

AK LEGISLATURE FINANCE COMMITTEES FILES 2007-2008 3196

28



February 26, 2007

Representative Bill Stoltze
State Capitol, Room 501
Juneau, AK 99801-1182

Dear Representative Stoltze:

The Alaska State Dental Hygienists' Association (ASDHA) strongly supports House Bill 136 which represents many years of discussion, debate, research and reflection upon the oral health needs of Alaskans. As dental hygienists, we are a community of professionals devoted to the prevention of disease and the promotion and improvement of the public's health. We are preventive oral health professionals who provide education, clinical, and therapeutic services to the public.

In Alaska, the Board of Dental Examiners regulates the professions of dentistry and dental hygiene. Before a license is issued in the state, dentists and hygienists are required to meet specific guidelines. Dental hygienists must graduate from an American Dental Association accredited program and pass a national written and state clinical examination before they are allowed to practice. There are dental hygiene programs in nearly every state and the U.S. Bureau of Labor Statistics states that the profession of dental hygiene is expected to be one of the fastest growing occupations through the year 2012. In comparison, the number of dentists that graduate each year continues to decline as the population continues to grow. The needs of the public cannot be met by dentists alone.

Currently, there are legal barriers that prevent dental hygienists from providing oral health care to the public. State law and regulation limit access by imposing restrictive supervision requirements on dental hygienists. By virtue of our comprehensive education and clinical preparation, dental hygienists are well prepared to deliver preventive oral health care services to the public, safely and effectively, independent of dental supervision. The nation's more progressive states, such as Minnesota and Washington, which have already expanded the role of dental hygienists, have recognized that the traditional oral health delivery system does not work for many segments of the population.

ASDHA supports the statutory changes in HB 136 as it will help address access to oral health care in all Alaskan communities; most notably, in areas with little or no access to traditional dental services. Each statute change shows a continued professional commitment to working collaboratively with dentists in order to meet the needs of the public, and provide these services in a safe and effective manner.

A landmark report by the Surgeon General in 2000, *Oral Health in America*, highlighted the barriers to oral health and the importance and effectiveness of prevention. Most importantly, it calls upon "policymakers, community leaders, private industry, health professionals, the media, and the public" to take action and make necessary changes that will improve the oral health of the nation. ASDHA strongly encourages the Alaska Legislature to help break down the barriers keeping Alaskans from the oral health they deserve.

Thank you,

Ivonne Millea, RDH

Ivonne Millea
ASDHA President

Southcentral Foundation

Date: February 22, 2007

From: Kevin Gottlieb, Chief of Staff

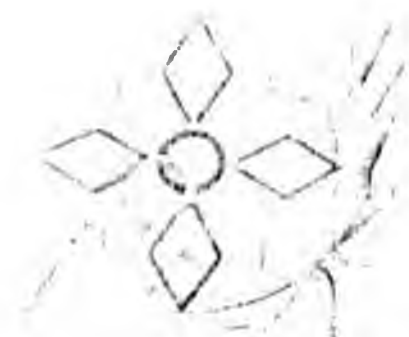
RE: House Bill No. 136

Dear Representative Bill Stoltze

Southcentral Foundation would like to state our support for the passage of changing the Statutes for Dental Hygienists in Alaska. These changes allow for local anesthesia under general supervision, restorative functions, and collaborative practice with a dentist. This expanded utilization of a licensed dental hygienist will help to address the inadequacy of access to dental care in Alaska.

It has been documented that Alaska is a State in need of increased access to dental services, especially in the rural areas. These expanded functions would increase the number of people that could be treated while working with a dentist. The collaborative agreement statute would provide increased access to care not only for rural areas but also for individuals in nursing homes, home bound disabled patients and low-income school programs. These individuals whether urban or rural have significant oral health needs and lack easy access to dental care.

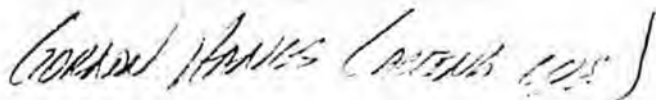
The U.S. Surgeon General in May of 2000 made a landmark call to action upon *"policymakers, community leaders, private industry, health professionals, the media, and the public to affirm that oral health is essential to general health and well-being and to take action."* Furthermore, in the Surgeon General's Report: Oral Health in America, it was reported that no less that a *"silent epidemic of oral diseases is affecting our most vulnerable citizens"* and that *"no one should suffer from oral diseases or conditions that can be effectively prevented and treated."*



Southcentral Foundation is confident that expanding the scope of practice for dental hygienists will result in improved access to care and improved overall health for Alaskans. These expanded functions are practiced in several other States throughout the country. Dental hygienists are licensed preventive oral health professionals. They have the capability and educational background to provide these services to the public in a safe and effective manner. Please support HB 136.

Sincerely,

SOUTHCENTRAL FOUNDATION

A handwritten signature in cursive script, appearing to read "Kevin Gottlieb", enclosed in a large, hand-drawn parentheses.

Kevin Gottlieb
Chief of Staff

To: Members of House Labor and Commerce Committee:

Re: HB 136 (Change in Statutes for Dental Hygienists)

I am writing to state strong support for this bill in its original form. These statute changes would allow more dental preventive and therapeutic care to be delivered to underserved groups with NO detrimental effect on quality of care. Dental hygienists have the formal education in programs accredited by the American Dental Association's Council, must pass written national board exams, and must prove competency on an independently administered clinical exam in order to practice in all states and territories of the US. The education is generally two years of college prerequisites and then two full academic years integrated with clinical instruction. For all accredited programs, the faculties are subject to standards and qualifications and the programs are reevaluated at regular intervals. I have served in the past as the state Board of Dental Examiners representative on the site accreditation visit and it was a much more extensive process than one could ever imagine!

The legislation proposing expanding the setting in which local anesthetic is administered was first proposed by Dr David Logan when he was president of the Board of Dental Examiners and I was serving on the board. Dental hygienists have been successfully administering it for 25-30 years in this state, there have been NO malpractice issues or board complaints, and it just makes sense that when a patient of record in the office has an appointment and the dentist leaves, the patient should not have to be rescheduled! The hygienist is in the employ of the dentist and he/she can still request that particular patients not be injected if there is a perceived health concern or if the dentist is less than comfortable with a particular hygienist doing the procedure. The dentist is in control of this situation.

The legislation proposing collaborative practice addresses the critical shortage in preventive health care available to many sectors of the population, providing an avenue for a hygienist to do basic functions that all hygienists currently perform in an expanded setting. I am in firm agreement with requiring a hygienist to have 4000 hours of documented clinical experience and will be an advocate of further regulations which need to be written for the statute. Several states have this option. The restorative functions proposed are truly an expansion of what hygienists do in Alaska, but is modeled after the system used in Washington State for about three decades. This allows a dentist and hygienist to team up to provide more care. The educational requirements for the endorsement on a dental hygiene license would be spelled out in regulation and the hygienist would be required to pass clinical competency boards as well.

In summation, the proposed changes improve health care delivery to the residents of the state, maintain stringent educational standards, assure competency by requiring clinical examination, and mandate accountability—direct supervision when doing restorative functions, general supervision by the dentist for local anesthetic administration, and authorization by the dentist for treatment of patients outside of a traditional office with the express approval of each agreement by the Board of Dental Examiners.

Sincerely,

Mary A. Cerney, RDH, BS
1420 Ithaca Rd.
Fairbanks, AK 99709

Ben Mulligan

From: Brewer, Thomas [tbrewer@SouthcentralFoundation.com]
Sent: Friday, March 16, 2007 4:41 PM
To: Rep. Bill Stoltze
Subject: Support for House Bill #136

Date: 16 March 2007

From: Thomas B. Brewer DDS MS
24327 Thunderbird Dr.
Chugiak, AK 99567
tombrewer@gci.net
688-5580

RE: House Bill No. 136

Dear Representative Stoltze,

I would like to state my support for the passage of House Bill No. 136, changing the Statutes for Dental Hygienists in Alaska. These changes allow for local anesthesia under general supervision, restorative functions, and collaborative practice with a dentist. This expanded utilization of a licensed dental hygienist will help to address the inadequacy of access to dental care in Alaska.

It has been documented that Alaska is a state in need of increased access to dental services, especially in the rural areas. You might have noticed the article on our state's National Guard troops difficulty in achieving deployability status due to unmet dental needs in this week's Eagle River Star newspaper. Expanding the allowable functions for dental hygienists would increase the number of people that could receive treatment. The collaborative agreement statute would provide increased access to care not only for rural areas, but also for individuals in nursing homes, home bound disabled patients and low-income school programs. These individuals whether urban or rural have significant oral health needs and lack easy access to dental care.

The U.S. Surgeon General, in May of 2000, made a landmark call to action upon *"policymakers, community leaders, private industry, health professionals, the media, and the public to affirm that oral health is essential to general health and well-being and to take action."* Furthermore, in the Surgeon General's Report: Oral Health in America, it was reported that no less that a *"silent epidemic of oral diseases is affecting our most vulnerable citizens"* and that *"no one should suffer from oral diseases or conditions that can be effectively prevented and treated."*

I am confident that expanding the scope of practice for dental hygienists will result in improved access to care and improved overall health for Alaskans. These expanded functions are practiced in several other States throughout the country. Dental hygienists are licensed preventive oral health professionals. They have the capability and educational background to provide these services to the public in a safe and effective manner. Please support HB 136.

Sincerely, Tom Brewer

Ben Mulligan

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From: Dorrie Wallis [dwallis@svt.org]
Sent: Tuesday, February 27, 2007 9:52 AM
To: Rep. Bill Stoltze
Subject: *****SPAM***** HB 136

Dear Rep. Stoltze:

Thank you for sponsoring HB 136. I am a practicing dental hygienist with 14 yrs experience in Alaska providing treatment in many "Bush" communities. Alaska has over 400 hygienist, who are considered mid-level practitioners - if the Bill is approved, our profession can have a significant impact on improving the oral health of those most in need. Please let me know if I can be of any assistance in assisting you or your staff.

Thank you,
Dorrie Wallis, RDH
Homer, AK
(907)235-0626(h)
(907)399-3991(c)

March 3, 2007

*you are hearing this
Bill in HESS
tomorrow*

Representative Peggy Wilson
State Capitol, Room 403
Juneau, AK 99801-1182

Dear Representative Wilson, *Sitka*

My name is Rebecca Bender and I am a licensed dental hygienist from your district. I am writing to ask you to support House Bill 136 sponsored by Representative Bill Stoltze. This legislation would enable properly qualified and licensed dental hygienists to provide local anesthesia under general supervision, attain licensure to provide restorative services, and provide dental hygiene services under a collaborative agreement with a dentist approved by the Board of Dental Examiners.

Dental hygienists are licensed in the state of Alaska after graduating from an American Dental Association accredited dental hygiene college program and passing written, clinical and jurisprudence examinations. We are preventive oral health professionals who provide a wide range of services and treat one of the most common oral diseases—gum disease. We also provide treatments like fluorides and sealants to prevent tooth decay. We have the skill and educational background to provide these services to the public.

Dental hygienists in the state of Alaska have been providing pain control with local anesthesia since 1981 in a safe and effective manner. Dental hygienists frequently use local anesthesia when they perform deep scaling treatments (root planing) and gingival curettage, services for the treatment of gum disease. While most dental hygiene services can be provided under general supervision (meaning the dentist has authorized a hygienist to perform procedures but need not be present in the treatment facility during the performance of those procedures), a dentist must currently be present in the facility in order for a hygienist to provide local anesthesia. This limits dental hygienists from providing patients the comfort and stress reduction needed for root planing.

This bill also established a dental hygiene Restorative Function License Endorsement which would allow a dental hygienist who has successfully completed a restorative program and passed a clinical examination to work with a dentist under direct supervision to place, carve, contour, and adjust a restoration for teeth prepared by the dentist. If the dentist can begin the restoration of a tooth and delegate completion to a licensed dental hygienist, many more patients could be treated each day.

The final proposed change would create the option for dentists and dental hygienists to practice collaboratively according to a Board approved written Collaborative Agreement between them that authorizes the dental hygienist to perform specified services as outline in the agreement. Hygienists would be able to then provide services in nursing homes, schools, and rural communities that lack access to these services. Currently under state law a dentist has to see the client prior to each treatment series, effectively preventing many people who are unable to visit the private office from obtaining even the most routine preventive care like fluorides and cleanings.

House Bill 136 is one step forward in addressing the oral health disparities in Alaskan communities. As a dental hygienist from your district, I ask for your support of HB 136. Please let me know if you would like additional information about oral health, dental hygiene services or barriers to oral health care and I will arrange to have it provided.

Sincerely,
Rebecca Bender



March 19, 2007

The Honorable Kurt Olson, Chair
House Labor and Commerce Committee
Alaska State Capitol, Room 408
Juneau, Alaska 99801-1182

HB 136 (Stoltze)—Support

Dear Chair Olson:

On behalf of the AARP members in Alaska, we encourage you and your colleagues on the House Labor and Commerce Committee to support HB 136, authored by Representative Bill Stoltze.

As you and your Committee colleagues know, Alaska has a shortage of all health professionals, particularly in our remote communities. We will never be able to find a sufficient number of physicians but we use physician assistants and nurse practitioners very effectively. We will never have enough dentists and Alaska uses dental hygienists effectively. We could use them even more effectively and HB 136 would help us accomplish this.

Dental hygienists are not independent practitioners. They work under licensed dentists and focus on preventing and treating oral diseases. HB 136 does not break new ground for their scope of practice. Other states already allow dental hygienists to:

- Place fillings into a cavity already prepared by a dentist
- Administer a local anesthetic under the general supervision of a dentist
- Enter into an agreement with a dentist in which the dentist authorizes the hygienist to work on specified tasks

We recognize that any change in a scope of practice may make other professionals concerned. We want to make certain that all Alaskans have access to high quality, affordable health care, including oral health.

Many oral health problems can be prevented or treated by professional dental hygienists and this care may turn out to be less expensive and more accessible. Our dental costs are high. Dental procedures in Alaska cost 37.7% more than in the rest of the United States. We believe HB 136 will help reduce those costs as well as improve accessibility. Since all of these issues are under the supervision of a dentist or by agreement with a dentist, we also do not believe quality will suffer. Indeed, it may very well improve significantly since hygienists will serve as a "force multiplier" for the dentists we do have.

AARP recommends an "AYE" vote on HB 136.

Should you have any questions about our position, please feel free to contact me (586-3637) or Patrick Luby, AARP Advocacy Director (907-762-3314).

Thank you for your consideration.

Sincerely,



Marie Darlin, Coordinator
AARP Capital City Task Force
415 Willoughby Avenue, Apt. 506
Juneau, AK 99801
586-3637 (voice)
463-3580 (fax)

CC: Vice-Chair Mark Neuman
Representative Carl Gatto
Representative Gabrielle LeDoux
Representative Jay Ramras
Representative Bob Buch
Representative Berta Gardner
Representative Bill Stoltze

HB

136

SFIN

FILE

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: C5HB 136(FIN)
(H) Publish Date: 3/28/07

Revision Date/Time (Note if correction): 3/24/2007
Title: Dental Hygienists

Dept. Affected: Commerce
RDU: Occupational Licensing (117)
Component: Occupational Licensing

Sponsor: Stoltze
Requester: House Finance

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						
CHANGE IN REVENUES ()	*	*	*	*	*	*

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						
1005 GF/Program Receipts						
1037 GF/Dental Health						
1156-Receipt Supported Services	*	*	*	*	*	*
TOTAL	*	*	*	*	*	*

Estimate of any current year (FY2007) cost: 00
Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

POSITIONS	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
This legislation amends AS 08.32 relating to Dental Hygienists to provide for a restorative function license endorsement, to amend supervision requirements, and to provide for collaborative agreements for certain dental hygienists to provide certain services.

