

ALASKA LEGISLATURE

2269

HOUSE and SENATE FINANCE COMMITTEE FILES,

2001 - 2002

may directly contact, or be contacted by, Network personnel regarding a specific issue or responsibility without the knowledge of the executive director.

Because so many individuals affect the responsibilities of council staff, it is imperative that the council set the priorities and policies, and the executive director manage the staff to ensure these priorities and policies are addressed. This will allow the council members to observe the program functioning as a whole, not on a microscopic level. An executive director with strong leadership abilities, whose administration is supported by all council members, would help to establish clear lines of authority.

2. Lack of definitive duties, policies and procedures. The three associate coordinator positions have broad position descriptions that are identical.² The position descriptions state that:

"Because of the limited number of staff, the on-going responsibilities assigned to any one position may be focused in one program area; however, the staff is expected to know and be able to perform or assist with the activities in any program areas."

With broad position descriptions, more specific directives defined in an agency procedure or desk manual are critical to ensure that personnel have a clear understanding of their responsibilities and priorities. Not only did we find that staff members were having difficulty addressing their responsibilities, a lack of prioritizing was also evident. These coordinator positions are responsible for the development, coordination, evaluation/monitoring and technical assistance of new and existing programs to ensure regulatory and policy compliance.

Between FY 98 and FY 01, the council's budgeted staff has increased 100% (from four to eight individuals). As stated in AS 18.66.050, the council's broad statute regarding the hiring of staff adds to the confusion with lines of authority. Although the council may hire the staff, the staff report to the executive director and should take direction solely from the executive director. The executive director needs strong leadership skills that emphasize teamwork and open communication among the council staff. For the executive director, leadership skills are as critical as program background in domestic violence and sexual assault.

Explicit documentation of each individual's responsibilities would allow the executive director of the council to hold staff accountable for their actions and their job duties. The council members should also provide clear guidance to the executive director and work through the executive director when addressing issues with the staff.

We recommend that the legislature change AS 18.66.050 to state:

² Position control numbers 12-0087, 12-0071 and 12-0070 have the same description of duties.

"[t]he council shall hire an executive director, and the executive director shall hire staff as identified in budgetary documents."

We recommend that the council promote and support strong leadership authority with the executive director. We also recommend that the executive director develop council personnel policies, procedures, and desk manuals (or update position description questionnaires) to describe the tasks of the individuals in each position. Once staff roles are established, the executive director should provide cross-training and encourage communication and teambuilding.

Recommendation No. 4

The council should address statutory responsibilities that relate to consultation with the Department of Health and Social Services (AS 18.66.050 (12)) and other entities and organizations (AS 18.66.050 (14)).

The council's statute was amended effective July 1, 1996 to include new requirements. Two of these new requirements have not been addressed. Alaska Statute 18.66.050(12) and (14) state that the council shall:

(12) consult with the Department of Health and Social Services in the formulation of standards and procedures for delivery of services to victims of domestic violence by health care facilities and practitioners of healing arts and personnel in those facilities as required in AS 18.66.300.

(14) consult with public employers, the Alaska Supreme Court, school districts, and prosecuting authorities who are required by AS 18.66.300 - 18.66.310 to provide continuing education courses in domestic violence to employees.

Both of these statutes discuss the council working with other agencies and public employers to develop standards, procedures, and continuing education courses. However, due to personnel deficiencies (see Recommendation No. 3) and lack of prioritization, the council has been unable to fully address these areas. We recommend that the council prioritize their responsibilities and determine a means to efficiently implement AS 18.66.050(12) and AS 18.66.050(14).

Recommendation No. 5

Council members and the executive director should consult with the Department of Education and Early Development, school district representatives, and grantees who have worked toward curriculum development to create a comprehensive standardized curriculum to be used within the schools across the state.

The council's approach to domestic violence and sexual assault education within the school districts is inconsistent and inadequate. There is a need for a more coordinated effort towards

education in school districts throughout the state. The council has left the responsibility for education in the schools to the grantees. The grantees have varying degrees of success in gaining access to their local schools, and use a variety of methods in attempting to address the need for domestic violence and sexual assault education within the schools.

Alaska Statute 18.66.050 states, in part, that:

The council shall (3) in consultation with authorities in the field, develop, implement, maintain, and monitor domestic violence, sexual assault, and crisis intervention and prevention programs, including education programs....and school curricula on the cause, prevention, and treatment of domestic violence and sexual assault. [emphasis added]

The council has avoided developing and implementing a standardized curriculum in an attempt to respect the autonomy of its victim services grantees. This has been the council's overall strategy in victim services program issues, where the individual grantees are better able to assess the needs of their communities. The grantees each have their own method of approaching education within their local schools. Some grantees simply send advocates to speak to a classroom when invited by the teacher. Other grantees have attempted to develop a K-12 curriculum for use within their local schools.

Development of a standardized curriculum can be an overwhelming task for a small or rural program whose resources are already stretched to the limit. Many grantees lack the expertise needed to approach the development of a curriculum for children that covers such extremely sensitive subjects as domestic violence and sexual assault.

We recommend the council consult with the Department of Education and Early Development, school district representatives, and grantees who have worked toward curriculum development to create a comprehensive standardized curriculum to be used within the schools across the state.

Prior Sunset Audit Recommendation No. 1

The Council on Domestic Violence and Sexual Assault's (council) executive director should continue to improve administrative procedures to adequately satisfy duties of the council.

Prior Finding

Due to increasing responsibilities and a limited number of staff positions, the council experienced deficiencies in carrying out its administrative and statutory responsibilities during FY 97. The lack of staff availability to carry out the full scope of the council's duties was further aggravated by staff turnover and extended illnesses. Weaknesses identified were as follows:

1. Data collected from grantees has not been processed since February 1997.

2. The annual report to the governor for FY 96 had not been completed.
3. On-site monitoring of grantees was not performed and reported in a timely manner.

Current Status

Administrative weaknesses continue to exist, though to a lesser degree than existed during the prior sunset audit. The current status of the prior year sunset recommendation is as follows:

1. Data collection - substantially implemented. The council implemented a statewide data collection system in July 2000. Some grantees expressed dissatisfaction with the new data system and felt that the forms were confusing and had too many categories. Some grantees feel that the system requires duplicative work by grantee staff. There are concerns on the validity of the data and how to measure outcomes. However, others feel that the system is easy, accurate and provides consistent data reporting. Overall, there is a critical need for coordinated statewide standardized measurement and recording of statistical data across agency lines. Statistics are needed to accurately provide information to decision makers.
2. Timeliness of annual reports - some improvement. Although reports prior to FY 00 have been untimely, the annual report for FY 00 was completed timely and posted on the council website.
3. On-site monitoring - some improvement. An on-site monitoring schedule has been established and on-site monitoring of most grantees has been performed. However, while the council has improved in the consistency and timeliness of their on-site monitoring, this monitoring was limited to primarily programmatic issues. The council failed to monitor its grantees who were subrecipients of federal grant funds for compliance with federal requirements. Weaknesses regarding federal compliance subrecipient monitoring issues were identified in the Statewide Single Audit for Fiscal Year Ended June 30, 2000 (Audit Control Number 02-40001-01).

ANALYSIS OF PUBLIC NEED

The following analysis of the council's activities relates to the public need factors defined in the "sunset" law, AS 44.66.050. These analyses are not intended to be comprehensive, but address those areas we were able to cover within the scope of our review.

Determine the extent to which the board, commission, or agency has operated in the public interest.

The council has awarded and administered grant funds to local community organizations and programs that provide services to victims of domestic violence and sexual assault, batterer intervention services to perpetrators of domestic violence, and crisis intervention and prevention programs. Although the presentation element of the funding meeting is not generally accepted and approved by all the grantees, the council's grant award process is objective, and grantees are treated equally in the process. Public participation was encouraged, and legislative intent was considered in the funding process. The council strives to treat urban and rural participants fairly throughout the grant award process. The council exercises oversight and performs on-site audits of most grant recipients. However, some exceptions were identified for the Alaska Network on Domestic Violence and Sexual Assault. (See Recommendation No. 2.)

The council coordinates the efforts of many state and community agencies working toward a comprehensive statewide system to combat domestic violence and sexual assault. Overall, we conclude that the council is performing its coordination duties.

The council provides technical assistance in various forms to state agencies, law enforcement agencies, grantees, and community groups on a regular basis.

The council has provided funds to assist in the development of training materials and participation in training events relating to domestic violence and sexual assault. This training has been used by law enforcement officers, prosecutors, and judicial officers. Upon request, council staff is available to state and local law enforcement agencies to consult on training matters.

The council produces public service announcements for distribution statewide, and provides domestic violence and sexual assault education on a local level through its grantees. The council maintains a lending library with educational and reference materials available that are both adequate and appropriate to address the cause, prevention, and treatment of domestic violence and sexual assault.

The council consults with the Department of Health and Social Services, Section of Maternal Child and Family Health, on the Alaska Family Violence Prevention Project (AFVPP) to increase awareness and community capacity to prevent and intervene in family violence. AFVPP provides multidisciplinary training and technical assistance on family violence for

health and social service providers and communities across the state. During the last year, in collaboration with the council, AFVPP conducted domestic violence/child abuse workshops in fifteen rural communities across the state. Although they have collaborated on issues such as this, the council and AFVPP have not addressed the statutory mandate in AS 18.66.050(12). (See Recommendation No. 4.)

Determine the extent to which the operations of the board has been impeded or enhanced by existing statutes, procedures, and practices, which it has adopted, and any other matter, including budgetary, resource, and personnel matters.

There are a variety of issues that have had an impact on the operations of the council. Our primary concerns involve the following:

1. Personnel issues. For some time, the council has been facing personnel issues resulting from new positions, new statutory and federal grant responsibilities, and turnover. The executive director should develop council personnel policies, procedures, and desk manuals to describe the tasks of the individuals in each position and to adjust for increased responsibilities and other changes. There also were other personnel issues that existed between the former executive director and council staff (See Recommendation No. 3).
2. Statutes related to composition of the council. The council should consider including a representative from the Department of Corrections as either a full council member, or as an advisor, to increase awareness of batterer programs. Some council members would also like to see additional public members. Because the Network has been receiving grant funds from the council, the legislature should consider amending AS 18.66.020 by 1) removing the clause that requires the Network to make recommendations for public members on the council to the governor, and 2) delete the requirement that the governor consult with the council regarding initial and reappointment of public members to the council. (See Recommendation No. 1.)
3. Program reporting requirements. AS 18.66.050(10) requires the council to submit an annual report to the governor, and notify the legislature about the availability of the report. Although the statute is silent if such a report is to be based on the calendar or fiscal year, customarily the council has submitted reports on a fiscal year basis. Although the reports for FY 97 through FY 99 were not provided to the governor in a timely manner, the FY 00 annual report was. (See Prior Sunset Audit Recommendation No. 1)
4. Data collection process. The council implemented a statewide data collection system in July 2000. Some grantees expressed dissatisfaction with the new data system and felt that the forms were confusing and had too many categories. Some grantees feel that the system requires duplicative work by grantee staff. There are concerns on the validity of the data and how to measure outcomes. However, others feel that the system is easy, accurate and provides consistent data reporting. Overall, there is a

critical need for coordinated statewide standardized measurement and recording of statistical data across agency lines. Statistics are needed to accurately provide information to decision makers. (See Prior Sunset Audit Recommendation No. 1.)

Determine the extent to which the board has recommended statutory changes that are generally of benefit to the public interest.

The council is generally asked by other agencies to review statutory changes contained in proposed legislation. Typically, council members and staff review and comment on proposed legislation rather than developing and seeking support for its own measures. The council discusses pertinent bills and decides which legislation the council should support, remain neutral, or oppose. The executive director develops, analyzes, and testifies on bills at the direction of the council. The Network is also actively involved in domestic violence and sexual assault related legislation, and provides an update of pertinent legislation at council meetings.

