

AK LEGISLATURE FINANCE COMMITTEES FILES 2007-2008 3167

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the Alaska Native Justice Center, and other agencies. For those needing further assessment as determined by the Legal Line, a list of attorneys willing to be referred would be provided. These attorneys would provide services at a discounted rate.

b. The clients of such a program would be small businesses or individuals that would pay for the program on a yearly sliding scale fee based on income. A program menu could be developed to give more services for a higher yearly fee. This could be promoted through Chamber of Commerce type organizations.

c. An attorney who is on staff through the UAASBDC and the Justice Center would provide oversight. Assistance would come from students who are in the paralegal program.

d. Statewide reach could be provided through the UAASBDC, UA Juneau, and UA Fairbanks.

Costs for such a program would be approximately \$150,000 with funding provided through client fees and grants from the Justice Department and Department of Commerce.

5. The University of Alaska Anchorage should develop a legal clinic at the UAA Justice Center to address the needs of clients that Alaska Legal Services cannot represent because of personnel limitations. The Justice Center could offer a part-time clinic supervised by an attorney in which Paralegal Certificate students would learn substantive legal work through the internship program. The Justice Center would modify the existing internship program slightly to allow students to do the second semester as an advanced legal placement in lieu of a law elective.

Such a program would require hiring additional personnel at the Justice Center, as well as arranging alternative office space, preferably in a more central and easier location (with better parking, for example). Another possibility might be to have the clinic travel to different locations such as Covenant House and Brother Francis Shelter. One half-time attorney and one paralegal/secretary could supervise and train the interns, who would conduct client interviews, conduct case investigations, assist with pro se paper filing, perform legal research and writing, draft pleadings and discovery requests for the attorney's review and other tasks as necessary.

This program could be mutually beneficial for the Justice Center and currently unserved clients. For example, it could be offered during after work and weekend hours. Many students are already employed and cannot afford placement in regular work hours, and many clients are at work when lawyers are available. The after hours aspect of the clinic would address both needs. Such a clinic would also augment the Justice Center's academic program by offering a superior internship experience for Paralegal Certificate students. The Justice Center has indicated a willingness to pursue such a program, and has prepared

preliminary outlines of a program structure and responsibilities for a supervising attorney.

The cost of such a program would be approximately \$100,000 per year.

G. Pro Se Litigants Subcommittee

Introduction: This subcommittee focused on the needs of persons who represent themselves in legal matters.

Findings:

- Pro se litigants face a number of hurdles when attempting to represent themselves in court including: a lack of knowledge and education about the legal issues involved, an inability to properly draft motions and follow court procedures as set forth in the Rules of Court, and failure to serve papers on the opposing party. Furthermore, pro se litigants make inappropriate telephone calls and have inappropriate contact with the court and judges' chambers, and take up extensive use of court time due to their lack of knowledge and their noncompliance with the basic court rules.
- Alaska Legal Services conducted a one-week informal survey of calls requesting assistance and found there were 163 Anchorage calls, and 52 rural calls. Of the 215 potential clients, 42 were interviewed and either given advice on how to handle their case or were accepted for representation; 88 were referred to Alaska Legal Services educational clinics, 70 were referred to the Lawyer Referral Service, and 15 were referred to other social services agencies. Of the 215 calls, about 100 were family related matters and 44 were landlord/tenant matters.
- Approximately 30% of the calls to the Alaska Native Justice Center are related to family law, child custody and child support issues.
- There is a lack of effective access to the court system for unrepresented litigants in family law matters. Even access to information about family law issues is limited with clinics sponsored by the Alaska Pro Bono Program existing as the main source of information for many litigants.
- Many victims of domestic violence remain in the home where the violence is occurring due to lack of resources, representation and understanding of family law.
- Individuals residing in rural areas lack access to the courts generally, but especially with regard to domestic violence issues.

- The United States District Court staffs an attorney position and created a handbook to assist pro se litigants in federal court. It appears that having an attorney and a handbook for these pro se litigants has been considerably helpful to the federal court in screening cases, setting out procedures in pro se cases, and managing them.

Recommendations:

1. Creation of a Pro Se Litigants Handbook for state courts.
2. Creation of statewide step-by-step packets with sample forms for various proceedings (e.g. will packets, probate forms, Petition for Protective Order/Domestic Violence, Power of Attorney, Divorce, Custody and Child Support Modification Packets). The packets can be available for distribution in various appropriate locations such as hospitals, medical facilities, libraries, funeral homes, churches, schools, campuses, Alaska Legal Services, Alaska Native Justice Center, and other non-profit organizations, and would be periodically updated as necessary.
3. Creation and presentation of educational courses for medical personnel on the process and procedures for filing domestic violence petitions.
4. Creation and presentation of educational and informational television ads with different weekly topics in the rural areas on RATNET and other statewide networks.
5. Offer Alaska Pro Bono Program's clinics twice monthly, with an evening class scheduled for those working during the day. Additionally, the APBP clinics should be available statewide on video or audiotapes for a minimal cost at local video stores, public libraries, tribal council offices, or local grocery stores.
6. Creation of simple "Request" and "Complaint" forms for Pro Se litigants requesting civil relief in the state courts.
7. Extend the Alaska Court System's business hours to allow for after hours filing, hearings and research.
8. Review and develop shorter time frames for child support modification and dissolution hearings.
9. Implement uniform statewide procedures and rules to allow parties to file domestic violence petitions by facsimile.

10. Expand the Alaska Court System's website to include: a) general legal education and information and, b) commonly used court forms that may be downloaded and printed.

11. Create and educate a statewide network of magistrates, village councils, social workers etc. to assist in disseminating information to Pro Se litigants.

12. Create a 1 or 2 year statewide Program Developer position for the Alaska Court System. The Program Developer will educate the court staff on the needs of Pro Se litigants and assist in implementing changes to meet these needs. The person filling this position, will also act as a liaison between the Implementation Task Force (responsible for implementing the recommendations agreed upon by this Task Force), and Court staff. Additionally, the Program Developer will research the feasibility of creating a state Pro Se Management position and a state Pro Se Litigants' Attorney position.

13. Re-examine the process for creating court forms with the goal of creating forms that are in simple English and easy to use.

H. Fundraising and Public Relations Recommendations

Introduction: This subcommittee was put together by Alaska Legal Services' development director and served only as an adjunct committee to the Access to Civil Justice Task Force. The subcommittee examined ways that Alaska Legal Services could broaden its fundraising and public relations efforts with the view that any recommendation proposed by this subcommittee would be specifically geared towards Alaska Legal Services.

Recommendations:

1. Develop locally driven, annual Private Bar Campaigns in each of the Judicial Districts to serve as the primary fundraising vehicles within the bar. Recruit the most influential and well-respected leaders from the legal community to lead peer-to-peer and firm-to-firm solicitations similar to Capital Campaigns held in other philanthropic areas.

2. Create a comprehensive statewide, public education program to build a much stronger cadre of constituents who understand the importance of legal services for the poor and are willing to be vocal about its funding. Possible public education options include:

- a. Speakers Bureau
- b. Agency newsletter
- c. Public forums

- d. Public service announcements
- e. Poster Campaign
- f. Editorial support in newspapers

3. Pursue new ways to reaffirm the state of Alaska's responsibility for funding legal services including the following:

a. Establish a subcommittee within each Private Bar Campaign Leadership Committee whose primary task is to educate state legislators on the importance of legal services. Emphasize how the profession has responded as a whole and how increased appropriation would complement these efforts. These subcommittees would be responsible for developing a "lobbying" plan.

b. Create stronger collaborative efforts with the Court System, the Alaska Bar Association, and local bar associations to increase state funding.

4. Continue to maintain and build upon successful efforts of receiving monies in local municipalities and boroughs.

5. Increase the number of grant applications submitted to private, corporate, and national foundations. Continue to research those foundations that are increasingly giving funds to legal services.

6. Increase the number of grants submitted that are collaboratively written with other social service agencies that work on the same issues as Alaska Legal Services.

7. Establish a designated fund/endowment with a local community foundation that will professionally manage the funds and disburse fund proceeds to Alaska Legal Services after a minimum balance is established.

8. Establish a "Planned Giving Committee" to prepare Alaska Legal Services to accept funds from wills and bequests, charitable trusts and annuities, life insurance policies, as well as real estate, securities, and other non-traditional giving vehicles.

9. Create a "Major Gifts Committee" to identify and solicit large individual gifts for Alaska Legal Services.

10. Develop an annual Alaska Legal Services special event to broaden community awareness and gain additional monies for Alaska Legal Services.

11. Bring together leaders from within the Alaska Native Community to combine efforts and implement an annual fundraising campaign specifically in support of legal services work with this constituency.

Appendix A - Task Force Members

Chair - Justice Dana Fabe

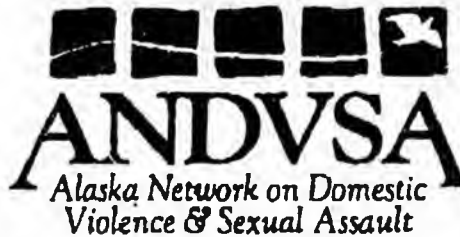
<u>Member</u>	<u>Representing</u>
Senator Al Adams	State Senate
Lynn Allingham	IOLTA Commission
Danny Bolden	Alaska Legal Services Eligible Clients
Magistrate Harry Branson	Federal Courts
Robin Bronen	Non-Alaska Legal Services Eligible Clients
David Bundy	Alaska Bar Association
David Call	Fairbanks Attorneys
Michele Christensen	Alaska Native Justice Center
Stephanie Cole	Alaska Court System
Joan Conners	Municipality of Anchorage Ombudsman
Jim Decker	Corporate Attorneys
Jane Demmert	Alaska Commission on Aging
Dawn Dillard	Alaska Legal Services - Rural clients
Susanne DiPietro	Alaska Judicial Council
Nancy Gordon	Governor's Appointee
Carol Heyman	Business Community
Robert Hickerson	Alaska Legal Services
Rep. Reggie Joule	Alaska State House
Mark Krolloff	Corporate Attorneys
Brant McGee	Public Sector Attorneys
Allison Mendel	Private Attorneys
Jim Minnery	Alaska Legal Services Fundraising
Art Peterson	Alaska Legal Services Board of Directors
Judge John Reese	State Trial Courts
Lisa Rieger	University of Alaska Justice Center
Mark Rindner	Pro Bono Services
Kari Robinson	Alaska Network on Domestic Violence and Sexual Assault
Marcia Rom	Alaska Legal Services - Urban clients
Diane Smith	Federal Pro Se clients
Bryan Timbers	Second Judicial District Attorneys
Jim Valcarce	Bethel Attorneys
Diane Vallentine	Alaska Bar Association
Maria-Elena Walsh	Pro Bono Program
Donna Willard	American Bar Association
Lach Zemp	First Judicial District Attorneys

Also: members of the Alaska Pro Bono Services Committee and the Alaska Board of Governors not previously named, presiding judges not previously named, other task force subcommittee members not previously named, and serving as volunteer staff: Deborah O'Regan, Nancy Shaw.

Appendix B - Task Force Steering Committee Members

Sen. Al Adams	State Senate
Danny Bolden	Alaska Legal Services Eligible Clients
Magistrate Harry Branson	Federal Courts
Robin Bronen	Non-Alaska Legal Services Eligible Clients
David Bundy	Alaska Bar Association
David Call	Fairbanks Attorneys
Michele Christensen	Alaska Native Justice Center
Stephanie Cole	Court System
Dawn Dillard	Alaska Legal Services - Rural Clients
Susanne DiPietro	Alaska Judicial Council
Nancy Gordon	Governor's Appointee
Carol Heyman	Business Community
Robert Hickerson	Alaska Legal Services
Mark Kroloff	Corporate Attorneys
Brant McGee	Public Sector Attorneys
Art Peterson	Alaska Legal Services Board of Directors
Lisa Rieger	University of Alaska Justice Center
Mark Rindner	Pro Bono Services
Marcia Rom	Alaska Legal Services - Urban Clients
Bryan Timbers	Second Judicial District Attorneys
Jim Valcarce	Bethel Attorneys
Maria-Elena Walsh	Pro Bono Program
Lach Zemp	First Judicial District Attorneys

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January 22, 2007

Representative Ramras
State Capitol, Room 118
Alaska Senate
Juneau, AK 99801-1182

Dear Representatives Ramras and LeDoux:

The Alaska Network on Domestic Violence and Sexual Assault (ANDVSA) is in support of HB 76, a bill that would create a civil legal services fund with monies collected from punitive damages awards. This bill is essential to ensuring that Alaska's most vulnerable citizens have access to legal representation to enforce fundamental rights such as housing and safety for themselves and their children.

Victims of domestic violence and sexual assault often need civil legal representation when they are leaving a violent relationship. A civil legal aid attorney can help them to get housing, a divorce from an abusive partner, custody and safety for their children, and appropriate financial support so that they can sustain themselves. Without this type of assistance, many victims stay in abusive relationships. A study done through Department of Justice funding recently found that providing legal assistance to victims of domestic violence is the most effective means of ending the violence in their lives. Despite this great need, there are very few legal services attorneys in our state due to great cuts to Alaska Legal Services by the state and federal government. Our agency runs a pro bono program that fills some of the need for civil attorneys for victims, however it cannot fill the overwhelming demand. Every year we have to turn away many needy clients.

Please ensure that this bill passes and that civil legal aid has the financial support that it needs to provide attorneys to low income Alaskans.

Thank you for sponsoring this bill.

Peggy Brown
Executive Director, Alaska Network on Domestic Violence and Sexual Assault

Cc: Christine Pate, Director of ProBono Program

Member Programs

Anchorage AWAIC, AWRC, STAR Barrow AWIC Bethel TWC Cordova CFRC Dillingham SAFE Fairbanks LAC
Homer SPHH Juneau AWARE Kenai LeeShore Center Ketchikan WISH Kodiak KWRCC Kotzebue MFCC
Nome BSWG Palmer AFS Seward SCS Sitka SAFV Unalaska USAFV Valdez AVV

ALASKA WOMEN'S LOBBY

P.O. Box 20891 Juneau, Alaska 99802

Position Paper HB 76, January 2007

Thank you for the opportunity to comment on HB 76, Civil Legal Services Fund. The Women's Lobby supports passage of this legislation. It is difficult if not impossible to provide equal justice for all citizens without equal access to the courts. Unlike the criminal legal process where an attorney is provided to the accused if the person cannot afford representation, people who do not have economic advantages can be shut out of the civil legal process.

Organizations like Alaska Legal Services Corporation (ALSC) help bridge the gap, providing services to low-income citizens who need assistance navigating the courts. At some point over the course of a lifetime each of us will probably need legal assistance. Whether it is a consumer issue, housing, a will or probate issues, family matters such as adoptions, divorce, guardianships, or health issues, something will happen that requires legal expertise. With offices in many of the regional hubs in our state, ALSC can help some of the low-income people who need it. Unfortunately, adequate funding is not currently available to meet all the needs out there.

HB 76 provides an opportunity to allow ALSC's funding to stabilize so their attention can be more focused on service provision than seeking funds to keep the doors open. While ALSC receives about 40% of its funding from the Legal Services Corporation, they also work to garner private contributions through the Robert Hickerson Partners in Justice Campaign. The late Robert Hickerson devoted much of his career to ensuring equal access to the civil justice system for all Alaskans, serving ALSC as executive director from 1984 until his untimely death from cancer in 2001. We believe a funding partnership with the state will enhance ALSC's ability to raise other funds as well.