Typically license endorsement fees are \$50 and do not include the costs of additional accredited programs requested or approved by the Alaska State Dental Board. There are over 500 licensed Dental Hygienist in the State. At this time the Division of Corporations, Business, and Professional Licensing does not know how many licensees will request a restorative function endorsement and therefore, is unable to estimate costs and revenue.

All Occupational Licensing programs are required to cover costs with licensing fees under AS 08 01 065. Licensees requesting the endorsement will cover the additional fees.

Prepared by: Chris Wyatt, Administrative Manager Phone: (907) 465-2572
Division: Corporations, Business, and Professional Licensing Date/Time: 3/24/07 2:57 PM
Approved by: Emil Notti, Commissioner Date: 3/24/2007
Agency: Commerce, Community, and Economic Development

SENATE COMMITTEE REPORT

DATE: 4/25/07

FURTHER: Finance

DATE TURNED
IN TO OFFICE: 5/3/07

Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 136(FIN)(title am)

HB 136 DENTAL HYGIENISTS

"An Act relating to the supervision of dental hygienists by dentists, establishing a restorative function license endorsement for dental hygienists and allowing collaborative agreements between licensed dentists and dental hygienists."

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 # _____

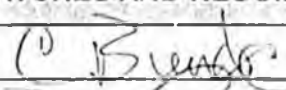
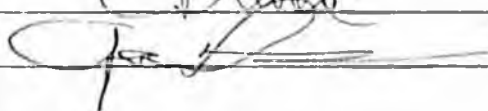
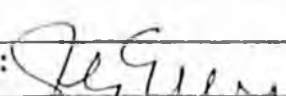
NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
COMMERCE	5/24/07		✓		2

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Bunde	✓			
	STEVENS	✗			
CHAIR: 	ELLIS	X			

SENATE COMMITTEE REPORT

DATE: 4/13/07

FURTHER: Labor and Commerce
Finance

DATE TURNED
IN TO OFFICE: 4/23/07

Health, Education and Social Services Committee considered CS FOR HOUSE BILL NO. 136(FIN)(title am)

HB 136 DENTAL HYGIENISTS

"An Act relating to the supervision of dental hygienists by dentists, establishing a restorative function license endorsement for dental hygienists and allowing collaborative agreements between licensed dentists and dental hygienists."

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 # _____

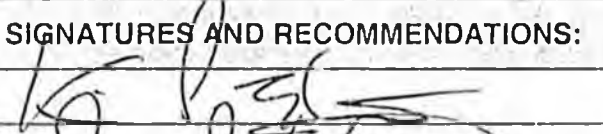
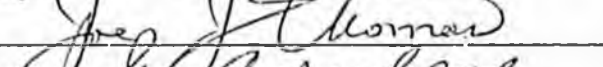
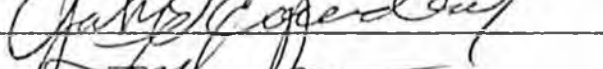
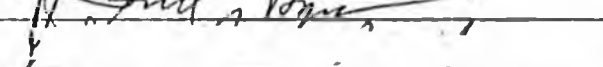

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
DCED			*		2

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Elton	✓			
	Thomas	✓			
	Coakley			✓	
	Dymally			✓	
CHAIR: 	B DAVIS	X			

HB

137

HFIN

FILE

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: CSHB137(FIN)-DFG-DAS-03-30-0
 Bill Version: CSHB 137(FIN)
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Fish and Game
 Title: Senior Fishing/Hunting/Trapping Licenses RDU: Administration and Support
 Component: Administrative Services
 Sponsor: House Special Committee on Fisheries
 Requester: House Finance Committee Component No. 470

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	5.5	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	20.1	2.0	2.0	2.0	2.0	2.0
Supplies	1.0	0.0	0.0	0.0	0.0	0.0
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	26.6	2.0	2.0	2.0	2.0	2.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES (1024)	(78.5)	(78.5)	(78.5)			
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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 (1024 - Fish and Game Fund)	26.6	2.0	2.0	2.0	2.0	2.0
TOTAL	26.6	2.0	2.0	2.0	2.0	2.0

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						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Fiscal note reflects estimated change in revenues to the Fish and Game Fund for complimentary sport fishing and hunting licenses to Alaska National Guard (ANG) active members. There are currently 4,300 ANG members. Based on resident sales, 50% of the ANG would purchase a sport fishing license and 25% would purchase a hunting license. Total revenue loss to Fish and Game Fund and Facility Surcharge Fund is estimated to be \$78,475.00. Fiscal note reflects intent of legislature to compare ADF&G's PID file to PFD's file and send individuals on both lists a new 3 year TID card. Costs include personnel time, postage and printing of forms to mail the new TID card in FY08. Also includes costs for renewal of 3 year cards instead of the annual card program for future FYs. For the past 20 years, there are 63,000 PID holders. In 2006, 63,941 residents 60 years of age or older received a PFD. Estimate 30,000 will qualify for new TID card.

Prepared by: Tom Lawson
 Division: Administrative Services
 Approved by: Denby Lloyd
 Agency: Department of Fish and Game

Phone: 465-5999
 Date/Time: 03/30/07 12:00 p.m.
 Date: 3/30/2007

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: CSHB 137(FSH)
(H) Publish Date: 2/26/07

Revision Date/Time (Note if correction): _____ Dept. Affected: Fish and Game
Title Senior Fishing/Hunting/Trapping Licenses RDU Administration and Support
Component Administrative Services
Sponsor House Special Committee on Fisheries
Requester House Special Committee on Fisheries Component No. 470

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	0.0	0.0	2.0	2.0	2.0	2.0
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	2.0	2.0	2.0	2.0

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	0.0	0.0	2.0	2.0	2.0	2.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	2.0	2.0	2.0	2.0

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						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The Department of Fish and Game will notify licensees that it is time to renew their license. Costs included above are postage and supplies for the notification process.

Prepared by: Tom Lawson
Division: Administrative Services
Approved by: Denby Lloyd
Agency: Department of Fish and Game

Phone 465-5999
Date/Time 02/16/07 8:30 a.m.
Date 2/16/2007

*adopted
3/29/07*

25-LS0118R
Kane
3/28/07

CS FOR HOUSE BILL NO. 137()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): HOUSE SPECIAL COMMITTEE ON FISHERIES

A BILL

FOR AN ACT ENTITLED

1 "An Act providing for free hunting and sport fishing licenses for active members of the
2 Alaska National Guard; and amending the requirements for the identification card
3 needed for sport fishing, hunting, and trapping without a license by residents who are 60
4 years of age or more."

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

6 * Section 1. AS 16.05.340(a)(17) is amended to read:

7 (17) Waterfowl conservation tag 5

8 (A) A person may not engage in waterfowl hunting without
9 having the current year's waterfowl tag in the person's actual possession, unless
10 that person

11 (i) qualifies for a \$5 license fee under (6) of this
12 subsection;

13 (ii) is a resident under the age of 16;

14 (iii) is 60 years of age or older and is a resident;

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(iv) is [A DISABLED VETERAN] eligible for a free license under AS 16.05.341.

(B) The Board of Game shall by regulation exempt the requirement of a waterfowl conservation tag for waterfowl hunting in areas of the state not likely to benefit from programs described in AS 16.05.130(b)(2) - (4).

* Sec. 2. AS 16.05.340(a)(23) is amended to read:

(23) Resident anadromous king salmon tag 10

A resident may not engage in sport fishing for anadromous king salmon without having the current year's anadromous king salmon tag in the resident's actual possession, unless that person

(A) qualifies for a 25 cent license fee under (1) of this subsection;

(B) is under the age of 16;

(C) is 60 years of age or older and has been a resident of the state for at least one year;

(D) is [A DISABLED VETERAN] eligible for a free license under AS 16.05.341; or

(E) qualifies for a \$5 license fee under (6) of this subsection.

* Sec. 3. AS 16.05.341 is amended to read:

Sec. 16.05.341. Free license for disabled veterans and active members of the Alaska National Guard. A person may receive a resident hunting and sport fishing license under AS 16.05.340(a)(5) without charge if the person

(1) has been discharged from military service under honorable conditions, is eligible for a loan under AS 18.56.101, and is certified by the United States Department of Veterans Affairs as having incurred a 50 percent or greater disability during military service; [OR]

(2) served in the Alaska Territorial Guard, is eligible for a loan under AS 18.56.101, and incurred a 50 percent or greater disability while serving in the Alaska Territorial Guard; or

(3) is an active member of the Alaska National Guard.

1 * Sec. 4. AS 16.05.400(b) is repealed and reenacted to read:

2 (b) A sport fishing, hunting, or trapping license is not required of a resident
3 who is 60 years of age or more. A resident who is 60 years of age or more is required
4 to possess a valid identification card to engage in sport fishing, hunting, or trapping
5 without a license. The commissioner shall issue an identification card without charge
6 to a person who qualifies by age and residence and who completes the forms required
7 by the commissioner. To obtain or renew a valid identification card, the person must
8 have lawfully received a permanent fund dividend during the most recent dividend
9 disbursement or must present evidence satisfactory to the department that the person was
10 in the state for at least 185 days during the previous calendar year. A person who is
11 issued an identification card under this subsection shall have it in possession while
12 sport fishing, hunting, or trapping. The identification card must be renewed every
13 three years.

14 * Sec. 5. AS 16.05.405(b) is amended to read:

15 (b) Notwithstanding AS 16.05.420(c), a resident holding a valid resident
16 hunting license may take game on behalf of a person who is blind, a person with
17 physical disabilities, or a person who is 65 years of age or older if the resident
18 possesses on the resident's person

19 (1) a document signed by the person on whose behalf the game is
20 taken, stating that the resident possesses the person's hunting license or valid
21 [PERMANENT] identification card in order to take game on behalf of that person; and

22 (2) the person's

23 (A) resident hunting license issued under AS 16.05.403 or
24 valid [PERMANENT] identification card issued under AS 16.05.400(b); and

25 (B) harvest ticket, tag, stamp, or other document required by
26 law as a condition of taking the game being hunted.

27 * Sec. 6. AS 16.05.405(c) is amended to read:

28 (c) Notwithstanding AS 16.05.420(c), a resident holding a valid
29 noncommercial fishing license may take fish on behalf of a person who is blind, a
30 person with physical disabilities, or a person who is 65 years of age or older if the
31 resident possesses on the resident's person

1 (1) a document signed by the person on whose behalf the fish is taken,
2 stating that the resident possesses the person's sport fishing license, subsistence fishing
3 permit, personal use fishing permit, or valid [PERMANENT] identification card in
4 order to take fish on behalf of that person;

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7 valid [PERMANENT] identification card issued under AS 16.05.400(b);

8 (B) resident subsistence fishing permit issued under
9 AS 16.05.403; or

10 (C) resident personal use fishing permit issued under
11 AS 16.05.403; and

12 (3) all other documents issued to the person that are required by law as
13 a condition of taking the fish being pursued.

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

16 TRANSITION. The commissioner of fish and game shall notify in an appropriate
17 form all current permanent identification card holders of the requirements of AS 16.05.400(b),
18 as repealed and reenacted by sec. 4 of this Act, and provide instructions for obtaining a valid
19 identification card to replace the permanent identification card previously authorized by that
20 subsection.

21 * Sec. 8. AS 16.05.341(3) is repealed June 30, 2010.

22 * Sec. 9. Sec. 4 this Act takes effect January 1, 2008.

Called Gov

25-LS0118R
Kane
3/28/07

CS FOR HOUSE BILL NO. 137()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Accepted

Sponsor(s): HOUSE SPECIAL COMMITTEE ON FISHERIES

A BILL

FOR AN ACT ENTITLED

1 "An Act providing for free hunting and sport fishing licenses for active members of the
2 Alaska National Guard; and amending the requirements for the identification card
3 needed for sport fishing, hunting, and trapping without a license by residents who are 60
4 years of age or more."

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

6 * Section 1. AS 16.05.340(a)(17) is amended to read:

7 (17) Waterfowl conservation tag 5

8 (A) A person may not engage in waterfowl hunting without
9 having the current year's waterfowl tag in the person's actual possession, unless
10 that person

11 (i) qualifies for a \$5 license fee under (6) of this
12 subsection;

13 (ii) is a resident under the age of 16;

14 (iii) is 60 years of age or older and is a resident;

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8 have lawfully received a permanent fund dividend during the most recent dividend
9 disbursement or must present evidence satisfactory to the department that the person was
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STATE OF ALASKA

DEPARTMENT OF FISH AND GAME DIVISION OF ADMINISTRATIVE SERVICES

SARAH PALIN, GOVERNOR

P.O. BOX 115525
JUNEAU, AK 99802-5526
PHONE: (907) 465-3276
FAX: (907) 465-2440
E Mail: license_help@fishgame.state.ak.us

Below are some guidelines to help determine whether or not you meet the residency requirements to purchase/receive a State of Alaska resident sport fishing, hunting, trapping, or commercial crewmember license:

Per Alaska Statute 16.05.940(27), resident means, "a person who for the 12 consecutive months immediately preceding the time when the assertion of residence is made has maintained the person's domicile in the state and who is neither claiming residency in another state, territory, or country nor obtaining benefits under a claim of residency in another state, territory, or country..."

"Residency" is further defined and explained in Alaska Statute 16.05.415(a) &(b). "(a) a person ... is a resident if the person,

(1) is physically present in the state with the intent to remain in the state indefinitely and to make a home in the state; [Note:

a. you must be physically present in Alaska in order to obtain a resident license.
b. you must intend to remain in the state indefinitely and to make your true and permanent home in Alaska. Living in Alaska for a short period of time, 6 months or less, and spending the majority of the year somewhere else probably does not constitute the intent to remain indefinitely. Consideration is given to other factors. See below.]

(2) has maintained the person's domicile in the state for the 12 consecutive months immediately preceding the application for a license;

[Note: for the previous 12 consecutive months you must have maintained a livable dwelling in Alaska. Consideration is given to the type of dwelling maintained here vs. the type of dwelling maintained somewhere else.]

(3) is not claiming residency in another state, territory, or country; and

[Note: you cannot have voted as a resident in another state, registered your car or have a driver's license in another state unless required by that state's laws to do so; Alaska law requires that a person who resides in the state and is not employed must register their vehicles in Alaska within 60 days of entering the state in accordance with AS 28.10.212; additionally a person who is employed in Alaska or takes an action that indicates an intention to acquire residence in the state must register their vehicles within 10 days. A person establishing residency in Alaska must obtain an Alaskan drivers license within 90 days and must surrender any out of state drivers license in accordance with AS 28.15.011 & 021. You may not hold a "resident" hunting or fishing license in another state, and may not have held one during the past 12 months.]

