Overlook**

### **Galbraith Lake Campground**

### **Slope Mountain Overlook**

### **Happy Valley:\*\***

- Administrative Site\*\*
- Wayside\*\*

## **Phase 3 Construction (years 7 - 10):**

### **Sand Hill Interpretive Site**

### **Olsons Lake Interpretive Site**

### **Casper Lake Trailhead**

### **Bettles River Trailhead**

### **Nutirwik Creek Trailhead**

### **Galbraith Lake:**

- Corral
- Trailhead

### **Ice Cut Interpretive Site\*\***

### **Sagwon Bluffs Overlook\*\***

### **Arctic Coastal Plain Overlook\*\***

## Project Planning

All facility development will require a project plan. Project planning involves a site-specific analysis and evaluation of the proposed development. This will result in a last refinement of the proposal, including a final determination of use areas, facilities and services required. It is during project planning that design parameters will be established, site limitations and project-specific mitigation identified, and an environmental assessment completed. State, borough, other federal agency, and industry involvement is critical at this stage. Through various agreements with each of these parties, BLM hopes to establish appropriate contact points and procedures to facilitate this phase of planning.

Project planning is followed by project survey, design and construction.

# Facility Development

Site Name or Location	Mile post	Primary Issues <sup>2</sup> Addressed	Type of Development	R/T <sup>3</sup>	Primary Activities <sup>3</sup> Possible	Phase <sup>4</sup>
Yukon Crossing Node (includes 60 Mile site)	56 to 60	All	visitor contact station, dump station, campground, river access, administrative site, RV overflow area	R/T	camping, fishing, boating, hiking, picnicking, hunting, interpretive sightseeing	1 & 2
Ray River	70	RO	river access	-	floatboating, fishing, hiking, hunting	2
Sand Hill	73	I	interpretive site	-	interpretive sightseeing	3
Yukon Flats	86	I	overlook	-	interpretive sightseeing	1
Whimbrel Hill	94	RP	RV overflow	-	overflow camping	1
Finger Mountain	98	H&S, I	wayside, overlook	R/T	interpretive sightseeing, hiking	1
Olsons Lake	103	I	overlook	T	interpretive sightseeing, hiking	3
Old Man Camp	107	RP	RV overflow	-	overflow camping	1
Arctic Circle	115	All	campground, wayside, RV overflow, interpretive site	R/T	camping, hiking, interpretive sightseeing, picnicking	1
Bonanza Creek	124	RP, RO	corral, trailhead, cabin	R/T	hunting, hiking, fishing, floatboating, camping	2
Little Nasty Creek	129	RP	RV overflow	-	overflow camping	1
Solstice Point	132	H&S, I	wayside	R/T	interpretive sightseeing, off-road vehicles	1
Prospect Creek/ Jim River	135	RP, RO	campground, RV overflow	R/T	camping, fishing, hunting, hiking, floatboating, interpretive sightseeing, picnicking	1 & 2
Grayling Lake	150	RO	lake access, dock	T	floatplane access, picnicking	2
South Fork Koyukuk River	156	RP	recreation site	R/T	fishing, hunting, hiking, floatboating, recreational mining	1 & 2
Casper Lake	158	RO	trailhead, cabin	T	fishing, hiking, hunting	3
Chapman lake	161	RP, I	interpretive site	T	fishing, hiking, picnicking	2
Tramway Bar	161	RO	river access, recreation site	T	floatboating, fishing, hunting, picnicking	2
Cathedral Lake	165	I	overlook	-	interpretive sightseeing	1
Rosie Creek	173	RP	corral	T	horseback riding, hunting	1
Bob Marshall	187	I	overlook	T	interpretive sightseeing	2
Coldfoot Node (includes Marion Creek)	175 to 180	All	visitor contact facility, administrative site, campground, river access, trailhead, RV overflow, dump station	R/T	camping, interpretive sightseeing, floatboating, fishing, hiking, hunting, picnicking, dog mushing	1 & 2

Site Name or Location	Mile post	Primary Issues <sup>1</sup> Addressed	Type of Development	R/T <sup>2</sup>	Primary Activities <sup>3</sup> Possible	Phase <sup>4</sup>
Gold Creek Trail	197	RP, RO	trailhead, corral	T	off-road vehicles, hiking, horseback riding, hunting, recreational mining	2
Sukapak Mountain	204	H&S, I	wayside, interpretive site	R/T	interpretive sightseeing	1
Bettles River	207	RO	trailhead, river access	-	fishing, hiking, hunting, floatboating, recreational mining	3
Disaster Creek	211	RP	wayside, RV overflow	R/T	rest area, turnaround	1 & 2
Arctic Loons Ponds	215	I	overlook	T	interpretive sightseeing	2
Nutirwik Creek	227	RO	trailhead	T	hiking	3
Upper Dietrich River	235	H&S	wayside	R/T	rest area	1
Chandalar Shelf	237	I	overlook	-	interpretive sightseeing	2
Spike Camp Creek	250	H&S	wayside	R/T	interpretive sightseeing, rest area	1
Atigun Valley	261	I	overlook	-	interpretive sightseeing	1
Galbraith Lake	275	All	campground, wa /side, corral, trailhead, RV overflow	R/T	camping, hiking, interpretive sightseeing, picnicking	1 & 2
Toolik Lake	286	I	overlook	-	interpretive sightseeing	1
<i>Slope Mountain</i>	301	I	overlook	T	interpretive sightseeing	2
<i>Ice Cut</i>	325	I	interpretive site	-	interpretive sightseeing	3
<i>Happy Valley Node</i>	334	H&S, RP	wayside, RV overflow, administrative site	R/T	rest area, overflow camping	1 & 2
<i>Sagwon Bluffs</i>	344	I	overlook	-	interpretive sightseeing	3
<i>Coastal Plain</i>	354	I	overlook	T	interpretive sightseeing	3

NOTE: Sites indicated in italics are on lands to be available to state selection; further planning and development will not proceed without state concurrence.

<sup>1</sup> Issues:

H&S: Visitor Health, Safety and Basic Services

RP: Resource Protection

RO: Developed Recreation Opportunity

I: Information and Interpretation

<sup>2</sup> R/T: Indicates presence of restrooms (R) and/or trash (T) receptacles

<sup>3</sup> Primary activities best suited for this area. (At present, snowmachining opportunities are restricted by State law, thus it is not listed. Snowmachining will be an opportunity at many locations if restrictions are lifted.)

<sup>4</sup> Phase indicates when construction is to begin (assuming funding is available). At sites where many facilities are proposed with different development schedules, more than one phase may be indicated. Phases indicated are:

1: First phase construction, to begin in first 3 years;

2: Second phase construction, to begin in years 4 through 6;

3: Third phase construction, to begin in year 7 or later.