In passing HB 76, Alaska will be taking a good step forward in ensuring civil legal services will be available to Alaskan's in their time of need regardless of their economic status.

HB

77

HFIN

FILE

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: CSHB 77(L&C)
(H) Publish Date: 3/1/07

Revision Date/Time (Note if correction): _____ Dept. Affected: Public Safety
Title Marriage Brokers and Advertisers RDU Statewide Support
Component Alaska Criminal Records and Identification
Sponsor Representative Kerttula Component No. 1190
Requester House Labor & Commerce

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

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)

Approximately 4,000 to 6,000 marriages throughout the nation are known to occur annually through international matchmaking services. Based on the state's less than one percent proportion of the national population, it is estimated that about 50 additional fingerprint based background checks per year would be submitted to the State Department of Public Safety Records and Identification Bureau as a result of implementing this legislation. The DPS is authorized under AS44.41.025 to charge fees for processing fingerprints through the Alaska automated fingerprint system, and for the processing of information requests. The additional fees generated would negate the anticipated costs associated with this legislation. Assuming just 50 additional fingerprints processed per year, the agency can absorb the increased workload with existing staffing.

Prepared by: Director David Schade Phone 269-0202
Division Statewide Services Date/Time 2/6/07 4:30 PM
Approved by: Commissioner Walt Monegan Date 2/6/2007
Agency Department of Public Safety

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: CSHB 77(L&C)
(H) Publish Date: 3/1/07

Revision Date/Time (Note if correction): _____ Dept. Affected: Commerce
Title Marriage Brokers and Advertisers RDU Corp, Bus & Prof Licensing (117)
Component Corp, Bus & Prof Licensing
Sponsor Kerttula
Requester House Labor and Commerce Component No. 2360

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	*	*	*	*	*	*

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

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

Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation requires a person engaged in advertising services as a marriage broker to meet certain criteria and provide information before doing business in Alaska. All Occupational Licensing programs are required under AS 08.01.065 to cover costs with licensing fees. Approximately 500 marriage broker companies estimated to exist in the United States in 2005 brought approximately 8,000 to 12,000 women in to this country. At this time, we do not know what percentage of those businesses operate in Alaska, making it difficult to estimate costs and revenue that would result from implementing this legislation.

Prepared by: Chris Wyatt, Administrative Manager
Division: Corporations, Business, and Professional Licensing
Approved by: Emil Notti, Commissioner
Agency: Commerce, Community, and Economic Development

Phone (907) 465-2572
Date/Time 2/6/07 10:57 AM
Date 2/6/2007

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: CSHB077-LAW-CFB-3-1
 Bill Version: CSHB 77
 () Publish Date: _____

Revision Date/Time (Note if correction): _____

Dept. Affected: Law

Title An Act relating to marriage brokers

RDU Civil

Component Commercial & Fair Business

Sponsor REPRESENTATIVE(s) KERTTULA, DOLL, Lynn

Requester House Finar.ce

Component No. _____

Expenditures/Revenues

(Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	***	***	***	***	***	***

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE

(Thousands of Dollars)

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

Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The bill would establish new statute to regulate the activities of marriage brokers and marriage advertisers in the State of Alaska. As currently written the bill would require the Department of Law to enforce the section and would authorize Law to institute civil action against persons who violate the statute. It is uncertain the extent to which such brokers are operating in the state but based on extrapolation of nationwide statistics it is estimated that fewer than 50 brokered marriages occur in Alaska annually. Although the number of such marriages is fairly small, the budget impact must be considered indeterminable since it is impossible to predict how many complaints or what level of enforcement may be required of a largely unregulated industry.

Prepared by: Robert Meiners, Acting Director

Division: Administrative Services Division

Phone 465-5427

Date/Time 3/14/07 12:04 PM

Approved by: Robert Meiners for Talis Colberg, Attorney General

Agency: Department of Law

Date 3/14/2007



Representative Beth Kerttula

Alaska State Legislature District 3

House Bill 77 Marriage Brokers And Advertisers Sponsor Statement

The International Marriage Brokers (IMB) industry has grown dramatically in recent years. It is now estimated that between 8,000 and 16,000 marriages a year take place between foreign women and American men as a result of marriage broker agency introductions. While there are no official national statistics on incidences of abuse in these arranged marriages, experts agree it is higher than the national average. One study of women in similar circumstances – immigrant women whose legal status depends on their spouse – found the rate of domestic violence to be as high as 77%.

HB 402 will require IMBs to provide several pieces of information to the foreign bride in their own languages. Marital history information must be provided and must include how many times the client has been married, how and when each marriage was terminated, and whether they have previously sponsored a foreign national for purposes of marriage. The required criminal justice information must be obtained by submitting the client's fingerprints for a national criminal history record check. This also includes a complete list of restraining orders and civil protective orders that involve the client.

The marriage broker is also required to provide information explaining that domestic violence is illegal in the U.S. and where to obtain assistance for victims. Information must also be provided regarding the rights of victims of domestic violence including the right to petition for residency status independent of the spouse. Violations of any of these requirements are subject to a civil penalty of up to \$20,000.

IMBs often pair men with women who are extremely vulnerable, have limited English language skills, have no other resources or contacts in the U.S., and are unfamiliar with the U.S. legal system. By requiring full disclosure, HB 402 will make IMBs responsible for providing accurate information to educate each potential bride as to the risks associated with this type of arranged marriage and what their options are if they are abused.



Representative Beth Kerttula

House Minority Leader

Sectional Analysis

HB 77 Marriage Brokers and Advertisers

" An Act relating to marriage brokers and advertisers and to dating and social referral services."

Section 1.

- Adds new section to AS 08.02 (Business and Professions Misc. Provisions).
- Lists information that marriage brokers must provide to each of their clients in their native language, including a criminal justice report, a list of any restraining or civil protective orders and marital history
- Requires that brokers provide information explaining that domestic violence is illegal in the U.S. and where to obtain assistance for victims.
- Information must also be provided regarding the rights of victims of domestic violence, including the right to petition for residency status independent of the spouse.
- Violations of any of these requirements are subject to a civil penalty of up to \$20,000.
- Excludes organizations or persons engaging in traditional matchmaking of a cultural or religious nature.

Section 2.

- Amends AS 12.62.400 (National criminal history record checks for employment, licensing, and other noncriminal justice purposes).
- Adds a new paragraph for a position involving marriage brokering.

SEATTLE POST-INTELLIGENCER

<http://seattlepi.nwsourc.com/local/brid02.shtml>

Mail-order bride's dream of a better life ends in death

Friday, February 2, 2001

By **LEWIS KAMB AND ROBERT L. JAMIESON Jr.**
SEATTLE POST-INTELLIGENCER REPORTERS

She was a beautiful young woman on the cusp of a new life, blossoming into adulthood with the looks of a model and a vivacious personality.

All she wanted was to see the world and escape a life of poverty in a destitute city in the former Soviet bloc.

He was a middle-aged man with his youthful looks long gone, holding onto advanced degrees in business and the bitter memories of a failed first marriage.

All he wanted was to forge a new life, and to salvage what good remained of an old one.

Together, they would seem an unlikely pairing: two people separated by thousands of miles and nearly two decades in age, physical opposites from different generations, cultures and experiences.

Yet, they would end up in matrimony -- thanks to a correspondence service, the persistence of a man's romantic pursuits and the promise of the American dream.

But a dream can be fragile, sometimes deceiving. And this one would literally die.

Anastasia Solovieva, a beloved daughter and gifted classical pianist who traveled from Russia to marry a man she met through letters, is dead at 20.

Her husband, Indle C. King Jr., a short, rotund man with a shiny pate and a soft-spoken manner, sits in a cell at the Snohomish County Jail, covered by a blanket of suspicion.

"My heart grieves for the loss of my dear wife, and for the pain felt by her wonderful parents," he said during a brief jailhouse interview last week. "Stasia was beautiful, intelligent and robbed of a bright future."

One floor above, in a ward for "special needs inmates," a young man with a long criminal record paints a much different story.

In statements to investigators, Daniel Kristopher Larson, 20, a convicted child molester and former boarder at King's Mountlake Terrace home, has implicated both himself and King in Solovieva's slaying.

Although Larson's jailhouse confessions have changed, his words have become a key piece of evidence in a delicate case still evolving.

Last week, prosecutors allowed a court deadline to lapse, meaning a first-degree murder charge and \$1 million cash-only bail against King, 39, was dropped.

In 1993, King's classified ad paid off, when, via mail correspondence, he met Ekaterina Kazakova, a young Russian woman who dreamed of a life in America.

Eventually, King became an American sponsor to help her obtain a visa for study in the United States, and soon the two were married.

Standing 5-feet 9-inches, with porcelain skin and long, dark hair, Ekaterina "Katya" Kazakova was a stunning beauty who King often boasted about. One day, he brought his new bride to class.

"He was extremely proud of her," Mack-McGarry said. "And you could just tell she was young and very excited to be here in the United States, and to be with him."

But their relationship soured.

In December 1995, Kazakova alleged that King "hit her in the head with his fist ... threw her head against the wall and continuously pounded (her) head against the wall," according to Ohio court records.

Kazakova would later seek a court order protecting her from King. The two divorced in 1997, and King, then in dire financial straits, returned to the Northwest.

He lived in an apartment in suburban Seattle and formed his own business venture -- King Capital Management Co. He later took a warehouse job at Costco.

He also began searching for another Russian bride and met Solovieva, then 18, by corresponding with Russian women.

Solovieva's parents, Alevtina and Anatolyi, feared the impoverished environs were oppressing her free-spirited nature.

Solovieva, who had made some modeling contacts, started looking at matchmaking catalogs.

A new life vanished

When Solovieva met King, it was not love at first sight, the young woman's friends say.

But Solovieva was drawn to King's professorial mien -- something that also attracted her parents to him. And through letters and visits, he wooed the family.

Following a brief courtship and meetings in Kyrgyzstan, the couple returned to Seattle and married in April 1998.

The Kings moved into a new, two-story home at the end of a short street in Mountlake Terrace.

King continued working at Costco and in his private business ventures, and he began renting out rooms in the spacious gray house.

Solovieva enrolled at the UW and took a job at Ivar's.

"She was a dedicated employee," said co-worker Natasha Jankauskas. "And she had a sense of humor that just made your day better."

In early letters home, Solovieva wrote to her parents about how much she enjoyed her life in America. She was making fantastic new friends, getting A's in school and soaking up all the city had to offer.

Outwardly, things seemed to be working between the newlyweds.

"Everything seemed pretty normal between them," said Ken Doran, a Bothell firefighter who lived across the street.

About a year into the marriage, however, police were summoned to the King home for a domestic incident. Solovieva showed officers scratches across her stomach and breasts.

She said the scratches were caused by King, but she later recanted, according to a police report on the incident.

Solovieva also began spilling her frustrations into a diary, according to a knowledgeable source who has read the journal's entries. She wrote about despising any intimate contact with King; and confided in her writings about secret meetings with other men -- trysts that King came to suspect.

His jealousy soon would lead King to begin following his wife and become increasingly controlling of her, friends said.

Returning home from work one afternoon in July, King stopped by an Albertson's and stole two bananas and a 12-pack of Coke, according to a police report.

Police soon tracked him down at his Mountlake Terrace home, where an officer confronted him about the incident.

"King said that he is in a financial bind right now because his wife is divorcing him, so he has to steal to survive," a police report noted.

In court records, King wrote down "0" as his monthly income.

By that time, Solovieva had already confided a secret to her best friend in America, Tatyana Boland, a UW classmate and fellow Russian mail-order bride living in Seattle.

Solovieva told Boland that she had begun an affair with a Russian businessman who had come to where she was working. She said she was "madly in love" with him and arranged trysts disguised as business meetings, co-workers said.

By August, Solovieva had secretly opened a safety deposit box at a bank near the UW campus. When leasing the box, she expressed concern to a bank employee about others gaining access.

"Anastasia then told (the bank employee) that she was planning on leaving her husband ... and that she feared it would get ugly," according to court records.

Excerpts from Anastasia's diary, later recovered by investigators and translated from Russian, said that King "threatened me with death if I were to leave him," and "made inquiries in Kyrgyzstan concerning hiring hitmen," according to court documents.

Solovieva also was seeking immigration advice from UW experts.

When investigators asked Larson about King's visits, Larson said he knew only what King had told him: The couple had argued in Moscow. Solovieva stayed behind while King came home, according to court documents.

But under further questioning, "Larson ... said that he knew that Anastasia was dead and that Indle had showed him where he buried her," according to court documents. "He related that Indle had told him that he had killed Anastasia by strangling her."

That afternoon, Larson led investigators to a wooded lot on the Tulalip Indian Reservation where they found Solovieva's body under a mattress.

Investigators soon arrested King on murder charges, but Larson later changed his account.

He now says that he had killed Anastasia at the direction of his landlord, claiming the two of them had a homosexual relationship that Solovieva had recently discovered.

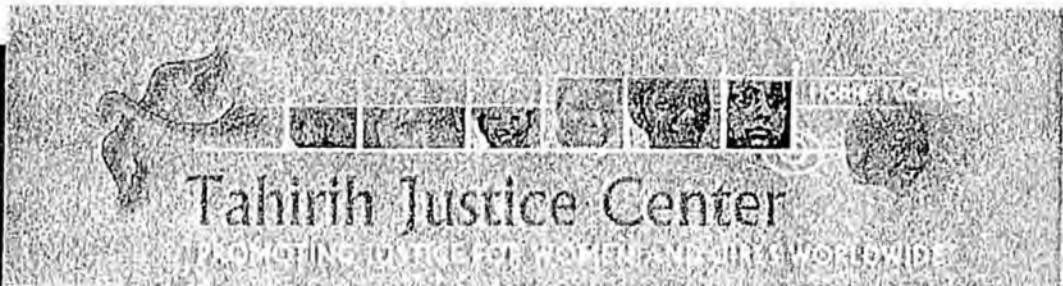
"Mr. Larson told detectives he had strangled Anastasia on September 22, 2000, at the request and direction of (King)," according to court records. "(King) had laid on his wife's chest in order to prevent her from moving while Mr. Larson was strangling her with a necktie."

Those comments are contained in perjury charging papers against King. Bail was set at \$200,000, and King remains in the Snohomish County Jail.

"I don't know, of course, where her soul is right now," Alevtina Solovieva said this week through tears and a translator, "but her body demands burial."

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Monday, February 6th, 2006

Campaign to Stop Exploitation by International Marriage Brokers:

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The International Marriage Brokers (IMB) industry has grown dramatically in recent years. This growth is a reflection of demands by American men for "traditional wives," and concurrent worsening economic situations for women, particularly in Eurasia. Many of the men who use IMBs intentionally seek women who do not speak English and who were raised in cultures in which a married woman is expected to be subservient. Some of these men are violent predators who return to IMBs repeatedly to find their next victim. These women, unfamiliar with the US legal system and given, at best, incomplete information about their legal rights, can find themselves in grave danger. This rapidly growing industry is essentially unregulated.

The urgency of this problem became clear when the Tahirih Justice Center worked with a Ukrainian woman who suffered brutal abuse by a husband with whom she was paired through a Maryland-based IMB. The woman's efforts to seek help from the IMB president were futile; she minimized the abuse and assured the woman that such behavior was a "normal" part of American culture. She also gave her inaccurate information regarding her legal rights, leaving her with the clear impression that she had no choice but to endure the abuse or risk deportation—which is not true.