(4) is not obtaining benefits under a claim of residency in another state, territory, or country.

[Note: you cannot be claiming residency for COLA retirement benefits in another state, paying resident vs. nonresident taxes in another state, receiving subsidized or free benefits available only to a resident of another state, or gaining any advantage provided to residents of another state, etc.]

(b) A person who establishes residency in the state under (a) of this section remains a resident during an absence from the state unless during the absence the person

(1) establishes or claims residency in another state, territory, or country; or

(2) performs an act, or is absent under circumstances, that are inconsistent with the intent required under (a) of this section. [N Note: You may not have made any public or private declaration that indicates an intent to maintain a domicile anywhere but Alaska.]

“Domicile” is defined in Alaska Statute 16.05.940 as “the true and permanent home of a person from which the person has no present intention of moving and to which the person intends to return whenever the person is away;”

[Note: the purchase of round trip tickets or the making of return plans each time a person travels to Alaska would probably constitute evidence that the person’s true and permanent home was elsewhere than Alaska. The location of household goods, the location where the spouse or family members of the household live and work, the location where children attend school, and other factors will also aide in determining where the true and permanent home is.]

Per Alaska Administrative Code 5 AAC 39.975(30) and 5 AAC 92.990(14), evidence of domicile includes, but is not limited to, the following:

(A) statements made to obtain a license to drive, hunt, fish, or engage in an activity regulated by a government entity;

(B) affidavit of a person who may know an applicant’s domicile;

(C) place of voter registration;

[Note: see (3) under “Residency” above.]

(D) location of residence owned, rented, or leased;

[Note: see (1&2) under “Residency” above. The courts also look at the number of months you spend at a domicile located in another state vs. the number of months you spend in Alaska. For example, if you spend 9 months in another state and 3 months in Alaska, your residency in Alaska could be in question and will be taken into consideration along with other factors.]

(E) location of storage of household goods;

[Note: if your household goods are located in another state, it appears that you have not made your home here.]

(F) location of business owned or operated;

[Note: if your business is located in another state, you may need to explain to enforcement how your business is operated. On the other hand, you will not qualify as a resident merely by virtue of an interest in, or employment or contractual association with and Alaska-based business, see AS 16.05.415(g).]

(G) residence of spouse and minor children or dependents;

[Note: You are unlikely to be considered a resident of Alaska if your immediate family is living in another state or claiming another state as their residence while you consider Alaska your home.]

(H) governments to which taxes are paid;

[Note: see (4) under "Residency" above.]

(I) whether the person has claimed residence in another location for the purpose of obtaining benefits provided by the governments in that location."

[Note: see (4) under "Residency" above.]

If you are a member, or a dependent of a member, of the military or U.S. Coast Guard stationed in Alaska, you should also review the provisions of AS 16.05.415(c)-(d) and AS 16.05.940(27(C)-(D).

If you have any questions about whether or not you meet the residency definition to obtain a sport or commercial crewmember license, please contact your local Department of Public Safety/Bureau of Wildlife Enforcement office.

State of Alaska Permanent Identification Card (PID) program for resident seniors 60 years of age or older to receive a free sport fishing, hunting and trapping license:

Information about Program:

- Total PID licenses issued during past 10 years: 43,662.
- Average distribution of PID licenses each year over the past 10 years: 4,366.
- Lost revenue to Fish and Game Fund for new licenses issued each year, not total PID licensees: \$137,827. Difficult to estimate how many licensees are still residing in Alaska, living, or would purchase a sport license/king salmon stamp if they were required to.

Qualifications for obtaining a PID license:

- Resident:
 - Physically present in Alaska
 - Intent to remain indefinitely and make a home in Alaska
 - Maintained their domicile in Alaska for the 12 consecutive months immediately preceding the application for a license
 - Not claiming residency or obtaining benefits under a claim of residency in another state, territory, or country.
 - This past year, the Attorney General's office, Criminal Justice Planner for ADF&G, and Licensing Supervisor put together the attached "What Constitutes a Resident" information sheet basically for PID applicants. Location of household goods, where other immediate family members live, and how many months you are away from the state are discussed.
- 60 years of age or older

Problems:

- Identifying active/inactive PID holders.
- People who live part-time other than in Alaska but consider Alaska their home. It is hard to determine if they are still a resident; regulations are not clear.
- Nonresident seniors obtaining PID.
- Two problems during past year with PID licensees in Ninilchik and Hyder. DPS/Bureau of Wildlife Enforcement was the entity involved in both cases.
- Licensing has to send back 10% of the applications received each year because of incomplete information or because additional information is needed, i.e. out-of-state address used on application.

REPRESENTATIVE PAUL SEATON

SESSION ADDRESS

State Capitol Building
Juneau, Alaska 99801-1182
(907) 465-2689
Fax: (907) 465-3472
1-800-665-2689



INTERIM ADDRESS

345 W. Sterling Highway
Homer, Alaska 99603
(907) 235-2921
Fax: (907) 235-4008
1-800-665-2689

ALASKA STATE LEGISLATURE

House District 35

HB 137 Temporary Senior Hunting/Trapping/Fishing License

The Permanent Identification Card (PID) is a permanent license that allows Alaskan seniors to enjoy the natural resources of this great state through hunting, fishing and trapping free of charge. However, as the program is currently structured there are few safeguards to prevent abuse. Because the license is permanent, someone can get the card when they live in Alaska, move out of state and never have to pay for a license in Alaska on subsequent return visits. Also, because there is no easily enforceable determination of Alaskan resident, non-residents can fraudulently apply for a card. This is not fair to Alaskan seniors who live here year round and have the right to fish without the financial burden of a yearly license fee.

HB 137 changes current statute from a permanent identification card to a temporary identification card (TID). The license holder is required to renew the card every three years and must be eligible for the permanent fund dividend to qualify for the free hunting/fishing/trapping card. Fish and Game will have a list of individuals who received the PFD to cross reference before issuing a free senior license. The temporary identification card will take effect January 1, 2008 to place the new program on a calendar year. All seniors who currently have a PID or obtain one by the end of 2007 will be grandfathered into the program. The TID program will be easier for Fish and Game to administer because they have a simple way to check for suspected fraud instead of enlisting the help of the overextended Wildlife Troopers. HB 137 will result in an increase of funds as out-of-state individuals will have to purchase their license.

More people have been issued a PID in the last 20 years than there are eligible residents in Alaska who receive the PFD. Anecdotal stories of abuse of this benefit include a Fish and Game clerk on the Kenai Peninsula who issued a PID to a senior who claimed he was a resident but that he did not own a drivers license to prove it. He then proceeded to get into the drivers seat of a car with out-of-state license plates. The Fish and Game officer faxed the individual's information to the Wildlife Troopers, however they do not have the resources to persecute minor offenses such as fraudulent license applications, leaving the program with little means for checks and balances.

HB 137 ensures the integrity of a program designed to award resident Alaskan seniors the well deserved benefit of a free fishing, hunting and trapping licenses.

APPLICATION FOR PERMANENT IDENTIFICATION CARD FOR RESIDENT SPORT FISHING, HUNTING AND TRAPPING

Statutory Authority: AS 16.05.400(b)

A sport fishing, hunting, or trapping license is not required of a resident who is 60 years of age or older and meets the residency definition below. A Permanent Identification Card will be issued without charge to persons who qualify by age and residence and who complete this application.

Instructions: Fill out form completely. Keep the yellow copy of the application until you receive the Permanent Identification Card in the mail. Send the white copy to: Department of Fish and Game Licensing section, Box 25525, Juneau, Alaska 99802-5525.

You will then receive a Permanent Identification Card within 4-6 weeks. The yellow copy of the application or the Permanent Identification Card must be in your possession while sport fishing, hunting, or trapping.

PLEASE NOTE: The yellow copy is valid as a temporary license for 60 days from date of signature.

The number printed on your Identification Card should be used in lieu of a sport fishing, hunting and trapping license number in all instances which require a license number, e.g. resident big game tags, harvest tickets, fur export permits, sale of furs, trophy export, transfer of legally taken fish and game to others, etc. A Permanent Identification Card licensee does not have to purchase a state conservation stamp to hunt waterfowl or a king salmon stamp to fish for king salmon.

PLEASE PRINT CLEARLY

Name (First, Middle, Last)				Physical Location of Residence				
Mailing Address				City, State, Zip Code				
City, State, Zip Code				I am a resident of Alaska in accordance with the definition shown below.			Length of Residency	
Drivers License Number							Years	Months
State _____ Number _____								
Daytime Telephone	Date of Birth mm/dd/yy	Sex	Height FT/IN	Weight	Color Eyes	Color Hair		

ALASKA RESIDENT AS 16.05.940(26): "resident" means, a person (including an alien) who is physically present in Alaska with the intent to remain indefinitely and make a home here, has maintained that person's domicile in Alaska for the 12 consecutive months immediately preceding this application for a license, and is not claiming residency or obtaining benefits under a claim of residency in another state, territory, or country; a member of the military service or U.S. Coast Guard who has been stationed in Alaska for the 12 consecutive months immediately preceding this application for a license; or a dependent of a resident member of the military service or U.S. Coast Guard who has lived in Alaska for the 12 consecutive months immediately preceding this application for a license. A person who does not otherwise qualify as a resident may not qualify by virtue of an interest in an Alaska business.

I have personally reviewed the information on this application and hereby certify that all of the information on this application is true and correct and that I understand this information is subject to public disclosure. My right to obtain or exercise the privilege granted by a sport fishing, hunting, or trapping license is not suspended or revoked in another state. (NOTE: Making a false statement, or omitting a material fact, is subject to a maximum penalty of \$5,000 or 1 year imprisonment, or both, per AS 11.56.210 and AS 16.05.420.)

Signature of Applicant _____ Date _____

PLEASE ALLOW 4-6 WEEKS FOR PROCESSING.

FOR DEPARTMENT USE ONLY

I.D. Number _____ Date Issued _____ Issued By _____

1

Al Cain, State Wide Enforcement Specialist for the Department of Fish and Game forwarded to Rep. Seaton's office comments from the Wildlife Troopers on PID enforcement. In January Mr. Cain asked for comments from all the Wildlife Troopers statewide. Below are the comments received. Out of about 75 Wildlife Troopers 8 trooper commented. Each paragraph below is one comment from one trooper. Names have been omitted for privacy.

YES.....FORMER.....Registered Big Game Guide J. _____ residency conviction was based upon falsifying his Alaska resident permanent identification card: 04-63900.

Yakutat Case: 03-75426, initiated by USPS.....V _____ for several years was sport fishing in Yakutat, partial owner of a sport fishing lodge. V _____ unlawfully obtained a permanent ID and used it for several years until caught. V _____'s ID was seized and I issued him a citation for sport fishing without a valid license!

Craig.....R _____ is a wealthy retired lawyer that owns a house at Sakar Cove, Prince of Wales Island. R _____ has a Summer home in Wisconsin, travels to Arizona and lives there in the winter and vacations at Prince of Wales for a couple weeks in the Summer. R _____ lawfully obtained a permanent ID card in the mid 1990's and has been using every since for sport/personal use fishing! No citations have been issued yet in this case!

I know of two cases in the last couple of years dealing with misuse of PID's in Kodiak. Both were retired folks, one a longtime resident of Kodiak who retired down south, the other a retired down south'er who spent his summers up here. We were informed of both by locals who knew the status of each and suspected foul play. I don't really see how requiring the PID to be renewable would solve the problem as the bad deed doers may just fib on the renewal applications, if they felt strong enough about deserving the benefit. That and it would put that much more of a burden on the sourdoughs that plan on being buried in Alaska, causing them a need to renew their Permanent ID. Not to mention we'd have to change the name to TID, for Temporary Identification card. All and all, I'd say leaving it as is and having the trooper investigate suspects, as contacted, seems to be a logical course.

I have had problems with the PID program in the past. On Prince of Wales Island there were / are folks that at one time were Alaska residents and received there PID. The individuals then left Alaska, but retained there PID and come up every summer to fish and possibly hunt deer in August / September before returning to their homes down South.

The PID program requires an individual to be an Alaska resident to receive the PID, but it doesn't mention what happens after you receive it and then move out of State. "The commissioner shall issue a permanent identification card without charge to persons who qualify by age (60+) and residence and who complete the forms required by the commissioner for implementation of this subsection". Perhaps we could add a section in the statute that reads something like: If the holder of a permanent identification card (PID) no longer qualifies as an Alaska resident (as defined by AS 16.05.415) they MUST surrender their permanent identification card to the Department of Fish and Game. Failure to do so could have the same penalties as established under AS 16.05.420.

The Permanent License abuse has been a problem since I started as a Trooper in Soldotna. The Dept. policy of no crime unless a person claims residency in another State, is really hard to prove. After a person gets the license and is eligible to get it, he hasn't made a False Statement, even if he does take a resident right in another State. My solution would be to have another box on the paper license for the free license and have them get it every year. If they claim residency and are not residents we at least can cite them. I have worked very few cases, but know of at least two who have the PID and do not live in AK, yet are here every year for fishing and or hunting. I have checked their resident States and they do not get resident licenses or pay taxes on property, I know one has a home but it is in his mothers name.

I have not seen much of that myself other than one instance last fall. A non-resident assistant guide had previously acquired a PID, but then moved to Idaho. When he returned to guide last fall he failed to get a non-resident hunting license (as required to act as a big game guide). He really didn't try to pass off the old PID, but kind of meekly threw it out there to see if it would fly. It didn't. What I would really like to see is a closer look at the military disabled hunter licenses. I checked two guys last year that had been sheep and mt. goat hunting! Half the able bodied men in this state can't do that.

We recently followed up on a tip for a non resident with resident license (PID). Upon contact they provided a current non resident license that they had bought this year. They still had their PID cards with them and said they didn't know what to do with them. They indicated they planned to hang onto them in case they became residents again. There isn't any direction in statute or regulation that I can find that addresses the PIDs. The application form also does not give any notice as to any requirements to forfeit or return them to ADF&G if you no longer maintain your residency. It would be nice to see something in writing that addresses what the requirement is for the PID upon leaving state. As it's issued now, I'm not sure we could charge them with anything that would hold up in court as long as they were residents when they obtained it.

I would say this is not abused out here. Furthermore, I'd hope they don't paint with too broad a brush and impose an unnecessary limitation on the residents of AK that qualify and don't abuse it. I've heard they have problems in the Kenai Peninsula area so it's likely a good topic for discussion and looks as if they may currently have the support to get something done.

I haven't worked any cases involving misuse of a permanent license.

Yes, we work several of these each year. Generally we just tell the person that they no longer qualify as a resident and ask them to stop taking privileges. They usually comply. Most don't know that they must continue to maintain resident status, they just think it's a bonus for living here so long. A longevity bonus of sorts. Most of the time I can't see us taking the case to the DAO unless grossly abused. Just imagine the press on this, so poor old timer who just barely makes it into the court house with his walker and goes in front of the local magistrate. The guy can't hear anymore, barely able to read, confused by the whole thing. Tells the judge that he is just there to visit his grandchildren and thought that he would take them out fishing and along comes the fish cop. Spoils the whole day, all the little kids cried, the parents swore that they would never go fishing again. On and on. Yes, an expiration date would be a great help. The application could just have an additional box for the person to check if it is a renewal. They sign at the bottom again just like before. Very good idea.

