

ALASKA TEST COMPTON 9072-9072 7/98

2010 HSA - HB 286 - HB 339

H B

286

COMMITTEE REPORT

HOUSE

FURTHER: FINANCE

3/9/81

(5)

Date: 3-27-81

Mr. Speaker:

The Committee on STATE AFFAIRS has had HB 286

"An Act making a special appropriation for the 1982 Arctic Winter Games; and providing for an effective date."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
- and recommends _____ new title
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Will

John B. Fuller

[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

David L. [Signature] no rec

Will

CHAIRMAN

ALASKA STATE LEGISLATURE



HOUSE OF REPRESENTATIVES

REPRESENTATIVE SALLY SMITH • 321 CHURCH STREET • FAIRBANKS, ALASKA 99701 • IN JUNEAU: POUCH V • JUNEAU, ALASKA 99811

March 12, 1981

Phil Younker, President
Arctic Winter Games Host Society
Fairbanks North Star Borough
P. O. Box 1267
Fairbanks, Alaska 99707

Dear Phil,

Thanks for your letter on behalf of the Arctic Winter Games Host Society stating your position on the continued funding for the 1982 games.

House Bill 286 would appropriate \$6,178,400 for funding the 1982 Games. This bill was introduced Monday and referred to House State Affairs. I am sending State Affairs Committee Chairman, Representative Mike Miller, a copy of your letter.

If you have additional comments, I urge you to contact Rep. Miller at Pouch V, Juneau, Alaska 99811. Meantime, we'll be pushing the bill from this end.

Again, thank you for taking the time to present your position on this issue.

Sincerely,

A handwritten signature in cursive script that reads "Sally Smith".

Sally Smith
Alaska State Representative

cc: Rep. Mike Miller ✓

fairbanks north star borough

p.o. box 1267 520 fifth ave. fairbanks, alaska 99707 907-452-4761



March 10, 1981

Representative Mike Miller
Pouch V, State Capitol
Juneau AK 99811

Dear Representative Miller:

The Arctic Winter Games Host Society is extremely interested in seeing that the necessary funds for the 1982 Games be appropriated as early as possible. Your support of HB 286, which appropriates the necessary capital and operating funds for the Games, would be deeply appreciated by the participants in the Games from throughout Alaska.

The Host Society has been formed and meets on a regularly scheduled basis. An executive director has been hired and facilities are in the process of being scheduled for use. It is imperative that early funding for the "Big Dipper" ice rink renovation, Birch Hill ski trail improvements, and operations aspects of the Arctic Winter Games be given serious consideration.

Alaska is hosting the Northwest Territories and Yukon Territory for the 1982 Arctic Winter Games, and it is important that Alaska show the same hospitality as the Northwest Territories and Yukon Territory did in the last two Arctic Winter Games.

In order to make the Games a success, it is going to take the cooperation of local and State officials throughout Alaska. Please feel free to contact me at 456-4218 for any assistance we can give you concerning details on facilities and the Arctic Winter Games operation.

Sincerely,

Phil Younker
by RH

Phil A. Younker, President
Arctic Winter Games Host Society

PAY/RWM/sek

PROPOSED CAPITAL AND OPERATING BUDGETS
1982 ARCTIC WINTER GAMES

CAPITAL BUDGET

RENOVATION OF BIG DIPPER ICE RINK \$5,573,000

Convert unheated, natural ice facility to heated, artificial ice rink. Insulate building; install false ceiling, artificial ice system, new Casher system; expand seating capacity; renovate existing locker rooms and add new locker rooms; renovate restrooms; add approximately 5,000 square feet for additional seating, mechanical, and Zamboni storage room; improve lighting; add new concession areas; add new public address system; scoreboard and pressbox; add new official's room; add meeting room (capacity of 75); increase and renovate existing shop area for Parks and Recreation maintenance.

BIRCH HILL SKI TRAIL RENOVATION/ADDITION 105,400

Renovate approximately 4 KM of Birch Hill Trail and 6 KM of Husky Trail. Add 5 KM of trail to provide 15 KM loop. Renovate balance of trails to provide for dual tracks, reduce steep grades and sharp turns.

TOTAL CAPITAL BUDGET REQUEST \$5,678,400

OPERATING BUDGET

Administration	\$ 75,000
Accommodation	75,000
Catering	125,000
Ceremonial	20,000
Communications	35,000
Engineering	45,000
Facilities	45,000
Hospitality	35,000
Information	50,000
Medical	15,000
Sports Equipment	45,000
Special Events	30,000
Transportation	60,000
Contingencies	25,000
Miscellaneous	<u>20,000</u>

TOTAL OPERATING BUDGET REQUEST \$ 700,000

FUNDS REQUESTED FOR 1982 ARCTIC WINTER GAMES \$6,378,400

please give a copy to all of our Rep. from the Fairbanks area. please! 660-1812
St Gov Miller & Gov Jay Hammond. please! Fairbanks, AK 99701

State Legislators:
House of Rep.

Dear Rep Smith:

please support HB 286 arctic winter Games Funding.
please give a copy to all of our Rep. from the Fairbanks
area. we really need them to work for us back home
here. for the following project funding:

HB 286 is a special Request from me in full
support of this Bill.

Believe me if it wasn't important I wouldn't
ask you. All of you Rep. know I only want
to see our present Buildings Renovated before new
ones are constructed.

I ask your support with Street Paving & Street
lights, and Solar Collector Funding.

I sincerely hope this Request will not over
burden you.

as our Rep. I do have the greatest respect for each
of you. It just is you're in the position to help us
here in Fairbanks get on feet, and get the city
cleaned up from dirty & dusty streets dark streets
with little to no lights. as well as helping us to
get our deteriorating Buildings Reconstructed.

