

AK LEGISLATURE FINANCE COMMITTEES FILES 2007-2008 3229

Department of Environmental Conservation
Division of Spill Prevention and Response

RESPONSE ACCOUNT

EXPENDITURE HISTORY SINCE INCEPTION (10/2/1994 to PRESENT)

(\$ Thousands)

SITE DESCRIPTION	EXPENDITURES	ENCUMBRANCE
LDF (GC-1) FLOWLINE	\$ 5.2	\$ -
FV GENIE MARU #7,	\$ 16.6	\$ -
FV AMERICAN EAGLE	\$ 51.5	\$ -
M/V SELENDANG AYU	\$ 2,187.6	\$ 6.2
NRDA ISSUS/SELENDANG	\$ 12.6	\$ -
GC-2 OIL TRANSIT LINE	\$ 143.4	\$ 85.0
FLOW ST 2 TRAN OIL LINE RELEASE	\$ 96.5	\$ 14.6
GC2 TANK 8511 SPILL	\$ 10.8	\$ -
ENI ROCK FLOUR #2	\$ 10.8	\$ -
TRANS AK RGV-32	\$ 9.9	\$ -
GC2/FS2 DOL REVIEW	\$ 182.5	\$ 8,570.5
TUNTUTLIAK TF GAS SPILL	\$ 5.4	\$ -
LITTLE SUSITNA RIVER	\$ 1.1	\$ -
TETLIN DIESEL SPILL	\$ 2.3	\$ -
WOMENS BAY KODIAK 96	\$ 1.5	\$ -
NORDALE ROAD DRUMS	\$ 9.0	\$ -
NAVY ARCTIC SUB LAB	\$ 10.7	\$ -
THOMPSON PASS TRANS.	\$ 2.5	\$ -
DENNY PROPERTIES	\$ 119.2	\$ -
VMT 1/10/97	\$ 16.3	\$ -
M/V KUROSHIMA	\$ 562.9	\$ -
CROWLEY BARGE OVERTURN	\$ 7.4	\$ -
6 MILE GROUNDWATER	\$ 21.2	\$ -
GAFFNEY ST AREA WIDE	\$ 103.6	\$ -
BETTY KING	\$ 4.0	\$ -
ARCO DS 16	\$ 1.1	\$ -
EAST POINT SEAFOOD PROCESSOR	\$ 4.6	\$ -
MILNE POINT ROLLOVER	\$ 2.6	\$ -
SAVOOGNA DRUM INVESTIGATION	\$ 4.0	\$ -
HOOPER BAY YUTANA	\$ 1.4	\$ -
EAGLE ASBESTOS	\$ 137.9	\$ -
SADDLE AVE DRUMS	\$ 5.2	\$ -
WHITTIER IMPOUND YARD	\$ 34.5	\$ -
FV RONNY AGROUND	\$ 2.2	\$ -
EULA STREET DRUMS	\$ 3.2	\$ -
NINILCHIK R SULPHUR	\$ 13.1	\$ -
COLVILLE INC ROLLOVER	\$ 30.1	\$ -
CHESAPEAKE TRADER	\$ 8.1	\$ -
ARRC CANYON DERAILMENT	\$ 16.8	\$ -
NORTH COAST/KOYUK	\$ 3.4	\$ -
FLAXMAN ISLAND	\$ 2.3	\$ -
PERP Z PAD	\$ 3.0	\$ -
341 PARKS HIGHWAY DR	\$ 6.4	\$ -
LITTLE DIOMEDE SPILL	\$ 72.9	\$ -
UMIAT WELL #8 GAS	\$ 9.6	\$ -
WILDERNESS ADVENTURES	\$ 31.3	\$ -
SPIRIT OF '98	\$ 9.0	\$ -
WHITTIER STORM DRAIN	\$ 7.9	\$ -
ICICLE SEAFOODS EXPLOSION	\$ 4.6	\$ -

Department of Environmental Conservation
Division of Spill Prevention and Response

SITE DESCRIPTION	EXPENDITURES	ENCUMBRANCE
LILLY LAKE CONDOS	\$ 7.1	\$ -
KODIAK MYSTERY SHEEN	\$ 3.9	\$ -
SWANSON RIVER FIELD	\$ 22.0	\$ -
GOODNEWS BAY SPILL	\$ 10.8	\$ -
POLARIS SCHOOL ABANDONED DRUMS	\$ 20.5	\$ -
F/V WINDY BAY	\$ 24.9	\$ -
TESORO JET FUEL SPILL	\$ 11.1	\$ -
VESSEL QP SINKING	\$ 5.0	\$ -
VILLAGE COMMUNITIES	\$ 8.0	\$ -
6 MILE TRUCK STOP	\$ 54.1	\$ -
APL CHECK VALVE 92	\$ 10.1	\$ -
AIA DRUMS	\$ 4.6	\$ -
AK RAILROAD MI 263.4	\$ 245.3	\$ -
MCCALL PROPERTY	\$ 82.4	\$ -
ARRC MP 152.8	\$ 6.8	\$ -
TOKSOOK BAY	\$ 1.0	\$ -
TOKSOOK BAY	\$ 358.7	\$ -
THANE RD BUNKER	\$ 1.5	\$ -
FORWARD PAD RF	\$ 173.1	\$ -
MP399 TAPS BULLET HOLE RELEASE	\$ 139.3	\$ -
U PAD ACID SPILL/TRUCK ROLLOVER	\$ 36.9	\$ -
PEDRO BAY POWER PLANT	\$ 105.0	\$ -
RIVER TERRACE LAUNDROMAT	\$ 693.0	\$ -
GOLD CREEK WHITE	\$ 23.3	\$ -
INDIAN VALLEY	\$ 16.0	\$ -
WAINWRIGHT SCHOOL	\$ 1.1	\$ -
INDUSTRIAL RD DRM	\$ 3.5	\$ -
NIEUW AMSTERDAM	\$ 4.1	\$ -
WINDRAY	\$ 13.9	\$ -
KOYUKUK RIV FLOOD	\$ 3.1	\$ -
SUB-TOTAL	\$ 6,099.9	\$ 8,676.3

CIP BUDGET APPROPRIATIONS

* NON-BILLABLE APPROPRIATIONS	3118.9	\$	718
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GRAND TOTAL	\$	9,218.8	\$	8,748.1
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Note: Site expenditures less than \$1.0 have been removed from this spreadsheet. This category represents approximately \$8.9. This amount is not reflected in the grand total.

* In addition to accessing the account for emergency spills, the Response Account was used during the mid to late 1990s to fund several CIP budget appropriations to agencies other than DEC. Cost recovery is not sought for non-billable appropriations. This data in this spreadsheet is preliminary.

HB

238

SFIN

FILE

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 3
Bill Version: CSHB 238(FIN)
(H) Publish Date: 4/25/07

Revision Date/Time (Note if correction): _____ Dept. Affected: Revenue
Title Oil & Hazard Substance Response Account RDU Tax and Treasury
Component Treasury Division
Sponsor Representative Meyer
Requester House Finance Committee Component No. 121

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	40.9	40.9	40.9	40.9	40.9	40.9
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	40.9	40.9	40.9	40.9	40.9	40.9

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

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1052 Oil/Haz Rel Prev and Resp Fund	40.9	40.9	40.9	40.9	40.9	40.9
TOTAL	40.9	40.9	40.9	40.9	40.9	40.9

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)

House Bill 238 sets up a subaccount in the response account in the amount of \$40 million. It is anticipated the fund will be managed the asset allocation of 39% Broad Market Fixed Income Pool, 44% Domestic Equity Pool and 17% International Equity Pool to yield a greater rate of return than its current investment in the Gefonsi fund earns.

The above investment management costs include external investment management fees, audit, accounting and custody fees. These costs are projected based on median market returns based on Callan and Associates, March 2007, capital market assumptions.

Prepared by: Susan Taylor, Comptroller
Division Treasury Division
Approved by: Brian Andrews, Deputy Commissioner
Agency Department of Revenue

Phone 465-2352
Date/Time Tuesday, 9:17 am
Date 4/24/2007

FISCAL NOTE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: CSHB 238(FIN)
(H) Publish Date: 4/25/07

Revision Date/Time (Note if correction): _____ Dept. Affected: Dept of Environmental Conservation
Title: An Act relating to the response account of the oil and RDU: Spill Prevention and Response
hazardous substance release prevention and response fund. Component: Response Fund Administration
Sponsor: Representative Meyer
Requestor: House Finance Committee Component No. 2259

Expenditures/Revenues (Thousands of Dollars)

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

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

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

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

Estimate of any current year (FY2007) cost: 0.0

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

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation is intended to increase the revenue to the response account by transferring \$40 million to a new sub-account that would yield a higher return on investment based on an assumption that the funds would not be needed for five years. The response account, however, is an emergency account and access to the full balance may be needed at any time i.e., it is not possible to accurately predict when a catastrophic event may occur. In such cases, the state may incur a significant investment loss depending on how the balance in the new sub-account is invested. Such investment decisions are made by the Department of Revenue not the Department of Environmental Conservation. From a revenue perspective the state will benefit from any increase as a result of a more aggressive investment strategy. More aggressive investment strategies also have higher risk. There are no costs associated with this proposed legislation. However, it is not possible to project the magnitude of the revenue that may be generated since interest rates and interest income will vary from year to year nor can the potential loss from an emergency withdrawal be accurately estimated. Any potential investment loss should not become a limitation for use of the full balance if needed.

Prepared by: Larry Dietrick, Director Phone 465-5250
Division: Spill Prevention and Response Date/Time 4/21/07 11:45 AM
Approved by: Larry Hartig, Commissioner Date 4/21/2007
Agency: Department of Environmental Conservation

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: CSHB 238(FIN)
(H) Publish Date: 4/25/07

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
Title An act relating to the response account of the oil and RDU Centralized Admin Services
hazardous release prevention and response fund Component Finance
Sponsor Representative Meyer
Requester _____ Component No. 59

Expenditures/Revenues (Thousands of Dollars)

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

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

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

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

Estimate of any current year (FY2007) cost: 0.0

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

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Calculating balances created by legislation such as this are within the normal course of business for the Division of Finance.

Prepared by: Debbie Bump, Deputy Director
Division: Division of Finance
Approved by: Kevin Brooks, Deputy Commissioner
Agency: Department of Administration

Phone 465-5615
Date/Time 4/20/07 1:00 PM
Date 4/20/07

REPRESENTATIVE KEVIN MEYER

HOUSE DISTRICT 30

Sponsor Statement for HB 238

"An Act relating to the response account of the oil and hazardous substance release prevention and response fund; and providing for an effective date."

The Response Fund was established in 1986 to provide a readily available source of funding to investigate, contain, clean up and take other action necessary to protect the public and environment from the release or threatened release of hazardous substances.

In 1994 the Response Fund was divided into the Response and Prevention Accounts. The Prevention Account provides operating funds for the Department of Environmental Conservation's Division of Spill Prevention and Emergency Response while the Response Account is maintained for declared disasters and other emergencies. Earnings from the \$50,000,000 Response Account are deposited in the Prevention Account.

House Bill 238 creates a sub-account within the Response Account and directs the Commissioner of Revenue to manage the sub-account to generate a higher rate of return. Since its inception, the Response Account has been managed along with the General Fund and in the last three years has generated a rate of return between 1% and 3%. In 2000 a sub-account was established in the Constitutional Budget Reserve (CBR) that is similar to the one created in HB 238. In the last three years the CBR sub-account has earned between 1% and 7.5% more each fiscal year than the rest of the CBR.

HB 238 maximizes the rate of return on the \$50,000,000 Response Account, while maintaining adequate reserves to respond to an emergency. Generating more earnings from the Response Account will help make the Prevention Account, where expenditures have consistently exceeded revenues, sustainable. A sustainable Prevention Account provides predictable funding for Alaska's spill response infrastructure and will help prevent the emergencies the Response Account is designed for.

REPRESENTATIVE KEVIN MEYER

HOUSE DISTRICT 30

MEMORANDUM

DATE: April 19, 2007
TO: Representative Kevin Meyer
FROM: Mike Pawlowski
RE: Sectional Analysis for HB 238
(Version No. 25 - LS0853\C)

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Directs the Commissioner of Administration to adjust the balance of the Response Account for unrealized net losses.

Section 2. Allows realized income from the Response Account to be transferred to the Prevention Account.

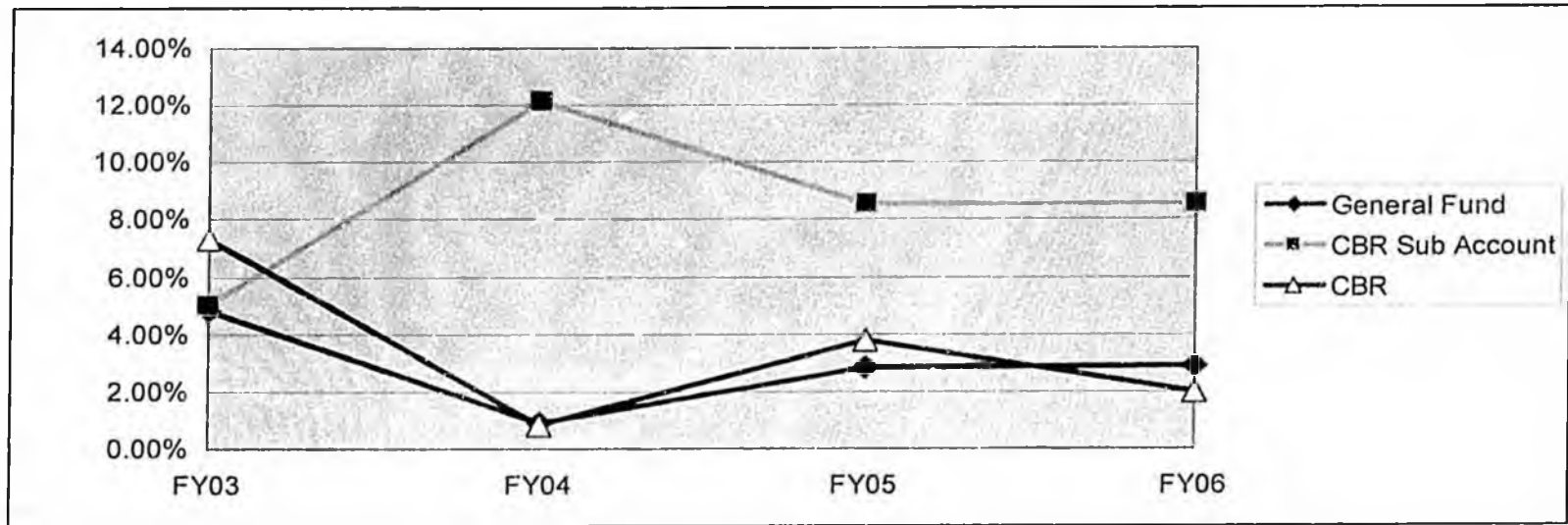
Section 3. Creates a subaccount in the Response Account

Section 4. Directs the Department of Administration to transfer \$40,000,000 to the subaccount created in section 3.

