

ALASKA LEGISLATURE

1961

HOUSE and SENATE FINANCE COMMITTEE FILES, 1999 - 2000

HB

121

HFIN

FILE

Alaska State Legislature



DURING SESSION
STATE CAPITOL, ROOM 501
JUNEAU, AK 99801-1182
(907) 465-4843 (800) 892-4843
FAX: (907) 465-3871

WEB SITE
<http://www.akrepublicans.org/Bunde.htm>

DURING INTERIM
115 W. FOURTH AVE
ANCHORAGE, AK 99501-0001
907 269-0181
FAX 907 269-0184

EMAL

REPRESENTATIVE CON BUNDE

Representative_Con_Bunde@legis.state.ak.us

District 18

VICE-CHAIR, HOUSE FINANCE COMMITTEE
MEMBER, LEGISLATIVE BUDGET & AUDIT COMMITTEE

SPONSOR STATEMENT

HB 121

"An Act relating to patients' rights under a health care insurance plan or contract providing coverage for dental care, and prohibiting certain practices by health care insurers relating to dental care."

Consumers have to ask if their dental care has improved or become more efficient since the beginning of managed care. Many people in need of a dentist say they can't see the dentist they wish to see; they spend less time with the dentist they do see; and they feel rushed into and out of the dentist office.

When a dentist enters a preferred provider organization, the result is that an insurance company saves money and a dentist gains a volume of patients. By increasing the volume of patients each patient receives a fraction of the care that they should receive. Is it fair to allow insurance companies to tell YOU who will do your dental care?

HB 121 sets out the rights of dental health care consumers. This bill specifically:

- Allows consumers to choose any dentist they wish to see including a specialist.
- Prohibits insurers from reimbursing a covered person at a different rate because of the person's choice of dentist.
- Gives covered people the right to receive full information regarding their care options without fearing adverse actions from insurance companies.
- Allows patients to take civil action against health care insurers to enforce their rights.
- Requires any dental treatment plan review or utilization review to be conducted by a dentist.

I urge the committee's thoughtful consideration of this proposed legislation and the swift passage of this legislation from the committee.

William P. Fell D.D.S.



(907) 274-5617

549 W. Fireweed Lane • Anchorage, AK 99503

March 10, 1999

Dear Representative Brice,

I am writing in support of HB 121, the Dental Patient Rights Bill.

HB 121 preserves the basic rights of patients to be treated fairly regardless of the type of their dental insurance.

Patients deserve the right to see the dentist of their choice including a specialist if it is appropriate. This is the most basic right of a patient, being able to choose who provides their dentistry.

Patients should be told of their full range of treatment options not just the ones an insurance company would like them to hear. They deserve to make an informed decision about their health care. The right to hear about all treatment options available is basic to that right.

Patients deserve to have their benefits reviewed by a licensed dentist not a clerical person without any dental training. To use anyone other than a licensed dentist is to deprive the patients of the right of a reasonable review and any recourse for that review.

Lastly, patients should not be discriminated against financially by insurance companies because of their choice of dentists. To reimburse patients differently for their choice of dentists penalized the patients right to choose.

I urge you to vote yes to pass this important bill out of the House Labor and Commerce Committee.

Sincerely,

William Fell
Executive Committee Member

THOMAS G. HIPSHER, D.D.S.

March 17, 1999

Alaska State Legislature
Labor and Commerce Committee
State Capitol Building, Room 24
20 4th Street
Juneau, AK 99801-3382

RE: HB 121

To: Representative Norman Rokeberg, Chair
Representative Andrew Halcro, Vice Chair
Representative John Harris
Representative Lisa Murkowski
Representative Jerry Sanders
Representative Tom Brice
Representative Sharon Cissna
Janet Seitz-Committee Aide

Dear Representatives:

House Bill 121 is before you with regards to dental Patient's Rights. The purpose of the bill is to define how insurance companies can act with regards to patients that are members of Preferred Provider Organizations, Dental Health Maintenance Organizations and other entities that exist under the auspices of managed care. It also pertains to patients covered under any other type of dental insurance plan except ERISA plans. Some very fundamental patient rights are being violated when it comes to benefits offered under many insurance plans. Therefore, HB 121 has been introduced to protect our patients' basic rights as they relate to the dental health care they receive and the reimbursement by their insurance carriers for this care.

Last year, HB 300 was introduced and held up in the Labor and Commerce Committee because the insurance industry and their lobbyists successfully diverted the issue from one of "patient's rights" to an issue about the increased costs that the bill would create if it were to pass. The insurance industry was also successful in convincing the committee that HB 300 was an "Any Willing Provider" piece of legislation. HB 121 is similar to last year's HB 300, but differs in that it pertains only to dental care.

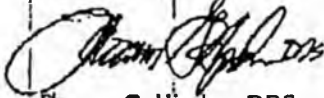
I have prepared a detailed comparison between the current HB 121, entitled the "Alaska Dental Care Bill of Rights" and "Any Willing Provider" legislation to help you understand what the differences are and to show you that **HB 121 is not** "Any Willing Provider" legislation. For you to think or to assume that HB 121 is "Any Willing Provider" legislation is incorrect. I am certain that the insurance industry will once again try to sway your vote based on two matters, namely 1) that this is "Any Willing Provider" legislation and 2) that costs will increase as a result of this legislation because they have convinced you that it is "Any Willing Provider" legislation.

Please take the time to consider the differences and realize that the insurance industry is doing nothing but protecting their bottom line at the expense of patient's rights. If the insurance industry truly believes that costs will rise as a result of this legislation, there are far better options that companies can pursue other than dental insurance that will provide patients with these rights at a much lower cost than that which can be provided by the insurance industry. Dental care does not meet the criteria for an insured risk, therefore dental care does not

need to be *insured*. In fact, the term "dental insurance" is a misnomer. Dental costs are very predictable year after year and can simply be budgeted for by a company. If you would like to learn more about this, contact either myself or Mr. Brian Rogers, a former legislator with whom all of you are familiar. If the insurance industry insists that costs will increase, we will show you how they can actually be lowered, even with passage of this bill.

I urge you to study the facts very carefully and study the eyes of the people that are trying to convince you that this bill is bad for patients. I apologize that I cannot testify at the public hearing on March 19, 1999 due to a prior commitment to take care of a patient from out of state. However, if you have any questions with regards to anything in this letter or the accompanying comparison sheets, please contact me either by mail, email at simsa@alaska.net or by telephone at (907) 349-5585.

Respectfully submitted,



Thomas G. Hipsher, DDS

Cc: Alaska Dental Society
Dr. David Logan, President of the Alaska Dental Society
Dr. Rob Robinson
Mr. Brian Rogers

03-11-99 09:07

907 258 2804

Robinson & Nielson

002

David L. Nielson, D.D.S.

Julie M. Robinson, D.D.S.

GENERAL DENTISTRY

880 N STREET, SUITE 301
ANCHORAGE, ALASKA 99501
TELEPHONE 276-7787
276-8274

3-10-99

Dear Representative Rokeberg,

As residents in your legislative district, as dentists, and as individuals who are concerned about where health care in America is heading, we feel compelled to write in favor of HB121, the Dental Patient Rights Bill.

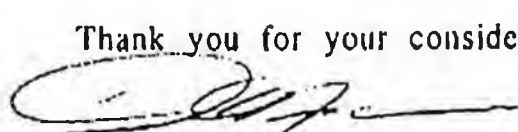
While the public is, at the present time, ultimately able to choose any dentist they wish, there are many factors at work in the insurance market place that severely limit that ability by incorporating financial penalties for doing so. It is imperative that patients be able to freely choose any general dentist or specialist they wish to see without their insurance company limiting that right by reimbursing the patients at a different rate depending on which provider they choose.

HB 121 also addresses another fundamental right to which patients must be entitled. Under no circumstances should an insurance plan discourage or withhold the patients right to at least hear all available treatment options. The public deserves to make informed decisions about their health care, and withholding the mention of treatment options should not be tolerated.

Obviously enough, an insurance company should be able to review submitted claims and treatment plans. However, is it in the patients best interest to have these reviews done by a clerical person with no dental training and nothing more than a written set of guidelines to go on? I submit to you that the public deserves the right to have a fair and reasonable review of their treatment plan by an individual who thoroughly understands which course of treatment is in each patients best interest. That individual should be a licensed dentist.

We urge you to take an important step towards protecting public rights and vote yes to pass this bill out of the House Labor and Commerce Committee.

Thank you for your consideration.



David Nielson D.D.S.



Julie Robinson D.D.S.

March 10, 1999

Dear Representative Rokeberg,

I am writing in response to HB 121, the Dental Patients Bill of Rights.

It is my understanding that this bill affects me in the following areas:

I should be able to choose my own dentist.

I should be able to seek the care of a specialist should the need arise and that decision should be made between me and my dentist of choice. No insurance company should be able to limit this right.

I should be able to make an informed decision regarding my health care and the treatment options that my dentist believes are in my best interest.

I should be able to expect that any review of my treatment plan or my care be made by someone with an understanding of dentistry i.e., a licensed dentist.

I should expect reimbursement financially by an insurance company without being penalized because of my choice of a dentist.

A copy of The Dental Patient Rights Bill was referred to me and as a dental patient as well as an employee of a dental office, I felt it necessary to express my opinions.

Sincerely,

Lorraine Childress

Lorraine Childress
Dental Administrator

William P. Fell D.D.S.



(907) 274-5617

549 W. Fireweed Lane • Anchorage, AK 99503

March 10, 1999

Dear Representative Rokeberg,

I am writing in support of HB 121, the Dental Patient Rights Bill.

HB 121 preserves the basic rights of patients to be treated fairly regardless of the type of their dental insurance.

Patients deserve the right to see the dentist of their choice including a specialist if it is appropriate. This is the most basic right of a patient, being able to choose who provides their dentistry.

Patients should be told of their full range of treatment options not just the ones an insurance company would like them to hear. They deserve to make an informed decision about their health care. The right to hear about all treatment options available is basic to that right.

Patients deserve to have their benefits reviewed by a licensed dentist not a clerical person without any dental training. To use anyone other than a licensed dentist is to deprive the patients of the right of a reasonable review and any recourse for that review.

Lastly, patients should not be discriminated against financially by insurance companies because of their choice of dentists. To reimburse patients differently for their choice of dentists penalized the patients right to choose.

I urge you to vote yes to pass this important bill out of the House Labor and Commerce Committee.

Sincerely,

William Fell
Executive Committee Member



Alaska Dental Society

3305 Arctic Blvd., Suite 102
Anchorage, Alaska 99503-4975
(907) 563-3003 • FAX: 563-3009

March 8, 1999

Representative Norman Rokeberg
Alaska State Legislature
State Capitol
Juneau, AK

Dear Representative Rokeberg:

The Alaska Dental Society is urging all members of the House Labor and Commerce Committee to move HB121, the Dental Patient Rights Bill, out of Committee.

HB121 preserves the patient's most basic rights: The right to choose a dentist, to be told about available treatments, to have a trained dentist review dental insurance claims and to be equally reimbursed for those claims by their insurance companies.

Patients should be able to choose their dentist. There is no reasonable circumstance where an insurance company should supersede that right.

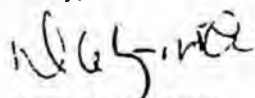
Patients should be aware of all reasonable treatment options available for their dental conditions. To allow "gag" clauses that limit dentists' ability to discuss treatment options is to deny patients the ability to make informed decisions.

A licensed dentist should review treatment plans and claims. Using a dentist to review claims insures an understanding of different types of dental treatment and why they are used. Use of a licensed dentist would help to insure this person is current in their dental knowledge and provides some recourse for patients if they have to appeal their claim.

It is crucial to remember the dentist who is not participating in a plan is paid the same regardless of the passage of HB121; it is the patient who is suffers under the current system. HB121 will not change the amount an insurance company pays for a given treatment, unless the insurance company counted on reimbursing some patients at a lesser rate. All HB121 asks is the insurance company pay the same amount to the patient regardless of their choice of dentists.

Thank you in advance for your consideration of this HB121 This legislation will help provide the necessary protection of patients from unfair practices by insurance companies. The Alaska Dental Society urges the House Labor and Commerce Committee's favorable response.

Sincerely,


David G. Logan, DDS
President
Alaska Dental Society

Post-Net Fax Note 7672
 To Patty Swenson
 Company Rep. Con Bunde
 Location
 Fax # Telephone #
 Comments

⊕ No. of Pages 7 Today's Date 3/99 Time AM
 From Dr. Mike Sage
 Company
 Location Dept. Of or for
 Fax # Telephone #
 Original Document Query Return Call for pickup

RE: HB 121



March 10, 1999

C. Michael Sage, D.D.S., F.A.G.D., P.C.
 FELLOW AMERICAN GENERAL DENTISTRY

Representative Con Bunde
 Alaska State Legislature
 State Capitol (MS3100)
 Juneau, AK 99801-1182

Dear Representative Bunde,

I am writing to you to ask for your support of HB 121, the Dental Patient Rights Bill.

This bill is needed to preserve Alaskan's right to choose their dental health care provider, without the pressure of financial discrimination by insurance companies.