I don't think I need to tell you how much it
means to me and our Residents and how much I
Thank you for helping us. a Sincerely Uating Resident. MARY

1982
ARCTIC WINTER GAMES
PROPOSED
CAPITAL & OPERATING BUDGETS

PREPARED BY:

FAIRBANKS NORTH STAR BOROUGH

John A. Carlson, *Mayor*

Richard McCarthy, *Director*

Parks & Recreation

February, 1981

FAIRBANKS NORTH STAR BOROUGH ASSEMBLY

Dave Brennen, *Presiding Officer*

Bruce Wammack

Kevin Harun

Juanita Helms

Jerry Norum

Joseph Marshall

Harry Reimer

Mike Ribar

C.L. Lee Wareham

Ron Punton

Wally Droz

Fairbanks North Star Borough

P.O. Box 1267

Fairbanks, Alaska 99707

(907) 452-4761

fairbanks north star borough

p.o. box 1267 520 fifth ave. fairbanks, alaska 99707 907-452-4761



February 5, 1981

Alaska Legislature
Pouch V
Juneau AK 99811

Dear Legislator:

The Fairbanks North Star Borough is honored to be the host municipality for the 1982 Arctic Winter Games, March 14-19, 1982. Canadian communities such as Whitehorse, Yellowknife, Hay River and Pine Point have provided Alaskans with first-class accommodations and facilities in previous Games, and it is our desire to return this gracious hospitality on behalf of the State of Alaska in 1982 by staging a successful Arctic Winter Games.

Traditionally, the State of Alaska has provided funds for athletes to travel to the Games, and in 1974 provided financial assistance to the City of Anchorage for hosting the Games. Because of the state-wide and international nature of this event, the Fairbanks North Star Borough has prepared this funding proposal for your consideration.

Contractual commitments between the Borough and the Arctic Winter Games Corporation require the 1982 Games Society, a non-profit corporation, to hire an executive director no later than 12 months prior to the start of the Games. Also, the centerpiece facility for the Games--the Big Dipper Ice Rink--faces a rigorous timetable for renovation if it is to be completed by March of 1982. For these reasons, an early appropriation is critical to the success of the Games.

I look forward to working with you over the next several weeks on this proposal. If you have any questions, do not hesitate to contact me or members of my staff.

Sincerely,

A handwritten signature in cursive script, appearing to read 'John A. Carlson'.

JOHN A. CARLSON
Borough Mayor

JAC/sek

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BIG DIPPER RENOVATION

Purchased from the U.S. Army as a surplus hangar, the Big Dipper Ice Arena serves nearly 2,000 people in ice skating activities ranging from organized hockey for all ages to skating for handicapped children. Renovation of the Dipper was proposed by members of the hockey community who cited these handicaps in the present facility:

- The ice season is unpredictable, since formation of natural ice is dependent upon the weather. Seasons can start late and end early, depending on the rise and fall of the thermometer. (In 1981, the Big Dipper was unusable many days in January and February due to unseasonably warm weather).
- Locker rooms and rest rooms are inadequate, with not enough space to accommodate the dozens of teams that utilize the facility.
- Because the building is unheated, spectators are exposed to nearly the same temperatures that exist outdoors. In the extremely cold weather that Fairbanks frequently experiences, this leads to discomfort, low attendance and occasionally, cancellation of events.
- Seating is uncomfortable.

With the Arctic Winter Games scheduled for the third week in March, it is possible that the weather would not permit utilization of the ice rinks inside and adjacent to the Dipper. Ice events could be scheduled at the University of Alaska hockey rink, but all ice time would be dedicated to competition. No rinks would be available in Fairbanks for teams to practice on between events.

Renovation of the Dipper will assure that two sheets of artificial ice will be available in Fairbanks for use by athletes participating in the 1982 Arctic Winter Games. In addition, a Design Review Committee is working with the architect selected for the Dipper renovation to work toward making the project a model of what can be achieved in terms of rehabilitation of existing facilities using citizen participation and input as a highly valuable resource.

BIG DIPPER RENOVATION BUDGET

Building renovations	\$4,357,000
Ice rink system and dashers	400,000
A&E design fees	381,000
Equipment	215,000
Administration costs	<u>220,000</u>
TOTAL	\$5,573,000

HOST SOCIETY RESPONSIBILITIES FOR 1982 ARCTIC WINTER GAMES

Although the Fairbanks North Star Borough is the host municipality for the 1982 Arctic Winter Games, the responsibility for managing and staging the Games rests with the 1982 Arctic Winter Games Society, a non-profit corporation that is responsible to and controlled by the Borough. (See contractual agreement between the Borough and the Arctic Winter Games Corporation.) Ten board members have been appointed to the corporation by the Borough Mayor.

Sponsorship of the Arctic Winter Games is a rigorous undertaking, with strict contractual commitments spelled out in the agreement between the Borough and the Arctic Winter Games Corporation, and in the corporation's handbook for staging the Games. Some of these responsibilities include:

1. Hire an executive director at least 12 months prior to the start of the Games. Provide the director with adequate office space, support staff and support services.
2. Hire a Coordinator of Sports at least 6 months prior to the start of the Games.
3. Provide accommodations and meals for all athletes, coaches, managers, mission staff, cultural groups, visiting officials, referees, VIPs, and others.
4. Provide office space for each unit's mission staff.
5. Provide adequate communication facilities for efficient communication between all Games sites, press room, accommodation centers, etc.
6. Provide regular bus service at no cost for participants to and from accommodation sites, sports venues, catering facilities and social activity centers; private vehicles at no cost for mission staff, Corporation Directors and a car pool for visiting guests; adequate transportation for participants and luggage to and from arrival and departure points.

For further information, see "Responsibilities of Host Organization" section in the Appendix.

ATHLETIC EVENTS--1982 ARCTIC WINTER GAMES

The Arctic Winter Games Corporation has determined the following schedule of athletes and sports for the 1982 Arctic Winter Games.