Section 5. Effective date.

Annual Returns for the CBR, CBR Sub Account & the General Fund

Prepared by Representative Meyer's Office



1, 3 & 5 Year Returns for the General Fund, CBR & CBR Sub Account

	1 Year	3 Year	5 Year
General Fund	2.92%	2.22%	3.22%
CBR	1.98%	2.19%	3.97%
CBRF Sub Account	8.57%	9.74%	5.55%

Extrapolated Difference in Earnings Based on 40/10 Split¹

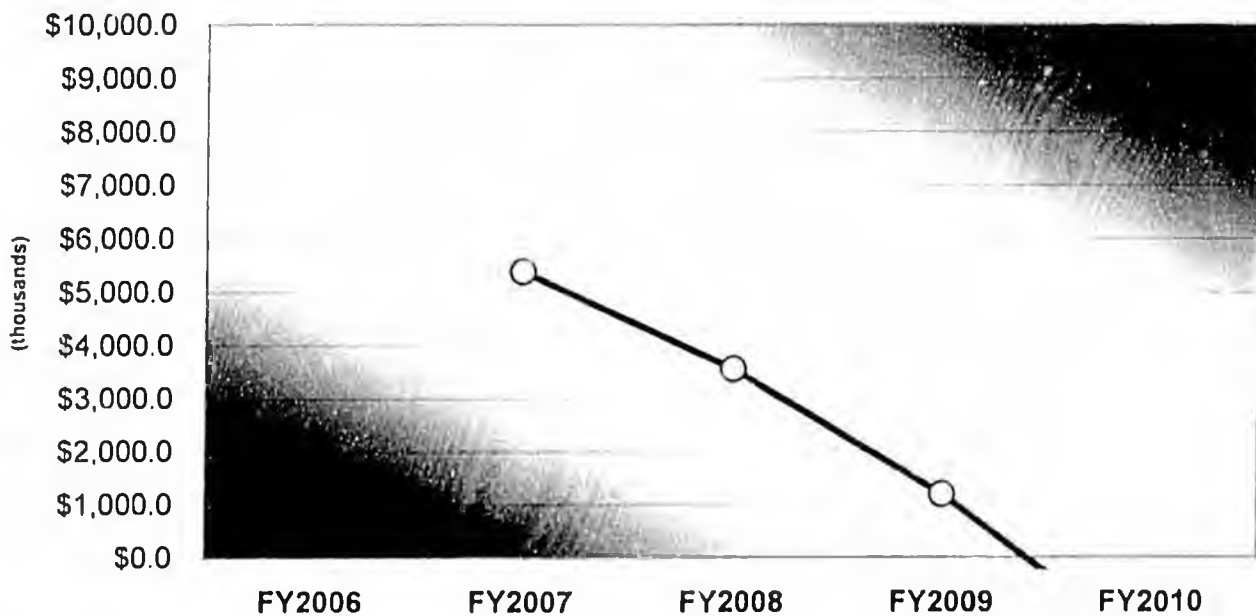
	2003	2004	2005	2006
Status Quo	\$52,410,000	\$50,460,000	\$51,420,000	\$51,460,000
HB 238	\$52,490,000	\$54,944,000	\$53,700,000	\$53,720,000
Difference:	\$80,000	\$4,484,000	\$2,280,000	\$2,260,000

¹ \$40,000,000 invested in the subaccount assuming CBR subaccount returns / \$10,000,000 invested in GF assuming GF returns. No fees are included.

Representative Kevin Meyer
RESPONSE FUND - BALANCE PROJECTION
 Projection Based on the FY08 Operating Budget (House)
 Assumes Response Account Earnings of 2.5%

	FY2005 FUND BALANCE	7,782.7				
		FY2006	FY2007	FY2008	FY2009	FY2010
REVENUE		0.0	12,952.5	12,477.5	12,550.0	12,550.0
4 Cent Surcharge		0.0	7,758.7	9,700.0	9,800.0	9,800.0
Cost Recovery/Fines/Penalties		0.0	2,143.8	1,527.5	1,500.0	1,500.0
Interest		0.0	1,250.0	1,250.0	1,250.0	1,250.0
FY2007 Transfer 1.8 million from CPVF to RF (Language)		0.0	1,800.0	0.0		
 Note: Revenue from change effective 7/1/2006 will be available for use until FY2008 Budgets						
TOTAL EXPENDITURES		0.0	14,725.0	14,314.9	14,914.9	15,514.9
EXPENDITURES IN EXCESS OF REVENUE		0.0	(1,772.5)	(1,837.4)	(2,364.9)	(2,964.9)
OPERATING EXPENDITURES		0.0	14,725.0	14,314.9	14,914.9	15,514.9
DEC + Annual Salary Increases - FY2008 and Out Yrs		0.0	13,402.4	14,814.9	15,414.9	16,014.9
DMVA - Continue Annual Approp from RF		0.0	497.6	0.0	0.0	0.0
DOT - Continue Annual Approp from RF		0.0	825.0	0.0	0.0	0.0
Reduce CPVEC in operating				0.0	0.0	0.0
Unexpended			0.0	(500.0)	(500.0)	(500.0)
Proposed Changes		0.0	0.0	0.0	0.0	0.0
DEC OPERATING			0.0			
DOT OPERATING			0.0			
DMVA OPERATING			0.0			
CAPITAL EXPENDITURES		0.0	0.0	0.0	0.0	0.0
ESTIMATED FUND BALANCE			5,394.1	3,556.7	1,191.8	(1,773.1)

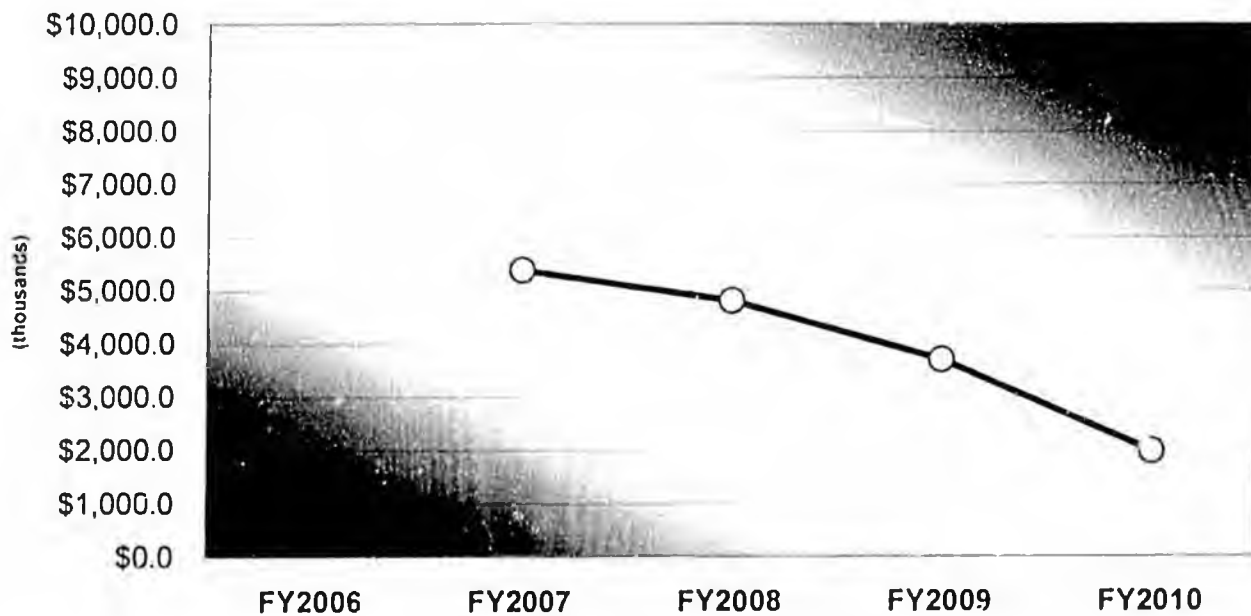
RESPONSE FUND BALANCE



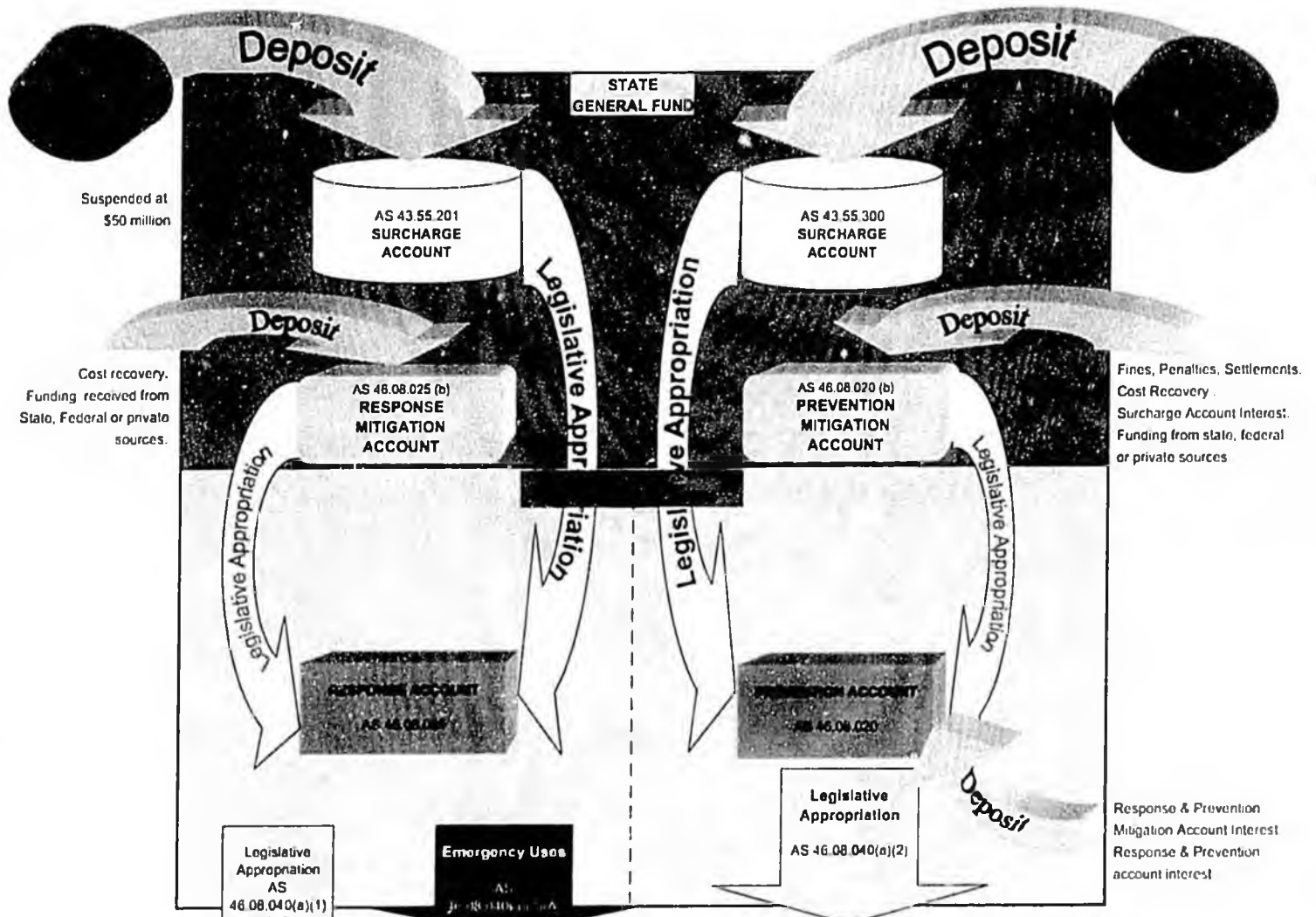
Representative Kevin Meyer
RESPONSE FUND - BALANCE PROJECTION
 Projection Based on the FY08 Operating Budget (House)
 HB 238: Assumes Response Account Earnings of 5%

	FY2005 FUND BALANCE	7,782.7				
		FY2006	FY2007	FY2008	FY2009	FY2010
REVENUE		0.0	12,952.5	13,727.5	13,800.0	13,800.0
4 Cent Surcharge		0.0	7,758.7	9,700.0	9,800.0	9,800.0
Cost Recovery/Fines/Penalties		0.0	2,143.8	1,527.5	1,500.0	1,500.0
Interest		0.0	1,250.0	2,500.0	2,500.0	2,500.0
FY2007 Transfer 1.8 million from CPVF to RF (Language)		0.0	1,800.0	0.0		
Note: Revenue from change effective 7/1/2006 will be available for use until FY2008 Budgets						
TOTAL EXPENDITURES		0.0	14,725.0	14,314.9	14,914.9	15,514.9
EXPENDITURES IN EXCESS OF REVENUE		0.0	(1,772.5)	(587.4)	(1,114.9)	(1,714.9)
OPERATING EXPENDITURES		0.0	14,725.0	14,314.9	14,914.9	15,514.9
DEC + Annual Salary Increases - FY2008 and Out Yrs		0.0	13,402.4	14,814.9	15,414.9	16,014.9
DMVA - Continue Annual Approp from RF		0.0	497.6	0.0	0.0	0.0
DOT - Continue Annual Approp from RF		0.0	825.0	0.0	0.0	0.0
Reduce CPVEC in operating				0.0	0.0	0.0
Unexpended			0.0	(500.0)	(500.0)	(500.0)
Proposed Changes		0.0	0.0	0.0	0.0	0.0
DEC OPERATING			0.0			
DOT OPERATING			0.0			
DMVA OPERATING			0.0			
CAPITAL EXPENDITURES		0.0	0.0	0.0	0.0	0.0
ESTIMATED FUND BALANCE			5,394.1	4,806.7	3,691.8	1,976.9

RESPONSE FUND BALANCE



Oil & Hazardous Substance Release Prevention and Response Fund



* Match federal funds
* Recover cost to the state, municipality, or a school district for cleanup.

* Oil or hazardous substance discharge emergency
* Investigate, evaluate, contain, clean-up, monitor and assess a release or threatened release of oil or hazardous substance that poses an imminent and substantial threat to public health or welfare, or to the environment.