5882

MILEAGE FOR ELLIOTT & DALTON HIGHWAYS

LOCATION	FROM FAIRBANKS	FROM MP 0 DALTON	FROM YUKON RIVER	BETWEEN POINTS
TOX	11.5	73.5	130.7	
LIVENGOOD	80.8	4.2	61.4	69.3
0 MILE TAPS	85.0	0.0	57.2	4.2
PUMP STATION 6	140.0	55.0	2.2	55.0
YUKON RIVER	142.2	57.2	0.0	2.2
5 MILE AIRPORT	146.4	61.4	4.2	4.2
7 MILE CAMP	148.0	63.0	5.8	1.6
FINGER MOUNTAIN	185.3	100.3	43.1	37.3
OLD MAN	194.5	109.5	52.3	9.2
BEAVER SLIDE	196.4	111.4	54.2	1.9
ARCTIC CIRCLE	202.0	116.0	60.0	5.8
COBBLERS KNOW	220.1	135.1	77.9	17.9
PUMP STATION 6	225.4	140.4	83.2	5.3
JIM RIVER MAINTENANCE	226.4	141.4	84.2	1.0
KOYUKUK	245.0	160.0	102.8	18.6
COLDFOOT	264.3	179.3	122.1	19.3
WISEMAN TURNOFF	278.2	193.2	136.0	13.9
ETRICH	300.4	215.4	158.2	22.2
MANDALAR	333.0	248.0	190.8	32.6
ATIGUN SUMMIT	337.6	252.6	195.4	4.6
ATIGUN CAMP	342.5	257.5	200.3	4.9
PUMP STATION 4	361.9	276.9	219.7	19.4
GALBRAITH TURNOFF	367.9	282.9	225.7	6.0
TOOLIX	377.7	292.7	235.5	9.8
MS 117-1	384.0	299.0	241.8	6.3
SAG RIVER MAINTENANCE	399.6	314.6	257.4	15.6
PUMP STATION 3	406.0	321.0	263.8	6.4
ICE CLIFF	419.8	334.8	277.6	13.8
HAPPY VALLEY	427.3	344.4	287.6	10.0
PUMP STATION 2	455.4	370.4	313.2	25.6
FRANKLIN BLUFFS	474.7	389.7	332.5	19.3
END OF DALTON HIGHWAY	511.9	426.9	369.7	37.2
DEADHORSE AIRPORT	515.9	430.9	373.7	4.0



*Department of Transportation  
and Public Facilities*

# POSITION PAPER

BILL NO: SB 82

APPROVED:

A handwritten signature in black ink, appearing to read "J. J. ...", written over a horizontal line.

TITLE: Opening the Dalton Highway

DATE: February 16, 1993

The Department of Transportation and Public Facilities (DOT&PF) supports opening the entire Dalton Highway to public use. The existing policy of allowing only commercial, industrial, and residential use is expensive to administer, inhibits capital improvement of the facility, limits growth of Alaska's tourist industry, and has not been effective at preventing renegade public traffic from travelling the route. Opening the road to public use would save DOT&PF money by eliminating the need to process requests and issue permits. It would also allow DOT&PF to move forward with much needed improvements by making Federal Aid Highway Program funding available to the northern half of the route. Federal funding is currently not available to the northern half of the highway specifically because it is closed to public use.

The inability to use federal funding for improvements on the route has made it necessary to devote General Fund and operating monies to needed improvements. This has detracted from the state's ability to perform routine maintenance work. Resources that should have been devoted to such work as grading and plowing have had to be diverted to the most critical resurfacing, settlement and drainage repair needs. Bridges which are in need of repair and strengthening had to be deleted from a previous Federal Aid project. Those bridges currently limit the gross weight of truck traffic serving Prudhoe Bay.

The lack of Federal Aid improvement funding on the northern half of the route, coupled with the need to spread an inadequate maintenance budget thinly across a long list of needed improvement and maintenance, has led to a progressive deterioration of much of the 416-mile route. Approximately 50 miles of the closed section of the route were recently rehabilitated with General Fund money. Prospects for similar funding for needed rehabilitation work on another 157 miles are not encouraging. Without opening the route to public traffic, making it eligible for

*For Further Information contact Katy McHugh at 465-3900.*

BILL NO: SB 82

TITLE: Opening the Dalton Highway

DATE: February 12, 1993

Federal Aid funding, there is no apparent means to accomplish the needed rehab work. The northern half of the route would continue to deteriorate to where service would become less reliable, equipment wear would increase, and eventual highway repair would become prohibitively expensive and difficult. The ability to dedicate Federal Aid funding to the entire route would help efforts to bring the route up to an adequate and efficient level of service. It would also allow maintenance funding to be spent on maintaining the everyday drivability of the route.

Additional traffic resulting from opening the Dalton Highway to public use is not expected to add significantly to the amount of maintenance needed. This is because additional traffic would be light, as evidenced by public use of the portion of the highway that is now open, and because the additional traffic would likely consist of standard passenger vehicles which cause comparatively little wear on the road.

The Bureau of Land Management (BLM) has planned for, and is developing, traveler facilities along the route. In responding to existing needs (including traffic that ignores the existing road closure), BLM has made traveler oriented improvements as far north as Galbraith Lake, approximately 67 miles into the closed section. Their planning efforts recognize the recreational potential of the route and are geared to providing services as recreational growth occurs. The tourism that would be drawn to the Dalton Highway would visit other areas of the state as well, and would profit the tourist industry statewide.

**BILL NO:** CSSB 82

**DATE:** March 16, 1993

**TITLE:** "An Act relating to the Dalton Highway"

**CONTACT:** C.E. Swackhammer  
Deputy Commissioner  
465-4322

CSSB 82 provides for the Department of Transportation and Public Facilities to maintain the Dalton Highway from the Yukon River to a terminus near the Arctic Ocean, and to keep it open to the public all year.

This legislation will have a fiscal impact on the Department.

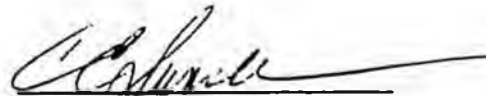
Opening the Dalton Highway to the public will increase the volume of vehicles using the road, and in addition to traffic response, the Department will monitor compliance with fish and wildlife regulations and respond to Search and Rescue and medical emergencies.

Two troopers (one AST and one FWP) would be assigned to permanent living quarters on the highway, along with a seasonal (five months) Fish & Wildlife Enforcement Officer. Additionally, two troopers (AST) will work on a TDY basis from Fairbanks to pipeline camps to provide coverage of the road system.