<u>EVENT</u>	<u>CLASSIFICATION</u>	<u>ATHLETES</u>	<u>TOTAL PER UNIT*</u>
Arctic Sports	Male	8	11
	Female	3	
Badminton	Junior Men	4	16
	Junior Women	4	
	Open Men	4	
	Open Women	4	
	Coaches	2	
Basketball	Junior Men	8	36
	Junior Women	8	
	Open Men	9	
	Open Women	9	
	Coaches	2	
Cross Country Skiing	Juvenile Boys	4	26
	Juvenile Girls	4	
	Junior Boys	4	
	Junior Girls	4	
	Open Men	4	
	Open Women	4	
	Coaches	2	
Curling	Open Men	4	8
	Open Women	4	
Figure Skating	Open	16	18
	Coaches	2	
Gymnastics	Female	5	6
	Coach	1	
Hockey	Midget	17	38
	Pee Wee	17	
	Coaches	4	
Indoor Soccer	Junior Boys	8	18
	Junior Girls	8	
	Coaches	2	
Judo	Open	7	8
	Coach	1	

<u>EVENT</u>	<u>CLASSIFICATION</u>	<u>ATHLETES</u>	<u>TOTAL PER UNIT*</u>
Shooting	Junior	5	
	Open	10	
	Coach	1	16
Snowshoeing	Junior Men	3	
	Junior Women	3	
	Open Men	3	
	Open Women	3	
	Coaches	2	14
Snowshoe Biathlon	Junior (open)	3	
	Open	3	
	Coach	1	7
Table Tennis	Junior Men	4	
	Junior Women	4	
	Open Men	4	
	Open Women	4	
	Coaches	2	18
Volleyball	Junior Men	9	
	Junior Women	9	
	Open Men	10	
	Open Women	10	
	Coaches	2	40
Mission Staff			<u>6</u>
TOTAL			288

*Each unit--Alaska, Yukon Territories and Northwest Territories--is allowed this number of athletes. Total number of athletes for the Games is 864.

A P P E N D I X

CONCEPT OF THE ARCTIC WINTER GAMES

The Arctic Games are intended to be a common ground for developing northern athletes, for promoting cultural and social interchange among northern peoples, and for providing a vehicle for education, understanding and friendship between all peoples, cultures and races inhabiting the northern regions of the continent. The lateral interchange between northern neighbors was to complement rather than replace the north/south contact which had dominated the athletic and social life of each of the three jurisdictions.

The achievement of individual excellence in athletics, while a desirable result of the competitions, is not a primary motive. Instead, the Corporation has taken the approach that the fundamental purpose of the Games is to encourage mass participation by all ages, cultures and walks of life, in a broad range of athletic activity. The increasing level of skill is expected to result from, rather than to be, the primary motive of the philosophy. In addition, the Arctic Winter Games are considered to provide a broader range of social, cultural and educational opportunity through inter-regional and inter-cultural contact within the atmosphere of friendly competition, cultural activity and social events.

Thus, by providing a broad variety of events which are common to the arctic peoples and at the same time lowering barriers that tend to disqualify entrance, the Games will make it easier for each unit to field a satisfactorily large team; ideally, an entry in every event.

HISTORY OF THE ARCTIC WINTER GAMES

The notion of the Arctic Winter Games germinated from the experiences of northern athletes at the 1967 Canada Winter Games in Quebec City. Athletes from the Northwest Territories and the Yukon did not fare well in competition against southern Canadians, since they had not the advantage of adequate facilities or training, nor had they the opportunity to compete with other athletes at similar stages of development. In fact, many had had no opportunity to compete at all. Discussions between Stuart M. Hodgson, Commissioner of the Northwest Territories, James Smith, Commissioner of the Yukon Territory, Walter J. Hickel, Governor of Alaska, and the Canadian Members of Parliament from the north pointed out similar conditions across the north and resulted in the formation in April 1969 of the Arctic Winter Games, a concept to be nourished and promoted by the Corporation.

The first Arctic Winter Games involved three areas: the State of Alaska, the Yukon Territory and the Northwest Territories. Staged in Yellowknife, capital of the Northwest Territories, during the week of March 9 to 14, 1970, the Games were an outstanding success, with 710 participants competing for honors. In 1972 a successful second Arctic Winter Games was held in Whitehorse, Yukon Territory. At this time, the membership was increased by the entry of "Arctic Quebec" and included interested observers from Greenland and Russia. In keeping with the policy of a Games every two years, the Third Arctic Winter Games was held in the City of Anchorage from March 3 to 10, 1974, with over 1,100 athletes competing. Observers from Labrador, a possible future entrant in the Games, were present. The 1976 Games were hosted by Schefferville, Quebec, March 21-27. Due to the limitations of accommodation and transportation costs to Schefferville, limits were placed upon the contingent size.

The "second cycle" of the Games commenced with the return of the Games site to the Northwest Territories March 19-25, 1978. For the first time, two communities hosted the Games, these being the towns of Hay River and Pine Point. One year prior to the 1978 Games, the Province of Quebec unfortunately advised the Games Corporation that they would not be participating in the 1978 Games for financial reasons. The Hay River/Pine Point Games were a success, and at the closing ceremonies the 1980 Games were awarded to the City of Whitehorse. Conducted during the third week of March, the sixth Games were well conducted and rated by all as an outstanding success.

At the closing ceremonies of the 1980 Games, the Arctic Winter Games flag was passed to John A. Carlson, Mayor of the Fairbanks North Star Borough, the host municipality for the 1982 Games.

RESPONSIBILITIES OF THE HOST ORGANIZATION

The Host Organization has the responsibility to stage, finance and conduct the Arctic Winter Games in accordance with the Contract signed between the Host Organization and the Arctic Winter Games Corporation and in accordance with this Handbook.

The Host Organization is responsible for ensuring that the committees and procedures set out in this Handbook are established and fully implemented, and for ensuring further that the check-list provided by the corporation is utilized by the responsible committees of the Host Organization.

STRUCTURE OF THE HOST ORGANIZATION

BOARD OF DIRECTORS

There shall be a Board of Directors of the Host Organization, and they shall ensure that the Games are staged successfully, in accordance with the Arctic Winter Games Corporation Handbook and pursuant to the Contract entered into between the Corporation and the Host Organization. The Corporation Directors from the host unit shall be ex officio members of the Board of Directors. Copies of minutes of all meetings of the Board of Directors shall be forwarded to the President of the Arctic Winter Games Corporation as soon as same become available. It is recommended that each member of the Board preside over one of the committees of the Host Organization.

GENERAL MANAGER

The Board of Directors shall employ a General Manager, who shall be responsible to the Board for ensuring that the various operations in the Games are smoothly carried out. It is recommended that this be a full-time, salaried position, commencing approximately twelve (12) months prior to the Games. The General Manager shall establish a headquarters or central office, which office should be operational and "visible" in the host community at least twelve (12) months prior to the Games.