- * Investigate, evaluate, contain, cleanup a release or threatened release of oil or hazardous substances
- * Establish and maintain spill response office
- * Pay for expenses incurred by Alaska State Emergency Response Commission activities relating to oil or hazardous substance release or preparing to respond to the DEC request for support in a response and restoration activity.
- * Pay for all costs incurred in acquiring spill response equipment.
- * Pay costs incurred by LEPC to carry out duties assigned them by AS 26.23.073(g).
- * Provide matching federal funds
- * Pay DCEO for Community and Economic Development of municipal impact grant; assessment of the social and economic effects of the release of oil or hazardous substance; grants to repair, improve, or replace fuel storage facilities under the bulk fuel system emergency repair and upgrade program.
- * Recover the costs to the state, a municipality, a village, or a school district of a containment and cleanup resulting from the release or threatened release of oil or a hazardous substance.
- * Prepare, review, and revise the state and regional master oil and hazardous substance discharge prevention and contingency plans.

* House Bill #3001C amended AS 43.55.201 Sec. 26 and changed the Surcharge from \$ 02 to \$ 01 effective 4/1/2008

** House Bill #3001C amended AS 43.55.300 Sec. 28 and changed the Surcharge from \$ 03 to \$ 04 effective 4/1/2008

Department of Environmental Conservation

Division of Spill Prevention and Response

RESPONSE ACCOUNT

EXPENDITURE HISTORY SINCE INCEPTION (10/2/1994 to PRESENT)

(\$ Thousands)

SITE DESCRIPTION	EXPENDITURES	ENCUMBRANCE
LDF (GC-1) FLOWLINE	\$ 5.2	\$ -
F/V GENIE MARU #7,	\$ 16.6	\$ -
F/V AMERICAN EAGLE	\$ 51.5	\$ -
M/V SELENDANG AYU	\$ 2,187.6	\$ 6.2
NRDA ISSUS/SELENDANG	\$ 12.6	\$ -
GC-2 OIL TRANSIT LINE	\$ 143.4	\$ 85.0
FLOW ST 2 TRAN OIL LINE RELEASE	\$ 96.5	\$ 14.6
GC2 TANK 8511 SPILL	\$ 10.8	\$ -
ENI ROCK FLOUR #2	\$ 10.8	\$ -
TRANS AK RGV-32	\$ 9.9	\$ -
GC2/FS2 DOL REVIEW	\$ 182.5	\$ 8,570.5
TUNTUTLIAK TF GAS SPILL	\$ 5.4	\$ -
LITTLE SUSITNA RIVER	\$ 1.1	\$ -
TETLIN DIESEL SPILL	\$ 2.3	\$ -
WOMENS BAY KODIAK 96	\$ 1.5	\$ -
NORDALE ROAD DRUMS	\$ 9.0	\$ -
NAVY ARCTIC SUB LAB	\$ 10.7	\$ -
THOMPSON PASS TRANS.	\$ 2.5	\$ -
DENNY PROPERTIES	\$ 119.2	\$ -
VMT 1/10/97	\$ 16.3	\$ -
M/V KUROSHIMA	\$ 562.9	\$ -
CROWLEY BARGE OVERTURN	\$ 7.4	\$ -
6 MILE GROUNDWATER	\$ 21.2	\$ -
GAFFNEY ST AREA WIDE	\$ 103.6	\$ -
BETTY KING	\$ 4.0	\$ -
ARCO DS 16	\$ 1.1	\$ -
EAST POINT SEAFOOD PROCESSOR	\$ 4.6	\$ -
MILNE POINT ROLLOVER	\$ 2.6	\$ -
SAVOOGNA DRUM INVESTIGATION	\$ 4.0	\$ -
HOOPER BAY YUTANA	\$ 1.4	\$ -
EAGLE ASBESTOS	\$ 137.9	\$ -
SADDLE AVE DRUMS	\$ 5.2	\$ -
WHITTIER IMPOUND YARD	\$ 34.5	\$ -
F/V RONNY AGROUND	\$ 2.2	\$ -
EULA STREET DRUMS	\$ 3.2	\$ -
NINILCHIK R SULPHUR	\$ 13.1	\$ -
COLVILLE INC ROLLOVER	\$ 30.1	\$ -
CHESAPEAKE TRADER	\$ 8.1	\$ -
ARRC CANYON DERAILMENT	\$ 16.8	\$ -
NORTH COAST/KOYUK	\$ 3.4	\$ -
FLAXMAN ISLAND	\$ 2.3	\$ -
PERP Z PAD	\$ 3.0	\$ -
341 PARKS HIGHWAY DR	\$ 6.4	\$ -
LITTLE DIOMEDE SPILL	\$ 72.9	\$ -
UMIAT WELI. #8 GAS	\$ 9.6	\$ -
WILDERNESS ADVENTURES	\$ 31.3	\$ -
SPIRIT OF '98	\$ 9.0	\$ -
WHITTIER STORM DRAIN	\$ 7.9	\$ -
ICICLE SEAFOODS EXPLOSION	\$ 4.6	\$ -

Department of Environmental Conservation
Division of Spill Prevention and Response

SITE DESCRIPTION	EXPENDITURES	ENCUMBRANCE
LILLY LAKE CONDOS	\$ 7.1	\$ -
KODIAK MYSTERY SHEEN	\$ 3.9	\$ -
SWANSON RIVER FIELD	\$ 22.0	\$ -
GOODNEWS BAY SPILL	\$ 10.8	\$ -
POLARIS SCHOOL ABANDONED DRUMS	\$ 20.5	\$ -
F/V WINDY BAY	\$ 24.9	\$ -
TESORO JET FUEL SPILL	\$ 11.1	\$ -
VESSEL QP SINKING	\$ 5.0	\$ -
VILLAGE COMMUNITIES	\$ 8.0	\$ -
6 MILE TRUCK STOP	\$ 54.1	\$ -
APL CHECK VALVE 92	\$ 10.1	\$ -
AIA DRUMS	\$ 4.6	\$ -
AK RAILROAD MI 263.4	\$ 245.3	\$ -
MCCALL PROPERTY	\$ 82.4	\$ -
ARRC MP 152.8	\$ 6.8	\$ -
TOKSOOK BAY	\$ 1.0	\$ -
TOKSOOK BAY	\$ 358.7	\$ -
THANE RD BUNKER	\$ 1.5	\$ -
FORWARD PAD RF	\$ 173.1	\$ -
MP399 TAPS BULLET HOLE RELEASE	\$ 139.3	\$ -
U PAD ACID SPILL/TRUCK ROLLOVER	\$ 36.9	\$ -
PEDRO BAY POWER PLANT	\$ 105.0	\$ -
RIVER TERRACE LAUNDROMAT	\$ 693.0	\$ -
GOLD CREEK WHITE	\$ 23.3	\$ -
INDIAN VALLEY	\$ 16.0	\$ -
WAINWRIGHT SCHOOL	\$ 1.1	\$ -
INDUSTRIAL RD DRM	\$ 3.5	\$ -
NIEUW AMSTERDAM	\$ 4.1	\$ -
WINDRAY	\$ 13.9	\$ -
KOYUKUK RIV FLOOD	\$ 3.1	\$ -
SUB-TOTAL	\$ 6,099.9	\$ 8,676.3

CIP BUDGET APPROPRIATIONS

* NON-BILLABLE APPROPRIATIONS	3118.9	\$	71.8
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GRAND TOTAL	\$ 9,218.8	\$	8,748.1
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Note: Site expenditures less than \$1.0 have been removed from this spreadsheet. This category represents approximately \$8.9. This amount is not reflected in the grand total.

* In addition to accessing the account for emergency spills, the Response Account was used during the mid to late 1990s to fund several CIP budget appropriations to agencies other than DEC. Cost recovery is not sought for non-billable appropriations. This data in this spreadsheet is preliminary.

HB

244

HFIN

FILE

adopted 5/7/07

25-LS0904M
Kane
5/6/07

CS FOR HOUSE BILL NO. 244()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE JOINT ARMED SERVICES COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act creating an Alaska Decoration of Honor and establishing criteria for awarding
2 the decoration."

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

4 * Section 1. AS 26.05.190 is amended by adding a new subsection to read:

5 (e) The adjutant general shall maintain the Alaska Decoration of Honor Roll.

6 * Sec. 2. AS 26.05 is amended by adding a new section to read:

7 Sec. 26.05.342. Alaska Decoration of Honor. (a) There is created an Alaska
8 Decoration of Honor. The Alaska Decoration of Honor may be awarded to an
9 individual who has been killed in action on or after January 1, 2000, while

10 (1) engaged in an action against any enemy of the United States;

11 (2) engaged in military operations involving conflict with an opposing
12 foreign force;

13 (3) serving with friendly foreign forces engaged in an armed conflict
14 against an opposing armed force in which the United States is not a belligerent party;

1 or

2 (4) serving in or deploying to or from a combat zone as designated by
3 presidential order.

4 (b) To be eligible to receive the Alaska Decoration of Honor, an individual
5 must have been, at the time the individual was killed in action, a member of

6 (1) the Alaska National Guard who was a legal resident of the state;

7 (2) the United States military reserves who was a legal resident of the
8 state; or

9 (3) the regular United States armed forces who was

10 (A) a legal resident of the state; or

11 (B) stationed in the state by a proper order of the United States

12 Department of Defense.

13 (c) The Alaska Decoration of Honor shall be awarded by a concurrent
14 resolution drafted in consultation with the adjutant general's office. The resolution
15 must be

16 (1) introduced by the president of the senate, the speaker of the house
17 of representatives, a member of the legislature who is the authorized representative of
18 the president of the senate or the speaker of the house of representatives, or the chair
19 of the committee of each house of the legislature with primary jurisdiction over
20 military and veterans' affairs; and

21 (2) adopted by both houses of the legislature.

22 (d) The Joint Armed Services Committee shall make arrangements for the
23 designing and awarding of the Alaska Decoration of Honor.

24 (e) The adjutant general shall

25 (1) annually obtain from the United States government a list of
26 individuals who fulfill the criteria described in (a)(1) - (4) and (b)(1) - (3) of this
27 section during the previous calendar year; and

28 (2) not later than December 31 each year, provide this list of
29 individuals to the president of the senate and speaker of the house of representatives;
30 the adjutant general may edit the list to remove from it the name of any individual
31 whose service, in the judgment of the adjutant general, would have resulted in the

1 individual's discharge or release under conditions that were other than honorable.

2 (f) The adjutant general shall enter the name of each recipient of the Alaska
3 Decoration of Honor on the Alaska Decoration of Honor Roll maintained under
4 AS 26.05.190(e).

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: HB244
() Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Legislature
Title "An Act creating an Alaska Medal of Honor and RDU Legislative Council
and establishing criteria for awarding the medal." Component Council and Subcommittees
Sponsor House Rules Committee by request of JASC
Requester House Finance Component No. 783

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	55.0					
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TAL OPERATING	55.0	0.0	0.0	0.0	0.0	0.0

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

1002 Federal Receipts						
1003 GF Match						
1004 GF	55.0					
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	55.0	0.0	0.0	0.0	0.0	0.0

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

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

HB 244 creates an Alaska Medal of Honor and establishes criteria for awarding the medal to an individual. The Alaska Medal of Honor shall be awarded by concurrent resolution drafted in consultation with the Adjutant General's Office and must be adopted by both Houses of the Legislature. This fiscal note includes 5.0 for an artist design of the Alaska Medal of Honor reflective of Alaska and honoring the sacrifice of the recipient. The estimated cost for each Alaska Medal of Honor and shadow box is \$250. The initial order will be for 200 medals with a projected cost of 50.0. Costs for the ordering medals in future fiscal years will be absorbed within existing Legislative budgets.

Prepared by: Karla Schofield, Deputy Director Phone 465-6626
Division Legislative Affairs Agency Date/Time 5/1/07 2:34 PM
Approved by: Pamela Varni, Executive Director Date 5/1/2007
Agency Legislative Affairs Agency

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: HB244-DMVA-VS-5-2-07 REV
Bill Version: HB 244 (H) FIN
() Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Military & Veterans Affairs
Title Creating an Alaska Medal of Honor and establish RDU Military and Veterans Affairs
criteria for awarding medal Component Veterans Services
Sponsor Rules by Request of Joint Armed Services Comm
Requester Military and Veterans Affairs Component No. 421

Expenditures/Revenues (Thousands of Dollars)

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

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

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

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

Estimate of any current year (FY2007) cost: 0.0

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

POSITIONS

Full-time	0.0	0.0	0.0	0.0	0.0	0.0
Part-time	0.0	0.0	0.0	0.0	0.0	0.0
Temporary	0.0	0.0	0.0	0.0	0.0	0.0

ANALYSIS: (Attach a separate page if necessary)

The Department of Military and Veterans Affairs has a very minor role in the award of this medal and does not expect a fiscal impact.

Prepared by: Mr. John Cramer, Acting Deputy Commissioner
Division: Commissioner's Office
Approved by: General Craig Campbell, Commissioner
Agency: Department of Military and Veterans Affairs

Phone (907) 465-4602
Date/Time 5/2/07 4:00 PM
Date 5/2/2007

CONCEPTUAL AMENDMENT 1

OFFERED IN THE HOUSE
TO: CS HB 226 (L&C)

BY REPRESENTATIVE MEYER

1 Page 1, line 1, following "program;"

2 Insert "requiring a review of the program;"

3

4 Page 1, following line 8:

5 Insert a new bill section to read:

6 "*Sec.2. The uncodified law of the State of Alaska is amended by adding a new
7 section to read:

8 REVIEW OF THE STATE TRAINING AND EMPLOYMENT PROGRAM.

9 The Department of Labor and Workforce Development, in consultation with the
10 entities listed in AS 23.15.645(b), shall work with representatives of entities eligible
11 to submit a grant application under AS 23.15.620-23.15.660 and that provide
12 industry specific training, on-the-job training, institutional training, classroom job
13 linked training and employment assistance to conduct a review of the priorities and
14 procedures of the state training and employment program. The entities involved in
15 the review of the state training and employment program must represent organized
16 labor and non-union entities. Following the review, the department shall publish a
17 written report containing its findings and recommendations, including changes, that
18 it recommends be made to state statute and regulations. The department shall deliver
19 the report to the president of the senate and the speaker of the house of
20 representatives on or before the 30th day of the 2008 regular legislative session."

21

22 Renumber the following bill section accordingly.

23

24

AMENDMENT 2

OFFERED IN THE HOUSE
TO: CS HB 226 (L&C)

BY REPRESENTATIVE MEYER

- 1 Page 1, line 8
- 2 Delete "2014"
- 3 Insert "2009"
- 4
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ALASKA STATE LEGISLATURE JOINT ARMED SERVICES COMMITTEE

Representative Nancy Dahlstrom

State Capitol, Rm 409
Juneau, AK 99801
Juneau: (907) 465-3783
Juneau Fax (907) 465-2293
Eagle River (907) 622-3783

Rep_Nancy_Dahlstrom@legis.state.ak.us



Senator Bill Wielechowski

State Capitol, Rm 115
Juneau, AK 99801
Juneau (907) 465-2435
Juneau Fax (907) 465-6615
Anchorage (907) 269-0102

Sen_Bill_Wielechowski@legis.state.ak.us

CO-CHAIRS REPRESENTATIVE NANCY DAHLSTROM SENATOR BILL WIELECHOWSKI

House Bill 244 Creating an Alaska Medal of Honor

Last year, the Legislature passed House Concurrent Resolution 48 resolving that the Alaska Legislature through the Joint Armed Services Committee create the Alaska Medal of Honor and establishing its criteria.