CORRECTION

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



Rev. 6/98

Central Microfilm Services
Department of Education & Early Development
State of Alaska

I have not seen much of that myself other than one instance last fall. A non-resident assistant guide had previously acquired a PID, but then moved to Idaho. When he returned to guide last fall he failed to get a non-resident hunting license (as required to act as a big game guide). He really didn't try to pass off the old PID, but kind of meekly threw it out there to see if it would fly. It didn't. What I would really like to see is a closer look at the military disabled hunter licenses. I checked two guys last year that had been sheep and mt. goat hunting! Half the able bodied men in this state can't do that.

We recently followed up on a tip for a non resident with resident license (PID). Upon contact they provided a current non resident license that they had bought this year. They still had their PID cards with them and said they didn't know what to do with them. They indicated they planned to hang onto them in case they became residents again. There isn't any direction in statute or regulation that I can find that addresses the PIDs. The application form also does not give any notice as to any requirements to forfeit or return them to ADF&G if you no longer maintain your residency. It would be nice to see something in writing that addresses what the requirement is for the PID upon leaving state. As it's issued now, I'm not sure we could charge them with anything that would hold up in court as long as they were residents when they obtained it.

I would say this is not abused out here. Furthermore, I'd hope they don't paint with too broad a brush and impose an unnecessary limitation on the residents of AK that qualify and don't abuse it. I've heard they have problems in the Kenai Peninsula area so it's likely a good topic for discussion and looks as if they may currently have the support to get something done.

I haven't worked any cases involving misuse of a permanent license.

Yes, we work several of these each year. Generally we just tell the person that they no longer qualify as a resident and ask them to stop taking privileges. They usually comply. Most don't know that they must continue to maintain resident status, they just think it's a bonus for living here so long. A longevity bonus of sorts. Most of the time I can't see us taking the case to the DAO unless grossly abused. Just imagine the press on this, so poor old timer who just barely makes it into the court house with his walker and goes in front of the local magistrate. The guy can't hear anymore, barely able to read, confused by the whole thing. Tells the judge that he is just there to visit his grandchildren and thought that he would take them out fishing and along comes the fish cop. Spoils the whole day, all the little kids cried, the parents swore that they would never go fishing again. On and on. Yes, an expiration date would be a great help. The application could just have an additional box for the person to check if it is a renewal. They sign at the bottom again just like before. Very good idea.

Permanent Fund Dividend Eligibility Statute

Sec. 43.23.005. Eligibility.

(a) An individual is eligible to receive one permanent fund dividend each year in an amount to be determined under AS 43.23.025 if the individual

- (1) applies to the department;
- (2) is a state resident on the date of application;
- (3) was a state resident during the entire qualifying year.

(4) has been physically present in the state for at least 72 consecutive hours at some time during the prior two years before the current dividend year;

(5) is

- (A) a citizen of the United States;
- (B) an alien lawfully admitted for permanent residence in the United States;
- (C) an alien with refugee status under federal law; or
- (D) an alien that has been granted asylum under federal law;

(6) was, at all times during the qualifying year, physically present in the state or, if absent, was absent only as allowed in AS 43.23.008; and

(7) was in compliance during the qualifying year with the military selective service registration requirements imposed under 50 U.S.C. App. 453 (Military Selective Service Act), if those requirements were applicable to the individual, or has come into compliance after being notified of the lack of compliance.

(b) [Repealed, Sec. 18 ch 4 SLA 1992].

(c) A parent, guardian, or other authorized representative may claim a permanent fund dividend on behalf of an unemancipated minor or on behalf of a disabled or an incompetent individual who is eligible to receive a payment under this section. Notwithstanding (a)(2) - (4) of this section, a minor is eligible for a dividend if, during the two calendar years immediately preceding the current dividend year, the minor was born to or adopted by an individual who is eligible for a dividend for the current dividend year.

(d) Notwithstanding the provisions of (a) - (c) of this section, an individual is not eligible for a permanent fund dividend for a dividend year when

(1) during the qualifying year, the individual was sentenced as a result of conviction in this state of a felony;

(2) during all or part of the qualifying year, the individual was incarcerated as a result of the conviction in this state of a

(A) felony; or

(B) misdemeanor if the individual has been convicted of

- (i) a prior felony as defined in AS 11.81.900; or
- (ii) two or more prior misdemeanors as defined in AS 11.81.900.

(e) [Repealed, Sec. 64 ch 21 SLA 1991].

(f) The commissioner may waive the requirement of (a)(4) of this section for an individual absent from the state

(1) in a time of national military emergency under military orders while serving in the armed forces of the United States, or for the spouse and dependents of that individual; or

(2) while in the custody of the Department of Health and Social Services in accordance with a court order under AS 47.10 or AS 47.12 and placed outside of the state by the Department of Health and Social Services for purposes of medical or behavioral treatment.

(g) For purposes of applying (d)(1) of this section, the date the court imposes a sentence or suspends the imposition of sentence shall be treated as the date of conviction. For purposes of applying (d)(2)(B) of this section, multiple convictions arising out of a single criminal episode shall be treated as a single conviction.

(h) If an individual who would otherwise have been eligible for a permanent fund dividend dies after applying for the dividend but before the dividend is paid, the department shall pay the dividend to a personal representative of the estate or to a successor claiming personal property under AS 13.16.680. If an individual who would otherwise have been eligible for a dividend and who did not apply for the dividend dies during the application period, a personal representative of the estate or a successor claiming personal property under AS 13.16.680 may apply for and receive the dividend. Notwithstanding AS 43.23.011, the application for the dividend may be filed by the personal representative or the successor at any time before the end of the application period for the next dividend year.

Katie Shows

From: Rep. Paul Seaton
Sent: Monday, February 19, 2007 2:24 PM
To: katie.shows@legis.state.ak.us
Subject: FW: Article from KINY RADIO report 2/2007

From: Danny Lakip [mailto:fveureka@gci.net]
Sent: Friday, February 16, 2007 9:59 PM
To: Rep. John Harris; Rep. Paul Seaton
Subject: Article from KINY RADIO report 2/2007

Out of state couple cited in Hoonah for unlawful sport fishing

Alaska Bureau of Wildlife Troopers in Hoonah have cited a couple for claiming to be Alaska residents on their sport fishing licenses when they aren't.

Mark C. Warner, 67, and 66 year old Linda H. Warner, both of Bountiful, Utah, face five counts each of unsworn falsification.

Investigation determined they've been doing this since 2000.

Arraignment is scheduled in Hoonah District Court on March 7.

According to Fishing and Game Licensing Statistics there are 4,000 to 6,000 people applying for their free part-time/non-resident senior licenses EACH YEAR!!!. Do the math the State is losing hundreds of thousands of dollars due to greedy geezer. Oh, lets not forget the longevity bogus program.

From: Henry T Munson [mailto:henryt@seward.net]
Sent: Monday, February 19, 2007 2:40 PM
To: Rep. Paul Seaton
Subject: Re: "Spam?" February 19, 2007 Newsletter

Senator Seaton

I am an Alaskan Senior and have a PID. I believe your bill HB 137 is misguided. Personally, I find it annoying and somewhat degrading.

First, I don't believe any great number of Seniors in Alaska are going to leave the state and return to take advantage of "free fishing". If they do, they will more than likely spend enough money in the economy here to make the "cheating" worth the state's while. I have personally lived in Alaska for more than 35 years and have purchased hunting and fishing and trapping licenses for 32 of those years, not to mention all the money I spent for permit applications I never got.

Second, if such Alaska Seniors earned the privilege of a PID by their presence and work in the state, they probably deserve to keep it even if they do go somewhere else where they can afford to buy groceries.

Third, if you are comparing the AKPFD to a list of PIDs that is a computer-performed job that requires little input. Simply check the PFD application against PID holders or PID holders against the PFD application list. If a PID holder does not appear on the PFD list, find out why.

I think there are a lot of things better to spend your time on than harassing Seniors about their PIDs.

Henry T Munson
henryt@seward.net

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

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

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

February 27, 2007

SUBJECT: Equal protection relating to the permanent identification card (CSHB 137()); Work Order No. 25-LS0118\K

TO: Representative Paul Seaton
Attn: Katie Shows

FROM: Brian J. Kane
Legislative Counsel

I have drafted a committee substitute version of HB 137, as you requested, which allows persons who already have a permanent identification card to not be required to obtain a temporary identification card. I would like to note that there is a constitutional issue regarding equal protection lurking in the background.

Article 1, section 1 of the Constitution of the State of Alaska says:

This constitution is dedicated to the principles that all persons have a natural right to life, liberty, the pursuit of happiness, and the enjoyment of the rewards of their own industry; that all persons are equal and entitled to equal rights, opportunities, and protection under the law; and that all persons have corresponding obligations to the people and to the State.

Whenever the court considers constitutional issues it uses a balancing test to weigh the state's interest against the interest of the person or persons affected by the state's proposed action. The test used depends on the constitutional provision at issue.

[T]he Alaska Constitution's equal protection clause affords greater protection to individual rights than the United States Constitution's Fourteenth Amendment. To implement Alaska's more stringent equal protection standard, we have adopted a three-step, sliding-scale test that places a progressively greater or lesser burden on the state, depending on the importance of the individual right affected by the disputed classification and the nature of the governmental interests at stake: first, we determine the weight of the individual interest impaired by the classification; second, we examine the importance of the purposes underlying the government's action; and third, we evaluate the means employed to further those goals to determine the closeness of the means-to-end fit.

Representative Paul Seaton
February 27, 2007
Page 2

While a distinction between different groups is created by this bill draft (one group who retains a permanent identification card that does not need to be renewed versus another group that must obtain a temporary identification card that must be renewed every three years), the burden to overcome using the court's sliding-scale analysis might be not that difficult.

There are no fundamental rights involved in these identification cards used for fishing, hunting and trapping. There is no monetary cost attached to the cards. There is no fee involved in obtaining a permanent identification card or a temporary identification card and subsequent renewals.

The two biggest differences between the cards are (1) convenience and (2) criteria.

It is clearly a more convenient option to already have a permanent identification card which does not need to be renewed at any point, whereas having to renew the temporary card every three years will clearly take more effort on the part of the cardholder. However, this is a minor factor, at best.

The bigger issue will likely revolve around the fact that the criteria will be different for a temporary identification cardholder than for a permanent identification cardholder. Throughout the three-year life of the card, the cardholder must either have received a permanent fund dividend or have been eligible to have received one in the previous year. Each time the card is renewed, the holder of the temporary identification card needs to either have received the dividend or be able to prove that the requirements for receiving the dividend were met in the previous year. However, the permanent card is just that: permanent. If a person currently has a permanent identification card, then this person does not need to meet the permanent fund dividend requirement so long as that person is in possession of the permanent identification card.

The first step in the sliding-scale test likely would put this infringement on the less burdensome end of the scale. With this right carrying less weight, then the governmental interest at stake does not need to be extremely high. However, I cannot comment on the reasoning behind the amending of this statute regarding permanent identification cards, but the reason for making this change would not need to be a compelling one. "Grandfathering" is usually justified as protecting a reliance interest. You may want the legislative history to reflect your justification for the distinction made by this bill.

Third, the means of employing this change seem to be reasonable. Having a person meet basic permanent fund dividend criteria in order to renew this temporary identification card does not appear to be an irrational requirement for keeping this card valid.

If I may be of further assistance, please advise.

BJK:ljw
07-104.ljw

Enclosure

PID - Fishing/Hunting/Trapping

P93867

Name: [REDACTED]

Town/Zip Code: HOMER 99603

The person named above has certified that he/she is 60 years of age or older and has been a resident of Alaska for one year or more. The bearer's personal description is:

Date of Birth 10-01-1945	Drivers License AK [REDACTED]	Date Issued 08-15-2006	
Height 6 ft 1 in	Color Eyes Hazel	Color Hair Brown	Sex M

State of Alaska

Department of Fish & Game

I hereby certify that all of the information on the reverse side is true and correct. I further certify that I meet the provisions of the applicable Alaska Statutes, AS 16.05.400(b) or AS 16.05.341. I understand this information is subject to public disclosure.

Signature: _____

This card must be in your possession while engaging in the authorized activities as described on the front. This card is not valid if residency requirements per AS 16.05.940 and AS 16.05.415, and veteran requirements, if applicable, per AS 16.05.341 are not maintained.

HB

1388

HFIN

FILE

2/27/07

FY2007 OIL AND GAS SUPPLEMENTAL

	A	B	C	D	E	F	G	H	I	J
1	Sec. No.	Department	RDU or Component or Capital	Supplemental Need	General Funds	Federal Funds	Other Funds	Fund Source	Total Funds	LFD Notes
	1	Law	Capital - Oil, Gas & Mining	Work related to the state gas pipeline and bringing North Slope natural gas to market, and other oil and gas projects. The Department of Law's Oil, Gas & Mining section continues to play a major role in the State's top priority project related to the construction of a gas pipeline and bringing natural gas to market. A number of contracts with outside counsel and experts are underway and will continue to be needed as negotiations continue. In addition the Department of Law anticipates the Exxon Royalty Reopener will go to trial in either FY 07 or FY 08 and continues to prepare for a four to five week hearing before the Federal Energy Regulation Committee (FERC) considering (in part) the state's and Anadarko's challenges to the TransAlaska Pipeline Service (TAPS) 2005 FERC tariff.	21,500.0				21,500.0	Anticipated expenditures: FY07: \$8,700,000 FY08: \$12,800,000
2	2(a)	Natural Resources	Capital	Gas Pipeline Analysis Outside experts and consultants will be retained for work related to the gas pipeline, including outside legal counsel and experts on federal pipeline law and FERC procedures. A consultant to advise the state on crafting an RIP consistent with the Alaska Gasline Inducement Act (AGIA) for gasline proposals and with analyzing those proposals under AGIA will also be retained.	6,550.0				6,550.0	RFP Consultant: \$4.5 million FERC Experts and Outside Counsel: \$1.25 million Additional Work Needs: \$800.0
3	2(b)	Natural Resources	Capital	Oil and Gas Lease Litigation This project will help offset the costs of litigation arising out of the DNK's exercise of the state's rights under its leases and the unit agreement (Point Thomson appeal). This request will help fund the costs of outside experts and legal counsel.	1,500.0				1,500.0	The Point Thomson appeals were filed in December 2006, so funding is not included in the current FY07 or FY08 budget
4	3(a)	Revenue	Capital	Commercialization of North Slope Gas \$119.5 - two internal economists to work on gasline issues \$1,360.0 for two contractual economists and/or commercial analysts' firms to assist in modeling and analyzing tax incentives and impacts, marketing options and criteria to evaluate applicants and proposed projects \$1,169.6 for specialized legal counsel \$50.9 for other costs, including financial and legal research	3,000.0				3,000.0	The funding for the two economists (currently on staff) is based on 17 months work, the funding for contractual economic and legal analysis is an estimate of what might be needed under AGIA.
5	3(b)	Revenue	Tax Division	Petroleum Production Tax (PPT) implementation costs \$521.7 for three positions and contracts for developing regulations, expenses for public hearings and legal advice on regulations	521.7				521.7	Fiscal note identifies almost \$1.4 million for a full years implementation. That is the amount requested for FY08. This is identified as the bare minimum necessary for FY07.
6	3(c)	Revenue	Tax Division	Language to allow the department to make refunds for capital expenditures and lease bids as provided in the PPT, AS 13.55.023(d)					0.0	This language appropriates the funding for the transferable tax credit refunds in FY07. Expected to be significantly less the projected \$25 million in the Gov's FY08 budget
7	4(a)	Natural Resources	Gas Pipeline	Extend lapse date from June 30, 2007, to June 30, 2008, for the Bullen Pt. Road right-of-way permitting multi-year allocation in sec. 7(d)(1), ch. 6, S.A. 2005, pg. 11, as amended by sec. 31(c), ch. 82, S.A. 2006, pg. 151. The amount expected to be available is \$100.0. The lapse extension also applies to sec. 7(d)(2) Division of Oil and Gas Increased Workload, which expects \$1500 to be available. The lapse extension also applies to sec. 7(d)(3) Commissioner's office increased workload. This allocation is expected to be fully expended by June 30, 2007.					0.0	As of 2/20/07: Bullen Pt. Road appropriation, original amount = \$2,400.0 and the current balance = \$534.0. Oil & Gas Increased Workload appropriation, original amount = \$2,025.0 and the current balance = \$776.3. Commissioner's Office Workload appropriation, original amount = \$150.0 and the current balance = \$86.6
8										