COORDINATOR OF SPORTS

The Board of Directors shall employ a Coordinator of Sports, who has the responsibility for ensuring that all technical procedures of each sport are followed in accordance with the Technical Package approved by the Corporation. The Coordinator of Sports shall ensure that proper competition schedules are prepared and distributed well in advance of the Games, and that the necessary technical officials, referees, judges, umpires, timekeepers and other personnel necessary for the conduct of the Games are appointed. The Coordinator of Sports shall be a member of each individual Sport Committee and shall sit in on the games jury. He shall work directly with the Technical Director of the Arctic Winter Games Corporation in carrying out the policies and procedures outlined in the Technical Package. It is recommended that this full-time salaried position be filled by a competent person at least six (6) months prior to the Games.

COMMITTEES

A number of committees will be created to assume specific responsibilities. Although the committee structure for each Games must suit local conditions, the following are a number of committees which should be established, together with a list of each committee's responsibilities.

(A) ACCOMMODATION COMMITTEE

- (a) Suitable accommodation, at the expense of the Host Organization, shall be provided to all athletes, coaches, managers, mission staff and cultural groups authorized by the Technical Package, and also to all visiting officials and referees and any V.I.Ps invited to the Games by the Host Organization.
- (b) The mission staff accommodation, when possible shall be adjacent to but separate from the athletes' accommodation.
- (c) Suitable office space shall be provided for each unit's mission staff headquarters, at the expense of the Host Organization.
- (d) Suitable accommodation shall be made available, at the expense of the individuals concerned, to the following:
 - (i) Directors of the Arctic Winters Games Corporation;
 - (ii) Delegates of the Government of each unit;
 - (iii) Members of the press;
 - (iv) The General public, if possible.
- (e) A suitable conference room shall be made available for use by the Directors of the Arctic Winter Games Corporation, at the Corporation's expense.

(B) CATERING COMMITTEE

- (a) Meals shall be provided, at the expense of the Host organization, to all persons listed above.

- (b) In providing meals, the Catering Committee shall have regard to the following:
 - (i) The scheduling of various sports competitions;
 - (ii) The arrival and departure times of participants;
 - (iii) The increased numbers (possible on opening and closing days);
 - (iv) The provision of box lunches;
 - (v) Any special diets for diabetics, etc.

- (c) The Catering committee should ensure that vending machines and concession stands at accommodation sites and sport venues have an adequate supply of "nutritional" food, as well as the conventional food stocked by refreshment stands.

(C) CEREMONIES AND AWARDS COMMITTEE

- (a) The responsibilities of this committee are;
 - (i) To plan, prepare, organize and implement the opening and closing ceremonies and medal presentations;
 - (ii) To coordinate receptions, and implement the opening and closing ceremonies;
 - (iii) To send invitations to V.I.P.s invited to the Games;
 - (iv) To send invitations to guests for receptions, in consultation with the reception host;
 - (v) To provide escorts for V.I.P.s and guests, and to ensure they are aware of itineraries, etc.

- (b) One of the Directors of the Arctic Winter Games Corporation shall be a member of this committee.

- (c) The Minimum requirements for opening and closing ceremonies are:
 - (i) Identification banners and appropriate flags representing each unit;
 - (ii) Torch ceremonies;
 - (iii) Parade of athletes;
 - (iv) Presentation of Stuart M. Hodgson Award at closing ceremony;
 - (v) Presentation of Games Flag to next host.

- (d) Medals (provided by the Arctic Winter Games Corporation) are to be presented to victorious athletes and teams (as prescribed by the Technical Package) on a three-level podium decorated with the flag of each unit and the Arctic Winter Games Flag. (It is recommended that brief renditions of theme songs for the unit winning the gold medal be available for medal ceremonies as well.)
- (e) Relative to receptions, there shall be a maximum of four official receptions during the Games, to be hosted by the following parties:
 - (i) Host Organization;
 - (ii) Government of the host unit;
 - (iii) Federal Government;
 - (iv) Arctic Winter Games Corporation.

(F) COMMUNICATIONS COMMITTEE

- (a) This Committee shall provide for the Games all personnel, organization, equipment and maintenance necessary to ensure an efficient communications system before and during the Games.
- (b) Adequate communications systems (preferably telephone) shall be established such that the headquarters and mission staff can communicate directly with:
 - (i) Sports venues;
 - (ii) Accommodation sites;
 - (iii) Press center;
 - (iv) Accommodations Committee;
 - (v) Transport Committee;
 - (vi) Ceremonies Committee;
 - (vii) Security Committee;
 - (viii) Medical Committee.
- (c) The Committee shall compile, print and distribute a directory of phone numbers and addresses of the different persons and committees involved in the Games, and also sites and location of venues. This directory shall be made available to the public and the participating units two (2) weeks before the Games.

(E) SOCIAL ACTIVITIES COMMITTEE

- (a) This Committee will be responsible for the organization of social activities for the athletes, coaches, managers, mission staff and officials.
- (b) The participants cannot be distracted from their competitions by social activities; therefore, all activities shall be over by the established curfew times.
- (c) The Committee shall ensure that social activities occur each day of the Games and each evening of the Games to a sufficient extent to accommodate all athletes who are not engaged in active competition; regard shall be had to both adult social activities and youth social activities.
- (d) Social activities shall be provided free of charge to the athletes, if possible.
- (e) The Committee should attempt to provide "common rooms" and some form of entertainment for the participants of each accommodation site.

(F) MEDICAL COMMITTEE

- (a) The Committee shall organize a clinic with the required equipment to treat injuries or sickness of a nature that can be reasonably expected during the Games. These services will be available at all hours. A schedule will be planned for the adequate staffing by physicians and nurses.
- (b) This Committee shall arrange for the services of competent and qualified physicians, nurses and physiotherapists, and shall ensure that any visiting medical staff are advised of local registration requirements.
- (c) This Committee shall ensure that adequate financial arrangements are made for medical care for all participants, particularly those from visiting units.
- (d) The Committee shall ensure that medically trained personnel regularly attend all competition sites, particularly those where the propensity for injury is greater.