The Alaska Medal of Honor will recognize military service members who have made the ultimate sacrifice in defense of our freedoms. This special medal will be awarded on behalf of the residents of Alaska to an individual who was killed in action while:

- engaged in an action against any enemy of the United States;
- engaged in military operations involving conflict with an opposing foreign force;
- serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party;
- serving in or deploying to or from a combat zone as designated by presidential order.

To be eligible to receive the Alaska Medal of Honor, an individual must have been, at the time the individual was killed in action, a member of:

- the Alaska National Guard who was a state resident,
- the United States military reserves who was a state resident, or
- the regular United States armed forces who was a legal resident of the state or stationed in the state by proper order of the U.S. Department of Defense.

The legislation provides the medal be awarded by a concurrent resolution introduced by the House Speaker or Senate President, or their designees, and be adopted by both houses. In accordance with the legislation, the Joint Armed Services Committee will make arrangements for the designing the medal and writing the standard operating procedures for the awarding of the Alaska Medal of Honor.

In conjunction, the state's adjutant general will enter and maintain the name of each recipient on the Alaska Medal of Honor Roll.

We ask the members of the House Finance Committee support HB 244 giving Alaskans a special way to honor our fallen heroes at home. Thank you.

FISCAL NOTE

Replaud 5/3

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: HB244-DMVA-VS-5-1-07
Bill Version: HB 244 (H) FIN
() Publish Date: _____

Revision Date/Time (Note if correction): _____

Dept. Affected: Military & Veterans Affairs

Title Creating an Alaska Medal of Honor and establish criteria for awarding medal

RDU Military and Veterans Affairs

Component Veterans Services

Sponsor Rules by Request of Joint Armed Services Comm

Requester Military and Veterans Affairs

Component No. 421

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services	0.5	0.5	0.5	0.5	0.5	0.5
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	7.0	7.0	7.0	7.0	7.0	7.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	7.5	7.5	7.5	7.5	7.5	7.5

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

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	7.5	7.5	7.5	7.5	7.5	7.5
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0
Other (Specify Type--Do not abbreviate)	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	7.5	7.5	7.5	7.5	7.5	7.5

Estimate of any current year (FY2007) cost: 0.0

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

POSITIONS

Full-time	0.0	0.0	0.0	0.0	0.0	0.0
Part-time	0.0	0.0	0.0	0.0	0.0	0.0
Temporary	0.0	0.0	0.0	0.0	0.0	0.0

ANALYSIS: (Attach a separate page if necessary)

The department expects that there will be a cost to procure medals as well as minor administrative costs due to this legislation.

Prepared by: Mr. John Cramer, Acting Deputy Commissioner

Division: Commissioner's Office

Approved by: General Craig Campbell, Commissioner

Agency: Department of Military and Veterans Affairs

Phone (907) 465-4602

Date/Time 5/1/07 1:00 PM

Date 5/1/2007

HB

244

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

REPORTED OUT
 MAY 15 2007
 SENATE FINANCE COMMITTEE

DATE: 5/9/07

FURTHER:

 DATE TURNED
 IN TO OFFICE: 5/15/07

Finance Committee considered CS FOR HOUSE BILL NO. 244(FIN) am

HB 244 MEDAL OF HONOR

"An Act creating an Alaska Decoration of Honor and establishing criteria for awarding the decoration."

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 # _____

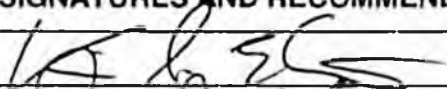
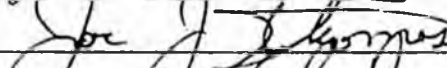
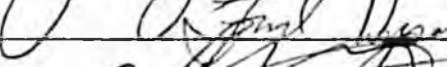
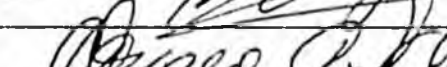
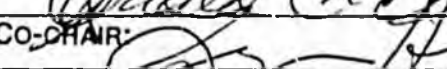
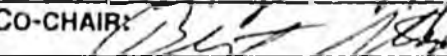

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
LAA	5/1/07	55.0			2
DMVA	5/2/07			✓	1

APPROPRIATION - no fiscal note

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

FISCAL NOTE

REPORTED OUT
MAY 15 2007
 SENATE FINANCE COMMITTEE

STATE OF ALASKA
 2007 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: CSHB 244(FIN)
 (H) Publish Date: 5/7/07

Revision Date/Time (Note if correction): _____ Dept. Affected: Legislature
 Title: "An Act creating an Alaska Medal of Honor and RDU: Legislative Council
and establishing criteria for awarding the medal." Component: Council and Subcommittees
 Sponsor: House Rules Committee by request of JASC
 Requester: House Finance Component No.: 783

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	55.0					
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TAL OPERATING	55.0	0.0	0.0	0.0	0.0	0.0

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

1002 Federal Receipts						
1003 GF Match						
1004 GF	55.0					
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	55.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 0.0

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

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

HB 244 creates an Alaska Medal of Honor and establishes criteria for awarding the medal to an individual. The Alaska Medal of Honor shall be awarded by concurrent resolution drafted in consultation with the Adjutant General's Office and must be adopted by both Houses of the Legislature. This fiscal note includes 5.0 for an artist design of the Alaska Medal of Honor reflective of Alaska and honoring the sacrifice of the recipient. The estimated cost for each Alaska Medal of Honor and shadow box is \$250. The initial order will be for 200 medals with a projected cost of 50.0. Costs for the ordering medals in future fiscal years will be absorbed within existing Legislative budgets.

Prepared by: Karla Schotfield, Deputy Director Phone: 465-6626
 Division: Legislative Affairs Agency Date/Time: 5/1/07 2:34 PM
 Approved by: Pamola Varni, Executive Director Date: 5/1/2007
 Agency: Legislative Affairs Agency

FISCAL NOTE

REPORTED OUT
 MAY 15 2007
 SENATE FINANCE COMMITTEE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSHB 244(FIN)
 (H) Publish Date: 5/7/07

Revision Date/Time (Note if correction): _____ Dept. Affected: Military & Veterans Affairs
 Title Creating an Alaska Medal of Honor and establish RDU Military and Veterans Affairs
criteria for awarding medal Component Veterans Services
 Sponsor Rules by Request of Joint Armed Services Comm
 Requester Military and Veterans Affairs Component No. 421

Expenditures/Revenues (Thousands of Dollars)

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

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

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

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

Estimate of any current year (FY2007) cost: 0.0

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

POSITIONS

Full-time	0.0	0.0	0.0	0.0	0.0	0.0
Part-time	0.0	0.0	0.0	0.0	0.0	0.0
Temporary	0.0	0.0	0.0	0.0	0.0	0.0

ANALYSIS: (Attach a separate page if necessary)

The Department of Military and Veterans Affairs has a very minor role in the award of this medal and does not expect a fiscal impact.

Prepared by: Mr. John Cramer, Acting Deputy Commissioner
 Division: Commissioner's Office
 Approved by: General Craig Campbell, Commissioner
 Agency: Department of Military and Veterans Affairs

Phone (907) 465-4602
 Date/Time 5/2/07 4:00 PM
 Date 5/2/2007

ALASKA STATE LEGISLATURE

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CO-CHAIRS

REPRESENTATIVE NANCY DAHLSTROM SENATOR BILL WIELECHOWSKI

CS House Bill 244 (FIN)am
Creating an Alaska Decoration of Honor.

Last year, the Legislature passed House Concurrent Resolution 48 requesting that the Alaska Legislature, through the Joint Armed Services Committee, create the Alaska Medal of Honor and establishing its criteria.

The Finance Committee Substitute changed the name to the Alaska Decoration of Honor and will recognize military service members who have made the ultimate sacrifice in defense of our freedoms. This special medal will be awarded on behalf of the residents of Alaska to an individual who was killed in action since statehood while:

- engaged in an action against any enemy of the United States;
- engaged in military operations involving conflict with an opposing foreign force;
- serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party;
- serving in or deploying to or from a combat zone as designated by presidential order.

To be eligible to receive the Alaska Medal of Honor, an individual must have been, at the time the individual was killed in action, a member of:

- the Alaska National Guard who was a state resident,
- the United States military reserves who was a state resident, or
- the regular United States armed forces who was a legal resident of the state or stationed in the state by proper order of the U.S. Department of Defense.

The adjutant general will annually obtain a list from the federal government of those who meet the criteria above. The list will then be forwarded to the Legislature for appropriate honors.

The legislature acknowledges the honorees by a concurrent resolution introduced by the House Speaker or Senate President, or their designees, and be adopted by both houses. In accordance with the legislation, the Joint Armed Services Committee will make arrangements for the designing the medal and writing the standard operating procedures for the awarding of the Alaska Decoration of Honor.

In conjunction, the state's adjutant general will enter and maintain the name of each recipient on the Alaska Decoration of Honor Roll.

We ask for your support of CS HB 244(FIN)am to give Alaskans a special way to honor our fallen heroes at home. Thank you.

**STATE OF ALASKA
THE LEGISLATURE**

2006

Source
HCR 48 am S

**Legislative
Resolve No.**
51



Relating to establishing the Alaska Medal of Honor.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS, in times of threats to our nation's security, the armed forces of the United States stand ready to protect our nation; and

WHEREAS the armed forces of the United States also protect the lives and freedoms of individuals from other nations who cannot fight for themselves; and

WHEREAS the armed forces of the United States, which are known for highly skilled military personnel, unwavering patriotism, and undiminishing compassion for others, bravely answered the call to fight for the citizens of Iraq and Afghanistan; and

WHEREAS, as a central location of armed forces training and preparation, the state has sent many members of the Alaska National Guard, the military reserves, the United States Air Force, the United States Army, the United States Marine Corps, the United States Navy, the United States Coast Guard, and the United States Coast Guard Reserve who are state residents or who were stationed in the state to protect the United States from terrorist groups based in Iraq and Afghanistan; and

WHEREAS, in the course of active and unpredictable military duty, members of the

armed forces often become engaged in dangerous situations, endangering their own lives as they act to protect innocent civilians; and

WHEREAS airmen, airwomen, soldiers, marines, and sailors who are state residents or who were stationed in the state have served in some of the most dangerous areas of Iraq and Afghanistan and have come into contact with opposing forces on a daily basis; and

WHEREAS many heroes who were residents of the state or who were stationed in the state have been killed in action, courageously sacrificing their lives to protect the lives of Americans and of foreign citizens; and

WHEREAS the people of the state are grateful to and saddened by the loss of those members of the armed forces who have been killed in action, and stand by the surviving family members in support; and

WHEREAS the members of the armed forces who have been killed in action will be forever remembered as heroes who sacrificed their lives so others could be free from acts of terrorism;

BE IT RESOLVED by the Alaska State Legislature that the legislature establish an Alaska Medal of Honor that may be awarded to residents of the state and those who were stationed in the state who have been killed in action; and be it

FURTHER RESOLVED by the Alaska State Legislature that the Alaska Medal of Honor be awarded to residents of the state or those who were stationed in the state who have been killed in action while engaged in an action against an enemy of the United States; and be it

FURTHER RESOLVED that a recipient of the Alaska Medal of Honor be a resident of the state or have served in the state as a member of the Alaska National Guard, the United States regular armed forces, the United States Coast Guard, or the United States armed forces reserves at the time the combat fatality occurred; and be it

FURTHER RESOLVED that the Joint Armed Services Committee, in conjunction with the Adjutant General of the Alaska National Guard and the commanding officer of Alaska Command or their representatives, prepare and design the Alaska Medal of Honor; and be it

FURTHER RESOLVED that the Joint Armed Services Committee prepare legislation to be introduced and considered during the Twenty-Fifth Alaska State Legislature,

to provide for an Alaska Medal of Honor to help express the gratitude of the people of the State of Alaska to the members of our armed forces who sacrificed their lives in defense of our nation and its freedoms and to their loved ones; and be it

FURTHER RESOLVED that the Joint Armed Services Committee, in conjunction with the Adjutant General of the Alaska National Guard and the commanding officer of Alaska Command or their representatives, prepare and present guidelines for awarding the Alaska Medal of Honor to the Alaska State Legislature for approval.

Hawaii Medal of Honor presented to 120 fallen military personnel

The Hawaii State Senate and Hawaii State House of Representatives convened April 18, 2006 in a special joint session to recognize military service members who have made the ultimate sacrifice.

The families of these fallen service members all received the Hawaii Medal of Honor on behalf of their loved ones.

In 2005, the Legislature passed House Bill 8, which created the Hawaii Medal of Honor.

This special medal is awarded on behalf of the people of the State of Hawaii to an individual who was killed in action while serving our country as part of Operation Iraqi Freedom and Operation Enduring Freedom.

"The Hawaii Medal of Honor is a symbol of our remembering those who stood tall for our values so that we may live in a land perpetuated in righteousness," said Sen. Norman Sakamoto, Chair of the Senate Committee on Education and Military Affairs.

Recipients of the medal include members of the United States Armed Forces, the United States Military Reserves, and the Hawaii National Guard, who were residents of

the State of Hawaii, attended an educational institution in Hawaii, or were stationed in Hawaii by order of the United States Department of Defense.

As of February 28, 2006, Hawaii has lost 120 service members with Hawaii ties, who have sacrificed their lives while in the line of duty.

The effort to identify those eligible for the medal has taken many months, said Rep. K. Mark Takai.

"Working with all the branches of the military, we worked extremely hard to identify each service member who sacrificed their lives," Takai said.

The primary next of kin and their families for each service member were invited to attend.

More than 150 people from across Hawaii, the U.S. Mainland, Guam, Saipan and American Samoa were present as 49 families received the medal at the ceremony on the House Floor.

"We are truly grateful for the sacrifices that these families have made," Takai said.

"This medal is just a small token of our utmost appreciation. It tells these families that

120 war dead: medal — and a vow to never forget

BY ROD OIHA
Advertiser Staff Writer

In an unprecedented tribute yesterday, Hawaii opened its arms and hearts to men and women with local ties who died while serving in Iraq, Afghanistan and Kuwait.