Determine the extent to which the board, commission or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of services, economy of service, and availability of services that it has provided.

The council encourages interested parties to comment on its decisions or regulations by publicly announcing its meetings. The council holds at least four meetings per year, normally in Anchorage or Juneau. Meetings held in Juneau are typically teleconferenced statewide. The council also encourages input from the Network regarding its policies.

Determine the extent to which the board has encouraged public participation in the making of its regulations and decisions.

The council encourages public participation by advertising meetings and teleconferences and by posting the council's meeting schedule on their website. Time is provided on the agenda of every public meeting for public comment. The council works with the Network and their membership in the development of regulations and policy decisions.

Determine the efficiency with which public inquiries or complaints regarding the activities of the board, commission, or agency filed with it, with the department to which a board or commission is administratively assigned, or with the Office of the Ombudsman have been processed and resolved.

We found no problems in this area. Complaint procedures are in place, followed when complaints are made, and files are maintained. No complaint activity was noted.

Determine the extent to which state personnel practices, including affirmative action requirements, have been complied with by the board to its own activities and the area of activity or interest.

No complaints against the council were identified.

Determine the extent to which statutory, regulatory, budgeting or other changes are necessary to enable the board to better serve the interest of the public and to comply with the factors enumerated in this subsection.

The council has left the responsibility for education within the schools to their grantees. The grantees have varying degrees of success in gaining access to their local schools and use a variety of methods in attempting to address the need for domestic violence and sexual assault education within the schools. There is a need for a more coordinated effort towards education in school districts across the state. The council should consult with the Department of Education and Early Development, school district representatives and grantees who have worked toward curriculum development to create a comprehensive standardized curriculum to be used within schools across the state. (See Recommendation No. 5.)

Identify the problems or the needs that the programs and activities of the council are intended to address.

Per AS 18.66.010, the council's purpose is to provide for planning and coordination of services to victims of domestic violence or sexual assault or to their families, to perpetrators of domestic violence and sexual assault, and to provide for crisis intervention and prevention programs.

Identify any other programs having similar, conflicting or duplicate objectives.

One of the council's major objectives is the coordination of agencies, both state and local, that share the similar objective of combating the effects of domestic violence and sexual assault. No other agency is in a position to have an impact on this issue in this manner. Its existence is to help ensure that the various agencies work together to effectively respond to Alaska's high rate of domestic violence and sexual assault.

Appendix A
 Council on Domestic Violence and Sexual Assault
 Schedule of Grants Awarded FY 99 through FY 02
 (unaudited)

	<u>FY 99</u>	<u>FY 00</u>	<u>FY 01</u>	<u>FY 02</u>
Victim Services Grants				
Advocates for Victims of Violence (Valdez)	\$ 204,810	\$ 209,810	\$ 212,970	\$ 213,181
Abused Women's Aid in Crisis (Anchorage)	792,900	753,255	795,605	795,816
Aiding Women from Abuse and Rape Emergencies (Juneau)	486,725	481,925	489,430	489,641
Arctic Women in Crisis (Barrow)	239,655	-0-	242,360	242,571
Alaska Women's Resource Center (Anchorage)	194,920	190,120	197,625	197,836
Bering Sea Women's Group (Nome)	417,790	417,790	420,495	420,706
Cordova Family Resource Center	48,505	41,505	51,210	51,421
Emmonak Women's Center	147,025	150,525	153,685	180,885
Kenai/Soldotna Women's Resource and Crisis Center	394,485	388,595	397,190	669,296
Kodiak Women's Resource and Crisis Center	261,410	257,182	264,115	397,401
North Slope Borough	-0-	232,655	-0-	-0-
Safe and Fear-Free Environment (Dillingham)	317,200	317,200	319,905	264,326
Sitkans Against Family Violence	300,485	298,094	303,190	320,116
Seward Life Action Council	74,895	73,787	77,600	303,401
South Peninsula Women's Services (Homer)	246,175	242,251	248,880	77,811
Standing Together Against Rape (Anchorage)	383,790	376,114	386,495	249,091
Tundra Women's Coalition (Bethel)	564,885	566,385	569,545	386,706
Unalaskans Against Sexual Assault and Family Violence	120,085	120,085	122,790	584,547
Victims for Justice (Anchorage)	72,545	68,918	72,078	123,001
Valley Women's Resource Center (Palmer)	415,570	407,259	418,275	26,078
Interior Alaska Center for Non- Violent Living (formerly Women in Crisis - Counseling and Assistance - Fairbanks)	666,380	661,580	669,085	418,486
Women in Safe Homes (Ketchikan)	<u>494,265</u>	<u>489,465</u>	<u>496,972</u>	<u>497,183</u>
Total Victim Services Grants	<u>\$ 6,844,500</u>	<u>\$ 6,744,500</u>	<u>\$ 6,909,500</u>	<u>\$ 6,909,500</u>
Community Based Batterer Intervention Programs				
Male Awareness Program (Anchorage)	\$ 90,000	\$ 80,000	\$ 80,000	\$ -0-
Sound Alternatives (Cordova)	11,000	11,000	11,000	15,000
South Peninsula Women's Services (Homer)	27,000	23,000	23,000	27,000
	<u>FY 99</u>	<u>FY 00</u>	<u>FY 01</u>	<u>FY 02</u>

Appendix A
 Council on Domestic Violence and Sexual Assault
 Schedule of Grants Awarded FY 99 through FY 02
 (unaudited)

Community Based Batterer Intervention Programs - Continued

Tongass Community Counseling Center (Juneau)	68,000	67,500	67,500	67,500
IAC Women In Crisis Counseling Center (Fairbanks)	50,000	50,000	50,000	66,000
SE Islands Violence Prevention Program - Wrangell/Petersburg	31,000	29,000	29,000	-0-
Sitka Prevention and Treatment Services	-0-	39,500	39,500	-0-
Islands Counseling Services (Sitka)	-0-	-0-	-0-	40,000
Ketchikan Indian Corporation (Ketchikan)	-0-	20,000	20,000	50,000
Valley Women's Resource Center (Palmer)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>54,500</u>
Total Community Based Batterer Intervention Programs	<u>\$ 277,000</u>	<u>\$ 320,000</u>	<u>\$ 320,000</u>	<u>\$ 320,000</u>

Prison Batterer Intervention Program Grants

Interior Alaska Center for Non-Violent Living (formerly Women in Crisis - Counseling and Assistance - Fairbanks)	\$ 39,200	\$ 39,200	\$ 39,200	\$ 24,137
Tongass Community Counseling Center (Juneau)	34,100	34,100	34,100	34,100
Valley Women's Resource Center (Palmer)	<u>24,937</u>	<u>24,937</u>	<u>24,937</u>	<u>40,000</u>
Total Prison Batterer Intervention Program Grants	<u>\$ 98,237</u>	<u>\$ 98,237</u>	<u>\$ 98,237</u>	<u>\$ 98,237</u>

Violence Against Women Act (VAWA) Grant

Alaska Network on Domestic Violence and Sexual Assault	\$ 225,354	\$ 342,285	\$ 309,716	\$ 356,624
Department of Law Reimbursable Services Agreement	176,585	179,535	72,578	See "Note"
Alaska Court System Reimbursable Services Agreement	52,572	41,681	31,664	See "Note"
Department of Public Safety Reimbursable Services Agreement	<u>54,525</u>	<u>232,155</u>	<u>116,666</u>	<u>See "Note"</u>
Total VAWA Grant	<u>\$ 509,036</u>	<u>\$ 795,656</u>	<u>\$ 530,624</u>	<u>\$ 356,624</u>
TOTAL	<u><u>\$ 7,219,737</u></u>	<u><u>\$ 7,162,737</u></u>	<u><u>\$ 7,327,737</u></u>	<u><u>\$ 7,327,737</u></u>

Note: Amounts have not yet been determined

December 21, 2001

Ms. Pat Davidson, CPA
Legislative Auditor
Division of Legislative Audit
P.O. Box 113300
Juneau, AK 99811-3300

Dear Ms. Davidson:

This letter is in response to the Preliminary Audit Report, Council on Domestic Violence and Sexual Assault, Department of Public Safety, Dated October 31, 2001 and transmittal letter dated December 6, 2001. The Department's positions are stated below each findings and recommendation.

Recommendation No. 1

The legislature should amend the Council on Domestic Violence and Sexual Assault's statutes related to appointment of council members.

CDVSA Response: Do not Agree

As stated in the response to the management letter dated November 14, 2001 the Council does not agree that Alaska Statute 18.66.020 needs to be amended. The Governor is not required to appoint public members solely from the names submitted by the Alaska Network on Domestic Violence and Sexual Assault (ANDVSA). The statute requires the Governor to "consult" with ANDVSA, but does not mandate that the Governor accept the names submitted. The Governor has the authority to appoint a person not recommended, provided he "consults" with ANDVSA.

ANDVSA is the only statewide coalition for the issues involving domestic violence and sexual assault. ANDVSA works closely with the programs on a statewide basis and is, aside from the Council itself, the organization most familiar with these important societal issues. It is entirely appropriate for a Governor to ask those with the most knowledge, expertise and involvement in a particular field to submit names for consideration for appointment to boards and/or commissions. We further disagree that an appearance of a personal conflict of interest exists on the part of the appointment or reappointment of public members. The fact that the Council awards grant money to ANDVSA does not mean that public member is indebted to ANDVSA. Public members are devoted to the issue, the cause, and public service. If the Governor believes a public member is

Ms. Pat Davidson, CPA
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doing a good job, he can reappoint the person even if ANDVSA recommends against it. The Executive Ethics act does not preclude persons with interest in a field from serving on boards and commissions; rather, it requires that they have no direct financial conflict of interest. ANDVSA has never nominated, nor has the Governor's Office ever named, anyone who was an employee or officer of ANDVSA. Rather, public members have been persons active in domestic violence or sexual assault issues in their local communities. Public members are also required to step down from any involvement in their local programs during their service on the Council.

Recommendation No. 2

The council should define and communicate clear and distinctive roles for the council members and staff in dealing with the Network. The council should adhere to these roles in their federal grant oversight of the Network.

CDVSA Response: Partially Agree

1. In FY01, ANDVSA modified their final grant contract relating to access to all records to reflect financial records only. This change was not noticed by Council staff or approved by the Council. In FY02, ANDVSA formally requested that the Council change the grant contract condition that allows the Council to review all records. ANDVSA asked the Council review only the financial records. The request was made during the quarterly Council public meeting of September 11, 2001. The Council denied this request on record in the meeting.
2. CDVSA will adhere to federal allowable cost principles (A87) by addressing the reimbursement documentation during on-site monitoring activities and through review of financial documentation and by requesting clarification on questionable expenditures.
3. ANDVSA and other VAWA grantees are being included in the on-site monitoring and evaluation schedule for FY02 and FY03.

At every meeting the Council reviews VAWA expenditures, so the Council is aware of what is going on. To ensure initial approval, the VAWA committee will submit the plan to the Council for final review and approval. The Council's initial review and approval will be consistent with the Governor's directive, April 15, 1995, on programmatic and administrative oversight.

The Council will communicate the roles of the Council to staff and the Network consistent with the federal grant requirements and the governor's directive for programmatic and administrative oversight.

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Recommendation No. 3

The legislature should amend AS 18.66.050 referring to the council hiring staff, and the council should address personnel issues and promote strong leadership by the executive director.

CDVSA Response: Partially Agree

1. Confusion regarding lines of authority. The Council acknowledges some confusion existed recently and is working towards assuring the correct level of authority of the executive director and the role of the staff.
2. Lack of definitive duties, policies and procedures. The three associate coordinator positions have position descriptions that are identical. This will allow the Council to have all three coordinators work as a team to design, coordinate, conduct evaluations, monitor the programs, plus offer technical assistance to new and existing programs. This will further allow the staff to be cross-trained and work in a cohesive team environment with the executive director being the supervisor and leader of the team.