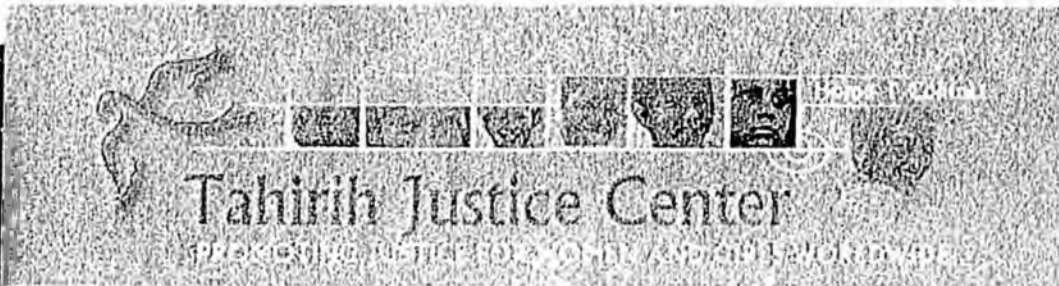
The new data we have compiled shows that the number of such marriages has at least doubled since an often-cited 1999 INS report. It is now estimated that 8,000-16,000 marriages a year—a number that reflects one third to one half of all foreign fiancés who enter the US—take place between foreign women and American men as a result of "marriage broker" agency introductions.^[1] While no official national statistics exist on the incidence of abuse in such marriages, experts agree it is "higher in this population than for the nation as a whole."^[2] One study of women in an analogous circumstance—immigrant women whose legal status depends on their US citizen or legal permanent resident spouse—found the rate of domestic violence to be as high as 77%.^[3]

Newsflash:

- [Newsweek Article Highlights TJC and Mail-Order Bride Abuse: Click here for the article.](#)
- [International Marriage Broker \(IMB\) Held Liable for Negligence and Fraud: Case Summary](#)
- [Tahirih Justice Center and Arnold & Porter Win Landmark Case on Behalf of a Ukrainian IMB Recruit: Press Release](#)

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Friday, January 27th, 2006

International Marriage Broker Held Liable for Negligence and Fraud

Fox v. Encounters International (D. Md. 02-1563)

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Summary

On November 18, 2004, Nataliya Fox, a Ukrainian woman, won a landmark victory in a Maryland federal district court against Encounters International ("EI"), an international marriage broker ("IMB," also known as a "mail-order bride" agency) that had arranged her marriage to a violent American man. A unanimous jury held EI liable for failing to tell Nataliya—as they were legally required to do—about a federal law that allows foreign nationals to escape abusive marriages without fear of automatic deportation, and for actively misleading her about her legal options. The jury also found EI liable for misrepresenting that it screened male clients when it did not; and publicizing Nataliya's marriage to Mr. Fox as an EI "success" story, without her permission, even after she fled to a domestic violence shelter. EI and its President were ordered to pay Nataliya \$433,500 in damages, \$341,500 of which were punitive damages assessed for their egregious violations of their duty of care to Nataliya.

Significance of the Case

1.) The case marks the first time that an IMB has been held accountable for violating its obligations under federal law to tell a woman it recruited about legal protections that would allow her to escape domestic violence without facing automatic deportation. EI not only withheld this information from Nataliya, but misled her by saying that she would be deported if she left her abusive husband.

The jury found that Nataliya's reliance on the misrepresentations that EI made to her was reasonable and that her lack of accurate information prolonged her abuse.

When Nataliya came to EI, she did not speak English well and knew little of U.S. laws and customs. The President of EI, a Russian woman, assured Nataliya that EI would provide immigration advice and services, counseling, and assistance in understanding and adjusting to American culture.

When Nataliya confided to the President of EI that Mr. Fox went into wild rages and beat her, the President told her that this was "normal," that American men were prone to violence, and that Nataliya should learn to defer to her husband. Additionally, the President told her that she had to stay in the marriage or would be deported. Since Nataliya did not know that domestic violence is a crime in the U.S. (it is not in Ukraine), and knew no one else in the U.S. upon whom she could rely for legal advice, she resigned herself to living with the abuse. The violence escalated. After a particularly vicious episode in which Mr. Fox's violence sent Nataliya to the emergency room, she finally learned of other options from an emergency room nurse and escaped. The jury found that EI's deliberate decision to withhold vital information from Nataliya about a law designed to protect her and her child, and EI's intentional misrepresentations about her legal options, violated EI's duty of care to Nataliya.

2.) The case is also the first time that an IMB has been held liable for failing to screen its male clients for a violent or criminal history despite having said that it screened the men. Although there is currently no legal requirement to screen men, EI publicly stated that it took that extra step and did screen its clients. Nataliya was told that Mr. Fox was "the best of the best," "financially and

mentally stable," and "serious about family." In fact, Mr. Fox had a history of domestic violence, and his abuse of Nataliya grew much worse after she became pregnant. EI's "screening" process involved chatting with Mr. Fox and taking his \$1850 membership fee. The process clearly was not intended to screen out clients with a violent past, and it did not do so in this case.

3.) The case is the first time an IMB has been found liable for using a woman's name and photo, and falsifying her personal story, to promote its business without her permission. Incredibly, EI continued to tout her marriage to Mr. Fox as a "success" story even after EI knew that Nataliya had fled to a battered women's shelter, Mr. Fox had flown to Haiti to obtain a divorce, and even throughout the trial.

The Broader Issue

Encounters International is part of a growing industry that profits from arranging marriages between American men and foreign women. These women often do not speak English, have no other resources or contacts in the United States other than the agency, and are unfamiliar with the United States legal system. These agencies have served as an easy, unregulated pipeline for predatory abusers to find their next victims. The IMB industry may be responsible for annually bringing to the U.S. between one-third and one-half of all foreign fiancé(e)s, according to estimates in a 1999 study commissioned by the Immigration and Naturalization Service. Today, upwards of 14,000 women may enter the country each year to begin "mail-order marriages."

Some successful marriages undoubtedly result from matches arranged by IMBs. However, it is becoming increasingly clear that many IMBs (1) explicitly market their services to men seeking a domineering relationship with a promised docile, powerless woman, (2) ignore the violent histories of their male clients, (3) mislead women in abusive relationships into believing they must stay in the relationship or face deportation (without their children), and (4) repeatedly pair violent men with new foreign women who are unaware of the men's history.

While justice was done in this case, current laws are inadequate to provide women with the information they need about their potential U.S. husbands, and about the rights and resources available to domestic violence victims in this country, so that they can protect themselves and their children from abuse.



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Miller-Muro predicts more lawsuits. "Our work on this issue has really just begun," she says. But Nataliya Fox hopes to put it all behind her. James Fox divorced her in 2001, then married another (Russian) Internet bride. Nataliya now lives in Virginia with her daughter, and works as a civil engineer. She also has a new boyfriend. She met him the old-fashioned way—in person.

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**Fact Sheet
on
State Anti-Trafficking Laws
from
National Institute on State Policy on Trafficking of Women and Girls
A Program of the
Center for Women Policy Studies
July 2005**

State Legislative Initiatives

The Center for Women Policy Studies works with state legislators to develop legislative initiatives:

- to make trafficking a state felony offense with appropriately harsh punishments for traffickers and protections for the women and girls who have been trafficked into our communities; we urge states to pass criminalization statutes and also to provide for victim protection and assistance programs;
- to create statewide interagency task forces on human trafficking, with a mandate to determine the nature and extent of trafficking in each state and make recommendations for legislative, policy, and programmatic initiatives;
- to regulate "bride trafficking" by commercial "international marriage brokers" (also called "mail order bride" or "international matchmaking" organizations) that operate in the state; and,
- to regulate sex tourism by travel services providers that operate in the state.

The following summary of all state laws addressing trafficking in persons is current as of July 2005 and will be revised following the 2006 state legislative sessions. States are listed below in alphabetical order rather than in order of passage of the legislation.

We honor the sponsors of these bills for their leadership and commitment and have listed them at the end of the Fact Sheet.

Summary of State Anti-Trafficking Laws

Criminalization Statutes

Legislatures in Arizona, Arkansas, Florida, Illinois, Kansas, Louisiana, Minnesota, Missouri, New Jersey, Texas, and Washington have enacted laws to make trafficking a state felony offense. Similar legislation is pending in Alaska, California, Delaware, Indiana, Maine, Montana, New Mexico, New York, Oregon, Pennsylvania, South Carolina, and Wisconsin.

Arizona: SB 1372 establishes the first degree felony of sex trafficking of a minor under the age of 15 and the second degree felony of attempted sex trafficking of a minor. The bill further establishes two class 2 felonies: sex trafficking; and, trafficking of persons for forced labor or services, and one class 4 felony: unlawfully obtaining labor or services. Additionally, the court is required to order victim restitution. **Effective Date:** August 12, 2005.

Arkansas: HB 2979 establishes the class A felony of trafficking in persons for the purposes of involuntary servitude, peonage, debt bondage, slavery, marriage, adoption or sexual conduct. The bill also creates the class A felony of benefiting financially from trafficking. **Effective Date:** August 11, 2005.

Florida: SB 1962 establishes the first degree felony of sex trafficking for parents, legal guardians, or other persons having custody of a minor who sell, transfer custody, or offer to sell or transfer custody of the minor for the purpose of sex trafficking or prostitution. The bill further establishes two second degree felonies: obtaining forced labor; and, sex trafficking and human trafficking for anyone who knowingly participates in trafficking for purposes of forced labor or prostitution. Any sex trafficking activity that results in death or is committed against a person who is under the age of 14 is considered a first degree felony. **Effective Date:** October 1, 2004.

Illinois: HB 1469 establishes the felony offenses of involuntary servitude, involuntary servitude of a minor, and trafficking of persons for forced labor or services. Such factors as causing or threatening physical harm; destroying, concealing, removing, confiscating or possessing any actual or purported immigration document; and, using intimidation can be used to determine the severity of the charge. The trafficker's behavior – including commission of sexual assault, extreme violence, or bodily injury – and the number of victims can be considered in sentencing. In addition to sentencing, the court must order restitution to the victim and the forfeiture of any assets obtained as a result of the involuntary servitude or trafficking offenses. **Effective Date:** January 1, 2006.

Kansas: SB 72 establishes the level 2 felony offense of trafficking and the level 1 felony offense of aggravated trafficking. Trafficking is defined as aggravated if it includes kidnapping or attempted kidnapping; the sexual gratification of the defendant or another person; death of the victim; or, trafficking of a person under the age of 18. **Effective Date:** July 1, 2005.

Louisiana: HB 56 establishes the crime of human trafficking, which is punishable by a maximum fine of \$10,000 and a maximum sentence of 10 years in prison. If the trafficking is committed for the purposes of commercial sexual activity, the maximum fine is \$15,000 and the maximum prison sentence is 20 years. Trafficking of a minor carries a maximum fine of \$25,000 and a prison sentence of five to 25 years. **Effective Date:** August 15, 2005.

Minnesota: HB 1 establishes the felonies of labor trafficking; sex trafficking, and unlawful conduct with respect to documents in furtherance of labor or sex trafficking. Labor trafficking is punishable by up to 15 years in prison or a \$30,000 fine, or both. Depending on the age of the victim, sex trafficking is punishable by a maximum prison sentence of either 15 or 20 years. The document offense carries a maximum punishment of five years in prison, a \$10,000 fine, or both. **Effective Date:** August 1, 2005.

Missouri: HB 1487 makes changes to the laws regarding crimes against persons, establishing: a class A felony of sexual trafficking of a child; class B felonies of abusing an individual through forced labor and of trafficking for either forced labor or sexual exploitation; and, a class D felony of contributing to human trafficking through the misuse of documentation. As part of the sentencing for a human trafficking offense, the court must order the perpetrator to pay restitution to the victim. Victims of any one of these five crimes also shall be afforded the rights and protections provided in the federal *Trafficking Victims Protection Act of 2000*. **Effective Date:** August 28, 2004.

New Jersey: AB 2730 establishes the first degree felony offense of human trafficking for the purposes of engaging in sexual activity or providing labor or services. The maximum punishment for a trafficking offense is 20 years without parole, or up to life in prison with the possibility of parole after 20 years. The court also must sentence the perpetrator to make restitution to the victim and may order forfeiture of any assets related to the trafficking violation. The Office of Victim-Witness Advocacy or the county prosecutor's office must ensure that the trafficked individual obtains assistance in receiving any available benefits or services to trafficking victims. **Effective Date:** April 26, 2005.

Texas: HB 2096 establishes the first degree felony of trafficking or transporting of persons who are younger than 14 at the time of the offense or if the commission of the offense results in the death of the person who is trafficked. Otherwise, the offense is a second degree felony. According to the Texas Criminal Justice Policy Council, the punishment range for a first degree felony offense is five to 99 years imprisonment; the range for a second degree felony offense is two to 20 years imprisonment. **Effective Date:** September 1, 2003.

Washington: HB 1175 establishes the class A felony offenses of first and second degree sex trafficking and labor trafficking in the state of Washington. Under standard sentencing guidelines, a first degree offense carries a maximum punishment of 14 years in prison; in the second degree, the maximum sentence is nine years. Such factors as the age of the victim and whether the victim was kidnapped or killed are considered in determining the severity of the charge. Victims of trafficking also may sue for damages and for the cost of bringing the suit; a civil fine of up to \$250,000 may also be levied by the court. **Effective Date:** July 27, 2003.

Statewide Interagency Task Forces on Human Trafficking

State task forces have been established by statute in Colorado, Connecticut, and Washington. Idaho passed a resolution to authorize the creation of a legislative committee to study human trafficking in that state. Minnesota's Commissioner of Public Safety is required by statute to conduct an annual trafficking study and submit a report of the findings to the legislature.

California took a different approach. In 2004, at the request of Assemblywoman Sally Lieber, Assembly Speaker Fabian Nunez created the **Select Committee on Human Trafficking in California**, which held informational hearings in the state that were co-sponsored by the California Commission on the Status of Women, the California Women's Law Center, and the California Women's Legislative Caucus.

In addition, advocacy efforts are underway in several states – led by state women’s organizations, violence against women programs and providers, and anti-trafficking groups – to study the nature and extent of trafficking in the state and make policy recommendations.

Colorado: HB 1143 creates an interagency task force on trafficking in persons to: collect and organize data on the nature and extent of trafficking in the state; investigate collaborative models for protecting victims; measure and evaluate the progress of the state in preventing trafficking, protecting victims, and prosecuting traffickers; identify available federal, state, and local programs that provide services to victims; evaluate approaches to increase public awareness of trafficking; analyze existing criminal statutes for their adequacy in addressing trafficking and make recommendations; and, consult with governmental and non-governmental organizations in developing recommendations. The task force is required to report its findings and recommendations to the Judiciary Committees of the House and Senate by January 15, 2007. **Effective Date:** April 5, 2005.

Connecticut: HB 5358 establishes an interagency task force on trafficking in persons to: collect data on the nature of trafficking in the state and evaluate the state’s progress on trafficking; identify available federal, state, and local programs that provide services to trafficking victims; evaluate approaches to increase public awareness of trafficking; analyze and make recommendations regarding existing state criminal statutes’ ability to address trafficking; and, make recommendations on preventing trafficking, assisting victims, and prosecuting traffickers. The task force is required to report its findings and recommendations to the General Assembly by January 1, 2006. **Effective Date:** October 1, 2004.