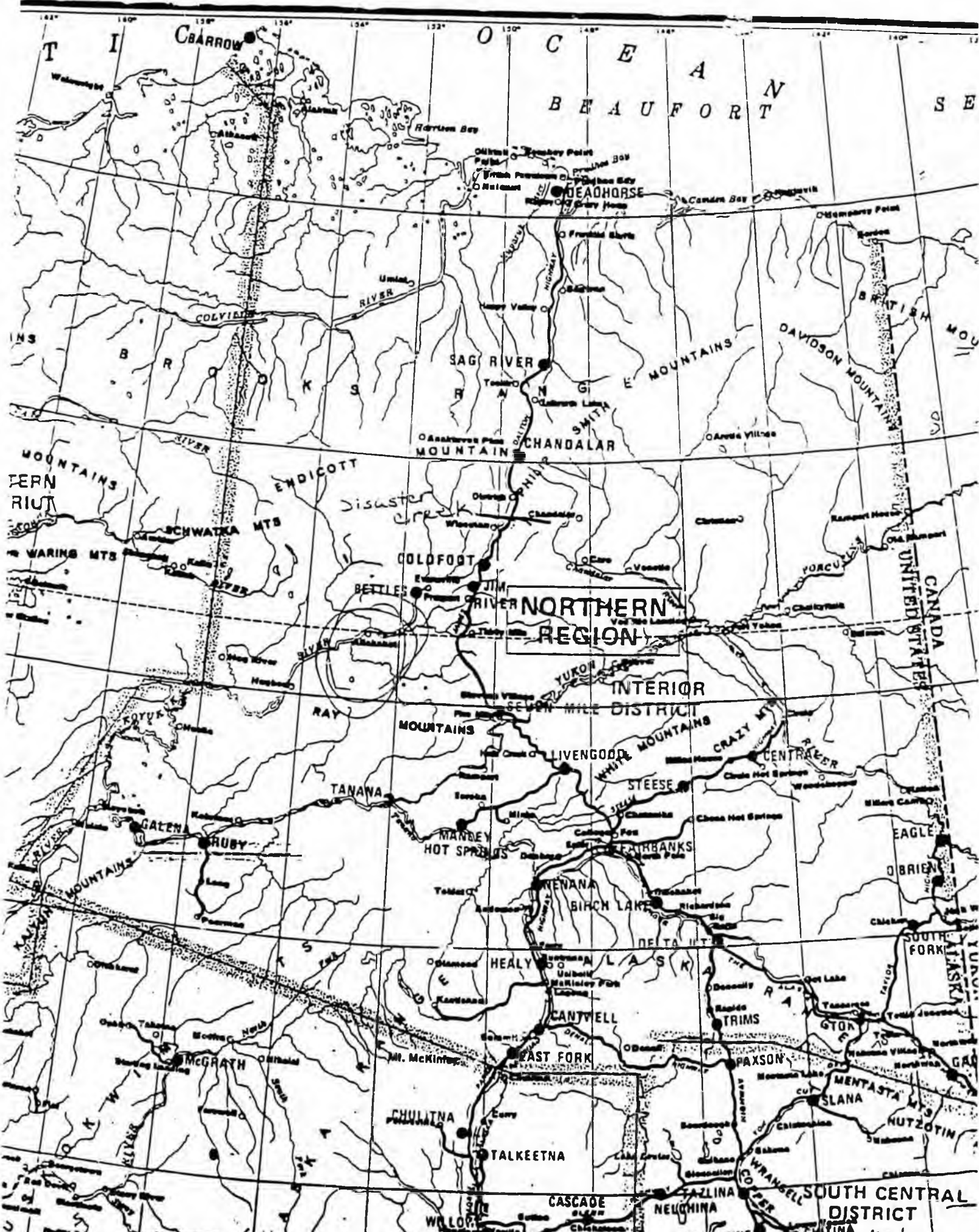
Equipment requirements will be heavy duty four-wheel drive vehicles, and aircraft time.

Enforcement efforts by the Department will be primarily addressed to the areas of traffic and fish and wildlife enforcement and emergencies.

Support services for non-commercial travelers such as fuel, towing, mechanical repair, food and lodging are limited to the Yukon river (75 mile) and Coldfoot (mile 253). The Department will respond to reports of stranded motorists, but the extent of the assistance rendered will be primarily in the area of providing communications.

  
Richard L. Burton  
Commissioner

...Op. n. l. s. del public traffic



**SENATE COMMITTEE REPORT**  
FIRST COMMITTEE OF REFERRAL

*Amf*

DATE: 2/1/93

FURTHER: FINANCE

Date of 5-Day Notice: 2-10-93  
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 2-25-93

TRANSPORTATION Committee considered SB 82

"An Act relating to the Dalton Highway."

and recommends it be replaced with

and recommends:

replace with CS SB82 (TRA)

same title  
 new title  
 technical title change (HB only)

attaches amendment(s)

and report it back as follows

adopts \_\_\_\_\_ Letter of Intent

further referral to the \_\_\_\_\_

do pass

do not pass

no recommendation

individual recommendations

*2 FY  
1 P/F*

FISCAL NOTE INFORMATION

Department	Date	Zero	Fiscal
DOT/PE	2-11-93	<input checked="" type="checkbox"/>	
OPS	2-16-93		786.7
DF&G	2-11-93		16.1

Department	Date	Zero	Fiscal

Appropriation No Fiscal Note

Governor's Bill with Previous Fiscal Notes (enter information above)

DO PASS:

① *Roller*  
~~Shay~~  
~~Roller~~  
~~Shay~~

OTHER RECOMMENDATIONS:

② *Tim Kelly - No Rec*

①

*Shay - do pass*  
Chair: Signature and Recommendation

**SB**

**84**

**HFIN**

**FILE**

# HOUSE COMMITTEE REPORT

(11)

Date Referred: April 20, 1993

FURTHER REFERRALS:

Date of Committee Action: 4/23/93

The FINANCE Committee considered:

SB 84 am

SENATE BILL NO. 84 am

REVOKE DRIVER'S LICENSE IF USE FALSE I.D.

"An Act relating to fees for identification cards and certain motor vehicle licenses and permits; to licenses issued to drivers and to revocation of a license to drive; and providing for an effective date."

**RECOMMENDATIONS:**

be replaced with SB 84 am  the same title  
 a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of Intent

ATTACHES NEW FISCAL NOTE(s): (Dept) \_\_\_\_\_

APPROVES PREVIOUS: (Dept/Date) \_\_\_\_\_

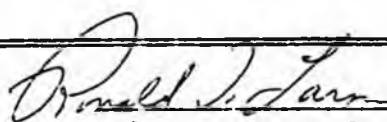
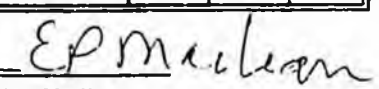
fiscal impact \_\_\_\_\_

fiscal note(s) \_\_\_\_\_

zero fiscal note \_\_\_\_\_

zero fiscal note(s) DPS

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Eileen P. Maclean</i> Maclean ✓					
<i>Arnold J. Larson</i> Larson x					
<i>Barry Grussendorf</i> Grussendorf x		<i>Mark Hanley</i> Hanley		x	
<i>Terry Martin</i> Martin x					
<i>Tom Hoff</i> Hoff x		<i>Ken Parnell</i> Parnell		x	
<i>Mike Naurice</i> Naurice x		<i>Tan Brown</i> Brown		✓	
<i>Richard [Signature]</i> [Signature] x		<i>Gary Thernault</i> Thernault		x	


  
 ED CHAIRMAN'S SIGNATURE  
 LARSON Maclean

SENATE BILL NO. 84 am

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY SENATORS KELLY, Salo

Amended: 4/1/93  
Introduced: 2/1/93

JUD  
FIN

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to fees for identification cards and certain motor vehicle licenses  
2 and permits; to licenses issued to drivers and to revocation of a license to drive;  
3 and providing for an effective date."