FY2007 OIL AND GAS SUPPLEMENTAL

	A	B	C	D	E	F	G	H	I	J
1	Sec. No.	Department	RDU or Component or Capital	Supplemental Need	General Funds	Federal Funds	Other Funds	Fund Source	Total Funds	LFD Notes
	4(b)	Administration	Alaska Oil and Gas Conservation Commission	Extend the lapse date from June 30, 2007, to June 30, 2008, for the gas pipeline development multi-year appropriation made in sec. 20(a), ch. 3, FSSLA 2005, pg. 106, line 21. The amount expected to be available is \$250.0.					0.0	\$1.2 million was appropriated for FY06-07. \$950.0 already obligated through the end of this year leaving \$250.0 balance. This extension will allow the department to wrap up current work on studies needed to set gas off take rates for Pt. Thomson.
9	4(b)	Natural Resources	Gas Pipeline	Extend lapse date from June 30, 2007, to June 30, 2008, for the gas pipeline risk analysis and royalty issues multi-year allocation in sec. 20(c)(1), ch. 3, FSSLA 2005, pg. 107, line 2. The amount expected to be available is \$1,500.0. The lapse extension also applies to sec. 20(c)(2) gas pipeline corridor geologic hazards and resource evaluation. This allocation is expected to be fully expended by June 30, 2007.					0.0	As of 2/20/07: Gas Pipeline Risk Analysis appropriation, original amount = \$2,500.0 and the current balance = \$1,661.6; Gas Pipeline Corridor Geologic Hazards & Resource Evaluation appropriation, original amount = \$2,000.0 and the current balance = \$71.5;
10	4(b)	Revenue	Commissioner's Office	Extend lapse date from June 30, 2007, to June 30, 2008, for the gas pipeline development multi-year appropriation made in sec. 20(e), ch. 3, FSSLA 2005, pg. 107, line 13. The amount expected to be available is \$100.0.					0.0	Funding is being used in FY07 to fund the 2 exempt gasoline economists currently working for the department. FY08 funding for these positions is being requested in the \$3 million request in 3(a) above
11	4(b)	Revenue	Alaska Natural Gas Development Authority	Extend lapse date from June 30, 2007, to June 30, 2008, for the gas pipeline development multi-year appropriation made in sec. 20(f), ch. 3, FSSLA 2005, pg. 107, line 16. The amount expected to be available is \$500.0.					0.0	
12	4(c)	Natural Resources	Gas Pipeline	Extend lapse date from June 30, 2007, to June 30, 2008, for the Bullen Pt. Road right-of-way permitting multi-year allocation in sec. 20(d)(1), ch. 3, FSSLA 2005, pg. 107, line 10, as amended by sec. 34(d), ch. 82, SFA 2006, pg. 151. The amount expected to be available is \$800.0. The lapse extension also applies to sec. 20(d)(2) Division of Oil and Gas Increased Workload. This allocation is expected to be fully expended by June 30, 2007. The lapse extension also applies to sec. 20(d)(3) Commissioner's office increased workload, which expects \$10.0 to be available.					0.0	As of 2/20/07: Bullen Pt. Road Right-of Way Permitting appropriation, original amount = \$800.0 and the current balance = \$800.0; Oil & Gas Increased Workload appropriation, original amount = \$675.0 and the current balance = \$106.1; Commissioner's Office Workload appropriation, original amount = \$50.0 and the current balance = \$20.0.
13										
14	5			Lapse of Other Appropriations					0.0	
15	6			Retroactivity					0.0	
16	7			Immediate Effective Date					0.0	
17				Oil and Gas Supplemental Bill Total	33,071.7	0.0	0.0	0.0	33,071.7	

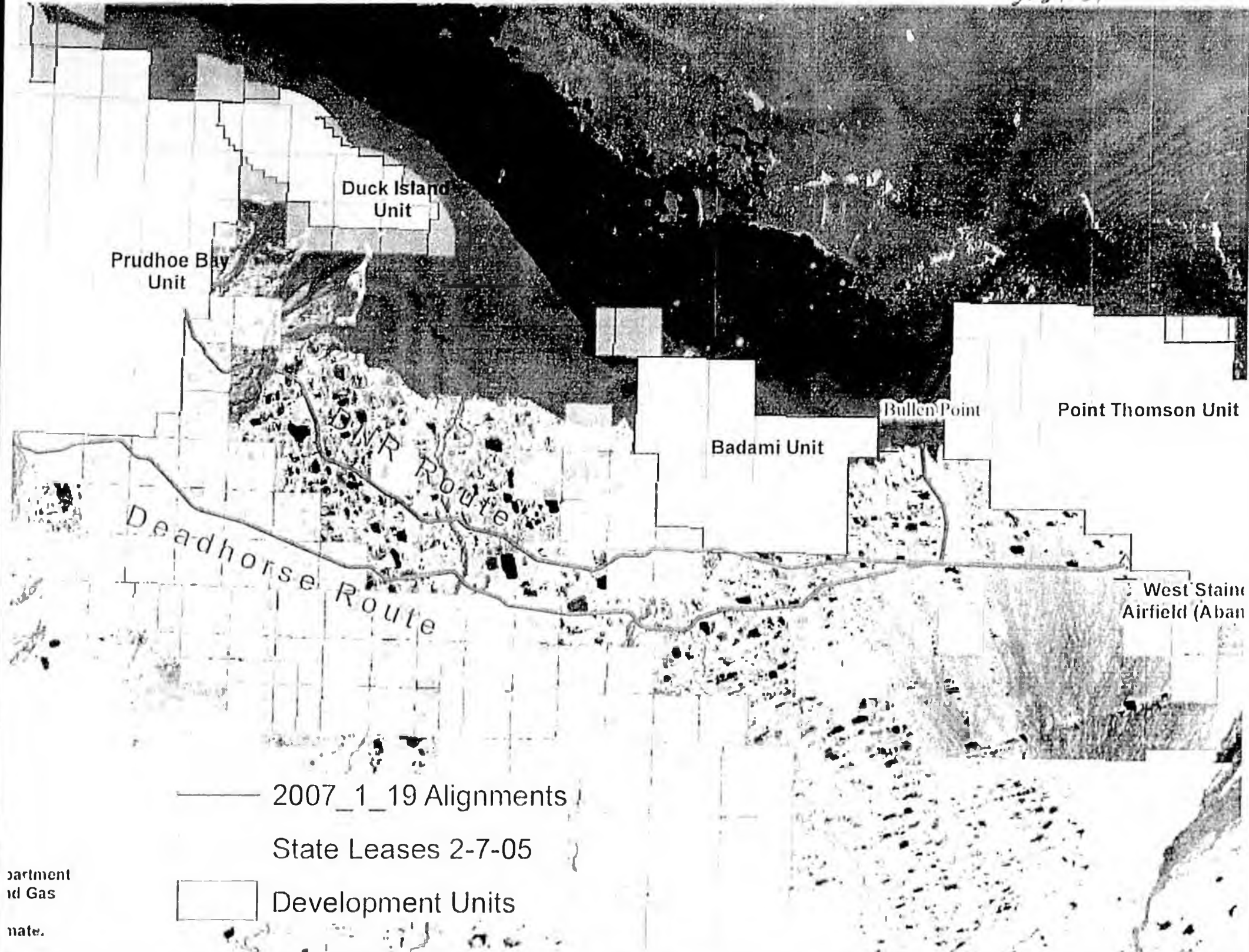
2/27/07

FY2007 OIL AND GAS SUPPLEMENTAL

	A	B	C	D	E	F	G	H	I
1	Sec. No.	Department	RDU or Component or Capital	Supplemental Need	General Funds	Federal Funds	Other Funds	Fund Source	Total Funds
2	1	Law	Capital - Oil, Gas & Mining	Work related to the state gas pipeline and bringing North Slope natural gas to market, and other oil and gas projects. The Department of Law's Oil, Gas & Mining section continues to play a major role in the State's top priority project related to the construction of a gas pipeline and bringing natural gas to market. A number of contracts with outside counsel and experts are underway and will continue to be needed as negotiations continue. In addition the Department of Law anticipates the Exxon Royalty Reopener will go to trial in either FY 07 or FY 08 and continues to prepare for a four to five week hearing before the Federal Energy Regulation Committee (FERC) considering (in part) the state's and Anadarko's challenges to the TransAlaska Pipeline Service (TAPS) 2005 FERC tariff.	21,500.0				21,500.0
3	2(a)	Natural Resources	Capital	Gas Pipeline Analysis Outside experts and consultants will be retained for work related to the gas pipeline, including outside legal counsel and experts on federal pipeline law and FERC procedures. A consultant to advise the state on crafting an RFP consistent with the Alaska Gasline Inducement Act (AGIA) for gasline proposals and with analyzing those proposals under AGIA will also be retained.	6,550.0				6,550.0
4	2(b)	Natural Resources	Capital	Oil and Gas Lease Litigation This project will help offset the costs of litigation arising out of the DNR's exercise of the state's rights under its leases and the unit agreement (Point Thomson appeal). This request will help fund the costs of outside experts and legal counsel.	1,500.0				1,500.0
5	3(a)	Revenue	Capital	Commercialization of North Slope Gas \$419.5 - two internal economists to work on gasline issues \$1,360.0 for two contractual economists and/or commercial analysts' firms to assist in modeling and analyzing tax incentives and impacts, marketing options and criteria to evaluate applicants and proposed projects \$1,169.6 for specialized legal counsel \$50.9 for other costs, including financial and legal research	3,000.0				3,000.0
6	3(b)	Revenue	Tax Division	Petroleum Production Tax (PPT) implementation costs: \$521.7 for three positions and contracts for developing regulations, expenses for public hearings and legal advice on regulations.	521.7				521.7
7	3(c)	Revenue	Tax Division	Language to allow the department to make refunds for capital expenditures and lease bids as provided in the PPT, AS 43 55.023(f).					0.0
8	4(a)	Natural Resources	Gas Pipeline	Extend lapse date from June 30, 2007, to June 30, 2008, for the Bullen Pt. Road right-of-way permitting multi-year allocation in sec. 7(d)(1), ch. 5, SLA 2005, pg. 11, as amended by sec. 34(c), ch. 82, SLA 2006, pg. 151. The amount expected to be available is \$100.0. The lapse extension also applies to sec. 7(d)(2) Division of Oil and Gas Increased Workload, which expects \$150.0 to be available The lapse extension also applies to sec. 7(d)(3) Commissioner's office increased workload. This allocation is expected to be fully expended by June 30, 2007.					0.0
9	4(b)	Administration	Alaska Oil and Gas Conservation Commission	Extend the lapse date from June 30, 2007, to June 30, 2008, for the gas pipeline development multi-year appropriation made in sec. 20(a), ch. 5, FysLA 2005, pg. 100, line 21. The amount expected to be available is \$250.0					0.0

FY2007 OIL AND GAS SUPPLEMENTAL

	A	B	C	D	E	F	G	H	I
1	Sec. No.	Department	RDU or Component or Capital	Supplemental Need	General Funds	Federal Funds	Other Funds	Fund Source	Total Funds
10	4(b)	Natural Resources	Gas Pipeline	<p>Extend lapse date from June 30, 2007, to June 30, 2008, for the gas pipeline risk analysis and royalty issues multi-year allocation in sec. 20(c)(1), ch. 3, FSSLA 2005, pg. 107, line 2. The amount expected to be available is \$1,500.0.</p> <p>The lapse extension also applies to sec. 20(c)(2) gas pipeline corridor geologic hazards and resource evaluation. This allocation is expected to be fully expended by June 30, 2007.</p>					0.0
11	4(b)	Revenue	Commissioner's Office	Extend lapse date from June 30, 2007, to June 30, 2008, for the gas pipeline development multi-year appropriation made in sec. 20(e), ch. 3 FSSLA 2005, pg. 107, line 13. The amount expected to be available is \$100.0.					0.0
12	4(b)	Revenue	Alaska Natural Gas Development Authority	Extend lapse date from June 30, 2007, to June 30, 2008, for the gas pipeline development multi-year appropriation made in sec 20(f), ch. 3, FSSLA 2005, pg. 107, line 16. The amount expected to be available is \$500.0.					0.0
13	4(c)	Natural Resources	Gas Pipeline	<p>Extend lapse date from June 30, 2007, to June 30, 2008, for the Bullen Pt. Road right-of-way permitting multi-year allocation in sec. 20(d)(1), ch. 3, FSSLA 2005, pg. 107, line 10, as amended by sec. 34(d), ch. 82, SLA 2006, pg. 151. The amount expected to be available is \$800.0.</p> <p>The lapse extension also applies to sec. 20(d)(2) Division of Oil and Gas Increased Workload. This allocation is expected to be full expended by June 30, 2007.</p> <p>The lapse extension also applies to sec. 20(d)(3) Commissioner's office increased workload, which expects \$10.0 to be available.</p>					0.0
14	5			Lapse of Other Appropriations					0.0
15	6			Retroactivity					0.0
16	7			Immediate Effective Date					0.0
17				Oil and Gas Supplemental Bill Total	33,071.7	0.0	0.0	0.0	33,071.7



Prudhoe Bay Unit

Duck Island Unit

Badami Unit

Bullen Point

Point Thomson Unit

West Staines Airfield (Aban)

Deadhorse Route

BVR Route

Department of Energy
Oil and Gas
State

- 2007_1_19 Alignments
- State Leases 2-7-05
- Development Units

Bullen Point Road Status Update January 23, 2007

DNR & Northern Region DOT&PF:

The design work for the project is being done under contract with Peratrovich, Nottingham, and Drage, Inc (PND). The University of Alaska Fairbanks is developing hydrologic models to be used in the design and environmental portions of the project. The COE permit application can be ready to submit upon instruction to do so. Additional funding is needed to continue this project.