Idaho: HCR 18 authorizes the Legislative Council to appoint a legislative committee to complete a study on human trafficking. The co-chairs of the committee will appoint non-legislative members of the committee. The committee shall: collect data and present findings on the nature and extent of human trafficking in Idaho; identify available federal, state and local programs that provide services to victims; analyze and make recommendations regarding the ability of existing criminal statutes to address trafficking; and, make recommendations regarding the prevention of trafficking, the prosecution of offenses, and victim assistance. The committee is required to report its findings and recommendations to the Legislature, the Governor, and the Idaho Supreme Court by January 1, 2006. **Adopted:** April 1, 2005.

Minnesota: HB 1 appropriates money for an annual statewide human trafficking assessment, which will be led by the Commissioner of the Department of Public Safety with the assistance of government agencies and nongovernmental organizations. The study will include: the numbers of arrests, prosecutions, and successful convictions of traffickers; statistics on the number of trafficking victims, including demographics, method of recruitment, and method of discovery; trafficking routes and patterns; method of transportation; and, social factors that contribute to and foster trafficking, especially trafficking of women and children. The Commissioner must submit the first report to the Legislature by September 1, 2006. **Effective Date:** July 1, 2005.

Washington: HB 2381 created the *Washington State Task Force Against the Trafficking of Persons* in 2002 to: measure and evaluate the progress of the state in trafficking prevention activities; identify available federal, state, and local programs that provide services to victims of

trafficking; and, make recommendations on methods to provide a coordinated system of support and assistance to victims of trafficking. **Effective Date:** June 13, 2002. The *Task Force* expired on March 1, 2003 but was extended until June 30, 2004 (HB 1090). **Effective Date:** May 14, 2003.

HR 4707 recognizes and honors the Office of Crime Victims Advocacy and the *Washington State Task Force Against the Trafficking of Persons* for its accomplishments in leading the country in taking action against human trafficking. **Adopted:** March 4, 2004.

**International Marriage Brokers/International Matchmaking Organizations (IMOs)
Regulation of "Bride Trafficking" by Commercial Enterprises**

Legislatures in **Hawaii, Missouri, Texas, and Washington** have passed laws to regulate "international matchmaking organizations" (IMOs) that operate in the state.

Hawaii: **HB 135** allows persons living abroad who use for-profit matchmaking services to gain access to criminal conviction and marital history information from prospective spouses residing in the United States ("clients"). Each IMO must notify all foreign women ("recruits") in their native language that criminal history records and marital history information about any Hawaii resident is available upon request. The IMO also must disseminate this information upon request in the recruit's native language and refrain from providing any further services that facilitate interaction between the recruit and the client until the information has been submitted to the IMO. The punishment for a violation of the law is a fine of up to \$500 and up to 30 days imprisonment. **Effective Date:** January 1, 2004.

Missouri: **HB 353** requires IMOs to notify each potential recruit that the criminal history information and marital history information of clients are available, upon request, in the recruit's own language. Basic rights information -- including information about human rights, immigration, emergency assistance and resources, and the legal rights of and resources for victims of domestic violence -- also must be made available to recruits. The IMO must distribute this information no later than 30 days after receiving it, and IMOs that fail to provide the information or willfully provide incomplete or false information are guilty of a class D felony. **Effective Date:** August 28, 2005.

Texas: **HB 177** requires IMOs to provide each foreign recruit with the criminal history record information and marital history information of the IMO's clients and with basic rights information in the recruit's native language. The IMO must disseminate this information no later than the 30th day after the date it receives the information from the client and must pay the costs incurred to translate this information into the recruit's native language. The IMO may not provide any further services to the client or recruit until it has obtained the requested information from the client and provided it to the recruit. An IMO that violates the law is subject to a civil penalty not to exceed \$20,000 for each violation. **Effective Date:** September 1, 2003.

Washington: **SB 6412** requires IMOs to provide information to foreign women, upon request, on state background checks and personal histories of Washington residents seeking to meet foreign women (potential recruits). The IMO must notify all potential recruits that background check and personal history information is available upon request. Once the resident

is notified of the recruit's request for background information, the IMO must refrain from providing any further services that facilitate future interaction between the recruit and the resident until the IMO has obtained the requested information from the resident. **Effective Date:** September 1, 2002. The language of the bill was slightly amended in 2003 (HB 1826). **Effective Date:** July 27, 2003.

Sex Tourism

Hawaii: HB 2020 makes it a class C felony to knowingly sell or offer to sell travel services that include or facilitate travel for the purpose of engaging in prostitution. It authorizes the suspension or revocation of travel agency registration for engaging in these acts. The bill emphasizes that prostitution and sex tourism contribute to the trafficking of persons, and seeks to discourage sex tourism as a way to reduce the demand for sex trafficking. **Effective Date:** May 19, 2004.

Sponsors

Criminalization Statutes

Arizona

SB 1372 Sponsors: Senators Jarrett, Aguirre, Bee, Blendu, Gould, L. Gray, Huppenthal, Johnson, R. Miranda, Waring, Arzberger, Brotherton, R. Burns, Chevront, J. Garcia, Hellon, R. Rios, Soltero, Verschoor; Representatives Anderson, Nelson, Paton, Pearce, Pierce, Burges, C. Gray, Lopes, McClure, P. Rios, Robson.

Related bill HB 2539 Sponsors: Representatives Paton, Alvarez, J. Burns, Farnsworth, Lopez, McClure, Pearce, Rosati, Biggs, Gallardo, Hershberger, Meza, Pierce, Sinema, Tully; Senator Bee.

Related bill SB 1357 Sponsors: Senators Bee, Jarrett, Waring, Harper, Tibshraeny, Verschoor; Representative Paton.

Related bill HB 2657 Sponsors: Representatives Gallardo, L. Lopez, Lujan, Sinema, A. Aguirre, Alvarez, Bedford, Chase, Downing, M. Garcia, Davis, Meza, Reagan.

Related bill HB 2708 Sponsors: Representatives Sinema, A. Aguirre, Chase, Alvarez, Bradley, Gallardo, M. Garcia, Kirkpatrick, Lujan, Meza, Tom.

Arkansas

HB 2979 Sponsor: Representative Elliott.

Florida

SB 1962 Sponsors: Senators Wasserman Schultz, Smith, Aronberg, Haridopolos. **Related bill**

HB 865 Sponsors: Representatives Gannon, Brandenburg, Bullard, Fiorentino, A. Gibson, Harrell, Hasner, Holloway, Joyner, Kravitz, Stargel, Zapata.

Related bill HB 1977 Sponsors: Representatives Barreiro, Bucher, Fiorentino, Gannon, Joyner, Kallinger, Kottkamp, Rich, Roberson, Sobel.

Illinois

HB 1469 Sponsors: Representatives Chavez, Bailey, Soto, Mendoza, Gordon, Delgado, Berrios, Jefferson, Churchill, Daniels, Saviano, McAuliffe, Sullivan Jr., Stephens, Rose, Myers, Lang, D'Amico, Giles, Davis, Flowers, Mautino, Reis, Mitchell, Poe, Brauer, Leitch, Bost, Winters, Tenhouse, Pihos, Krause, Burke, Osterman, Franks, Younge, Granberg, Kelly, Reitz, Molaro,

Schock, Smith, Beiser, McGuire, Verschoore Ryg, Munson, Bellock, Mulligan, Washington, Hamos, Nekritz, Acevedo, Howard, Patterson, Lyons, Bradley, Colvin, Jakobsson, May, Dunkin, Graham, Froehlich, Moffitt, Millner, Lyons, Fritchey, Miller, Rita, Turner, Coulson, Pritchard, Mathias, Meyer; Senators Cullerton, Collins, Martinez, Haine, Althoff.

Related bill SB 477 Sponsors: Senators Cullerton, Haine, Dillard, Raoul, Sandoval, Harmon, Collins; Representatives Mathias, Froehlich, Chavez, Bailey, Delgado, Franks, LaVia, Soto.

Kansas

SB 72 Sponsor: Senator Journey. SB 151 (amendment to SB 72) Sponsor: Senator Jordan.

Related bill HB 2004 Sponsor: Representative Ju. Morrison.

Louisiana

HB 56 Sponsors: Representatives Katz, Doerge, St. Germain, Winston, Scalise, Alexander, Badon, Baldone, Barrow, Baudoin, Bruce, Burns, Cravins, Curtis, Dartez, Dorsey, Dove, Downs, Durand, Erdey, Fannin, Farrar, Frith, Gallot, Glover, Greene, Hammett, Hebert, Hill, Hunter, Hutter, Jackson, Jefferson, Johns, Kennard, Kenney, LaBruzzo, LaFonta, Lancaster, McDonald, Montgomery, Morrell, Morrish, Pierre, Pitre, M. Powell, T. Powell, Quezaire, Schneider, Smiley, G. Smith, Strain, Thompson, Townsend, Trahan, Tucker, Waddell, Walker, Walsworth, White, Wooton.

Senator Broome filed the motion to vote on the House bill in the Senate.

Minnesota

HB 1 Sponsors: Representatives Smith, Zellers, Meslow, Gazelka, Brod, Lesch, Severson, Cybart, Peppin, Emmer, Gunther, Ruth, Penas, Abeler, Paulsen, Beard, Holberg, P. Nelson, Hoppe, Finstad, Bradley, Erickson, Dill, Kohls, Demmer, Sykora, Tingelstad, Lanning, Wilkin, Samuelson, J. Johnson, Magnus, Simpson, Garofalo, Cornish. Companion bill SB 609 Sponsors: Senators Ranum, Kleis, Fischbach, Reiter, Ruud.

SB 1689 (amendment to HB 1) Sponsors: Senators Pappas, Foley, McGinn, Ranum, Limmer.

Companion bill HB 1760 Sponsors: Representatives Tingelstad, Knoblach, Clark, Thao, Smith, Murphy, Loeffler, Abeler, Gunther, Mariani, Ellison, Holberg, R. Johnson, Walker, Hornstein, Larson, Dorman, Soderstrom, Meslow, Brod, McNamara, Moe, Liebling, Kahn, Greiling.

Missouri

HB 1487 Sponsor: Representative Tom Self.

SB 1210 (amendment to HB 1487) Sponsors: Senators Bray, Bland, Champion, Coleman, Days, Steelman, Yeckel.

New Jersey

AB 2730 Sponsors: Assemblymembers Stender, Cohen, Chivukula, Greenstein, Green, Diegnan, Mayer, Eagler, Connors, Payne, Gusciora.

Related bill SB 1848 Sponsors: Senators Gill, Inverso, Lance, Kyrillos, Kean, Connors, Allen, Turner. Related bill AB 3213 Sponsor: Assemblymember Baroni. Related bill SB 1877

Sponsors: Senators Inverso, Lance, Kyrillos, Kean, Connors.

Texas

HB 2096 Sponsors: Representatives Pickett, Lucio. HB 869 (amendment to HB 2096)

Sponsors: Representatives Burnam, Peña, Wohlgemuth, Keel, Riddle, Chavez, Christian, Guillen, Hupp, Madden, Menendez, Seaman, Telford, Truitt, Wong.

Companion bill SB 1953 Sponsors: Senators Van de Putte, Armbrister, Averitt, Barrientos, Bivins, Brimer, Carona, Deuell, Duncan, R. Ellis, Estes, Fraser, Gallegos, Harris, Hinojosa, Jackson, Janek, Lindsay, Lucio, Madia, Nelson, Ogden, Ratliff, Shapiro, Shapleigh, Staples, Wentworth, West, Whitmire, Williams, Zaffirini.

Washington

HB 1175 Sponsors: Representatives Veloria, Roach, O'Brien, Conway, Clements, Lantz, Linville, Moeller, Delvin, Benson, Darneille, Kenney, Kessler, Simpson, Chase, McMahan, Upthegrove.

Companion bill SB 5670 Sponsors: Senators Fraser, Kohl-Welles, Brandland, Kline, Hargrove, Esser, Thibaudeau, Jacobsen, Prentice, B. Sheldon, Winsley.

Statewide Interagency Task Forces on Human Trafficking

Colorado

HB 1143 Sponsors: Representatives Borodkin, T. Carroll, Curry, Frangas, Lindstrom, Madden, Marshall, Merrifield, Pommer, Todd, Benefield, Berens, Boyd, Cloer, Green, Harvey, Hesley, M. May, McFadyen, McGihon, Riesberg, Romanoff, Solano.

Senators Fitz-Gerald, Bacon, Gordon, Groff, Grossman, Hanna, Isgar, Jones, Sandoval, Shaffer, Tapia, Tochtrop, Tupa, Veiga, Williams, Windels.

Connecticut

HB 5358 Sponsors: Representatives Stillman, Berger, Boucher, Conway, Crisco, Currey, Godfrey, Gonzalez, Googins, Guerrero, Kerensky, Leone, Lewis, Malone, Martinez, Nafis, Peters, Prague, Roy, Sullivan, Tereyak, Thompson, Willis, Winkler.

Senators Crisco, Sullivan, Prague, Ciotto.

Idaho

HCR 18 Sponsors: State Affairs Committee members -- Representatives Deal, Smylie, Stevenson, Ellsworth, Black, Edmunson, Miller, Ring, Snodgrass, Jones, Garrett, Loertscher, Anderson, Andrus, H. T. Shepherd, Smith, Pasley-Stuart.

Contacts: Representatives Boe, Pasley-Stuart, Miller, Field, Wills.

Minnesota

HB 1 Sponsors: Representatives Smith, Zellers, Meslow, Gazelka, Brod, Lesch, Severson, Cybart, Peppin, Emmer, Gunther, Ruth, Penas, Abeler, Paulsen, Beard, Holberg, P. Nelson, Hoppe, Finstad, Bradley, Erickson, Dill, Kohls, Demmer, Sykora, Tingelstad, Lanning, Wilkin, Samuelson, J. Johnson, Magnus, Simpson, Garofalo, Cornish.

Companion bill SB 609 Sponsors: Senators Ranum, Kleis, Fischbach, Reiter, Ruud.

SB 1689 (amendment to HB 1) Sponsors: Senators Pappas, Foley, McGinn, Ranum,

Limmer. Companion bill HB 1760 Sponsors: Tingelstad, Knoblach, Clark, Thao, Smith, Murphy, Loeffler, Abeler, Gunther, Mariani, Ellison, Holberg, R. Johnson, Walker, Hornstein, Larson, Dorman, Soderstrom, Meslow, Brod, McNamara, Moe, Liebling, Kahn, Greiling.

Washington

HB 2381 Sponsors: Representatives Veloria, Van Loven, Kenney, Dunshee, Romero, O'Brien, Darneille, Schual-Berke, Chase, Tokuda, Upthegrove, Edwards, Santos, Kagi, Haigh.

Companion bill SB 6407 Sponsors: Senators Costa, Kohl-Welles, Kline, Kastama, Thibaudeau.

HB 1090 Sponsors: Representatives Veloria, Roach, O'Brien, Bush, Lantz, Clements, Linville, Kenney, Boldt, Sullivan, Upthegrove, Chase, Darneille, Hudgins, Edwards.

HR 4707 Sponsor: Representative Veloria.