The Council does not agree that AS 18.66.050 needs to be modified. The Council has never been involved in hiring of staff. The Council recognized that hiring of staff is the responsibility appropriately placed with the executive director. Guidance from the Council to the executive director and the further development of personnel policies, procedures and desk manuals and where necessary, updating position descriptions, will adequately address any previous confusion.

Recommendation No. 4

The Council should address statutory responsibilities that relate to consultation with the Department of Health and Social Services (AS 18.66.050(12) and other entities and organizations (AS 18.66.050(14)).

CDVSA Response: Agree

The Council agrees that we should be working with these other agencies and public employers in developing standards and provide information and education surrounding the issues of domestic violence and sexual assault. We will strive to meet this recommendation.

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Recommendation No. 5

Council members and the executive director should consult with the Department of Education and Early Development, school district representatives, and grantees who have worked toward curriculum development to create a comprehensive standardized curriculum to be used within the schools across the state.

CDVSA Response: Agree

The Council agrees that we should be working with the Department of Education and Early Development, school district representatives, and grantees to develop a comprehensive standardized curriculum to be used in schools across the state. The difficulty comes when developing a standardized curriculum with such cross-culture and diversified populations throughout the state and getting school districts to agree to include the curriculum material in their classrooms.

Sincerely,

Glenn G. Godfrey
Commissioner

January 11, 2002

Members of the Legislative Budget
and Audit Committee:

We have reviewed the Department of Public Safety's response to our audit. Nothing contained in the response has provided sufficient information to persuade us to remove or revise our recommendations.

Sincerely,

Pat Davidson
Legislative Auditor

SENATE COMMITTEE REPORT

DATE: 4/4/02

FURTHER: Finance

DATE TURNED IN TO OFFICE: 4/29/02

Judiciary Committee considered CS FOR HOUSE BILL NO. 332(FIN)
 HB 332 COUNCIL ON DOMESTIC VIOLENCE

"An Act extending the termination date of the Council on Domestic Violence and Sexual Assault; relating to the council's duties; placing the executive director and staff of the council in the exempt service; and providing for an effective date."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

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

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
DPS/Council on DVSA	2/24/02	✓		1
DPS/Batterers Intervention	2/24/02	✓		2
DPS/Victims for Justice	2/24/02	✓		3

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	Do PASS	Do NOT PASS	NO REC	AMEND
		✓		
	✓			
CHAIR:	✓			

HB

333

HFIN

FILE

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: HB 333
(H) Publish Date: 2/27/02

Revision Date/Time (Note if correction): 2/4/2002 Dept. Affected: DCED
Title Extending the Termination Date BRU Regulatory Commission of Alaska (399)
of the Regulatory Commission of Alaska Component Regulatory Commission of Alaska
Sponsor House Finance
Requester House Labor & Commerce Component No. 2417

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services	3,951.8	3,951.8	3,951.8	3,951.8	3,951.8	
Travel	55.0	55.0	55.0	55.0	55.0	
Contractual	1,920.0	1,920.0	1,920.0	1,920.0	1,920.0	
Supplies	62.5	62.5	62.5	62.5	62.5	
Equipment	13.8	13.8	13.8	13.8	13.8	
Land & Structures		0.0	0.0	0.0	0.0	
Grants & Claims		0.0	0.0	0.0	0.0	
Miscellaneous		0.0	0.0	0.0	0.0	
TOTAL OPERATING	6,003.1	6,003.1	6,003.1	6,003.1	6,003.1	

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						
1141 - RCA Receipts	6,003.1	6,003.1	6,003.1	6,003.1	6,003.1	
TOTAL	6,003.1	6,003.1	6,003.1	6,003.1	6,003.1	

Estimate of any current year (FY2002) cost: 0.0
Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal: X

POSITIONS

Full-time	61	61	61	61	61
Part-time					
Temporary					

ANALYSIS: (Attach a separate page if necessary)

The bill extends the Regulatory Commission of Alaska to June 30, 2006. In accordance with AS 08.03.020, funding is extended one year following the termination date allowing the commission to conclude its affairs. The information above identifies direct expenditure and revenue information included in the FY 2003 Operating Budget Request. The RCA's budget is funded through the Regulatory Cost Charge (RCC) mechanism and direct charge mechanisms. No general funds are allocated for support of the agency. The RCC is recalculated each year and allows the agency to recover its operating costs through an assessment on the revenues of the utilities and pipeline carriers it regulates.

Prepared by: G. Nnette Thompson, Chair Phone (907) 263-2112
Division Regulatory Commission of Alaska Date/Time 2/6/02 10:25 AM
Approved by: Debrah B. Sedwick, Commissioner Date 2/6/2002
Agency Department of Community & Economic Development

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: HB 333
 (H) Publish Date: 2/27/02

Revision Date/Time (Note if correction): 2/4/2002 Dept. Affected: DCED
 Title: Extending the Termination Date BRU: Regulatory Commission of Alaska (399)
 of the Regulatory Commission of Alaska Component: Regulatory Commission of Alaska
 Sponsor: House Finance
 Requester: House Labor & Commerce Component No.: 2417

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services	3,951.8	3,951.8	3,951.8	3,951.8	3,951.8	
Travel	55.0	55.0	55.0	55.0	55.0	
Contractual	1,920.0	1,920.0	1,920.0	1,920.0	1,920.0	
Supplies	62.5	62.5	62.5	62.5	62.5	
Equipment	13.8	13.8	13.8	13.8	13.8	
Land & Structures		0.0	0.0	0.0	0.0	
Grants & Claims		0.0	0.0	0.0	0.0	
Miscellaneous		0.0	0.0	0.0	0.0	
TOTAL OPERATING	6,003.1	6,003.1	6,003.1	6,003.1	6,003.1	

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						
1141 - RCA Receipts	6,003.1	6,003.1	6,003.1	6,003.1	6,003.1	
TOTAL	6,003.1	6,003.1	6,003.1	6,003.1	6,003.1	

Estimate of any current year (FY2002) cost: 0.0
 Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time	61	61	61	61	61
Part-time					
Temporary					

ANALYSIS: (Attach a separate page if necessary)

The bill extends the Regulatory Commission of Alaska to June 30, 2006. In accordance with AS 08.03.020, funding is extended one year following the termination date allowing the commission to conclude its affairs. The information above identifies direct expenditure and revenue information included in the FY 2003 Operating Budget Request. The RCA's budget is funded through the Regulatory Cost Charge (RCC) mechanism and direct charge mechanisms. No general funds are allocated for support of the agency. The RCC is recalculated each year and allows the agency to recover its operating costs through an assessment on the revenues of the utilities and pipeline carriers it regulates.

Prepared by: G. Nanelle Thompson, Chair Phone: (907) 263-2112
 Division: Regulatory Commission of Alaska Date/Time: 2/6/02 10:25 AM
 Approved by: Deborah B. Sedwick, Commissioner Date: 2/6/2002
 Agency: Department of Community & Economic Development

22-LS1289\F

Craver

4/16/02

Adopted

4
~~3~~/16/02

CS FOR HOUSE BILL NO. 333(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): HOUSE FINANCE COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act setting timelines for issuance of final orders by the Regulatory Commission of
2 Alaska, amending the authority of the commission to enter compromise settlement
3 orders, and extending the commission's termination date; and providing for an effective
4 date."

to June 30, 2006

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

6 * Section 1. AS 42.05 is amended by adding a new section to read:

7 Sec. 42.05.175. Timelines for issuance of final orders. (a) The commission
8 shall issue a final order not later than six months after a complete application is filed
9 for

10 (1) an application for a certificate of public convenience and necessity;

11 (2) an application to amend a certificate of public convenience and
12 necessity;

13 (3) an application to transfer a certificate of public convenience and
14 necessity;

1 (4) an application to acquire a controlling interest in a certificated
2 public utility; and

3 ~~(5) any other application required or permitted under this chapter.~~

4 (b) Notwithstanding a suspension ordered under AS 42.05.421, the
5 commission shall issue a final order not later than nine months after a complete tariff
6 filing is made for a tariff filing that does not change the utility's revenue requirement
7 or rate design.

8 (c) Notwithstanding a suspension ordered under AS 42.05.421, the
9 commission shall issue a final order not later than 15 months after a complete tariff
10 filing is made for a tariff filing that changes the utility's revenue requirement or rate
11 design.

12 (d) The commission shall issue a final order not later than 12 months after a
13 complete formal complaint is filed against a utility or, when the commission initiates a
14 formal investigation of a utility without the filing of a complete formal complaint, not
15 later than 12 months after the order initiating the formal investigation is issued.

16 (e) The commission shall issue a final order in a rule making proceeding not
17 later than 24 months after a complete petition for adoption, amendment, or repeal of a
18 regulation under AS 44.62.180 - 44.62.290 is filed or, when the commission initiates a
19 rule making docket, not later than 24 months after the order initiating the proceeding is
20 issued.

21 (f) The commission may extend a timeline required under (a) - (e) of this
22 section if all parties of record consent to the extension or if, before the timeline
23 expires, the commission

24 (1) reasonably finds that good cause exists to extend the timeline; and

25 (2) issues a written order extending the timeline and setting out its
26 findings regarding good cause.

27 (g) The commission shall file quarterly reports with the Legislative Budget
28 and Audit Committee identifying all extensions ordered under (f)(2) of this section
29 during the previous quarter, and including copies of the written orders issued under
30 (f)(2) of this section.

31 (h) If the commission does not issue and serve a final order regarding an

1 application or suspended tariff under section (a), (b), or (c) of this section within the
2 applicable timeline specified, and if the commission does not extend the timeline in
3 accordance with (f) of this section, the application or suspended tariff filing shall be
4 considered approved and shall go into effect immediately.

5 (i) For purposes of this section, "final order" means a dispositive
6 administrative order that resolves all matters at issue and that may be the basis for a
7 petition for reconsideration or request for judicial review.

8 (j) For purposes of this section, an application, tariff filing, formal complaint,
9 or petition is complete if it complies with the filing, format, and content requirements
10 established by statute, regulation, and forms adopted by the commission under
11 regulation.

12 * Sec. 2. AS 42.05.191 is amended to read:

13 Sec. 42.05.191. Contents and service of orders. Every formal order of the
14 commission shall be based upon the facts of record. However, the commission may
15 issue an order approving any settlement supported by all the parties of record in
16 a proceeding, including a compromise settlement, if the settlement is consistent
17 with AS 42.05 and 42.06. Every order entered pursuant to a hearing must state the
18 commission's findings, the basis of its findings and conclusions, together with its
19 decision. These orders shall be entered of record and a copy of them shall be served
20 on all parties of record in the proceeding.

21 * Sec. 3. AS 44.66.010(a)(4) is amended to read:

22 (4) Regulatory Commission of Alaska (AS 42.04.010) -- June 30, 2006
23 [2002];

24 * Sec. 4. The uncodified law of the State of Alaska is amended by adding a new section to
25 read:

26 PRIOR DOCKETS. The provisions of AS 42.05.175, added by sec. 1 of this Act do
27 not apply to dockets of the Regulatory Commission of Alaska that are initiated before July 1,
28 2002.

29 * Sec. 5. This Act takes effect immediately under AS 01.10.070(c).

ALASKA STATE LEGISLATURE

Representative Lisa Murkowski Chair
Representative Andrew Halcro Vice-Chair
Representative Pete Kott
Representative Kevin Meyer
Representative Norman Rokeberg
Representative Harry Crawford
Representative Joe Hayes



Alaska State Capitol
Juneau, AK 99801-1182
Telephone: (907) 465-4954
Fax: (907) 465-2293
Representative_Lisa_Murkowski@legis.state.ak.us

HOUSE LABOR AND COMMERCE COMMITTEE

House Bill No. 333

Letter of Intent

Recognizing that the Regulatory Commission of Alaska is adjusting and evolving its operations since its inception in 1999, and that it receives numerous and complex complaints requiring time and consideration, and that the commission has an enormous backlog of cases, it is the intent of the House Labor and Commerce Committee in conjunction with the Senate Labor and Commerce Committee, to conduct annual oversight hearings of the Regulatory Commission of Alaska to discuss investigations and complaint follow-up, case backlog, and other matters of public inquiry regarding the activities of the commission.

