

ALASKA LEGISLATURE

HOUSE and SENATE FINANCE COMMITTEE FILES, 2005-2006 2904



January 21, 2006

Representative Jay Ramras  
State Capitol, Room 104  
Juneau, Alaska 99801-1182

Dear Representative Ramras:

I am writing to request your help on House Bill 307 "An Act Creating the Knik River Public Area". HB 307 was introduced last session by Representative Bill Stoltze. Companion bill SB197 was introduced by Senator Charlie Huggins. The bills were referred to the Resource and Finance committees.


With several key amendments, this legislation can be an appropriate means to resolve problems currently occurring on state lands in the Knik River basin. **Without amendments, HB 307 should not pass.** Alternate legislation should also be considered, with the focus on securing daily (seasonal) enforcement under a bailable offense system, and directing DNR to establish a collaborative planning group of citizens, users and agencies. Enclosed please find the following:

- Map of proposed Knik River Public Use Area
- Photographic documentation of values, problems and solutions
- History of research and public process for the Knik River Area
- Amendments for House Bill 307, if deliberated
- Comparative PUA statutes
- About the Knik River Watershed Group
- Comments, letters and resolutions

As Co-Chair of the House Resources Committee, we are confident that your leadership will result in a good outcome for users and residents of the Knik River area. We support action that will ensure desperately needed enforcement, healthy wildlife and scenic resources for our children's children to enjoy, peace of mind for nearby residents, and inclusion of all users. Residents and users stand ready to volunteer!

Thank you very much for your time.

Respectfully,

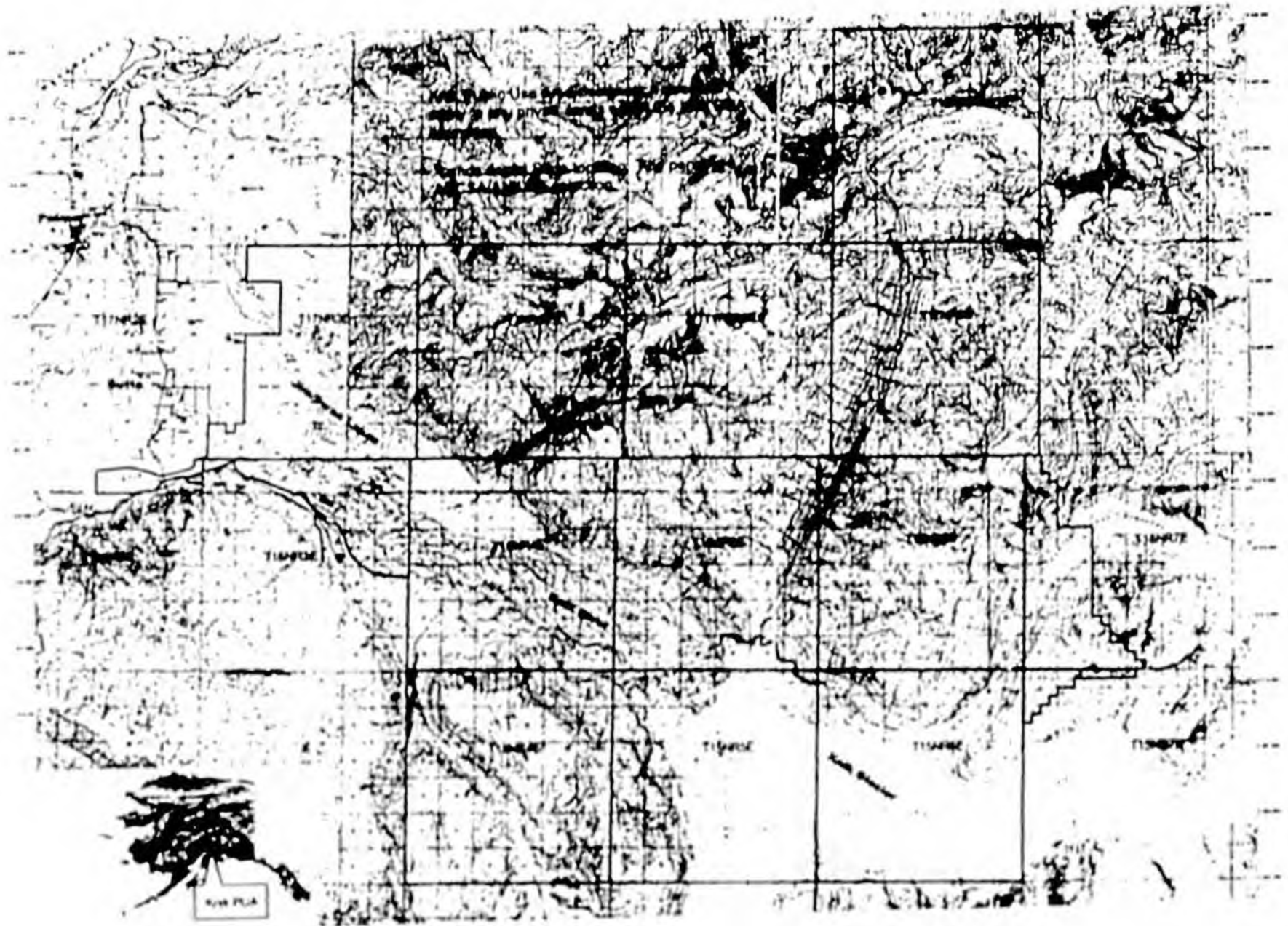
  
Cecily Fntz, Chair  
Knik River Watershed Group

Enclosures

To sustain the Knik River Watershed to ensure use and enjoyment for current and future generations.

<http://knikriver.org> • [info@knikriver.org](mailto:info@knikriver.org) • (907) 746-0558 • P.O. Box 105 Palmer, Alaska 99645

Proposed Knik Public Use Area



# FUN IN THE KNIK RIVER WATERSHED

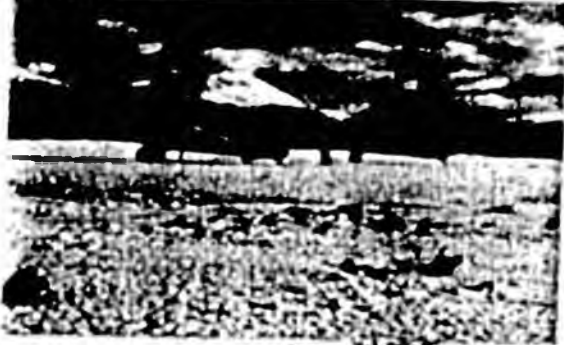
R Howard



S. Rowland



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R Howard

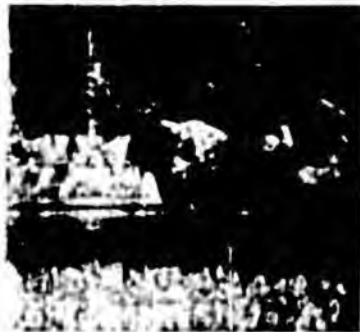
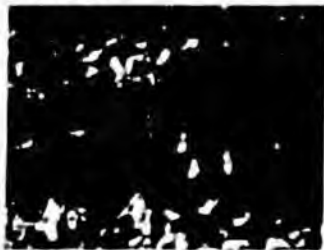
# LIFE IN THE KNIK RIVER WATERSHED

R Howard

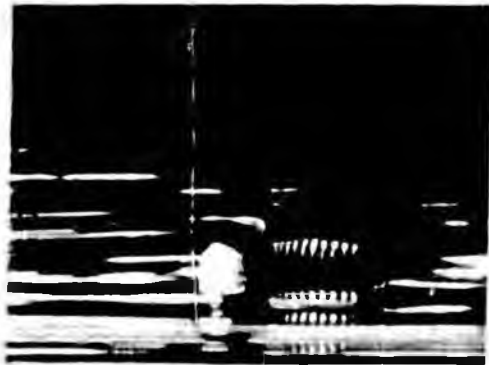


Doug Lloyd

R Howard



Doug Lloyd



Doug Lloyd



R Howard



# PROBLEMS IN THE KNIK RIVER WATERSHED



Vandalism

Pollution

Littering

Unsafe shooting

User/Resident conflicts

Resource Impairment

Wildlife Violations

No outhouses in high use areas

Significant increase in use

## PROBLEMS IN THE KNIK RIVER WATERSHED



Ted Cox



R Howard



R Howard



N Moore



N Moore

HB 307 and SB 197 (page 3 line 5) preserve all existing motorized trails before planning and evaluation for impacts on residents and resources.

With the amendments suggested by the Knik River Watershed Group, ORV use is ensured in Purposes Item (1) and Incompatible Uses Item (d).

## SOLUTIONS



Denali Highway, Cantwell

Funding

Enforcement

Collaborative Planning

Education



Chena State Rec Area, Fairbanks

Glacier Bay



Help residents, users and agencies get a great start with...

**GREAT LEGISLATION**

## KNIK RIVER WATERSHED

### Twenty-five years of research and public process - Let's act now

Knik Arm Wetlands Study - 1981. (Alaska Biological Research for USF&W) Proposed the Jim-Swan area be an Area Meriting Special Attention noting high density use by ducks, year-round moose concentrations and intensive black bear use. "Long term plans, however, will have to include temporal and spatial zoning practices which will reduce conflicts between recreational user groups as well as between recreational users and wildlife."

SouthCentral Recreation Action Plan - 1984. (Alaska Departments of Natural Resources and Fish and Game for Governor Bill Sheffield). Identified Jim/Swan wetlands as "critical importance for habitat" and wrote a senate bill establishing Jim/Swan Lakes State Recreation Area.

Susitna Area Plan - 1985. (DNR, F&G) "The Jim-Swan lakes area will be managed to provide a variety of recreation, including hunting and fishing. Because of its high value for these uses, its proximity to large population centers and its vulnerability to overuse and environmental degradation, the Jim-Swan area should be designated by the legislature as a State Recreation Area."

Resource Assessment of the Knik Glacier Area - 1993. (USDA/SCS, Palmer Soil and Water Conservation District, Mat-Su Resource Conservation & Development, Inc). "The area supports healthy populations of moose, Dall sheep and black bear. Other large animals inhabiting the Knik River drainage include mountain goats, wolves, coyotes, and brown bears. Wetlands in the Jim-Swan Lake area are important habitat for spawning salmon, winter forage for moose, and as a staging and breeding area for waterfowl. The south facing slopes on the northern side of the valley are important lambing areas for Dall sheep."

Ecological Review of the Lake George National Natural Landmark - 1996 [The Landmark contains sections of Knik River/Jim-Swan region] (Alaska Natural Heritage Program, US Dept of Interior, NPS, Alaska Natural Landmark Program). The program was established to identify, recognize and encourage the preservation of the best remaining examples of the geological and biological features composing the Nation's natural history. "Human use levels need to be evaluated if the NNL's ecological stability is to be maintained".

Cook Inlet mapping - 2002. (Coast Guard, Cook Inlet Spill Prevention and Response, Inc, Cook Inlet Regional Citizens Advisory Council, NOAA, DNR, F&G ) Jim-Swan is sensitive as a waterfowl concentration area and receives priority protection during oil spill planning and response.

Aerial Swan Survey Data 1998-2004. (William A. Quirk, Biologist) "For the early arriving and late migrating trumpeter swans, the lakes in the Jim Creek area have a significant advantage over other lakes in the Upper Cook Inlet Region." [Refers to comparative earliest ice out/latest freeze up.]

Cooperative Management Agreement - 2003 draft. (Requested by Butte and South Knik River Community Councils). "For the Purpose of Managing Public Lands for Multiple Uses in the Jim Creek - Swan Lake - Knik River Area"

Asset Management Plan for Borough Owned Land in the Butte Area-2004 Draft (Land Design North) Designate 'Jim and Mud Lake Primitive Area...work with DNR to designate the area as a Special Use Area for summer nonmotorized use...'

BLM Draft Ring of Fire RMP/EIS - 2005. Proposes the Knik River Special Recreation Management Area to provide additional "protection of resources, specifically wildlife and fisheries".

# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES

### *DIVISION OF MINING, LAND AND WATER*

FRANK MURKOWSKI, GOVERNOR

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Anchorage, AK 99501  
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FAX: (907) 267-8904  
EMAIL: bobl@dnr.state.ak.us

April 21, 2005

Ben Mulligan  
Legislative Assistant to Representative Stoltze  
Juneau, AK

Dear Ben:

Thank you for the opportunity to review draft legislation for the Knik River Watershed. We do have a couple of comments. Specifically, we have three more substantial comments and then a few technical comments.

### **Substantial Comments**

**Emphasis on off-road vehicles.** I understand that Representative Stoltze wishes to ensure that state management maintains and enhances off-road vehicle opportunities. However, I think that the emphasis is stated in a manner that will be perceived as overly weighted toward ATV use and even may create some legal problems. I think the perception of unbalance is created by having off-road vehicle recreation named particularly in the Purpose section without mentioning most of the other uses. It can be solved by putting a general mention of other uses.

The potential legal problem may be created similarly. By providing off-road vehicles in the primary intent in subsection (1) and (3) of the intent "Purpose" Section, and then not mentioning most other uses shall be allowed until subsection (d) of the "Incompatible Use" Section, it creates the impression that those other uses are allowed only if they are compatible with the off-road motorized vehicles. I think that this impression will be controversial, and will constrain the public discussions that occur. While I understand the emphasis on off-road vehicles, I do not think that this intent is what is required.

**Subsection §180(1).** Some suggested language that would replace §180(1) is below. I hope this language makes clear an emphasis on maintaining (and enhancing) off-road vehicles use, but avoids some of the problems of intent in the current language. Either one of these might replace subsection (1):

(1) Provide an area for the public to enjoy the full spectrum of public uses including maintenance or enhancement of off-road vehicles opportunities

(1) Provide an area for the public to enjoy motorized and non-motorized uses of fish, wildlife and the land.

**DNR Comments**

Alternatively, you could have one subsection that talks about all the uses, and one subsection that indicates, "provide for the maintenance or enhancement of opportunities for motorized and non-motorized use of the area."

**Subsection §180(3).** I would eliminate the words "through off-road vehicles recreation" and go back to the Nelchina Public Use Area language of "including." Note that off-road vehicles haven't been restricted in Nelchina. The lack of this language in Nelchina hasn't created problems.