"They were part of our 'ohana," Gov. Linda Lingde said of 120 service members who died between Sept. 2001 and late February 2003. "I want to let you know how we appreciate what they did for us as Americans so that life could continue." She said she will never be for the sake of "I hope the world one day recognizes their families' sacrifices."

LETTER
TO THE EDITOR
RE: HAWAII MEDAL OF HONOR

The Hawaii Medal of Honor is a symbol of our remembering those who stood tall for our values so that we may live in a land perpetuated in righteousness. I am proud to be a part of this special ceremony and to recognize the sacrifices of our fallen heroes. The Hawaii Medal of Honor is a symbol of our remembering those who stood tall for our values so that we may live in a land perpetuated in righteousness. I am proud to be a part of this special ceremony and to recognize the sacrifices of our fallen heroes.

we also grieve for their loss," Takai added.

A planning committee chaired by Rep. Ken Ito, Major General Robert Lee and Sakamoto met for about a year to design and create the medal, and to coordinate plans for the ceremonies slated for next month.

"This is the least we can do for all these families and for the service members who

See Medals presented

THEY WERE PART OF OUR 'OHANA



Six-year-old daughter Mya Williams and mother Brandy received the Hawaii Medal of Honor on behalf of Army Sgt. Eugene Williams, who was killed March 29, 2003 in Iraq. Sgt. Williams was the first casualty with ties to Hawaii. Presenting the medal is House Speaker Calvin Say, while Gov. Linda Lingde offers her condolences.

<<Back



Hawaii Medal Of Honor Recipients Recognized

April 16, 2007 09:30 AM

By Beth Hillyer

HONOLULU (KHNL) - Three thousand six hundred and forty two U.S. service members have died since the conflicts in Iraq and Afghanistan began. Many of those killed in action have ties to Hawaii. Monday, the Hawaii State Legislature will honor those who died in the line of duty.

The family of Marine Major Megan McClung will be among those with heavy hearts attending the ceremony.

Mike and Re McClung have a lifetime of memories of their daughter Megan Malia Leilani McClung.

Re McClung says, "Megan was very proud she was born in the islands."

They are here to receive the Hawaii Medal of Honor on her behalf.

Mike McClung explains, "The state is honoring the service men and women who have lost their lives in Iraq and Afghanistan. This is the second year they have done it and we are very honored they have chosen to this for our service men and women because they are the heros of this thing."

She was killed December 6th when a roadside bomb destroyed her vehicle. She is the highest ranking female marine killed in combat. Instead of her death, her parents focus on her zest for life. Megan was an talented athlete.

Mike McClung states, "She was a world class triathlete competed in the ironman here twice."

She volunteered to serve as a public affairs officer in Iraq.

Mike McClung adds, "Megan believed as we do that everyone deserves freedom of choice and she wanted to go back over there to make sure she helped the American forces bring freedom of choice to the people of Iraq."

Megan would have turned 35 Saturday.

Re McClung concludes, "I think Megan embodied the aloha spirit. What she was known for was her smile, her energy, her positive attitude, her sense of humor, that's all part of the aloha spirit."

There will be more than 80 families and their fallen service members honored on Monday's



Marine Major Megan McClung



ceremony.



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Hawaii Medal of Honor awarded to deceased service members

By Mark Niese
ASSOCIATED PRESS

7:08 p.m. April 16, 2007

HONOLULU – When Marine Lance Cpl. Timothy Brown left for duty in Iraq last fall, his mother promised she would fight her terminal cancer until he returned.

Susan Brown was still alive Monday to receive the Hawaii Medal of Honor for her son, who died at age 21 after just eight weeks in Iraq.

"I was the one trying to hang on until he got home. I should have made him make the same promise to me," she said. "He had an amazing life, even though he was only 21."

Timothy Brown was one of 67 service members with ties to Hawaii who were given the award after dying in Iraq and Afghanistan during the last year.

Brown, of Sacramento, Calif., was killed Nov. 14 after his Humvee was hit by a roadside bomb in Iraq's Al Anbar province. He was assigned to the 2nd Battalion, 3rd Marine Regiment, 3rd Marine Division, III Marine Expeditionary Force at Kaneohe Bay in Hawaii.

The Hawaii Medal of Honor is believed to be the only such state award in the country honoring service members in the Middle East, and this is the second year it has been distributed. Last year, 120 service members received the medal.

"It tears my heart out to see the parents of soldiers who have given the ultimate sacrifice," said Lt. Col. Drew Meyerowich, battalion commander for the Army's 2nd Battalion, 27th Infantry Regiment, who saw 10 out of 16 soldiers lost from his unit receive the medal.

Military leaders, fellow service members, family and elected officials attended the ceremony at the state Capitol to remember those who died. After the names of the deceased were announced, a bell chimed twice as their age and connection to Hawaii was read out.

Then family members or friends, draped with purple lei, walked to the front of the state Senate chamber for the presentation of the Hawaii Medal of Honor, which features the state coat of arms and the Maltese Cross.

"Without the protection of our uniformed men and women, we civilians would not be able to reap the benefits of a free and democratic society," said Rep. Calvin Say, D-St. Louis Heights-Vilhelmina Rise. "We must live in a manner that proves we are worthy of their sacrifice."

The award is given for service members who had been residents of Hawaii, were stationed in the islands, attended college here or were members of the Hawaii National Guard when they died.

The ceremony included a 21-gun salute and the playing of "Taps" from the Capitol rotunda.

During the ceremony, no one talked about the merits of the war in Iraq, instead focusing on upholding the memory of service members who gave their lives for their country.

Marine Cpl. John Sims accepted the medal for 19-year-old Lance Cpl. Ryan A. Miller of Pearland, Texas, who was killed by a roadside bomb Sept. 14 while on patrol in the Anbar province. Miller had been assigned to the 3rd Battalion, 3rd Marine Regiment, 3rd Marine Division, III Marine Expeditionary Force at Kaneohe Bay.

"He was a funny guy. He loved to laugh. He loved to crack jokes. He worked well under fire," Sims said. "This ceremony gave all the family and friends a chance to come together. It means a lot."

More than 43 families or friends of killed service members attended the ceremony. Medals for the others will be mailed or hand-delivered to their families.

Meyerowich, the battalion commander, said the situation in Iraq is improving because the Iraqi people are standing up to terrorism.

"People are sick and tired of terrorists with extremist views distorting the religion of Islam," he said. "They're sick and tired of seeing their society run by explosions."

Hawaii's residents and troops feel the impact of the war because of the military's heavy presence in the islands, said Maj. Gen. Robert G.F. Lee, state adjutant general and director of State Civil Defense.

"It is difficult to say goodbye ... to a loved one who was in the prime of life and their potential didn't have the opportunity to blossom," Lee said. "When brave men die, it is their deeds and not our words that are remembered."

Find this article at:

<http://www.signonsandiego.com/news/military/20070416-1908-wst-medalofhonor.html>

Check the box to include the list of links referenced in this article.

Honolulu Advisor

Posted on: Saturday, April 15, 2006

State honors fallen heroes

By William Cole
Advertiser Military Writer

Cpl. Kyle Grimes wanted to go to college and work for the FBI when he got out of the Marines.

The 21-year-old had a sense of humor. No matter what the situation in Iraq — no matter how dangerous or stressful, he could crack everybody up.

Being in combat made the Kane'ohe Bay Marine realize how important family is, and he wondered if he would make it out to some day have his own.

It is because of those memories Marybeth LeVan has of her son, who died Jan. 26, 2005, and the Hawai'i State Legislature's desire to honor that sacrifice, that she's flying out from Baton Rouge, La., with five family members for a recognition ceremony on Tuesday.

About 200 people from Hawai'i, across the Mainland, Guam and Saipan are expected to attend the Hawai'i Medal of Honor presentation at the 10 a.m. joint session of the Legislature.

As of Feb. 28, 120 service members with Hawai'i ties had given their lives while serving in operations Iraqi Freedom and Enduring Freedom.

When LeVan received the invitation, she said there was no question she would go. She, her husband and daughter, her sister, brother-in-law and niece are spending about \$2,000 apiece for airfare and the hotel stay.

"This is what we have left of (Kyle) — ceremonies like this and remembrances, because memories are all, that's it, that's what we have," LeVan said.

She said the state's Medal of Honor is commendable. "I can't say enough what an honor it is, and what it means to us that other people want to remember our boys as we do," she said.

Theresa Inouye also will be there. Her son, Sgt. Deyson Cariaga, 20, of Kalihi was killed by a roadside bomb in Iraq on July 8 outside Logistics Support Area Anaconda north of Baghdad.



Theresa Inouye, mother of Sgt. Deyson Cariaga, who was killed in Iraq last year, holds a Hawai'i Medal of Honor. The award recognizes Hawai'i-linked military personnel killed in Iraq and Afghanistan.

RICHARD AMBO | The Honolulu Advertiser

The 2002 Roosevelt High School graduate was the only Hawai'i-based casualty from the nearly yearlong Hawai'i National Guard and Reserve deployment to Iraq.

"It's nice to know that people still recognize the fact that the war is still going on out there," Inouye said yesterday. "My son won't be the last, but they are fighting for a cause. I don't want that cause to be forgotten."

Inouye said the nine months since her son's death have been a roller coaster of emotions with many lows. It doesn't get easier, she said. "There's just days you can't believe it happened, still," she said.

Inouye is thankful that the Legislature is recognizing her son's sacrifice. But it also brings back a hurt that remains very raw. "It's a double-edged sword," she said.

She tries to dwell on the things that Deyson liked, including going to the beach, a family vacation to Las Vegas, and regular Jamba Juice runs.

"Little things like that. It's the good things you try to remember," she said.

Recipients of the new medal include active duty, National Guard and Reserve forces who were residents of Hawai'i, went to school here, were stationed here, or were attached to Hawai'i units.

The silver and gold medal, with a circle of kalo leaves and maltese cross representing axes of the globe and Hawai'i as the crossroads of the Pacific, was approved by the Legislature in 2005.

A total of 48 families will be represented at the ceremony from inside and outside the state, officials said. The Medals of Honor that aren't given to families on Tuesday will be sent to home states for presentation.

The special joint session of the Legislature will be held in the House chambers. The public is invited to attend, but there will be no public parking at the Capitol.

Each fallen service member will be recognized by name, the toll of a bell, and presentation of a Koa-cased Hawai'i Medal of Honor to a family member.

The effort to identify those eligible for the medal took many months, said House vice speaker Rep. K. Mark Takai, D-34th (Pearl City, Newtown, Royal Summit).

"Working with all the branches of the military, we worked extremely hard to identify each service member who sacrificed their lives," he said.

Takai, a captain in the Hawai'i Army National Guard, served as the casualty assistance officer for Cariaga's family.

"We are truly grateful for the sacrifices that these families have made," Takai said. "This medal is just a small token of our utmost appreciation. It tells these families that we also grieve for their loss."

Whether future war dead will be honored with a Medal of Honor at a joint legislative session next year or in some other manner hasn't been decided.

Behind the names on the list are deaths and family tragedy that came singly, as with Cariaga, and in multifold loss, as with the crash Jan. 26, 2005, of a CH-53E Super Stallion helicopter in a sandstorm in western Iraq that claimed 31 lives.

The crash remains the single greatest loss of life from the Iraq War. Of the total, 26 Marines and a Navy corpsman were from Kane'ohe Bay. Grimes was one of those Marines.

The Hawai'i unit had lost eight Marines in a suicide car bombing on Oct. 30, 2004. More would die in house-to-house fighting in Fallujah in following months.

Kyle Grimes didn't want his mom to worry, but she learned from other family members what he was facing.

"He saw buddies get killed," LeVan said. "He saw the guy standing next to him lose an arm and a leg."

She has kept in touch by e-mail and phone with other families who lost Marines.

"It's very healing to get together and ceremonies like this (the Medal of Honor) also are very healing for us, knowing other people want to remember our sons," she said.

But like Inouye, she said it's still hard to believe her son is gone.

"I have to remind myself every day that it's really true. It doesn't get any easier. I just expect that's how it will be for the rest of my life, just a big, open wound," she said.

Two Army Reservists, Sgt. Wilgene T. Lieto, 28, and Spc. Derence W. Jack, 31, were killed on Oct. 31, 2005. Both men, from Saipan and assigned to the Hawai'i-based 100th Battalion, 442nd Infantry Regiment, were on patrol north of LSA Anaconda when a bomb exploded.

Cariaga was driving the third of seven Humvees in a convoy heading back to LSA Anaconda on a beat-up asphalt road the military calls Route Heather when a 155 mm artillery shell exploded.

He bore the brunt of the blast and was killed instantly. Two of three Air Force airmen in the Humvee suffered shrapnel injuries and broken ribs.

Theresa Inouye finds herself asking, "When will this all end for myself, and I think just the war in general. I wish ... this war was over with."

79°F / Part, Cloudy

Star Bulletin

Vol. 11, Issue 109 - Wednesday, April 19, 2006

Info | PDA/Text | Corrections | Calendars | Movies | Obituaries | Vital Stats | Weather | Surf

Search

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Back Issues

(1996-Present)

W | T | F | S | S | M | T

Inside | Apr. 19

Hawaii News

- Water bills could rise 15%
- Another big leap in gas cap forecast
- Revival of state hurricane fund considered
- In honor of Hawaii's fallen heroes
- No flood solutions planned
- Homeless could live in parks at night
- Car chase ends as officer shoots tire
- Former charity worker facing more charges
- Priest held top positions in isles
- Former Maui priest remembered for humor
- Food drive planned Saturday
- Maui mayor heads trip to Philippines for centennial
- Third man arrested in Maui fire
- Newswatch, Police/Fire
- Kokuia Line
- Curky's Hawaii
- Obituaries
- Corrections
- Weather

Features

- Kai-na! (Let's eat!)
- MAO Organic Farms offers youth programs
- Da Kine
- By Request
- On the Scene
- Wine

Sports

- Luedtgerodt, a JC swingman, commits to Bows
- Not Hawaii to play tonight's winner
- Simpson scores another award with Gilanville story
- Mid-Pacific's ace
- L.A. bound Orosari
- Lorenzo, Kamohamoha sting top-ranked Iolani
- Iolani rings up another quick ILM rout
- Hawaii Bent
- High School Notebook
- Scoreboard



In honor of Hawaii's fallen heroes

Relatives gather at the Capitol as the state awards posthumous Medals of Honor to 120

By Gregg K. Kakesako
gkakesako@starbulletin.com

Sgt. 1st Class Kelly Martin Liberato Bolor didn't want his son Kyle to grow up without a dad, like he had.

"We were only 2 when our father died," said Bolor's twin brother Kolin, of Maui. "It was hard growing up without a dad."

"He wanted so much to retire from the Army and spend more time with his son, since he knew what it was like never having a dad. Now Kyle is living the same way -- growing up without a dad."