International Marriage Brokers/International Matchmaking Organizations (IMOs)

Hawaii

HB 135 Sponsors: Representatives Lee, Sonson, Arakaki, Luke, Morita, Leong, Karamatsu, Abinsay, Shimabukuro, Thielen, Ching, Kawakami, Marumoto, Finnegan, Kahikina, Hale, Pendleton.

Companion bill SB 875 Sponsors: Senators Chun Oakland, Baker, Fukunaga.

Missouri

HB 353 Sponsors: Representatives Lipke, Page, J. Brown, Nieves.

SB 437 (amendment to HB 353) Sponsor: Senator Bray.

Texas

HB 177 Sponsors: Representatives McCall, Castro. Senator West.

Washington

SB 6412 Sponsors: Senators Kohl-Welles, Costa, Prentice, Winsley, Long, Keiser, Benton.

Related bill HB 2667 Sponsors: Representatives Veloria, Darneille, Haigh, Delvin, Tokuda, Chase, Santos.

HB 1826 Sponsors: Representatives Veloria, McMahan, O'Brien, Kenney, Boldt, Mielke, Santos, Hudgins, Upthegrove, Simpson, Conway.

Companion bill SB 5532 Sponsors: Senators Kohl-Welles, Benton, Fraser, Prentice, Carlson, Keiser, Winsley, Schmidt.

Sex Tourism

Hawaii

HB 2020 Sponsors: Representatives Arakaki, Chang, Evans, Hale, Karamatsu, Kawakami, Lee, Leong, Luke, Magaoay, Marumoto, Morita, Shimabukuro, Thielen.

Companion bill SB 2227 Sponsors: Senators Chun Oakland, Baker, Fukunaga, Kim.

HB

87

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: February 1, 2007

FURTHER REFERRALS:

Date of Committee Action: 4/10/07

The FINANCE Committee considered:

HB 87

HOUSE BILL NO. 87

CITIZEN ADVISORY COMM ON FEDERAL AREAS

"An Act reestablishing the Citizens' Advisory Commission on Federal Management Areas in Alaska; and providing for an effective date."

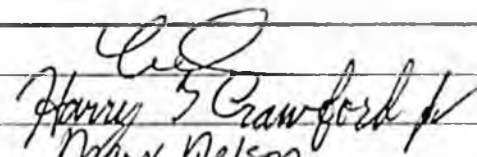
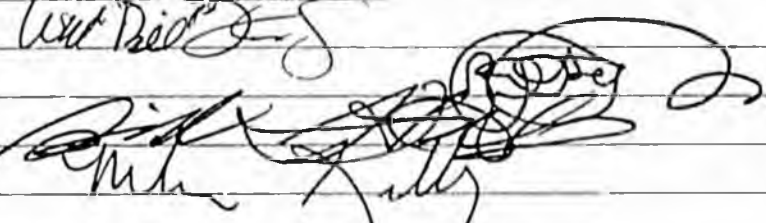
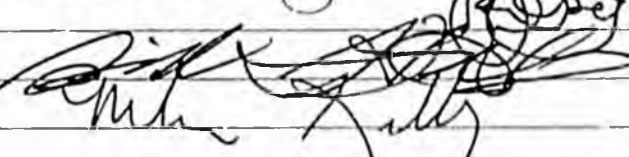

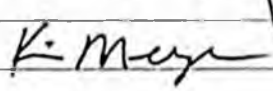
Recommends it be replaced with HCS or CS for HB 87 (FIN)
 For Senate Bills with new title: Technical Title New Title: HCR _____ Same Title New Title

- attach amendments
- add new referral to _____ Committee
- Letter of intent _____ Committee

List of Abbrev for Depts.:
 ADM
 CED
 COR
 CRT
 EED
 DEC
 DFG
 GOV
 HSS
 LEG
 LAW
 LWF
 MVA
 DNR
 DPS
 REV
 DOT
 UA

<u>NEW</u> FISCAL NOTES				
*Assigned by Chief Clerk's Office				
List by Dept(s):	*FN#	Fiscal	Indet.	Zero
DNR		✓		
LAA				✓

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

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
	Gary CRAWFORD	X		✓	
Mary Nelson	NELSON			✓	
Walt DeWitt	Hewher THOMAS			*	✓
	FOSTER	X			
	STOLTE	X			
	KELLY	X			
Chair: 	Meyer				X
Chair:					

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: CSHB87(RES)-LEG-2-7-07
 Bill Version: CSHB 87(RES)
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Legislature
 Title "An Act relating to the Citizens' Advisory RDU Legislative Operating Budget
Commission on Federal Management Areas in Alaska..." Component Legislative Operating Budget
 Sponsor Representative Kelly
 Requester House Finance Committee Component No. 796

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

1002 Federal Receipts						
1003 GF Match						
1004 GF	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)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

The Citizens Advisory Commission on Federal Management is an Executive Branch Commission. Two members of the Commission are Legislators. Each Presiding Officer will appoint a member, one from the Senate and one from the House of Representatives. The only cost to the Legislature for this Executive Branch Commission are travel costs for the Legislators who are members of the Commission. These travel costs will be absorbed within the existing Legislative Operating Budget.

Prepared by: Karla Schofield, Deputy Director
 Division: Legislative Affairs Agency
 Approved by: Pamela Varni, Executive Director
 Agency: Legislative Affairs Agency

Phone: 465-6626
 Date/Time: 2/7/07 9:33 AM
 Date: 2/7/2007

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: HB037CSFIN-DNR-CACFA-04-10-07
 Bill Version: CSHB087 (FIN)
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Natural Resources
 Title Citizens Advisory Commission on RDU Resource Development
Federal Areas Component CACFA
 Sponsor Rep. Kelly
 Requester H FIN Component No. New

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services	160.7	160.7	160.7	160.7	160.7	160.7
Travel	34.0	34.0	34.0	34.0	34.0	34.0
Contractual	32.4	32.4	32.4	32.4	32.4	32.4
Supplies	4.0	4.0	4.0	4.0	4.0	4.0
Equipment	9.5	0.0	0.0	0.0	0.0	0.0
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	240.6	231.1	231.1	231.1	231.1	231.1

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

1002 Federal Receipts						
1003 GF Match						
1004 GF	240.6	231.1	231.1	231.1	231.1	231.1
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	240.6	231.1	231.1	231.1	231.1	231.1

Estimate of any current year (FY2007) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

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

ANALYSIS: (Attach a separate page if necessary)

This legislation reestablishes the Citizens' Advisory Commission on Federal Management Areas in Alaska. The fiscal note establishes a new budget component to reflect these costs.

This Commission was housed in the Department of Natural Resources from FY1987 through FY1999. The budget included funding for an Executive Director and a small amount of travel and commodities. The funding for the Commission was eliminated in FY2000 under a statewide unallocated budget reduction.

Prepared by: Dick Mylius
 Division: Director, Mining Land and Water
 Approved by: Tom Irwin, Commissioner
 Agency: Natural Resources

Phone 907-269-8625
 Date/Time 4/11/2007
 Date 4/11/2007

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

BILL NO. CSHB087 (FIN)

ANALYSIS CONTINUATION

This fiscal note addresses the cost for the department to support the reestablished Citizens Advisory Commission on Federal Areas, including travel/per diem for commission meetings/hearings, and providing for a full-time director and support staff located in Anchorage.

Commission Member Support

We have assumed that the commission will meet three times per year, once each in Anchorage, Fairbanks, and Juneau. Distribution of the locations is intended to provide uniform access of residents to commission meetings and distribute the burden of travel evenly between the commission members.

TRAVEL (airfare, lodging and per diem for 12 Commission members) - \$30.00.

Commission Staff

PERSONAL SERVICES COST - \$160.7 annual cost:

Director- One Natural Resource Manager (NRM) II (range 20C) - 12 Mo./yr. = \$89.9

One Natural Resource Specialist (NRS) II (range 16C) - 12 Mo./yr. = \$70.8 for meeting planning/preparation, issues review/research, and general support to director and commission members.

TRAVEL, CONTRACTUAL, SUPPLIES

Travel estimated at \$4.0 annually to attend public meetings/hearings held in either Fairbanks or Juneau.

Contractual is estimated to be \$20.0 annually to cover the costs to provide for meeting facilities, ads and public notice of scheduled commission meetings or hearings. For a minimum of three commission meetings per year the cost of legal notices would be a minimum of \$6.3/yr. An additional \$4.0 is requested to provide public display ads to maximize public awareness and notification of proposed commission meetings and hearings. While the department anticipates that public-owned meeting facilities would be used whenever possible, \$4.0 is estimated to rent meeting facilities when no public facilities are available or sufficient to accommodate the anticipated public attendance. Finally, \$5.7 is budgeted to facilitate the commission holding public hearings as required.

Other contractual costs include \$12.4 annually for office space, telephones, core allocation service charges and related expenses for the two new positions starting in FY08.

Supplies are budgeted at \$4.0 per year. FY08 includes one-time start-up costs for computer and office equipment of \$9.5.

4/10/07 adopted N/O

25-LS0306V
Bullard
4/10/07

CS FOR HOUSE BILL NO. 87()

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVE KELLY

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the Citizens' Advisory Commission on Federal Management Areas
2 in Alaska; and providing for an effective date."

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

4 * Section 1. AS 41.37 is amended by adding new sections to read:

5 Sec. 41.37.160. Citizens' Advisory Commission on Federal Management
6 Areas in Alaska. The Citizens' Advisory Commission on Federal Management Areas
7 in Alaska is established in the department. In the exercise of its responsibilities, the
8 commission shall consider the views of citizens of the state and officials of the state.

9 Sec. 41.37.170. Membership and officers. (a) The commission is composed
10 of 12 members appointed in accordance with this section.

11 (b) The membership of the commission shall represent each judicial district in
12 the state.

13 (c) The governor shall appoint six members of the commission.

14 (d) The speaker of the house of representatives shall appoint one member of

1 the commission from the membership of the state house of representati. and two
2 members who are residents of the state who are not legislators.

3 (e) The president of the senate shall appoint one member of the commission
4 from the membership of the state senate and two members who are residents of the
5 state who are not legislators.

6 (.) Each member of the commission serves at the pleasure of the appointing
7 authority.

8 (g) The commission shall select a presiding officer of the commission from its
9 membership. The commission may elect other officers.

10 **Sec. 41.37.180. Qualifications of members.** The members of the commission
11 appointed by the governor under AS 41.37.170(c) and members appointed under
12 AS 41.37.170(d) and (e) who are not members of the legislature shall be representative
13 of the diversity of users and uses of federal land in the state.

14 **Sec. 41.37.190. Term of members of the commission.** (a) A member of the
15 commission appointed by the governor serves for a term of four years or until a
16 successor is appointed and qualifies.

17 (b) A member of the commission appointed from the legislature serves for the
18 person's term of office as a legislator or until a successor is appointed and qualifies.

19 (c) Except as provided in (b) of this section, a member of the commission
20 appointed by the speaker of the house or president of the senate serves for four years
21 or until a successor is appointed and qualifies.

22 **Sec. 41.37.200. Compensation, expenses, and per diem.** (a) A member of the
23 commission who is a legislator or a full-time employce of the state or of a
24 municipality of the state shall suffer no loss of compensation from the state or a
25 municipality of the state as a result of service to the commission.

26 (b) A member of the commission is entitled to per diem and travel expenses
27 authorized for boards and commissions under AS 39.20.180.

28 **Sec. 41.37.210. Staff of the commission.** The commission may employ staff
29 and contract for services relating to matters within its authority. Staff employed under
30 this section are responsible to the commission.

31 **Sec. 41.37.220. Duties of the commission.** (a) The commission shall consider,

1 research, and hold hearings on the consistency with federal law and congressional
2 intent on management, operation, planning, development, and additions to federal
3 management areas in the state.

4 (b) The commission shall consider, research, and hold hearings on the effect
5 of federal regulations and federal management decisions on the people of the state.

6 (c) The commission may, after consideration of the public policy concerns
7 under (a) and (b) of this section, make a recommendation on the concerns identified
8 under (a) and (b) of this section to an agency of the state or to the agency of the United
9 States that manages federal land in the state.

10 (d) The commission shall consider the views, research, and reports of advisory
11 groups established by it under AS 41.37.230 as well as the views, research, and reports
12 of individuals and other groups in the state.

13 (e) The commission shall establish internal procedures for the management of
14 the responsibilities granted to it under this chapter.

15 (f) The commission shall report annually to the governor and the legislature
16 within the first 10 days of a regular legislative session.

17 (g) The commission shall cooperate with each department or agency of the
18 state or with a state board or commission in the fulfillment of their duties.

19 **Sec. 41.37.230. Advisory groups of the commission.** (a) The commission
20 may establish advisory groups in the state.

21 (b) The commission shall invite nominations for the membership on the
22 advisory groups and shall consider the nominations in making its appointments to the
23 groups.

24 (c) The membership of each advisory group shall be broadly representative of
25 individuals involved in activities affected by the establishment or management of units
26 of federal land within the state.

27 **Sec. 41.37.240. Suit.** The commission may request the attorney general to file
28 suit against a federal official or agency if the commission determines that the federal
29 official or agency is acting in violation of an Act of Congress, congressional intent, or
30 the best interests of the state.

31 **Sec. 41.37.250. Agency cooperation.** Each state department, agency, board,

1 and commission shall cooperate with the commission in the fulfillment of the duties of
2 the commission under AS 41.37.220.

3 **Sec. 41.37.260. Definition.** In this chapter, "commission" means the Citizens'
4 Advisory Commission on Federal Management Areas in Alaska.

5 * **Sec. 2.** AS 41.37.160, 41.37.170, 41.37.180, 41.37.190, 41.37.200, 41.37.210, 41.37.220,
6 41.37.230, 41.37.240, 41.37.250, and 41.37.260 are repealed June 30, 2014.

7 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
8 read:

9 **TRANSITION.** Notwithstanding AS 41.37.190(a), as enacted in sec. 1 of this Act, the
10 terms of the first members of the Citizens' Advisory Commission on Federal Management
11 Areas in Alaska appointed by the governor under AS 41.37.170, as enacted in sec. 1 of this
12 Act, are as follows: (1) two members shall be appointed for a four-year term; (2) two
13 members shall be appointed for a three-year term; (3) one member shall be appointed for a
14 two-year term; and (4) one member shall be appointed for a one-year term. The governor shall
15 specify the term of office of each member appointed subject to this section.

16 * **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSHB 87(RES)
 (H) Publish Date: 2/1/07

Revision Date/Time (Note if correction): _____ Dept. Affected: Natural Resources
 Title Citizen Advisory Commission on RDU Resource Development
Federal Areas Component Commissioner's Office
 Sponsor Rep. Kelly
 Requester H RES Component No. 423

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING						

*** INDETERMINATE ***

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

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

*** INDETERMINATE ***

Estimate of any current year (FY2007) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation reestablishes the Citizen's Advisory Commission on Federal Management Areas in Alaska. The cost to the Department of Natural Resources associated with reestablishment of the Commission is indeterminate at this time.

This Commission was housed in the Department of Natural Resources from FY1987 through FY1999. The budget included funding for an Executive Director and a small amount of travel and commodities. The funding for the Commission was eliminated in FY2000 under a statewide unallocated budget reduction.