**Mention Planning Process.** It would help the Department if the legislation mentioned a planning process, as does the Nelchina. I recommend that language be added to the Management Section as follows:

§190(a). The commissioner is responsible for the management of the surface and subsurface estate within the Knik River Public Use Area consistent with the purposes of AS 41.23.180. After adequate public hearings the commissioner may designate incompatible uses consistent with 41.21.200 and shall adopt and may revise a management plan for the Knik River Public Use Area.

**Mention Education/Compliance.** The Knik River area, more than most places in the state, suffers from lack of field presence, education, and enforcement. All the junk cars around Jim Lake are the prime example. It's such a big deal in this area, that one of the major issues surrounding management of this area is how DNR will ensure compliance. I think it will help DNR greatly in the ultimate management if the legislation mentions this. I do not advocate new powers making DNR into police. We do, however, recommend that the following be added to the end of §190(a) above:

The management plan shall address mechanisms to encourage and enforce compliance with required provisions.

## Technical Comments

We have a number of technical comments. Comments that we do not believe change the intent of the legislation.

Page 2, line 19. §190(d). We recommend taking out the requirement to adopt regulations. There are lots of regulations about wetlands now. It's unclear that we need more. The management plan may provide education, move trails, etc. etc. It's unclear that specific wetland regulations are needed. Thus, we recommend that "shall adopt regulation providing for" be replaced with "the management plan for the Knik Public Use Area shall provide mechanism for"... That way, if we need regs, we can do them. If we don't, we don't have to.

Page 3, Lines 5-8. §200(c). This section requires that existing off-road trails be maintained. Some are probably not appropriate. Some may be in areas that encourage damage and should be re-routed. This section would not allow DNR to reroute the trails. Also, sometimes it is appropriate to disperse off-road use. In some locations it is typically appropriate to

accommodate it. The legislation should be silent about this level of detailed land management decisions.

We recommend that the emphasis be on maintaining existing off-road *opportunities*, rather than the exact trails. Specifically, we recommend the subsection be written to say:

The commissioner shall maintenance or enhance off road motor vehicle opportunities in the Knik Public Use Area, and shall endeavor to accommodate increased use of the public use area.

Page 3, lines 9-12. §200(f). The legislation should not restrict the DNR's regulation of firearms to these specific areas. Rather, it should restrict the regulation only to threats to public safety. Currently, the subsection reads that the firearm use must be a threat to public safety *and* in areas of high public use. DNR, especially this Division has a history of very rarely regulating guns. We just don't do it. But there are some areas, especially in the Knik Area where people are shooting across the river into residential areas. This isn't a high public use area, so it wouldn't quality. Therefore, we recommend that the subsection be changed as follows:

The commissioner may not restrict the use of weapons, including firearms, within the Knik River Public Use Area except ~~in sites of high public use such as picnic areas, boat ramps, camping grounds, and parking areas~~ when for locations where the commissioner determines that the use of weapons constitutes a threat to public safety.

If you really need to specify these areas, add "such as sites of frequent public use, picnic areas"....at the end of the sentence. But we don't think its necessary.

Page 1, lines 9-11. §180(2). The specification of fish and wildlife should be broader. We recommend the following minor change:

Protect and maintain fish and wildlife habitat including habitat for trumpeter swan nesting areas, habitats for moose, Dall sheep, and brown bear ~~and other fish and wildlife habitat~~ so that traditional public use of fish and wildlife populations may continue;

Page 3, lines 13-14. §210. "Subject to valid existing rights" is the same concept in this situation as "vacant and unappropriated. And until the state receives title, it isn't state-owned land or water. Therefore, we recommend the following minor change:

Subject to valid existing rights, ~~and the receipt of state title, the vacant and unappropriated~~ state-owned lan and water and the state land and water acquired....

Page 3, line 1-4. §200(d). I don't think you mean this to be an all-inclusive list. There is probably something left out. So, I would either change the word "involving" to "including" (which means "including but not limited to") or I would have some general, "and other recreational uses" at the end of the list.

Thanks. I hope this is helpful.  
-- Bob Loeffler



# Alaska State Legislature

Please enter into the record my testimony to the House Finance Committee

Committee name

Committee on House Bill No. 307/Knik River Public Use Area, dated April 6, 2006

Bill/Subject

I am Scott Wolfe, a South Knik River resident.

I **OPPOSE** HB307 but would support instead, the creation of a State Recreation Area or Game Refuge due to the high value of wildlife and fish habitat in such close proximity to Alaska's main population center.

Jim Creek, the 2<sup>nd</sup> largest sport fishery for silver salmon in South-Central Alaska, could be further at risk if even more use is "perpetuated and enhanced."

The section in the bill on Management (Sec. 41.23.190) needs to specifically give the commissioner, not only the responsibility, but also the funding and personnel for effective management to reach the objectives.

The section on Incompatible Uses (Sec. 41.23.200) states that "Nothing... prohibits the Department of Fish & Game from engaging in..." habitat enhancement and rehabilitation projects. When, in fact, there are two ~~po~~ limitations (1.) Money and (2.) Personnel, both of which are stretched.

As written, the section on weapon restrictions, or lack thereof, does not allow the commissioner to even address the widespread concerns of many local residents about excessive target shooting at all times of the day and night, and the use of explosives (Page 3, Lines 3-5).

To some extent, the commissioner should be able to restrict the type of weapons, regulate time of discharge, and the type of shot used in and adjacent to wetland areas. The federal government has required waterfowl hunters to use steel shot for many, many years. It's time for everyone else to be responsible and accountable for his or her actions.

I wish to reiterate, I do NOT support the creation of a Public Use Area for this critical wildlife region.

Thank you.

Signed: Scott A. Wolfe

Testifier

Self

Representing (Optional)

20390 East Birch Hill Drive, Palmer, Alaska 99645

Address

(907) 746-8008



# Alaska State Legislature

Please enter into the record my testimony to the House Finance Committee

Committee name

Committee on House Bill No. 307/Knik River Public Use Area, dated April 6, 2006

Bill/Subject

My name is Carrie Gray Wolfe. I am a South Knik River resident and wildlife biologist.

I **OPPOSE** HB307 and the redraft.

Several supporters of this bill have told me to "Move if you don't like it..." How unfortunate that my personal "rights" as a local homeowner and recreational user are discounted by another. But, sadly enough, I do have the option to leave if human disturbances continue to escalate. Yet, the swans, cranes, and many other bird species do not have that option. The Knik River drainage is a unique, critical and historic migration route. A route used long before recreational activities became a favorite pastime. It is the first and last stopover on a long route to and from Prince William Sound. Birds migrate, rest, feed, mate, and nest in the Knik River drainage.

The Jim Creek Basin, the wetlands within the proposed Public Use Area, has been designated as an "Important Bird Area" of statewide significance and nominated for global significance. Bird watching is a multi-billion dollar business. Birders will travel to this area of significance but not if the critical habitat is further destroyed by excessive target shooting and off-road vehicle use. Birds and fish, and therefore humans, are at greater risk to lead poisoning from unwarranted target shooting. HB 307 grandfathered in existing trails, allows for motorized use in critical nesting habitat, and promotes increased use before allowing managers to assess the current situation and recommend appropriate management plans. This bill prohibits the restriction or regulation of destructive, incompatible uses before a management plan is even in place.

It is essential that adequate funding be designated for enforcement, education, enhancement, protection, infrastructure, and maintenance. If the area is designated as a Public Use Area, are the State of Alaska and the local Butte residents burdened with these costs? I understand that a State Recreation Area under AS 41.21 provides the means for a user-fee system to share the costs for these services with all recreational users.

Thank you.

Signed: Carrie A. Gray Wolfe

Testifier

Self

Representing (Optional)

20390 East Birch Hill Drive, Palmor, Alaska 99645

Address

(907) 746-8008



# Alaska State Legislature

Please enter into the record my testimony to the Use Finance Comm  
Committee name

Committee on CS for HB 307, dated 4/5/06  
Bill/Subject

Signed: Randy Cano Lauren J Karro  
Testifier

Self

Representing (Optional)

26239 E Buckshot Ln, Palmer AK 99645  
Address

745-3712

Phone number

Testimony re CS for House Bill No. 307, Finance Comm.  
April 5, 2006

My name is Loren Karro. I live at 8 1/2 mile Knik River Road, within the boundaries of the proposed Public Use Area, (R16N, 4E, Sec 29 & 30) and my property lies adjacent to DNR land along the river itself. I am a trapper, hiker, hunter, guide, and former Alaska Outdoors Council member. I am in the upper river about five days a week, accessing it by ATV, snowgo, foot, skis, snowshoes or plane. I appreciate the efforts of the legislature in reviewing the Knik River Public Use Area proposal. I know that something needs to be done to protect the wildlife, habitat and scenic beauty, as well as the peace and safety of the local residents and recreationalists. I no longer feel safe accessing the north side of the river, nor do I enjoy it in light of the trash, noise, illegal activities and severe habitat degradation that I encounter. As recently as last week, I was endangered by unsafe target shooting while running my trap line on the South Knik River. And last fall right at dusk, 10 large-tired mud buster trucks drove in a parade right through my property, having cut across the river during low water and searching for a way out.

I believe that with some changes, the proposed bill can be a start to a better, safer management of the Knik River watershed. However, as written the bill cannot work to protect the area from further damage, nor is there any guarantee that resources will be available to educate the public and enforce applicable laws and regulations.

Towards this end, the management section of the bill (Sec. 41.23.19 (a)) should specifically mandate that workshops be held, and that a citizen's advisory board be created to ensure continued resident and user input. Also Sec. 41.23.200 (d) (2) should be deleted. ORV use is already ensured in two previous areas of the bill (41.23.18 (3) and 41.23.20 (d) (1)). As written this section precludes any effective rehabilitation of a good part of the north side banks and sand dune areas, as well as wet lands along the river and the springs and drainages along the upland Rippy trail. In some areas a single "trail" has spread out to hundreds of feet in width, as users sought to avoid already heavily rutted and flooded tracks. At the very least, the wording might be changed to recognize routes and uses compatible with 41.23.180, such as "As compatible with the purposes identified in 41.23.180, and in collaboration with ORV users, other recreationists and area residents, the commissioner shall preserve and enhance important ORV access corridors."

I am concerned as to how funding for education and enforcement would be allotted under the present act. Because of this, and because I believe that users should pay their share of the costs, I am not averse to changing the designation the north Knik River area into a State Recreation Area. This seems to be the best tool to ensure that proper facilities, on site management and law enforcement are provided. I don't believe that this designation is necessary or advisable for the south Knik River past the so called "man made lake" area around 1 mile Knik River Road, beyond which the river is primarily bordered by private land that restricts access.

As a MUA, the bill creates an area still in need of considerable enforcement activity. The Palmer Trooper Post statistics show that the numbers of incidents that resulted in a case has increased 148% between 2000 and 2005. They have recommended against a community patrol in the Butte area because of the danger and the distance from the Palmer Trooper Post. Burning cars, unsafe firearm discharge, and drug activity control certainly seems to outshine the problems of unsafe or unlawful campfires or motor vehicle usage, but control of all of these are needed. For instance, during the Miller's Reach fire, an extremely dry season when most available public safety resources were tied up, I twice called in to report illegal, large bonfires burning on the north side, in both cases near timbered areas and not on safe sand bars. As the committee vested with the responsibility for assessing and recommending the allotment of financial resources, I am sure that you know the problems inherent in guaranteeing that the funding for increased law enforcement activities is available.

I appreciate your time and efforts at promoting the best possible bill to deal with these problems. This is a beautiful area, rich in wildlife and flora, which many of us quietly enjoy from our windows as well as in more energetic and economically beneficial pursuits. While I enjoyed the sight of a dozen extra swans suddenly moving over to "our" side's swamp habitat last summer, I was saddened to realize that they had been driven out of the Jim Creek area during their nesting time.

Loren J Karro  
26239 E Buckshot Ln  
Palmer, AK 99645  
907-745-3712



# Alaska State Legislature

Please enter into the record my testimony to the House Finance Committee name

Committee on HB 307 Bill/Subject, dated 4/04/06

*Please see attached*

Signed Nancy Moore Testifier

Representing (Optional)

Address

Phone number

Testimony on CS HB 307  
Finance Committee April 5, 2005

I appreciate the revisions that have already been made to HB 307. There are still at least 3 more changes that I would encourage the committee to consider.

- 1) It is very important that a community advisory committee be established to guide the management of the Public Use Area and ensure that the residents concerns and needs are met.
- 2) Historic trails and access routes should be maintained but the spider web of trails created by ORVs and airboats in the wetlands and sensitive areas need to be managed. The extent of these trails, as seen from the air, is shocking. Many of the trails go in circles or have no apparent destination. The continued use of such trails compresses the wetland vegetation, alters hydrology, creates new channels for water movement and destroys plant cover. The cumulative effects of these changes can ultimately have negative affects on habitat. Because of these concerns, Item D2 on page 3 should be deleted or at the very least have the words "as compatible with purposes" inserted into the text.
- 3) Since it is so important to manage activities in the Knik River Basin in an effort to protect the biologic values and the safety and quality of life for the residents in the area, an adequate fiscal note needs to be attached to this legislation. HB 307 needs funding to provide a minimum of 2 on the ground enforcement personnel with citation authority round the clock from April through October, sanitation facilities, education and signage.

Please give serious consideration to making these revisions.

Thank you

*(s) Nancy Haase*

PO Box 399

Palmer, AK 99645

907-745-1540



# Alaska State Legislature

Please enter into the record my testimony to the LEGISLATIVE Committee name

Committee on HB 307 Bill/Subject dated 1/21/80

*[Faint handwritten text, likely the body of the testimony]*

Member

Representative

Address



# Alaska State Legislature

Please enter into the record my testimony to the House Finance Committee name

Committee on CS HB 307 Bill/Subject, dated 4-4-06

Signed: [Signature] Testifier

[Handwritten Name] Representing (Optional)

[Handwritten Address] Address

[Handwritten Phone Number] Phone number

I'm Cecily Fritz with the Knik River Watershed Group

In 1985, the Susitna Area Plan recognized the recreational and biologic values of the Knik River Valley. Since then, use of the area and adjacent residential development have exploded as has disagreement on how the area should be managed. Representative Stoltze thanks to your willingness to wade into this issue, residents and users (and critters) are at the cusp of realizing something great – something that will bring folks back together and take care of this awesome place. We ask this committee to consider a couple important changes to HB 307:

Page 3 Item D 2 enshrines existing motorized use hampering management of complex issues. For example, existing multiple access points and high use areas affect daily quality of life for residents... and use is going up.