Alaskans deserve the right to see the dentist of their choice, including specialists if they feel it is necessary. It is important that patients are informed of the full range of treatment options, and not just those options deemed "adequate treatment" by an insurance company.

When a dental care plan or contract provision allows for treatment plan review or utilization review, that review should be conducted by a licensed dentist. To entrust this procedure to clerical personnel with no understanding of dentistry is certainly not in the patients' best interest.

Again, I urge you to give your full support to HB 121, and to vote yes to pass this bill out of the House Labor and Commerce Committee.

Sincerely,

C. Michael Sage D.D.S.

C. Michael Sage D.D.S.

VICKEY J. HODNIK, D.D.S.

4014 Lake Street, Suite 210
Homer, Alaska 99603

Telephone: (907) 235-7585
FAX: (907) 235-7311

March 10, 1999

Representative Norman Rokeberg
Alaska State Legislature
State Capitol (MS 3100)
Juneau, AK 99801-1182

Dear Representative Rokeberg,

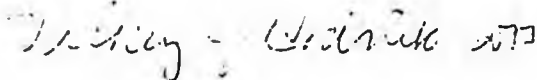
I am writing this letter to support HB 121, "The Dental Patient Rights Bill", because it protects Alaskans seeking dental care.

I believe that everyone has the right to choose their dental care provider, and, if the provider they choose is not a preferred provider, their insurance plan should pay the same amount for treatment that they pay a preferred provider.

All patients need to be told what their treatment needs are, what their options are and then choose their own treatment plan. All treatment plans must be prepared by a licensed dentist and not a non-dentist employee of an insurance company.

Please vote Yes to pass this bill (HB 121) out of the House of Labor and Commerce Committee.

Sincerely,



Vickey J. Hodnik, DDS
Pres.-elect Alaska Dental Society

"An Atmosphere of Sincere
Warmth and Caring"



Ronald J. Glaeser, D.D.S.
A PRACTICE LIMITED TO ORTHODONTICS

March 11, 1999

Representative Norman Rokeberg
Alaska State Legislature
State Capitol (MS 3100)
Juneau, AK 99801-1182

Dear Representative Rokeberg:

I am writing in support of HB 121, the Dental Patient Rights Bill.

HB 121 preserves the basic rights of patients to be treated fairly regardless of their dental insurance. Patients deserve the right to see the dentist of their choice including a specialist. They should be told their full range of rights; not just those imposed by insurance companies. They deserve to have their charges reviewed by a claims adjuster with a dental background and training. Also, patients should not be hindered financially or discriminated against by their insurance companies.

I urge you to vote yes to pass this important bill out of the House Labor and Commerce Committee.

Sincerely,

A handwritten signature in cursive script that reads "Dr. Ronald J. Glaeser".

Ronald I. Glaeser, D.D.S., Inc.
Member, Executive Council
Alaska Dental Society

(11)

HOUSE COMMITTEE REPORT

Date Referred to Committee: April 14, 2000

FURTHER REFERRALS:

Date of Committee Action: 4/15/00

The FINANCE Committee considered:

HB 121

HOUSE BILL NO. 121

DENTAL CARE INSURANCE

"An Act relating to patients' rights under a health care insurance plan or contract providing coverage for dental care, and prohibiting certain practices by health care insurers relating to dental care."

recommends it be replaced

with the following committee substitute

C.S. HB 121 (L+C)

the same title
 a new title

additional referral to _____ Committee

attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal note(s) _____

fiscal note(s) _____

zero fiscal note(s) - _____

zero fiscal note(s)

Dced, DofA
4-14-00

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Ben Therriault</i> Therriault			X	
<i>John Mulder</i> Mulder	X			
<i>Chris Bunde</i> Bunde	X			
<i>Alan Austerman</i> Austerman			X	
<i>John Davies</i> Davies			X	
<i>Ben Grossendorff</i> Grossendorff			X	
<i>Charles Moses</i> Moses			X	
<i>W.F. Williams</i> Williams	X			
<i>Lair Phillips</i> Phillips			X	
<i>John Foster</i> Foster	X			

CHAIR'S SIGNATURE

Ben Therriault *John Mulder*

FISCAL NOTE

Bill Version: CSHB 121(L&C)
(H) Publish Date: 4/14/00

STATE OF ALASKA 2000 LEGISLATIVE SESSION

Revision Date/Time (Note if correction) 04/13/00 Dept. Affected Community & Economic Development
Title An Act relating to patients' rights under a health care BRU Insurance
Insurance plan or contract providing coverage for dental care ... Component Insurance
Sponsor Representative Bunde
Requester H (L&C) Component No. 354

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill has no fiscal impact on this component.

Prepared by: Robert A. Lohr Phone 269-7900
 Division Insurance Date/Time 4-13-00 4:37 PM
 Approved by Commissioner Deborah B. Sedwick Date 4-13-00
 Agency Community & Economic Development

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FISCAL NOTE

Bill Version: CSHB 121(L&C)

(H) Publish Date: 4/14/00

**STATE OF ALASKA
2000 LEGISLATIVE SESSION**

Revision Date/Time 4/14/00 Dept. Affected Administration
 Title Dental Care Insurance BRU Centralized Administrative Services
 Component Retirement and Benefits
 Sponsor Representative Bunde
 Requester (H) L&C Component No. 64

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURE	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (1029 P/E Retire)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Although the State of Alaska self-insured health program is not legally obligated to mandates set by the legislature in Title 21, the state has followed such mandates for public policy reasons. The state health plans do not currently have any preferred provider arrangements with dentists.

Prepared by: Guy Bell, Director Phone 465-4471
 Division Retirement and Benefits Date/Time _____
 Approved by Commissioner: Robert Poe, Jr Date 4/14/00
 Agency Department of Administration

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HB

131

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: April 7, 1999

FURTHER REFERRALS:

Date of Committee Action: 4/21/99

The FINANCE Committee considered:

HB 131

HOUSE BILL NO. 131

ANCHORAGE COASTAL WILDLIFE REFUGE

"An Act relating to public rights-of-way and easements for surface transportation across the Anchorage Coastal Wildlife Refuge."

recommends it be replaced with the following committee substitute _____ the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) APPROVES PREVIOUS: (Dept/Date)

fiscal note(s) _____ fiscal note(s) * DOT 4/1/99

zero fiscal note(s) _____ zero fiscal note(s) DNR 4/1/99

F.g 4/1/99

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
<i>Gene Therriault</i>	Therriault			X	
<i>John Mulder</i>	Mulder			/	
<i>Tom Bunde</i>	Bunde	/			
<i>W. Williams</i>	Williams			X	
<i>Ken Kohring</i>	Kohring	X			
<i>Allen Austerman</i>	Austerman			X	
<i>Grussendorf</i>	Grussendorf	X			
<i>Foster</i>	Foster	X			
<i>J. Davis</i>	J. Davis			X	
<i>Moses</i>	Moses		X		

CO CHAIR'S SIGNATURE *Gene Therriault* *John Mulder*
Therriault Mulder

FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BILL NO. HB 131

Revision Date: _____ Dept Affected: Natural Resources
 Title: An Act relating to public rights-of-way and BRU: Land Development
easements for surface transportation across the Anchorage... Component: Land Development
 Sponsor: Representative GREEN
 Requestor: (H) RES Component Serial No. 431

Expenditures/Revenues (Inflation not included unless otherwise noted below) (Thousands of Dollars)

OPERATING EXPENDITURES	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES (fund code)	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY99) cost: \$ none

POSITIONS

POSITIONS	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005
FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

There is no anticipated fiscal impact associated with implementation of this legislation.

Prepared by: Jane Angvik, Director Phone: 907-269-8503
 Division: Land Date: 23-Mar-99
 Approved by Commissioner: [Signature] Date: 3-23-99
 Agency: Natural Resources

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FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BILL NO. HB 131

Revision Date/Time (Note if correction)		Dept. Affected	Fish and Game
Title	<u>ANCHORAGE COASTAL WILDLIFE REFUGE</u>	BRU	<u>Habitat and Restoration</u>
Sponsor	<u>Rep. Green</u>	Component	<u>Permitting/Title 16</u>
Requester	<u>House Resources</u>	Component Serial No.	<u>2050</u>

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
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
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY99) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

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

Prepared by Ken Taylor
 Division Habitat and Restoration
 Approved by Commissioner Frank Rue *(Signature)*
 Agency Alaska Department of Fish and Game

Phone 465-3065
 Date/Time 03/23/99
 Date 3/23/99

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FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BILL NO. HB 131

Revision Date/Time (Note if correction) _____ Dept. Affected DOT&PF
 Title Anchorage Coastal Wildlife Refuge BRU Commissioners Office
 Component _____
 Sponsor Representative Green
 Requester (H) RES Component Serial No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	**	**	**	**	**	**
----------------------	----	----	----	----	----	----

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	**	**	**	**	**	**

Estimate of any current year (FY99) cost: **

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

** The DOT/PF has a project in the environmental document stage that will be directly affected by the passage of HB131. The project is the Anchorage Coastal Trail - Southern Extension and is being developed by AMATS. Over \$300k has been expended to date on the project. The project's total estimated cost including environmental document, right-of-way acquisitions, and design and construction is roughly \$8 million. If the public scoping process resulted in a route through the refuge then the environmental document approval would be subject to the "Section 4(f)" provisions addressed in 23 CFR 771.135. Section 4(f) requirements set an extraordinarily high standard including a determination that "There is no feasible and prudent alternative to the use of land from the property." The project is also under the NEPA/404 Merger agreement, meaning that all permits needed for the project must be obtained prior to final approval of the environmental document. Meeting this standard will be very expensive. Failing then to obtain legislative approval, through the passage of a law allowing an easement through the refuge, would mean the expenditures to complete the environmental process will be fruitless. Alternatively, adding HB 131 to the existing burden of environmental approvals may be too great a burden for AMATS to continue development of the project, resulting in the loss of expenditures to date.

Prepared by Dennis Poshard, Legislative Liaison Phone 465-3904
 Division Office of the Commissioner Date/Time 3/31/99 8:36 AM
 Approved by Commissioner [Signature] Date 3/31/99
 Agency Department of Transportation and Public Facilities

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FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BILL NO. HB 131

Revision Date: _____ Dept Affected: Natural Resources
 Title: An Act relating to public rights-of-way and BRU: Land Development
easements for surface transportation across the Anchorage... Component: Land Development
 Sponsor: Representative GREEN
 Requestor: (H) RES Component Serial No. 431

Expenditures/Revenues (Inflation not included unless otherwise noted below) (Thousands of Dollars)

OPERATING EXPENDITURES	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES (fund code)	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY99) cost: \$ none

POSITIONS

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

There is no anticipated fiscal impact associated with implementation of this legislation.

Prepared by: Jane Angvik, Director Phone: 907-269-8503
 Division: Land Date: 23-Mar-99
 Approved by Commissioner: [Signature] Date: 3-23-99
 Agency: Natural Resources

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FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BILL NO. HB 131

Revision Date/Time (Note if correction) _____ Dept. Affected Fish and Game
 Title ANCHORAGE COASTAL WILDLIFE REFUGE BRU Habitat and Restoration
 Component Permitting/Title 16
 Sponsor Rep. Green
 Requester House Resources Component Serial No. 2050

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
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
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY99) cost: 0.0

POSITIONS

Full-time					
Part-time					
Temporary					

ANALYSIS: (Attach a separate page if necessary)

Prepared by Ken Taylor
 Division Habitat and Restoration
 Approved by Commissioner Frank Rue
 Agency Alaska Department of Fish and Game

Phone 465-3065
 Date/Time 03/23/99
 Date 3/23/99

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FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BILL NO. HB 131

Revision Date/Time (Note if correction) _____	Dept. Affected <u>DOT&PF</u>
Title <u>Anchorage Coastal Wildlife Refuge</u>	BRU <u>Commissioners Office</u>
Sponsor <u>Representative Green</u>	Component _____
Requester <u>(H) RES</u>	Component Serial No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	**	**	**	**	**	**
-----------------------------	----	----	----	----	----	----

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	**	**	**	**	**	**

Estimate of any current year (FY99) cost: **

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

** The DOT/PF has a project in the environmental document stage that will be directly affected by the passage of HB131. The project is the Anchorage Coastal Trail - Southern Extension and is being developed by AMATS. Over \$300k has been expended to date on the project. The project's total estimated cost including environmental document, right-of-way acquisitions, and design and construction is roughly \$8 million. If the public scoping process resulted in a route through the refuge then the environmental document approval would be subject to the "Section 4(f)" provisions addressed in 23 CFR 771.135. Section 4(f) requirements set an extraordinarily high standard including a determination that "There is no feasible and prudent alternative to the use of land from the property." The project is also under the NEPA/404 Merger agreement, meaning that all permits needed for the project must be obtained prior to final approval of the environmental document. Meeting this standard will be very expensive. Failing then to obtain legislative approval, through the passage of a law allowing an easement through the refuge, would mean the expenditures to complete the environmental process will be fruitless. Alternatively, adding HB 131 to the existing burden of environmental approvals may be too great a burden for AMATS to continue development of the project, resulting in the loss of expenditures to date.