Handwritten signature of Representative Lisa Murkowski.

Representative Murkowski
Chair,
House Labor and Commerce Committee

Handwritten signature of Representative Andrew Halcro.

Representative Halcro
Vice-Chair,
House Labor and Commerce Committee

REPRESENTATIVE
BILL WILLIAMS
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Fax: (907) 465-3793

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Kelchikan, Alaska 99901
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Fax (907) 225-7157

Alaska State Legislature
House Finance Committee



State Capitol, Juneau, Alaska 99801-1182

REPRESENTATIVE
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Fax: (907) 269-0264

HOUSE BILL 333

An Act Extending the Sunset Date of the Regulatory Commission of Alaska

Committee Substitute for House Bill 333 will extend the sunset date for the Regulatory Commission of Alaska from June 30, 2002 to June 30, 2006. Pursuant to AS 44.66.010(c), The legislature may extend the termination date for this agency for a period not to exceed four years. HB 333 allows an extension for the full four years.

The Division of Legislative Audit published its audit report on November 28, 2001. The report concluded that the Regulatory Commission of Alaska operates in a reasonably effective and efficient manner and should continue to regulate public utilities and pipelines.

The measure adds a new section (AS 42.05.175) to the statute to establish timelines for RCA action. We believe that they will assist in assuring that decisions are made in a timely fashion so that regulated utilities will not face unnecessary delays in regulatory actions. It also amends AS 42.05.191 to allow the RCA to approve settlements supported by all parties to an action.

CSHB 333 would be effective immediately, thus the Regulatory Commission of Alaska would not need to begin the process of shutting down its operations pursuant to AS 44.66.010(b).



Alaska State Legislature

Please enter into the record my testimony to the House Finance

committee name

Committee on HB 333/EXTENDING THE REGULATORY COM. OF ALASKA Date, April 11, 2002

bill # / subject

I would like to go on record as being **OPPOSED** to **HB 333**. This bill will cost us **\$30,015,500** in fees and taxes over the next 5 years. With utility deregulation, do we really need a commission of this size/cost? If the justification no longer exists maybe we could all save some money?

Please vote: **DO NOT PASS** on **HB 333** in its current form.

Thank you.

Signed: Mike McBride
Testifier

Self
Representing (optional)

PO Box 6; Kenai, Alaska; 99611
Address

776 5444
Phone number

22-LS1289C
Craver
4/15/02

CS FOR HOUSE BILL NO. 333(FIN)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): HOUSE FINANCE COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act setting timelines for issuance of final orders by the Regulatory Commission of
2 Alaska, amending the authority of the commission to enter compromise settlement
3 orders, and extending the commission's termination date; and providing for an effective
4 date."

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

6 * Section 1. AS 42.05 is amended by adding a new section to read:

7 Sec. 42.05.175. Timelines for issuance of final orders. (a) The commission
8 shall issue a final order no later than six months after a complete application is filed
9 for

- 10 (1) an application for certification of public convenience and necessity;
- 11 (2) an application to amend a certificate of public convenience and
- 12 necessity;
- 13 (3) an application to transfer a certificate of public convenience and
- 14 necessity;

1 (4) an application to acquire a controlling interest in a certificated
2 public utility; and

3 (5) any other application required or permitted under this chapter.

4 (b) Notwithstanding a suspension ordered under AS 42.05.421, the
5 commission shall issue a final order not later than nine months after a complete tariff
6 filing is made for a tariff filing that does not change the utility's revenue requirement
7 or rate design.

8 (c) Notwithstanding a suspension ordered under AS 42.05.421, the
9 commission shall issue a final order not later than 15 months after a complete tariff
10 filing is made for a tariff filing that changes the utility's revenue requirement or rate
11 design.

12 (d) The commission shall issue a final order not later than 12 months after a
13 complete formal complaint is filed for a formal complaint against a utility or other
14 formal investigation of a utility or, when the commission initiates an investigation, not
15 later than 12 months after the order initiating the formal investigation is issued.

16 (e) The commission shall issue a final order in a rule making proceeding not
17 later than 24 months after a complete petition for adoption, amendment, or repeal of a
18 regulation under AS 44.62.180 - 44.62.290 is filed or, when the commission initiates a
19 rule making docket, not later than 24 months after the order initiating the proceeding is
20 issued.

21 (f) The commission may extend a timeline required under (a) - (e) of this
22 section if all parties of record consent to the extension or if, before the timeline
23 expires, the commission

24 (1) reasonably finds that good cause exists to extend the timeline; and

25 (2) issues a written order extending the timeline and setting out its
26 findings regarding good cause.

27 (g) The commission shall file quarterly reports with the Legislative Budget
28 and Audit Committee identifying all extensions ordered under (f)(2) of this section
29 during the previous quarter, and including copies of the written orders issued under
30 (f)(2) of this section.

31 (h) If the commission does not issue and serve a final order regarding an

1 application or suspended tariff under section (a), (b), or (c) of this section within the
2 applicable timeline specified, and if the commission does not extend the timeline in
3 accordance with (f) of this section, the application or suspended tariff filing shall be
4 considered approved and shall go into effect immediately.

5 (i) For purposes of this section, "final order" means a dispositive
6 administrative order that resolves all matters at issue and that is the basis for a petition
7 for reconsideration or request for judicial review.

8 (j) For purposes of this section, an application, tariff filing, formal complaint,
9 or petition is complete if it complies with the filing, format, and content requirements
10 established by statute, regulation, and forms adopted by the commission under
11 regulation.

12 * Sec. 2. AS 42.05.191 is amended to read:

13 Sec. 42.05.191. Contents and service of orders. Every formal order of the
14 commission shall be based upon the facts of record. However, the commission may
15 issue an order approving any settlement supported by all the parties of record in
16 a proceeding, including a compromise settlement, if the settlement is consistent
17 with AS 42.05 and 42.06. Every order entered pursuant to a hearing must state the
18 commission's findings, the basis of its findings and conclusions, together with its
19 decision. These orders shall be entered of record and a copy of them shall be served
20 on all parties of record in the proceeding.

21 * Sec. 3. AS 44.66.010(a)(4) is amended to read:

22 (4) Regulatory Commission of Alaska (AS 42.04.010) -- June 30, 2006
23 [2002];

24 * Sec. 4. The uncodified law of the State of Alaska is amended by adding a new section to
25 read:

26 PRIOR DOCKETS. The provisions of AS 42.05.175, added by sec. 1 of this Act do
27 not apply to dockets of the Regulatory Commission of Alaska that are initiated before July 1,
28 2002.

29 * Sec. 5. This Act takes effect immediately under AS 01.10.070(c).

HB

334

HFIN

FILE

REPRESENTATIVE
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Alaska State Legislature
House Finance Committee

State Capitol, Juneau, Alaska 99801-1182

REPRESENTATIVE
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Fax (907) 259-0264

HOUSE BILL 334

Appropriation to Arctic Power to Promote Opening ANWR

HB 334 appropriates \$1,000,000 to Arctic Power to use in its campaign to secure necessary support in the United States Senate to pass legislation opening ANWR to oil exploration. The energy bill will be considered early in this session so it is important that Arctic Power be active in its promotion of opening ANWR in January and February of this year.

HB 334 reappropriates \$700,000 in unused funds from the gas pipeline study authorized through the Legislative Budget and Audit Committee along with \$300,000 from the general fund.

With the growing fiscal gap in Alaska's state budget, and the long term decrease in state revenue from existing fields, it is imperative we develop additional new fields in the future. ANWR is an important part of our fiscal future.

This appropriation will help Alaska work effectively toward that goal.

Amendment to CS HB 334(FIN)

By Davies

A docted
1/18/02

Amned Section B

Page 1 line 11 Strike "300,000" and Insert "400,000"

Page 1 Line 14 after "development." Add

"The amount appropriated in this subsection includes \$100,000 for the participation of the City of Kaktovik in support of the education efforts undertaken by Arctic Power under this subsection."

NOTE: Data do not include discovered resources or undeveloped leases. Numbers cite "technically recoverable oil" not "economically recoverable oil." Figures omit the huge West Sak field and large new discoveries in NPR-A. Regardless of what sets of numbers are used, much more Alaska oil is available outside the Arctic Refuge than inside it.

Excerpt from 1999 Alaska legislative briefing by Alaska Division of Oil and Gas*

Table 3.
¹Undiscovered Onshore Resources

Field	<u>Oil (MMBO)</u>			<u>Gas (BCF)</u>		
	<u>High</u>	<u>Mean</u>	<u>Low</u>	<u>High</u>	<u>Mean</u>	<u>Low</u>
² NPR-A	N/A	542	N/A	N/A	4,128	N/A
³ NE NPR-A Planning Area	4,732	3,070	1,832	21,674	9,852	3,190
⁴ Central North Slope	N/A	2,595	N/A	N/A	14,975	N/A
⁵ Foothills	N/A	1,564	N/A	N/A	26,609	N/A
⁶ ANWR	11,919	7,782	4,325	9,297	4,230	3,134

¹ Undiscovered technically recoverable oil, gas, and natural gas liquid reserves. Composite Reserve Numbers were calculated based on reserve estimates provided from USGS Open-File Report 95-751. The percentage of reserves calculated for each area was determined by the amount of each play type that was distributed in that particular geographic area. Numbers include both estimates of gas associated with oil fields along with stand-alone gas fields. NGL's are included in both oil and gas totals where associated with oil and gas. 1 barrel of NGL associated with oil = 0.667 barrels of crude oil. NGL's associated with gas was converted to gas by using the formula 6,000 cubic feet of gas = 1 bbl of crude oil.

² NPR-A includes the western coastal plain area of NPR-A. It does not include either the Northeast NPR-A planning area or the foothills.

³ NE NPR-A Final EIS Vol I, 8/98, p. III-A-25.

⁴ Used USGS 1995 Assessment Open-File Report 95-751, Tables 1 and B-1. Summed 75% of the reserves calculated for the Central area; 85% of the reserves calculated for the Eastern area for the various plays; and included the USGS total for Province small fields from their report. The Anchorage Daily News reported on Saturday 2/14/98 that ARCO Alaska, Inc. believed that 3BO of producible oil exists in Prudhoe-Kuparuk undiscovered satellite accumulations. Because this undiscovered oil is adjacent to existing infrastructure, the Prudhoe-Kuparuk satellite plays are very economic and have a quick turnaround time from discovery to first production.

⁵ Combined the resource numbers for the foldbelt and the thrust belt. Included only 1/2 of the eastern thrust play numbers and 85% of the fold belt numbers because the rest of the numbers are included in the ANWR totals.

⁶USGS, 1998 Assessment, Appendix A.

ndb 200 1/20/02

22-LS1281\F
Utermohle
1/18/02

CS FOR HOUSE BILL NO. 334(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

**Offered:
Referred:**

Sponsor(s): HOUSE FINANCE COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act making appropriations for a grant to Arctic Power to promote the opening of
2 the Arctic National Wildlife Refuge for oil and gas exploration and development; and
3 providing for an effective date."

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

5 * **Section 1. GRANT TO ARCTIC POWER.** (a) The unexpended and unobligated
6 balance, not to exceed \$700,000, of the appropriation made by sec. 91, ch. 61, SLA 2001
7 (Legislative Budget and Audit Committee - \$1,500,000) is reappropriated to the Department
8 of Community and Economic Development for payment as a grant under AS 37.05.316 to
9 Arctic Power for education efforts to open the coastal plan of the Arctic National Wildlife
10 Refuge for oil and gas exploration and development.