Meanwhile, along the upland trail many springs feed the wetlands and it is seasonally soft and easily disturbed. Last Sunday swans were present in open water near the trail. This is where sheep and moose give birth, salmon spawn, and alpine, woodland and wetland come together. Should this now motorized trail bordering the swamp be grandfathered via legislation or is it deserving of thoughtful planning – for perhaps motorized use during the hunting and winter seasons? These examples illustrate why trail evaluation belongs at the planning, not the legislative, level. Please fix the bill as follows:

Begin Line 13 on page 3 with "As compatible with the purposes identified in 41.23.180..." Then, end the section after the word 'Area' on line 14. It is cleaner and avoids the blanket acceptance of all trails/access points while highlighting the importance of ORV access. It is a good compromise.

Then on page 2 line 8 add: "establish a citizens advisory group" to enhance resident participation.

And we ask this committee to ensure adequate sustainable funding for comprehensive planning and effective management. Expect volunteer efforts to offset public expenditures as folks from groups as diverse as Alaska Extreme Fourwheelers to Mat-Su Birders continue to enthusiastically volunteer.

Thank you all!



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I wish to reiterate, I do NOT support the creation of a Public Use Area for this critical wildlife region.

Thank you.

Signed: Scott A. Wolfe  
Testifier

Self  
Representing (Optional)

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Thank you.

Signed: Carrie A. Gray Wolfe  
Testifier

Self  
Representing (Optional)

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Address

(907) 748-8008

Testimony:  
House Bill 365

Chairman and Members of the committee: I am Sarah Welton President of the Mat Su Borough School Board. I appreciate the opportunity to speak with you. The Mat Su borough is growing, we are the fastest growing area of the state. It is projected that we will have 584 new students for the next school year. That equals a whole elementary school.

The school board is appreciative of the money that is being allocated for education. We do thank you for all of your considerations. There are concerns for more financial impacts upon this community as well as the other districts in the state.

Municipal revenue sharing is requested by the school district for our borough government. These additional funds would help in providing for many local needs for the fastest growing area in the state. Any additional funds would positively impact the ability for the borough to help meet its obligation for local funding of the schools.

As for the school district, it has put in measures to reduce consumption of energy and is seeing very positive results, at the same time the costs have risen dramatically. The district has out-sourced a portion of its work force starting next year to reduce costs of personnel and supplies. Other cost savings measures are being considered including reducing administrative staffing although the district's central administration is one of the leanest in the state, averaging over the last few years 4% of the total budget.

The Trs and Pers impact is staggering. The district's obligation has risen to \$4 million which is approximately the cost of 80 teachers with salaries and benefits. These 80 teachers could be teaching 25 students per classroom, each, which then translates into 2000 students. We expect 16,000+ students in our district next year. We know that smaller class sizes, especially, in the early grades is the key to better education. We know that our students in the high schools need to have more class selections, such as foreign languages, to broaden their educational knowledge base. We have a need to increase our vocational technical education programs as well as our advanced placement options and opportunities for our students to take college courses.

Materials and supplies have been cut to the bone, and, while we have talented people who can teach with little support, there comes a point when some books are needed as well as visual aids like maps and charts, supplies, and new technology.

Other impacts upon our district are the issues of special education intensive funding, which, if the district loses its appeal of the audit, translates into approximately 5.8 Million dollars. This is lost revenue for the district that had been counted upon in the preparation of our budget.

Thank you for attention today and I am looking forward to meeting with many of you in Juneau later this month.

**HB**

**307**

**SFIN**

**FILE**

# SENATE FINANCE COMMITTEE REPORT

REPORTED OUT  
 MAY 04 2006  
 SENATE FINANCE COMMITTEE

DATE: 4/28/06

FURTHER:

DATE TURNED  
 IN TO OFFICE: 5/4/06

Finance Committee considered CS FOR HOUSE BILL NO. 307(RES)

HB 307 KNIK RIVER PUBLIC USE AREA

"An Act creating the Knik River Public Use Area."

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by Sen. Finance Committee
- further referral to \_\_\_\_\_ Committee

**CS Senate Bill:**  
 Same Title  
 New Title

**SCS House Bill:**  
 Same Title  
 Technical Title Change  
 New Title w/ SCR # \_\_\_\_\_

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Ind.	Zero	FN#
DNR	5/3/06	356.8			

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Ind.	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>				✓
COCHAIR: <i>[Signature]</i>	✓			
COCHAIR: <i>[Signature]</i>	✓			



Official Business

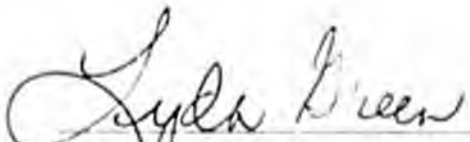
# Alaska State Senate


## Senate Finance Committee

Mail Stop 3100  
State Capitol  
Juneau, Alaska 99801-1182

Letter of Intent  
Senate Finance Committee  
CS HB 307 (RES)

It is the intent of the 24th Alaska State Legislature that the Department of Natural Resources evaluate instituting user fees to pay the long term costs for management and necessary facilities associated with the public use of the Knik Public Use Area established under House Bill 307. The department should consider such fees as a component of the Management Plan that will be prepared under AS 41.23.190.

  
\_\_\_\_\_  
Senator Lyda Green  
Senate Finance Committee, Co-Chair

  
\_\_\_\_\_  
Senator Gary Wilken  
Senate Finance Committee, Co-Chair

# FISCAL NOTE

REPORTED OUT  
MAY 04 2006  
SENATE FINANCE COMMITTEE

STATE OF ALASKA  
2006 LEGISLATIVE SESSION

Fiscal Note Number: \_\_\_\_\_  
Bill Version: HB307SCS(FIN) DNR-MLW-05-03-06  
( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): 5/3/06 Dept. Affected: Natural Resources  
Title: Knik River Public Use Area RDU: Resource Development  
Component: Claims, Permits and Leases  
Sponsor: Rep. Stoltze  
Requester: (S) FIN Component No.: 2460

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services	92.1	127.2	70.8	70.8	70.8	70.8
Travel	2.0	2.0	2.0	2.0	2.0	2.0
Contractual	255.2	196.2	194.0	194.0	194.0	194.0
Supplies	7.5	4.0	2.0	2.0	2.0	2.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>356.8</b>	<b>329.4</b>	<b>268.8</b>	<b>268.8</b>	<b>268.8</b>	<b>268.8</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	356.8	329.4	268.8	268.8	268.8	268.8
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>356.8</b>	<b>329.4</b>	<b>268.8</b>	<b>268.8</b>	<b>268.8</b>	<b>268.8</b>

Estimate of any current year (FY2006) cost: 00  
Check this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

**POSITIONS**

Full-time	2	2	1	1	1	1
Part-time						
Temporary						

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

The bill establishes the Knik River Public Use Area. The legislation would require DNR to prepare and adopt a land management plan, and manage the area consistent with the purposes established in the legislation and the plan. The costs to DMLW would include expenses related to preparation of the land management plan, public notice and review, adoption and printing of the plan, as well as ongoing management of the public use area.

Prepared by: Dick Mylius, Acting Director Phone: (907)269-8600  
Division: Mining, Land and Water Date/Time: 5/3/2006  
Approved by: Mike Menge, Commissioner Date: 5/3/2006  
Agency: Natural Resources

FISCAL NOTE

STATE OF ALASKA  
2006 LEGISLATIVE SESSION

BILL NO. HB307SCS(FIN)-01 11/LW-05-03-03

ANALYSIS CONTINUATION

**Plan Preparation and Adoption**

(We have assumed that this process will take two years to complete.)

PERSONAL SERVICES COST - \$113.4 total (for 18 months)

One Natural Resource Specialist (NRS) III (range 13) - 9 Mo. FY07, 9 Mo. FY08 - total 18 months at \$6.3/month = \$113.4 - for plan preparation, review and adoption.

**TRAVEL, CONTRACTUAL, SUPPLIES**

Travel would be minimal at \$1.0 in FY07 and \$1.0 in FY08 as most of the public meetings would be in the Mat-Su Borough.

Contractual costs in FY07 would be for a User Survey (\$36.0), scoping and draft plan ads, public notice printing, room rentals, and the preparation and distribution of news letters and a draft management plan (\$9.5).

Contractual costs in FY08 would be for follow up public meetings room rental, printing and distribution of the final adopted plan (\$2.0).

Other contractual costs include \$7.0 for office space, telephones, core service charges and related expenses for the new position in FY07, and \$2.5 in FY08.

Supplies are budgeted at \$2.0 per year. FY07 includes one-time start-up costs for new computers and office equipment of \$9.5.

**Management of Public Use Area**

(We have assumed that the permitting and management begin in FY07 and will be ongoing.)

PERSONAL SERVICES COST - \$70.8/year

One Natural Resource Specialist (NRS) II (range 16) @ \$5.9/month - 6 months in FY07 and 12 months/year in FY08 and beyond.

**TRAVEL, CONTRACTUAL, SUPPLIES**

Travel would be minimal (assumed at \$1.0/year) as the management activities would be in the Mat-Su Borough.

Annual contractual includes \$7.0/year for office space, telephones, core service charges and related expenses for the new position. Other annual contractual costs would be for professional services as needed (\$2.0). FY09 and beyond includes contractual costs of \$5.0/year for a dedicated vehicle for use by the NRS I for field presence.

Supplies are budgeted at \$2.0 per year. FY07 includes one-time start-up costs for new computers and office equipment of \$9.5.

NOTE: Senate Finance expanded the original fiscal note to include contractual funds to allow for additional enforcement

SENATE FINANCE COMMITTEE

5/4/2006

COMMITTEE ACTION

Bill Number	HB 307		
Amendment			
Motion	to adopt Letter of Intent		
<u>Motion by</u>	Green		
<u>Objection by</u>	Stedman		
<u>Removed</u>			
<u>Second Objection by</u>			
<u>Committee Member</u>	<u>Y</u>	<u>Vote</u>	<u>N</u>
Senator Stedman			✓
Senator Bunde	✓		
Senator Dyson	✓		
Senator Hoffman	✓		
Senator Olson			✓
Co-Chair Wilken	✓		
Co-Chair Green	✓		
<u>Tally</u>			
Yea	5		
Nay	2		
Absent			
<u>MOTION</u>	PASSED		

# ALASKA STATE LEGISLATURE

**Vice Chair:**  
House Finance Committee

**Chair:**  
House Finance Subcommittee on  
Department of Public Safety  
Department of Law



**Session:**  
Alaska State Capitol  
Juneau, AK 99801-4102  
Phone: (907) 465-4159  
Fax: (907) 465-4928

**Interim:**  
P.O. Box 464  
Juneau, AK 99801

## BILL STOLTZE STATE REPRESENTATIVE

Representative\_Bill\_Stoltze@legis.state.ak.us

### House Bill 307 (RES)

#### Knik River Public Use Area

*"An act creating the Knik River Public Use Area."*

The Knik River Valley is a destination for many Alaskans looking for outdoor recreational opportunities. The area is utilized by a wide variety of Alaskans for a wide variety of recreational activities.

With the increasing population in South Central Alaska, more and more people are traveling to the Knik River Valley to recreate. This increase has created the need to establish specific management for the area. House Bill 307 will establish a Knik River Public Use Area. The framework set down by this legislation will protect the area's habitat and provide the recreational activities now available for future generations to enjoy.

I ask for your consideration and support of HB 307 so that this area will have the management it needs to continue to be a source of recreational opportunities for all Alaskans.

DISTRICT 16

BIRCHWOOD • BUTTE • CHIGLIK • EKIUTNA • FAIRVIEW LOOP  
KNIK RIVER ROAD • LAZY MOUNTAIN • PALMER • PETERS CREEK

# ALASKA STATE LEGISLATURE

*Vice Chair:*  
House Finance Committee

*Chair:*  
House Finance Subcommittees for,  
Department of Public Safety  
Department of Law



*Session:*  
Alaska State Capitol, Rm 501  
Juneau, AK 99801-1182  
Phone: (907) 465-4958  
Fax: (907) 465-4928

*District:*  
600 E. Railroad Ave.  
Wasilla, AK 99654

**BILL STOLTZE**  
STATE REPRESENTATIVE  
Representative\_Bill\_Stoltze@legis.state.ak.us

## Explanation of Changes HB 307 to CSHB 307(RES)

### Section 1:

Renumbered the purposes to better reflect those comments made during public testimony.

#### **Page 1, Line 10**

Changed the specific language having to deal with Trumpeter Swans to protect all migratory waterfowl nesting areas.

#### **Page 1, Line 14-15**

Included nonmotorized recreational opportunities to the purposes of the public use area.

#### **Page 2, Lines 2-3**

Included language to specifically protect private property and miners to access their land and claims.

### Section 2:

#### **Page 2, Lines 8-12**

Inserted language to direct the Dept. of Natural Resources to hold public hearings in order to adopt a management plan for the public use area. Also included is language that the management plan must include provisions for the enforcement of the plan.

#### **Page 2 Line 19**

Deleted the provision that would have the Army Corps of Engineers assist Dept. of Natural Resources with identifying wetland areas within the public use area.

DISTRICT 16

BIRCHWOOD • BUTTE • CHUGIAK • EKLUTNA • FAIRVIEW LOOP  
KNIK RIVER ROAD • LAZY MOUNTAIN • PALMER • PETERS CREEK

### Section 3:

#### **Page 3, Lines 3-5**

Broadened the Commissioner of the Dept. of Natural Resources' ability to restrict the use of firearms in areas where it is determined that the use of weapons constitutes a threat to public safety.

#### **Page 3, Line 7-8**

Inserted language to make the allowable activities in the public use area compatible with its purposes.

#### **Page 3, lines 13-18**

Instead of grandfathering every trail in the public use area, the Dept. of Natural Resources has to only recognize these trails and the access they provide. In the case of a trail damaging critical habitat, DNR must make accommodations that will either provide the shortest possible route or to perform trail rehabilitation.

#### **Page 3, lines 19-21**

Includes language to allow the commissioner of the Dept. of Public Safety and Fish and Game to have the necessary access for them to perform their regular duties within the public use area.

#### **Sec. 41.23.210**

Establishes the enforcement statute for the public use area. This will allow, besides current law enforcement personnel, employees of the Dept. of Natural Resources (by approval of the Commissioner) to also enforce those provisions established by this piece of legislation.