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

5 \* Section 1. AS 18.65.310(a) is amended to read:

6 (a) Upon payment of a \$10 [\$5] fee, the Department of Public Safety shall  
7 issue a card identical to the motor vehicle operator's license provided for in  
8 AS 28.15.111, except that the card shall be of a different color and shall state in bold  
9 type letters across the face of it that it is for identification purposes only.

10 \* Sec. 2. AS 28.15.111(a) is amended to read:

11 (a) Upon successful completion of the application and all required  
12 examinations, and upon payment of the required fee, the department shall issue to  
13 every qualified applicant a driver's license indicating the type or general class of  
14 vehicles that the licensee may drive. The license must display (1) a distinguishing

1 number assigned to the license; (2) the licensee's full name, address, date of birth,  
2 brief physical description, and color photograph; [AND] (3) either a facsimile of the  
3 signature of the licensee or a space upon which the licensee must write the licensee's  
4 usual signature with pen and ink; (4) a holographic symbol intended to prevent  
5 illegal alteration or duplication; and (5) for a qualified applicant who is under age  
6 21, the words "UNDER 21". A license is not valid until signed by the licensee. If  
7 facilities are not available for the taking of the photograph required under this section,  
8 the department shall endorse on the license, the words "valid without photograph."

9 \* Sec. 3. AS 28.15 is amended by adding new sections to read:

10 Sec. 28.15.187. ADMINISTRATIVE REVOCATION OF A LICENSE TO  
11 DRIVE FOR USE OF FALSE IDENTIFICATION. (a) If a peace officer has probable  
12 cause based on personal observation that a person has used a driver's license as  
13 fraudulent or false identification as prohibited by AS 04.16.060(d), the peace officer  
14 shall read a notice and deliver a copy to the person. The notice must advise that

15 (1) the department intends to revoke the person's driver's license,  
16 privilege to drive, or privilege to obtain a license, or refuse to issue an original license  
17 to the person;

18 (2) the person has the right to administrative review of the revocation  
19 or determination not to issue an original license;

20 (3) if the person has a driver's license or a nonresident privilege to  
21 drive, the notice itself is a temporary driver's license that expires seven days after it  
22 is delivered to the person;

23 (4) revocation of the person's driver's license, privilege to drive, or  
24 privilege to obtain a license, or a determination not to issue an original license takes  
25 effect seven days after delivery of the notice to the person unless the person, within  
26 seven days, requests an administrative review.

27 (b) After reading the notice under (a) of this section, the peace officer shall  
28 seize the person's driver's license if it is in the person's possession and shall deliver  
29 it to the department with a sworn report describing the circumstances under which it  
30 was seized.

31 (c) Unless the person has requested an administrative review, the department

1 shall revoke the person's driver's license, privilege to drive, or privilege to obtain a  
2 license, or refuse to issue an original license, effective seven days after delivery to the  
3 person of the notice required under (a) of this section, upon receipt of a sworn report  
4 of a peace officer

5 (1) that the officer had probable cause based on personal observations  
6 that the person used a driver's license as fraudulent or false identification as prohibited  
7 by AS 04.16.060(d);

8 (2) that notice under (a) of this section was provided to the person; and

9 (3) describing the circumstances surrounding the violation of  
10 AS 04.16.060(d).

11 (d) The department shall impose the revocation required under this section

12 (1) for a period of 60 days for a first revocation under this section; and

13 (2) for a second or subsequent revocation under this section for a  
14 period of 12 months.

15 (e) Notwithstanding the provisions of AS 28.20.240 and 28.20.250, the  
16 department may not require proof of financial responsibility before restoring a driver's  
17 license or privilege that is revoked under this section.

18 (f) A license revocation imposed under this section shall be consecutive to a  
19 license revocation imposed under another provision of law.

20 Sec. 28.15.189. ADMINISTRATIVE REVIEW OF REVOCATION OF  
21 LICENSE FOR USE OF FALSE IDENTIFICATION. (a) A person who has received  
22 a notice under AS 28.15.187(a) may make a written request for administrative review  
23 of the department's action. If the person's driver's license has not been previously  
24 surrendered to the department, it shall be surrendered to the department at the time the  
25 request for review is made.

26 (b) A request for review of the department's revocation under AS 28.15.187  
27 shall be made within seven days after receipt of the notice under AS 28.15.187 or the  
28 right to review is waived and the action of the department under AS 28.15.187(c) is  
29 final. If a written request for a review is made after expiration of the seven-day  
30 period, and if it is accompanied by the applicant's verified statement explaining the  
31 failure to make a timely request for a review, the department shall receive and consider

1 the request. If the department finds that the person was unable to make a timely  
2 request because of lack of actual notice of the revocation or because of factors of  
3 physical incapacity such as hospitalization or incarceration, the department shall waive  
4 the period of limitation, reopen the matter, and grant the review request.

5 (c) Upon receipt of a request for review, if it appears that the person holds a  
6 valid driver's license and that the driver's license has been surrendered, the department  
7 shall issue a temporary driver's permit that is valid until the scheduled date for the  
8 review. A person who has requested a review under this section may request, and the  
9 department may grant for good cause, a delay in the date of the hearing. If necessary,  
10 the department may issue additional temporary permits to stay the effective date of its  
11 action under AS 28.15.187(c) until the final order after the review is issued.

12 (d) A person who has requested a hearing under this section and who fails to  
13 appear at the hearing, for reasons other than lack of actual notice of the hearing or  
14 physical incapacity such as hospitalization or incarceration, waives the right to a  
15 hearing. The determination of the department that is based upon the officer's report  
16 becomes final.

17 (e) Notwithstanding AS 28.05.141(b), the hearing under this section shall be  
18 held telephonically unless the person requesting the hearing requests in writing that the  
19 hearing not be held telephonically.

20 (f) A review under this section shall be held before a hearing officer  
21 designated by the commissioner. The hearing officer shall have authority to

22 (1) administer oaths and affirmations;  
23 (2) examine witnesses and take testimony;  
24 (3) receive relevant evidence;  
25 (4) issue subpoenas, take depositions, or cause depositions or  
26 interrogatories to be taken;

27 (5) regulate the course and conduct of the hearing;

28 (6) make a final ruling on the issue.

29 (g) The hearing for review of a revocation by the department under  
30 AS 28.15.187 shall be limited to the issue of whether the person used a driver's license  
31 as fraudulent or false identification as prohibited by AS 04.16.060(d).

1 (h) The determination of the hearing officer may be based upon the sworn  
2 report of a peace officer, if the sworn report is supported by probable cause based on  
3 personal observations as required under AS 18.15.187(a). The peace officer need not  
4 be present at the hearing unless either the person requesting the hearing or the hearing  
5 officer requests in writing before the hearing that the officer be present. If in the  
6 course of the hearing it becomes apparent that the testimony of the peace officer is  
7 necessary to enable the hearing officer to resolve disputed issues of fact, the hearing  
8 shall be continued to allow the attendance of the peace officer.