Prepared by <u>Dennis Poshard, Legislative Liaison</u>	Phone <u>465-3904</u>
Division <u>Office of the Commissioner</u>	Date/Time <u>3/31/99 8:36 AM</u>
Approved by Commissioner <u>[Signature]</u>	Date <u>3/31/99</u>
Agency <u>Department of Transportation and Public Facilities</u>	

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FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BILL NO. HB 131

Revision Date: _____ Dept Affected: Natural Resources
 Title: An Act relating to public rights-of-way and BRU: Land Development
easements for surface transportation across the Anchorage... Component: Land Development
 Sponsor: Representative GREEN
 Requestor: (H) RES Component Serial No. 431

Expenditures/Revenues (Inflation not included unless otherwise noted below) (Thousands of Dollars)

OPERATING EXPENDITURES	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES (fund code)	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY99) cost: \$ none

POSITIONS

POSITIONS	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005
FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

There is no anticipated fiscal impact associated with implementation of this legislation.

Prepared by: Jane Angvik, Director *[Signature]* Phone: 907-269-8503
 Division: Land Date: 23-Mar-99
 Approved by Commissioner: *[Signature]* Date: 3-23-99
 Agency: Natural Resources

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FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BILL NO. HB 131

Revision Date/Time (Note if correction) _____ Dept. Affected Fish and Game
 Title ANCHORAGE COASTAL WILDLIFE REFUGE BRU Habitat and Restoration
 Component Permitting/Title 16
 Sponsor Rep. Green
 Requester House Resources Component Serial No. 2050

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
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
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
-----------------------------	------------	------------	------------	------------	------------	------------

CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
-------------------------------	------------	------------	------------	------------	------------	------------

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY99) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by Ken Taylor
 Division Habitat and Restoration
 Approved by Commissioner Frank Rue *Caron Rue for*
 Agency Alaska Department of Fish and Game

Phone 465-3065
 Date/Time 03/23/99
 Date 3/23/99

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FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BILL NO. HB 131

Revision Date/Time (Note if correction) _____ Dept. Affected DOT&PF
 Title Anchorage Coastal Wildlife Refuge BRU Commissioners Office
 Component _____
 Sponsor Representative Green
 Requester (H) RES Component Serial No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	**	**	**	**	**	**
-----------------------------	-----------	-----------	-----------	-----------	-----------	-----------

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	**	**	**	**	**	**

Estimate of any current year (FY99) cost: **

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

** The DOT/PF has a project in the environmental document stage that will be directly affected by the passage of HB131. The project is the Anchorage Coastal Trail - Southern Extension and is being developed by AMATS. Over \$300k has been expended to date on the project. The project's total estimated cost including environmental document, right-of-way acquisitions, and design and construction is roughly \$8 million. If the public scoping process resulted in a route through the refuge then the environmental document approval would be subject to the "Section 4(f)" provisions addressed in 23 CFR 771.135. Section 4(f) requirements set an extraordinarily high standard including a determination that "There is no feasible and prudent alternative to the use of land from the property." The project is also under the NEPA/404 Merger agreement, meaning that all permits needed for the project must be obtained prior to final approval of the environmental document. Meeting this standard will be very expensive. Failing then to obtain legislative approval, through the passage of a law allowing an easement through the refuge, would mean the expenditures to complete the environmental process will be fruitless. Alternatively, adding HB 131 to the existing burden of environmental approvals may be too great a burden for AMATS to continue development of the project, resulting in the loss of expenditures to date.

Prepared by Dennis Poshard, Legislative Liaison Phone 465-3904
 Division Office of the Commissioner Date/Time 3/31/99 8:36 AM
 Approved by Commissioner [Signature] Date 3/31/99
 Agency Department of Transportation and Public Facilities

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MEMBER HEALTH, EDUCATION &
SOCIAL SERVICES COMMITTEE

BUDGET SUBCOMMITTEES
ALASKA COURT SYSTEM
DEPT OF ENVIRONMENTAL CONSERVATION
DEPT. OF REVENUE

Representative Joe Green

District 10
House Majority Leader

Sponsor Statement

HB 131 "Relating to rights of way and easements for surface transportation in the Anchorage Coastal Wildlife Refuge"

The Anchorage Coastal Wildlife Refuge (ACWR) was created by the legislature in 1988. Most of the refuge had previously been classified by the legislature as the Potter Point State Game refuge.

In establishing the ACWR the legislature granted the authority to approve rights of way through the refuge to the Departments of Fish and Game and Natural Resources. HB 131 establishes additional protection for the refuge by withdrawing that grant of authority, and reserving unto the legislature the right to approve surface transportation rights of ways and easements.

MAR 24 1999



NATIONAL RIFLE ASSOCIATION OF AMERICA
INSTITUTE FOR LEGISLATIVE ACTION
555 CAPITOL MALL, SUITE 455
SACRAMENTO, CALIFORNIA 95814
(916)446-2455 voice ■ (916)448-7469 fax

Fax Transmittal Cover Sheet

Message To Be Delivered To:	Representative Joe Green
Date and Time Message Sent:	3/24 2:15
Fax Number:	907/465-4316
Message From:	Brian Judy, Alaska State Liaison
Number of Pages Including Cover Sheet:	1

RE: NRA SUPPORT FOR HOUSE BILL 131

Dear Representative Green,

This is to inform you that the National Rifle Association is in **support of House Bill 131**. I had intended to provide you with a more formal letter of support but just found out that the bill is up for a hearing in committee this afternoon.

A more detailed letter will be forthcoming but, in the meantime, please feel free to convey to the committee that you have the full support of NRA on your bill.

Sincerely,

Brian Judy
Brian Judy

HOUSE COMMITTEE REPORT

(9)

Date Referred to Committee: March 10, 1999

FURTHER REFERRALS:

Date of Committee Action: 3-31-99

The RESOURCES Committee considered:

HB 131

HOUSE BILL NO. 131

ANCHORAGE COASTAL WILDLIFE REFUGE

"An Act relating to public rights-of-way and easements for surface transportation across the Anchorage Coastal Wildlife Refuge."

recommends it be replaced with the following committee substitute _____ the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) APPROVES PREVIOUS: (Dept/Date)

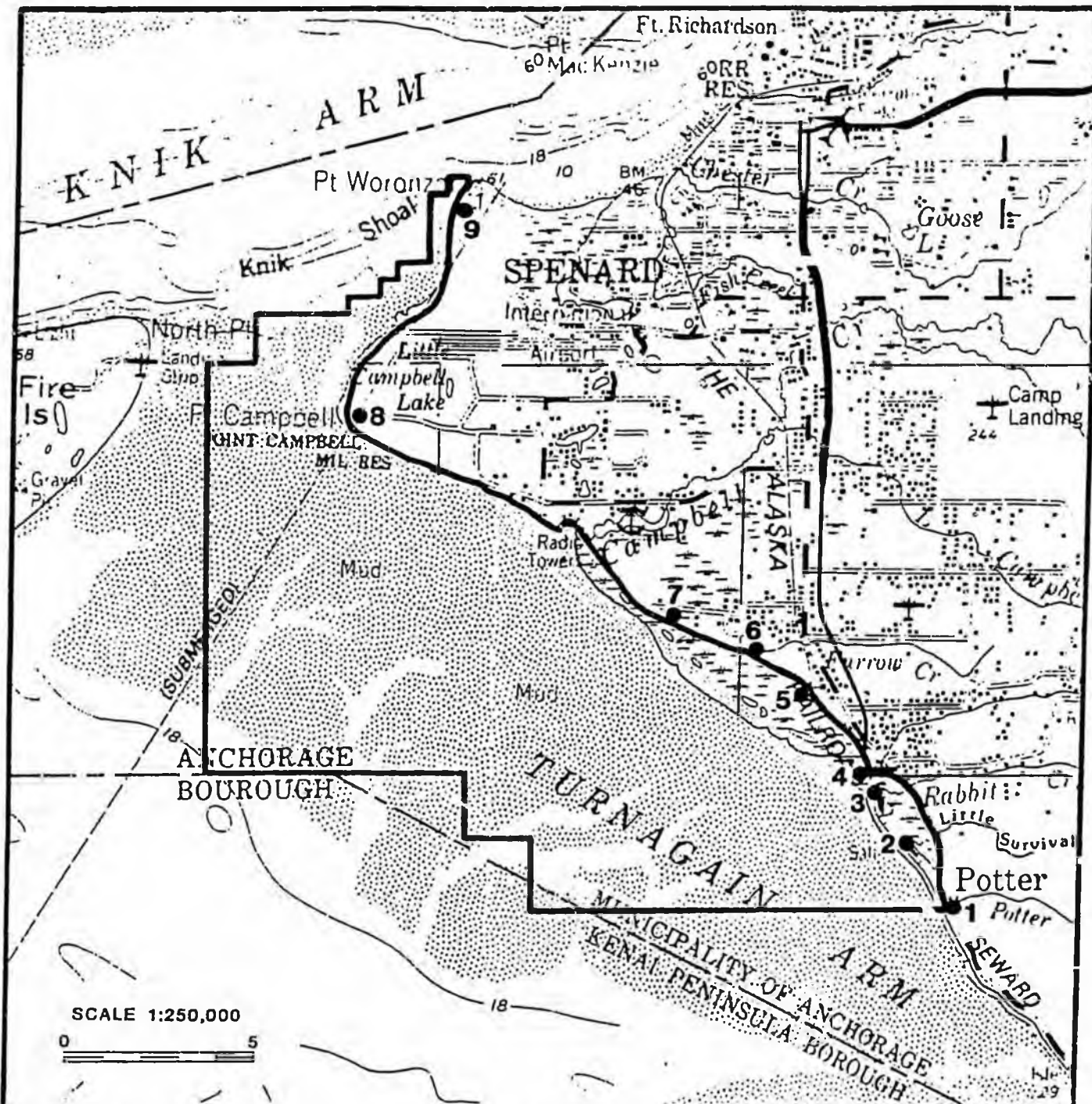
fiscal note(s) _____ fiscal note(s) _____

zero fiscal note(s) _____ zero fiscal note(s) Div. H+R 3/23/99,

DDDF _____ DOT 3/31/99, Div. Land 3/23/99

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>			✓	
<i>[Signature]</i>			✓	
<i>[Signature]</i>	✓			

CHAIR'S SIGNATURE Scott Ogan



ANCHORAGE COASTAL WILDLIFE REFUGE - MAJOR PUBLIC ACCESS POINTS

- | | |
|---|--|
| 1. South end of Potter Marsh (Old weigh station) | 6. John's Park (Furrow Creek) |
| 2. Mid marsh paved pull-out | 7. Spyglass Circle off of Klatt Road |
| 3. North end of Potter Marsh parking area and boardwalk | 8. Coastal Trail from Point Campbell to Point Woronzof |
| 4. Rabbit Creek rifle range | 9. Point Woronzof |
| 5. Reef Drive (Oceanview Bluff Park) | |

Additional public access to the refuge can be found where public lands abut the refuge. It is illegal to cross or walk along the Alaska Railroad right-of-way except at the railroad crossing at the Rabbit Creek Rifle Range. The Anchorage Waste Water Utility facility road from Campbell Lake to the refuge is a private road, with no public access allowed.

The refuge boundary shown depicts the statutory extent of the refuge. Private lands within this boundary are not part of the refuge.

Table 5. Bird species known to occur on the Anchorage Coastal Wildlife Refuge.

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
<u>Loons and grebes:</u>		
Pacific loon	<u>Gavia pacifica</u>	R*
Red-necked grebe	<u>Podiceps grisegena</u>	C*
Horned grebe	<u>Podiceps auritus</u>	U*
<u>Hérons:</u>		
Great blue heron	<u>Ardea herodias</u>	CA
<u>Swans:</u>		
Tundra swan	<u>Cygnus columbianus</u>	U
Trumpeter swan	<u>Cygnus buccinator</u>	R
<u>Geese:</u>		
Canada goose	<u>Branta canadensis</u>	C*
White-fronted goose	<u>Anser albifrons</u>	R
Snow goose	<u>Chen caerulescens</u>	U
<u>Dabbling Ducks:</u>		
Mallard	<u>Anas platyrhynchos</u>	C*
Gadwall	<u>Anas strepera</u>	R
Northern pintail	<u>Anas acuta</u>	C*
Green-winged teal	<u>Anas crecca</u>	C*
Garganey	<u>Anas querquedula</u>	CA
Blue-winged teal	<u>Anas discors</u>	CA
Northern shoveler	<u>Anas clypeata</u>	U*
Eurasian wigeon	<u>Anas penelope</u>	R
American wigeon	<u>Anas americana</u>	C*
<u>Diving and seaducks:</u>		
Canvasback	<u>Aythya valisineria</u>	U*
Redhead	<u>Aythya americana</u>	CA
Ring-necked duck	<u>Aythya collaris</u>	R
Greater scaup	<u>Aythya marila</u>	U*
Lesser scaup	<u>Aythya affinis</u>	R
Common goldeneye	<u>Bucephala clangula</u>	U*
Barrow's goldeneye	<u>Bucephala islandica</u>	U
Bufflehead	<u>Bucephala albeola</u>	R
Oldsquaw	<u>Clangula hyemalis</u>	CA
White-winged scoter	<u>Melanitta fusca</u>	CA
Common merganser	<u>Merqus merganser</u>	U
<u>Raptors:</u>		
Northern goshawk	<u>Accipiter gentilis</u>	U
Red-tailed hawk	<u>Buteo jamaicensis</u>	U*
Swainson's hawk	<u>Buteo swainsoni</u>	CA
Rough-legged hawk	<u>Buteo lagopus</u>	R
Golden eagle	<u>Aquila chrysaetos</u>	R
Bald eagle	<u>Haliaeetus leucocephalus</u>	U
Northern harrier	<u>Circus cyaneus</u>	U

Table 5. Continued.