#### DISTRICT 16

BIRCHWOOD • BUTTE • CHUGIAK • EKUCINA • FAIRVIEW LOOP  
KNIK RIVER ROAD • LAZY MOUNTAIN • PALMER • PETERS CREEK

THE  
FOLLOWING  
DOCUMENT(S)  
ARE  
POOR  
ORIGINAL  
COPIES

BRTG

51

### Butte Community Council RESOLUTION NO. 2005-5

*A resolution of the Butte Community Council supporting a bill, for an act entitled, "AN ACT CREATING THE KNIK RIVER PUBLIC USE AREA." State of Alaska, House Bill No. HB 307, and Senate Bill No. SB 197, introduced May 7, 2005.*

Whereas: Recent actions by individuals, groups, and state agencies contained in the "Asset Management Plan for Borough Owned Land in the Butte Area" to propose and solicit new unreasonable restrictions on access and use of public lands in the Butte-Knik River Watershed area, and threaten to eliminate many of the assumed freedoms, lifestyles, and traditional uses of the Butte area residents and others, and

Whereas: Due to the unknown status of the above mentioned actions, and the unknown outcome thereof, this legislation is deemed necessary in order to preserve the traditional uses of the above mentioned public lands, and

Whereas: There are approximately 90 million acres of essentially non-motorized areas already set aside in Alaska in the form of National Parks, Wilderness Areas, Wildlife Refuges, Critical Habitat Areas, State Parks, etc, and

Whereas: We intend that the main purpose of this Knik River Public Use Area is to be for multiple uses, including motorized (land, water, and air) vehicle recreation, and including non-motorized use, and

Whereas: There are provisions contained within the Public Use Area legislation regulations to adequately provide for wildlife and habitat protection, and

Whereas: We intend this Knik River Public Use Area to be similar in scope and purpose to the *Nekchma Public Use Area* with its allowed uses such as off road motor vehicles, trapping, hunting, mineral exploration, mining and other legally allowed uses, and

Whereas: The users of these public lands have previously expressed their desires for continued public access by their approvals of past BCC resolutions, public petitions, and their publicly expressed disagreement with many of the proposed restrictions in the draft "Asset Management Plan for Borough Owned Land in the Butte Area."

Now Therefore, we, the people present here tonight, June 8, 2005 being members of the Butte Community Council, by majority vote, approve of this BCC resolution supporting the formation of a Knik River Public Use Area, by the Alaska State Legislature.

Signed by: A Quorum of the Board of the Butte Community Council

*Derek Smith*  
*Danille Taylor*  
*Jarrett Erickson*  
*Jeff McCall*  
*Kevin T. Gray*

# STATE OF ALASKA

## Matanuska Valley Fish & Game Advisory Committee

Frank H Murkowski, Governor

Wayne Kubat, Chair  
PO Box 874867  
Wasilla, Alaska 99687  
ph. & fax: 376-9568  
email: [args@mtaonline.net](mailto:args@mtaonline.net)

November 23<sup>rd</sup>, 2005

Senator Huggins and Representative Stolze,

The Matanuska Valley Fish and Game Advisory Committee unanimously supports House Bill 307 and Senate Bill 197, the bills to create the Knik River Public Use Area as written and introduced by yourselves.

The Knik River has historically been a destination for many visitors. With Anchorage, Palmer, and Wasilla home to over 50% of Alaska's population, this recreational area will provide access for many diverse users of the area. Adjacent to this area is Chugach State Park that restricts those Alaskans looking for an off-road vehicle experience.

Along with the specific management the legislation will create, we believe that additional education and enforcement will create an enjoyable destination for all recreational users and this legislation is a step in that direction. Thank you for your efforts!

Sincerely,

Wayne Kubat  
Chairman – Matanuska Valley Fish and Game Advisory Committee

Alaska Frontier Trappers Association  
PO Box 3208  
Palmer, Alaska 99645

January 30, 2006

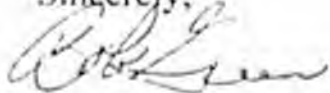
Dear Representative Stoltze and Senator Huggins,

The Alaska Frontier Trappers Association fully support House Bill 307 and Senate Bill 197.

The Knik River has been a favorite destination for all outdoor recreational users. Trappers have a history of trapping on the Knik River since the territorial days. One of the most talked about trappers was Tex Cobb. He trapped all over the South Central area and has been written about in such magazines as "Outdoor Life". Trappers are possibly the first to utilize the area as a means of support and are the first trail blazers.

With the passage of these bills as written, we will be assured of continued use without the threat of closure in the form of a State Park.

Sincerely,



Bob Green  
President, Alaska Frontier Trappers Association

By: L. Woods  
Amended: 05/17/05  
Adopted: 05/17/05

**MATANUSKA-SUSITNA BOROUGH  
RESOLUTION SERIAL NO. 05-068(AM)**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH SUPPORTING STATE DESIGNATION OF LAND IN THE KNIK RIVER WATERSHED AS A PUBLIC USE AREA AND FOR THE STATE TO PROVIDE FUNDING TO THE ALASKA DEPARTMENT OF NATURAL RESOURCES TO DEVELOP A MULTIPLE-USE MANAGEMENT PLAN FOR THE AREA.

---

WHEREAS, the Alaska State Department of Natural Resources (DNR) and the Matanuska-Susitna Borough are the primary landholders of public land in the Knik River Watershed (KRW) and recognize the need to address management issues within portions of the watershed, particularly in the Jim Creek - Swan Lake - Knik River areas; and

WHEREAS, the area includes over 250,000 acres of public land, the majority of which is owned and managed by the Alaska State Department of Natural Resources; and

WHEREAS, the Borough recognizes that use impacts on State land are so significant as to warrant a special study area that should be established under cooperative management; and

WHEREAS, the Knik Arm Wetlands Study (1991) and the Susitna Area Plan (1985) recognized important wildlife value, current and potential future impacts of unmanaged

use, and recommended special designation for areas within the Knik River Watershed; and the South Central Recreation Action Plan (1984) recommended a master plan for the Jim Creek - Swan Lakes area of the Knik River Watershed to more effectively serve diverse recreational interests; and

WHEREAS, this area consists of uplands, wetlands, anadromous streams and other water bodies, unique geologic features, waterfowl staging and nesting areas, and wildlife to include resident moose, black and grizzly bear; and

WHEREAS, citizens and users have expressed repeated concern about significant increases in unmanaged uses, vandalism and other unlawful violations, safety, pollution, littering, impacts to fish and wildlife resources, impacts on nearby residents and users, and have committed significant volunteer resources in attempts to educate local residents and visitors in order to improve the situation; and

WHEREAS, DNR has statewide experience in developing sustainable multiple-use plans that recognize and provide for a wide variety of users of State land, yet in a way that protects important areas; and

WHEREAS, a planning team led by DNR would include public and private land owners and managers, scientists, a wide variety of user groups that currently use the area,

citizens, and adjoining private landholder representation, and would be developed using an open public process; and

WHEREAS, a management planning effort would enhance the opportunity for multiple-use management that would include partnering, collaboration and volunteerism for agencies, landholders, diverse users, residents and citizen groups.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Assembly supports the State creating a public use area for public land in the Knik River watershed and urges the appropriation of funds to the Alaska State Department of Natural Resources to initiate a management planning process which includes all user groups and appropriate agencies for the public land in the area. The State funding should include sufficient resources to implement the management plan and provide enforcement of land-use regulations as provided to them under State Statute for their stewardship of public lands.

ADOPTED by the Matanuska-Susitna Borough Assembly this  
17 day of May, 2005.

*/S/*

\_\_\_\_\_  
TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

*/S/*

\_\_\_\_\_  
MICHELLE M. MCGEHEE, CMC, Borough Clerk

(SEAL)

PASSED UNANIMOUSLY: Woods, Allen, Colberg, Kralheim,  
Simpson, Colver, and Vekro

HB 307

RECEIVED  
RE MAR 27 2006  
MAR 27 2006

TO: Sen. Lyda Green      March 27, 2006  
Senate Finance  
Fax # 907-465-3805

re: Testimony on HB307

From Carole Henry  
P.O. Box 4400  
Palmer, AK 99645  
745-6578; fax number, 745-6579

As a Mat-Su Valley resident living on the south side of the Knik River, I'd like to register my opposition to House Bill No. 307, "An Act Creating the Knik River Public Use Area," as submitted by Rep. Stoltze, as currently written and/or rewritten with draft changes.

The legislation put forth has neglected and not included the vital public planning process which would invite users, residents, adjoining landholders, and recreation and scientific experts to be a part of the public use area planning. Please consider establishing a citizen advisory board so that all recreational uses/needs of the public use area along the Knik River area can be addressed in any proposed legislation.

The area is currently a public use area without any restrictions; conflicts arising from non-motorized and motorized incompatibility use has not been addressed in HB307; neither is illegal dumping enforcement, nor irresponsible and indiscriminate use of firearms (target practice or random firing without purpose, accidents waiting to happen).

There was a year or two when state troopers received funding to provide a presence and enforcement of applicable laws along the Knik River; lack of funding has limited enforcement; I am asking that any legislation provide funding necessary to create a public use area on the Knik River that ensures safe recreation for ALL users, motorized and non-motorized, armed and unarmed, animal or human.

We need your help and expertise to ensure good legislation; thank you for considering my objections HB307.

Carole Henry  
Carole Henry      March 27, 2006

RECEIVED

APR 03 2006

FAX TO: Lyda Green, Co-Chair, Senate Finance

Fax 907-465-3805

FROM: Lynn Fuller, Palmer

Phone 907-745-8278

RE: Comments on CS HB307

→ Kwik River Public Use Area

2 page letter attached.

Please distribute to committee members and any others as appropriate. Thank you.

April 2, 2006

Dear Representatives Stoltze, Kerttula, Chenault, and Meyer, and Senators Wagoner, Green, Seekins, Bunde and Wilken:

I would like to comment on CS draft HB 307. I am including my comments to Senators as well, recognizing that changes may be made prior to consideration in the Senate.

I have been a user of the Mud and Jim lakes areas for many years, and our family considers it a prime recreational area. The trash, shooting and overall lack of management have been an increasing concern for us, to the point that we no longer visit our favorite places at certain times of the week. We support any and all efforts at making the entire Knik basin safer, cleaner, and more usable for families and all users. Thank you for working to promote management in this area!

Overall, the bill seems to provide for the support of various user groups while providing for the "public enjoyment of fish and wildlife" - both of which I believe are appropriate for the area. I would like to encourage you, however, to revisit some of the language of the bill to make the intent, and future actions based on this legislation, more clear.

Section 41.23.180 lists the purposes of the bill. Purposes 3 and 4 seem very specific - don't they fall under public recreation and enjoyment of fish and wildlife? I am not very familiar with the organization of bills, but logically it seems like the first section, "Purpose of AS41.23.180-41.23.230", should refer to the broad benefits and uses for all. Doesn't brown bear habitat fall under public enjoyment of fish and wildlife? Doesn't "maintenance" of off-road vehicles belong in the management realm? I would like to suggest the following as a broader but still inclusive set of goals:

- (1) as applicable, perpetuate, protect, and enhance
  - (A) general public recreational uses, including existing motorized and non-motorized uses, and additional public uses as determined by the commissioner;
  - (B) fish and wildlife habitat and populations for the enjoyment of all users, including traditional public uses of fish and wildlife populations.

(2) and (3) are included within these goals as part and parcel of a use area that is managed for multiple uses.

I strongly support the intent of Section of 41.23.190 (a) and (b). I would like to suggest that "adequate public hearings" be replaced with "The commissioner may designate incompatible uses and shall adopt and may revise a management plan for the Knik Use Public Use Area, via a public process." I am not sure how ADNR ensures that a public process occurs, so I cannot easily suggest appropriate language. "Adequate public hearings" does not assure me that there will be suggestions, give and take, and a true and

valuable dialogue contributing to the management plan. There is an opportunity with the management of the Knik area to allow for diverse uses and simultaneously maintain the ecological attributes of the area. The public has a lot to offer in the process.

In 41.23.190 (d), perhaps the *protection* of the wetland area belongs above in 41.23.180 (1) (B), whereas the management aspects belong here. It seems muddled to be to insert here what appears to be an overarching protection goal. Perhaps a part (C) of section 41.23.180 should be added that address wetlands or general water quality; it may be different enough from *uses* and *habitat* to merit its own statement.

Section 41.23.200 is mostly clear, except for (d) (2). The language is confusing. What does "recognizing" trails mean? What does "...make accommodations that will provide the shortest possible route to avoid critical habitat..." mean? Again, does the routing of trails, and the identification of critical habitat, belong in the management section? It also mentions providing increased use of the public area- doesn't that belong in Section 41.23.180?

If the intent of (d) (2) is to keep existing trails, the language should be more clear. Then there should be an opportunity, such as with the hearings and letters like these, to comment on whether or not existing trails should be "recognized", "protected", "evaluated by the commissioner" - or whatever is deemed appropriate. If parts of this bill are so specific as to talk about "shortest possible routes", and "critical habitat" then perhaps Section 41.23.190 should list components that will and might be included in a management plan.

I also believe that (d) (1) in this section needs a qualifier. It may be appropriate to allow all of the activities listed, but those activities *must be managed*. What if aircraft use, at some time in the future, directly conflicts with other purposes? Section 41.23.190 (a) allows the commissioner to designate incompatible uses, so this section should be consistent and say something like "In accordance with the management plan, allow the Knik River Public Use Area to be used for activities that include...."

I very strongly support management of this area, and I would like to be able to support this bill. The purposes of the Public Use Area should be more clear and concise, and Sections 41.23.190 and 41.23.200 need to better align with the purposes. Unclear language also needs to be clarified, and/or definitions included that make the intent clear.

Thank you for considering my comments

*Lynn Fuller*

Lynn Fuller  
P.O. Box 1814  
Palmer, AK 99645  
907-745-8278  
lfuller@mtaonline.net



May 3, 2006

Senate Finances Committee Hearing on HB 307

**Item 1, Enforcement:**

The fiscal note provides for one unarmed Natural Resource Technician to manage the area. Sending an unarmed technician into the field to issue citations is premature without first establishing control of the widespread common criminal activity.

Thousands of users visit this area. Recently, Borough and DNR administrators refused (rightly) to put any money into sanitary facilities until management could protect facilities from destruction. How can caring users and residents continue to volunteer in a myriad ways without good backup? We want to help defray public expenditures and to make a success out of the Knik River Public Use Area. We do not take lightly any request for public funding. Funding for dedicated enforcement will offset existing costs for trooper response time, code compliance, resource damage, rescue, firefighting and National Guard bumper drags. What is the price on residents' deteriorating quality of life?