9 (i) Upon written request of the person requesting the hearing, the hearing  
10 officer shall stay the hearing until the conclusion of related criminal proceedings. If  
11 the person requesting the hearing does not request a stay, testimony given by the  
12 person at the hearing is admissible against the person in a criminal trial.

13 (j) If the issue set out in (g) of this section is determined in the affirmative by  
14 a preponderance of the evidence, the hearing officer shall sustain the action of the  
15 department. If the issue is determined in the negative, the department's revocation  
16 action shall be rescinded.

17 (k) If the action of the department in revoking a nonresident's privilege to  
18 drive a motor vehicle is not administratively contested by the nonresident driver or if  
19 the departmental action is sustained by the hearing officer, the department shall give  
20 written notice of action taken to the motor vehicle administrator of the state of the  
21 person's residence and to any state in which that person has a driver's license.

22 (l) Within 30 days of the issuance of the final determination of the department,  
23 a person aggrieved by the determination may file an appeal in superior court for  
24 judicial review of the hearing officer's determination. The judicial review shall be on  
25 the record without taking additional testimony. The court may reverse the  
26 department's determination if the court finds that the department misinterpreted the  
27 law, acted in an arbitrary and capricious manner, or made a determination unsupported  
28 by the evidence in the record.

29 (m) The filing of an appeal under (l) of this section or a petition for review  
30 does not automatically stay the department's order or revocation. The court may grant  
31 a stay of the order or revocation under the applicable rules of court, after a motion and

1 hearing, and upon a finding that there is a reasonable probability that the petitioner  
2 will prevail on the merits and that the petitioner will suffer irreparable harm if the  
3 order is not stayed.

4 \* Sec. 4. AS 28.15.271(a) is amended to read:

5 (a) The fees for drivers' licenses and permits, including but not limited to  
6 renewals, and all related driver skills tests are as follows:

- 7 (1) all noncommercial vehicles and motor-driven cycles
  - 8 (A) each license fee . . . . . \$ 15 [10];
  - 9 (B) each driver skills test . . . . . \$ 15;
- 10 (2) all commercial motor vehicles
  - 11 (A) each license fee . . . . . \$100;
  - 12 (B) each driver skills test . . . . . \$ 25;
- 13 (3) instruction permit . . . . . \$ 5 [3];
- 14 (4) duplicate of driver's license or instruction permit . . \$ 10 [3];
- 15 (5) temporary license and renewal of permit . . . . . \$ 5 [3];
- 16 (6) school bus driver's endorsement renewal . . . . . \$ 5 [3].

17 \* Sec. 5. This Act takes effect July 1, 1993.

# FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

No. 1  
Bill Version: SB 84 am  
(H) Publish Date: 4/20/93

Revision Date: 4/19/93 Dept. Affected: Public Safety  
Title: An Act relating to fees for BRU: Motor Vehicles  
identification cards Component: Drivers Services  
Sponsor: Senator Kelly  
Requestor: House Judiciary COMPONENT SERIAL NO. 500

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	132.3	132.3	132.3	132.3	132.3	132.3
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	56.7	56.7	56.7	56.7	56.7	56.7
SUPPLIES	1.5	1.5	1.5	1.5	1.5	1.5
EQUIPMENT	24.7	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	215.7	191.0	191.0	191.0	191.0	191.0

CAPITAL	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
REVENUE FUND SOURCE: 1005	993.1	993.1	993.1	993.1	993.1	993.1

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	215.7	191.0	191.0	191.0	191.0	191.0
1006 GF/MHTIA						
Other						
TOTAL	215.7	191.0	191.0	191.0	191.0	191.0

POSITIONS:

FULL-TIME	3	3	3	3	3	3
PART-TIME						
TEMPORARY						

Estimate of current year (FY 93) impact: \$ \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary.)

See attached analysis.

Prepared By: Traci Henshaw Phone: 155-1751  
Division: Motor Vehicles Date: 4/19/93  
Approved by Commissioner: [Signature] Date: 4/19/93  
Agency: Department of Public Safety

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10.4.  
SB 84 am  
Pg 2

Analysis:

SB 84am will require the Division of Motor Vehicles to place a holographic symbol on every driver's license in a further attempt to prevent alteration or duplication of a driver's license. This bill also requires the revocation of the driver's license in an attempt to gain entry to purchase alcohol. The Division of Motor Vehicles processes approximately 200,000 driver's license transactions yearly. The present cost to produce a license is \$1.05 per card. To place a hologram on the license and identify those drivers under the age of 21 will increase the contractual cost from \$1.05 to \$1.30, thus increasing the overall contractual cost to DMV an additional 50.0 year.

In 1992, the Alcohol Beverage Control Board reported that approximately 500 to 700 licenses are confiscated and referred to their agency by liquor establishments when a person under 21 is attempting to purchase alcohol. The department receives approximately 1,500 licenses each year that are surrendered or confiscated by law enforcement. The 1,500 licenses includes the 500 to 700 that are surrendered to the ABC Board.

The Division of Motor Vehicle estimates there will be an additional 1,500 driver license revocations a year. In order to handle the 1,500 additional license revocations a year, and provide due process for the person, one full-time Driver Improvement Specialist/Hearing Officer, and two full-time Document Processor IIs will be required. The duties of these positions are detailed in the attached request for new positions. The personal services cost for a Driver Improvement Specialist is 53.0; the personal services cost for the Document Processor II positions is 69.0; an additional 10.3 is needed for overtime expenses associated with reinstatement of revoked driver's licenses. The total for personal services is 132.8. The overtime pay is requested in lieu of a Motor Vehicle Representative III position, as the workload required to reinstate the offenders' driver's licenses will be borne by all of the Motor Vehicle Field offices throughout the state.

To revoke 1,500 additional driver's licenses a year takes over 30 processing steps per revoked license. It is estimated that 25% of all persons referred to DMV for a license revocation will request an administrative hearing. Each hearing takes approximately 20 minutes to one hour to conduct. All of the 30 processing steps varies in the time it takes to complete each step. Complete accuracy is essential, as an error of entry onto a record could result in civil liability to the State. It takes approximately 20 minutes per applicant to reinstate a revoked driver's license; the person must make a new application for the driver's license or permit, take all of the required tests, and if the person is under the age of 18 a parent or guardian must give consent for the driver's license or permit, file SR-22 (Certificate of Insurance) and pay the reinstatement fee. All of these steps total approximately 400 hours of additional workload for the Motor Vehicle Field office personnel.

2/5

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SB 84 am  
P3.

Analysis (Cont'd.):

Under existing law, each person whose license has been revoked must pay a \$100 fee when applying for reinstatement of his or her driver's license. Assuming that 90 percent of the minors who are eligible for reinstatement will comply with the reinstatement requirements, approximately 135.0 will be generated annually as program receipts.

This bill increases the fees for a driver's license, and permits. The fee increases are as follows:

- (1) driver's license from \$10.00 to \$15.00
- (2) instruction permit from \$3.00 to \$5.00
- (3) duplicate license or permit from \$3.00 to \$10.00
- (4) school bus endorsement permit from \$3.00 to \$5.00
- (5) identification card from \$5.00 to \$10.00

This increase will generate overall, approximately 1.8 million dollars to the general fund. This increase is approximately 680.0 thousand more than the division presently receives in license fees and an additional 135.0 thousand in reinstatement fees for an overall total of 815.0 annually.