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
<u>Raptors:</u>		
Osprey	<u>Pandion haliaetus</u>	R
Merlin	<u>Falco columbarius</u>	U
American Kestrel	<u>Falco sparverius</u>	CA
Peregrine falcon	<u>Falco peregrinus</u>	R
<u>Ptarmigans:</u>		
Willow ptarmigan	<u>Lagopus lagopus</u>	R
<u>Cranes:</u>		
Sandhill crane	<u>Grus canadensis</u>	R*
<u>Coots:</u>		
American coot	<u>Fulica americana</u>	CA
<u>Shorebirds:</u>		
Semipalmated plover	<u>Charadrius semipalmatus</u>	C*
Killdeer	<u>Charadrius vociferus</u>	R
Lesser golden plover	<u>Pluvialis dominica</u>	U
Black-bellied plover	<u>Pluvialis squatarola</u>	R
Hudsonian godwit	<u>Limosa haemastica</u>	R
Whimbrel	<u>Numenius phaeopus</u>	R
Greater yellowlegs	<u>Tringa melanoleuca</u>	C*
Lesser yellowlegs	<u>Tringa flavipes</u>	C*
Solitary sandpiper	<u>Tringa solitaria</u>	U*
Terek sandpiper	<u>Xenus cinereus</u>	CA
Spotted sandpiper	<u>Actitis macularia</u>	U*
Wandering tattler	<u>Heteroscelus incanus</u>	R
Ruddy turnstone	<u>Arenaria interpres</u>	CA
Black turnstone	<u>Arenaria melanocephala</u>	R
Red-necked phalarope	<u>Phalaropus lobatus</u>	U*
Common snipe	<u>Gallinago gallinago</u>	C*
Short-billed dowitcher	<u>Limnodromus griseus</u>	C
Long-billed dowitcher	<u>Limnodromus scolopaceus</u>	U
Surfbird	<u>Aphriza virgata</u>	U
Semipalmated sandpiper	<u>Calidris pusilla</u>	U
Western sandpiper	<u>Calidris mauri</u>	C
Rufous-necked stint	<u>Calidris ruficollis</u>	CA
Least sandpiper	<u>Calidris minutilla</u>	C*
Baird's sandpiper	<u>Calidris bairdii</u>	R
Pectoral sandpiper	<u>Calidris melanotos</u>	U
Sharptailed sandpiper	<u>Calidris scuminota</u>	CA
Dunlin	<u>Calidris alpina</u>	R
<u>Jaegers, gulls, and terns:</u>		
Parasitic jaeger	<u>Stercorarius parasiticus</u>	CA
Glaucous gull	<u>Larus hyperboreus</u>	CA
Glaucous-winged gull	<u>Larus glaucescens</u>	C*
Herring gull	<u>Larus argentatus</u>	U*

Table 5. Continued.

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Mew gull	<u>Larus canus</u>	C*
Bonaparte's gull	<u>Larus philadelphia</u>	U*
Arctic tern	<u>Sterna paradisaea</u>	C*
<u>Doves:</u>		
Rock dove	<u>Columba livia</u>	R
<u>Owls:</u>		
Great horned owl	<u>Bubo virginianus</u>	U
Northern hawk owl	<u>Surnia ulula</u>	CA
Short-eared owl	<u>Asio flammeus</u>	R
Boreal owl	<u>Aegolius funereus</u>	CA
<u>Woodpeckers:</u>		
Common flicker	<u>Coaptes auratus</u>	U*
<u>Flycatchers:</u>		
Alder flycatcher	<u>Empidonax alnorum</u>	C*
Olive-sided flycatcher	<u>Contopus borealis</u>	U*
<u>Swallows:</u>		
Violet-green swallow	<u>Tachycineta thalassina</u>	C*
Tree swallow	<u>Tachycineta bicolor</u>	U*
Bank swallow	<u>Riparia riparia</u>	C*
Barn swallow	<u>Hirundo rustica</u>	CA
Cliff swallow	<u>Hirundo pyrrhonota</u>	U
<u>Jays, magpies, and crows:</u>		
Steller's jay	<u>Cyanocitta stelleri</u>	R
Gray jay	<u>Perisoreus canadensis</u>	R
Black-billed magpie	<u>Pica pica</u>	U*
Common raven	<u>Corvus corax</u>	U*
Clark's nutcracker	<u>Nucifraga columbiana</u>	CA
<u>Chickadees:</u>		
Black-capped chickadee	<u>Parus atricapillus</u>	C*
Boreal chickadee	<u>Parus hudsonicus</u>	U*
<u>Thrushes:</u>		
American robin	<u>Turdus migratorius</u>	C*
Hermit thrush	<u>Catharus guttatus</u>	U*
Swainson's thrush	<u>Catharus ustulatus</u>	U*
Gray-checked thrush	<u>Catharus minimus</u>	R
<u>Kinglets:</u>		
Ruby-crowned kinglet	<u>Regulus calendula</u>	C*
Golden crowned kinglet	<u>Regulus satrapus</u>	U
<u>Pipits:</u>		
American pipit	<u>Anthus rubescens</u>	U

Table 5. Continued.

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
<u>Shrikes:</u>		
Northern shrike	<u>Lanius excubitor</u>	U*
<u>Wood warblers:</u>		
Yellow-rumped warbler	<u>Dendroica coronata</u>	C*
Northern waterthrush	<u>Seiurus noveboracensis</u>	R*
Wilson's warbler	<u>Wilsonia pusilla</u>	U*
Blackpoll warbler	<u>Dendroica striata</u>	U*
Townsend's warbler	<u>Dendroica townsendi</u>	U*
Yellow warbler	<u>Dendroica petechia</u>	U*
Orange-crowned warbler	<u>Vermivora celata</u>	C*
<u>Blackbirds:</u>		
Yellow-headed blackbird	<u>Xanthocephalus</u> CA	
Red-winged blackbird	<u>Agelaius phoeniceus</u>	R*
Rusty blackbird	<u>Euphagus carolinus</u>	U*
Brown-headed cowbird	<u>Molothrus ater</u>	CA
<u>Sparrows and buntings:</u>		
Savannah sparrow	<u>Passerculus sandwichensis</u>	C*
Dark-eyed junco	<u>Junco hyemalis</u>	C*
American tree sparrow	<u>Spizella arborea</u>	R
White-crowned sparrow	<u>Zonotrichia leucophrys</u>	C*
Golden-crowned sparrow	<u>Zonotrichia atricapilla</u>	U*
Fox sparrow	<u>Passerella iliaca</u>	C*
Lincoln's sparrow	<u>Melospiza lincolni</u>	C*
Song sparrow	<u>Melospiza melodia</u>	R*
Lapland longspur	<u>Calcarius lapponicus</u>	U
Snow bunting	<u>Plectrophenax nivalis</u>	R
<u>Finches:</u>		
Pine grosbeak	<u>Pinicola enucleator</u>	U
Common redpoll	<u>Carduelis flammea</u>	U*
Pine siskin	<u>Carduelis pinus</u>	C*
White-winged crossbill	<u>Loxia leucoptera</u>	U*

Sources: ADF&G report (1970), Anchorage Audubon Seeing Eye Notebook, ADFG staff observations, and T.G. Tobish (pers. commun).

Status

- C Common-Species occurs repeatedly in all or nearly all proper habitats; areas of presumed suitable habitat are occupied heavily but some can be occupied sparsely or not at all; and/or the region regularly hosts great numbers of the species.
- U Uncommon-Species occurs regularly but may not be observed even in proper habitat; utilizes only some or very little of the suitable habitat; and/or the region regularly hosts relatively small numbers of species.
- R Rare-Species occurs, or probably occurs, regularly within the region, but in very small numbers.
- CA Casual or Accidental-Species has been recorded no more than a few times, but irregular observations are likely over a period of years or a species so far from its normal range that further observations are unlikely.
- * Breeder-Known or probable breeder on the refuge.

Table 3. Estimated numbers of anadromous and freshwater fish in and migrating up the 2 largest streams in the Anchorage Coastal Wildlife Refuge (K. Roth, pers. commun.).

<u>Species</u>	<u>Rabbit Creek</u>	<u>Campbell Creek</u>
Pink salmon	500 - 2,000	few - 200 ^a
Coho salmon	50 - 250	100 - 200
King salmon	25 - 100	500 - 1,000
Red salmon	rare	700 - 1,000
Chum salmon	0	present
Dolly Varden	500	700 - 1,200
Whitefish spp.	present	present
Rainbow trout	0	5,000 - 10,000 ^b
Stickleback spp.	very numerous	very numerous

^a Peaks on even-numbered years, very few on odd-numbered years.

^b Stocked annually by the F.R.E.D. Division, Alaska Department of Fish and Game.

Table 2. Continued.

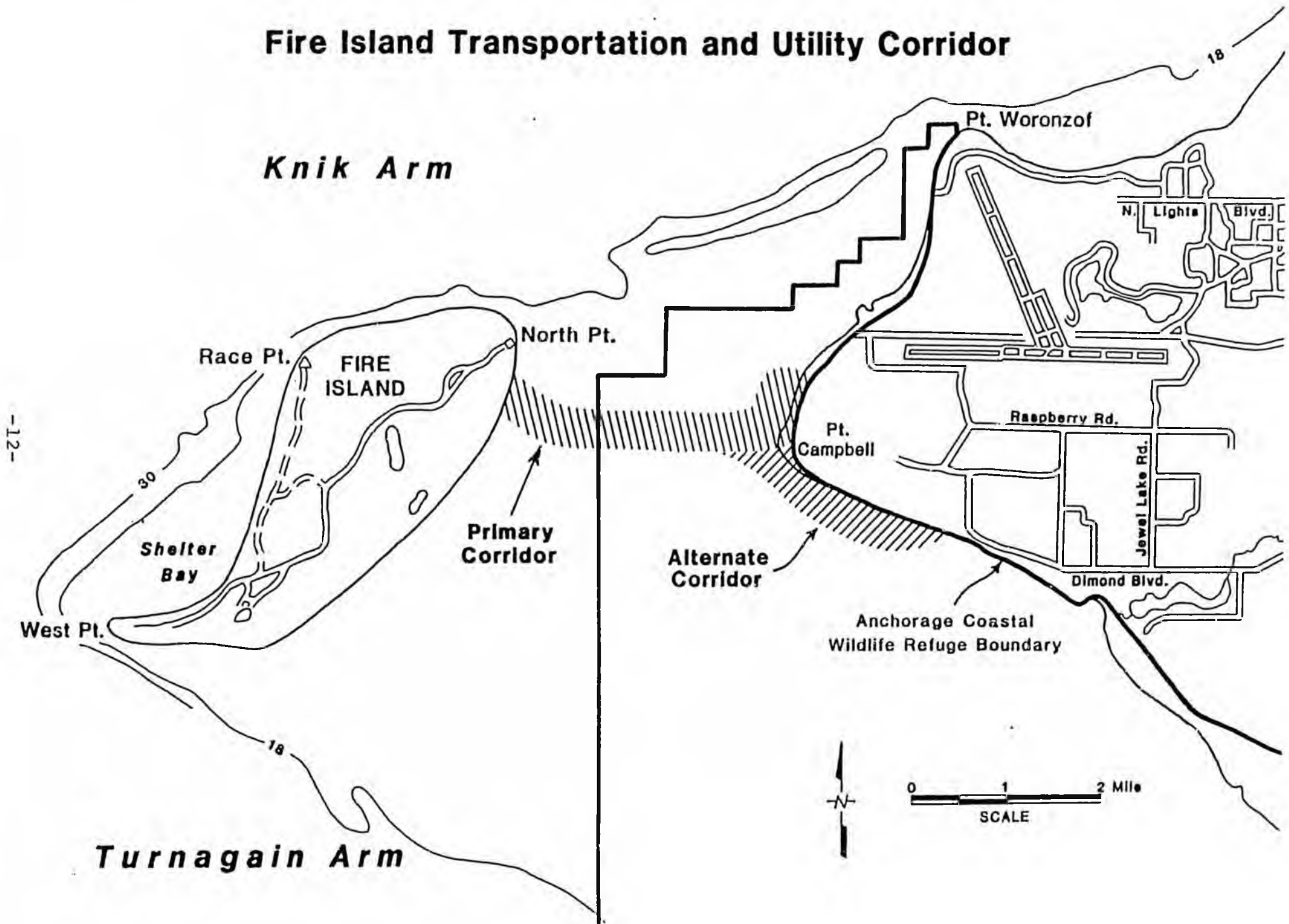
<u>Plant Community</u> ^a	<u>McCormick & Pinchon (1978)</u>	<u>Quimby (1972)</u>	<u>Batten et al. (1972)</u>
	LOWLAND FOREST AND BOGS		
shrub-bog (<u>Myrica-Sphagnum</u> -spruce type)	black spruce (C)		bog
black spruce (live)	black spruce (C)		
deciduous	broadleaf (D)	alder	forest, alder thic swamp, wil

^a Refer to map of vegetation communities in map pocket for boundaries of these communities.