**Item 2, page 3 line 13 should be rewritten:**

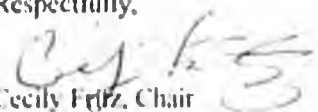
Recognizing off-road vehicle use is okay but this approach goes too far and would raise questions with later management on how it fits within the context of overall purposes. The specificity of language will create future issues and isn't necessary. Also, line 18 implies increased use only of off-road vehicles. But, there are other uses that are not specifically identified for increased use like hunting, fishing, hiking, etc. With populations ever-growing, the use of public lands ever increasing, the valuable habitat for fishing and hunting, and with conflicts ever arising, managing for "increased uses" for one particular use may not be practical or may result in absurd conflicts or choices. If the intent is to look for ways of maximizing (a better word) or even increasing overall public use, then a better way would be to remove the sentence here and put it somewhere else where it would apply generally.

We recommend the following rewrite to Item (d)(2):

**"As compatible with the purposes identified in 41.23.180, the commissioner shall recognize existing off-road motor vehicle trails and the access those trails provide, and maximize off-road motor vehicle options and general public recreation opportunities in the Knik River Public Use Area."**

Thank you for your consideration. The attachment has examples of the extent of criminal activity in the area.

Respectfully,

  
Cecily Fritz, Chair  
Knik River Watershed Group

5/3/06 9:31am

*If now isn't the right time to bring some peace and order to this area, when is the time?*

Crime in the Butte/South Knik River:

Would you want to be the unarmed manager in the following situation?

Location: BUTTE. Case number: 05-57948. Type: DUI/Fail to stop for Police Officer

Text: On 7-16-2005 at approximately 0830 hours Troopers contacted xxxxxx, age 20 of Anchorage. Troopers attempted to stop his vehicle for attempting to cross a Salmon stream with a motor vehicle. xxxxx stopped his vehicle approximately 1/2 mile up the Knik River, only after his vehicle became disabled. xxxxx was arrested for Failure to stop at the direction of a Police Officer, DUI, Misconduct Involving a Controlled Substance, Misconduct involving a Firearm, and Minor Consuming.

"If I had any say I wouldn't send anyone in there alone to do enforcement either during the peak times of use. There has to be backup for safety sake". A law enforcement chief in the District.

Dispatchers (Mat-Comm): During July 1-16, 2004, AST responded to calls to the area 42 times; these were only AST calls, not MSB medics or other emergency services. There were several calls a day in some instances.

Five sheep poached at Wolf Point; Swingset in yard on S. Knik River Road hit by bullet; Home with bullet hole; A Borough Government car was shot at; Parties of canoers shot at (Trooper contacted by cell phone told them to "shoot back"); hiker with young son on a trail ducked for cover as bullets whizzed over their head; Moose shot and set on fire; Trees cut down by automatic weapon fire in multiple locations. Public land littered with inches deep piles of spent cartridges become dumping grounds; Transformer shot out; Street light shot out; Reindeer shooting; Destruction of waterfowl and their nests by ORV traffic despite residents erecting several signs to educate riders; Human waste everywhere.

Landholder/colonist family member, Kurt Marshall: "...while we would like to continue using the Jim Creek/Knik Glacier area as a family retreat, the increase of family danger due to vandalism, gunfire and chaotic behavior prevents our continuing to do that. It saddens me to see what has happened to this beautiful valley."

Resident Cindy Rapp: "Living in the Butte is sometimes like living in the wild, wild west. Guns being discharged at any given time, day or night, to where if someone were in need who would know to call the Troopers? Then again what Troopers, since they are spread so thin..."

Resident Mark Simpson: "Friday/Saturday night April 22-23 at 2:35am hard rapid gunfire from high powered rifles and pistols aimed at the Knik River water from the North bank...by people with 3 pickups parked in a semicircle shining their headlights at the river. The shooting went on for 10 minutes nonstop with bullets flying to the residential South side. I knew it to be useless to call the Troopers because of the half hour they might take to respond if they showed at all. I was on the verge of responding myself with my own 30-06 because they were endangering people for the sake of their own FUN."

"I still have the homemade rocket tube/arrows imbedded in the ground in the cottonwoods below my place shot from across the river. The summer has only just started."

User Mike Hansen: My family makes much use of the Jim Creek area primarily for swimming and playing on the dunes. Close up it is an eyesore with abandoned appliances and furniture, garbage and burned up car frames both buried in the mud and scattered on the dunes where they are used for target practice. There are often mounds of spent cartridges left on the mud flats with many live rounds mixed in. We try to limit our time to mid week so as to avoid the worst of motorized users and shooters.

Anchorage Daily News, August 10 2003: "The reputation of Jim Creek is that of burning cars, reckless ATV use and illegal shooting. But amid this scene of revving engines, echoing shots and dust is a small but thriving fishery that attracts scores of anglers from the Valley and Anchorage. Jim Creek is a haven for ripping four-wheelers and dirt bikes, jacked-up trucks with balloon tires and rampant vandals. Along the dirt road that leads to Jim Creek are the scorched corpses of several junked cars. Residents of the Butte farming community have long complained of late-night parties and errant gunfire. Columnist Ron Wilmot

Knik River area wildlife fall to unknown poacher. \$4,500 reward posted for killer of 6 Dall sheep, a moose and a goat. By ZAZ HOLLANDER Anchorage Daily News (Published: March 26, 2004)

Testimony given 5/3/2006 to the Senate Finances Committee on HB 307.

I'm Cecily Fritz with the Knik River Watershed Group.

We were not aware of the improved fiscal note with additional personnel added but this seems like it will improve the chance of success in the Public Use Area. Perhaps input from any public safety/enforcement experts available during this hearing would be helpful. I'm not sure who to thank for the change to the note.

We support the concept of a letter of intent for user fees to be addressed further in the planning process.

Finally, I sent a letter addressing an item in the legislation that we believe should be amended. It deals with Item (d) (2) on page 3 line 13. We believe this section should be amended as follows:

"As compatible with the purposes identified in 41.23.180, the commissioner shall recognize existing off-road motor vehicle trails and the access those trails provide and maximize off-road motor vehicle options and general public recreation opportunities in the Knik River Public Use Area."

We believe this is a better compromise to ensure recognition and enhancement of ORV recreation but not at the expense of the other purposes outlined on Page 1.

I'd like to thank Rep. Stoltze and Senator Huggins for putting this out there and making improvements to the bill. Thank you.

Good morning everyone, my name is Patti Barber and I am a motorized user. A few people in our area have taken it upon themselves to erect signs along the highways stating that we can not ride along the highways on our motorized form of travel even though we are within our rights as long as we are 3 feet away from the pavement.

The Mat Su Borough has eliminated us from using Personal Watercraft and many motors under the Lakes management plan. Responsible Air boaters, Personal water craft users, and the family of fishermen that choose to use a motor over oars, are eliminated on many of the lakes and streams. The rivers are the only avenue left for this chosen form of recreation.

With all the closures and restrictions that people have put on other users because they don't agree with their form of recreation where else are they to go? When people are eliminated from using their form of recreation in an area, they move on to another area until they are removed from that area too.

The Knik River has been a destination for many responsible boaters and other motorized forms of recreation. I support HB 307 to create the Knik River Public Use Area.

Patti Barber  
17367 E. Melin Rd.  
Palmer, AK 99645  
907-745-4446  
*Patti S. Barber*

02 competent jurisdiction;  
 03 (2) administer or take an oath, affirmat  
 04 (3) arrest a person who violates a provi  
 05 41.23.230 or a regulation adopted under AS 41.23.18

06 **Sec. 41.23.220. Penalty.** (a) A person who viol  
 07 AS 41.23.180 - 41.23.230 or a regulation adopted un  
 08 guilty of a violation as defined in AS 11.81.900.

09 (b) The supreme court shall establish by orde  
 10 amounts for violations under (a) of this section th  
 11 without a court appearance.

12 **Sec. 41.23.230. Knik River Public Use Area.** Su  
 13 state-owned land and water and the state land and w  
 14 within the boundaries described in this section are  
 15 Use Area, are reserved for all uses compatible with  
 16 use land, and are assigned to the department for co

- 17 (1) Township 15 North, Range 4 East, Sew
- 18 (2) Township 15 North, Range 5 East, Sew
- 19 (3) Township 15 North, Range 6 East, Sew
- 20 (4) Township 15 North, Range 7 East, Sew

- 21 Section 3: NW1/4NW1/4
- 22 Section 4: N1/2NE1/4, N1/2NW1/4
- 23 Section 5: N1/2NE1/4, NW1/4
- 24 Section 6: SW1/4SE1/4, N1/2SE1/4, S
- 25 Section 7: SW1/4NW1/4, N1/2NW1/4;

- 26 (5) Township 16 North, Range 2 East, Sew
- 27 Section 1: Portions located below t
- 28 Knik River
- 29 Section 2: Portions located below t
- 30 Knik River
- 31 Section 3: Portions located below t
- 01 Knik River;

- 02 (6) Township 16 North, Range 3 East, Sew
- 03 Sections 1 - 3
- 04 Section 4: Portions located below t
- 05 Knik River
- 06 Section 5: Portions located below t
- 07 Knik River
- 08 Section 6: Portions located below t
- 09 Knik River
- 10 Section 9: Portions located below t
- 11 Knik River
- 12 Section 10: Portions located below
- 13 Knik River

Senate Finance Committee  
Testimony 5-3-06

I am Charlotte Sartor. I've lived in & used this area for non-motorized recreation since 1971.

Re: CSHB307 Knik River Public Use Area

**Support current version as a compromise bill**

**Time is running out please expedite the process to get this bill passed this year**

CSHB307 is not perfect, but it is a good start. I would still like to see:

**A citizen's advisory board included as part of the management plan**

**Rewording of item d2 page 3 line 13 to make all trails compatible with purposes**

**Rewording of item d2 page 3 line 18 which seems to advocate for increased use rather than management of increasing use.**

At this point, however, my major concern is to **provide the necessary funding for enforcement**

I have concerned that one unarmed resource specialist is inadequate for the scope of the problem in the area, so am happy to hear the fiscal note has been expanded to include 3 personnel. All user groups agree that enforcement is needed. My husband & I hear shooting & the whine of motorized vehicles from our house almost daily. We have been canoeing in Mud Lake and had people start shooting over the water. We have seen unsafe target practice areas along the trails we are hiking. We have talked to too many people who say they are afraid to go there. For years we have picked up trash in yearly cleanups and other times. We applaud the motorized users for helping with cleanups.

I realize there are many needs for state money, but as use in this area has increased, so have the problems. Good management is long overdue. We need the best bill we can get with the most funding available for enforcement. I am not opposed to user fees.

I addressed some of the other testimony:

-ORV's have created many new trails beyond the original logging road, some in inappropriate places

-The Butte Community Council vote of 74-1 in favor of the original bill does not show the large percentage of this divided community who do not feel represented by the current council

-An abandoned camp was attributed to canoeists.

Would a canoe want to or be able to bring in the 55 gallon drums that were still there in October 2005

-It was mentioned that State Troopers are not prohibited, but they are already stretch thin

-Designation as a motorized area increases the impacts on residents and pushes other users out.

Although such testimony illustrates the conflict between users, I feel that **finding the common ground** (enforcement, cleanup, and education) is more important. I am not opposed to motorized use if it is done correctly and does not push other users out. I hope this bill will provide the framework for multiuse management. Please do everything in your power to pass it this year.

Thank you.

Charlotte Sartor  
5900 S Our Rd  
Palmer, AK 99645  
907-745457

**HB**

**308**

**HFIN**

**FILE**

# FISCAL NOTE

STATE OF ALASKA  
2006 LEGISLATIVE SESSION

Fiscal Note Number: 3  
Bill Version: CSHB 308(JU'D)  
(H) Publish Date: 3/30/06

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Public Safety  
Title: "An Act relating to false caller identification." RDU: Alaska State Troopers  
Component: AST Detachments  
Sponsor: Representative Lynn  
Requester: House Judiciary Committee Component No.: 2325

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2006) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

This proposed legislation will have no fiscal impact on the Department of Public Safety.

Prepared by: Lieutenant James Helgøe  
Division: Alaska State Troopers  
Approved by: Commissioner William Tandjesko  
Agency: Department of Public Safety

Phone: 907-269-4532  
Date/Time: 3/17/06 1:54 PM  
Date: 3/17/2006

# FISCAL NOTE

STATE OF ALASKA  
2006 LEGISLATIVE SESSION

Fiscal Note Number: 2  
Bill Version: CSHB 308(JUD)  
(H) Publish Date: 3/30/06

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: \_\_\_\_\_  
Title: Caller ID Hackers RDU: Alaska Court System  
Component: Trial Courts  
Sponsor: Representative Lynn  
Requester: \_\_\_\_\_ Component No.: \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2006) cost: 0.0  
Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

The court system does not anticipate any fiscal impact from the passage of HB 308.

Prepared by: Doug Woolver, Administrative Attorney  
Division: Alaska Court System  
Approved by: Doug Woolver for Stephanie Cole, Administrative Director  
Agency: Alaska Court System

Phone: 463-4750  
Date/Time: 3/17/06 at 10:30 am  
Date: 3/17/2006

# FISCAL NOTE

STATE OF ALASKA  
2006 LEGISLATIVE SESSION

Fiscal Note Number: 1  
Bill Version: CSHB 308(JUD)  
(H) Publish Date: 3/30/06

Revision Date/Time (Note if correction): 3/21/06 9:06 a.m. Dept. Affected: Administration  
Title: An Act relating to false caller identification RDU: Legal and Advocacy Services  
Component: Public Defender Agency  
Sponsor: Rep. Lynn  
Requester: (H) JUD Component No.: 1631

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

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

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2006) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

This legislation would create the new crime of False Caller Identification for inserting false information into a caller identification system. False Caller Identification would be a class B misdemeanor.

This legislation is not expected to have a fiscal impact on the Public Defender Agency.