11 (b) The sum of \$300,000 is appropriated from the general fund to the Department of
12 Community and Economic Development for payment as a grant under AS 37.05.316 to Arctic
13 Power for education efforts to open the coastal plain of the Arctic National Wildlife Refuge
14 for oil and gas exploration and development.

L

1 * Sec. 2. The appropriations made by this Act lapse June 30, 2006.

2 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: January 16, 2002

FURTHER REFERRALS:

Date of Committee Action: 1/22/02

The FINANCE Committee considered:

HB 334

HOUSE BILL NO. 334

APPROP: GRANT TO ARCTIC POWER FOR ANWR

"An Act making appropriations for a grant to Arctic Power to promote the opening of the Arctic National Wildlife Refuge for oil and gas exploration and development; and providing for an effective date."

Recommends it be replaced with CS 334 (FN) [] Same Title [] New Title
 For Senate Bills with new title: [] Technical Title [] New Title: HCR _____

- [] attach amendments
- [] add new referral to _____ Committee
- [] Letter of Intent _____ Committee

List of
Abbrev.
for
Depts.:

- ADM
- CEC
- COR
- CRT
- EED
- DEC
- DFG
- GOV
- HSS
- LAA
- LAW
- LWF
- MVA
- DNR
- DPS
- REV
- DOT
- UA

<u>NEW FISCAL NOTES</u>				
*For Chief Clerk's Office Use Only				
List by Dept(s):	*FN#	Fiscal	Indet.	Zero

<u>PREVIOUS FISCAL NOTES</u>				
List by Dept(s):	FN#	Fiscal	Indet.	Zero

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
<i>[Signature]</i>		✓			
<i>[Signature]</i>		✓			
<i>[Signature]</i>	NARRIS	✓			
<i>[Signature]</i>	CROFT	✓			
<i>[Signature]</i>	DAVIE'S			✓	
<i>[Signature]</i>	Moses			✓	
<i>[Signature]</i>	Lancaster	✓			
<i>[Signature]</i>	Hudson	✓			
<i>[Signature]</i>	FOSTER	X			
Chair: <i>[Signature]</i>	William				
Chair: <i>[Signature]</i>	Mulder				

Subject: Objection to HB 334

Date: Tue, 22 Jan 2002 10:11:24 -0900

From: "Bobbie Ritchie" <ritchle@mosquitonet.com>

To: <Iran_Zarling@legis.state.ak.us>

TO: House Finance Committee
FROM: Bob Ritchie
RE: HB 334
DATE: 22 January 2002

Dear Committee Members,

I am writing to express my opposition to HB 334, which would appropriate another 1 million dollars to Arctic Power, a non-profit lobbying our federal government to open ANWR to oil and gas development. My objections are straightforward:

1. At a time when our Governor has recommended a state tax to relieve our deficit, we should be cautious in making such generous contributions to specific non-profits. I would like to see a full accounting of where the original 2 million grant was spent and how it is serving all Alaskans before I even thought about another allotment.
2. The rallying cry around opening ANWR seems to be 'more jobs', and therefore an allotment such as this might be viewed as a way to stimulate the economy and eventually increase jobs. I would prefer, however, that the million dollars be used now to explore training and outreach for Alaskans in ailing industries including fisheries, timber, and agriculture.
3. I am not sure what the current poll shows for those for and against opening ANWR to oil development, but if it is split as I imagine, I think it only fair for our legislature to split support between non-profits representing each of these distinct sides. In other words, you need to consider giving 50% of your appropriation to non-profit organizations, which support the eco-tourism industry, an important job market in our state. This industry might be damaged by oil development in ANWR.

Finally, I think this continues to be an unusual precedent that all Alaskans may pay for in the future. I think the oil companies can and will offer their own financial support for this process. Arctic Power should be soliciting directly from the oil companies.

Sincerely,
Robert J. Ritchie
2671 Black Sheep Road
Fairbanks, Alaska 99709
(907) 479-2694

MEMORANDUM

To: House Finance Committee hearing on HB 334
Date: January 22, 2002
From: Alaska resident of 20 years*
Opinion: OPPOSITION for any further funding to Arctic Power

My concerns are as follows:

- a) Money appropriation to Arctic Power appears illegal: under the "public purpose" clause of the Alaska Constitution, state money can only be appropriated for a public purpose. In a 1991 opinion, the Alaska Attorney General cautioned that the legislature can not appropriate state money for "partisan political purposes," because such partisan activities rarely qualify as being for a public purpose (Alaska AG Opinion, June 27, 1991).
- b) The appropriation of money to Arctic Power for lobbying appears to be an illegal attempt to avoid the Alaska Procurement Code (Alaska AG Opinion, June 15, 1995; Alaska AG Opinion, June 28, 1999; and Alaska AG Opinion, June 16, 2000).
- c) The appropriation may also violate the Fiscal Procedures Act, which prohibits the use of a legislative grant for influencing legislative action (Alaska Statutes 37.05.321).
- d) How can one nonprofit continue to receive millions of state funds when so many other nonprofits barely scrape by.
- e) Is it ethical for our state to promote the development of a wildlife refuge that belongs to ALL AMERICANS. If successful, it would be the first time any federal wildlife refuge has been opened for a major industrial development by Congress. Congress can't be representing anything other than their own private interests- that's illegal.

I OPPOSE ANY FURTHER FUNDING TO ARCTIC POWER!

Kathy Turco
Box 83305
Fairbanks, AK 99708
(907) 455-4286

Kathy Turco



ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the House Finance Committee
 Committee on HB 334 Committee Name
Bill / Subject Dated 1/22/02

I would oppose this Court track donation to Arctic Power for several reasons.

1. I view this as shilling for the oil industry, an industry that, like Alaska, doesn't have a fiscal crisis and ^{is} will be able to afford to lobby for itself.
2. If we have a fiscal crisis, it is unconscionable to give public money to a private organization in such a large amount with no strings or accountability.
3. Since the goal of Arctic Power is to lobby for development of ANWR, how about directing an equal amount to the Union of Concerned Scientists to lobby to increase the CAFE (Corporate Average Fuel Economy) standards of automobiles, which the Bush's energy plan postpones any improvement for at least 5 years. Why should we support development & exploitation of our non-renewable resources when we miss and consciously avoid getting a bigger bang for our buck?

SIGNED:

This donation makes no sense and is contrary to the public interest.

Testifier

GARY NEWMAN, repr. self

Representing

1083 ESPRADO Rd.

Fairbanks AK 99712

Address / Phone Number



ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the House Finance
Committee Name
 Committee on HB 334 Dated 22 Jan 2002
Bill / Subject

My name is Francis Mauer
 I live at 791 Redpoll Ln, Fairbanks AK.
 I am opposed to giving any more of our State money to Arctic
 Power for lobbying to open the Arctic National Wildlife Refuge to
 oil development. Already many millions of public funds have
 been poured down this proverbial rat hole with essentially
 no requirements for accountability. This has become a
 perversion of where the politicians are feeding a
 special interest with our money. At a time when
 we are facing serious budget problems, I expect my
 share of the State's money to be used more wisely.
 How about helping rural communities with wind
 generation systems which would break the cycle
 of costly power coupled with pollution from
 leaking fuel tanks. Please Vote No on HB334

SIGNED:

Francis Mauer
 Testifier

Representing

791 Redpoll Ln
 Address / Phone Number

Fairbanks AK 99712
455-6829



Arctic Power ANWR Program 2002

ANWR:
JOBS AND ENERGY
FOR AMERICA

ARCTIC POWER
1049 West 5th Avenue, Suite 102
Anchorage, Alaska 99501
(907) 274-2697
Fax (907) 274-2706
<http://www.anwr.org>

203 Maryland Avenue, N.E.
Washington, D.C. 20002
(202) 544-5363
Fax (202) 544-8616
<http://www.anwr.org>

Assumptions

- Legislation to open the Coastal Plain of ANWR **can** be passed in early 2002
- This legislation **must** pass the Senate before April of 2002 to avoid entanglement with election year politics
- Arctic Power faces a need for 3 months of funding to complete its task

Monthly Expenditures

\$500,000.00

Routine monthly expenses maintaining Washington, DC offices and additional expenses of campaign in Anchorage. Professional consultants, including DC campaign coordination, coalition management, and grassroots campaign assistance, and attorneys. This budget averages approximately \$170,000 per month.

Campaign Expenditures

\$500,000.00

Print and radio ads in 11 targeted states, grassroots campaign, telephone patch-throughs to Senate offices, etc.

\$350,000.00

Media preparation, congressional notices, press releases

\$80,000.00

Polling

\$40,000.00

DC travel for Hill visits

\$30,000.00

TOTAL AMOUNT REQUESTED

\$1,000,000.00



ANWR:

JOBS AND ENERGY
FOR AMERICA

ARCTIC POWER

1049 West 5th Avenue, Suite 102
Anchorage, Alaska 99501
(907) 274-2697
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<http://www.anwr.org>

203 Maryland Avenue, N.E.
Washington, D.C. 20002
(202) 544-5363
Fax (202) 544-8616
<http://www.anwr.org>

3 January 2001

To: Kim Duke
Executive Director

From: Roger Herrera
DC Consultant

RE: 'Outside' funds pledged and paid for ANWR campaign
advertising

The Jobs Power (union coalition) 'pot' for open ANWR advertising has been funded, to date, as follows:

\$150,000	Arctic Power
\$100,000	The industry, pro-Energy Alliance
\$300,000	Committed funds from labor unions, of which \$70,000 has been paid

Additionally, the Teamsters have already expended in excess of \$100,000 on the ANWR campaign.

Thus, we have support from non-Arctic Power sources of between \$475,000 and \$600,000. I would predict that the 'outside' money will increase beyond these pledged sums before we are finally successful in opening the Coastal Plain.

JEFF BINGAMAN, New Mexico, Chairman

DANIEL K. AKAKA, Hawaii
 BYRON L. DORGAN, North Dakota
 BOB GRAMM, Florida
 JON HYDEN, Oregon
 TIM JOHNSON, South Dakota
 SY L. LANDRIEU, Louisiana
 J. BAYH, Indiana
 ANNE FEINSTEIN, California
 CHARLES E. SCHUMER, New York
 MARIA CANTWELL, Washington
 THOMAS R. CARPER, Delaware

FRANK R. MURKOWSKI, Alaska
 PETE V. DOMENICI, New Mexico
 DON NICLES, Oklahoma
 LARRY E. CRAIG, Idaho
 BEN NIGHTHORSE CAMPBELL, Colorado
 CRAIG THOMAS, Wyoming
 RICHARD C. SHELBY, Alabama
 DONALD BURNS, Montana
 JON KYL, Arizona
 CHUCK HAGEL, Nebraska
 GORDON SMITH, Oregon

ROBERT M. SIMON, STAFF DIRECTOR
 SAM E. FOWLER, CHIEF COUNSEL
 BRIAN P. WALSHAK, REPUBLICAN STAFF DIRECTOR
 JAMES P. BERRNE, REPUBLICAN CHIEF COUNSEL

United States Senate

COMMITTEE ON
 ENERGY AND NATURAL RESOURCES

WASHINGTON, DC 20510-5150

ENERGY.SENATE.GOV

December 13, 2001

The Honorable Rick Halford
 Senate President
 State Capitol, Room 107
 Juneau, AK 99801-1182

Dear Mr. President:

The political battle to open the coastal plain of the Arctic National Wildlife Refuge remains active and viable. It is our expectation that the long awaited Senate debate on an energy bill that includes ANWR will be initiated when Congress resumes in January, 2002, after the Christmas recess.

We do not expect the vote to be an easy one because the Leader of the Senate, Mr. Daschle, will probably not concede us a straight up and down vote on ANWR. Consequently, we may need 60 senate votes to prevail.

It is our opinion that we can win this fight, but only if the support from the State of Alaska, Arctic Power and the labor unions continues unabated, both with their lobbying efforts in Washington D.C. and with the grass roots support across the Nation.