Peratrovich, Nottingham, and Drage, Inc – Project Status:

The majority of survey work and aerial photography was completed for both the Deadhorse and DNR Routes during the 2005 and 2006 field season. Current efforts are focused on hydrology and hydraulic analysis of the river and stream crossings, as well as developing preliminary crossing concepts. This work is needed to develop layouts, but also to develop the environmental document. Other tasks PND is working on include:

- Hydrology – Currently 2 years worth of river break up data have been completed for the Deadhorse and DNR Routes. A third year is needed to further define the break up events along the two routes.
- Imagery and Aerial Photography – The orthophoto (July 2006) is complete and available for use. Satellite imagery for the entire project area is available.
- LIDAR data – Lidar data for the project area has been collected, and is being processed. The data will be available for use in March.
- Preliminary Bridge design is underway, and the development of the Design Study Report has begun. Preliminary layouts, alignments, sections, details, and cost estimates due in February 2007.
- Preliminary Road design has been completed, and alignments are currently being refined.
- Bathymetry data has been collected in the Bullen Point area for a proposed barge landing site. The Contractor is developing barge site layout concepts.
- Preliminary Wetlands GIS data has been collected based on the National Wetlands Inventory Mapping. Cultural Resource studies have been performed in the vicinity of the proposed river crossings on both the DNR and Deadhorse routes.

UAF Status

The University continues to monitor environmental data collection sites that were set up under an agreement with DOT&PF in 2006. Currently the University is evaluating the data collected, and developing the hydrologic baseline conditions for the watersheds east of the Dalton Highway. The University is working on the following:

- Environmental Monitoring station network is in place collecting environmental data (temp, wind, precip, etc).
- Development of a website to access this data "real time." This website will be available this spring.
- Developing Hydrologic models of the area - based on data collected to date, as well as correlations to existing Kuparuk River Watershed data. UAF is currently developing a preliminary model based on limited data collected to date. As more data is collected, the model will be refined.

Funding is needed to extend the agreement for the 2006-2007 collection season. DNR funding of this important data is needed to continue

Description of estimated expenditures for legal services in SB 82 and HB 138

February 27, 2007

Department of Law

Section 1

This section appropriates \$21,500,000 to the Department of Law for legal services related to oil, gas and mining. This request also covers legal services related to preparing and implementing gas pipeline legislation.

This section is intended to cover an anticipated supplemental need of \$8,700,000 for FY 07, and \$12,800,000 for FY 08.

The categories of matters covered by this request are as follows:

Item	FY 07 Supp	FY 08
TAPS Tariff	\$2.6 million	\$1.3 million
Income Tax	\$2.8 million	\$4.45 million
Royalty	\$0.3 million	\$1 million
Other Litigation	\$1.0 million	\$.05 million
Gas Pipeline	\$2 million	\$6 million
Total	\$8.7 million	\$12.8 million

Department of Natural Resources

Section 2(a)

This section includes a request for funding "outside legal counsel and experts on federal pipeline law and FERC procedures as well as "[a] consultant to advise the state on crafting an RFP consistent with the Alaska Gasline Inducement Act (AGIA) for gasline proposals and with analyzing those proposals under AGIA"

The funds requested in Section 1 by the Department of Law related to the gas pipeline are primarily intended to cover advice with respect to legal issues related to the AGIA and representation before federal agencies.

DNR often uses experts to assist it in analyzing various oil and gas issues. DNR usually does this under its own contracting authority. But some of these same experts may also be contracted under the Department of Law through its counsel depending on the particular subject matter or whether a matter is so closely aligned with the services a law firm is providing that confidentiality may be appropriate. In those cases, DNR typically provides funds to the Department of Law through an RSA. There is no duplication of legal services between DNR and the Department of Law.

This request is intended to cover the costs of those experts to the extent that they are retained through the law firms assisting the State.

Section 2(b)

The Department of Natural Resources typically utilizes the services of economists and other experts to analyze lease characteristics and potential lessee obligations that may become relevant to litigation. In many instances, DNR and the lessees successfully negotiate royalty settlements without resorting to arbitration or litigation. In the event that litigation is imminent or ongoing (as in the case of the Pt. Thomson unit), these activities are often directed by outside counsel and the experts serve as subcontractors to the outside counsel. This request is intended to cover the costs when those experts are billed through outside counsel contracts.

Department of Revenue

Section 3(a)

If changes to the State's fiscal regime become part of any gasoline proposal, or there are potential impacts to State finances and bond ratings from a gasoline proposal, outside counsel specialized in financial issues may be required. While the Department of Law oversees all legal work done on behalf of the State, this request is intended to cover the costs if and when the Departments of Revenue and Law believe that specialized counsel is required in these areas.

Section 3(b)

The Department of Law has utilized outside counsel with oil and gas production tax expertise in developing regulations to implement the PPT. This request is intended to cover costs in the event that the Departments of Revenue and Law

believe that the further use of specialized counsel is required during the first year of implementation.

HB

139

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FILE

2/23/07

FY2007 REGULAR SUPPLEMENTAL REQUESTS

	A	B	C	D	E	F	G	H	I
1	Sec. No.	Department	RDU or Component or Capital	Supplemental Need	General Funds	Federal Funds	Other Funds	Fund Source	Total Funds
2	1(a)	Commerce	ASMI	Increase the Alaska Seafood Marketing Institute's National Consumer Campaign promoting Alaskan seafood, as more than anticipated was received from industry assessment.			2,000.0	Receipt Supported Services	2,000.0
3	1(b)	Commerce	Regulatory Commission of Alaska	Outside council for litigation at the Federal Energy Regulatory Commission (FERC) to defend RCA's jurisdiction over intrastate rates on the Trans-Alaska Pipeline (TAPS); and for other TAPS-related litigation at the Supreme Court of Alaska involving RCA.			750.0	RCA Repts	750.0
4	1(c)	Corrections	Inmate Health Care	The funding is needed to meet the medical obligations for the aging and increased offender population. The driving factors are the sharp increase in the number of offenders needing treatment, the cost of dialysis and cancer treatments and the growing number of life-threatening cases. The department will potentially run out of funds as early as March 2007 and not be able to pay vendors for services provided. \$139.0 of this request is related to nurses' market-based pay increase.	3,903.4				3,903.4
5	1(d)	Corrections	Anchorage Correctional Complex	The Anchorage Correctional complex is housing 50 offenders in crisis overflow beds in the gym due to overcrowding in the facility. This request is for required overtime for an additional security post which translates into four positions. The projected expenditures indicate that the component will run out of funds by the middle of April.	1,082.7				1,082.7
6	1(e)	Environ Cons	Water Quality	The cruise ship head tax ballot initiative was adopted by voters during the August 2006 primary election. Passage of the initiative, however, did not result in an appropriation for the program. DEC needs a current year appropriation to cover costs that are being incurred in order to make a good faith effort to implement the program within the initiative's timeline. FY2007 expenditures are occurring to establish the program.			811.3	CPVEC Fund	811.3
7	1(f)	Health & Social Services	Capital	Fairbanks Virology Laboratory Completion. Costs have risen over what was originally determined, particularly the costs of steel, transportation, and petroleum based products. The miscellaneous receipts come from interest earnings on the Certificate of Participation (COP) which is being used to fund the majority of the project. The original appropriation was \$24.2 million in FY06.	3,500.0		3,000.0	Miscellaneous Receipts	6,500.0
8	1(g)	Health & Social Services	Capital	Title change: "Juneau Pioneer Home Roof Replacement" to "Pioneer Homes Roof Repair and Replacement". The department would like to use excess funds from the original project to repair Sitka Pioneer Home roof.					0.0
9	1(h)	Transportation	Capital - Airport Improvement Program Appropriation	The Airport Improvement Program appropriation increases by \$2,000.0 from \$341,857.1 to \$343,857.1 because of the increase in the allocation below:					0.0
10	1(i)	Transportation	Capital - Airport Improvement Program Allocation	Amend FY07 Project - Ketchikan: Snow Removal Equipment/Sand/Urea Building Construction - Project includes constructing a new snow removal equipment, sand and chemical mixing and storage building to house all of the airport's emergency response and snow removal equipment. Project is ready to bid as soon as funding is available.		2,000.0			2,000.0
11	1(j)	Transportation	Capital - Surface Transportation Program Appropriation	The Surface Transportation Program appropriation increases by \$18,300.0 from \$337,095.2 to \$355,395.2 because of the allocation changes below:					0.0
12	1(k)	Transportation	Capital - Surface Transportation Program Allocation	New: Anchorage: Eagle River Road Rehabilitation - Milepost 5.3 to 12.6 - Project includes widening shoulders, improving visibility, and repaving. The department plans to advertise as soon as funding is available.		1,750.0			1,750.0
13	1(l)	Transportation	Capital - Surface Transportation Program Allocation	Amend: Anchorage: Eagle River Loop Road Reconstruction - Old Glenn Highway to Eagle River Road - Project includes reconstructing shoulders, turn lanes, pedestrian facilities, lighting and landscaping. The department plans to advertise in March.		2,000.0			2,000.0

FY2007 REGULAR SUPPLEMENTAL REQUESTS

	A	B	C	D	E	F	G	H	I
1	Sec. No.	Department	RDU or Component or Capital	Supplemental Need	General Funds	Federal Funds	Other Funds	Fund Source	Total Funds
14	1(f)	Transportation	Capital - Surface Transportation Program Allocation	New: Anchorage: Potter Marsh Trailhead and Access Improvements - Project includes enhancing parking lot, provide new boardwalk connections, and connect the Bird Treatment Learning Center on the Old Seward Highway to the existing boardwalk. The department plans to advertise in March.		550.0			550.0
15	1(m)	Transportation	Capital - Surface Transportation Program Allocation	New: Unalaska South Channel Bridge Construction - Project includes replacing existing bridge with a concrete deck bridge. Increased funding required as low bid was greater than existing legislative authority for project.		14,000.0			14,000.0
16	2(a)	Administration	Retirement and Benefits	The Division of Retirement and Benefits contracted with a tax consultant to assist with obtaining Internal Revenue Service code qualified status for the defined contribution plan. The cost of this work was not included in the original fiscal note for SB 141. This request for a GF increase will be offset with a \$80.0 GF reduction from the Elected Public Officers Retirement System (EPORS - (50.0)) and the Unlicensed Vessel Participant Annuity Retirement Plan (UVPARP - (30.0)) allocations.	80.0				80.0
17	2(b)	Administration	Retirement and Benefits	This request is for the purpose of zero balancing the Division of Retirement and Benefits fund allocations. Their cost allocation plan was reviewed by a tax consultant, resulting in allocation changes that affect the FY2007 budget.				(153.3) PERS (133.7) TRS 160.3 Bene Sys 85.5 JRS 85.4 NGNMRS (44.2) FICA	0.0
18	2(c)	Administration	Retirement and Benefits	This is a fund source adjustment for the PERS/TRS litigation appropriations made in sec. 24(a) and (b), ch. 82, S.A. 2006, from the original \$200.0 from each retirement system fund to 72% and 28%, respectively, per the division's cost allocation plan. The appropriation from PERS changes from \$200.0 to \$288.0 and the TRS amount changes from \$200.0 to \$112.0.					0.0
19	2(d)	Administration	Unlicensed Vessel Participant Annuity Retirement Plan	Plan adjustment for reduced current year obligation.	(30.0)				(30.0)
20	2(d)	Administration	Elected Public Officers Retirement System Benefits	Plan adjustment for reduced current year obligation.	(50.0)				(50.0)
21	2(e)	Administration	Office of Public Advocacy	Current year caseload increase estimate based on the agency's current expenditures and projections. The agency was not fully funded in FY2007, based on their FY2006 supplemental roll forward and caseload projections. There are excess guardianship fees receipts in FY2007.			200.0	Statutory Designated Program Receipts	200.0
22	2(f)	Administration	Public Defender Agency	Current year caseload increase estimate based on the agency's current expenditures and projections. The agency was not fully funded in FY2007, based on their FY2006 supplemental roll forward and caseload projections.	240.0				240.0
23	3(a)	Corrections	Out-of-State Contractual	FY07 budget was based on 900 prisoners to be sent to Arizona. The current number of prisoners in Arizona is 1060 and the department anticipates the need for a total of 1,250 beds to assist in meeting the growing prisoner population.	1,338.5				1,338.5
24	3(b)	Corrections	Institution Director's Office	1) Correctional officer overtime is taking place due to vacant correctional officer positions and facilities overcrowding. When the offender population exceeds the emergency capacity in the facility, it becomes necessary to employ additional security staff for public safety and protection. \$2,096.5 2) The facilities are also dealing with cost resulting directly from prisoner overcrowding and the increased costs of goods and services. This is attributable to setting up crisis overflow beds. \$2,000.0 3) Electrical costs have also increased in all institutions. \$400.0 4) Funding transfer from Statewide Probation and Parole to offset increased costs in the institutions.	4,496.5				4,496.5

FY2007 REGULAR SUPPLEMENTAL REQUESTS

	A	B	C	D	E	F	G	H	I
1	Sec. No.	Department	RDU or Component or Capital	Supplemental Need	General Funds	Federal Funds	Other Funds	Fund Source	Total Funds
25	3(c)	Corrections	Institution Director's Office	Unpaid invoices from vendors from FY2006, including an unpaid RSA with the Department of Transportation for State Equipment Fleet charges of \$42.6 and an unpaid RSA with the Department of Administration for training charges of \$25.	63.1				63.1
26	3(d)	Corrections	Inmate Transportation	More prisoner transports between Alaska and Arizona due to management of the increased inmate population in the state.	90.0				90.0
27	3(e)	Corrections	Anchorage Correctional Complex	Revenue shortfall in federal manday billings is due to the reduction in federal detainees and the number of days these prisoners are held in this facility.	1,000.0				1,000.0
28	3(f)	Corrections	Anchorage Correctional Complex	If manday billings are greater than anticipated, the appropriation in 4(f) is reduced by an equivalent amount.					0.0
29	3(g)	Corrections	Hiland Mountain Correctional Center	The facility's well water system did not meet the EPA and DEC standards and therefore was decommissioned and demolished. The new system was connected to the Anchorage Water and Wastewater Utility system. Funding is needed for the increased costs of the new water system.	81.1				81.1
30	3(h)	Corrections	Fairbanks Correctional Center	The 50% increase in the prisoner population in Fairbanks created the need to expand staffing at the facility to maintain public safety. Funding is requested for the 19 new permanent full-time positions that have been established in FY2007.	729.9				729.9
31	3(i)	Corrections	Fairbanks Correctional Center	Unpaid FY2006 water and sewer bills.	18.7				18.7
32	3(j)	Corrections	Existing Community Residential Centers	Funding is needed to pay contractors for housing offenders at the Community Residential Centers (CRCs) for the remainder of the fiscal year. The department has professional service contracts with CRC providers to help meet the security and residential needs of adult offenders. Part of the increase is based on the CPI rate for the community in which the CRC is located and due to two re-negotiated contracts.	553.5				553.5
33	3(k)	Corrections	Statewide Probation and Parole	Transfer to Institution Director's Office to assist in meeting the institutions' increased costs. Funding is available due to lag time in creating and filling probation officer positions in FY2007.	(100.0)				(100.0)
34	4(a)	Education	School Finance & Facilities	Cost to pay trial work already provided for the Moore v State lawsuit, which pertains to adequate funding levels for school districts.	100.0				100.0
35	4(b)	Education	Mt. Edgumbe Boarding School	Cost of one-time payment of the FY2005 Teachers' Education Association of Mt. Edgumbe arbitration award.	107.9				107.9
36	5(a) and (b)	Fish and Game	Wildlife Conservation	Fund source switch for the Harlequin Duck Population Dynamics project in Prince William Sound, that is measuring the recovery from the Exxon Valdez Oil Spill.			0.0	30.0 EVOs (30.0) Statutory Designated Program Receipts	0.0
37	6(a)	Health & Social Services	Pioneer Homes	Receipt supported services authority to cover 1) nurses' salaries \$86.9, 2) funds to offset uncollectible federal revenues \$231.0, and 3) safety, sanitation and operating costs \$482.1			800.0	Receipt Supported Services	800.0
38	6(b)	Health & Social Services	Behavior Health Medicaid Services	Cost recovery of overpayments to comply with provisions of SB 41 (CH 06, SLA 03) related to audits.			600.0	Statutory Designated Program Receipts	600.0
39	6(c)	Health & Social Services	Children's Medicaid Services	Cost recovery of overpayments to comply with provisions of SB 41 (CH 06, SLA 03) related to audits.			100.0	Statutory Designated Program Receipts	100.0
40	6(d)	Health & Social Services	Medicaid Services	Alaska Regional Hospital Medicaid Rate Settlement for 1994 through 2000. Settlement agreement has been signed.	2,593.6	1,000.4			3,594.0