Table 4. Wild mammals known to occur on the Anchorage Coastal Wild-
Refuge.

<u>Common Name</u>	<u>Scientific Name</u>
Masked shrew	<u>Sorex cinereus</u>
Vagrant shrew	<u>Sorex vagrans</u>
Snowshoe hare	<u>Lepus americanus</u>
Red squirrel	<u>Tamiasciurus Hudsonicus</u>
Beaver	<u>Castor canadensis</u>
Red-backed vole	<u>Clethrionomys rutilus</u>
Meadow vole	<u>Microtus pennsylvanicus</u>
Muskrat	<u>Ondatra zibethicus</u>
Meadow jumping mouse	<u>Zapus hudsonius</u>
Porcupine	<u>Erithizon dorsatum</u>
Belukha	<u>Delphinapterus leucas</u>
Coyote	<u>Canis latrans</u>
Red fox	<u>Vulpes vulpes</u>
Black bear	<u>Ursus americanus</u>
Brown bear	<u>Ursus arctos</u>
Short-tailed weasel	<u>Mustela erminea</u>
Mink	<u>Mustela vison</u>
River otter	<u>Lutra canadensis</u>
Lynx	<u>Felis canadensis</u>
Moose	<u>Alces alces</u>

Fire Island Transportation and Utility Corridor



-12-

Table 2. Major plant communities of the Anchorage Coastal Wildlife Refuge as described in various studies.

<u>Plant Community'</u>	<u>McCormick & Pinchon (1978)</u>	<u>Quimby (1972)</u>	<u>Batten et al. (1978)</u>
WETLANDS			
algae	algae (I)	unvegetated mud (type 2)	
<u>Puccinellia-Triogliochin</u>	arrowgrass (G), alkaligrass (H)	seaside arrowgrass/large alkali-grass, unvegetated mud (type 1)	coastal marsh (sparse halophytic vegetation)
		Ramenski sedge	
	bayonetgrass (F)	unvegetated mud (type 3)	
		creeping alkali-grass	
<u>Carex</u>	Lyngbye sedge (E)	marsh	coastal marsh (<u>Carex lyngbyaei</u> type)
black spruce (drowned)	black spruce (C)	seaside arrowgrass conglomerate, marsh fringe (1,2)	coastal marsh (inner marsh type)
		floating marsh	
shrub bog (<u>Myrica gale</u> type)	sweetgale (B)	bog	coastal marsh (inner marsh type)
<u>Calamagrostis</u>	bluejoint grass (A)	marsh fringe (3)	coastal marsh (inner marsh type)
<u>Scirpus-Carex</u> marsh			freshwater marsh

Sand Lake Community Council
Resolution regarding the route of the South Coastal Trail
Approved May 13, 1998

WHEREAS, the Anchorage Coastal Wildlife Refuge is a rare and precious asset deserving of preservation in its natural state; and

WHEREAS, the Anchorage Coastal Wildlife Refuge is a wildlife-rich area in its existing natural state, and a wildlife haven from upland development; and

WHEREAS, for sound scientific reason, the Alaska Department of Fish & Game is strongly opposed to development of the South Coastal Trail in the refuge; and

WHEREAS, there are valuable customary and traditional prior uses of the refuge such as hunting and the Rabbit Creek Rifle Range that are irreconcilably incompatible with a public trail system; and

WHEREAS, the prevailing high winds and severe weather conditions of the refuge are incompatible with an enjoyable trail experience; and

WHEREAS, South Anchorage is grossly under served with usable, practical bicycle and pedestrian trails; and

WHEREAS, the cost of construction of a trail through the marsh is acknowledged to be much greater than the cost of trails built on competent soils; and

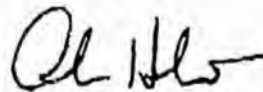
WHEREAS, the perpetual cost of maintenance of a trail through the marsh will be much greater than a trail system built on competent soils; and

WHEREAS, the residents of the Sand Lake Community Council are strongly opposed to building anything anywhere in the Anchorage Coastal Wildlife Refuge or along the sensitive bluff; and

WHEREAS, the residents of the Sand Lake Community Council strongly support the practical creation of trails with links and connections to the existing trail structure with our community council area and neighboring council areas.

BE IT RESOLVED that the Sand Lake Community Council strongly opposes any route except an INLAND ROUTE for the South Coastal Trail.

SAND LAKE COMMUNITY COUNCIL



Andrew Halcro, President
May 13, 1998

HB

131

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 5/12/99

FURTHER: 5/16/99

DATE TURNED
IN TO OFFICE: 16 May 1999

Finance Committee considered

HOUSE BILL NO. 131

"An Act relating to public rights-of-way and easements for surface transportation across the Anchorage Coastal Wildlife Refuge."

and recommends:

be replaced with _____ CS _____ (_____)

adopt previous _____ CS HB 131 (_____)

attached amendment(s)

adopt Letter of Intent by _____ Committee

further referral to the _____ Committee

Senate Bill:

- same title
- new title
- House Bill:
- same title
- technical title
- new: SCR# _____

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
		<i>[Signature]</i>			
		<i>[Signature]</i>	✓		
		<i>[Signature]</i>		X	
		<i>[Signature]</i>	✓		
		<i>[Signature]</i>	✓		
		<i>[Signature]</i>	✓		
		<i>[Signature]</i>	✓		
Co-Chair:		Co-Chair: <i>[Signature]</i>	✓		
Co-Chair:		Co-Chair: <i>[Signature]</i>			X

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
DOT+PF	5/1/99	✓	*
DNR	5/23/99	✓	
F&G	5/23/99	✓	

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

HOUSE BILL NO. 131

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES GREEN, Bunde, Rokeberg

Introduced: 3/10/99

Referred: Resources

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to public rights-of-way and easements for surface transportation
2 across the Anchorage Coastal Wildlife Refuge."

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

4 * Section 1. AS 16.20.031(c) is amended to read:

5 (c) A public right-of-way for surface transportation and a utility corridor are
6 created across state-owned land and water within the Anchorage Coastal Wildlife
7 Refuge between the Anchorage mainland and Fire Island. The management plan
8 prepared under (b) of this section shall identify the actual location on the land and
9 water of the right-of-way and of the utility corridor between the Anchorage mainland
10 and Fire Island. Except for the public right-of-way and utility corridor created in
11 this subsection and identified in the management plan, a public right-of-way or
12 other easement for surface transportation may not be created across the refuge
13 without the prior approval of the legislature by law.

FAIL

SENATE FINANCE
COMMITTEE

Amendment Number: 1
Bill Number: HB 131
Sponsor: Adams Date: 5/16/99
Logged In By: Mindy

SENATE FINANCE COMMITTEE

AMENDMENT No. _____

By Adams

To: HB 131 SENATE BILL No. _____

To: _____ SENATE BILL No. _____

PA 1 Line 12

delete SURFACE TRANSPORTATION

INSERT

Bike PATH OR TRAIL

SENATE FINANCE COMMITTEE
1999 COMMITTEE ACTION

Bill Number	HB 131
Amendment	#1
Motion	adopt
<u>Motion by</u>	A Adams
<u>Objection</u>	
<u>Objection by</u>	Leman
<u>Removed</u>	
<u>Second Objection by</u>	
<u>Committee Member</u>	<u>Vote</u>
Senator Dave Donley	Y
Senator Loren Leman	N
Senator Al Adams	Y
Senator Gary Wilken	Y
Senator Pete Kelly	Y
Senator Lyda Green	Y
Senator Randy Phillips	Y
Co-Chair Sean Parnell	Y
Co-Chair John Torgerson	Y
<u>Tally</u>	
Yea	0 4
Nay	0 5
Absent	0
<u>MOTION</u>	FAIL

SENATE FINANCE COMMITTEE
1999 COMMITTEE ACTION

Bill Number	HB 131	
Amendment	#1	
Motion	Suspend Report Out	
<u>Motion by</u>	H. Adams Donley	
<u>Objection</u>	H. Adams	
<u>Objection by</u>	H. Adams	
<u>Removed</u>		
<u>Second Objection by</u>		
<u>Committee Member</u>	<u>Vote</u>	
Senator Loren Leman	Y	
Senator Al Adams	N	
Senator Gary Wilken	Y	
Senator Pete Kelly	Y	
Senator Lyda Green	Y	
Senator Randy Phillips	N	
Senator Dave Donley	Y	
Co-Chair Sean Parnell	Y	
Co-Chair John Torgerson	Y	
<u>Tally</u>		
Yea	0	27
Nay	0	7 2
Absent	0	
<u>MOTION</u>	PASS	

Alaska State Legislature

WHILE IN SESSION
CAPITOL BUILDING
JUNEAU, ALASKA 99801-1112
(907) 465-4931
1-800-870-4931
(907) 465-4316 FAX

INTERIM ADDRESS
716 WEST 4TH AVENUE
ANCHORAGE, ALASKA 99501
(907) 258-8199
(907) 258-8171 FAX



VICE-CHAIRMAN, JUDICIARY COMMITTEE
MEMBER, HEALTH, EDUCATION &
SOCIAL SERVICES COMMITTEE

BUDGET SUBCOMMITTEES
ALASKA COURT SYSTEM
DEPT. OF ENVIRONMENTAL CONSERVATION
DEPT. OF REVENUE

Representative Joe Green

District 10

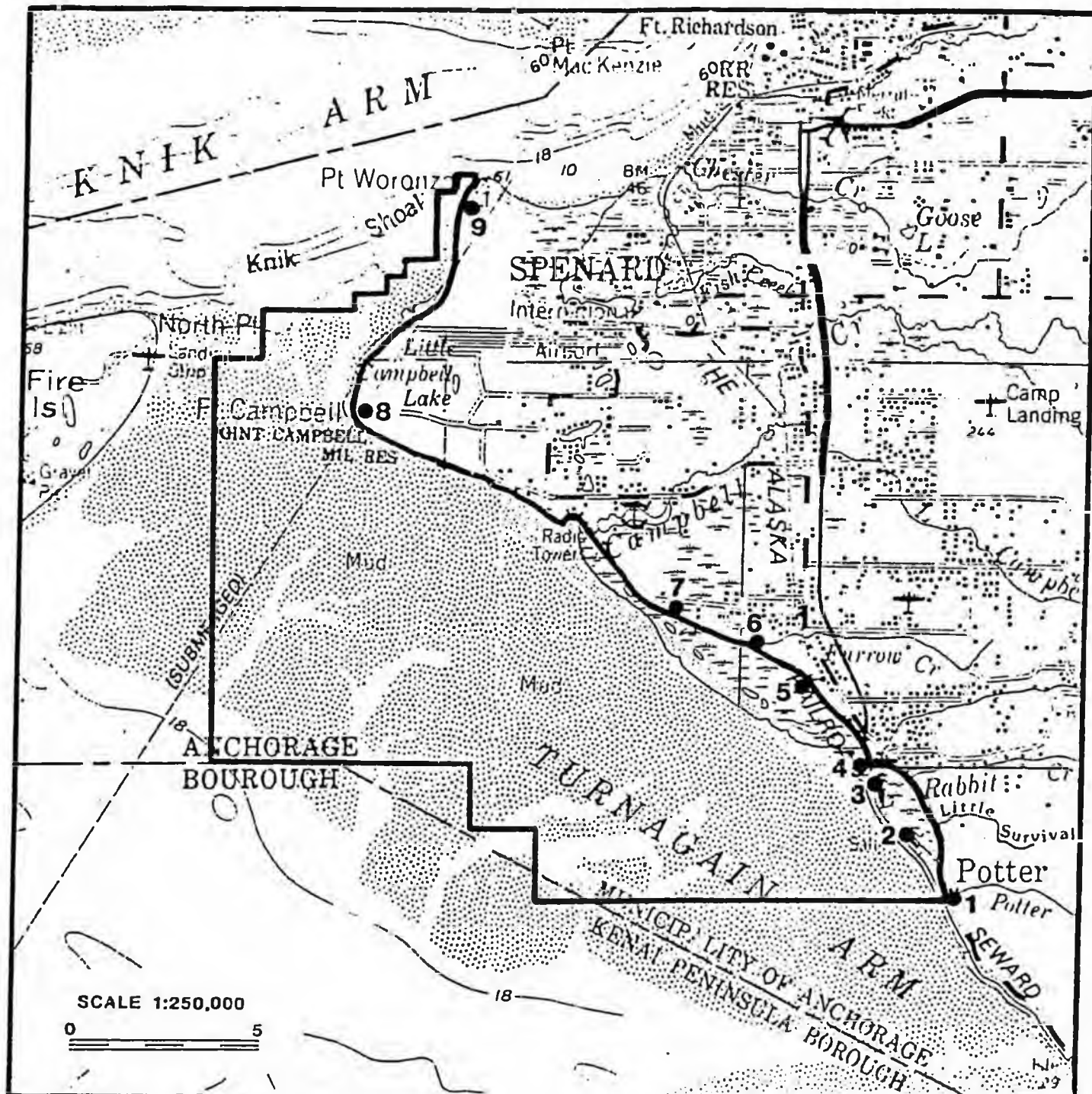
House Majority Leader

Sponsor Statement

HB 131 "Relating to rights of way and easements for surface transportation in the Anchorage Coastal Wildlife Refuge"

The Anchorage Coastal Wildlife Refuge (ACWR) was created by the legislature in 1988. Most of the refuge had previously been classified by the legislature as the Potter Point State Game refuge.