The issue could not have passed in the House of Representatives without the active input from the State and those pro-ANWR groups. Their efforts in the Senate have been very successful but were thwarted by the anthrax induced closure of the Senate office buildings since October.

To provide an example of how we have progressed in the past couple months, attached is a summary of recent polling and a copy of a public opinion strategy poll which was conducted between December 4th and 6th. Clearly, public opinion continues to make a shift in a favorable direction for drilling in ANWR.

The teams are in place, but such an intense effort requires money over and above the funds raised from private donations. As such, we ask for your continued financial support of Arctic Power.

We all realize how opening ANWR can transform Alaska's future economy. It is also critical to our national security - as President Bush has appropriately expressed. We have White House support, we have a majority of votes in the Senate, but financial help from Alaska remains critical to overcoming the opposition. We can and must win this issue, and we look forward to your generous and timely help to Arctic Power.

Sincerely,

A handwritten signature in black ink that reads "Frank H. Murkowski". The signature is written in a cursive, slightly slanted style.

Frank H. Murkowski
United States Senator

cc: The Honorable Brian Porter
The Honorable Tony Knowles

JEFF BINGAMAN, New Mexico, Chairman

DANIEL K. AKAKA, Hawaii
BYRON L. DORGAN, North Dakota
BOB ORAHAM, Florida
RON WYDEN, Oregon
TIM JOHNSON, South Dakota
VYV L. LANDRYEU, Louisiana
AN BAYH, Indiana
JANIE PEINSTEIN, California
CHARLES E. SCHLAYER, New York
MARIA CANTWELL, Washington
THOMAS R. CARPER, Delaware

FRANK H. MURKOWSKI, Alaska
PETE V. DOMENICI, New Mexico
DON NICKLES, Oklahoma
LARRY E. CRAIG, Idaho
BEN NIGHTHORSE CAMPBELL, Colorado
CRAIG THOMAS, Wyoming
RICHARD C. SHULSBY, Alabama
CONRAD BURNS, Montana
JOH KYL, Arizona
CHUCK HAGEL, Nebraska
GORDON SMITH, Oregon

ROBERT M. SIMON, STAFF DIRECTOR
SAM E. FOWLER, CHIEF COUNSEL
BRIAN P. MALMAN, REPUBLICAN STAFF DIRECTOR
JAMES P. BEIRNE, REPUBLICAN CHIEF COUNSEL

United States Senate

COMMITTEE ON
ENERGY AND NATURAL RESOURCES

WASHINGTON, DC 20510-6150

ENERGY.SENATE.GOV

December 13, 2001

The Honorable Brian Porter
Speaker of the House
State Capitol, Room 208
Juneau, AK 99801-1182

Dear Mr. Speaker:

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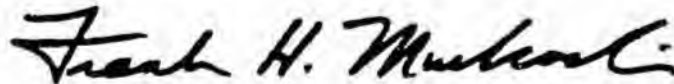
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The teams are in place, but such an intense effort requires money over and above the funds raised from private donations. As such, we ask for your continued financial support of Arctic Power.

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Sincerely,

A handwritten signature in black ink that reads "Frank H. Murkowski". The signature is written in a cursive style with a large, prominent "F" and "M".

Frank H. Murkowski
United States Senator

cc: The Honorable Tony Knowles
The Honorable Rick Halford

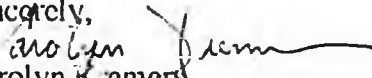
Carolyn Kremers
3754 Frenchman Rd.
Fairbanks, AK 99709
(907) 455-6557
January 22, 2001

To Whom It May Concern:

I am writing to ask that the Alaska State Legislature refrain from giving additional special funds to Arctic Power. Arctic Power is a special-interest lobbying group which does not represent the interests of many concerned Alaska citizens and taxpayers. Contrary to the information distributed on Arctic Power's website and in its current advertising campaign in the Lower 48, a significant number of Alaskans *oppose* oil development in the Arctic National Wildlife Refuge, and for a variety of legitimate reasons. It is time for the Legislature to recognize this and stop using public money to support special-interest lobbying without the public's permission. Such use of public money is misleading, unfair, unauthorized, and dishonest. Arctic Power has already received two million dollars from the Alaska Legislature without the public's permission. To give this organization an additional one million dollars--particularly at this time, when the U.S. Senate is about to discuss and vote on the Arctic Refuge drilling issue--is unconscionable. Please do not do it.

Thank you for your attention to this matter.

Sincerely,


Carolyn Kremers
Writer and University Instructor

MEMORANDUM

To: House Finance Committee hearing on HB 334
Date: January 22, 2002
From: Alaska resident of 20 years*
Opinion: OPPOSITION for any further funding to Arctic Power

My concerns are as follows:

- a) Money appropriation to Arctic Power appears illegal: under the "public purpose" clause of the Alaska Constitution, state money can only be appropriated for a public purpose. In a 1991 opinion, the Alaska Attorney General cautioned that the legislature can not appropriate state money for "partisan political purposes," because such partisan activities rarely qualify as being for a public purpose (Alaska AG Opinion, June 27, 1991).
- b) The appropriation of money to Arctic Power for lobbying appears to be an illegal attempt to avoid the Alaska Procurement Code (Alaska AG Opinion, June 15, 1995; Alaska AG Opinion, June 28, 1999; and Alaska AG Opinion, June 16, 2000).
- c) The appropriation may also violate the Fiscal Procedures Act, which prohibits the use of a legislative grant for influencing legislative action (Alaska Statutes 37.05.321).
- d) How can one nonprofit continue to receive millions of state funds when so many other nonprofits barely scrape by.
- e) Is it ethical for our state to promote the development of a wildlife refuge that belongs to ALL AMERICANS. If successful, it would be the first time any federal wildlife refuge has been opened for a major industrial development by Congress. Congress can't be representing anything other than their own private interests- that's illegal.

I OPPOSE ANY FURTHER FUNDING TO ARCTIC POWER!

Kathy Turco
Box 83305
Fairbanks, AK 99708
(907) 455-4286

Kathy Turco



ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the House Finance Committee
 Committee on HB 334 Committee Name Dated 1/22/02
Bill / Subject

I would oppose this fast track donation to Arctic Power for several reasons.

1. I view this as shilling for the oil industry, an industry that, like Alaska, doesn't have a fiscal crisis and is well able to afford to lobby for itself.

2. If we have a fiscal crisis, it is unconscionable to give public money to a private organization in such a large amount with no strings or accountability.

3. Since the goal of Arctic Power is to lobby for development of ANWR, how about donating an equal amount to the Union of Concerned Scientists to lobby to increase the CAFE (Corporate Average Fuel Economy) standards of automobiles, which the Bush's energy plan postpones any improvement for at least 5 years. Why should we support development & exploitation of our non-renewable resources when we mess and consciously avoid getting a bigger bang for our buck?

SIGNED:

This donation makes no sense and is contrary to the public interest.
 Testifier
CARY NEWMAN repr. self

Representing 1083 ESPO Rd.
Fairbanks AK 99712

Address / Phone Number



ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the House Finance
 Committee on HB 334 Dated 22 Jan 2002
Committee Name
Bill / Subject

My name is Francis Mauer
 I live at 791 Redpoll Ln, Fairbanks AK.
 I am opposed to giving any more of our State money to Arctic Power for lobbying to open the Arctic National Wildlife Refuge to oil development. Already many millions of public funds have been poured down this proverbial rat hole with essentially no requirements for accountability. This has become a perversion of where the politicians are feeding a special interest with our money. At a time when we are facing serious budget problems, I expect my share of the State's money to be used more wisely. How about helping rural communities with wind generation systems which would break the cycle of costly power coupled with pollution from leaking fuel tanks. Please Vote No on HB334

SIGNED: Francis Mauer
 Testifier

Representing
791 Redpoll Ln
 Address / Phone Number
Fairbanks AK 99712
455-6829

Subject: Objection to HB 334

Date: Tue, 22 Jan 2002 10:11:24 -0900

From: "Bobbie Ritchie" <ritchie@mosquitonet.com>

To: <Fran_Zarling@legis.state.ak.us>

TO: House Finance Committee
FROM: Bob Ritchie
RE: HB 334
DATE: 22 January 2002

Dear Committee Members,

I am writing to express my opposition to HB 334, which would appropriate another 1 million dollars to Arctic Power, a non-profit lobbying our federal government to open ANWR to oil and gas development. My objections are straightforward:

1. At a time when our Governor has recommended a state tax to relieve our deficit, we should be cautious in making such generous contributions to specific non-profits. I would like to see a full accounting of where the original 2 million grant was spent and how it is serving all Alaskans before I even thought about another allotment.
2. The rallying cry around opening ANWR seems to be 'more jobs', and therefore an allotment such as this might be viewed as a way to stimulate the economy and eventually increase jobs. I would prefer, however, that the million dollars be used now to explore training and outreach for Alaskans in ailing industries including fisheries, timber, and agriculture.
3. I am not sure what the current poll shows for those for and against opening ANWR to oil development, but if it is split as I imagine, I think it only fair for our legislature to split support between non-profits representing each of these distinct sides. In other words, you need to consider giving 50% of your appropriation to non-profit organizations, which support the eco-tourism industry, an important job market in our state. This industry might be damaged by oil development in ANWR.

Finally, I think this continues to be an unusual precedent that all Alaskans may pay for in the future. I think the oil companies can and will offer their own financial support for this process. Arctic Power should be soliciting directly from the oil companies.

Sincerely,
Robert J. Ritchie
2671 Black Sheep Road
Fairbanks, Alaska 99709
(907) 479-2694

Testimony of Jim Sykes to House Finance Committee January 22, 2002
RE: HB 334

Chairmen, Members of the Committee,

Thank you for the opportunity to address HB334. My name is Jim Sykes, founder of Oilwatch Alaska, ~~which~~

First, the financial ramifications of Arctic Refuge oil. If the Arctic Refuge were opened for drilling, almost two barrels of oil would have to be produced to earn the same amount of royalties we now get out of *one* produced barrel. Senator Murkowski told the Palmer Chamber of Commerce, last Wednesday, the maximum royalty the state could expect from Arctic Refuge oil is 50%--that translates to more than a 44% loss of revenue ^{per barrel} compared with oil produced on state lands.

The oil industry, along with federal and state governments, project another 30 years of oil development from lands West of the Arctic Refuge. Add in West Sak heavy oil, which the U.S. Energy Information Administration estimates has three to six billion barrels of potentially recoverable oil, and the estimate rises to 40 years. Additionally, 93% of North Slope's estimated natural gas reserves lie *outside* the Arctic Refuge.

Opening the Arctic Refuge would take away the state's leverage to prioritize oil development on state lands--including West Sak heavy oil and natural gas.

Let's talk about who is best able to pay for lobbying to open the Arctic Refuge, even if you think it's still a good idea. The published 2000 Annual reports from Exxon-Mobil, BP and Phillips taken together show a total net profit of 33.7 Billion dollars. When they become available, 2001 reports may have lower figures, but Exxon-Mobil and BP are among the largest and most profitable companies in the world. |

The Alaska Department of Revenue projects a total FY2003 income of 6.36 billion dollars from all sources. Spending proposals for FY2003 total 7.3 billion dollars. The difference, as you well know is roughly a billion dollar shortfall.

Now here we sit, a billion dollars in the hole, and HB 334 asks the state to spend a million dollars on something that is not needed, while the extremely profitable oil companies who benefit most, are contributing next to nothing. Let oil companies fund Arctic Power if they think opening the Refuge is so important. Let the state of Alaska meet its needs in public safety, health, education other important areas.