Sgt. Bolor was one of 17 101st Airborne Division soldiers killed Nov. 15, 2003, during a collision of two Black Hawk helicopters.

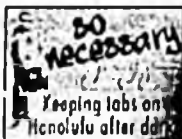
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Reader Poll

Do you think public school teachers should be subject to random drug and alcohol testing?

Sections

- Local News
- Features
- Sports
- Business
- Editorial
- Travel (Sunday)
- Corrections



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- Island Homes
- Jobs
- Government Section
- Bidding Advantage
- Advertise

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DENNIS ODA / DODA@STARBULLETIN.COM
 "It was really a tough year for us," said Kelly Bolor, remembering her husband, Kelly Martin Liberato Bolor. "I lost my father that same year ... (My son) Kyle still looks at pictures at our house and wishes his father was there." Mother and son were at yesterday's ceremony at the state Capitol.

Yesterday the Bolors were among more than 200 family members at the state Capitol attending the first joint House and Senate session to posthumously honor 120 soldiers, Marines, airmen and sailors with Hawaii ties killed in Iraq and Afghanistan between March 2003 and Feb. 28.

The Hawaii Medal of Honor, encased individually in a koa frame, was presented to family or friends of 49 service members. As House Clerk Patricia Mau-Shimizu read each of the 49 names, a lone sailor tolled a brass bell and a family member or friend walked to the podium to receive the medal from Gov. Linda Lingde, Senate President Robert Bundo, House Speaker Calvin Say and Maj. Gen. Bob Lee.

The family members and friends, who came from as far as Saipan and the East Coast, had paid their own way to participate in the first presentation of the Hawaii Medal of Honor. Medals for the other 71 fallen warriors were to be mailed or hand-delivered to their families.

The reading of the last name yesterday was followed by a 21-gun salute. As a bugler played taps in the capitol courtyard, a woman could be heard sobbing as the audience stood silently at attention inside.

TV & Radio
Business

- Michael Dell in deal to buy Hualalai resort
- Sales of Oahu homes fell during Q1
- Sale of KGMB expected by the end of this year
- New Blu-ray format dominates Sony show
- Business Briefs
- The Buzz
- Visitor Arrivals
- Market Watch
- WSJ Sunday
- Dilbert

Editorial

- Shinseki vindicated by retired generals' revolt
- Corky's Editorial Cartoon
- Under the Sun
- Letters

Columns | Apr 19

Kokua Line
 June Watanabe

Corky's Hawaii
 Corky Trinidad

On the Scene
 John Berger

By Request
 Betty Shimabukuro

The Buzz
 Erika Engle

Under the Sun
 Cynthia Oi

Editorial Cartoon
 Corky Trinidad

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DENNIS ODA / OODAW STARBULLETIN.COM
More than 40 families attended yesterday's Hawaii Medal of Honor ceremony during a special joint session of the state House and Senate. Melissa Jack tearfully accepted a medal and certificate from state Rep. Ken Ito.

Lingle told the gathering that she remembered sitting with a group of widows as they dealt with their lives and the infant children who would never know their fathers.

"I hoped that the children would one day appreciate the sacrifice that their father had made and their mother made for our country," she said.

While providing a medal can't take away the pain of losing a loved one, it shows that Hawaii will never forget them, she said.

The sentiment provided some comfort to families who have sacrificed so much.

"It's been a rough road for us," said Brandy Williams, of Waipahu, who received the medal honoring her husband, Sgt. Eugene Williams. "And ceremonies like this, remembrances, you know, and our memories, that's all we have."



DENNIS ODA / DODA@STARBULLETIN.COM
 After the ceremony, Kaleb Witkowski, 5, proudly held the medal awarded posthumously to his father, Spc. Philip Witkowski. Looking on were Tina Witkowski with her other son, Kyle, 2, and her father, Karl Ross.

Sgt. Williams, of Highland, N.Y., was serving with the 3rd Infantry Division in Iraq when he was killed by a suicide bomber posing as a taxi driver on March 29, 2003.

His wife attended the ceremony with daughters Mya, 6, and 3-year-old Monica, who wore a pink dress and a pin with a photo of her father's smiling face. "We made this for the funeral," Brandy Williams said.

For the Bolors, the state's honor is added to several tributes to their family hero.

Koith Bolor said that for the past three years, friends on Maui have held a softball tournament in his brother's honor on Veterans Day, a few days before the anniversary of his death.

And Sgt. Bolor's wife, who is also named Kelly, said that in June, the Army Reserve will rename its training center for the 137th Quartermaster Company in El Monte, Calif., after her husband. A former Army reservist, Sgt. Bolor was called into active duty twice, first for Desert Storm in 1991 and then for the current war in Iraq.

Mrs. Bolor, who lives in Whittier, Calif., with 6-year-old Kyle, said her son took the loss of his father "really hard." She sought counseling for him and enrolled him in martial arts to help him manage his anger.

"It was really a tough year for us," she said. "Kyle still looks at pictures at our house and wishes his father was there."

REMEMBERING THE FALLEN

HB

252

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 4/3/08

FURTHER:

DATE TURNED
IN TO OFFICE: _____

Finance Committee considered CS FOR HOUSE BILL NO. 252(STA)

HB 252 LEAVE FOR ORGAN/BONE MARROW DONATIONS

"An Act requiring paid leave from employment for organ and bone marrow donation."

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 # _____

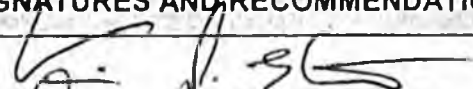

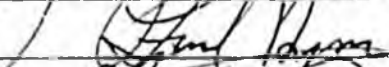
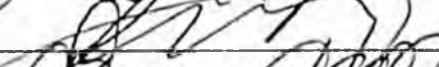



NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
ADM	2/4/08			✓	6
LED	2/19/08			✓	7

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Elton	✓			
	Thomas	✓			
	Dersan	✓			
	Hungary	✓			
	O'Conor			✓	
CO-CHAIR: 					
CO-CHAIR: 	Steinhilber			✓	

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: 7
Bill Version: CSSH 252(STA)
(S) Publish Date: 4/3/08

Identifier (file name): HB252CS(STA)-CED-ARRC-02-19-08 Dept. Affected: DCCED
Title: Leave for Organ/Bone Marrow Donations RDU: Alaska Railroad Corporation
Sponsor: LeDoux et al Component: _____
Requester: Senate State Affairs Component Number: _____

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING		0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
-----------------------------	--	--	--	--	--	--	--	--

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

FUND SOURCE (Thousands of Dollars)

	FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: _____

POSITIONS

	FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

This legislation would require railroad employees to be provided a paid leave of absence to make a personal organ or bone marrow donation.

ARRC is a public corporation supported by revenues generated through its freight, passenger and real estate services. Because ARRC does not receive state funding for operations or capital improvements and is operated as an independent state-owned enterprise, the cost to implement this legislation for railroad employees would fall to the Alaska Railroad Corporation and not the State.

Prepared by: Wendy Lindskoog, Assistant Vice-President, Corporate Affairs
Division: Alaska Railroad Corporation
Approved by: Emil R. Notti, Commissioner
Commerce, Community, and Economic Development

Phone 907.265.2498
Date/Time 2/19/08 5:17 PM
Date 2/19/2008

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: 6
Bill Version: CSHB 252(STA)
(S) Publish Date: 2/8/08

Identifier (file name): HB252CS (STA)-DOA-DOP-02-04-08 Dept. Affected: Administration
Title: "An Act requiring paid leave from employment for organ and bone marrow donations" RDU: Central Administrative Services
Component: Personnel
Sponsor: Representative Ledoux
Requester: (H)HES Component Number: 56

(Thousands of Dollars)

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

	Appropriation Required	Information					
		FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES							
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES							
-----------------------------	--	--	--	--	--	--	--

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

(Thousands of Dollars)

FUND SOURCE	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0
Other Interagency Receipts	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill allows for 40 to 80 hours of time off to make bone marrow or organ donations without taking leave. The effect of this legislation could only be measured in terms of productivity loss. The bill's maximum of 80 hours equals a 4.1% loss of productivity per donating employee (based on 80hrs / 1950 total working hours per year = 4.1%). It is expected that the number of employees taking advantage of the program would be extremely small. However, we do not have any statistics that back up a hard number.

Prepared by: Nicki Neal, Director
Division: Division of Personnel
Approved by: Kevin Brooks, Deputy Commissioner
Department of Administration

Phone 907-465-4429
Date/Time 2/4/08 12:00 AM
Date 2/4/2008



Life Alaska
DONOR SERVICES

235 E 8th Ave, Ste 100
Anchorage, AK 99501
Phone: 907.562.5433 - Fax: 907.562.5333
www.lifcalaska.org
www.alaskadonorregistry.org

May 7, 2007

Representative Gabrielle LeDoux
Alaska State Capitol
Juneau, AK 99801

RE: HB252, "An Act requiring paid leave from employment for organ and bone marrow donation"

Dear Representative LeDoux:


Please accept this letter as a strong endorsement of HB 252; I am most supportive of an initiative that would reduce the financial hardship for those who are willing to offer the gift of life to those who so desperately need the gift of transplantation.

Today, in the U.S., there are more than 95,000 patients awaiting an organ transplant and each day eighteen patients die while waiting. Alaska has approximately 200 patients waiting at the present time. The fact that someone would be willing to donate an organ such as a kidney to another in need is the highest act of selflessness. There simply are not enough organs donated from deceased donors to help the thousands waiting and living kidney donation can make the difference.

In the case of bone marrow donation many thousands of potential donors are needed to find a close enough match for one patient suffering from one of the blood cancers. Without a bone marrow transplant these patients will surely die prematurely.

The financial impact on any individual company in Alaska would be small and supporting these donor patients would be a most honorable community service to Alaskans.

Respectfully submitted,


Bruce Zalneraitis
Chief Executive Officer

Christine Marasigan

From: twood@alaskakidney.com
Sent: Tuesday, May 08, 2007 6:49 AM
To: Christine Marasigan
Subject: RE: draft bill

Dear Ms Marasigan: I am in general support of HB 252, which may encourage more individuals to become living organ donors. At present the need for organ and marrow transplants far exceeds their availability. The paid time off may be generous for certain occupations (desk jobs), but a provision in the bill does allow the donor to return to work sooner at their discretion. Sincerely, Thomas C. Wood, MD, FACP

Christine Marasigan

From: Tana Hughes [tjh@ak.net]
Sent: Wednesday, March 28, 2007 6:20 PM
To: Suzanne Hancock; Christine Marasigan
Subject: regarding bone marrow leave

Dear Gabrielle,

I wanted to personally thank you for your support and your leadership in introducing legislature in the House that will allow administrative leave to be granted to employees should they be lucky enough to be matched to a patient. I have attached a copy of the letter I sent to Sen. Elton in response to his VIP policy letter #266 but would be remiss not to also thank you.

I read once that if the only prayer you said in your whole life was, "thank you," that would suffice.

Thank You,

Tana Hughes

VIP Policy Letter #266

Dear Sen. Elton

As a National Marrow Donor Program drive volunteer I would like to thank you for recognizing the heroic deed of Mr. Begall, for accepting the message of his and Alec's story and for taking it one step further. Drafting legislation in the Senate for administrative leave for bone marrow donors is a commendable and progressive step forward in removing a barrier for potential donors who may wish to join the NMDP.

As a volunteer working with recruitment on Kodiak Island and with the Kodiak Community Marrow Fund, I have unfortunately discovered that the barriers are many. Remote locations, the lack of educational programs, cultural beliefs and financial reasons are just a few of the stumbling blocks we have encountered. But none of those barriers are as difficult to deal with and overcome as the roadblock that has been consistently been thrown up before us by the system for coordinating drives that currently exists for the State of Alaska.

You noted in your policy letter that training to do bone marrow drives in Alaska is now available for free and I would like to comment on that note specifically. Although the training is free, it is not easy to obtain, maintain or sustain in a small community.

As Alaskans we are accustomed to working with agencies outside our state

5/7/2007

attempting to work inside our state. The key to success for any business or venture to be successful in this great state is its ability to be flexible and think outside the box.

As a member of a small group of volunteers I have found the system that currently exists here in Alaska, designed to support the NMDP and a system that **should** support a community's desire to organize self drives to be unorganized, unyielding and un-moldable to the needs of communities outside the Anchorage bowl.

On a personal note I feel it is only fair to let you know that in addition to my role as a volunteer I am also a patient, a potential bone marrow transplant recipient. In 2006 I was diagnosed with Idiopathic Myelofibrosis, the least common of the Chronic Myeloproliferative disorders and the one that carries the worst prognosis. Since that fateful day I have struggled with the knowledge that my survival rests in someone's hands, a stranger across the globe or perhaps across the country. Every face in the crowd is a potential hero to me.

But my story is no different than that of up to 3000 men, women and children **a day** that need to find their own hero. So perhaps I do feel the sting of a system that just doesn't work a little too deeply but maybe that personal attachment will allow me to champion this cause with reckless abandon, to speak about the need, to shout if need be. I just need a few more voices like yours to join the choir. Your input and opinion about how to create a more workable self-drive program for small communities would be of great value. Please feel free to contact me with any comments or questions.

Tana Hughes
Po Box 802
Kodiak, AK 99615
907-486-6369



Ph: (907) 262-5267 Fax: (907) 260-5267
35348 K-B Drive, Suite A4, Soldotna, Alaska

February 29, 2008

To Whom it may concern,

I am sending this letter in support of House Bill Number 406. This bill represents an effort to open up the printing of State Election Ballots to competitive bidders. The Division of Elections is wrong in the decision to outsource this job to one single shop, without giving other qualified Alaska shops an opportunity to bid on these jobs.

This is effectively monopolizing the work, and is not a very cost effective way for the State of Alaska to do business. A sanctioned bidding process ensures that the State is getting the best value possible. This current policy does nothing to foster local Alaska Printers' incentive of "healthy competition." A healthy competition always improves the Alaskan economy because competitors lower prices and increase quality of services and products offered.

The current system in place by the Division of Elections does not support fair competitive business practices.

With the proposals presented in house House Bill Number 406 it will give fellow Alaskans an opportunity to bid on the printing of election ballots. The passing of this bill would greatly benefit the printing industry in Alaska as a whole by giving all qualified parties an equal opportunity to bid.

Shane and Melanie Noblin
Owners of Peninsula Printing



To Whom it May Concern

I am writing to support HR 408 opening the Alaska State election ballots to competitive bid. I believe the practice of sole-sourcing the printing of the elections ballots to a single Alaska printing company should stop. I believe the State has a responsibility to foster fair business practices and opening the printing of the election ballots to competitive bidding would do exactly that. The Alaska printing industry would benefit by this legislation.