Prepared by: Nico Bus, Administrative Services Director Phone 465-2406
 Division Support Services Date/Time 1/22/2007
 Approved by: Marty Rutherford, Acting Commissioner Date 1/22/2007
 Agency Natural Resources

*returns
MEO*

CITIZENS' ADVISORY COMMISSION
ON FEDERAL AREAS

1988 ANNUAL REPORT

JANUARY 19, 1989



Citizens' Advisory Commission on Federal Areas

516 Seventh Avenue
Suite 310
Fairbanks, Alaska 99701
(907) 466-2012

January 19, 1989

Dear Reader:

The Citizens' Advisory Commission on Federal Areas was established in 1981 by the Alaska State Legislature to protect the rights of Alaskans to continue their traditional uses of federal lands throughout the State. The need for an official State agency to oversee the management of federal lands in Alaska was created primarily by the passage of the Alaska National Interest Lands Conservation Act (ANILCA) in 1980. ANILCA placed 104 million acres of land in Alaska into federal conservation units, and outlined specific use requirements and restrictions for those areas.

The changes in land status and the statutory requirements for the use and management of federal lands often conflict with the traditional activities to which Alaska's peoples have become accustomed. The Commission is charged with the responsibility of researching issues and determining the impact of federal statutes, regulations and management decisions on the citizens of Alaska in order to minimize or resolve potential conflicts. Through the development and maintenance of a good working relationship with the various federal agencies, the Commission has been effective in assuring that land management decisions are consistent with both statutory language and Congressional intent and in protecting the interests of Alaska's citizens. This document represents the Commission's annual report to the Governor and the Alaska State Legislature as required by AS 41.37.080(f).

COMPOSITION

The Commission is composed of sixteen members, eight appointed by the Governor and eight by the Legislature. The Commission officers for 1988 were: Chairman, Ms. Dorothy Jones (Talkeetna) and Vice-Chairman, Senator Bettye Fahrenkamp (Fairbanks). The Chairman, Vice-Chairman, Phil Holdsworth (Juneau), Jim Palmer (Anchorage), and Bob Pederson (Kodiak), comprise the Executive Committee.

STAFF

There are currently two staff positions for the Commission: an executive director and an administrative assistant. The office is located in Fairbanks.

GOALS

The Commission objective of working to "assure that Alaskans' rights are protected from federal encroachment, and that the stated congressional intent of refraining from interrupting traditional Alaskan activities (fishing, hunting, mining, camping) be continued to the best extent practicable" has been carried out by meeting the past year's goals as stated in the 1987 annual report. These same goals are projected for 1989. The Commission will continue to function as a vehicle for citizen input to the executive, legislative, and local/municipal decision-making processes with respect to federal management areas in Alaska.

Specifically:

The Commission will continue to monitor federal agency planning, management activities and implementation efforts.

Review of any federal/public lands proposed for exchange will also be continued.

Commission research on special projects mandated by ANILCA will continue.

The Commission will continue its involvement at the earliest stages of planning activities for the conservation system units established or expanded by ANILCA.

Commission efforts to resolve conflicts between land managers and land users will be emphasized.

The Commission will help to assure that the best interests of the State of Alaska are brought into the decision making process.

The Commission will continue to work with the congressional offices and monitor federal legislation and regulations which have an impact on the administration and management of federal lands in Alaska.

The Commission has developed and maintained good working relationships with federal and State agencies and with individual and organizational contacts by thoroughly analyzing issues before submitting comments and recommendations on land management issues. Although the Commission's primary role is advisory, it has the authority to recommend suit by the State's Attorney General against any federal agency which fails to act within the bounds of congressional intent or within the limits of the law. For the first time in 1987, the Commission exercised this authority and recommended, through the Governor's office, that the State file suit against the Department of the Interior and the National Park Service over that agency's final regulations on the use and construction of cabins and other structures in the national parks in Alaska.

Work on this lawsuit continued in 1988, with Commission staff working with the State Attorney General's office and other State agencies in preparing and reviewing relevant legal briefs.

EXTENSION OF COMMISSION SUNSET DATE

During the 1988 Legislative session, bills were introduced in both the Senate and House to extend the life of the Commission beyond its original June 30, 1988 termination date. The June 30, 1988 sunset date was originally selected because it was believed that implementation of the ANILCA would be essentially completed. However, federal agency planning schedules have resulted in delays in the implementation of a number of important provisions of the law. In addition, other federal agency "step-down" planning efforts, accompanied by additional regulations and policy development are expected to continue for some time to come.

Both Senate Bill 373 and House Bill 464 proposed to extend the termination date of the Commission for an additional ten years. SB 373 was passed unanimously by both the Senate and the House and subsequently signed into law by Governor Cowper. The Commission is now scheduled to sunset on June 30, 1998.

COMMISSION ACTIVITIES IN 1988

1988 was the sixth full calendar year of operation for the Commission. The year's objectives were divided between reviewing and commenting on federal agency planning documents and regulations, investigating citizen complaints and working to ensure maximum levels of public participation in all stages of planning for the management of federal lands in Alaska.

National Park Service

During 1988 The National Park Service completed its ANILCA Section 1317 Wilderness Review. This section of the law directed the NPS to review, as to their suitability, all lands within the the national park system in Alaska not designated as wilderness and make recommendations to the Secretary of the Interior for additional wilderness. The Secretary, in turn, is to submit his recommendations to the President, who will make the final recommendations to Congress. Wilderness designation can only be made by Congress.

Suitability determinations were previously made in conjunction with the general management plans prepared for the national park units. During that phase of the process, the agency determined that 18.4 million acres of park land in 13 of the 15 Alaskan park units were suitable for designation as wilderness. The next step in the process was the preparation of draft environmental impact statements, containing the agency's recommendations for additional wilderness. These documents were completed and released for public review beginning in early spring, 1988.

Contained within the 13 draft documents were recommendations that an additional 6.9 million acres be designated as wilderness. Reaction to these proposals was mixed. Numerous organizations and individuals indicated opposition to any additional acreage being designated as wilderness. Still others, felt that the recommendations were inadequate and that all suitable acreage should be recommended for designation. The Commission supported wilderness designation in only one park unit, Glacier Bay National Park and Preserve. This support was contingent upon boundary adjustments being made to existing wilderness waters to allow the continuation of commercial fishing activity.

For the remaining park units, the Commission did not support any additional wilderness designation for a number of reasons. Foremost among these was the impacts that wilderness would have on a number of existing activities and uses, including more diversified recreational opportunities, access, and impacts to private land owners within park units. Review and analysis of the draft environmental impact statements by Commission staff determined that the documents contained serious deficiencies. The Commission found that the documents failed to adequately discuss the impacts of wilderness designation on existing uses and on the ability of the NPS to actively manage the park units and accommodate future visitor use and recreation needs.

The Commission also felt that the draft documents were so deficient that they would be virtually useless to Congress in making any future decisions regarding designation of additional wilderness in the Alaskan park units. In spite of extensive comments and recommendations from this Commission, the State of Alaska, organizations and the general public, there were essentially no revisions made to the final documents which would improve their utility to future decision makers. Recognizing the weakness of the documents, the Alaska Land Use Council, at its September 20, 1988, meeting passed a resolution recommending that no additional wilderness be designated at this time.

The final environmental impact statements, containing the NPS wilderness recommendations, were submitted to the Secretary of the Interior in late 1988. At the time of this report, the President has not yet made his recommendations to Congress. It is unclear when the final recommendations will be made.

During 1988 the NPS also continued its work on three cumulative environmental impact statements and mineral management plans for Denali National Park and Preserve, Wrangell-St. Elias National Park and Preserve and Yukon-Charley Rivers National Preserve. The agency was directed by the courts in 1985 to prepare these studies in order to determine the impacts of mining activities on the resources of these three park units.

In March, Commission staff met with the NPS, State agency representatives and the mining community to discuss the proposed alternatives for the draft environmental impact statements and the mineral management plans. Discussion centered around the importance of developing alternatives and resource protection standards that would allow for the resumption of mining activity and at the same time provide an appropriate level of protection for the other

resources of the park units. Suggestions were also made for revision of the regulations at 36 CFR, Part 9, which govern mining activities in all national park units. It was felt that revision of these regulations were necessary in order to reflect the provisions of ANILCA and the unique conditions that mining operations must face in Alaska. A minor change was made to these regulations in 1987, but the change was very narrow and dealt only with the question of access. The draft environmental impact statements and mineral management plans are expected to be released sometime in early to mid-1989.

Bureau of Land Management

As a result of a lawsuit very similar to the one filed against the NPS, the Bureau of Land Management was also directed by the courts to prepare environmental impact statements on the cumulative effects of placer mining activities on four river drainages in interior Alaska. The four drainages affected were the Birch Creek Wild and Scenic River, Beaver Creek Wild and Scenic River, Forty Mile Wild and Scenic River and the Minto Flats drainage. Currently in these four drainages, any mining operation on a federal claim which would disturb more than five acres is prohibited from operating under the provisions of a court ordered injunction.

The agency released the draft cumulative environmental impact statements in 1988. As with any document of this nature, reaction was mixed. The Commission, however, felt that the action proposed by BLM to manage placer mining activities in these four drainages was an appropriate approach. The agency proposed to continue to manage mining activities according to existing federal and state regulatory requirements. The Commission felt that the proposals represented a good balance between resource development and protection of the other resources of these four areas, as well as providing for the continuation of subsistence activities by local rural residents.

Implementation of the management proposals contained in the documents and lifting of the injunction now in place is contingent on approval by the courts. A decision is expected prior to the beginning of the 1989 mining season.

Also in 1988, the BLM released a supplement to the draft resource management plan for the Pipeline Utility Corridor. The supplement contained a proposal to allow the State of Alaska to select lands within the corridor to help fulfill its remaining land selection entitlement. The land is currently unavailable for state selection because of the provisions of Public Land Order 5150, which originally withdrew the land for the Utility Corridor. The proposal would have allowed the State to select some 1.1 million acres within the corridor by lifting the public land order. The proposed selection was in two blocks, with approximately 500,000 acres between the Yukon River and the Arctic Circle and another 600,000 acres north of Toolik Lake.

At its June 2 meeting, the Commission heard testimony from several local residents who were opposed to the State selection of the southern 500,000 acre block. Local residents were concerned that State ownership of the land might

eventually result in land disposals which would increase competition for subsistence resources and contribute to existing trespass problems on adjacent private lands. Based upon the public testimony and because of the concerns of several of the Commission members, the Commission did not support the State selection of the southern block. The Commission did, however feel that the State should be allowed to select the block north of Toolik Lake. The Commission conveyed its concerns to both the BLM and Governor Cowper.

The issue of State land selection in the corridor remains unresolved. Negotiations between the State and BLM continue and modifications to the earlier proposal have been made. The Commission plans to consider the current proposal at its next regular meeting.

U.S. Fish and Wildlife Service

The U.S. Fish and Wildlife Service has now completed comprehensive conservation plans for all sixteen national wildlife refuges in Alaska. Final plans were released in 1988 for the Arctic National Wildlife Refuge, Alaska Maritime National Wildlife Refuge, and Yukon Delta National Wildlife Refuge. These plans are designed to guide management of the refuges for the next ten years, subject to revision if necessary. The agency's primary planning effort will now be the preparation of specific resource management or "step-down" plans. A preliminary list indicates that approximately 50 resource management plans will be prepared over the next two to three years.

One resource management plan which was completed this past year is the Furbearer Management Plan for the Kenai National Wildlife Refuge. The first draft of this plan was released in August, 1987. Because of an inadequate public review process and the controversial proposals the plan contained, the decision was made by the Fish and Wildlife Service to revise the plan. The revisions were made after a workshop was held involving representatives from the Service, the Alaska Department of Fish and Game, local trapping groups and environmental organizations. The revised plan was released in January for second round of public review, with the final plan available in August.

Preparation of public use management plans for the Kodiak and Togiak National Wildlife Refuges began in late fall of 1988. The Commission has long been concerned about the management of public uses on these two refuges and the need to design recreational use strategies to avoid conflicts between user groups. Conflict between sport fishing activities and subsistence users on the Togiak Refuge have been identified in the past. The refuge staff has worked with local user groups to resolve these conflicts. The Commission will participate in the preparation of these two management plans in the coming year. It is hoped that the public use management plans will help develop mechanisms to avoid future problems.

U.S. Forest Service

Throughout 1988 the U.S. Forest Service continued its revision of the Tongass

Land Management Plan. A draft environmental impact statement and draft forest plan are scheduled for release in December, 1989. With the number of proposals considered in Congress for amendments to the ANILCA provisions governing management of the Tongass, it is not clear at this point how the administrative revision process may be affected. The Commission established a sub-committee in June, 1988 to better monitor this important revision process. Both local and national interest in the future management of the Tongass will remain high.

Federal agency planning documents or regulations reviewed by the Commission during 1988 included:

NATIONAL PARK SERVICE

Draft & Final Environmental Impact Statement/Wilderness Recommendation:

Aniakchak National Monument & Preserve
Bering Land Bridge National Preserve
Cape Krusenstern National Monument
Denali National Park & Preserve
Gates of the Arctic National Park & Preserve
Glacier Bay National Park & Preserve
Katmai National Park & Preserve
Kenai Fjords National Park
Kobuk Valley National Park
Lake Clark National Park & Preserve
Noatak National Preserve
Wrangell-St. Elias National Park & Preserve
Yukon-Charley Rivers National Preserve

Draft Wilderness Management Plan- Glacier Bay National Park & Preserve
Alsek River Draft Management Plan- Glacier Bay National Park & Preserve
National Park Service Revised Management Policies
Draft Programmatic Agreement- National Historic Preservation Act
Revised Draft Land Protection Plan- Lake Clark National Park & Preserve

BUREAU OF LAND MANAGEMENT

Draft Cumulative Environmental Impact Statements- Placer Mining:

Birch Creek National Wild and Scenic River
Beaver Creek National Wild and Scenic River
Fortymile National Wild and Scenic River
Minto Flats

Draft Resource Management Plans/Draft Environmental Impact Statements:

Fort Wainwright
Fort Greely

Draft Management Plan- Area of Critical Environmental Concern (ACEC):

Tozitna North & Tozitna South ACEC- Central Yukon Planning Area
Galena Mountain ACEC- Central Yukon Planning Area

Final Environmental Impact Statement/Wilderness Recommendations- Central Arctic Management Area

Norton Sound Aquatic Habitat Management Plan
Draft Watershed Activity Plan- Tozitna River Watershed ACEC

U.S. FISH AND WILDLIFE SERVICE

Draft Comprehensive Conservation Plans:

Arctic National Wildlife Refuge
Alaska Maritime National Wildlife Refuge

Final Comprehensive Conservation Plans:

Arctic National Wildlife Refuge
Alaska Maritime National Wildlife Refuge
Yukon Delta National Wildlife Refuge

Supplemental Environmental Impact Statement/Wilderness Amendments:

Kenai National Wildlife Refuge
Alaska Peninsula National Wildlife Refuge
Becharof National Wildlife Refuge

Draft Legislative Environmental Impact Statement: Acquisition of Inholdings in Alaska National Wildlife Refuges
Subsistence Management and Use- Implementation of Title VIII of ANILCA
Draft Environmental Impact Statement: Management of the National Wildlife Refuges*
Furbearer Management Plan: Kenai National Wildlife Refuge
Revised Draft Cabin Policy*

(* Currently under review)

U.S. FOREST SERVICE

Draft Environmental Impact Statement: 1989-94 Operating Period for the Ketchikan Pulp Company Long-term Sale Area

Final Environmental Impact Statement: Quartz Hill Molybdenum Mine
Project

Draft 1987 Timber Supply & Demand Report- ANILCA 706(a)

PROPOSED FEDERAL LEGISLATION IN 1988

During the second session of the 100th Congress, work continued on proposed legislation which would affect the federal lands in Alaska. Following is a brief discussion of those legislative proposals.