Now I hope you all agree that we save a million dollars by killing HB334. I'll leave you with a couple ideas that actually make money. One, enact a windfall profit sharing tax. Presently, when oil prices rise, the state share decreases. If the state and oil industry are truly partners, then rising profits should be split equally. If prices rose like they did from 1999 to 2000, it might mean an extra 1 ½ billion dollars to the State of Alaska, depending on how the tax details are structured. Respected petroleum analyst Richard Fineberg made this proposal. Secondly, corporate taxes could be equalized in a manner proposed by Representative Croft. Corporate rates would be lowered, but the special tax reduction for oil companies would be removed. (

If Alaska's oil producers are truly interested in opening the Arctic Refuge, they have billions of dollars from which they can make contributions to Arctic Power. The net profits from eight hours of oil flowing through the Trans Alaska Pipeline would provide a million dollars.

As legislators call for decreases in state spending and a hiring freeze, it would be irresponsible to waste money on Arctic Power while Alaskans struggle to meet basic government needs—public safety, education, safe roadways, and so forth.

There is plenty of oil and gas available for at least two more generations outside the Arctic Refuge. Significant new jobs and revenue can be derived from the oil producing lands that are already open. There is no need to fund Arctic Power.

NOTE: Data do not include discovered resources or undeveloped leases. Numbers cite "technically recoverable oil" not "economically recoverable oil." Figures omit the huge West Sak field and large new discoveries in NPR-A. Regardless of what sets of numbers are used, much more Alaska oil is available outside the Arctic Refuge than inside it.

Excerpt from 1999 Alaska legislative briefing by Alaska Division of Oil and Gas*

Table 3.
¹Undiscovered Onshore Resources

Field	<u>Oil (MMBO)</u>			<u>Gas (BCF)</u>		
	<u>High</u>	<u>Mean</u>	<u>Low</u>	<u>High</u>	<u>Mean</u>	<u>Low</u>
² NPR-A	N/A	542	N/A	N/A	4,128	N/A
³ NE NPR-A Planning Area	4,732	3,070	1,832	21,674	9,852	3,190
⁴ Central North Slope	N/A	2,595	N/A	N/A	14,975	N/A
⁵ Foothills	N/A	1,564	N/A	N/A	26,609	N/A
⁶ ANWR	11,919	7,782	4,325	9,297	4,230	3,134

¹ Undiscovered technically recoverable oil, gas, and natural gas liquid reserves. Composite Reserve Number were calculated based on reserve estimates provided from USGS Open-File Report 95-751. The percentage of reserves calculated for each area was determined by the amount of each play type that was distributed in that particular geographic area. Numbers include both estimates of gas associated with oil fields along with stand-alone gas fields. NGL's are included in both oil and gas totals where associated with oil and gas. 1 barrel of NGL associated with oil = 0.667 barrels of crude oil. NGL's associated with gas was converted to gas by using the formula 6,000 cubic feet of gas = 1 bbl of crude oil.

² NPR-A includes the western coastal plain area of NPR-A. It does not include either the Northeast NPR-A planning area or the foothills.

³ NE NPR-A Final EIS Vol 1, 8/98, p. III-A-25.

⁴ Used USGS 1995 Assessment Open-File Report 95-751, Tables 1 and B-1. Summed 75% of the reserves calculated for the Central area; 85% of the reserves calculated for the Eastern area for the various plays; and included the USGS total for Province small fields from their report. The Anchorage Daily News reported on Saturday 2/14/98 that ARCO Alaska, Inc. believed that 1 BBO of producible oil exists in Prudhoe-Kuparuk undiscovered satellite accumulations. Because this undiscovered oil is adjacent to existing infrastructure the Prudhoe-Kuparuk satellite plays are very economic and have a quick turnaround time from discovery to first production.

⁵ Combined the resource numbers for the foldbelt and the thrust belt. Included only 1/2 of the eastern thrust play numbers and 85% of the fold belt numbers because the rest of the numbers are included in the ANWR totals.

⁶USGS, 1998 Assessment, Appendix A.

HB

334

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

REPORTED OUT
JAN 24 2002
SENATE FINANCE COMMITTEE

DATE: 1/23/02

FURTHER:

DATE TURNED IN TO OFFICE:

01/24/02

Finance Committee considered CS FOR HOUSE BILL NO. 334(FIN)

HB 334 APPROPRIATION: GRANT TO ARCTIC POWER FOR ANWR

"An Act making appropriations for a grant to Arctic Power to promote the opening of the Arctic National Wildlife Refuge for oil and gas exploration and development; and providing for an effective date."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:

- same title
- new title

House Bill:

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

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>[Signature]</i>	✓			
<i>[Signature]</i>		✗		
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✗			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
COCHAIR: <i>[Signature]</i>	✓			
COCHAIR:				

SENATE FINANCE COMMITTEE
-2000 COMMITTEE ACTION

1/24/02

Bill Number	HB 334		
Amendment	#		
Motion	move from Committee		
<u>Motion by</u>	Ward		
<u>Objection by</u>	Austerman		
Removed			
<u>Second Objection by</u>			
<u>Committee Member</u>	<u>Y</u>	<u>Vote</u>	<u>N</u>
Senator Leman	✓		
Senator Olson	✓		
Senator Ward	✓		
Senator Wilken	✓		
Senator Austerman			✓
Senator Green	✓		
Senator Hoffman	✓		
Co-Chair Donley	✓		
Co-Chair Kelly			
<u>Tally</u>			
Yea	7		
Nay	1		
Absent			
<u>MOTION</u>	PASS		

SENATE FINANCE

COMMITTEE

Amendment Number: #1

Bill Number: HB 334

Sponsor: Hoffman Date: 1/24/02

Logged In By: Mindy

BY: SENATOR

AMENDMENT

OFFERED IN SENATE FINANCE
TO: CSHB 334 (FIN)

HOFFMAN

Page 1, line 2, following "development"

INSERT: making an appropriation for tourism marketing programs; making an appropriation for salmon marketing programs; and

Page 2, following line 2:

INSERT NEW BILL SECTION TO READ:

* Sec. 2. TOURISM INDUSTRY ASSISTANCE PACKAGE. (a) The sum of \$800,000 is appropriated from the general fund to the Department of Community and Economic Development for the fiscal years ending June 30, 2002, and June 30, 2003, for payment as a grant under AS 37.05.316 to the Alaska Travel Industry Association for additional tourism marketing efforts to mitigate the economic impacts to the Alaska tourism industry from the September 11, 2001, terrorist attacks. The amount appropriated in this subsection includes \$250,000 for international tourism marketing.

(b) The sum of \$200,000 is appropriated from the general fund to the Department of Transportation and Public Facilities, Alaska Marine Highway system, for the fiscal years ending June 30, 2002, and June 30, 2003, for additional marketing efforts to mitigate the economic impacts to the Alaska tourism industry from the September 11, 2001, terrorist attacks.

*Sec. 2. SALMON INDUSTRY ASSISTANCE PACKAGE. (a) The sum of \$1,000,000 is appropriated from the general fund to the Department of Community and Economic Development, Alaska Seafood Marketing Institute, for the fiscal years ending June 30, 2002, and June 30, 2003 to implement expanded international salmon niche marketing programs in developing overseas markets, to conduct strategic salmon market analysis, and for grants to develop and support regional salmon niche marketing programs.

Renumber following bill sections accordingly.

Page 2, line 3, following "made by"

INSERT: Sec. 1 of

SENATE FINANCE COMMITTEE
1/24/2002 COMMITTEE ACTION

Bill Number	HB 334		
Amendment	#1		
Motion	adopt		
<u>Motion by</u>	Hoffman		
<u>Objection by</u>	Olson/Austerman		
<u>Removed</u>			
<u>Second Objection by</u>			
<u>Committee Member</u>	Y	Vote	N
Senator Austerman			✓
Senator Green			✓
Senator Hoffman	✓		
Senator Leman			✓
Senator Olson	✓		
Senator Ward			✓
Senator Wilken			✓
Co-Chair Donley			✓
Co-Chair Kelly			✓
<u>Tally</u>			
Yea	2		
Nay	6		
Absent	1		
MOTION	FAIL		

REPRESENTATIVE
BILL WILLIAMS
Co-Chair
(907) 465-3424
Fax: (907) 465-3793

INTERIM ADDRESS
50 Front Street, Suite 203
Ketchikan, Alaska 99901
(907) 247-4627
Fax (907) 225-7157

Alaska State Legislature
House Finance Committee

State Capitol, Juneau, Alaska 99801-1182

REPRESENTATIVE
ELDON MULDER
Co-Chair
(907) 465-2547
Fax: (907) 465-3518

INTERIM ADDRESS
716 W. 4th Avenue
Anchorage, Alaska 99501
(907) 269-0265
Fax: (907) 269-0264

HOUSE BILL 334

Appropriation to Arctic Power to Promote Opening ANWR

CSHB 334 appropriates \$1,100,000 to Arctic Power to use in its campaign to secure necessary support in the United States Senate to pass legislation opening ANWR to oil exploration. The energy bill will be considered early in this session so it is important that Arctic Power be active in its promotion of opening ANWR in January and February of this year.

HB 334 reappropriates \$700,000 in unused funds from the gas pipeline study authorized through the Legislative Budget and Audit Committee along with \$400,000 from the general fund. Included in the \$400,000 is \$100,000 for video project on the value of opening the arctic plain by the City of Kaktovik

With the growing fiscal gap in Alaska's state budget, and the long term decrease in state revenue from existing fields, it is imperative we develop additional new fields in the future. ANWR is an important part of our fiscal future.

This appropriation will help Alaska work effectively toward that goal.



Arctic Power ANWR Program 2002

ANWR:
JOBS AND ENERGY
FOR AMERICA

ARCTIC POWER
1049 West 5th Avenue, Suite 102
Anchorage, Alaska 99501
(907) 274-2697
Fax (907) 274-2706
<http://www.anwr.org>

203 Maryland Avenue, N.E.
Washington, D.C. 20002
(202) 544-5363
Fax (202) 544-8616
<http://www.anwr.org>

Assumptions

- Legislation to open the Coastal Plain of ANWR **can** be passed in early 2002
- This legislation **must** pass the Senate before April of 2002 to avoid entanglement with election year politics
- Arctic Power faces a need for 3 months of funding to complete its task

Monthly Expenditures

\$500,000.00

Routine monthly expenses maintaining Washington, DC offices and additional expenses of campaign in Anchorage. Professional consultants, including DC campaign coordination, coalition management, and grassroots campaign assistance, and attorneys. This budget averages approximately \$170,000 per month.

Campaign Expenditures

\$500,000.00

Print and radio ads in 11 targeted states, grassroots campaign, telephone patch-throughs to Senate offices, etc.

\$350,000.00

Media preparation, congressional notices, press releases

\$80,000.00

Polling

\$40,000.00

DC travel for Hill visits

\$30,000.00

TOTAL AMOUNT REQUESTED

\$1,000,000.00



3 January ~~2001~~ 2002

ANWR:
JOBS AND ENERGY
FOR AMERICA

To: Kim Duke
Executive Director

ARCTIC POWER
1049 West 5th Avenue, Suite 102
Anchorage, Alaska 99501
(907) 274-2697
Fax (907) 274-2706
<http://www.anwr.org>

From: Roger Herrera
DC Consultant

203 Maryland Avenue, N.E.
Washington, D.C. 20002
(202) 544-5363
Fax (202) 544-8616
<http://www.anwr.org>

RE: 'Outside' funds pledged and paid for ANWR campaign advertising

The Jobs Power (union coalition) 'pot' for open ANWR advertising has been funded, to date, as follows:

\$150,000	Arctic Power
\$100,000	The industry, pro-Energy Alliance
\$300,000	Committed funds from labor unions, of which \$70,000 has been paid

Additionally, the Teamsters have already expended in excess of \$100,000 on the ANWR campaign.

Thus, we have support from non-Arctic Power sources of between \$475,000 and \$600,000. I would predict that the 'outside' money will increase beyond these pledged sums before we are finally successful in opening the Coastal Plain.