In establishing the ACWR the legislature granted the authority to approve rights of way through the refuge to the Departments of Fish and Game and Natural Resources. HB 131 establishes additional protection for the refuge by withdrawing that grant of authority, and reserving unto the legislature the right to approve surface transportation rights of ways and easements.



ANCHORAGE COASTAL WILDLIFE REFUGE - MAJOR PUBLIC ACCESS POINTS

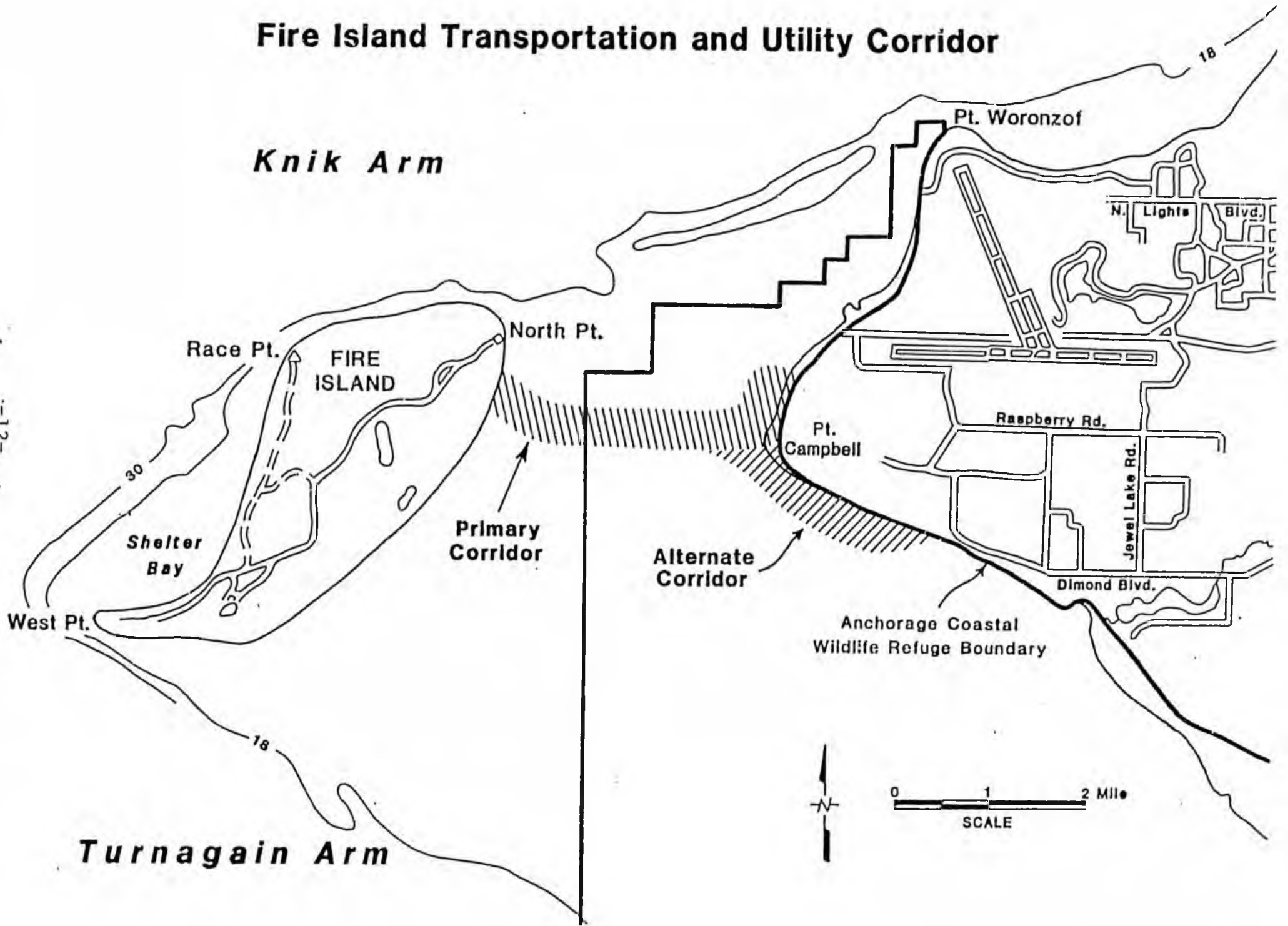
- | | |
|---|--|
| 1. South end of Potter Marsh (Old weigh station) | 6. John's Park (Furrow Creek) |
| 2. Mid marsh paved pull-out | 7. Spyglass Circle off of Klatt Road |
| 3. North end of Potter Marsh parking area and boardwalk | 8. Coastal Trail from Point Campbell to Point Woronzof |
| 4. Rabbit Creek rifle range | 9. Point Woronzof |
| 5. Reef Drive (Oceanview Bluff Park) | |

Additional public access to the refuge can be found where public lands abut the refuge. It is illegal to cross or walk along the Alaska Railroad right-of-way except at the railroad crossing at the Rabbit Creek Rifle Range. The Anchorage Waste Water Utility facility road from Campbell Lake to the refuge is a private road, with no public access allowed.

The refuge boundary shown depicts the statutory extent of the refuge. Private lands within this boundary are not part of the refuge.

Fire Island Transportation and Utility Corridor

Knik Arm



-12-

Turnagain Arm

As of 5/8/99

62 Zip Codes 1,118 Signatures

**Friends of the Refuge
Save ACWR & RCRR Petitions**

62 ZIP Codes	Signatures	Location
1	99501	31 Anchorage - Downtown
2	99502	68 Anchorage - West
3	99503	41 Anchorage - Midtown
4	99504	118 Anchorage - East
5	99505	18 Anchorage - East
6	99506	22 Elmendorf Air Force Base
7	99507	104 Anchorage - East Hillside
8	99508	76 Anchorage - Midtown
9	99509	10 Anchorage
10	99510	7 Anchorage
11	99511	19 Anchorage
12	99512	1 Anchorage
13	99513	1 Anchorage
14	99514	14 Anchorage
15	99515	126 Anchorage - South
16	99516	86 Anchorage - East Hillside
17	99517	40 Anchorage - Midtown
18	99518	39 Anchorage - Midtown
19	99519	5 Anchorage - Midtown
20	99520	2 Anchorage
21	99521	7 Anchorage
22	99522	10 Anchorage
23	99523	7 Anchorage
24	99524	10 Anchorage - Midtown
25	99540	3 Indian/Girdwood, AK
26	99552	1 Akiak, AK
27	99567	22 Chugiah, AK
28	99575	1 Crooked Creek, AK
29	99577	64 Eagle River, AK
30	99578	2 Eek, AK
31	99587	3 Girdwood, AK
32	99654	1 Wasilla, AK
33	99676	1 Talkeetna, AK
34	30066	1 Marietta, GA
35	99603	1 Homer, AK
36	99607	1 Kalslag, AK
37	99610	2 Kaslof, AK
38	99611	4 Kenai, AK
39	99635	2 Nikiski/Kenai, AK
40	99645	27 Palmer, AK
41	99652	1 Big Lake/Wasilla, AK
42	99654	26 Wasilla, AK
43	99664	4 Seward, AK
44	99669	24 Soldotna, AK
45	99672	9 Sterling, AK
46	99674	4 Chickaloon, AK
47	99676	2 Talkeetna, AK
48	99678	2 Togiak, AK
49	99683	2 Trapper Creek/Willow, AK
50	99686	1 Valdez, AK
51	99687	15 Wasilla, AK
52	99688	1 Willow, AK
53	99692	1 Dutch Harbor/Unalaska, AK
54	99693	1 Whittier, AK
55	99701	1 Fairbanks, AK
56	99708	1 Fairbanks, AK
57	99709	6 Fairbanks, AK
58	99712	1 Fairbanks, AK
59	99780	1 Tok, AK
60	99801	1 Juneau, AK
61	99835	1 Sitka, AK
62	99901	1 Ketchikan, AK
Blank		12

1118

Table 2. Major plant communities of the Anchorage Coastal Wildlife Refuge as described in various studies.

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	bayonetgrass (F)	unvegetated mud (type 3)	
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<u>Carex</u>	Lyngbye sedge (E)	marsh	coastal marsh (<u>Carex lyngbyaei</u> type)
black spruce (drowned)	black spruce (C)	seaside arrowgrass conglomerate, marsh fringe (1,2)	coastal marsh (inner marsh type)
		floating marsh	
shrub bog (<u>Myrica</u> gale type)	sweetgale (B)	bog	coastal marsh (inner marsh type)
<u>Calamagrostis</u>	bluejoint grass (A)	marsh fringe (3)	coastal marsh (inner marsh type)
<u>Scirpus-Carex</u> marsh			freshwater marsh

Table 2. Continued.

<u>Plant Community*</u>	<u>McCormick & Pinchon (1978)</u>	<u>Quimby (1972)</u>	<u>Batten et al. (197)</u>
	LOWLAND FOREST AND BOGS		
shrub-bog (<u>Myrica-Sphagnum</u> -spruce type)	black spruce (C)		bog
black spruce (live)	black spruce (C)		
deciduous	broadleaf (D)	alder	forest, alder swamp, willow alder thicket

* Refer to map of vegetation communities in map pocket for boundaries of these communities.

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Meadow jumping mouse	<u>Zapus hudsonius</u>
Porcupine	<u>Erithizon dorsatum</u>
Belukha	<u>Delphinapterus leucas</u>
Coyote	<u>Canis latrans</u>
Red fox	<u>Vulpes vulpes</u>
Black bear	<u>Ursus americanus</u>
Brown bear	<u>Ursus arctos</u>
Short-tailed weasel	<u>Mustela erminea</u>
Mink	<u>Mustela vison</u>
River otter	<u>Lutra canadensis</u>
Lynx	<u>Felis canadensis</u>
Moose	<u>Alces alces</u>

Table 5. Bird species known to occur on the Anchorage Coastal Wildlife Refuge.

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
<u>Loons and grebes:</u>		
Pacific loon	<u>Gavia pacifica</u>	R*
Red-necked grebe	<u>Podiceps griseogena</u>	C*
Horned grebe	<u>Podiceps auritus</u>	U*
<u>Hérons:</u>		
Great blue heron	<u>Ardea herodias</u>	CA
<u>Swans:</u>		
Tundra swan	<u>Cygnus columbianus</u>	U
Trumpeter swan	<u>Cygnus buccinator</u>	R
<u>Geese:</u>		
Canada goose	<u>Branta canadensis</u>	C*
White-fronted goose	<u>Anser albifrons</u>	R
Snow goose	<u>Chen caerulescens</u>	U
<u>Dabbling Ducks:</u>		
Mallard	<u>Anas platyrhynchos</u>	C*
Gadwall	<u>Anas strepera</u>	R
Northern pintail	<u>Anas acuta</u>	C*
Green-winged teal	<u>Anas crecca</u>	C*
Garganey	<u>Anas querquedula</u>	CA
Blue-winged teal	<u>Anas discors</u>	CA
Northern shoveler	<u>Anas clypeata</u>	U*
Eurasian wigeon	<u>Anas penelope</u>	R
American wigeon	<u>Anas americana</u>	C*
<u>Diving and seaducks:</u>		
Canvasback	<u>Aythya valisineria</u>	U*
Redhead	<u>Aythya americana</u>	CA
Ring-necked duck	<u>Aythya collaris</u>	R
Greater scaup	<u>Aythya marila</u>	U*
Lesser scaup	<u>Aythya affinis</u>	R
Common goldeneye	<u>Bucephala clangula</u>	U*
Barrow's goldeneye	<u>Bucephala islandica</u>	U
Bufflehead	<u>Bucephala albeola</u>	R
Oldsquaw	<u>Clangula hyemalis</u>	CA
White-winged scoter	<u>Melanitta fusca</u>	CA
Common merganser	<u>Merqus merganser</u>	U
<u>Raptors:</u>		
Northern goshawk	<u>Accipiter gentilis</u>	U
Red-tailed hawk	<u>Buteo jamaicensis</u>	U*
Swainson's hawk	<u>Buteo swainsoni</u>	CA
Rough-legged hawk	<u>Buteo lagopus</u>	R
Golden eagle	<u>Aquila chrysaetos</u>	R
Bald eagle	<u>Haliaeetus leucocephalus</u>	U
Northern harrier	<u>Circus cyaneus</u>	U

Table 5. Continued.