(G) PRESS AND PUBLIC RELATIONS COMMITTEE

The responsibilities of the Committee are as follows:

- (a) To give all pertinent information concerning the Games to the different media and to the public information departments.
- (b) To generally promote the holding of the Arctic Winter Games in the host community and elsewhere in the three units.
- (c) To provide adequate working areas and facilities for the media during the Games.
- (d) To provide for the publication of the official Games newspaper.
- (e) To ensure that updated results of competitions are available as soon as possible to members of the media.
- (f) To serve as liaison to the General Manager of the Host Organization and the Arctic Winter Games Corporation concerning press releases.
- (g) To establish communication lines with the media in each unit prior to the Games and to forward promotional material, press releases, etc., to them.

(H) SPORT COMMITTEES

- (a) A Sport Committee shall be established for each sport to coordinate the competitions and activities of each sport, in accordance with the Technical Package, under the direction of the Coordinator of Sports.
- (b) Some of the responsibilities of the Sport Committees are:
 - (i) To ensure that all equipment necessary for the competitions is acquired;
 - (ii) To ensure that there are adequate dressing rooms, equipment storage rooms, equipment drying rooms, etc;
 - (iii) To ensure that the necessary sanctions are obtained;
 - (iv) To ensure that proper schedules are prepared and circulated;
 - (v) To ensure that competent and certified officials are obtained for the competitions and, where possible, to ensure that major and minor officials attend training clinics prior to the Games.

- (c) All efforts should be made to obtain assistance from a member of the National Governing Body in training officials for the Games and in supervising the competitions; however, strong consideration should be given to the development of local officials.
- (d) Where possible, each Sport Committee will attempt to take advantage of the presence of visiting officials, coaches and experienced athletes to arrange for clinics for the benefit of the local community and to generally develop and promote that particular sport in the community.
- (e) The Coordinator of Sports shall receive a report of each Sport Committee meeting, on an ongoing basis.
- (f) Each Sport Committee will work with the Social Activities Committee in the organization and scheduling of the sport banquet for each respective sport.

(I) TRANSPORTATION COMMITTEE

- (a) Adequate transportation shall be provided during the Games, and the following principles shall be adhered to:
 - (i) Regular bus service for participants at no cost to and from accommodation sites, sports venues, catering facilities and social activity centers;
 - (ii) Private vehicles at no cost for mission staff, Corporation Directors, and a car pool for visiting guests, etc.;
 - (iii) Adequate transportation for participants and luggage to and from arrival and departure points is the responsibility of the Host Society;
 - (iv) to obtain transportation to practices, the Chef de Mission shall make his request to the Committee at least three hours in advance of the scheduled practice time;
 - (v) The Committee shall arrange transportation for athletes who have completed competitions and who wish to enjoy special tours organized by the Social Activities Committee.
- (b) The Committee shall issue color-coded luggage identification tags to participating units and these shall be sent to the Chef de Mission at least one month prior to the Games.
- (c) The Committee shall ensure that adequate insurance coverage is maintained.

(J) SECURITY COMMITTEE

- (a) This Committee, in conjunction with the local police, shall assist the different organizational committees in assuring adequate protection of the athletes, officials, V.I.P.s and the public.
- (b) The application of residence regulations and the general discipline of participants and spectators are under the jurisdiction of this Committee.
- (c) The Committee shall ensure that residence regulations and general discipline rules are circulated to all units at least one (1) month before the Games.
- (d) The Committee shall act with discretion and diplomacy, without losing its efficiency, in order to maintain the fraternal nature of the Games.

(K) WELCOMING COMMITTEE

- (a) This Committee shall work in conjunction with the Transportation Committee and the Registration and Accreditation Committees to ensure that all participants and visiting dignitaries are properly welcomed at arrival points and briefed as to registration requirements, transportation facilities, location of accommodations, etc.
- (b) The Committee shall work with Customs Officials prior to the Games in an effort to avoid any unnecessary delays.
- (c) The Committee shall work with the Ceremonies Committee and the mission staff from each unit as to the arrival and departure times of visiting dignitaries.

(I) REGISTRATION AND ACCREDITATION COMMITTEE

- (a) This Committee shall receive registration forms for each athlete from the Coordinator of Sports and shall provide information kits, identification badges, etc., to all participants, Host Organization staff, press and visiting dignitaries upon arrival.

(M) DECORATIONS COMMITTEE

- (a) The responsibility of this committee is to promote a fraternal and cheerful spirit within the Host City. The various public centers and sites of the Games, including the Headquarters, should be decorated with the colors of the Arctic Winter Games, utilizing the flags of Canada, The United States of America, the State of Alaska, the Northwest Territories, the Yukon, and the host municipality, etc.

ADDITIONAL COMMITTEES

It is recognized that each Host Organization will form additional committees suited to local conditions. These ad hoc committees can be formed for specific purposes, such as ticket sales, traffic control, fund raising, etc.

THIS AGREEMENT made the / / day of, 19

B E T W E E N:

THE ARCTIC WINTER GAMES CORPORATION, a body corporate incorporated under the laws of Canada and registered in the State of Alaska in the United States of America, with head office in the City of Yellowknife, in the Northwest Territories, Canada (hereinafter referred to as "the Games Corporation")

of the first part

- and -

FAIRBANKS NORTH STAR BOROUGH, a body corporate established under the laws of the State of Alaska in the United States of America (hereinafter referred to as "Fairbanks")

of the second part

WHEREAS the Games Corporation is the registered copyright holder of the name "ARCTIC WINTER GAMES"; the Arctic Winter Games Symbol and the Arctic Winter Games medal design, and is the permanent governing body of the Arctic Winter Games;

AND WHEREAS Fairbanks has applied to stage the Arctic Winter Games in the Fairbanks North Star Borough in 1982;

AND WHEREAS the Games Corporation has approved the said application;

AND WHEREAS the Games Corporation and Fairbanks mutually desire to increase participation and interest in sports in the Arctic regions of North America and to improve the quality of performance among athletes residing in these regions;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and of the mutual covenants and agreements herein contained, the parties hereto agree each with the other as follows:

1. Fairbanks shall stage the Arctic Winter Games to be held in the Fairbanks North Star Borough, State of Alaska from the 14th day of March, 1982 to the 19th day of March, 1982, inclusive, in accordance with the policies and procedures set out in the Arctic Winter Games Handbook, as amended from time to time by the Games Corporation.