JEFF BLUMENBERG, New Mexico, Chairman

DANIEL K. AKAKA, Hawaii
 BYRON L. DORGAN, North Dakota
 BOB GRAHAM, Florida
 RON WYDEN, Oregon
 TIM JOHNSON, South Dakota
 KY L. LANDRIEU, Louisiana
 JIM BAYH, Indiana
 JANE FENSTEIN, California
 CHARLES E. SCHUMER, New York
 MAURA CANTWELL, Washington
 THOMAS R. CARPER, Delaware

FRANK R. BLURKOWSKI, Alaska
 PETE V. DOMENICI, New Mexico
 DON NICOLAS, Oklahoma
 LARRY E. CRAIG, Idaho
 BEN HIGHTHORSE CAMPBELL, Colorado
 CRAIG THOMAS, Wyoming
 RICHARD C. SHELBY, Kentucky
 CONRAD BURNS, Missouri
 JON KYL, Arizona
 CHUCK HAGEL, Nebraska
 GORDON SMITH, Oregon

ROBERT M. SIMON, STAFF DIRECTOR
 SAM E. FOWLER, CHIEF COUNSEL
 BRIAN P. MALNAK, REPUBLICAN STAFF DIRECTOR
 JAMES P. BERRNE, REPUBLICAN CHIEF COUNSEL

United States Senate

COMMITTEE ON
 ENERGY AND NATURAL RESOURCES

WASHINGTON, DC 20510-6150

ENERGY.SENATE.GOV

December 13, 2001

The Honorable Rick Halford
 Senate President
 State Capitol, Room 107
 Juneau, AK 99801-1182

Dear Mr. President:

The political battle to open the coastal plain of the Arctic National Wildlife Refuge remains active and viable. It is our expectation that the long awaited Senate debate on an energy bill that includes ANWR will be initiated when Congress resumes in January, 2002, after the Christmas recess.

We do not expect the vote to be an easy one because the Leader of the Senate, Mr. Daschle, will probably not concede us a straight up and down vote on ANWR. Consequently, we may need 60 senate votes to prevail.

It is our opinion that we can win this fight, but only if the support from the State of Alaska, Arctic Power and the labor unions continues unabated, both with their lobbying efforts in Washington D.C. and with the grass roots support across the Nation.

The issue could not have passed in the House of Representatives without the active input from the State and those pro-ANWR groups. Their efforts in the Senate have been very successful but were thwarted by the anthrax induced closure of the Senate office buildings since October.

To provide an example of how we have progressed in the past couple months, attached is a summary of recent polling and a copy of a public opinion strategy poll which was conducted between December 4th and 6th. Clearly, public opinion continues to make a shift in a favorable direction for drilling in ANWR.

The teams are in place, but such an intense effort requires money over and above the funds raised from private donations. As such, we ask for your continued financial support of Arctic Power.

ENERGY & NAT RES

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We all realize how opening ANWR can transform Alaska's future economy. It is also critical to our national security - as President Bush has appropriately expressed. We have White House support, we have a majority of votes in the Senate, but financial help from Alaska remains critical to overcoming the opposition. We can and must win this issue, and we look forward to your generous and timely help to Arctic Power.

Sincerely,



Frank H. Murkowski
United States Senator

cc: The Honorable Brian Porter
The Honorable Tony Knowles

JEFF BLUMENTHAL, New Mexico, Chairman

DANIEL K. AKAKA, Hawaii
BYRON L. DORGAN, North Dakota
BOB GRAHAM, Florida
RON WYDEN, Oregon
TIM JOHNSON, South Dakota
VYV L. LANDRIVEU, Louisiana
AN BAYM, Indiana
JANIE FEINSTEIN, California
CHARLES E. SCHUMER, New York
MARIA CANTWELL, Washington
THOMAS R. CARPER, Delaware

FRANK R. MURKOWSKI, Alaska
PETE V. DOMENICI, New Mexico
DON NICLES, Chairman
LARRY E. CRAIG, Idaho
BEN NORTON, Colorado
CRAIG THOMAS, Wyoming
RICHARD C. SHELBY, Alabama
CONRAD BURNS, Montana
JOH KYL, Arizona
CHUCK HAGEL, Nebraska
GORDON SMITH, Oregon

ROBERT M. SIMON, STAFF DIRECTOR
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COMMITTEE ON
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WASHINGTON, DC 20510-6150

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Speaker of the House
State Capitol, Room 208
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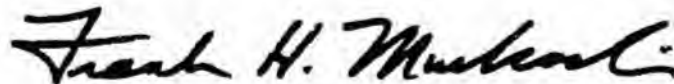
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Sincerely,

A handwritten signature in black ink that reads "Frank H. Murkowski". The signature is written in a cursive style with a prominent "F" and "M".

Frank H. Murkowski
United States Senator

cc: The Honorable Tony Knowles
The Honorable Rick Halford



Arctic Power ANWR Program 2001

ANWR:
JOBS AND ENERGY
FOR AMERICA

Grant 02-D0-001 Expenditure Summary

ARCTIC POWER

1049 West 5th Avenue, Suite 102
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Washington, D.C. 20002
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Fax (202) 544-8616
<http://www.anwr.org>

DC Education / Travel	\$1,736,450.68
Media management, development, placement	\$1,135,334.97
Coalition & grassroots management, polling	\$254,228.85
Professional consultants	\$129,261.52
Legal services	\$186,904.17
Office expenditures / travel	\$30,721.17
Target States	\$43,190.41
ANWR Tours	\$36,086.14
Communications Materials	\$11,162.97
Media	\$18,238.17
Union Outreach	\$18,853.57
Total:	\$1,863,981.94
5% Administration Fee	\$93,199.10
TOTAL:	\$1,957,181.04

Testimony of Jim Sykes to Senate Finance Committee
RE: HB 334 Funding for Arctic Power

Chairmen, Members of the Committee:

Thank you for the opportunity to address HB334. My name is Jim Sykes, founder of Oilwatch Alaska. I appear before you to oppose spending public funds for lobbying by Arctic Power.

I hope you consider some of the financial downsides of Arctic Refuge oil. If the Arctic Refuge were opened for drilling, almost two barrels of oil would have to be produced to earn the same amount of royalties we now get out of *one* produced barrel. Senator Murkowski told the Palmer Chamber of Commerce, January 16th, the maximum royalty the state could expect from Arctic Refuge oil is 50%--that translates to more than a 44% loss of revenue *per barrel* compared with oil produced on state lands.

Government and industry estimates project another 30 years of oil development from lands West of the Arctic Refuge. Add in West Sak heavy oil, which the U.S. Energy Information Administration estimates has three to six billion barrels of potentially recoverable oil, and the estimate rises to 40 years. Additionally, 93% of North Slope's estimated natural gas reserves lie *outside* the Arctic Refuge.

Opening the Arctic Refuge takes away the state's leverage to prioritize oil development on state lands--including West Sak heavy oil and natural gas.

In terms of lobbying, consider this: The published 2000 Annual reports from Exxon-Mobil, BP and Phillips taken together show a total net profit of 33.7 Billion dollars. When they become available, 2001 reports may have lower figures, but Exxon-Mobil and BP are among the largest and most profitable companies in the world.

The Alaska Department of Revenue projects a total FY2003 income of 6.36 billion dollars from all sources. Spending proposals for FY2003 total 7.3 billion dollars. The difference, as you well know is roughly a billion dollar shortfall.

Now here we sit, a billion dollars in the hole, and HB 334 asks the state to spend a million dollars on something that is not needed, while the extremely profitable oil companies who benefit most, are contributing next to nothing. Let oil companies fund Arctic Power if they think opening the Refuge is so important. Let the state of Alaska meet its needs in public safety, health, education other important areas.

Ideas that would actually make money include a Windfall Equal Sharing Tax ("WEST"), designed to allow the State to share equally in incremental revenues when oil prices increase. windfall profit sharing tax. Presently, when oil prices rise, the state share decreases. If the state and oil industry are truly partners, then rising profits should be split equally. If prices rose like they did from 1999 to 2000, it could mean an extra 1 1/2 billion dollars to the State of Alaska, depending on how the tax details are structured. Respected petroleum analyst Richard Fineberg made this proposal. Secondly, corporate taxes could be equalized in a manner proposed by Representative Croft. Corporate rates would be lowered, but the special tax reduction for oil companies would be removed.

If Alaska's oil producers are truly interested in opening the Arctic Refuge, they have billions of dollars from which they can make contributions to Arctic Power. The net profits from eight hours of oil flowing through the Trans Alaska Pipeline would provide a million dollars.

As legislators call for decreases in state spending and a hiring freeze, it would be irresponsible to waste money on Arctic Power while Alaskans struggle to meet basic government needs—public safety, education, safe roadways, and so forth.

There is plenty of oil and gas available for at least two more generations outside the Arctic Refuge. Significant new jobs and revenue can be derived from the oil-bearing lands that are already open. It would be irresponsible to give public money to Arctic Power. Please don't do it.

Thank you.



Jim Sykes,

PO Box 696 Palmer, AK 99645

Subject: [Fwd: Opposed to HB 334]

Date: Thu, 24 Jan 2002 09:56:53 -0900

From: Paul Caldwell <Paul_Caldwell@legis.state.ak.us>

To: Mindy_Rowland@legis.state.ak.us

Mindy,
Received this from the Legislative Finance web page.
Paul

Subject: Opposed to HB 334

Date: Thu, 24 Jan 2002 10:18:19 -0800 (PST)

From: Jeralyn and Bruce <bljh_mtndog@yahoo.com>

To: LegFinance@legis.state.ak.us

Dear honorable members of the State Finance Committee;

I am alarmed that the State is considering giving an additional one million dollars to Arctic Power for lobbying. This would be a poor use of public funds. The State has spent enough funding this private lobbying organization. Any additional funding for Arctic Power should come from private industry not the dwindling State coffers.

Spending the million dollars on our schools, which so desperately need funding, would be a much better investment for the State of Alaska than giving it to Arctic Power.

Thank you,
Sincerely,
Jeralyn Hath
P.O. Box 137
Denali Pk, AK 99755

Do You Yahoo!?
Great stuff seeking new owners in Yahoo! Auctions!
<http://auctions.yahoo.com>

HB 334-APPROP: GRANT TO ARCTIC POWER FOR ANWR
SENATE FINANCE COMMITTEE

SIGN - IN

✓ NAME: Nico Bus Subject/Bill No: HB 334
Co./Dept./Title: DNR Phone: 465-2406
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

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
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

SITE: ANCHORAGE LIO

COMMITTEE: Senate Finance

DATE: 1-24-2002

SUBJECT OF MEETING:

HB 334

UPDATE #:



PLEASE SIGN IN

P R I N T YOUR NAME

ADDRESS (MAILING & ZIP)

REPRESENTING

DO YOU WANT
TO TESTIFY?
Y or N

P R I N T YOUR NAME	ADDRESS (MAILING & ZIP)	REPRESENTING	DO YOU WANT TO TESTIFY? Y or N
✓ Steve Conn		AKPIRG	Yes
Email address:			
Email address:			
Email address:			
Email address:			
Email address:			
Email address:			
Email address:			
Email address:			
Email address:			
Email address:			
Email address:			

SITE: FAIRBANKS LIO

COMMITTEE: (S) Finance

DATE: 01/24/02

SUBJECT OF MEETING:

HB 334

UPDATE #: 3



PLEASE SIGN IN

DO YOU WANT

PRINT YOUR NAME

ADDRESS (MAILING & ZIP)

REPRESENTING

TO TESTIFY?

Y or N

PRINT YOUR NAME	ADDRESS (MAILING & ZIP)	REPRESENTING	TO TESTIFY? Y or N
✓ Fred Brown		Fbx CLC ^{Central} Labor Council	Y
Email address:		Member	
✓ John Brown		President ↑	Y
Email address:			
✓ Don Lowry			Y
Email address:			
✓ Luci Beach			Y
Email address:			
✓ Leon Tomasic	retired construction worker		Y
Email address:			
✓ Debbie Miller			Y
Email address:			