Sincerely,
Mike Haffeman
Owner
Kodiak Print Master

2017 Mill Bay Rd.
Kodiak, Alaska 99615
printkodiak@gmail.com

Phone 408-3023
Fax: 480-3785

Apr. 02 2008 01:51PM P2

FAX NO. : 19874063765

FROM : Print Masters of Kodiak

To: Representative Bob Lynn
From: Lambert "Lam" Lavea
Re: HB 406

Hello Representative Lynn.

I am writing to support HB 406 opening the Alaska State election ballots to competitive bid. I believe the practice of sole sourcing the printing of the elections ballots to a single Alaska printing company should stop. I believe the State has a responsibility to foster fair business practices and opening the printing of the election ballots to competitive bidding would do exactly that. The Alaska printing industry would benefit by this legislation.

Sincerely,



Lambert "Lam" Lavea
Printer's Ink Manager
150 Trading Bay Drive, Suite 2
Kenai, AK 99611
(907) 283-4977



SERVICE
BUSINESS PRINTING

Onnie Kendall
General Manager,
Service Business Printing

Re: House Bill 406

Why the bill is good legislation-

- Sole-sourcing the print work doesn't allow for other AK businesses to have the opportunity to benefit from one of the largest State of AK print jobs.
- Opening up the project to bid will allow all those printers capable of the scope of the project to have an opportunity to take it on.
- An open bid process would give the state a balanced purchase price and would open up the prospect for all capable the prospect of winning the business.

Sincerely,

A handwritten signature in black ink, appearing to read 'Onnie Kendall', with a long, sweeping horizontal flourish extending to the right.

Onnie Kendall
General Manager



907-349-7506 Phone
907-349-4398 Fax

February 26, 2008

To Whom it may concern!

I am writing this letter in support of HB 406 and believe strongly the State of Alaska should put the printing of the election ballots out to competitive bid. For years the Division of Elections has seen fit to sole source the printing of the election ballots to a single company and I believe this is unfair and should be corrected. There are many printing companies in Alaska capable of printing the ballots and all of us should have an opportunity to bid.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Martone", written over a horizontal line.

Frank Martone
Owner
A.T. Publishing & Printing, Inc.

W E C O L O R A L A S K A

1720 Abbott Road • Anchorage, AK 99507-3443 • 800-478-0452 Toll Free • E-mail: atpub@alaska.net

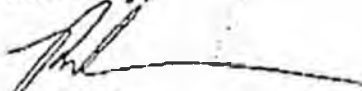
America North Printers

February 26, 2008

To Whom it may concern!

I am writing to support of HB 406, an effort to open the printing of the state election ballots to competitive bid. I believe it is wrong that the Division of Elections sole-sources the printing of the ballots to a single shop, without giving other Alaskan printing companies an opportunity to do the work. I believe the State has a responsibility to foster fair business practices and opening the printing of the ballots to competitive bidding would do exactly that. The Alaska printing industry would benefit by this legislation.

Sincerely,



Paul Winn
Owner
America North Printers



6611 Arctic Blvd. • Anchorage, Alaska 99518

(907) 563-4743 • fax (907) 563-4397 • email: qlprint@qcl.net

March 3, 2008

Anna Fairclough,

I am writing to support HB 406 opening the Alaska State election ballots to competitive bid. I believe the practice of sole-sourcing the printing of the elections ballots to a single Alaska printing company should stop. I believe the State has a responsibility to foster fair business practices and opening the printing of the election ballots to competitive bidding would do exactly that. The Alaska printing industry would benefit by this legislation.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Bob Howard', written in black ink.

Bob Howard



To Whom it May Concern!

I am writing to support HB 406 opening the Alaska State election ballots to competitive bid. I believe the practice of sole-sourcing the printing of the elections ballots to a single Alaska printing company should stop. I believe the State has a responsibility to foster fair business practices and opening the printing of the election ballots to competitive bidding would do exactly that. The Alaska printing industry would benefit by this legislation.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Robt. Marshall', is written in black ink.

Owner



Alaska State Legislature

Please enter into the record my testimony to the House State Affairs Committee
committee name

Committee on House Bill 406, dated 3-6-08
bill # / subject public hearing date

Good Morning members of the committee.

My name is Kerry Noblin and I represent Peninsula Printing. We are a printing establishment located on the Kenai Peninsula in Soldotna. I have spent over 10 years of my life working in the printing industry and of that 10, the last 4 years have been as the proprietor of Peninsula Printing.

I am here today to give testimony in support of House Bill 406. House Bill 406 represents a requirement for competitive bidding on contracts for the preparation of election ballots.

Currently the Division of Elections is contracting this work through one shop, without giving other qualified printing contractors a chance to bid on the job. I can understand that the Division of Elections have become complacent and comfortable with their current arrangement with their sole printing contractor, but the efforts that go into the printing of these ballots are neither a technical nor an extraordinary effort. The printing of State Election specific ballots is a rather simple job when it comes down to the process of completing it. The largest challenge facing any shop competing for this contract is the sheer volume of ballots. There are many printing contractors in Alaska capable of handling these quantities.

Without putting these ballots out for bid, the State is leaving itself at the mercies of one contractor. Allowing this contractor to dictate terms to the State with regards to pricing, quality and turnaround of this job. It is a bad policy to uphold and it also stifles a strong competitive atmosphere.

With the State Election Ballots being put up for bid among qualified Alaskan Printers, not only will the state be stimulating positive economic growth in the Alaska printing industry, but it will also ensure that the State is getting the best deal possible in terms of price, quality and turn around.

The public bid process of the contracting of other election ballots has been successful in the past, and continues to be a success on a municipality and borough level.

In closing, it is my belief that the State should support this bill. The bill not only ensures the State is getting the best deal possible, it will also help stimulate economic growth in the local printing industry. This concludes my testimony and I would like to thank the members of the committee for their time.

Signat: *Kerry Noblin*
 Testifier
Peninsula Printing
 Representing (optional)
35348 K-B Drive, Ste A4, Soldotna AK 99669
 Address
907-282-5287
 Phone number

printworks

To: Alaska House of Representatives
State Affairs committee
Juneau, Alaska

3/3/2008

RE: HOUSE BILL NO. 406

From: Kevin S. Fraley, General Manager
Super Software Inc. DBA - "Print Works"
829 Smokey Bay Way
Homer, Alaska 99603
907-235-8500 ex 226 - Cell 907-299-3545

Dear honorable committee members,

The following phrases come to mind as I write my thoughts about HB 406:

"There are two sides to every story." "The cheapest is not always the best choice."

And "Who says you have to be good at what you do? - You just have to be the cheapest!"

These phrases fit when you think about adopting a bill that will take away the power of the Division of Elections to make sure our election ballots are correctly made and delivered on time.

There are a few things to consider as you make this decision:

- 1 HB 406 makes it difficult for the Division of Elections to guarantee a clean and trouble free election. HB 406 is written with the idea of "making it fair for everyone" - Saving the state money by forcing the Division of Elections to comply with the "lowest bidder" rule. Who says that the Division cannot make sure they are not getting the best price? Or who says that the division is not acting in a fair manner? The Division of Elections has a staff of dedicated people, who are assigned a very difficult job with many tight (almost impossible) deadlines. The Division has an exemption from the bid process that applies to the printing of election ballots. Why was this exemption given? I believe it was given to insure that the Division has the power to make the "best choice" based on other criteria besides just price alone. This criteria includes things like a proven track record and the experience necessary to guarantee that the job is done right. Do we trust them to be fair and to be honest? Is it in the best interest of The State of Alaska to restrict the Division of Elections ability to have control over the ballot preparation process? The passing HB 406 will directly restrict the Division. What is the priority with HB 406? It seems that the priority of HB 406 is favoring the vendor and not the Election process of the State of Alaska. Can we just redo the election if it goes bad? I guess we will have to...

2. Accountability of Ballots. Ballots are like currency. To protect from potential fraud, ballots must be handled and accounted for in a very controlled and systematic manner. Like accounting for money with checks and balances, ballots also require checks and balances (accountability) to insure a valid election. Each and every ballot must be properly accounted for without error. HB 406 has nothing to do with accountability but focuses exclusively on price alone.

There are two Alaskan printers that are "certified" to print "Accu-vote" ballots: Print Works and AT Publishing. While AT Publishing is certified by Global Election Systems (which is now "Premier Election Solutions"), they have only printed ballots for the city of Anchorage. To be certified by Global Elections means that the printer's ability to put ink on paper in Global's specified technical format has been met. No consideration of the printer's accountability system is evaluated in Global's certification process. Unfortunately, we are not talking about just putting ink on paper, it is much, much more than that. The most difficult part of the ballot preparation process is accountability. I emphasize again, each and every ballot must be accounted for with the proper documentation, providing the appropriate "chain of custody" to protect our elections from huge mistakes and improprieties, such as those seen in other state elections. The preparation of our election ballots must not be considered a "simple printing process to be handed to lowest bidder."

3. There is a non-flexible time frame for delivery: Ballots must be in hand 25 days prior to the election:

Sec. 15.15.050. Distribution of election materials.

"The director shall distribute an adequate supply of sample and official ballots and all other materials, forms, and supplies required for the election to the election supervisors for distribution to chairpersons of election boards in precincts not less than 25 days before the date for the election".


Failure to deliver on time is not an option. How can absentee voting happen if delivery is not on time? One might say - "the printer will be responsible to have insurance just in case". What good would insurance do? The ballots are late putting the election in jeopardy. The potential vendor must have a proven track record for on time delivery.

The bottom line is that there are two certified printers in the state of Alaska to print Accu-vote ballots. Premier Election Solutions is no longer certifying any new vendors for ballot printing. Passage of HB 406 will remove control from the Division of Elections for the sake of one vendor.

I urge the committee to research the track record of all parties involved. Please contact the Division of Elections, The Municipality of Anchorage, or any other city in the state which uses Accu-vote ballots, and research both printers before consideration of this bill.

Thank you for your consideration and time.

Respectfully,



Kevin S. Fraley
General Manager

Testimony by Patrick Foster (A.T. Publishing) in Favor of HB 406
Opening the state election ballots to competitive bid

Good Morning!

Chair Lynn and Members of the Committee, my name is Patrick Foster and I have been working in the print industry in Alaska for nearly 30 years and currently work for AT Publishing & Printing in Anchorage.

I am here in support of HB 406 , opening the state election ballots to competitive bidding for all Alaskan printing companies.

The State of Alaska uses the Diebold electronic ballot readers for the purpose of tallying results for statewide elections. Diebold requires printing companies who print ballots destined for their machines be certified by them. At the time the State of Alaska adopted the use of these ballot readers in the mid 1990's, no companies in Alaska were certified. Shortly thereafter a small Alaska printing company was certified and the Division of Elections has sole-sourced nearly \$2 million to this company since. This is done despite the fact that a number of other Alaskan printing companies have voiced a desire to be included in the process. My company, AT Publishing, became a certified Diebold printer in 2003.

I am aware there is probably a certain "comfort level" the Division has in working with a printer that has proven to do a decent job. I make a living

trying to give my customers that same comfort, and have succeeded in the recent ballot-printing contract in Anchorage. The Municipality of Anchorage went through five election cycles sole-sourcing the printing of its 160,000 ballots with another printer before the decision was made to put the printing of ballots out to competitive bid. The Municipal Clerk was admittedly concerned moving forward with a new printer, but since has found the change was relatively easy and the city has benefited by paying less for the ballots. My company printed Anchorage's election ballots from 2004 through 2006 and the Municipality put a new contract out for bid this year. I am certain that the State Division of Elections would develop a fine working relationship with any printing company that would be awarded the contract for printing its ballots.

Some might claim that the complexity of the Alaska ballots is reason enough to leave things the way they are, but nothing is further from the truth. The task of printing a few hundred thousand ballots would be daunting for some small shops, but they wouldn't bid on this project anyway. There are, however, many companies in Alaska fully capable of handling the volume of work in the time required and handle the packaging and shipping logistics as well. As printing jobs go, the ballots are fairly easy to produce. They do require careful imprinting and packaging, but nothing beyond the scope of many jobs produced by dozens of Alaskan printing companies each year.

Another concern is that the Division of Elections could be bogged down putting each election cycle out to bid. I recommend that each bid be awarded for one election cycle with a performance option for a second cycle.

Opening the election ballots to competitive bid would have a variety of positive effects, including the likely savings of a substantial amount of money. The level playing field would open the door for more Alaskan printing companies to be involved, giving them the opportunity to upgrade their facilities and improve their standing in Alaska and the print industry. Additionally, the State would not have to put all their eggs in one basket, relying on just one printing company for the printing of the ballots.

This concludes my testimony. I would be happy to answer any questions you may have.

Additional Information:

- To be certified as a Diebold ballot printer, a printing company must send Diebold a check for \$5000 along with a small sample print job (from Diebold files). Diebold then tests the sample ballots and either approves or denies the certification. The certification process takes about two weeks.
- Over the past decade I have made a number of attempts to open the process, as have some of my colleagues in the industry only to find ourselves chasing our tails. The Division of Elections claims it is the decision of the Lt. Governor and the Lt. Governor's office has said it was up to the Division of Elections.
- The Municipality of Anchorage saved more than \$10,000 on ballot printing costs alone during the first year of its competitively awarded contract and realized more than \$35,000 in savings over a three-year period. Bids were reduced another 10% this year, likely saving the Municipality of Anchorage an additional \$20,000 - \$30,000 over the next three years.
- In a meeting with Lt. Governor Sean Parnell in February 2007, the Lt. Governor told me he was supportive of the idea of going out to competitive bid, but was concerned that Outside companies could possibly win the bid. This issue is easily handled with the use of the Alaska Product Preference rules and creating a production timeline that would make it difficult for Lower 48 companies to accommodate.

It may be possible to exclude Lower 48 companies from bidding on the ballots.

- According to a state legal opinion on similar legislation, the Division of Elections has the authority to determine its own bid specifications and is not required to utilize the State procurement process.
- The Division of Elections is also protected from having to seek competitive bids for the election ballots because of an exemption in the Administrative Procurement Act. This exemption should also be removed from statute.
- I have spoken with many different representatives from printing companies about the possibility of them becoming Diebold certified. Almost every one I contacted said there was no point if the State was not going to give them an opportunity to bid on the ballots. Since the Municipality of Anchorage has gone to bid on its ballots, two companies have indicated to me they were strongly considering it.
- The Municipality of Anchorage required any printing company submitting a bid for printing its ballots must be certified by Diebold prior to the bid submission. Dane Sutterfield, a procurement specialist for the Municipality of Anchorage, told me he released the bid proposals with enough time for interested printing companies to achieve the certification.

March 7, 2008

Re: Rebuttal from Patrick Foster, A.T. Publishing, HB 406

Rep. Anna Fairclough!