Prepared by: Danlan Steiner, Director Phone: (907) 334-3414  
Division: Public Defender Agency Date/Time: 3/21/06 9:06 a.m.  
Approved by: Mike Tibbles, Deputy Commissioner Date: 3/21/2006  
Agency: Administration

# Alaska State Legislature

## Chairman

Military & Veterans' Affairs Committee

## Member

Labor and Commerce Committee  
State Affairs Committee  
Economic Development, Trade & Tourism  
Committee  
Education Committee  
Joint Armed Services Committee

## Finance Subcommittees

Labor & Workforce Development  
Community & Economic Development  
Military & Veterans' Affairs



*A Communication From*  
**REPRESENTATIVE BOB LYNN**  
District 31 Anchorage

E-Mail: [Representative\\_Bob\\_Lynn@legis.state.ak.us](mailto:Representative_Bob_Lynn@legis.state.ak.us)  
"Bob Lynn's Alaska Blog" [AlaskaDistrict31.blogspot.com](http://AlaskaDistrict31.blogspot.com)

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Anchorage, AK 99501-2133

Phone: (907) 269-0205

Fax: (907) 269-0207

## SPONSOR STATEMENT

### HB308

#### An Act relating to false caller identification

Warning. Do not trust your telephone caller ID. The name and number you see may be fake. Both private individuals and commercial spoofers can now deliberately cause false caller identification to be displayed on your caller ID screen. False caller identification is more serious than pranks, or the annoyance of intrusive telemarketing. It facilitates fraud, and can be potentially deadly.

For example, some financial institutions use caller ID to authenticate telephone requests for personal account information. With a few personal tidbits and your spoofed number, an impostor could access your bank or credit card account. Seniors could be victimized by scam artists who appear to be phoning from a reputable agency. There's potential for hoax emergency calls with false caller ID to law enforcement or the fire department. Predators could use caller ID spoofing to lure women and children for purposes of sexual assault or murder. The potential of false caller ID spoofing for crime and other mischief is almost endless.

Anyone with sufficient computer and telephonic skills can implement false caller identification. In fact an entire telephone spoofing industry has emerged, and is growing daily. Cost from one company for spoof calls is 10 cents a minute. These spoofing services can work with mobile phones, landlines as well as telephone services that are routed via the Internet.

The fake caller ID situation is primarily a federal issue, but it is essential that Alaska take whatever action possible within its jurisdiction. Caller ID spoofing from a local, state, or federal law enforcement agency is excluded from this bill.



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## Scam Artists Dial for Dollars on Internet Phones

Sun Mar 20, 2005 09:40 AM ET

By Andy Sullivan

WASHINGTON (Reuters) - Internet phone services have drawn millions of users looking for rock-bottom rates. Now they're also attracting identity thieves looking to turn stolen credit cards into cash.

Some Internet phone services allow scam artists to make it appear that they are calling from another phone number -- a useful trick that enables them to drain credit accounts and pose as banks or other trusted authorities, online fraud experts say.

"It's like you've handed people an entire phone network," said Lance James, who as chief technology officer of Secure Science Corp. sees such scams on a daily basis.

The emerging scams underline the lower level of security protecting Voice Over Internet Protocol, or VOIP, the Internet-calling standard that has upended the telecommunications industry over the past several years.

Traditional phone networks operate over dedicated equipment that is difficult for outsiders to penetrate. Because VOIP calls travel over the Internet, they cost much less but are vulnerable to the same security problems that plague e-mail and the Web.

Internet worms that snarl online networks can render VOIP lines unusable, and experts at AT&T say VOIP conversations can be monitored or altered by outsiders.

Federal Trade Commission Chairman Deborah Platt Majoras recently warned that unscrupulous telemarketers could use VOIP to blast huge numbers of voice messages to consumers, a technique known as SPIT, for "spam over Internet telephony."

All of these threats remain largely in the realm of theory. Caller ID spoofing, on the other hand, has emerged over the past six months as a useful tool for identity thieves and other scam artists, according to fraud experts.

### PRESIDENT BUSH ON THE LINE

Any reporter would scramble for a ringing phone that reads "White House media line" on its caller ID display.

But it's not the Bush administration on the line -- it's security instructor Ralph Echemendia, calling from a mobile phone on a remote Georgia highway.

"You can see how this sort of thing could be used in a very malicious way," said Echemendia, a security instructor at the Intense School, a technology training company.

Caller ID spoofing is not prohibited by law, but the Federal Communications Commission requires telemarketers to identify themselves accurately, a spokeswoman said.

Echemendia built his own system to spoof calls, but several free or low-cost services allow even technical novices to falsify caller ID information as well.

Debt collectors and private investigators use Camophone.com's 5-cents-per-call service to trick people into answering the

phone, according to messages posted on a discussion board.

Traveling salesmen say the service comes in handy when they want clients to return calls to the main office, rather than their motel room.

James said criminal uses of caller-ID spoofing have become common over the last six months.

Wire-transfer services like Western Union (FDC.N: Quote, Profile, Research) require customers to call from their home phone when they want to transfer money in an effort to deter fraud -- a barrier easily sidestepped by any identity thief using a caller-ID spoofing service.

Fraud rings can now transfer money directly out of stolen credit-card accounts, rather than buying merchandise and reselling it, he said.

Western Union spokeswoman Danielle Periera said the company has no other way to verify that transfer requests are valid.

"We try hard to stay one step ahead of them and recognize that scam artists are sophisticated and often change their schemes," she said.

Criminals can use caller-ID spoofing to listen to other people's voice mail, James said, especially when those accounts are not protected by passwords.

They also have begun to use the technology to make it appear that they are calling from a bank or other financial institution, said Dave Jevans, who chairs the Anti-Phishing Working Group, a banking-industry task force.

That helps them convince consumers to divulge account numbers, passwords and other sensitive information in a scam that echoes the "phishing" e-mails that have become common, he said.

VOIP industry pioneer Jeff Pulver, whose Free World Dialup service can be used to spoof calls, said he couldn't prevent abuse of his system.

The problem will likely recede as companies like VeriSign Inc. (VRSN.O: Quote, Profile, Research) and NeuStar Inc. develop ways to verify online identities, he said: "We're not there yet, but we're going to get there."

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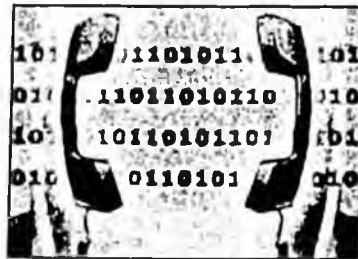
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February 7, 2006  
Updated Daily

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## Caller-ID Spoofing: 'Appallingly Bad Idea'



By Erika Morphy  
September 2, 2004 1:26PM

A new software system that allows users to fool telephone caller-ID opens the door to a variety of abuses. "What an appallingly bad idea" security firm Sophos.

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>> A startup company has developed a software system that allows users to spoof a caller-ID number in order to trick the telephone-call recipient into answering the phone.

Developed by Star38, the service will be marketed solely to collection agencies, private investigators and the police, according to statements made by the company.

The system itself is said to be easy to use, with the user typing in the recipient's number and the number he or she would like to appear on the caller ID.

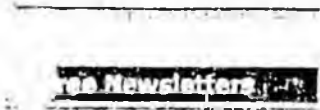
#### Appallingly Bad

Critics of the system -- and there are many, even outside the usual privacy/consumer-advocacy brigade -- find the technology frightening. "What an appallingly bad idea," says Graham Cluley, managing consultant for security and antivirus firm Sophos. "It reminds me of the hacker-driven spam and phishing scams that have taken over the Internet," he told NewsFactor.



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In fact, it is a much worse form of deception than Internet fraud, says John Morris, staff counsel for the Center for Democracy & Technology, a Washington-based public-policy organization with a focus on technology.

**Reasonable Expectation**

"On the Internet, most people understand that the identity of someone who is sending an e-mail may easily be spoofed," Morris told NewsFactor. "But the phone, historically, has had a different set of expectations or assumptions. Most people that have Caller ID assume the number listed is accurate."

In news accounts, Star38 has emphasized its intent to limit the technology to the police, collection agencies and private investigators.

However, "there really isn't anything that will prevent this kind of technology from being used by other firms, such as telemarketers, now that it has been developed," Morris says, adding, "in this age of identity theft, we are skeptical that spoofing other phone numbers on Caller ID is a desirable development."

One scenario, Morris suggests, might be someone purporting to call from a distant relative's house, claiming the person had an accident.

**Potential for Abuse**

But even assuming that Star38 keeps the technology in the hands of collection agencies, private investigators and the police, there still would be cause for worry.

While the police may well have a legitimate need for the technology in criminal investigations, the potential for abuse by collection agencies and PIs is huge.

For example, there have been cases of stalkers retaining private investigators to find victims who went into hiding.

As for collection agencies, the potential for abuse is even wider. "We don't understand what purpose a legitimate collections agency would have in hiding its identity," Morris says.

The typical example, of course, is an agency that uses the system to get a phone-shy debtor to answer the call and coax him or her into paying the debt.

Collection agencies, though, have not entirely shed their less-than-upstanding practices since the passage of the Fair Debt Collection Practices Act. Recently, one firm was fined for continually contacting and harassing a debtor's neighbors -- a

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practice clearly illegal under FDCP.

Over the Line

More often, though, when these agencies go over the line, it is a little more discreet.

Recently, a legal journal reported that a court found a collection agency had made false statements as to the time limit of a debt-discount offer; reportedly, the firm told the debtor she had 30 days to make a payment if she wanted to get a percentage taken off her debt. In truth there was no time limit of 30 days -- a deception prohibited by the law.

Which brings us back to Star38's latest contribution to the Internet age. In his first take on the system, Morris says he does not believe the system itself violates the tenets of FDCP. When it gets in the hands of the agencies, though, that may be a different story.

"I do believe we will see some deceptive practices on the part of the agencies that will violate the spirit of FDCP," he says.

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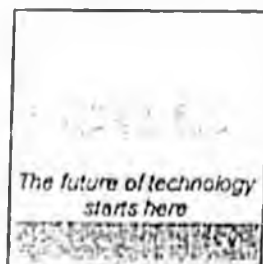
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**March 2005 Archive**

March 08, 2005

**"Caller ID spoofing" an emerging VoIP security threat**

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*If you have caller ID, you might want to think twice about trusting the information displayed on your telephone. As more people place phone calls over the Internet instead of the wired telephone network, identifying the person on the other end of the line is getting more difficult.*

Starting late last summer, people all over the U.S. and Canada got phone calls from a Twin Cities phone number -- a recorded voice offering a deal on wireless phone services. When they called the number to complain, they were patched through to a small Minneapolis company that definitely was not selling Nokias or Blackberries. It was a company that provides janitorial services to area businesses.

Building Resources Corporation office manager Rhiannon Fisk fielded the complaints.

"Around Christmastime, the call volume started to pick up, and we got dozens and dozens every day," she said. "It got to the point where we just had to start ignoring them because it was affecting how we did business."

Understandably, the callers complained angrily about the unwanted telemarketing calls.

"I'll pick up the phone, they immediately say you called my house and I want you to stop calling, and take me off the list, and they usually just hang up," Fisk said.

Fisk sought answers from the company's telephone provider, Integra, but received none. She then complained to the Minnesota Attorney General. The AG's office told Fisk that, while nothing could be done, it knew the likely source of the problem: caller ID spoofing. The shady telemarketers, wanting to avoid detection, made it look like it was someone else. It's a mystery why they chose the Minneapolis company.

Scammers have long known how to fake the source of e-mail. Since Voice over IP, or VOIP, sends voices as packets of data, it was perhaps predictable that telephone customers would start seeing a

**March 2005**

S	M	T	W	Th
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	31

**February 2005**

S	M	T	W	Th
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28			

**Archives**

- [March 2005](#)
- [February 2005](#)
- [January 2005](#)
- [December 2004](#)
- [November 2004](#)
- [October 2004](#)
- [September 2004](#)
- [August 2004](#)
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problem like e-mail spoofing.

"If you pick up your standard phone today, and you have caller ID, you can see which number is actually calling you, and you have a very high level of assurance that it really is that telephone number," said Stuart McIrvine, security researcher at IBM. Now, when you start to get into Voice over IP, it's very easy for someone to fake that number, so you think the call is coming from somewhere else."

Consumer advocacy groups are just beginning to field complaints about the problem. Jordana Beebe with the Privacy Rights Clearinghouse says she's not sure how many people are being burned by caller ID spoofing, but calls it a deceptive practice that should be stopped.

"Caller ID is there so that you know who is calling and you can make a determination about whether you want to take that call or not," she said. "And if for instance that technology is being abused so that you are duped into taking a call that otherwise you wouldn't take, we feel that consumers shouldn't be in that type of situation."

You don't have to be a skilled, devious hacker to trick caller ID displays. In the past year, about a half dozen services have cropped up that use VoIP technology to sell caller ID spoofing, at five to ten cents a minute, to consumers. They go by names like "Telespoof," and "Camophone." They're marketed to people who want to hide their true identities, like bill collectors and private investigators. Only one caller ID spoofing service, responded to inquiries from MPR, but the owner wouldn't reveal his name, saying only that he believes his service is ethical and lawful.

Beebe of the Privacy Rights Clearinghouse says new regulations and laws are needed to fight caller ID spoofing. But VoIP is largely unregulated. A spokeswoman at the agency that would most likely have jurisdiction, the Federal Communications Commission, did not respond to numerous requests for comment.

In the meantime, caller ID spoofing could get worse as more consumers and businesses switch to Internet telephone calls.

"What we're going to see is more people devote more time and energy into breaking it, because it's going to become more popular," said David Endler of the Voice Over IP Security Alliance.

Back at the janitorial services firm, office manager Rhiannon Fisk says that mercifully, her phone stopped ringing off the hook about a month ago. The calls ended as mysteriously as they appeared.





Everything Jersey

## 'Spoofing' lets pranksters dial M for mayhem

Monday, April 11, 2005

BY KEVIN COUGHLIN  
Star-Ledger Staff

When a hoax led sharpshooting SWAT teams to shut down a New Brunswick neighborhood last month, the world learned about a dangerous new game called "bombing."

Prank phone calling, once a summer pastime of slap-happy kids, had morphed into a blood sport.

While details still are unfolding on how the New Brunswick emergency call and others like it were faked, experts on privacy and security warn that Internet technology and legal loopholes are handing hoaxsters a powerful weapon to dupe everyone: caller ID "spoofing."

Over the past few months, companies such as Camophone, CovertCall, Telespoof and SpooTel have sprouted online with offers to place calls that display any callback number you want, for just pennies a minute.

"Be Anyone, Anywhere, Anytime," proclaims the Web site of PI Phone.