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
<u>Raptors:</u>		
Osprey	<u>Pandion haliaetus</u>	R
Merlin	<u>Falco columbarius</u>	U
American Kestrel	<u>Falco sparverius</u>	CA
Peregrine falcon	<u>Falco peregrinus</u>	R
<u>Ptarmigans:</u>		
Willow ptarmigan	<u>Lagopus lagopus</u>	R
<u>Cranes:</u>		
Sandhill crane	<u>Grus canadensis</u>	R*
<u>Coots:</u>		
American coot	<u>Fulica americana</u>	CA
<u>Shorebirds:</u>		
Semipalmated plover	<u>Charadrius semipalmatus</u>	C*
Killdeer	<u>Charadrius vociferus</u>	R
Lesser golden plover	<u>Pluvialis dominica</u>	U
Black-bellied plover	<u>Pluvialis squatarola</u>	R
Hudsonian godwit	<u>Limosa haemastica</u>	R
Whimbrel	<u>Numenius phaeopus</u>	R
Greater yellowlegs	<u>Tringa melanoleuca</u>	C*
Lesser yellowlegs	<u>Tringa flavipes</u>	C*
Solitary sandpiper	<u>Tringa solitaria</u>	U*
Terek sandpiper	<u>Xenus cinereus</u>	CA
Spotted sandpiper	<u>Actitis macularia</u>	U*
Wandering tattler	<u>Heteroscelus incanus</u>	R
Ruddy turnstone	<u>Arenaria interpres</u>	CA
Black turnstone	<u>Arenaria melanocephala</u>	R
Red-necked phalarope	<u>Phalaropus lobatus</u>	U*
Common snipe	<u>Gallinago gallinago</u>	C*
Short-billed dowitcher	<u>Limnodromus griseus</u>	C
Long-billed dowitcher	<u>Limnodromus scolopaceus</u>	U
Surfbird	<u>Aphriza virgata</u>	U
Semipalmated sandpiper	<u>Calidris pusilla</u>	U
Western sandpiper	<u>Calidris mauri</u>	C
Rufous-necked stint	<u>Calidris ruficollis</u>	CA
Least sandpiper	<u>Calidris minutilla</u>	C*
Baird's sandpiper	<u>Calidris bairdii</u>	R
Pectoral sandpiper	<u>Calidris melanotos</u>	U
Sharptailed sandpiper	<u>Calidris scuminota</u>	CA
Dunlin	<u>Calidris alpina</u>	R
<u>Jaegers, gulls, and terns:</u>		
Parasitic jaeger	<u>Stercorarius parasiticus</u>	CA
Glaucous gull	<u>Larus hyperboreus</u>	CA
Glaucous-winged gull	<u>Larus glaucescens</u>	C*
Herring gull	<u>Larus argentatus</u>	U*

Table 5. Continued.

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Mew gull	<u>Larus canus</u>	C*
Bonaparte's gull	<u>Larus philadelphia</u>	U*
Arctic tern	<u>Sterna paradisaea</u>	C*
<u>Doves:</u>		
Rock dove	<u>Columba livia</u>	R
<u>Owls:</u>		
Great horned owl	<u>Bubo virginianus</u>	U
Northern hawk owl	<u>Surnia ulula</u>	CA
Short-eared owl	<u>Asio flammeus</u>	R
Boreal owl	<u>Aegolius funereus</u>	CA
<u>Woodpeckers:</u>		
Common flicker	<u>Coaptes auratus</u>	U*
<u>Flycatchers:</u>		
Alder flycatcher	<u>Empidonax alnorum</u>	C*
Olive-sided flycatcher	<u>Contopus borealis</u>	U*
<u>Swallows:</u>		
Violet-green swallow	<u>Tachycineta thalassina</u>	C*
Tree swallow	<u>Tachycineta bicolor</u>	U*
Bank swallow	<u>Riparia riparia</u>	C*
Barn swallow	<u>Hirundo rustica</u>	CA
Cliff swallow	<u>Hirundo pyrrhonota</u>	U
<u>Jays, magpies, and crows:</u>		
Steller's jay	<u>Cyanocitta stelleri</u>	R
Gray jay	<u>Perisoreus canadensis</u>	R
Black-billed magpie	<u>Pica pica</u>	U*
Common raven	<u>Corvus corax</u>	U*
Clark's nutcracker	<u>Nucifraga columbiana</u>	CA
<u>Chickadees:</u>		
Black-capped chickadee	<u>Parus atricapillus</u>	C*
Boreal chickadee	<u>Parus hudsonicus</u>	U*
<u>Thrushes:</u>		
American robin	<u>Turdus migratorius</u>	C*
Hermit thrush	<u>Catharus guttatus</u>	U*
Swainson's thrush	<u>Catharus ustulatus</u>	U*
Gray-checked thrush	<u>Catharus minimus</u>	R
<u>Kinglets:</u>		
Ruby-crowned kinglet	<u>Regulus calendula</u>	C*
Golden crowned kinglet	<u>Regulus satrapus</u>	U
<u>Pipits:</u>		
American pipit	<u>Anthus rubescens</u>	U

Table 5. Continued.

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
<u>Shrikes:</u>		
Northern shrike	<u>Lanius excubitor</u>	U*
<u>Wood warblers:</u>		
Yellow-rumped warbler	<u>Dendroica coronata</u>	C*
Northern waterthrush	<u>Seiurus noveboracensis</u>	R*
Wilson's warbler	<u>Wilsonia pusilla</u>	U*
Blackpoll warbler	<u>Dendroica striata</u>	U*
Townsend's warbler	<u>Dendroica townsendi</u>	U*
Yellow warbler	<u>Dendroica petechia</u>	U*
Orange-crowned warbler	<u>Vermivora celata</u>	C*
<u>Blackbirds:</u>		
Yellow-headed blackbird	<u>Xanthocephalus</u> CA	
Red-winged blackbird	<u>Agelaius phoeniceus</u>	R*
Rusty blackbird	<u>Euphagus carolinus</u>	U*
Brown-headed cowbird	<u>Molothrus ater</u>	CA
<u>Sparrows and buntings:</u>		
Savannah sparrow	<u>Passerculus sandwichensis</u>	C*
Dark-eyed junco	<u>Junco hyemalis</u>	C*
American tree sparrow	<u>Spizella arborea</u>	R
White-crowned sparrow	<u>Zonotrichia leucophrys</u>	C*
Golden-crowned sparrow	<u>Zonotrichia atricapilla</u>	U*
Fox sparrow	<u>Passerella iliaca</u>	C*
Lincoln's sparrow	<u>Melospiza lincolni</u>	C*
Song sparrow	<u>Melospiza melodia</u>	R*
Lapland longspur	<u>Calcarius lapponicus</u>	U
Snow bunting	<u>Plectrophenax nivalis</u>	R
<u>Finches:</u>		
Pine grosbeak	<u>Pinicola enucleator</u>	U
Common redpoll	<u>Carduelis flammea</u>	U*
Pine siskin	<u>Carduelis pinus</u>	C*
White-winged crossbill	<u>Loxia leucoptera</u>	U*

Sources: ADF&G report (1970), Anchorage Audubon Seeing Eye Notebook, ADFG staff observations, and T.G. Tobish (pers. commun).

Status

- C Common-Species occurs repeatedly in all or nearly all proper habitats; areas of presumed suitable habitat are occupied heavily but some can be occupied sparsely or not at all; and/or the region regularly hosts great numbers of the species.
- U Uncommon-Species occurs regularly but may not be observed even in proper habitat; utilizes only some or very little of the suitable habitat; and/or the region regularly hosts relatively small numbers of species.
- R Rare-Species occurs, or probably occurs, regularly within the region, but in very small numbers.
- CA Casual or Accidental-Species has been recorded no more than a few times, but irregular observations are likely over a period of years or a species so far from its normal range that further observations are unlikely.
- * Breeder-Known or probable breeder on the refuge.

RECEIVED

MAY 15 1999

Senate Finance
Committee**Memo**

To:
**Senator Torgerson
and
Senate Finance Committee**

From:
**Julie Olsen
1501 Oceanview Drive
Anchorage, AK 99515
(907) 345-6575**

Subject:
South Extension of the Coastal Trail

Date:
5/15/99

Informational:

Action:

Response Required:

Dear Senator Torgerson and members of the Senate Finance Committee:

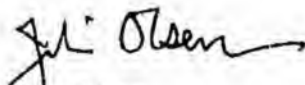
I'm writing to express my strong opposition to House Bill 131 that would require Legislative approval of a trail through the Anchorage Coastal Wildlife Refuge. When I moved to Oceanview 10 years ago, I knew that the Coastal Trail was part of the long-range plan for this area. Along with the majority of other non-bluff lot homeowners in this neighborhood, I have waited and hoped for the Coastal Trail to come to my neighborhood. The Trail will provide recreational opportunities for all ages and will improve safety for motorists because bicyclists, joggers, and dog walkers will have an appropriate place to exercise.

The benefits of the Coastal Trail, however, extend far beyond the parochial concerns of the folks on my street. The Coastal Trail can become a defining characteristic of Anchorage – like the San Antonio River Walk or the Seattle Space Needle. It is public spaces like these that take a community from the ordinary and make it extraordinary. It is these special and wonderful elements of a community that draw new development, keep young people here to build our community, and make it a great place to live and visit.

As for the environmental arguments against the Coastal Trail - It is astonishing to me that a Republican and supposedly pro-development Legislature such as our own (a Legislature that for years has argued that we can engineer responsible oil-field development in the Arctic National Wildlife Refuge) apparently believes that we cannot thread a simple trail for non-motorized vehicles along the edge of the Wildlife Refuge in Anchorage.

The beautiful vistas of the coast of Anchorage should not be reserved for private viewing by a few of the influential. Please do your part to insure access for everyone – please vote against House Bill 131.

Respectfully,



Julie Olsen

*I cannot attend.
Please submit this
testimony to Senate
Finance.*

Testimony in opposition to HB131

House Resources Committee

~~Saturday May 15, 1999~~

Sunday May 16, 1999

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MAY 16 1999

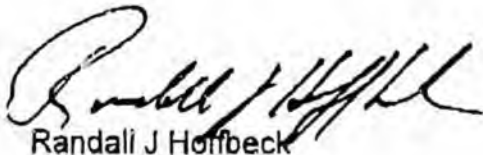
Senate Finance
Committee

The language in HB131 requiring legislative approval prior to creating a public right-of-way or easement in the Anchorage Coastal Wildlife Refuge will effectively eliminate a potential option for the alignment of the south extension of the Coastal trail from Kincaid to Potter Marsh. This will occur at the very time that the public involvement process for this trail project is currently underway. This public involvement process is intended to bring together all interested parties to determine the guidelines that will be used in determining the proper location for this trail.

Although potential alignments for this trail have yet to be developed, it has to be noted that the potential for a trail in the Wildlife Refuge has been debated and institutionalized in virtually every major planning document for the last 20 years. It appeared in the Anchorage Coastal Management Plan which was adopted in concept by the Municipal Assembly in 1979 with final approval given by the state legislature in March of 1980. This plan allowed for "the local government to develop and implement its own program to suit local needs. At the same time, it protected resources of state concern and it established a process for conflict resolution". The Anchorage Coastal Wildlife Refuge was created by the state legislature in 1988. After significant public input, the Anchorage Coastal Wildlife Refuge Management Plan was published by the Alaska Department of Fish and Game in 1991. That plan allowed that "coastal trail access may be allowed within the refuge where disturbance to fish and wildlife populations and their habitat is avoided; where safety considerations and conflicts to existing refuge uses including waterfowl hunting and rifle range use allow; and where compatible

with management of refuge public access points and the goals of this management plan." And again the Anchorage Areawide Trails Plan, after years of public process, reiterated the potential for a coastal trail existing within the Anchorage Coastal Wildlife Refuge. It is clear from these planning documents, developed with significant public input, that there is an expectation from the public, that this potential alignment should be considered.

It should also be noted that even without legislative approval, the state already has a significant say in the final disposition of a trail within the Refuge. Under the Anchorage Coastal Wildlife Refuge Management Plan, the siting, design, and construction of a trail within the refuge will require a Special Area Permit from the Alaska Department of Fish and Game. In addition, as a requirement of the Federal funding for this project, the Alaska Department of Fish and Game must concur in any alignment plan that would cross Refuge lands. When this is combined with the other local, state, and federal agencies that have management responsibilities on refuge lands, it seems unnecessary to add legislative approval to the process as well. This legislation will not establish additional protection for the reserve, that protection already exists. It will only serve to nullify the years of effort put into a local planning process and circumvent the current Anchorage Coastal Wildlife Refuge Management Plan, and the Anchorage Areawide Trails Plan.



Randall J Hoffbeck

Parks and Beautification Manager

Municipality of Anchorage

Dear Senator

May 15, 1999

Please help pass HB131 to protect the Anchorage Coastal Wildlife Refuge.