Since Mr. Fraley's letter mentions my company by name, makes inferences regarding our capabilities, and at times distorts what I believe is the true intent of the legislation, I thought it important to share with you some rebuttal points of my own. I have not changed any of Mr. Fraley's original text, but have separated out areas where I felt a response was warranted. Except where Mr. Fraley is quoting text under his 3rd point near the bottom of his letter, all italicized text is my own. I have separated and made bold any particular points I felt the need to respond to.

Please feel free to contact regarding anything here.

Many thanks,

Patrick Foster
A.T. Publishing & Printing, Inc.
907-240-6616

To: Alaska House of Representatives
State Affairs committee
Juneau, Alaska

3/3/2008

RE: HOUSE BILL NO. 406

From: Kevin S. Fraley, General Manager
Super Software Inc. DBA - "Print Works"
829 Smokey Bay Way
Homer, Alaska 99603
907-235-8500 ex 226 - Cell 907-299-3545

Dear honorable committee members,

The following phrases come to mind as I write my thoughts about HB 406:
"There are two sides to every story." "The cheapest is not always the best choice."
And "Who says you have to be good at what you do? - You just have to be the cheapest!"

These phrases fit when you think about adopting a bill that will take away the power of the Division of Elections to make sure our election ballots are correctly made and delivered on time.

There are a few things to consider as you make this decision:

1. HB 406 makes it difficult for the Division of Elections to guarantee a clean and trouble free election. HB 406 is written with the idea of "making it fair for everyone" - Saving the state money by forcing the Division of Elections to comply with the "lowest bidder" rule.

Who says that the Division cannot make sure they are not getting the best price?

Anytime you have a sole-sourced contract, there is not guarantee of price. When Whitney Brewster testified in Senate State Affairs last year on a similar bill, she was asked (I think by Sen. Gary Stevens) if the Division ever considered getting bids from other Alaskan companies, if for no other reason than for comparison? Her answer was "No".

Or who says that the division is not acting in a fair manner?

No one! Some consider sole-sourcing an unfair practice when there are many other companies willing and capable to handle the work.

The Division of Elections has a staff of dedicated people, who are assigned a very difficult job with many tight (almost impossible) deadlines.

If he's talking about the Division's responsibilities to manage elections, I agree, it must be an enormous task. If he's referring to the printing process, these deadlines are not "almost impossible", by any stretch. A shop like mine can easily print and package the ballots within the time frame required by the Division. Smaller shops would take longer. In Anchorage, there are at least a half dozen shops who have as much capacity as mine. The current director said there was only 16 days to get the job turned around. That is plenty of time.

The Division has an exemption from the bid process that applies to the printing of election ballots. Why was this exemption given?

According to research done by Jason Hooley from the Lt. Governor's office, the exemption was put in place in the early 1960's when there were very few print shops in Alaska and none capable of producing the "punch-style" ballots used at that time. The exemption has not been challenged since. Today, dozens of Alaskan printing companies currently exist that can print the ballots.

I believe it was given to insure that the Division has the power to make the "best choice" based on other criteria besides just price alone.

This criteria includes things like a proven track record and the experience necessary to guarantee that the job is done right.

Not sure what he is saying here. Prior to the first time he did the ballots, he had never done them!

Do we trust them to be fair and to be honest?

Is he accusing other Alaska printing shops of being dishonest?

Is it in the best interest of The State of Alaska to restrict the Division of Elections ability to have control over the ballot preparation process?

Yes, and a qualifying bid process would do that very nicely.

The passing HB 406 will directly restrict the Division.

This is not the case. The Division would be in charge of determining what requirements need to be met in the printing process and would lay out those requirements in the bidding specifications.

What is the priority with HB 406? It seems that the priority of HB 406 is favoring the vendor and not the Election process of the State of Alaska.

Not at all the case, it favors the state of Alaska getting the fairest price while fostering fair business practices in the process.

Can we just redo the election if it goes bad? I guess we will have to...

2. Accountability of Ballots. Ballots are like currency. To protect from potential fraud, ballots must be handled and accounted for in a very controlled and systematic manner. Like accounting for money with checks and balances, ballots also require checks and balances (accountability) to insure a valid election. Each and every ballot must be properly accounted for without error.

HB 406 has nothing to do with accountability but focuses exclusively on price alone.

Accountability is part of the bid specifications.

There are two Alaskan printers that are "certified" to print "Accu-vote" ballots: Print Works and AT Publishing.

While AT Publishing is certified by Global Election Systems (which is now "Premier Election Solutions"), they have only printed ballots for the city of Anchorage.

The MOA ballots represents exactly the same printing and delivery circumstances as the State ballots. Additionally, the MOA requires a faster turnaround than the current State specifications.

To be certified by Global Elections means that the printer's ability to put ink on paper in Global's specified technical format has been met. No consideration of the printer's accountability system is evaluated in Global's certification process. Unfortunately, we are not talking about just putting ink on paper, it is much, much more than that. The most difficult part of the ballot preparation process is accountability. I emphasize again, each and every ballot must be accounted for with the proper documentation, providing the appropriate "chain of custody" to protect our elections from huge mistakes and improprieties, such as those seen in other state elections. The preparation of our election ballots must not be considered a "simple printing process to be handed to lowest bidder."

He is correct in everything except the part about not going to the lowest responsible bidder. Every shop in Alaska handles jobs that require all the things he mentions here.

3. There is a non-flexible time frame for delivery: Ballots must be in hand 25 days prior to the election:

Sec. 15.15.050. Distribution of election materials.

"The director shall distribute an adequate supply of sample and official ballots and all other materials, forms, and supplies required for the election to the election supervisors for distribution to chairpersons of election boards in precincts not less than 25 days before the date for the election".

Failure to deliver on time is not an option. How can absentee voting happen if delivery is not on time? One might say – "the printer will be responsible to have insurance just in case". What good would insurance do? The ballots are late putting the election in jeopardy. The potential vendor must have a proven track record for on time delivery.

The bottom line is that there are two certified printers in the state of Alaska to print Accu-vote ballots. Premier Election Solutions is no longer certifying any new vendors for ballot printing. Passage of HB 406 will remove control from the Division of Elections for the sake of one vendor.

This means only that Diebold no longer is taking \$5000 from Alaskan printing companies wanting to print ballots. Now, all companies can participate in the process, not just two of us. There is available an email statement from Premier Elections Solutions that they are out of the business of certifying, but are willing to work with individual state's desiring some form of printing certification. They recognize the printing of ballots requires much more than simple ink on paper.

I urge the committee to research the track record of all parties involved.

I'd like to know exactly what he's talking about here.

Please contact the Division of Elections, The Municipality of Anchorage, or any other city in the state which uses Accu-vote ballots, and research both printers before consideration of this bill.

This is not about two printers... it IS about all printers in Alaska having an opportunity to bid on the ballots. But, since he brings it up, I have a performance letter from the MOA regarding our work the recent ballot printing contract.

Thank you for your consideration and time.
Respectfully,

Kevin S. Fraley
General Manager



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Bone marrow donor, recipient's family connect in Juneau

Native boy meets his rare match in emotional reunion at the airport

Leonard Begaii was driving to work about six weeks ago in New Mexico when he got a phone call that changed his life.

He answered it, but the caller was silent. He was about to hang up when he heard an emotional voice.

"She told me, 'My name is Rachel. I'm the mother of Alex Cesar,'" he said. "That's the patient you donated the bone marrow to.' "

A year and a half after helping save the life of a Juneau boy, Begaii had finally learned the boy's name.

This week, Begaii, 29, was able to meet him. He and his family were flown up from New Mexico to meet Alex and his family, to celebrate the boy's eighth birthday and be honored by the city Monday evening.

"I just wanted to help somebody out," Begaii said. "I kept wondering who got it, where it went to."

Alex's battle with leukemia inspired a statewide drive for bone marrow in 2005. More than 1,000 people registered in the National Marrow Donor Program across Alaska.

A match was not easy to find for Alex, who is one-quarter Filipino and three-quarters Tlingit. It came from an unexpected source: a Navajo man in New Mexico.

Begaii arrived at a donating facility just as the staff was closing it down one afternoon in April. He talked them into taking one last sample. The blood matched, and a transplant took place later in October.

Much of Begaii's desire to donate sprung from health issues that his own son faced. When his son, Xavier, was an infant, doctors discovered a rare chromosomal disorder. They said the boy had six months to a year to live.

Now he's 10.

Begaii decided to donate the marrow even though it was against his Navajo beliefs, he said. The Navajo say that if you give away part of your body, you give away part of your spirit.

"With my wife standing behind me through the whole procedure, I was glad to do it," he said.

The transplant process has been overwhelming for Alex's family, but it was successful.

Alex's mother, Rachel Dugaqua, said Begaii saved Alex's life. She and Alex's aunt, Andrea Quinto, and other family members gathered at the Juneau International Airport on Friday to meet Begaii and his extended family - but the flight was sent to Sitka due to snow. They were able to land later.

"You don't know what to expect," Dugaqua said as she waited for the plane. "It's been a major roller coaster of emotion."

"We called," she added. "We got to talk on the phone. He sent me a photo, and we sent him photos too. But it's all very different face-to-face."

Alex was playing with other kids. When asked if he wanted to talk about his experiences, he just shook his head. He's shy, his family said.

Every family member was affected differently by the events, Quinto said.

"For me, it was a fight to find a donor," Quinto said. "You got to fix what's broken. But you can't fix it if the doctors don't have what they need."

"We have a good success story," she added. "We just happened to be the lucky ones."

Begaii and his family have been enjoying the snow and getting to know Alex. They were able to bring their five children, ranging in ages 4 to 12, and several other family members for a total of nine. They all watched Monday evening as Begaii was named an honorary citizen of Juneau.

The visit has been hectic at times. But meeting Alex and his family has given Begaii a sense of peace.

"It put my heart at ease," Begaii said. "I'm glad somebody is alive today because of what I did."

• Ken Lewis can be reached at ken.lewis@juneauempire.com.

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http://www.juneauempire.com/stories/032007/loc_20070320018.shtml

Once again friends rally to help Nome lawmaker in crisis

TRANSPLANT: Colleagues and others offer money, even kidneys.

By ANNE SUTTON
The Associated Press

(Published: April 30, 2007)

JUNEAU -- In 1991, the state representative from Nome was facing trial on federal gun charges. Six unregistered machine guns and a 50 mm Soviet mortar were among the items found in Richard Foster's possession.

In many other places, such troubles could be grounds for a recall. Instead, Foster's constituents threw a fundraiser to help pay for his defense.

Now, in the face of a more serious challenge -- he has a life-threatening kidney disease and needs a transplant -- friends once again are rallying to Foster's side.

Half a dozen people at the Alaska Capitol have offered him one of their kidneys, and more than 200 legislators, staff members, lobbyists and well-wishers turned out in Juneau last month to raise money to help cover out-of-pocket expenses for him and his wife, Catherine.

"I was real touched and humbled by it, especially by the donors who came out of the woodwork to help," said Foster, the father of eight adult children and one teen. "You have all these people in the building here, and they are at each other's throats sometimes, but when someone needs help, they are the first to step forward."

A silver-haired, easygoing man with a ready and somewhat manic laugh, Foster has a knack for making friends. At the fundraiser, the stories flowed thick and fast about his corny jokes and biting sense of humor.

Lobbyist Paul Fuhs, a former Nome city manager, drew the biggest laugh with his story of walking with the legislator in his hometown on the edge of the Bering Sea. When a seagull swooped past, dropping a deposit on Foster's head, Fuhs figured Foster would want to tidy up, so he asked if he should fetch some toilet paper.

"Nah," Foster said, "he'll be long gone by then."

On the House floor, Foster rarely joins in legislative debate and is often observed leafing through



Rep. Richard Foster, D-Nome, has a life-threatening kidney disease and needs a transplant. Alaskans are rallying to Foster's side, with half a dozen people in the Capitol offering him one of their kidneys. (CHRIS MILLER / The Associated Press)



Rep. Richard Foster, D-Nome, has a life-threatening kidney disease and needs a transplant. Alaskans are rallying to Foster's side, with half a dozen people in the Capitol offering him one of their kidneys. (CHRIS MILLER / The Associated Press)

gun magazines. He is better known for his birthday roasts to colleagues, and for "Fridays at Foster's," the end-of-the-week music jam he hosts in his comfortable offices decorated with photographs of the thousands of people who've visited over the years.

Foster said most legislative bills aren't relevant, anyhow, to residents of his far-flung, often icebound northwestern district. He represents the city of Nome, population 3,540, and 28 Native villages -- of which only two are connected to each other by road and none to the greater world.

"There are a thousand bills introduced here every two years and they don't mean a thing to people in Savoonga or Diomedes," Foster said. "Like seat belt laws. Most of my villagers don't even have a car. They all use ATVs (all terrain vehicles) or snowmachines."

CAPITAL BUDGET IS PRIORITY

As a lawmaker, he keeps a single-minded focus on the capital budget and its ability to build jobs and infrastructure in remote, cash-poor villages. In homes there, the toilet is often a bucket behind a curtain in a corner off a main room.

"The question is trying to get good, safe conditions, water and sewer mostly, and affordable power," said Foster, whose ancestry is part Scandinavian, part Eskimo. "When I came (to the Legislature) in 1988 they had just found out in Shishmaref that their drinking water pond was built on an old Eskimo cemetery. They were drinking human remains."

His constituents certainly recognize the importance of seniority and Foster's success in bringing projects home.

In recent years, those have included schools in White Mountain, Sheldon Point, Hooper Bay, Chevak and Stebbins, the repaving of several airport runways, and smaller community projects like washeterias and dust and erosion control.

The senior member of the House of Representatives, Foster is now in his 10th two-year term. He has also remained a member of the House majority during his long tenure despite a shift in power 14 years ago from Democrats to Republicans.

He kept his party affiliation but joined the Republican caucus with three fellow rural Democrats. The move angered those who were left in the minority, but former lawmaker and Anchorage Democrat Ethan Berkowitz said he came to appreciate the pressures that the state's handful of rural lawmakers work under.

"If I don't get a capital project, no big deal. We'll get it later on," Berkowitz said. "If he doesn't get a school, that means his family, his friends, aren't going to get the education they deserve. That's a very heavy burden."

Berkowitz took an annual birthday ribbing from Foster for a boating mishap near Juneau early in his own decade-long tenure.

"He doesn't take a bath; he just washes ashore." was one of Foster's lines.

Foster also honored the event with a song, a handmade model of the capsized boat and a tongue-in-cheek request to the U.S. Board of Geographic Names to consider renaming the spot Berkowitz Island where the legislator spent a cold, wet night before he was rescued by the Coast Guard.

"It's the accident that will never stop giving," Berkowitz said with a laugh.