2. Fairbanks shall cause to be formed an incorporated society, or other organization satisfactory to the Games Corporation, which shall bear full responsibility for managing and staging the Games and which shall have sufficient personnel of experience and ability to fulfill this function, which society shall hereinafter be referred to as the "1982 Games Society". Fairbanks shall ensure that the 1982 Games Society is responsible to and controlled by the Fairbanks North Star Borough and shall ensure that the Board of Directors of the 1982 Games Society shall include representatives of Fairbanks North Star Borough, the City of Fairbanks, the City of North Pole and, as ex-officio member, one member of the Board of Directors of the Games Corporation resident in the State of Alaska.

3. Fairbanks and the 1982 Games Society shall be solely responsible for obtaining adequate funds and donations of services, materials and equipment to meet the budget forming part of its application to the Games Corporation, dated the 10th day of March, 1980, as amended from time to time.

4. Fairbanks and the 1982 Games Society shall stage as part of the 1982 Arctic Winter Games, a programme, acceptable to the Games Corporation, of Alaska cultural events, exhibitions, social events and sports displays from other participating units to be staged jointly with them, but shall not disburse any of the funds of the 1982 Games Society for staging such cultural events, exhibitions, social events or sports displays, except for those originating from the State of Alaska (unless there is provision made in the technical package approved by the Corporation for these participants). The complete programme of cultural events, exhibitions, social events and sports displays shall be presented to the Games Corporation for approval, not later than three (3) months prior to the opening date of the 1982 Arctic Winter Games.

- 5(a) The 1982 Games Society shall report in writing to the President of the Games Corporation each month, as to its activities and problems experienced, to the end that the Games Corporation will be informed and in a position to offer assistance to the 1982 Games Society.
- (b) Copies of minutes of all executive committee meetings shall be forwarded to the President of the Games Corporation.
- (c) Fairbanks shall ensure that the 1982 Games Society establishes proper liaison with the Games Corporation, and specifically, with any directors of the Games Corporation designated by it to oversee specific functions.

6. Fairbanks and the 1982 Games Society shall ensure that adequate facilities, in the opinion of the Games Corporation, shall be provided for staging of all compulsory sports as are required to be conducted during the Games pursuant to the technical package, and, without limiting the generality of the foregoing, shall take all necessary steps to ensure that all necessary educational, government or privately owned or operated facilities and equipment are obtained or made available for the 1982 Arctic Winter Games.

7. Fairbanks and the 1982 Games Society shall ensure that sufficient accommodation of acceptable standards in the opinion of the Games Corporation shall be available to house the athletes, coaches, officials and guests at the 1982 Arctic Winter Games.

8. Fairbanks and the 1982 Games Society shall ensure that an appropriate ticket or pass system is established with a view to providing for the athletes, coaches and officials:

- (a) Free access to all sports venues;
- (b) Free transportation to and from all venues at the Games site.

9. Fairbanks and the 1982 Games Society shall maintain adequate records of its business affairs and shall ensure that official and accurate sports records are maintained for the 1982 Arctic Winter Games; and it shall turn over to the Games Corporation within thirty (30) days of the conclusion of the 1982 Arctic Winter Games such of its promotional material, business and sports records as the Games Corporation may require.

10. Fairbanks and the 1982 Games Society shall account to the Games Corporation in accordance with generally accepted accounting principles for its revenues and expenses within one hundred and twenty (120) days of the conclusion of the 1982 Arctic Winter Games.

11. Fairbanks and the 1982 Games Society shall ensure that the 1982 Arctic Winter Games are staged in a dignified manner, and shall prevent any commercial or political exploitation thereof, and shall forthwith inform the Games Corporation of any commercial or political exploitation thereof, or unauthorized reproduction of the name "Arctic Winter Games", the Arctic Winter Games symbol, the Corporation flag design, or the Arctic Winter Games medal design.

12. The 1982 Arctic Winter Games shall be operated as an independent event, so that they shall not be staged in relation to, as part of, or together with, a fair, exhibition, carnival or other similar event, except with the prior written approval of the Games Corporation.

13. The 1982 Arctic Winter Games shall not represent a territorial or state championship in any sport, nor shall any kind of championship or other sport event be staged at or near the Fairbanks area during the period of the Arctic Winter Games, except with the prior written approval of the Games Corporation.

14. Fairbanks and the 1982 Games Society shall ensure that all necessary personnel and logistics support are provided for the installation and operation of equipment used in sports competition and other events associated with the Arctic Winter Games.

15. The Games Corporation shall provide sufficient gold, silver and bronze Arctic Winter Games medals to the 1982 Games Society to provide awards in all of the sports listed in the technical package at no cost to Fairbanks or the 1982 Games Society.

16. Fairbanks and the 1982 Games Society shall ensure that there is adequate catering facilities of a standard acceptable to the Games Corporation for feeding the athletes, coaches, officials and guests taking part in the Arctic Winter Games.

17. The 1982 Games Society shall cause to be produced within six (6) months of the closing of the 1982 Games, at its expense, a professionally produced booklet depicting the 1982 Arctic Winter Games. The booklet shall be of such size, content, language, style and distribution as is approved in writing by the Arctic Winter Games Corporation, and up to six hundred copies shall be sold to the Games Corporation in such quantity as it may specify, at cost price. This booklet to be independent of, and not a part of, any other publication.

18. Fairbanks and the 1982 Games Society shall ensure that the Games are opened and closed in a formal manner, with appropriate ceremonies, and shall present the programme for the said ceremony to the Games Corporation for approval not later than four (4) weeks prior to the opening date of the Arctic Winter Games.

19. The 1982 Games Society shall ensure that each sports venue and other places associated with the Games are decorated and identified with flags, banners and signs, in accordance with the Arctic Winter Games Handbook.

20. Fairbanks and the 1982 Games Society warrant, covenant and agree that no substantial departure shall be made from the proposal for staging the 1982 Arctic Winter Games as presented to the Games Corporation, dated the 10th day of March 1980, without first obtaining the consent of the Games Corporation.

21. Where in this agreement anything must be done to the satisfaction of the Games Corporation or requires the approval of the Games Corporation, Fairbanks and the 1982 Games Society shall not proceed with or implement that thing without first fully appraising the Games Corporation in that respect and obtaining the approval of the Games Corporation.