FY2007 REGULAR SUPPLEMENTAL REQUESTS

	A	B	C	D	E	F	G	H	I
†	Sec. No.	Department	RDU or Component or Capital	Supplemental Need	General Funds	Federal Funds	Other Funds	Fund Source	Total Funds
41	6(e)	Health & Social Services	Medicaid Services	Cost recovery of overpayments to comply with provisions of SB 41 (CH 66, SLA 03) related to audits.			1,000.0	Statutory Designated Program Receipts	1,000.0
42	6(f)	Health & Social Services	Probation Services	Court ordered costs. The legislature has directed the department to bring the costs forward in a supplemental each year.	206.5				206.5
43	6(g)	Health & Social Services	Adult Public Assistance	Formula program reduction. Savings are from a combination of continued savings in Interim Assistance from nurse reviews and payment size per client decreases as clients have more pension income.	(750.0)				(750.0)
44	6(h)	Health & Social Services	Senior Care	Caselead reduction; people are not applying for the pharmacy benefit as much as anticipated.	(1,500.0)				(1,500.0)
45	6(i)	Health & Social Services	Senior and Disabilities Services Appropriation	The Senior and Disabilities Services appropriation decreases by \$5,000.0 from \$331,174.2 to \$329,174.2 because of the allocation change below.					0.0
46	6(j)	Health & Social Services	Senior and Disabilities Medicaid Services Allocation	Savings in the personal care attendant program due to implementation of regulations which did such things as requiring medical determinations by department staff or designee (had been done by the provider), limiting hours of service, limiting to one attendant a household with more than one person qualifying for PCA, and other cost savings.	(5,000.0)				(5,000.0)
47	6(k)	Health & Social Services	Senior and Disabilities Medicaid Services	Cost recovery of overpayments to comply with provisions of SB 41 (CH 66, SLA 03) related to audits.			800.0	Statutory Designated Program Receipts	800.0
48	7(a)	Law	Civil Division, Deputy Attorney General	Judgments and Settlements. Amount is \$92,509.85 as of February 1, 2007.	92.6				92.6
49	7(b)	Law	Civil Division, Deputy Attorney General	The amount necessary to pay additional judgments awarded against the state before June 30, 2007.					0.0
50	7(c)	Law	Administrative Services	FY2006 Unpaid Miscellaneous Bills - \$6,254.47 Funding to pay prior year bills not received in time for payment by the department. Employee moving expenses - \$1,531.05; employee mileage reimbursement - \$47.89; consulting contracts - \$4,200.00; hotel rooms for employee travel - \$349.28; copier maintenance \$76.25.	6.3				6.3
51	8(a)(1)	Natural Resources	Claims, Permits & Leases	Implementation of geologists class study effective June 2006.	79.4				79.4
52	8(a)(2)	Natural Resources	Geological Development	Implementation of geologists class study effective June 2006.	114.5				114.5
53	8(b)	Natural Resources	Capital	Funding from the Mat-Su Borough for development of the South Denali Visitors Center Interpretive Plan.			100.0	Statutory Designated Program Receipts	100.0
54	9	Public Safety	Capital	The U.S. Department of Justice has awarded the Council on Domestic Violence and Sexual Abuse a Violence Against Women Act Stop grant of \$5 million for prevention of domestic violence and sexual assault in Alaska. The funding will be used for services provided by the Departments of Law, Public Safety and Alaska Court System and for victim services.			5,000.0		5,000.0

FY2007 REGULAR SUPPLEMENTAL REQUESTS

	A	B	C	D	E	F	G	H	I
1	Sec. No.	Department	RDU or Component or Capital	Supplemental Need	General Funds	Federal Funds	Other Funds	Fund Source	Total Funds
55	10(a)	Revenue	Tax Division	<p>1) \$210.5 - Cruise tax Initiative implementation costs: Three positions and contractual expenses for hearings for public notice, legal advice on regulations, advertising, training and development of online data filing system.</p> <p>2) \$15.0 - Corporate Income Tax Litigation</p> <p>The Tax Division is working on a high-level corporate income tax case with a potential for hundreds of millions of dollars in settlement. Funding is requested to begin the casework with the Department of Law. Additional funding will not be required in FY2008.</p>	255.5				255.5
56	10(b)	Revenue	Permanent Fund Dividend Division	<p>1) \$70.0 - Increased MyAlaska costs - DOA did not charge for service before FY07. The Division did not know when preparing the FY07 budget that DOA would be charging for the service in FY07.</p> <p>2) \$60.0 - Department of Administration's (DOA) Office of Administrative Hearings costs are higher than anticipated due to high rates.</p> <p>3) \$220.7 - Data Loss and Recovery. Ongoing recovery efforts are beyond division's capability to absorb.</p>			350.7	Permanent Fund Dividend Funds	350.7
57	10(c)	Revenue	Child Support Services	Unanticipated federal incentive funding due to performance during FFY 05.		181.7		Fed Incentive Payments	181.7
58	10(d)	Revenue	Child Support Services	Reduction in receipt supported services funding due to unanticipated federal incentive funding due to performance during FFY 05			(181.7)	Receipt Supported Services	(181.7)
59	10(e)	Revenue	Alaska Mental Health Trust Authority, Long Term Care Ombudsman	The Long Term Care Ombudsman's Office (LTCO) receives its funding from DHSS/Senior and Disabilities Services Administration, mostly from a federal grant (Title 3 and Title 7). This year DHSS has reduced the amount of the grant due to unavailable federal funding, so additional general funds are necessary.	38.3		(38.3)	Interagency receipts	0.0
60	11(a)	Transportation	Measurement Standards and Commercial Vehicle Enforcement	<p>1) \$55.0 for costs associated with data acquisition, storage and transfer to meet federal reporting requirements.</p> <p>2) \$15.0 for annual membership in the North American Preclearance and Safety System (NORPASS) to continue deployment of weigh station screening systems equipment.</p>			70.0	Receipt Supported Services	70.0
61	11(b)	Transportation	Southeast Region Facilities	<p>1) \$38.7 for Repairs/Maintenance - Backlog of deferred maintenance issues that need addressed at facilities throughout Southeast</p> <p>2) \$5.0 for travel to inspect facilities.</p> <p>3) \$46.8 for contractual increases for facility janitorial services at the 7-Mile Complex, AMHS Reservations Building and Ketchikan Court and Office Building.</p>	80.5				80.5

FY2007 REGULAR SUPPLEMENTAL REQUESTS

	A	B	C	D	E	F	G	H	I
1	Sec. No.	Department	RDU or Component or Capital	Supplemental Need	General Funds	Federal Funds	Other Funds	Fund Source	Total Funds
62	11(c)	Transportation	Central Region Highways and Aviation	<p>1) Gate Equipment Fleet Cost Increases - \$288.5 - Central Region Highways and Aviation is experiencing higher than anticipated costs of commodities and overruns in other areas of the budget and cannot absorb this increase within the existing FY07 budget.</p> <p>2) Anchorage Snow Haul - \$503.0 - Safety issue as roads are one lane, there is poor visibility associated with large snow piles and pedestrians are forced to walk in road as sidewalks are full of snow.</p> <p>3) Anchorage Street Sweeping - \$274.0 - Must be done per EPA Air Quality Standards in the spring after snow melts and roads are full of sand and chemicals creating air quality issues for Anchorage residents.</p> <p>4) Avalanche Artillery Purchase and Equipment Repair - \$26.0</p> <p>5) Funding for Law Enforcement Officers at state-owned Kodiak Airport - \$20.0 - from March 1 through June 30 due to Transportation Security Administration (TSA) non-negotiable requirement. TSA has warned that flights in and out of Kodiak will be prohibited if Law Enforcement Officers not in place by March 1. Funds are needed to decrease emergency response time to 15 minutes or less per TSA rules. Current airport emergency response time is greater than 15 minutes which is unacceptable to TSA. The department has no choice but to incur this expense.</p>	1,111.5				1,111.5
63	11(d)	Transportation	Northern Region Highways and Aviation	<p>Funding for Law Enforcement Officers at state-owned Cordova Airport from March 1 through June 30 due to Transportation Security Administration (TSA) non-negotiable requirement. TSA has warned that flights in and out of Cordova will be prohibited if Law Enforcement Officers not in place by March 1. Funds are needed to decrease emergency response time to 15 minutes or less per TSA rules. Current airport emergency response time is greater than 15 minutes which is unacceptable to TSA. The department has no choice but to incur this expense.</p>	20.0				20.0
64	11(e)	Transportation	Southeast Highways and Aviation	<p>1) \$208.5 - Overtime resulting from extreme winter weather. Personnel costs associated with plowing, application of materials used for highways and airports this winter.</p> <p>2) \$24.5 - Paint for road striping. Paint being ordered now for spring/summer application.</p>	233.0				233.0
65	11(f)	Transportation	Marine Highway System - Marine Vessel Operations	<p>Unpaid vendors from FY06, including state agencies - Total is \$532,786.91</p> <p>Outside Vendors: Chevron - \$7,985.03; Glacier Family Medicine - \$208.00; Murray Pacific - \$753.91; Worksite - \$1,517.50; Sea Level Transport - \$65,800.00; Southeast Extinguisher Services - \$240.00; Stanley - \$327.25; Tyler - \$823.20; Onis - \$4,035.34; Port of Bellingham - \$1,233.30; Petro Marine - Seward - \$35,455.43</p> <p>State Agencies: State equipment Fleet (DOT) for June - \$46,652.33; Law Bills (DOL) - \$12,695.62; Retirement & Benefits (DOA) - \$25,196.00; Labor Training (AVTEC) - \$9,300.00; Tol. Ferry Reservations (Commerce) - \$53,200.00; Laundry Services (Corrections) - \$103,561.77; UAS Training - \$87,990.00; Southeast DOT Inventory Adjustment - \$9,850.94; AMPIS Travel & Incidentals not processed - \$48,931.29</p>	532.8				532.8
66	11(g)	Transportation	Marine Highway System - Marine Vessel Operations	<p>1) \$1,000.0 - FY07 operating marine highway fund anticipated cash shortfall. Collection of revenues is anticipated to be \$51.0 million and expenditures are anticipated to be \$52.0 million.</p> <p>2) \$300.0 - Crew training after winter lay-up and warranty overhaul - US Coast Guard requirement to operate vessel.</p> <p>3) \$1,900.0 - Under projected vessel operations costs for vessel employee overtime and leave.</p> <p>4) \$2,300.0 - Fairweather unbudgeted winter service.</p>	10,100.0				10,100.0

FY2007 REGULAR SUPPLEMENTAL REQUESTS

	A	B	C	D	E	F	G	H	I
1	Sec. No.	Department	RDU or Component or Capital	Supplemental Need	General Funds	Federal Funds	Other Funds	Fund Source	Total Funds
67	11(h)	Transportation	Capital	New: Cantwell Maintenance Station Remodel and Electrical Repair OSHA inspection found unsafe electrical and building code violations. Electrical service is located in a low lying area that is prone to flooding and the entrance/exit to the building is through the boiler room. Department received an OSHA compliance order for this and is mandated to fix the violation no later than June of 2007.	0				250.0
68	11(i)	Transportation	Capital	New: Thompson Pass Refueling Station OSHA inspection found fuel dispensing machines located inside the maintenance station, creating an unsafe work environment. Fuel dispensing machines must be moved outside of building. Department received an OSHA compliance order for this and is mandated to fix the violation no later than November of 2007. Funds are needed to begin work in FY07 in order to comply with the deadline.	150.0				150.0
69	11(j)	Transportation	Capital - Marine Highway System	Amend FY07 Project: Alaska Marine Highway System - Vessel and Terminal Overhaul and Rehabilitation Unforeseen problems that needed to be repaired during annual overhaul. Unforeseen problems included steering systems, replacing corroded steel decking, life boat and davit refurbishment, turbo charger repair, bow thruster work and electrical generator repair. Without the repairs, vessels would not have been certified for operation during FY07. Repaired vessels include LeConte, Matanuska, Columbia, Kennicott, Taku, and Fairweather.	1,944.0				1,944.0
70	11(k)	Transportation	Capital - Airport Improvement Program Appropriation	The Airport Improvement Program appropriation will increase by \$11,500.0 from \$341,657.1 to \$353,357.1 because of the allocation changes below:					0.0
71	11(l)	Transportation	Capital - Airport Improvement Program Allocation	Amend FY07 Project: Atka Airport Extension and Resurfacing Project includes runway extension and minor realignment, new taxiway and apron, paving of operational surfaces, medium intensity runway lighting, a double bay snow removal equipment building, other related improvements and land acquisition. The department plans to advertise in April.		4,000.0			4,000.0
72	11(m)	Transportation	Capital - Airport Improvement Program Allocation	New: Nightmute Airport Reconstruction Project includes expanding the runway, constructing a runway safety area, taxiway and safety area, relocating and expanding the apron, constructing two single bay snow removal equipment buildings, rehabilitating the airport access road, and acquiring land for airport improvements. The department plans to advertise in June.		3,000.0			3,000.0
73	11(n)	Transportation	Capital - Airport Improvement Program Allocation	New: Nonapitchuk Airport and Access Improvements Project includes extending the runway, installing runway and taxiway lights, improving the airport access road, relocation of the apron, and constructing two single bay snow removal equipment buildings. The department plans to advertise in May.		1,500.0			1,500.0
74	11(n)	Transportation	Capital - Airport Improvement Program Allocation	Amend FY07 Project: Platinum Airport Relocation Project includes relocating the airport, constructing a new runway, installing airport lighting, constructing a new apron and taxiway, constructing an airport access road and equipment storage building. The department plans to advertise in May.		3,000.0			3,000.0
75	11(o)	Transportation	Capital - Airport Improvement Program Allocation	Scope change from Stony River Airport Rehabilitation (ch. 61, SLA 2001, page 32, line 3) to Stony River Airport Relocation and Airport Improvements. Project includes constructing a new airport south of the existing airport to include a new runway, lighting, safety area, apron, taxiway, support area, and an equipment storage building.		0.0			0.0