Tongass National Forest

During 1988, work continued on legislation to amend certain sections of ANILCA which guide the management of the Tongass National Forest. At present the forest is managed primarily by the Tongass Land Management Plan (TLMP), the National Forest Management Act, and ANILCA. Section 705(a) of ANILCA established an annual \$40 million Tongass Timber Supply Fund and directed the U.S. Forest Service to offer for sale 450 million board feet of timber per year. The Timber Supply Fund was intended to help maintain the timber supply from the Tongass to dependent industry at the rate of 4.5 billion board feet per decade, or an average of 450 million board feet per year.

Both of these provisions have come under increasing scrutiny. Opponents view the provisions as unnecessary and wasteful, primarily due to deficit timber sales. Supporters of the provisions maintain that the provisions are necessary to offset the loss of available timber in designated wilderness areas on the forest and to maintain a viable timber industry in Southeastern Alaska.

Legislation proposed in the 100th Congress (and certain to be reintroduced in 1989) would eliminate the Timber Supply Fund and reduce the mandatory harvest levels on the forest. Other proposed legislation would eliminate long term contracts between the Forest Service and two major timber companies operating in Southeastern Alaska. Other legislation being considered would designate additional wilderness areas within the Tongass. At present, there are 5.4 million acres of designated wilderness in the forest.

The Commission has taken the position that any changes to those sections of ANILCA which direct the management of the Tongass should be deferred until the Forest Service has completed its revision of the Tongass Land Management Plan. In addition, Congress should hold formal hearings in Southeastern Alaska prior to the passage of any legislation affecting management of the forest. While Congress has heard from those groups and organizations who were able to travel to Washington, D.C. to testify at hearings, the Commission believes that it is essential that Congress hear directly from the residents of

Southeast. The Commission has consistently maintained that current management problems on the Tongass can be corrected through cooperative efforts between the State, the U.S. Forest Service, local communities and affected user groups and through administrative revisions to the forest management plan. The Commission and its Tongass sub-committee will continue to monitor the progress of any proposed legislation and will continue its involvement in the revision of the management plan.

Other proposed legislation considered by Congress in 1988 which would affect the federal lands in Alaska and result in changes to the ANILCA included bills designating the coastal plain of the Arctic National Wildlife Refuge as wilderness. Legislation which would permit oil and gas development on the refuge coastal plain and designate the National Petroleum Reserve-Alaska as a unit of the national wildlife refuge system was also considered during 1988. It is expected that similar legislation will be introduced in this first session of the 101st Congress.

The changes proposed for the Tongass National Forest and the issues surrounding the Arctic National Wildlife Refuge appear to signal the possibility of additional amendments to the ANILCA. While the Commission, as well as other organizations and individuals, has long recognized the need for some changes to the law, any changes must be very carefully considered. During the development of the ANILCA a number of compromises, such as those on the Tongass, were reached. The Commission believes that the spirit of these compromises must be preserved. Congress intended that the customary and traditional uses of the federal lands in Alaska were to be protected. These customary and traditional uses range from subsistence activity to commercial fishing, from mining to timber harvest and a wide range of other uses and activities. The major goal of this Commission has always been to ensure that the federal agencies implementing the law remain aware of this intent as they manage the federal lands under their control. The Commission will continue to work to ensure that the special provisions of ANILCA, which recognize the unique nature of Alaska, will remain in place, even though amendments to the law may be made.

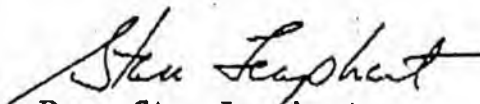
It has been eight years since the passage of ANILCA. In that time dozens of management plans, policies and regulations have been implemented. The impacts to the citizens of this state have been considerable. As the federal agencies continue their implementation and planning efforts, impacts will also continue. A review of the proposed planning schedules for the federal land management agencies strongly indicates the need for continued monitoring and citizen participation in the process. Now that most of the general or conceptual plans for the conservation system units are essentially complete, more specific resource management plans and unit specific regulations can be expected.

The Commission will continue to advocate for maximum levels of public involvement in the planning process and for the protection of customary and

traditional uses of the federal lands in Alaska. As competition for resources increases, cooperation between user groups will be critical to successful management of these areas. At the same time, the federal agencies must recognize the importance of citizen participation in the process and provide the opportunities for that participation. The Commission will strive to work toward these goals during 1989.

Sincerely,

Dorothy Jones, Chairman
CITIZENS' ADVISORY COMMISSION
ON FEDERAL AREAS

A handwritten signature in cursive script, appearing to read "Stan Lesphart".

By: Stan Lesphart
Executive Director

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NOTE - Legislator's session address: P. O. Box V, Juneau, Alaska 99811

(rev. 12/88)

ALASKA STATE LEGISLATURE

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REPRESENTATIVE MIKE KELLY HOUSE DISTRICT 7

Member

House Finance Committee
Legislative Budget & Audit

Sponsor Statement

House Bill 87

An Act reestablishing the Citizens' Advisory Commission on Federal Areas in Alaska

The Citizens' Advisory Commission on Federal Areas was first established in 1981 by the Twelfth State Legislature to provide assistance to the citizens of Alaska who are affected by the management of federal lands within the state. The Commission was terminated in 1999 when funding was not allocated by the administration. The need for the Commission arose primarily from the passage of the Alaska National Interest Lands Conservation Act (ANILCA) in 1980.

The ANILCA placed an additional 104 million acres of land in Alaska into federal conservation system units and outlined specific use requirements and restrictions for those areas. The changes in land status which resulted from the creation and expansion of conservation system units increased the potential for conflict between Alaskans' traditional uses of these federal lands and the mandates in ANILCA. Of the 239 million acres in Alaska which remain under Federal management, there are more than 150 million acres with conservation restrictions. In addition, there have been significant changes in the management directions for all Federal public lands throughout the country. Even lands with no specific statutory conservation restrictions are subject to a steadily increasing number of administrative designations and withdrawals that can result in reductions in public uses, including hunting, fishing, trapping, timber harvest, mineral extraction, grazing, and other resource use opportunities on the Federal public lands.

The commission, through this enabling legislation, is charged with the responsibility of researching issues and determining the impact of federal statutes, regulations and management decisions on the citizens of Alaska in order to minimize or resolve potential conflicts. The commission was, and will again be effective in assuring that land, water and fish and wildlife management decisions are consistent with both statutory language and Congressional intent and in protecting the interests of Alaska's citizens.



January 25, 2007

The Honorable Mi'le Kelly
State Capitol, Room 513
Juneau, AK 99801

Dear Representative Kelly,

The Kenai River Sportfishing Association (KRSA) supports the legislative objective of House Bill 87, an act reestablishing the Citizens' Advisory Commission on Federal Management Areas in Alaska.

We agree that the commission should be reestablished to assure that Federal land management decisions are consistent with both statutory language and Congressional intent, and in protecting the interests of Alaska's citizens.

We feel that if reestablished, it will be of utmost importance that the commission:

- Be fully funded at levels that will ensure it will provide the maximum benefit;
- Remain independent of any particular state agency;
- Have the ability to request the attorney general file suit against a federal official or agency if the commission determines the federal official or agency is acting in violation of an Act of Congress, congressional intent, or the best interests of the state; and,
- Have the ability to file suit, independently of the state, or to provide assistance to citizens in those instances where the courts deem the state cannot bring a suit on behalf of its citizens.

State and Federal management of the resources within their respective jurisdictions continues to develop through time. We believe it is vitally important for the state to have a citizens' commission to monitor and keep pace with these important developments. We support HB 87, an act that would reestablish the Citizens' Advisory Commission of Federal Management Areas in Alaska.

Please contact me at your convenience if there are any questions or concerns. Thank you for your time and effort in this important concern.

Respectfully,

Ricky Gease
Executive Director



Alaska Outdoor Council

PO Box 73902
Fairbanks, AK 99707-3902
Ph: (907) 455-4262 / FAX: 455-6447
aoc@alaska.net
www.alaskaoutdoorcouncil.org

January 29, 2007

Representative Carl Gatto, Co-Chairman
Representative Craig Johnson, Co-Chairman
House Resources Committee
State Capitol Building
Juneau, Alaska 99811

Representatives,

The Alaska Outdoor Council (AOC) supports the passage of HB 87 – Re-establishing the Citizens' Advisory Commission on Federal Areas in Alaska.

The AOC is a statewide group of 2,500 members and 45 clubs for a collective membership of 10,000 Alaskans. Our members enjoy the Alaskan outdoor lifestyle and traditions that are so unique to our state. As you know, the federal government owns and manages millions of acres of land in Alaska. Many of our members have historically used those lands for the taking of fish, game, and other resources as well as for outdoor recreational enjoyment.

Since the passage of ANILCA, in addition to other subsequent federal legislation and administrative rule-making, a number of conflicts have arisen between Alaskans and their federal government. In its former life, the Citizen's Advisory Commission was effective in defining those conflicts so our state policymakers could address them. AOC believes that recent decisions by federal bureaucrats to redefine the balance of power between our state and federal government necessitate a response by the legislature to empanel, and empower, Alaskans.

Alaska's future lies in the land. What will keep future generations here if we can not access federal lands to hunt, fish, trap, drill, dig, recreate, and yes, just view the landscape? With these issues of land ownership, management, and control, so vitally important, it is equally important that we have someone to focus solely on such issues. Please re-establish the Citizen's Advisory Commission on Federal Areas in Alaska as that entity.

Sincerely,

Rod Arno, Executive Director



State of Alaska
**MINERALS
COMMISSION**

Irene Anderson, Chairman

Department of Commerce, Community & Economic Development
Office of Economic Development
Mineral Development

February 9, 2007

Irene Anderson
Bering Straits Native
Corporation, Nome

Del Ackels
Goldust Mines,
Fairbanks

Leo Mark Anthony,
C-D Development
Co., Anchorage

Gregory Belscher
Bristol
Environmental &
Engineering Services,
Corp., Anchorage

Bartly Colley
Usibelli Coal Mine,
Inc., Fairbanks

Don Cook
Cook International,
Fairbanks

Karl Hanneman
Teck Pogo, Inc.,
Fairbanks

Charlotte MacCay
Bristol
Environmental &
Engineering Services
Corp., Anchorage

Dr. Lance D. Miller
Juneau Economic
Development
Council, Juneau

Roh Retherford
Alaska Earth
Sciences, Inc.,
Anchorage

Mark Robinson
Olympic Resources
Group LLC,
Wrangell

Richard A. Hughes
Staff - Fairbanks

The Honorable Mike Kelly
Alaska House of Representatives
State Capitol, Rm 513
Juneau, AK 99801-1182

Dear Representative Kelly:

The Alaska Minerals Commission is pleased to advise its support of HB 87, "An Act relating to the Citizens' Advisory Commission on Federal Management Areas in Alaska; and providing for an effective date."

We find that a number of federal land issues are becoming problems and others continue to be problems year-after-year. See our "Report of the 2007 Alaska Minerals Commission", pages 14 - 16 and 4. Of particular importance are

- ANILCA Mineral Assessments
- Outdated Land Segregations
- Coal Program Federal Funding
- RS 2477 Rights-of-Way (p. 4 of our report)
- Navigability Determinations (p. 4 of our report)
- Private In-holdings in National Parks - we find significant abuse to providing fair compensation for "takings" of mining claims.

We believe that your bill will provide the mechanism for resolving these issues in an reasonable and effective manner.

Yours truly,

Irene Anderson
Irene Anderson
Chairman



Fairbanks North Star Borough *Office of the Mayor*

809 Pioneer Road • PO Box 71267 • Fairbanks, Alaska 99707-1267 • 907/459-1300

Fax 907/459-1102

Email mayor@co.fairbanks.ak.us

12 February, 2007

Dear Committee Members,

I am writing today to express my support of HB 87: Citizen Advisory Commission On Federal Areas and to thank Representative Mike Kelly for his sponsorship of this valuable piece of legislation.

Too large a percentage of Alaska's land remains owned and regulated by the federal government. For us to ignore the need for citizen representation as decisions are made that affect our use of that land is wrong.

Furthermore, these important needs will be addressed at a diminutive cost to our state budget.

I fully support this legislation recognizing the enormous cost to Alaska if we fail to participate in the process that governs the future of our lands and the uses applied to them.

Sincerely,

Jim Whitaker, Mayor - Fairbanks North Star Borough

HB

87

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

REPORTED OUT
MAY 11 2007
SENATE FINANCE COMMITTEE

DATE: 5/8/07

FURTHER:

DATE TURNED
IN TO OFFICE: 11 May 2007

Finance Committee considered CS FOR HOUSE BILL NO. 87(FIN) am

HB 87 CITIZEN ADVISORY COMM ON FEDERAL AREAS

"An Act relating to the Citizens' Advisory Commission on Federal Management Areas in Alaska; and providing for an effective date."

and recommends:

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

SENATE BILL:
 Same Title
 New Title

HOUSE BILL:
 Same Title
 Technical Title Change
 New Title w/
 SCR # _____

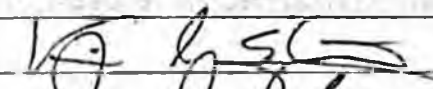
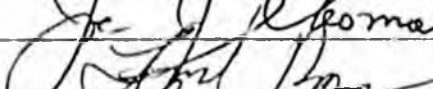
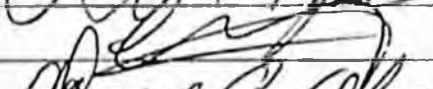
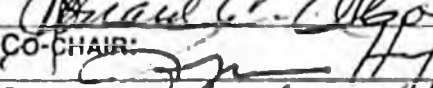



NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
Leg.	2/7/07			✓	#2
DNR	4/2/07	246.2			#4

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Elton			✓	
	Thomas	✓			
	Dyson	✓			
	Huggins	✓			
	Olson			✓	
CO-CHAIR: 	Hoffman			✓	
CO-CHAIR: 	Stedman			✓	

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: CSHB 87(FIN)
(H) Publish Date: 4/13/07

Revision Date/Time (Note if correction): _____ Dept. Affected: Legislature
Title: "An Act relating to the Citizens' Advisory RDU: Legislative Operating Budget
Commission on Federal Management Areas in Alaska..." Component: Legislative Operating Budget
Sponsor: Representative Kelly
Requester: House Finance Committee Component No.: 796

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2003	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

1002 Federal Receipts						
1003 GF Match						
1004 GF	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)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)
The Citizens Advisory Commission on Federal Management is an Executive Branch Commission. Two members of the Commission are Legislators. Each Presiding Officer will appoint a member, one from the Senate and one from the House of Representatives. The only cost to the Legislature for this Executive Branch Commission are travel costs for the Legislators who are members of the Commission. These travel costs will be absorbed within the existing Legislative Operating Budget.