Detail

FY94

100	PERSONAL SERVICES		
	1 Driver Improvement Spec	53.0	
	2 Document Processor II	69.0	132.8
	Overtime MVR III Field Office	10.3	
200	CONTRACTUAL		
	Hologram inlaid driver license pouch	50.0	
	Postage and tolls	2.5	
	Telephone line fees	.5	56.7
	Conference call and long distance fees	3.7	
400	SUPPLIES		
	Routine Office Supplies	1.5	1.5
500	EQUIPMENT		
	3 Workstations		
	3 5-Drawer File Cabinets	24.7	24.7
	TOTAL		215.7

Position Title <b>Document Processor II</b>		Number of Positions <b>2</b>	Range/Step <b>8-B</b>	Bargaining Unit <b>660</b>
Time Status <b>PFT</b>	Staff Months <b>12 each</b>	Location <b>Juniata</b>	Election District	
Type of Expenditure		Justification		
		These positions would handle the necessary paperwork and computer entry onto the minor's record. Among other duties, the positions will send out letters advising the person of the dates of the license revocation, prepare files for hearing officer after the person has requested a hearing, file, close files out, sanitize for microfilm, microfilm, enter micro film documents for microfilm retrieval, enter license revocation data. It is estimated that these positions will handle approximately 1,500 license revocation files year.		
	<b>1</b>	<b>2</b>	<b>3</b>	
Salary*		<b>45.6</b>		
Benefits*		<b>23.4</b>		
Premium Pay (Included in Above)				
Other				
<b>Total Personal Services</b>			<b>69.0</b>	
Travel			<b>0</b>	
Contractual			<b>4.5</b>	
Commodities			<b>1.0</b>	
Equipment			<b>16.5</b>	
Other			<b>0</b>	
<b>Total Cost</b>			<b>91.0</b>	
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005			
I A Receipts	1007			
CHP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				

REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
 BRU Motor Vehicles  
 COMPONENT Driver Services

Page 4 of 5  
 Revised Date

FY 94

500  
 52  
 84 am  
 pg. 4

Position Title <b>Driver Improvement Specialist</b>		Number of Positions <b>1</b>	Range/Step <b>16-A</b>	Bargaining Unit <b>GGU</b>
Time Status <b>PFT</b>	Staff Months <b>12</b>	Location <b>Anchorage</b>	Election District	
Type of Expenditure		Amount		
1	2	3		
Salary*	<b>37.0</b>			
Benefits*	<b>16.0</b>			
Premium Pay (Included in Above)				
Other				
<b>Total Personal Services</b>		<b>53.0</b>		
Travel		<b>0</b>		
Contractual		<b>2.2</b>		
Commodities		<b>.5</b>		
Equipment		<b>8.2</b>		
Other (Overtime)		<b>10.8</b>		
<b>Total Cost</b>		<b>74.7</b>		
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005			
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				
Justification This position will conduct administrative hearings involving the revocation of a minor's driver's license and/or privilege to drive. It will prepare the file, send notice to parties advising of the date and time of the hearing, conduct the hearing, prepare the file for appeal, enter license action onto the minor's driving record, and handle all correspondence associated with this program.				

REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
 BRU Motor Vehicles  
 COMPONENT Driver Services

Page 5 of 5  
 Revised Date

FY 94

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MC. 4

# FISCAL NOTE

No. 3  
 Bill Version: SB 84  
 (S) Publish Date: 3-22-93

STATE OF ALASKA  
 1993 LEGISLATIVE SESSION

Revision Date: 3/19/93 Dept. Affected: Public Safety  
 Title: Relating to fees for ID cards BRU: Motor Vehicles  
 Sponsor: Relly Component: Driver Services  
 Requestor: Senate Finance Committee COMPONENT SERIAL NO. 500

**Expenditures/Revenues:**

(Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES	63.8	63.8				
TRAVEL	0	0				
CONTRACTUAL	56.7	56.7				
SUPPLIES	1.5	1.5				
EQUIPMENT	24.7	0				
LAND & STRUCTURES	0	0				
GRANTS, CLAIMS	0	0				
MISCELLANEOUS	0	0				
<b>TOTAL OPERATING</b>	<b>146.7</b>	<b>122.0</b>				

CAPITAL						
<b>REVENUE FUND SOURCE:</b>	<b>725.0</b>	<b>725.0</b>				

**FUNDING:**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	146.7	122.0				
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>146.7</b>	<b>122.0</b>				

**POSITIONS:**

FULL-TIME	1	1				
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact: \$ \_\_\_\_\_

**ANALYSIS:**

(Attach a separate page if necessary)

See attached explanation of revisions to fiscal note

Prepared by: Max Gifford, Admin. Assist. Phone: 465-3822  
 Division: Legislature (Sen. Relly) Date: 3/19/93  
 Approved by: Sen. Arice Shook, Co-Chair, SFC Date: \_\_\_\_\_  
 Agency: Legislature, Senate Finance

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Explanation of Fiscal Note Revision

SB-84 Revised 3/19/93

The new fiscal note reflects revenue and operating cal based on an additional 500 driver license revocations a year, rather than the 1500 estimated annual revocations in the previous fiscal note.

Personnel Services is reduced to reflect only one new position, a Driver Improvement Specialist at a cost of \$53.0.

The remaining FY94 operating expenditures remain the same. The position count is reduced to one Full-Time position.

Lowering the number of annual additional license revocations to 500 reduces program receipts to \$45.0 based on a fee of \$100 for the approximately 450 license reinstatements. The figure is based on the Department's assumption that 90% of those eligible for reinstatement will comply.



Official Business

# Alaska State Legislature

SENATOR TIM KELLY

State Capitol  
Juneau, AK 99801-1182

## SPONSOR STATEMENT FOR SB 84:

### Use of A Fraudulent Driver's License by a Minor to Purchase Alcohol

Alcohol abuse is a severe problem in Alaska, impacting individuals, families, and communities throughout our State. In fact, Alaska ranks 4th in the nation for per capita alcohol consumption. This legislation -- which attempts to address alcohol consumption by minors -- passed the House last session and died in the closing minutes of the session in the Senate Finance Committee.

Nationally, while drug use among teenagers is down, teenage alcohol consumption is increasing. In Alaska, alcohol is associated with a majority of vehicular deaths of teenagers. In 1990, the most recent year for which statistics are available, there were 180 accidents caused by alcohol impaired minors. These accidents resulted in 6 deaths.

The result of a 1988 report done by the University of Alaska, Anchorage, indicate that 75% of all Alaskan youth in grades 7-12 have tried alcoholic beverages, and alcohol and drug use was a contributing or causal factor in the crimes of 48% of all youth who were detained or placed on probation in Alaska. Another 1990 study indicates that 45% of of males and 33% of females of driving age in grades 10-12 have driven after drinking.