FY2007 REGULAR SUPPLEMENTAL REQUESTS

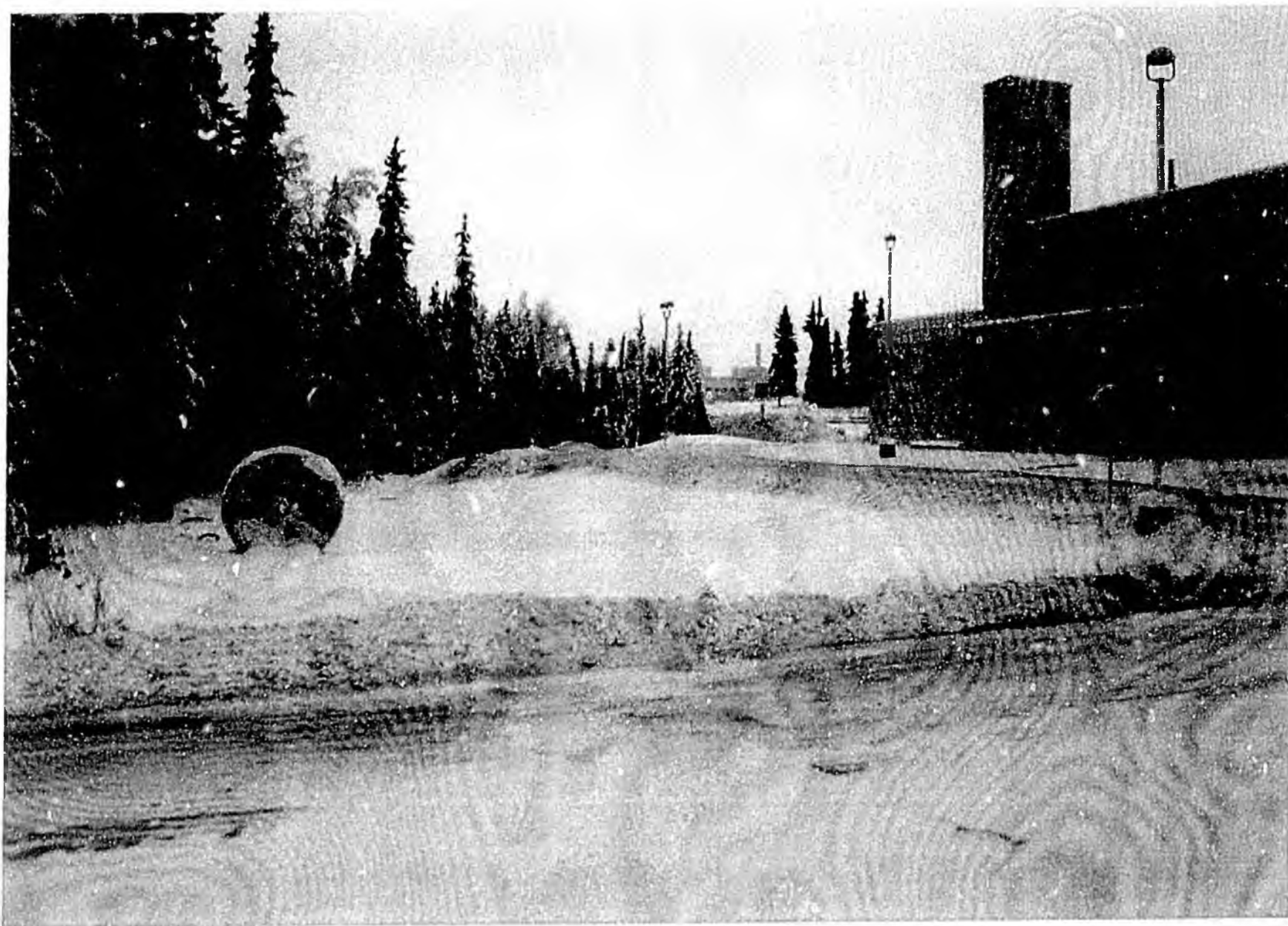
1	A Sec. No.	B Department	C RDU or Component Capital	D Supplemental Need	E General Funds	F Federal Funds	G Other Funds	H Fund Source	I Total Funds
76	12(a)	Fund Transfers	Disaster Relief Fund	Additional funding needed for: 2006 Hooper Bay Fire; \$4,844.1 2006 Southcentral Flood \$6,118.4 2006 Southern Storm \$6,463.2 2006 Kivalina Sea Wall \$233.8	17,659.5				17,659.5
77	12(b)	Fund Transfers	Debt Retirement Fund	Reduce general fund capitalization necessary to fund School Debt Reimbursement due to a \$709.7 increase in the amount of School Fund receipts (cigarette tax) available and a decrease of \$4,855.9 in the amount needed for FY2007 School Debt Reimbursement	(5,565.6)				(5,565.6)
78	12(c)	Fund Transfers	Alaska Marine Highway System Fund	Eliminate the ending FY06 / beginning FY07 negative fund balance of \$10,732,284.58. The negative fund balance is indicative of under collection of unrestricted revenues to support the amounts appropriated from the fund for operation of the system.	10,732.3				10,732.3
79	13	Debt	School Debt Reimbursement	Reduce total School Debt Reimbursement by 4,855.9 from \$93,935.0 to \$89,079.1. Debt Retirement Fund decreases by \$5,565.6 from \$66,935.0 to \$61,369.4 and the School Fund increases by \$709.7 from \$27,000.0 to \$27,709.7.			(4,855.9)		(4,855.9)
80				Regular Supplemental Bill Total	51,393.3	41,588.1	5,506.1		98,487.5
81									
82		Ratification	Department	AR Number and Name					
83	14(a)	Ratification	Natural Resources	AR37313-06 Fire General Fund	6,406,509.85				6,406,509.85
84	14(b)(1)	Ratification	Education	AR17720-04 Quality Schools	51,621.56				51,621.56
85	14(b)(2)	Ratification	Education	AR17720-05 Quality Schools	107,601.48				107,601.48
86	14(b)(3)	Ratification	Health & Social Services	AR23020-05 Behavioral Health Medicaid	3,051,774.30				3,051,774.30
87	14(b)(4)	Ratification	Health & Social Services	AR23301-05 Medicaid Services	2,606,666.14				2,606,666.14
88	14(b)(5)	Ratification	Health & Social Services	AR23551-05 Senior and Disabilities Medicaid	349,170.66				349,170.66
89	14(c)	Ratification	Corrections	Internal department RSA from Administration and Support (AR50560-06) to Institutional Facilities (AR50580-06) to cover inmate costs.	600,807.0				600,807.00
90	15(a)	Lapse of Appropriations - capitalization of funds							
91	15(b)	Lapse of Appropriations - capital projects							
92	15(c)	Lapse of Appropriations - multi-year appropriation							
93	16	Effective date of March 16, 2007 for sec. 4, time sensitive requests							
94	17	Effective date of May 16, 2007							
95									

Department of Health and Social Services

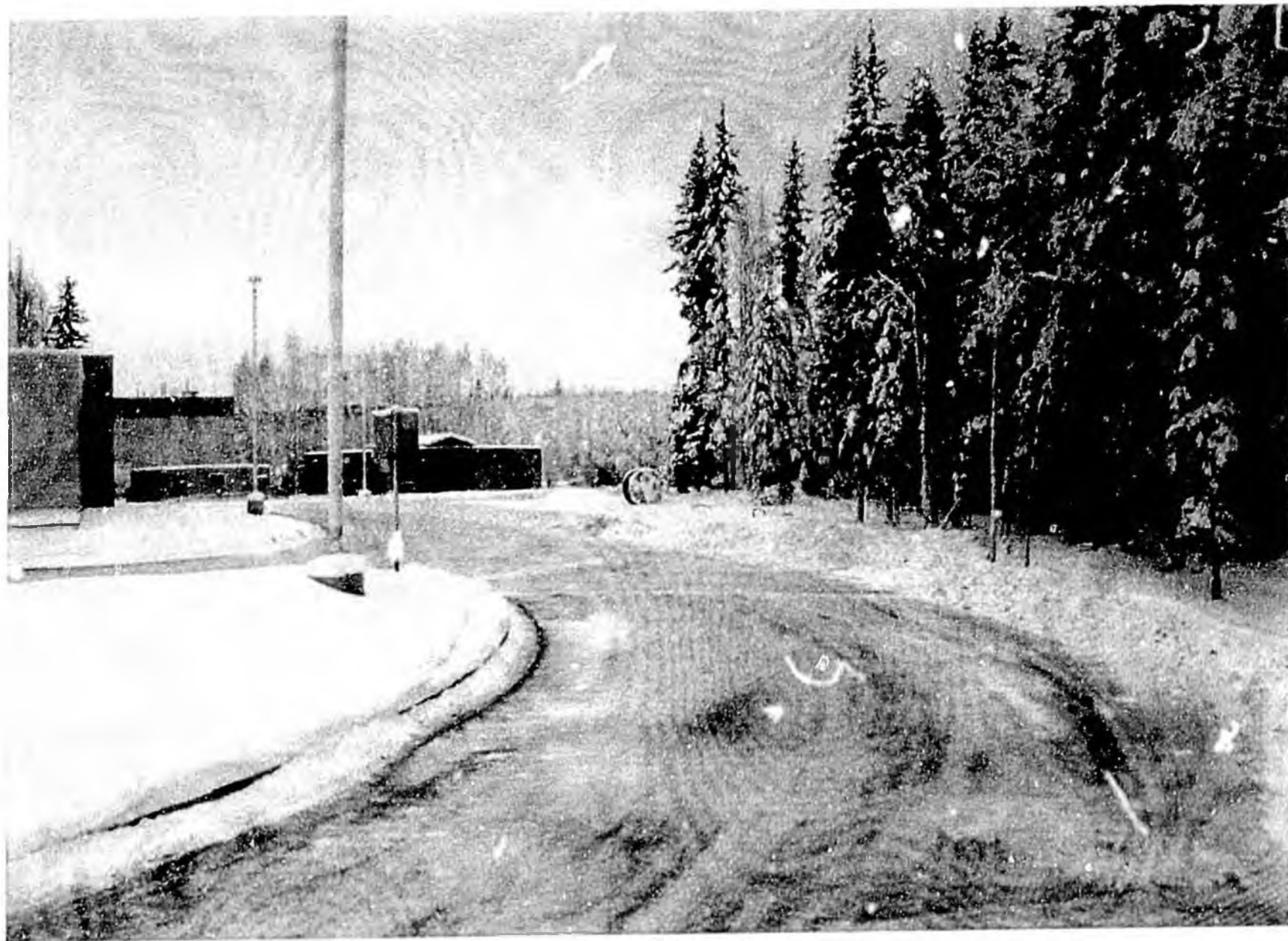
HB 139 Section 1 (f)

Section 1 (g)

Enlarged Photographs



Proposed site of Virology Lab





Existing roof leaks at Sitka Pioneer Home – South Wing



HB

147

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: March 21, 2007

FURTHER REFERRALS:

Date of Committee Action: 2/14/08

The FINANCE Committee considered:

HB 147

HOUSE BILL NO. 147

TOURISM CONTRACT MATCHING FUNDS

"An Act relating to matching funds in state tourism marketing contracts with trade associations."

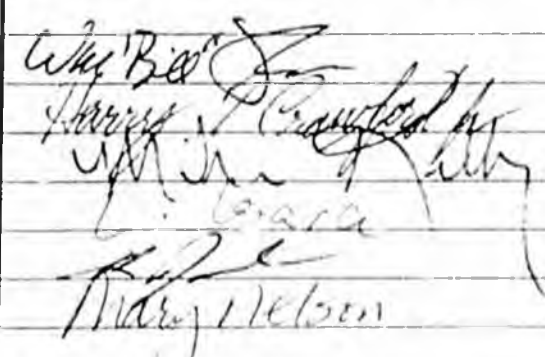
Recommends it be replaced with HCS or CS for HB 147 (FIN)
 For Senate Bills with new title: Technical Title New Title: HCR _____ Same Title New Title

- 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
 LWF
 LAW
 LEG
 MVA
 DNR
 DPS
 REV
 DOT
 UA

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

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

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
	Thomas CRAWFORD Kelly Goral Joule NELSON	X X X X		✓	
Chair:					
Chair: <u>K. Meyer</u>	Meyer			X	

*Adopted
2/14/08*

25-LS0560E
Bannister
2/11/08

CS FOR HOUSE BILL NO. 147()

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

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES HARRIS BY REQUEST, Kelly

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to matching funds and state money for state tourism marketing
2 contracts with trade associations; and providing for an effective date."

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

4 * Section 1. AS 44.33.125(a) is amended to read:

5 (a) Subject to appropriations for the purpose, the Department of Commerce,
6 Community, and Economic Development shall, on or before April 1 of each fiscal
7 year, contract with a single qualified trade association for the purpose of planning and
8 executing a destination tourism marketing campaign during the next fiscal year. The
9 contract may be awarded only if the qualified trade association provides matching
10 funds equal to at least 30 [50] percent of the state money used for [COSTS OF] the
11 marketing campaign described in the contract. Unless the appropriation that funds
12 the marketing campaign is for more than \$8,000,000, the state money used for the
13 marketing campaign may not exceed \$8,000,000. The marketing campaign may
14 promote distinct segments of tourism, such as highway tourism, seasonal tourism,

1 ecotourism, cultural tourism, regional tourism, and rural tourism. Before the contract
2 is executed, the marketing campaign plan must be approved by the department.

3 * Sec. 2. AS 44.33.125(a), as amended by sec. 1 of this Act, is amended to read:

4 (a) Subject to appropriations for the purpose, the Department of Commerce,
5 Community, and Economic Development shall, on or before April 1 of each fiscal
6 year, contract with a single qualified trade association for the purpose of planning and
7 executing a destination tourism marketing campaign during the next fiscal year. The
8 contract may be awarded only if the qualified trade association provides matching
9 funds equal to at least 50 [30] percent of the costs of [STATE MONEY USED FOR]
10 the marketing campaign described in the contract. [UNLESS THE APPROPRIATION
11 THAT FUNDS THE MARKETING CAMPAIGN IS FOR MORE THAN \$8,000,000,
12 THE STATE MONEY USED FOR THE MARKETING CAMPAIGN MAY NOT
13 EXCEED \$8,000,000.] The marketing campaign may promote distinct segments of
14 tourism, such as highway tourism, seasonal tourism, ecotourism, cultural tourism,
15 regional tourism, and rural tourism. Before the contract is executed, the marketing
16 campaign plan must be approved by the department.

17 * Sec. 3. Section 2 of this Act takes effect July 1, 2011.

18 * Sec. 4. Except as provided in sec. 3 of this Act, this Act takes effect July 1, 2008.