Prepared by: Karla Schofield, Deputy Director Phone: 465-6626
Division: Legislative Affairs Agency Date/Time: 2/7/07 9:33 AM
Approved by: Pamela Varni, Executive Director Date: 2/7/2007
Agency: Legislative Affairs Agency

FISCAL NOTE

REPORTED OUT
MAY 11 2007
 SENATE FINANCE COMMITTEE

STATE OF ALASKA
 2007 LEGISLATIVE SESSION

Fiscal Note Number: 4
 Bill Version: CSHB 87(FIN)
 (H) Publish Date: 4/19/07

Revision Date/Time (Note if correction): _____ Dept. Affected: Natural Resources
 Title Citizens Advisory Commission on RDU Resource Development
Federal Areas Component CACFA
 Sponsor Rep. Kelly
 Requester H FIN Component No. New

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services	166.3	166.3	166.3	166.3	166.3	166.3
Travel	34.0	34.0	34.0	34.0	34.0	34.0
Contractual	32.4	32.4	32.4	32.4	32.4	32.4
Supplies	4.0	4.0	4.0	4.0	4.0	4.0
Equipment	9.5	0.0	0.0	0.0	0.0	0.0
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	246.2	236.7	236.7	236.7	236.7	236.7

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

FUND SOURCE	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
1002 Federal Receipts						
1003 GF Match						
1004 GF	246.2	236.7	236.7	236.7	236.7	236.7
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	246.2	236.7	236.7	236.7	236.7	236.7

Estimate of any current year (FY2007) cost: 0.0
 Check this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

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

ANALYSIS: (Attach a separate page if necessary)
 This legislation reestablishes the Citizens' Advisory Commission on Federal Management Areas in Alaska. The fiscal note establishes a new budget component to reflect these costs.

 This Commission was housed in the Department of Natural Resources from FY1987 through FY1999. The budget included funding for an Executive Director and a small amount of travel and commodities. The funding for the Commission was eliminated in FY2000 under a statewide unallocated budget reduction.

Prepared by: Dick Mylius Phone 907-269-8625
 Division: Director, Mining Land and Water Date/Time 4/2/2007
 Approved by: Tom Irwin, Commissioner Date 4/12/2007
 Agency: Natural Resources

FISCAL NOTE #4

STATE OF ALASKA
2007 LEGISLATIVE SESSION

BILL NO. CSHB 87(FIN)

ANALYSIS CONTINUATION

This fiscal note addresses the cost for the department to support the reestablished Citizens Advisory Commission on Federal Areas, including travel/per diem for commission meetings/hearings, and providing for a full-time director and support staff located in Fairbanks.

Commission Member Support

We have assumed that the commission will meet three times per year, once each in Anchorage, Fairbanks, and Juneau. Distribution of the locations is intended to provide uniform access of residents to commission meetings and distribute the burden of travel evenly between the commission members.

TRAVEL (airfare, lodging and per diem for 12 Commission members) - \$30.0

Commission Staff

PERSONAL SERVICES COST - \$166.3 annual cost:

Director- One Natural Resource Manager (NRM) II (range 20C) - 12 Mo./yr. = \$93.1

One Natural Resource Specialist (NRS) II (range 16C) - 12 Mo./yr. = \$73.2 for meeting planning/preparation, issues review/research, and general support to director and commission members.

TRAVEL, CONTRACTUAL, SUPPLIES

Travel estimated at \$4.0 annually to attend public meetings/hearings held in either Fairbanks or Juneau.

Contractual is estimated to be \$20.0 annually to cover the costs to provide for meeting facilities, ads and public notice of scheduled commission meetings or hearings. For a minimum of three commission meetings per year the cost of legal notices would be a minimum of \$6.3/yr. An additional \$4.0 is requested to provide public display ads to maximize public awareness and notification of proposed commission meetings and hearings. While the department anticipates that public-owned meeting facilities would be used whenever possible, \$4.0 is estimated to rent meeting facilities when no public facilities are available or sufficient to accommodate the anticipated public attendance. Finally, \$5.7 is budgeted to facilitate the commission holding public meetings and hearings in communities statewide as proposed in section 1 of the legislation (proposed AS 41 37.220). Historically, the commission held such meetings to identify and address local issues and concerns.

Other contractual costs include \$12.4 annually for office space, telephones, core allocated service charges and related expenses for the two new positions starting in FY08.

Supplies are budgeted at \$4.0 per year. FY08 includes one-time start-up costs for computer and office equipment of \$9.5.

ALASKA STATE LEGISLATURE

Juneau

State Capitol Bldg., Rm. 513
Juneau, AK 99801-1182
Phone (907) 465-4976
Fax (907) 465-3883
Toll Free 866-465-4976

Fairbanks

1292 Sadler Way, Ste. 323
Fairbanks, AK 99701
Phone (907) 452-6084
Fax (907) 452-6096

REPRESENTATIVE MIKE KELLY HOUSE DISTRICT 7

Member

House Finance Committee
Legislative Budget & Audit

Sponsor Statement

CS House Bill 87

An Act reestablishing the Citizens' Advisory Commission on Federal Areas in Alaska

The Citizens' Advisory Commission on Federal Areas was first established in 1981 to provide assistance to the citizens of Alaska who are affected by the management of federal lands within the state. The Commission was terminated in 1999 when funding was not allocated by the administration. The need for the Commission arose primarily from the passage of the Alaska National Interest Lands Conservation Act (ANILCA) in 1980.

Of the 239 million acres in Alaska which remain under Federal management, there are more than 150 million acres with conservation restrictions in refuges, parks, and wilderness. In addition, there have been significant changes in the management directions for all Federal public lands throughout the country. Even lands with no specific statutory conservation restrictions are subject to a steadily increasing number of administrative designations and withdrawals that can result in reductions in public uses, including hunting, fishing, trapping, timber harvest, mineral extraction, grazing, and other resource use opportunities on the Federal public lands.

The commission, through this enabling legislation, is charged with the responsibility of researching issues and determining the impact of federal statutes, regulations and management decisions on the citizens of Alaska in order to minimize or resolve potential conflicts. The commission assists individual citizens in wading through federal land management requirements in order to conduct the activities allowed on the federal lands.

The commission was, and will again be effective in assuring that federal land management decisions are consistent with Congressional intent and protect the interests of Alaska's citizens.

Statement by Supporters

Minerals Commission

The economic constitutional rights of private property owners, including owners of valid mining property in-holdings within National Parks in Alaska must be recognized, protected and respected.

We find that a number of federal land issues are becoming problems and continue to be problems year-after-year.

Fairbanks North Star Borough

"... a percentage of Alaska's land remains owned and regulated by the federal government. For us to ignore the need for citizen representation as decisions are made that affect our use of that land is wrong."

Alaska Miners Association

"...commission provided valuable input regarding actions by the federal land management agencies and was in a sense a reservoir of information on the actions, proposals and promises made by federal agencies.

"The need for this commission is crucial and it is immediate. Actions by federal agencies continue to erode away the rights and promises that have been made to the State of Alaska and to the citizens of the state."

Kenai River Sport-fishing Association

"...commission should be reestablished to assure that federal land management decisions are consistent with both statutory language and congressional intent, and protecting the interests of Alaska's citizens."

Alaska Outdoor Council

"AOC supports the passage of HB87 - Alaska's future lies in the land."



ALASKA MINERS ASSOCIATION, INC.

3305 Arctic Blvd., #105, Anchorage, Alaska 99503 • (907) 563-9229 • FAX (907) 563-9225 • www.alaskaminers.org

April 27, 2007

Honorable Mike Kelly
Alaska State House
Capitol Building
Juneau, AK 99801

RE: House Bill 87, Citizens' Advisory Commission on Federal Areas

Dear Representative Kelly,

The Alaska Miners Association supports House Bill 87 which would reestablish a Citizens' Advisory Commission on Federal Areas. This Commission will fill an important need in our state where 59% of the land area is held by the federal government and an even greater percentage is affected by what is and is not done on the federal lands.

For many years after passage of the Alaska National Interest Lands Conservation Act (ANILCA) such a commission was in place. That commission provided valuable input regarding actions by the federal land management agencies and was in a sense a reservoir of information on the actions, proposals and promises made by federal agencies.

The need for this Commission is crucial and it is immediate. Actions by federal agencies continue to erode away the rights and promises that have been made to the State of Alaska and to the citizens of the state. In some cases these actions are due to ignorance of the past. In other instances the actions add questionable new conditions and restrictions and grab for more power. There is therefore need for a Commission like the one being proposed that will, at the very least, expose these actions to the light of public scrutiny.

We urge that this bill be passed and enacted at the earliest possible date.

Sincerely,

Steven C. Borell, P.E.
Executive Director



Alaska Outdoor Council

PO Box 73902

Fairbanks, AK 99707-3902

Ph: (907) 455-4262 / FAX: 455-6447

aoc@alaska.net

www.alaskaoutdoorcouncil.org

January 29, 2007

Representative Carl Gatto, Co-Chairman
Representative Craig Johnson, Co-Chairman
House Resources Committee
State Capitol Building
Juneau, Alaska 99811

Representatives,

The Alaska Outdoor Council (AOC) supports the passage of HB 87 – Re-establishing the Citizens' Advisory Commission on Federal Areas in Alaska.

The AOC is a statewide group of 2,500 members and 45 clubs for a collective membership of 10,000 Alaskans. Our members enjoy the Alaskan outdoor lifestyle and traditions that are so unique to our state. As you know, the federal government owns and manages millions of acres of land in Alaska. Many of our members have historically used those lands for the taking of fish, game, and other resources as well as for outdoor recreational enjoyment.

Since the passage of ANILCA, in addition to other subsequent federal legislation and administrative rule-making, a number of conflicts have arisen between Alaskans and their federal government. In its former life, the Citizen's Advisory Commission was effective in defining those conflicts so our state policymakers could address them. AOC believes that recent decisions by federal bureaucrats to redefine the balance of power between our state and federal government necessitate a response by the legislature to empanel, and empower, Alaskans.

Alaska's future lies in the land. What will keep future generations here if we can not access federal lands to hunt, fish, trap, dig, recreate, and yes, just view the landscape? With these issues of land ownership, management, and control, so vitally important, it is equally important that we have someone to focus solely on such issues. Please re-establish the Citizen's Advisory Commission on Federal Areas in Alaska as that entity.

Sincerely,

Rod Arno, Executive Director



State of Alaska
**MINERALS
COMMISSION**

Irene Anderson, Chairman

Department of Commerce, Community & Economic Development
Office of Economic Development
Mineral Development

February 9, 2007

Irene Anderson
Bering Straits Native
Corporation, Nome

Del Ackels
Goldust Mines,
Fairbanks

Leo Mark Anthony,
C-D Development
Co., Anchorage

Gregory Beischer
Bristol
Environmental &
Engineering Services,
Corp., Anchorage

Bartly Colley
Usibelli Coal Mine,
Inc., Fairbanks

Don Cook
Cook International,
Fairbanks

Karl Hanneman
Teck Pogo, Inc.,
Fairbanks

Charlotte MacCay
Bristol
Environmental &
Engineering Services
Corp., Anchorage

Dr. Lance D. Miller
Juneau Economic
Development
Council, Juneau

Rob Retherford
Alaska Earth
Sciences, Inc.
Anchorage

Mark Robinson
Olympic Resources
Group LLC,
Wrangell

Richard A. Hughes
Staff - Fairbanks

The Honorable Mike Kelly
Alaska House of Representatives
State Capitol, Rm 513
Juneau, AK 99801-1182

Dear Representative Kelly:

The Alaska Minerals Commission is pleased to advise its support of HB 87, "An Act relating to the Citizens' Advisory Commission on Federal Management Areas in Alaska; and providing for an effective date."

We find that a number of federal land issues are becoming problems and others continue to be problems year-after-year. See our "Report of the 2007 Alaska Minerals Commission", pages 14 - 16 and 4. Of particular importance are

- ANILCA Mineral Assessments
- Outdated Land Segregations
- Coal Program Federal Funding
- RS 2477 Rights-of-Way (p. 4 of our report)
- Navigability Determinations (p. 4 of our report)
- Private In-holdings in National Parks - we find significant abuse to providing fair compensation for "takings" of mining claims.

We believe that your bill will provide the mechanism for resolving these issues in an reasonable and effective manner.

Yours truly,

Irene Anderson
Chairman



Fairbanks North Star Borough *Office of the Mayor*

809 Pioneer Road • PO Box 71267 • Fairbanks, Alaska 99707-1267 • 907/459-1300

Fax 907/459-1102

Email mayor@co.fairbanks.ak.us

12 February, 2007

Dear Committee Members,

I am writing today to express my support of HB 87: Citizen Advisory Commission On Federal Areas and to thank Representative Mike Kelly for his sponsorship of this valuable piece of legislation.

Too large a percentage of Alaska's land remains owned and regulated by the federal government. For us to ignore the need for citizen representation as decisions are made that affect our use of that land is wrong.

Furthermore, these important needs will be addressed at a diminutive cost to our state budget.

I fully support this legislation recognizing the enormous cost to Alaska if we fail to participate in the process that governs the future of our lands and the uses applied to them.

Sincerely,

Jim Whitaker, Mayor - Fairbanks North Star Borough



January 25, 2007

The Honorable Mi Kelly
State Capitol, Room 513
Juneau, AK 99801

Dear Representative Kelly,

The Kenai River Sportfishing Association (KRSA) supports the legislative objective of House Bill 87, an act reestablishing the Citizens' Advisory Commission on Federal Management Areas in Alaska.

We agree that the commission should be reestablished to assure that Federal land management decisions are consistent with both statutory language and Congressional intent, and in protecting the interests of Alaska's citizens.

We feel that if reestablished, it will be of utmost importance that the commission:

- Be fully funded at levels that will ensure it will provide the maximum benefit;
- Remain independent of any particular state agency;
- Have the ability to request the attorney general file suit against a federal official or agency if the commission determines the federal official or agency is acting in violation of an Act of Congress, congressional intent, or the best interests of the state; and
- Have the ability to file suit, independently of the state, or to provide assistance to citizens in those instances where the courts deem the state cannot bring a suit on behalf of its citizens.

State and Federal management of the resources within their respective jurisdictions continues to develop through time. We believe it is vitally important for the state to have a citizens' commission to monitor and keep pace with these important developments. We support HB 87, an act that would reestablish the Citizens' Advisory Commission of Federal Management Areas in Alaska.

Please contact me at your convenience if there are any questions or concerns. Thank you for your time and effort in this important concern.

Respectfully,

Ricky Gease
Executive Director

SENATE COMMITTEE REPORT

DATE: 5/3/07

FURTHER: Finance

DATE TURNED
IN TO OFFICE: 5/7/07

Resources Committee considered CS FOR HOUSE BILL NO. 87(FIN) am

HB 87 CITIZEN ADVISORY COMM ON FEDERAL AREAS

"An Act relating to the Citizens' Advisory Commission on Federal Management Areas in Alaska; and providing for an effective date."

and recommends:

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

SENATE BILL:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<hr/>	
HOUSE BILL:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

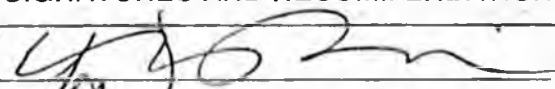
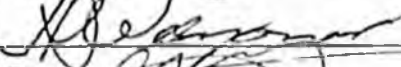


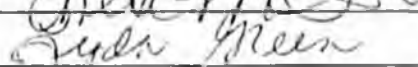

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
LEG	2/7			✓	2
DNR	4/12	✓			4

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Wielechowski			✓	
	WAGONER			✓	
	HIGGINS	✓			
	STEVENS				
	MC BLUE	✓			
	Green	✓			
CHAIR: 