22. Generally, Fairbanks and the 1982 Games Society shall ensure that the Games Corporation is fully informed through its President, of all aspects of the preparation for and staging of the 1982 Arctic Winter Games, and shall take all necessary steps to communicate adequately with the President of the Games Corporation to achieve this end.

23. The 1982 Games Society shall employ, at its expense, a full time General Manager for the 1982 Games, commencing at least twelve (12) months prior to the Games; and further, shall employ a full time Co-ordinator of Sports for the 1982 Arctic Winter Games, commencing at least six (6) months prior to the Games. Fairbanks agree to replace forthwith either the General Manager or the Co-ordinator of Sports upon notice in writing from the President of the Games Corporation to that effect.

24. The Games Corporation reserves the right to control the use of or to withdraw the name "Arctic Winter Games" or the Arctic Winter Games symbol, medals or awards in the event of any breach of this Contract.

IN WITNESS WHEREOF the parties hereto have set their respective hands and seals at the City of Fairbanks, State of Alaska, U.S.A., this day of _____, 198 .

ARCTIC WINTER GAMES CORPORATION

Per: _____
President

Per: _____
Secretary

FAIRBANKS NORTH STAR BOROUGH

Per: John A. Carlson
Mayor

Per: _____
Acting Clerk

ARTICLES OF INCORPORATION

OF

THE 1982 ARCTIC WINTER GAMES SOCIETY, INC.

We, the undersigned natural persons of the age of nineteen (19) or more, acting as incorporators under the Alaska Nonprofit Corporations Act, adopt the following Articles of Incorporation.

ARTICLE I

Name

The name of the corporation shall be the 1982 Arctic Winter Games Society, Incorporated.

ARTICLE II

Duration

The corporation shall exist perpetually.

ARTICLE III

Purpose

This corporation is organized for any lawful purpose available to a civic organization as defined in Section 501(c)(4) of the Internal Revenue Code but principally to bear full responsibility for managing and staging the 1982 Arctic Winter Games pursuant to that agreement dated November 14, 1980, between the Arctic Winter Games Corporation, a Canadian Corporation, and the Fairbanks North Star Borough, an Alaskan Municipal Corporation.

ARTICLE IV

Registered Office and Registered Agent

The address of the corporation's initial registered office shall be P O Box 1267, Fairbanks, Alaska 99707, and the name of the corporation's initial registered agent at such address shall be John A. Carlson, Fairbanks North Star Borough Mayor.

ARTICLE V

Members

The corporation shall have no members.

ARTICLE VI

Dissolution

Upon dissolution of the corporation, those assets described in AS 10.20.295(4) shall, if a plan of distribution is not then in effect, be distributed to the Fairbanks North Star Borough to be spent or used pursuant to its power to provide for parks and recreation.

ARTICLE VII

Directors

The number of directors constituting the Board of Directors shall be ten (10).

The names and addresses of those persons, each of whom shall serve as a director until his or her successor is appointed and qualified is:

<u>NAME</u>	<u>ADDRESS</u>
Don Dennis	3011 Westgate Place, Fairbanks, AK 99701
Richard Cole	1107 Kodiak, Fairbanks, AK 99701
Dane Hall	Alaska Airlines P O Box 60008, Fairbanks, AK 99706
Ron Davis	Chamber of Commerce 550 First Ave, Fairbanks, AK 99701
Jim Blyth	P O Box 55517, North Pole, AK 99705
Phil Younker	P O Box 60188, Fairbanks, AK 99706
Jerry Norum	2720 Ruby Ave, Fairbanks, AK 99701
Agnes Griffeth	P O Box 80231, Fairbanks, AK 99708
Sally A. Krusing	1612 Carr, Fairbanks, AK 99701
Richard McCarthy	P O Box 1267, Fairbanks, AK 99707

The term of office of each director is for the duration of the corporation's existence or until replaced by the Fairbanks North Star Borough Mayor.

Vacancies on the Board of Directors and directorships to be filled by reason of an increase in the number of directors shall be filled by the Fairbanks North Star Borough Mayor. Directors may be replaced at the will of the Borough Mayor at any time.

At least one (1) director shall be:

1. A representative of the Fairbanks North Star Borough
2. A representative of the City of Fairbanks
3. A representative of the City of North Pole
4. A member of the Board of Directors of the Arctic Winter Games Corporation who is a resident of the State of Alaska.

ARTICLE VIII

Incorporators

Our names are as follows and our address is P O Box 1267, Fairbanks, Alaska 99707:

James D. Nordale
Terrence H. Thorgaard
Patrick B. Cole

In witness whereof we have executed these Articles of Incorporation in duplicate on February 2, 1981.

James D. Nordale

Terrence H. Thorgaard

Patrick B. Cole

SUBSCRIBED and SWORN to before me for the uses and purposes stated therein on this 2d day of February, 1981.

William A. Quinn
Notary Public in and for Alaska
My commission expires; 2-10-83

By: John A. Carlson
Jerry Norum
Introduced: 1/22/81
ADOPTED JAN 22 1981

RESOLUTION NO. 81-5

A RESOLUTION REQUESTING STATE FUNDING FOR THE
1982 ARCTIC WINTER GAMES

WHEREAS, the Fairbanks North Star Borough will host the
Arctic Winter Games in March of 1982; and

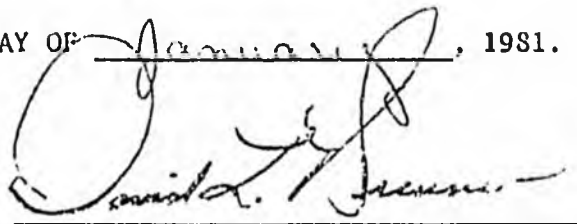
WHEREAS, the Games will involve approximately 800 athletes and
will attract well over 1,000 people to Fairbanks from throughout Alaska,
the Yukon and Northwest Territories; and

WHEREAS, a proposed maintenance and operation budget for the
Games has been developed, based on the experience of the 1980 Games in
Whitehorse, as well as other factors; and

WHEREAS, the State of Alaska previously has provided substantial
funding for the Games;


NOW, THEREFORE, BE IT RESOLVED by the Assembly of the Fairbanks
North Star Borough that the Alaska Legislature is urged to appropriate
to the Borough \$700,000 for the operation of the 1982 Arctic Winter
Games in Fairbanks.