ADF&G has repeatedly advised HDR the MOA and ADOT/PF a refuge route for the trail south of Spyglass Circle/Bayshore land fill, could not be authorized under refuge statutes. Loss of wildlife habitat, displacement of sensitive fish and wildlife species, and conflicts with refuge uses, including the Anchorage rifle range, would make an all-refuge route for the trail incompatible with refuge statutes.

Even the 1983 Coastal Trail Plan was opposed by the ADF&G.

Our governor and mayor are leaning quite heavily on the above agencies and making rational and financial discussions difficult.

HDR is evasive when questioned about cost. At one point HDR states "cost is not a factor". I and other taxpayers do feel cost is a factor.

Maintenance will be a very costly item.

No mention of failed bond issue to rebuild portions of existing trail that are sliding down the bluff which indicates reluctance on the part of the public to fund expensive to maintain trails such as in wetlands, soft soils, or on fragile bluffs.

We have a trail on Klatt Road, built on a hill, that after three years is in terrible shape. How can anyone hope to build on standing water and expect it to be successful?

There would be lives lost as people unfamiliar with the mud flats venture out the 1/2 mile or so to water edge and rescue teams will be at a great disadvantage trying to access emergency situations.

What does the state say about condemning personal property for the usage of a few but vocal group?

Thank you for your time.



Will, Darlene and Greg Bline
1200 Shore Drive
Anchorage, AK 99515
907 344 6648

RECEIVED

MAY 15 1999

Senate Finance
Committee

05/16/99 14:07:03 LEGISLATIVE TELECONFERENCE NETWORK SYSTEM LTN1120
MESSAGE FROM: LIOCSAN IN ANCHORAGE JNU

RE TCN: 90773 SCHEDULED FOR:05/16/99 14:00 TO 17:00
SPONSOR: SENATE FINANCE PURPOSE: PUBLIC HEARING

MESSAGE TEXT: PLEASE LET CHAIR KNOW THAT MIKE SZYMANSK
I IS HERE TO TEST W/TIME CONSTRAINT. DG

05/16/99 LEGISLATIVE TELECONFERENCE NETWORK SYSTEM LTN1150
14:07:15 PARTICIPANT LIST (TESTIFIERS ONLY) BY:JNU
TCN:90773 SCHEDULED FOR:05/16/99 14:00 TO 17:00 FOR:ANC
PUBLIC HEARING SENATE FINANCE

LOCATION: ANCHORAGE

HB 131	✓ SANDRA	JONES	TESTIFY
HB 131	✓ WAYNE	PICHON	TESTIFY
HB 131	✓ DEANNA	ESSERT	TESTIFY
HB 131	DAVE	ADAMS	BAYSHORE/KLAT CCTESTIFY
HB 131	✓ MARY	WHITMORE	TESTIFY
HB 131	✓ JANET	FEIERABEND	TESTIFY
HB 131	✓ ED	DOKOOZIAN	TESTIFY
HB 131	✓ JIM	DOKOOZIAN	TESTIFY
HB 131	✓ SANDY	SIMPSON	TESTIFY
HB 131	✓ PATRICIA	GARRITY	TESTIFY
HB 131	✓ MIKE	SZYMANSKI	TESTIFY
HB 131	✓ ROBERT	LAULE	TESTIFY
HB 131	✓ BOB	BROCK	TESTIFY
HB 131	✓ JIM	ARNESEN	TESTIFY
HB 131	✓ PATRICK	WRIGHT	TESTIFY
HB 131	✓ DAVID	CARTER	TESTIFY

✓ Doug Parkins

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION



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LTN1120
JNU

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HB 131	✓ BOB	BROCK	TESTIFY
HB 131	✓ JIM	ARNESEN	TESTIFY
HB 131	✓ PATRICK	WRIGHT	TESTIFY
HB 131	✓ DAVID	CARTER	TESTIFY

✓ Doug Parkins

(ms.)
✓ Terry Burrell

✓ Vince Wethington

✓ J & A Lowenfels

2

SENATE FINANCE COMMITTEE

SIGN-IN

HB 131-ANCHORAGE COASTAL WILDLIFE REFUGE

NAME: DICK BISHOP Subject/Bill No: HB 131
Co./Dept./Title: AOC Vice Pres Phone: 455 4262
Address: PUB 73902 Zip: 99707
Do you wish to testify? Yes No Respond To Questions

NAME: Oden Brudie Subject/Bill No: HB 131
Co./Dept./Title: Self Phone: 586-1453
Address: 512 6th St Juneau Zip: 99801
Do you wish to testify? Yes No Respond To Questions

NAME: Dennis Poshard Subject/Bill No: HB 131
Co./Dept./Title: DOT&AF Phone: 465-3904
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

HB

133

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: March 31, 1999

FURTHER REFERRALS:

Date of Committee Action: 4/12/99

The FINANCE Committee considered:

HB 133

HOUSE BILL NO. 133

VOTER APPROVAL OF SERVICE AREA CHANGES

"An Act relating to municipal service areas and providing for voter approval of the formation, alteration, or abolishment of certain service areas; and providing for an effective date."

recommends it be replaced with the following committee substitute CS HB 133 (FIN) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____ APPROVES PREVIOUS: (Dept/Date) _____
 fiscal note(s) _____ fiscal note(s) _____
 zero fi. . note(s) _____ zero fiscal note(s) DCRA 3/3/98

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
<i>[Signature]</i>	Therriault	X			
<i>[Signature]</i>	Mullen			X	
<i>[Signature]</i>	Bunde				
<i>[Signature]</i>	Kohrins	X			
<i>[Signature]</i>	Austerman	X			
<i>[Signature]</i>	J. Davis		X		
<i>[Signature]</i>	Grossindorf	X			
<i>[Signature]</i>	J.G. Davis			X	
<i>[Signature]</i>	Williams	X			
<i>[Signature]</i>	Post	X			

CHAIR'S SIGNATURE

[Signature] *[Signature]*
 Mullen

FISCAL NOTE

Revision Date: _____ Dept. Affected: Community & Regional Affairs
 Title: An Act relating to municipal service areas BRU: _____
and providing for voter approval ... Component: _____
 Sponsor: REPRESENTATIVES BUNDE, Halcro
 Requestor: House CRA Committee COMPONENT SERIAL NO. _____

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 00	FY 01	FY 02	FY 03	FY 04	FY 05
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE FUND SOURCE:						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current (FY99) impact \$ none

ANALYSIS: (Attach a separate page if necessary)

This legislation provides for voter approval of the formation, alteration, or abolishment of certain municipal service areas. This legislation would have no fiscal impact on the department.

Prepared by: Yvonne Chase, Acting Director *Yvonne Chase* Phone: 465-4709
 Division: Division of Administrative Services Date: 4/22/99
 Approved by Commissioner: Mark Dwin Date: 4/22/99
 Agency: Community & Regional Affairs

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Cook/
4/7/99

CS FOR HOUSE BILL NO. 133(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVES BUNDE, Halcro

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to municipal service areas and providing for voter approval of
2 the formation, alteration, or abolishment of certain service areas; and providing
3 for an effective date."

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

5 * Section 1. AS 29.10.200 is amended by adding a new paragraph to read:

6 (59) AS 29.35.450 (voter approval of alteration or abolishment of
7 service areas).

8 * Sec. 2. AS 29.35.450(a) is amended to read:

9 (a) A service area to provide special services in a borough or unified
10 municipality may be established, operated, altered, or abolished by ordinance, subject
11 to (c) of this section. Special services include services not provided by the unified
12 municipality or a higher or different level of services. Special services include
13 services not provided by a borough on an areawide or nonareawide basis in the
14 borough [,] or a higher or different level of services [SERVICE] than that provided

1 on an areawide or nonareawide basis. A [THE] borough may include a city in a
2 service area if

3 (1) the city agrees by ordinance; or

4 (2) approval is granted by a majority of voters residing in the city, and
5 by a majority of voters residing inside the boundaries of the proposed service area but
6 outside of the city.

7 * Sec. 3. AS 29.35.450 is amended by adding new subsections to read:

8 (c) If voters reside within a service area, abolishment of the service area is
9 subject to approval by the majority of the voters residing in the service area who vote
10 on the question. A service area in which voters reside may not be abolished and
11 replaced by a larger service area unless that proposal is approved, separately, by a
12 majority of the voters who vote on the question residing in the existing service area
13 and by a majority of the voters who vote on the question residing in the area proposed
14 to be included within the new service area but outside of the existing service area. A
15 service area in which voters reside may not be altered or combined with another
16 service area unless that proposal is approved, separately, by a majority of the voters
17 who vote on the question and who reside in each of the service areas or in the area
18 outside of service areas that is affected by the proposal. This subsection does not
19 apply to a fire service protection area.

20 (d) This section applies to home rule and general law municipalities.

21 * Sec. 4. AS 29.35.470 is amended by adding a new subsection to read:

22 (b) The assembly may by ordinance establish, alter, and abolish differential tax
23 zones within a service area to provide and levy property taxes for a different level of
24 services than that provided generally in the service area.

25 * Sec. 5. This Act takes effect July 1, 1999.

Alaska State Legislature

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REPRESENTATIVE CON BUNDE

District 18

VICE-CHAIR: HOUSE FINANCE COMMITTEE
MEMBER: LEGISLATIVE BUDGET & AUDIT COMMITTEE

SPONSOR STATEMENT

House Bill 133

" An Act relating to municipal service areas and providing for voter approval of the formation, alteration. Or abolishment of certain service areas; and providing for an effective date."

Alaska's Constitution provides for maximum local self-government (Art. X sec. 1) and for the creation, alteration, or abolishment of service areas subject to the provisions of law (Art. X sec. 5).

AS. 29.35.450 codifies these Constitutional provisions and establishes the mechanism by which service areas are created, altered, and abolished.

Alaska has approximately 200 service areas; in these areas, the local residents assess themselves to pay for a particular service, like snow plowing and road maintenance from private contractors.

HB 133 amends AS. 29.35.450 to support local control by clearly identifying whom should vote on the abolishment and alteration of a service area under three scenarios:

1. **Abolishment of a service area.**
Subject to approval by the majority of the voters residing in the service area.
2. **Abolishment and replacement of a service area.**
Must be approved separately by a majority of voters inside an existing service area and by a majority of the voters residing in the proposed service area BUT OUTSIDE the existing service area.

3. Alteration of a service area or combining it with another service area.

Must be approved, separately, by a majority of the voters who vote on the question and who reside in each of the service areas or in a proposed service area affected by the proposal.

This proposed legislation would settle a long time debate about who is entitled to vote during the creation, alteration or abolishment of a service area. This legislation has support throughout service areas in Alaska and I urge the favorable consideration of this committee.

FISCAL NOTE

Revision Date: _____ Dept. Affected: Community & Regional Affairs
 Title: An Act relating to municipal service areas BRU: _____
and providing for voter approval ... Component: _____
 Sponsor: REPRESENTATIVES BUNDE, Halcro
 Requestor: House CRA Committee COMPONENT SERIAL NO. _____

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 00	FY 01	FY 02	FY 03	FY04	FY 05
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0

REVENUE FUND SOURCE:						
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current (FY99) impact \$ none

ANALYSIS: (Attach a separate page if necessary)

This legislation provides for voter approval of the formation, alteration, or abolishment of certain municipal service areas. This legislation would have no fiscal impact on the department.

Prepared by: Yvonne Chase, Acting Director *Yvonne Chase* Phone: 465-4709
 Division: Division of Administrative Services Date: 4/22/99
 Approved by Commissioner: Mike Durbin *Mike Durbin* Date: 4/22/99
 Agency: Community & Regional Affairs

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FEB 06 1998

February 2, 1998
Cordes Drive Service Area
Service Area Commissioners
Fairbanks, Alaska

Senator Sean Parnell
State Capitol Room 504
Juneau, Alaska 99801

Dear Senator Parnell,

Thank-you for introducing Senate Bill #208. We support it and are contacting our representatives to let them know. We agree that the residents of existing service areas should have control of any proposed changes to their service areas.

Sincerely,

Francis O'Connor
Francis O'Connor

Jean Leder
Jean Leder

Bill Griffith
Bill Griffith

Refused to support
HB 133 with permission
of Cordes Drive SAC

Author: ffjha@aurora.alaska.edu (James H Anderson) at CC2MHS1
Date: 2/12/98 1:29 PM
Priority: Normal
TO: Senator Sean Parnell at LAA_TRANS
CC: bdelana@polarnet.com at CC2MHS1, alaskarc@polarnet.com at CC2MHS1
Subject: SB 208

Dear Senator Parnell,

Thank you for your letter of January 20 explaining your bill, SB 208.

I have discussed the matter addressed in your bill with the other members of the Spinach Creek Road Service Area Commission. We agree enthusiastically with the intent of the bill, and we extend to you our support of it.

I will send messages in support of SB 208 to John Davies and Gary Wilken.

Thank you for helping us to provide the best service to the residents of our service area.

Jim Anderson
Chairman
Spinach Creek Road Service Area Commission
Fairbanks North Star Borough

907 455-6077

PO Box 84607
Fairbanks AK 99708

Refused to support
HB 133 with
Permission of
SCRSAC