Many of these underage drinkers are getting their alcohol through the use of fraudulent drivers' licenses. Between January 1989 and February 1992, nearly 6,000 fake IDs had been turned over to the Alcohol Beverage Control Board (A.B.C. Board), most of which were fraudulent drivers' licenses. I believe it is a safe assumption this number represents only a fraction of the fake IDs in circulation.

While Alaska statute already prohibits the use of a fraudulent driver's license and bans the sale of alcohol to minors, the law clearly has not been effective. Most minors don't even have any idea what the penalties are for using a fraudulent 'D to purchase alcohol. Consider that of the more than 6,000 IDs confiscated in the three year period from 1989 to 1992, only 87 cases have been prosecuted. The average sentence of those convicted has been 20 hours of community service and a \$100 fine.

Senator Tim Kelly  
Sponsor Statement - SB 84  
Page 2

Clearly, Alaska's underage drinkers don't consider the law a real deterrent.

SB 84 was originally crafted to address this problem with cooperation from Mothers' Against Drunk Driving (MADD), the alcohol industry, the Department of Motor Vehicles (DMV), and the A.B.C. Board.

It was felt that the only way to effectively impress upon teenagers and 20-year-olds the grave consequences of using fraudulent drivers' licenses to go out drinking was to take away their car keys. Nothing will get their attention faster.

SB 84 would require the DMV to revoke a person's driving privileges for 60 days when a peace officer determines that person has used a driver's license as fraudulent ID to purchase alcohol. For a second offense, revocation would be for one year. This would be an administrative action, so revocation would not have to be adjudicated through the court system. Teenagers and 20-year-olds would see that the penalty is substantial and administered immediately.

(In order to ensure due process rights are protected, persons losing their license would have 7 days after receiving notice that their privilege to drive was to be revoked to request an administrative review. During this 7 days their notice of the DMV's intent to revoke would serve as a temporary license.)

Moreover, SB 84 would require that holograms be put on drivers' licenses and State IDs issued by the Department of Public Safety, as well as the phrase "UNDER 21" for qualified applicants.

Lastly, SB 84 would enact minor fee increases for a State ID and other drivers' licenses and permits to help pay for these preventative and deterrent measures.

If enacted, SB 84 should provide an effective deterrent for minors considering using fraudulent drivers' licenses to purchase alcohol, and go a long way towards alleviating some of the problems associated with alcohol abuse and use by minors.

BILL NO: SB 84

DATE: February 16, 1993

TITLE: "An Act relating to fees  
for identification  
cards..."

CONTACT: C.E. Swackhammer  
Deputy Commissioner  
465-4322

SB 84 amends current law by requiring a holographic symbol be placed on driver's license and identification cards to prevent illegal alteration or duplication. This bill also adds a new section to Alaska's motor vehicle driver's license of any person under the age of 21 who uses a driver's license as fraudulent or false identification in an attempt to gain entry or purchase alcohol from a liquor establishment.

The Division of Motor Vehicles processes approximately 200,000 driver's license and ID card transactions yearly. The present cost to produce a license is \$1.05 per card. To place a hologram on the license will increase the cost from \$1.05 to \$1.30, thus increasing the cost of producing a license and increasing the contractual cost for DMV an additional 50.0 a year.

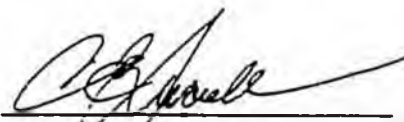
The Division anticipates some adverse public reaction to the revocation of a driver's license for a non-driving offense.

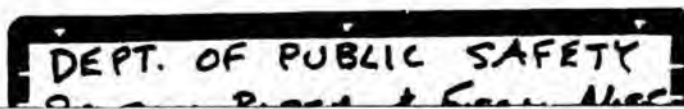
In 1992, the Alcohol Beverage Control Board reported that approximately 500 to 700 license a year are confiscated and referred to their agency by liquor establishments when a person under 21 is attempting to purchase alcohol. Approximately 1,500 licenses and IDs a year are surrendered to the department or confiscated by law enforcement officers. At the time of confiscation, the person was attempting to use an altered license, or attempting to use another's license or ID to gain entry into a liquor establishment in an attempt to purchase alcohol. The 1,500 licenses and IDs includes the 500 to 700 that are surrendered to the ABC Board.

This bill does not address information and education of the public or the costs associated with this type of program.

Identifying a person who is under 21 years of age on the driver's license will bring Alaska one step closer to qualifying for approximately 200.0 in federal highway safety alcohol incentive grants.

The Department feels the fee for a duplicate driver's license should be increased to \$10.00 instead of \$5.00. It takes more employee time to issue a duplicate than it takes for a renewal. When a person comes into a DMV office for a duplicate license or ID, it usually indicates they have lost their license and all identification, thus the additional time comes from having to verify the persons identity.

  
Richard L. Burton  
Commissioner



POSITION PAPER - Department of Public Safety

**DIVISION OF LEGAL SERVICES**

**LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA**

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

130 Seward Street, Suite 409  
Juneau, Alaska 99801-2105

MEMORANDUM

February 3, 1993

**SUBJECT:** Sectional Summary of SB 84

**TO:** Senator Tim Kelly

**FROM:** Michael F. Ford *M.F.*  
Legislative Counsel

You have requested a sectional summary of the above described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Increases the fee for an identification card to \$10.

Section 2. Requires that driver's licenses carry a holographic symbol and if the applicant is under age 21, the words "UNDER 21".

Section 3.

Sec. 28.15.187 - Provides for administrative revocation of the driver's license of a person who has used the license for the purchase of alcoholic beverages. Establishes a notice procedure and mandatory periods of license revocation.

Sec. 28.15.189 - Establishes a hearing procedure for a person whose driver's license is revoked under AS 28.15.189. Provides for appeal to superior court of the administrative determination.

Section 4. Provides for higher fees for certain drivers' licenses and permits.

Section 5. Effective date.

MFF:lmb  
93-025.lmb

SECTIONAL

# STATE OF ALASKA

## DEPARTMENT OF REVENUE

ALCOHOLIC BEVERAGE CONTROL BOARD

WALTER J. HICKEL, GOVERNOR

550 W. 7TH AVE  
ANCHORAGE, ALASKA 99501-6698

February 4, 1993

The Honorable Tim Kelly  
Alaska State Senate  
State Capitol  
Juneau, AK 99801-1182

RE: SB 84

Dear Senator Kelly:

This letter intends to express the Alcoholic Beverage Control Board's support for Section 1 of SB 84 concerning drivers' licenses. As indicated in Investigator Bill Roche's memo of February 5, 1992, liquor licensees have been plagued by and exposed to myriad incidents of altered or fraudulent identification presented by underage persons for purchase of alcoholic beverages or entry to licensed premises. According to the board's information, an identification card or drivers license that displays a holographic symbol cannot be altered. The board believes that any measure, such as requiring a holographic symbol, that can deter or reduce alcohol abuse by underage persons is a benefit to licensees and the public.

The board does not have a position on Section 3 of the bill.

If you have any questions, please do not hesitate to call.