PI Phone and rivals Star38 and U.S.Tracers purport to serve only private investigators or law enforcement personnel, who presumably have good reasons for tricking outlaws to answer the phone. But other services welcome all comers, for an extra fee some even will record the results.

"Wanna have some fun? Appear to be someone else, and set up the Ultimate Prank Call," says the Web site for CovertCall, which sponsors a \$250 contest for the best prank.

CovertCall suggests fooling debtors into accepting calls, spoofing your business line to keep your personal number private, and exploiting cellular plans that offer free incoming minutes. "Want to chat with sexy singles? Get endless free trials by calling in with random caller IDs!"

On the Web, CovertCall users even debate methods -- and ethics -- of spoofing a spouse's number to access his or her cellular messages.

The Federal Communications Commission and Federal Trade Commission say they have taken no enforcement actions against these services. But others predict it won't be long before an emergency hoax, identity theft or duped domestic violence victim triggers calls for a crackdown.

"The potential for abuse with this technology is huge," says Jordana Beebe of the nonprofit Privacy Rights Clearinghouse, a San Diego group that advocates for consumer privacy protections.

Adds Kevin Mitnick, co-author of "The Art of Intrusion" and a reformed hacker himself, "You can't trust caller ID. There is no assurance that it is coming from the entity that's displaying on the device."

To prove his point, Mitnick used Vonage, the Edison-based Internet phone company, to call a reporter's cell phone. The call appeared to come from the reporter's office number. The ruse took Mitnick only a few seconds.

Many Internet telephone services let users update their accounts with any callback numbers or emergency addresses they choose. This can be a lifesaver. If you're vacationing and making calls over the Internet, you probably want your service provider to direct police to your vacation spot if you punch 911 in an emergency.

(Spoofing 911 calls over conventional phone networks is much harder. They deploy an embedded billing technology, called SS-7, which automatically links a 911 call with the physical address of the telephone. The New Brunswick hoax appears to have been phoned to a regular police line, not to 911.)

Mitnick, who spent almost five years in jail for hacking into companies such as Motorola and Sun Microsystems, says some financial institutions use caller ID to authenticate telephone requests for personal account information. With a few personal tidbits and your spoofed number, he says, an impostor could access your bank or credit card account.

**SPOOF WITH EASE** Actually, spoofing phone calls is nearly as old as caller ID, a service that debuted in New Jersey -- despite protests from privacy advocates -- in the late 1980s. Back then, spoofing required some technical savvy. Now, anyone with a credit card and a phone or online computer can play.

Typically, after setting up an account with a spoofing service, you call its toll-free line or log onto the Web site. Enter a number to call, and the callback number to display, and the service does the rest.

The mere act of faking someone's phone number is not illegal, says Erin McGee of the CTIA, a wireless industry trade association.

Jim Reynolds of Star38 says his company, launched last fall in Delaware by former law enforcement agents for current agents, was the first commercial spoofing service. Other services are copycats and lawbreakers, he says.

"I guarantee those people will be prosecuted. It's only a matter of time," says Reynolds.

Star38 is meant to help the good guys hunt the bad guys; rivals "give people a license to harass people and break the law," he says.

Because Star38's calls are placed entirely over the Internet, they are exempt from FCC regulations, Reynolds contends. Competitors can't make the same claim, he insists.

But most Internet calls hop onto regular phone networks at some point, says Mark Wigfield of the FCC. "We would have to look at the facts" of any case, he says.

Federal Trade Commission rules bar telemarketers from spoofing caller ID to sidestep the national "Do Not Call" registry established in 2003. Some business uses of spoofing also could violate FTC prohibitions against unfair or deceptive trade practices, says spokesman Brad Winter.

Banning all spoofing would be a mistake, says Vonage chief technical officer Louis Mamakos. That might bar legitimate uses for ailing callback numbers -- such as directing customers to general help numbers instead of to specific representatives.

In fact, spoofing services actually may help preserve personal privacy, says Jonathan Bick, a

Rutgers University law professor and author of "101 Things You Need to Know About Internet Law." These services restore a right to anonymous speech that caller ID had stripped, Bick says.

"We just have evolving technologies," he says. "And as technologies evolve, so do countermeasures."

**THE SPOOFER**The sudden rise of spoofing services can be tied, variously, to boredom, the National Hockey League, and a struggling college student.

SpooTel was born in Vancouver two months ago when a computer security specialist named Ryan Purita got bored.

"This is why having no hockey on TV is bad," jokes Purita, referring to the canceled NHL season.

Purita thought the Star38 service sounded cool but was miffed it only served cops. So he cooked up SpooTel and says it now has about 800 active users who average between 2,000 and 5,000 minutes a day at a dime per minute, Canadian.

He promises to deal swiftly with any reported abuses but defends caller ID spoofing.

"We're offering a service. If someone is using it illegitimately, what can we do? That's the Internet," Purita says.

"They still sell crowbars, don't they? They can be used for many different things. I don't see anybody being stopped from selling guns. I would guess more people are killed by guns than from spoofing caller ID," he says.

Ben Rosenthal also entered the caller ID spoofing business in January, with his PI Phone service for private investigators.

"I saw an opportunity and profit there, and a way to do it honorably and legally, and jumped on it," says Rosenthal, based in Westchester County.

He says it's feasible thanks to free software called Asterisk. It turns a PC with a fast Internet connection into a full-fledged telephone system, with features that once cost thousands of dollars. "The barrier to entry became very low," Rosenthal says.

Asterisk was hatched in 1999 by Mark Spencer, an Auburn University computer engineering student. He also ran a tech support business for people using the free, "open source" Linux computer operating system.

"I needed a phone system. I couldn't afford to buy one, so I decided to make one," recounts Spencer, who now sells Asterisk-based services and hardware at Digium Inc. in Alabama.

Although Spencer's handiwork has spawned outfits that now sell deceptions by the minute, he insists the big phone companies could curb spoofing if they wanted. Not that he's a fan of spoofers, mind you.

"I honestly don't approve of people doing this," says Spencer, 27, who sees the world as divided between those who use technology for good and those who use it for evil. "I would rather be in that first camp, trying to do something to help people."

*Kevin Coughlin covers technology. He can be reached at kcoughlin@starledger.com or (973) 392-1763.*

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NEWS

< <http://www.securityfocus.com/news/9061> >

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## VoIP hacks gut Caller I.D.

**Implementation quirks in Voice over IP are making it easy for hackers to spoof Caller I.D., and to unmask blocked numbers.**

*By Kevin Poulsen, SecurityFocus Jul 6 2004 1:54PM*

Caller I.D. isn't what it used to be.

Hackers have discovered that the handy feature that tells you who's calling before you answer the phone is easily manipulated through weaknesses in Voice over IP (VoIP) programs and networks. They can make their phone calls appear to be from any number they want, and even pierce the veil of Caller I.D. blocking to unmask an anonymous phoner's unlisted number.

At root, the issue is one of what happens to a nugget of authentication data when it leaves the tightly-regulated realm of traditional telephony, and passes into the unregulated domain of the Internet.

On the old-fashioned phone network, Caller I.D. works this way: your local phone company or cell phone carrier sends your "Calling Party Number" (CPN) with every call, like a return address on an envelope. Transmitted along with your CPN is a privacy flag that tells the telephone switch at the receiving end of the call whether or not to share your number with the recipient: if you have blocking on your line, the phone company you're dialing into knows your number, but won't share it with the person you're calling.

This arrangement relies on telephone equipment at both ends of the call being trusted: the phone switch providing you with dial tone promises not to lie about your number to other switches, and the switch on the receiving end promises not to reveal your number if you've asked that it be blocked. In the U.S. that trust is backed by FCC regulations that dictate precisely how telephone carriers handle CPNs, Caller I.D. and blocking. Most subscribers have come to take Caller I.D. for granted, and some financial institutions even use Caller I.D. to authenticate customers over the phone.

Despite that, the system has long been open to manipulation. "A lot of times you can offer any number you want, and carriers won't validate that," says Lance James, chief security officer of Secure Science Corporation. But in the past, the power to misrepresent your number came with a high price tag: you typically had to be a business able to pay the local phone company for a high-volume digital connection. On the other side of the equation, companies who pay for toll free numbers can often access an incoming caller's phone number even if it's blocked.

Voice over IP networks, currently outside FCC regulation, place those capabilities in the hands of ordinary netizens. In a telephone interview with SecurityFocus, 21-year-old phone hacker "Lucky 225" demonstrated how he could spoof his Caller I.D. to appear to be phoning from the reporter's office. In another demonstration, the reporter phoned Lucky's associate "Natas" from a residential phone with Caller I.D. blocked. Natas was able to rattle off the unlisted phone number.

As described by Lucky, who's scheduled to give a talk on the subject at the DefCon hacker convention later this month, much Caller I.D. chicanery can be accomplished by taking advantage of implementation quirks in Voice over IP networks that try, but fail, to implement Caller I.D. properly. "There are little exploits that you can do," says Lucky. But the most powerful tool for manipulating and accessing CPN data is the open-source Linux-based PBX software Asterisk, used in combination with a permissive VoIP provider. "It's fully configurable, you can pretty much do anything you want with it," says Lucky. "That's why Voice over I.P. is changing things."

Natas used Asterisk in conjunction with the NuFone Network for his demonstration of Caller I.D. unmasking. NuFone chief Jeremy McNamara didn't return phone calls for this story.

Privacy advocates, who had reservations about Caller I.D. when it was introduced in the 90s, aren't happy that it's becoming easier to subvert. "A worse case scenario is if you have a blocked number, and you're a victim of stalking, and you're duped into calling a number the stalker set up that was routed through a VoIP line," says Jordana Beebe of the San Diego-based Privacy Right's Clearinghouse. "It could put their life in danger."

Callers with life-or-death anonymity concerns might consider spoofing just to get a little privacy. For now, Lucky says pranks among friends are the most common use that he's seen of VoIP spoofing, but he believes that identity thieves and other swindlers could have a field day. "I've used it myself to activate my own credit cards, because I never give credit card companies my real number," he says. "One simple spoof, and it's like saying, if you have the guy's phone number, that piece of information is more important than his mother's maiden name and date of birth. If you have the phone number, you don't need anything else."

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## Caller ID missing in OPD

by Lindsay Huell  
DM Staff Reporter  
February 25, 2005

One might assume that when a police dispatcher fields a telephone call, a caller ID device would immediately track the caller's whereabouts. This, however, is not the case at the Oxford Police Department.

According to Jason Plunk, owner of Night Town in Oxford, an apparent prank call led officers to his business Monday at midnight. Plunk said the police were unable to trace the call, and they responded to a false report of a fight occurring in the parking lot.

"My impression is that someone phoned the police department representing Night Town," he said. "I am the only one who can make a judgment decision about calling the police. So I knew that the call had not been made from Night Town."

Plunk said the police told him the call came from a cell phone, but they did not know — and would have no way of discovering — who made the call.

Assistant Police Chief Mike Martin said implementing a caller ID system would be problematic.

"With as many lines as our telephone system has, we have been told that we may never be able to have caller ID," Martin said.

Martin said the police department currently has 12 lines connected with their telephone system, and the caller ID function only works with a one-line system.

In the event of a serious prank, the department has other ways of tracking calls through the Bell South telephone company.

But Martin said the majority of prank calls are made to the emergency 911 system.

Emergency 911 dispatchers do have identification capabilities.

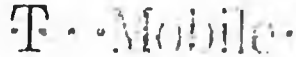
The police department's telephone system is networked with the fire department and city hall. If the system were to be updated to incorporate caller ID, the whole network would have to be changed, Martin said.

Lori Nicholson of the Germantown Police Department in Germantown, Tenn., said their telephone system is also connected to the fire department and city hall.

They have seven emergency department lines do not contain the caller ID function either.

She said Germantown's emergency 911 lines are the only ones able to identify incoming calls.

## T-Mobile security flaw in voicemail. Beware and change



By **David Ciccone**, posted Tuesday, Feb. 22nd, 2005  
Reader Comments: 4  
Pageviews: 20,245

### Simple caller-id spoofing enables unwarranted access to your voicemail.

If any of our members of the community have Sprint or T-Mobile and you have auto voicemail login enabled, you are vulnerable to a simple hack to access your voicemail. I have auto voicemail login enabled because I hate entering my voicemail PIN number each time I want to check my messages.

The voicemail authentication system is simple. It uses caller ID to validate the originating number – if the caller ID matches your cell phone number (ie. your cell phone calling in to check your voicemail messages), it will log you in automatically.

Since the announcement of commercial caller ID spoofing systems such as CovertCall and another called TeleSpooF. For those not in-the-know, caller ID spoofing allows you to change your caller ID number to anything you like. This is extremely vulnerable and make sure you turn off auto login enabled. This is probably how they hacked into Paris Hilton's voicemail.

#### What is CoverCall?

Covert Call allows you to alter the caller id that is sent to the phone you are calling. It can operate just like a calling card, all for the price of a normal long distance call.

here's a scenario: Out of the office and need to contact a business associate, but don't want to reveal your private cell phone number?... Covert Call will display your business number on their caller id. No one will ever know where you are really calling from!

Manipulate the caller id, that is sent from your phone. Appear to be anyone, anywhere. This service is compatible with nearly all phones, cell phones, and even the new VoIP phones!

#### What is TeleSpooF?

TelespooF is offering the first domestic and international Caller I.D. spoofing service, allowing business professionals to remain anonymous when calling from anywhere in the world, to anywhere in the world. TelespooF allows you to be whoever you want to be.

Our service is for business professionals within the U.S. including, but not limited to; Private Investigators, Skip Tracers, Law Enforcement, Debt Collection Agencies, Insurance Agencies and Lawyers, allowing the freedom to choose any number to show up on the Caller I.D. display.

TelespooF operates on toll free numbers within the U.S. giving clients access from wherever they may be. No need to be in the office or at a computer to use the service. TelespooF also allows clients to place international calls with spoofed Caller I.D. permitting the technology is available within the destination country.

Dirk Moffatt

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**From:** Bob Lynn [boblynn@alaska.com]  
**Sent:** Wednesday, April 06, 2005 8:48 PM  
**To:** Rep. Bob Lynn  
**Subject:** \*\*\*\*\*SPAM\*\*\*\*\* Caller ID Articles  
**Follow Up Flag:** Follow up  
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Scam artists dial for dollars  
on Internet phones  
Caller ID spoofing has  
emerged as a useful tool  
for fraudsters

News Story by Andy  
Sullivan

MARCH 21,  
2005 (REUTERS) - Internet phone services have drawn millions of  
users looking for rock-bottom rates. Now they're attracting identity  
thieves looking to turn stolen credit cards into cash.