Sincerely,



Patrick L. Sharrock  
Director, ABC Board  
(907) 277-8638

ENC: MEMORANDUM DATED 2/5/92

93-020

LETTERS OF SUPPORT

# BRISTOL BAY AREA HEALTH CORPORATION

P.O. BOX 130 • DILLINGHAM, ALASKA 99576

(907) 842-5201 or (907) 842-5202

February 3, 1993

Senator Tim Kelly  
Senate Labor & Commerce  
State Capitol  
Juneau, AK 99801-1182

Dear Senator Kelly,

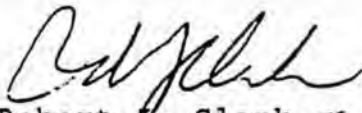
We appreciate this opportunity to respond to your introduction of SB 83 and SB 84. The Bristol Bay Area Health Corporation has supported these bills in the past and will continue to advocate passage in the form of this letter of support.

We renumerate our concerns regarding alcohol abuse as our main social problem in our region and we encourage any efforts to resuscitate interest to curb underage drinking and educate alcohol servers. The alcohol servers course has the potential to change the alcohol establishments policies and procedures, increase marketing to generate increased profits, educate servers on the alcohol beverage laws, provide servers with tools and techniques that can be used with patrons, and additional education efforts can be focused on the consequences of prenatal drinking that can cause birth defects.

Once again, thank you for introducing these key pieces of legislation and the best of luck in their passage.

Sincerely,

BRISTOL BAY AREA HEALTH CORPORATION



Robert V. Clark  
Chief Executive Officer

RCJ/ve

cc: Senator George Jacko  
Senator Georgianna Lincoln  
Representative Lyman Hoffman  
Representative Irene Nicholia  
Representative Carl Moses  
file



*Alaska Cabaret, Hotel,  
Restaurant & Retailers Association*

*P. O. Box 102830 • Anchorage, Alaska 99510  
401 K Street • (907) 272-8133 • Fax: (907) 277-8640*

February 16, 1993

Senator Tim Kelly  
State Capitol  
Juneau, AK 99801-1182

Dear Senator Kelly,

On behalf of the statewide membership of the Alaska Cabaret, Hotel, Restaurant and Retail Association, I would like to express appreciation for your introduction and sponsorship of Senate Bill 84. We believe that this legislation will have significant impact in curbing the problem of underage drinking.

Underage drinking is a major social problem in our communities as well as a problem frequently encountered in our business. It is in our self-interest to support this legislation but even more importantly, we endorse it as a measure to protect all Alaskans from the sometimes tragic consequences of underage drinking.

This bill takes a common sense approach, first by making it much more difficult to alter an Alaska drivers license (a common method used by underage persons) and then by imposing meaningful and reasonable penalties on underage persons apprehended attempting to purchase alcohol.

We strongly endorse and support the passage of Senate Bill 84 and thank you for sponsoring such valuable legislation.

Yours truly,

  
Stan Filler  
President



401 K Street Anchorage, Alaska P.O. Box 104839 Anchorage, Alaska 99510  
(907) 272-8133 Fax: (907) 277-8640

**WHEREAS**, Senator Tim Kelly has sponsored Senate Bill 84, "An Act relating to fees for identification cards and certain motor vehicle licenses and permits; to licenses issued to drivers and to revocation of a license to drive; and providing for an effective date."; and,

**WHEREAS**, this bill provides for meaningful and reasonable penalties to be imposed on underage persons using false identification to purchase alcohol; and,

**WHEREAS**, the provisions of this bill will make altering or counterfeiting of the Alaska Driver's License almost impossible through the use of a hologram;

**NOW THEREFORE BE IT RESOLVED**, that the Anchorage Restaurant and Beverage Association strongly supports and endorses passage of this legislation which will have a significant impact in curbing the problem of underage drinking.

Michael C. Neely, President

February 15, 1993

# ALASKA PROFESSIONAL BARTENDING SCHOOL



February 16, 1993

Senator Tim Kelly  
State Capitol  
Juneau, AK 99801-1182

Dear Senator Kelly:

We at Alaska Professional Bartending School strongly endorse and support Senate Bill 84 which we believe will effectively reduce the dilemma of underage drinking.

We feel the penalties involved in this Bill will definitely have the desired impact to diminish underage drinkers from trying to purchase alcohol and it will also alleviate the threat these individuals pose to all of us in the hospitality industry as well as the general public. The added benefit of making alterations and counterfeiting of the Alaska Driver's License more difficult is a definite advantage in the suspension of alcohol abuse by underage persons.

We wish to express our respect for what you are doing and extend our firm endorsement of Senate Bill 84.

Sincerely,

A handwritten signature in cursive script that reads "Stanley M. Austin".

Stanley M. Austin  
President

# Pioneer Bar & Liquor Store, Inc.

---

CHRISTINE M. TENGS  
President

141-143 Second Ave.  
Post Office Box 190  
Haines, Alaska 99827  
(907) 766-9101 Business  
(907) 766-2474 Office  
(907) 766-3374 FAX

February 16, 1993

Senator Tim Kelly  
State Capitol  
Juneau, AK 99801-1182

Dear Senator Kelly:

I would like to go on record as strongly supporting Senate Bill 84, which would require Alaska Drivers' Licenses to bear a holographic symbol (making them harder to alter) and would provide penalties for use of false identification.

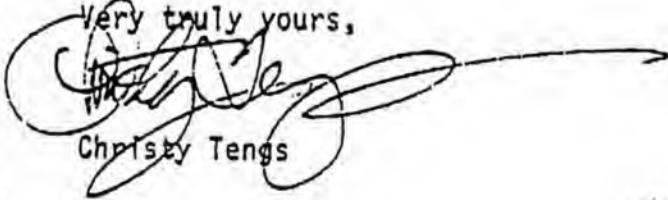
In July of 1990, a young man (6 months short of 21) used a fake I.D. to purchase from our liquor store. A few hours later he totalled his Toyota pick-up and died in the crash. It didn't matter to his parents that he broke the law 9 times that night. It also didn't matter that he had shown 8 of our employees I.D. that met the requirements of Title 4. Nor did it matter that he had previously purchased alcohol in the presence of his parents. They filed a civil liability suit against us and the Alaskan Liquor Store where he also bought that night.

In January of 1992, we settled the suit for \$37,500. We agreed to this amount because it was less than half of what it would have cost to go to trial, even with the most favorable results. The total cost of over \$120,000 we spent defending ourselves pales next to the emotional toll it took on not just my family and the family of the clerk on duty that night, but on the whole town.

During the course of this lawsuit, I did extensive research on my own in order to save legal fees. I interviewed many of the young man's friends, all of whom were most open and helpful. What I discovered is this: Perfect fake I.D.'s are inexpensive and easy to obtain. Using one is not considered a serious offense, but a rite of passage into adulthood. They haven't a clue that what they're doing has consequences, because up till now, there haven't been any consequences.

I can't thank you enough for introducing this bill. It's time people started taking responsibility for their own actions. If our youth want to pretend they're adults, let them pay an adult price.

Very truly yours,

  
Christy Tengs