Some Internet phone services allow scam artists to make it appear  
that they are calling from another phone number -- a useful trick that  
enables them to drain credit accounts and pose as banks or other  
trusted authorities, according to online fraud experts.

"It's like you've handed people an entire phone network," said Lance  
James, who as chief technology officer of Secure Science Corp. sees  
such scams on a daily basis.

The emerging scams underline the lower level of security protecting  
voice over IP. Traditional phone networks operate over dedicated  
equipment that is difficult for outsiders to penetrate. But because  
VoIP calls travel over the Internet, they cost much less -- but are  
vulnerable to the same security problems that plague e-mail and the  
Web. Internet worms that snarl online networks can render VoIP  
lines unusable, and experts at AT&T Corp. say VoIP conversations  
can be monitored or altered by outsiders.

Federal Trade Commission Chairman Deborah Platt Majoras

recently warned that unscrupulous telemarketers could use VoIP to blast huge numbers of voice messages to consumers, a technique known as SPIT, for "spam over Internet telephony."

All of these threats remain largely in the realm of theory, although Caller ID spoofing has emerged over the past six months as a useful tool for identity thieves and other scam artists, according to fraud experts.

Any reporter would scramble for a ringing phone that reads "White House media line" on its Caller ID display. But it's not the Bush administration on the line -- it's Ralph Echemendia, calling from a mobile phone on a remote Georgia highway. "You can see how this sort of thing could be used in a very malicious way," said Echemendia, a security instructor at the Intense School, a technology training company.

Caller ID spoofing is not prohibited by law, but the Federal Communications Commission requires telemarketers to identify themselves accurately, a spokeswoman said.

Echemendia built his own system to spoof calls, but several free or low-cost services allow even technical novices to falsify Caller ID information as well.

Debt collectors and private investigators use Camophone.com's 5-cents-per-call service to trick people into answering the phone, according to messages posted on a discussion board. Traveling salesmen say the service comes in handy when they want clients to return calls to the main office, rather than to their motel room.

James said criminal uses of Caller-ID spoofing have become more common.

Wire-transfer services like Western Union require customers to call from their home phone when they want to transfer money in an effort to deter fraud -- a barrier easily sidestepped by any identity thief using a Caller-ID spoofing service. Fraud rings can now transfer money directly out of stolen credit card accounts, rather than buying merchandise and reselling it, he said.

Western Union spokeswoman Danielle Periera said the company has no other way to verify that transfer requests are valid. "We try hard to stay one step ahead of them and recognize that scam artists are sophisticated and often change their schemes," she said.

Criminals can use Caller ID spoofing to listen to other people's voice mail, James said, especially when those accounts are not protected by passwords.

They also have begun to use the technology to make it appear that they are calling from a bank or other financial institution, said Dave Jevans, who chairs the Anti-Phishing Working Group, a banking industry task force. That helps them convince consumers to divulge account numbers, passwords and other sensitive information in a scam that echoes the "phishing" e-mails that have become common, he said.

VoIP industry pioneer Jeff Pulver, whose Free World Dialup service can be used to spoof calls, said he couldn't prevent abuse of his system. But the problem will likely recede as companies like VeriSign Inc. and NeuStar Inc. develop ways to verify online identities, he said. "We're not there yet, but we're going to get there," Pulver said.

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## Internet phones a hacking risk?

Low-cost services may attract identity thieves looking to turn stolen credit cards into cash.

March 18, 2005: 3:45 PM EST

**WASHINGTON (Reuters) - Internet phone services have drawn millions of users looking for rock-bottom rates. Now they're also attracting identity thieves looking to turn stolen credit cards into cash.**

Some Internet phone services allow scam artists to make it appear that they are calling from another phone number -- a useful trick that enables them to drain credit accounts and pose as banks or other trusted authorities, online fraud experts say.

"It's like you've handed people an entire phone network," said Lance James, who as chief technology officer of Secure Science Corp. sees such scams on a daily basis.

The emerging scams underline the lower level of security protecting Voice Over Internet Protocol, or VOIP, the Internet-calling standard that has upended the telecommunications industry over the past several years.

Traditional phone networks operate over dedicated equipment that is difficult for outsiders to penetrate. Because VOIP calls travel over the Internet, they cost much less but are vulnerable to the same security problems that plague e-mail and the Web.

Internet worms that snarl online networks can render VOIP lines unusable, and experts at AT&T (Research) say VOIP conversations can be monitored or altered by outsiders.

Federal Trade Commission Chairman Deborah Platt Majoras recently warned that unscrupulous telemarketers could use VOIP to blast huge numbers of voice messages to consumers, a technique

known as SPIT, for "spam over Internet telephony."

All of these threats remain largely in the realm of theory. Caller ID spoofing, on the other hand, has emerged over the past six months as a useful tool for identity thieves and other scam artists, according to fraud experts.

### President Bush on the line

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### Caller-ID Spoofing: 'Appallingly Bad Idea'

By Erika Morphy  
 NewsFactor Network  
 September 2, 2004 1:26PM

A new software system that allows users to fool telephone caller-ID into displaying false numbers opens the door to a variety of abuses. "What an appallingly bad idea," says Graham Cluley of security firm Sophos.

[COMPLETE STORY](#)

A startup company has developed a software system that allows users to spoof a caller-ID number in order to trick the telephone-call recipient into answering the phone.

Developed by Star38, the service will be marketed solely to collection agencies, private investigators and the police, according to statements made by the company.

The system itself is said to be easy to use, with the user typing in the recipient's number and the number he or she would like to appear on the caller ID.

#### Appallingly Bad

Critics of the system -- and there are many, even outside the usual privacy/consumer-advocacy brigade -- find the technology frightening. "What an appallingly bad idea," says Graham Cluley, managing consultant for security and antivirus firm Sophos. "It reminds me of the hacker-driven spam and phishing scams that have taken over the Internet," he told NewsFactor.

In fact, it is a much worse form of deception than Internet fraud, says John Morris, staff counsel for the Center for Democracy & Technology, a Washington-based public-policy organization with a focus on technology.

#### Reasonable Expectation

"On the Internet, most people understand that the identity of someone who is sending an e-mail may easily be spoofed," Morris told NewsFactor. "But the phone, historically, has had a different set of expectations or assumptions. Most people that have Caller ID assume the number listed is accurate."

In news accounts, Star38 has emphasized its intent to limit the technology to the police, collection agencies and private investigators.

However, "there really isn't anything that will prevent this kind of technology from being used by other firms, such as telemarketers, now that it has been developed," Morris says, adding, "in this age of identity theft, we are skeptical that spoofing other phone numbers on Caller ID is a desirable development."

One scenario, Morris suggests, might be someone purporting to call from a distant relative's house, claiming the person had an accident.

#### Potential for Abuse

But even assuming that Star38 keeps the technology in the hands of collection agencies, private investigators and the police, there still would be cause for worry.

While the police may well have a legitimate need for the technology in criminal investigations, the potential for abuse by collection agencies and PIs is huge.

For example, there have been cases of stalkers retaining private investigators to find victims who went into hiding.

As for collection agencies, the potential for abuse is even wider. "We don't understand what purpose a legitimate collections agency would have in hiding its identity," Morris says.

The typical example, of course, is an agency that uses the system to get a phone-shy debtor to answer the call and coax him or her into paying the debt.

Collection agencies, though, have not entirely shed their less-than-upstanding practices since the passage of the Fair Debt Collection Practices Act. Recently, one firm was fined for continually contacting and harassing a debtor's neighbors -- a practice clearly illegal under FDCP.

#### Over the Line

More often, though, when these agencies go over the line, it is a little more discreet.

Recently, a legal journal reported that a court found a collection agency had made false statements as to the time limit of a debt-discount offer; reportedly, the firm told the debtor she had 30 days to make a payment if she wanted to get a percentage taken off her debt. In truth there was no time limit of 30 days -- a deception prohibited by the law.

Which brings us back to Star38's latest contribution to the Internet age. In his first take on the system, Morris says he does not believe the system itself violates the tenets of FDCP. When it gets in the hands of the agencies, though, that may be a different story.

"I do believe we will see some deceptive practices on the part of the agencies that will violate the spirit of FDCP," he says.

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## Caller ID: Do you really know who's calling?

By Ben Charny CNET News.com August 30, 2004, 4:37 PM PT

### Your Caller ID feature may no longer be telling the truth.

This week, a company is launching technology that will make it possible for someone to choose what appears on phones that have Caller ID, the feature for displaying identifying information about an incoming call.





It could be a different phone number, or even a few words, said Jason Jepson, founder of [Star38](#), which has developed the commercial Caller ID spoofing service. Sales of Star38 will be limited to licensed private investigators and collection agencies, Jepson said. The service will cost \$20 a month plus airtime charges.

The technique for replacing the usual bits of identifying information, such as ph

Caller ID Spoofing Service Debuts Sept. 1, 2004

**Star38's service disguises who is making the call but will only be sold to collection agencies, private investigators, and law-enforcement personnel.**

By Paul Travis  
[InformationWeek](#)

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A service introduced Wednesday can send misleading information to phones that display Caller ID information, which is used to identify who is placing a call before the called party answers the phone.

The service will only be sold to collection agencies, private investigators, and law-enforcement personnel, says Jason Jepson, founder and CEO of Star38. "This is not for public use," he says. "We just opened today and we've gotten 600 inquiries so far."

The service will let collection agencies and others avoid breaking laws that prohibit them from using phony phone numbers when they try to collect money, Jepson says. His service will provide them with a legitimate phone number--but one that can't be associated with the actual caller, he says.

Potential customers must go to the Star38 Web site and download an application. They must provide copies of business licenses and other proof that they are the types of businesses that Jepson wants to serve. Once that information is verified--a process that can take seven to 10 days--a customer is granted access to the Star38 service.

For a collection agency to use the service, it would log on to the Star38 server and telephone-switching system and fill out a form with the target's phone number. The Star38 system places the call and, if answered, automatically routes the call to the collection agency's call center or other specified phone number. If the target isn't home and calls back later, the call will be automatically routed to the collection agency's phone.

Jepson says he has purchased several phone numbers from local telephone companies; one of these is what pops up on the Caller ID screens used by many consumers to see who's calling them.

"We are providing collection agencies with another option," Jepson says. "Our service will completely document each call, including how long it took, when it was made, and data like that." The service costs \$20 per month, plus 7 to 10 cents per minute for phone charges.

one number and name, that accompany inbound calls was discovered a few years ago by hackers. Privacy advocates fear that in the wrong hands, commercial services have the potential to be abused. For instance, telemarketers could use technologies similar to Star38's to trick people into answering a call that looks like a familiar phone number.

Star38 aims to overcome the stigma created by earlier pranksters and thieves. "Unfortunately, what's happened is some hackers have got to it first and gave it a bad name," Jepson said. "If they step back and see the forest through the trees, they'd realize what they are doing is hard and illegal. What we are doing is neither."

The company plans to explore other markets as well. For example, Jepson said he's begun talks with Musicphone, a San Francisco-based service that lets people send songs, along with personalized messages, to any kind of phone--cellular or standard.

Musicphone wants to use Star38's software to send even more information about certain artists, he said. A Musicphone representative could not immediately be reached.

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## WHITEPAPERS & WEBCASTS



CONGRESSMAN

# Tim Murphy

Working For The 18th District Of Pennsylvania



- [- Biography](#)
- [- About The District](#)
- [- NewsRoom](#)
- [- Issues](#)
- [- Multimedia](#)
- [- Constituent Services](#)
- [- Photo Gallery](#)
- [- Contact Tim](#)
- [- District Links](#)
- [- Visit Washington DC](#)
- [- Email Updates](#)

## Biography

[Home](#) / [Biography](#) / [Biography](#)

At a young age, Tim Murphy learned that hard work is the key to success. He was one of eleven children, born to working class parents who stressed the importance of family, education and self-reliance.

He worked his way through college and graduate school, eventually earning a PhD in psychology. He started a family of his own, opened a small business, went to work at hospitals across Western Pennsylvania, consulted for schools and Head Start, and taught at the University of Pittsburgh. He authored several publications, including two books: the award-winning "The Angry Child," and "Overcoming Passive-Aggression." During this time, he became widely known as "Dr. Tim" through regular appearances on local and national radio and television.

From 1997-2002 he served in the Pennsylvania State Senate. As an elected official, and one of very few with a health care background, he found that he could help more families. He penned the state's historic Patient Bill of Rights and increased funding for medical research, while consistently supporting responsible fiscal management government to promote job creation and reduce the tax burden on families.

He took this commitment to Congress when he began representing the people of the 18th district of Pennsylvania in 2003.

He got to work immediately in Washington. In just his second term, Congressman Murphy was named a member of the Energy and Commerce Committee. He has three subcommittee assignments: Commerce, Trade, and Consumer Protection; Energy and Air Quality; and Environment and Hazardous Materials. Tim quickly emerged as a leader among his peers and was elected by his colleagues to serve as President of the 2003 class. He also is recognized as a leader in Congress on mental health issues, and serves as Co-chair of both the Congressional Mental Health Caucus, and the 21<sup>st</sup> Century Healthcare Caucus.

During his tenure in the state Senate, he served as chair of the Pennsylvania Committee on Aging and Youth. He utilized this unique experience to ensure the recent Medicare Prescription Drug Act would work in conjunction with Pennsylvania's PACE program. As a result, it is estimated that PACE will save up to \$150 million over the next ten years.

Tim Murphy makes it a priority to bring together business and community leaders to focus on new and innovative ways to retrain our job force to better position Western Pennsylvania to face the challenges of the new world economy. Representing a district with a large number of veterans – and a member of the Sons of American Legion himself, he firmly supports our armed services and shows commitment to our veterans by working to expand benefits and improve services to veterans' health care.

Nan and Tim Murphy reside in Upper St. Clair with their daughter, Bevin who is currently attending college. They attend St. Thomas More Catholic Church in Bethel Park.

He earned a bachelors degree from Wheeling Jesuit University, a master's degree from Cleveland State University, and a his PhD from the University of Pittsburgh.

A fierce proponent of community involvement, he is a strong advocate of the Rails to Trails programs, an active participant in events for Habitat to Humanity and member of several Rotary Clubs and Chambers of Commerce.

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