PASSED AND APPROVED THIS 22nd DAY OF January, 1981.



Presiding Officer

ATTEST:



Clerk of the Assembly

By: John A. Carlson
Introduced: 2/28/80
ADOPTED FEB 28 1980

RESOLUTION NO. 80-18

A RESOLUTION EXPRESSING THE DESIRE OF THE
FAIRBANKS NORTH STAR BOROUGH TO HOST THE
1982 ARCTIC WINTER GAMES

WHEREAS, the Arctic Winter Games, an all-age athletic contest for athletes residing in areas North of 60 degrees latitude, embodies several indoor and outdoor sports; and

WHEREAS, the site of the Games rotates every two years at locations in the Yukon Territory, Northwest Territories and Alaska; and

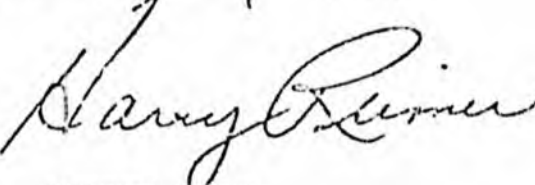
WHEREAS, the 1982 Games will be held in Alaska; and

WHEREAS, an organizing committee has met and has expressed confidence in the ability of the Fairbanks and North Pole communities to provide facilities and support for the 1982 Arctic Winter Games; and

WHEREAS, the Fairbanks North Star Borough is willing to provide in-kind and other support as the host municipality for the Games;

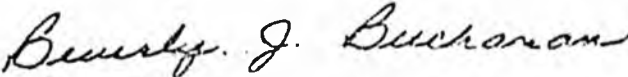
NOW, THEREFORE, BE IT RESOLVED by the Assembly of the Fairbanks North Star Borough that the Borough expresses its desire to host, in cooperation with the cities of Fairbanks and North Pole, the 1982 Winter Arctic Games and petitions the Arctic Winter Games Corporation to designate Fairbanks, Alaska as host for the Games March 14 - 21, 1982.

PASSED AND APPROVED THIS 29 DAY OF February, 1980.



PRESIDING OFFICER

ATTEST:



Clerk of the Assembly

March 11, 1980



The Golden Heart City

OFFICE OF THE MAYOR

Mr. Don Dennis, Chairman
Arctic Winter Games Cooperation
3011 Westgate Place
Fairbanks, Alaska 99701

Dear Mr. Dennis,

On behalf of myself and the City Council we would like to add our support to the application submitted by the Fairbanks North Star Borough to host the 1982 Arctic Winter Games in Fairbanks.

Fairbanks has adequate facilities to support the event as well as excellent hotels, restaurants and shopping areas, in addition to being the location of the main campus of the University of Alaska.

The City of Fairbanks would consider it a real honor to welcome the athletes, spectators and others from Alaska, the Yukon and the Northwest Territories to our Golden Heart City and will cooperate in every way with the Fairbanks North Star Borough to make their visit a memorable one.

Very truly yours,

CITY OF FAIRBANKS

WILLIAM R. WOOD, Mayor

RESOLUTION NO. 1750, As Amended

A RESOLUTION EXPRESSING THE DESIRE OF THE CITY OF FAIRBANKS TO COOPERATE WITH THE FAIRBANKS NORTH STAR BOROUGH AND THE CITY OF NORTH POLE IN THEIR DESIRE TO HOST THE 1982 WINTER ARCTIC GAMES.

WHEREAS, the Arctic Winter Games, an all-age athletic contest for athletes residing in areas North of 60 degrees latitude, embodies several indoor and outdoor sports; and

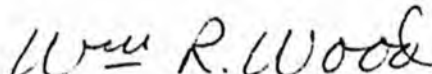
WHEREAS, the site of the Games rotates every two years at locations in the Yukon Territory, Northwest Territories and Alaska; and

WHEREAS, the 1982 Games will be held in Alaska; and

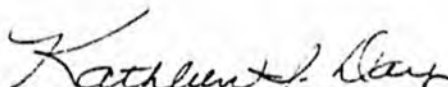
WHEREAS, an organizing committee has met and has expressed confidence in the ability of the Fairbanks and North Pole communities to provide facilities and support for the 1982 Arctic Winter Games.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fairbanks that the City expresses its desire to cooperate with the host municipality, the Fairbanks North Star Borough, and the City of North Pole, in welcoming the 1982 Winter Arctic Games and petitions the Arctic Winter Games Corporation to designate Fairbanks, Alaska, as site for the Games March 14-21, 1982.

PASSED and APPROVED this 10th day of March, 1980.


WILLIAM R. WOOD, Mayor

ATTEST:


KATHLEEN I. DAY, City Clerk

P.O. BOX 5109
NORTH POLE, ALASKA
99705



TOP OF THE WORLD
PHONE: 488-2281
AT YOUR SERVICE

March 4, 1980

ARCTIC WINTER GAMES CORPORATION DIRECTORS
Whitehorse, Yukon Territory
Canada

Re: *City of North Pole Resolution 80-3*

Dear Directors:

Enclosed please find Resolution 80-3 expressing the City of North Pole's desire to work with the Fairbanks North Star Borough in the hosting of the 1982 Arctic Winter Games.

Your consideration of our request will be greatly appreciated. The City of North Pole feels that the Interior Alaska site has much to offer the 1982 games.

Thank you again for your consideration.

Sincerely,

A handwritten signature in cursive script that reads 'Carleta Lewis'. The signature is written in dark ink and is positioned above the typed name.

Carleta Lewis, Mayor
The City of North Pole

j6/CL



RESOLUTION 80-3

A RESOLUTION EXPRESSING THE DESIRE OF THE CITY OF NORTH POLE TO COOPERATE WITH FAIRBANKS NORTH STAR BOROUGH TO HOST THE 1982 ARCTIC WINTER GAMES.

WHEREAS, the Arctic Winter Games, an all-age athletic contest for athletes residing in areas north of 60 Degrees Latitude, embodies several indoor and outdoor sports; and

WHEREAS, the site of the Games rotates every two years at locations in the Yukon Territory, Northwest Territories and Alaska; and

WHEREAS, the 1982 Games will be held in Alaska; and

WHEREAS, an organizing committee has met and has expressed confidence in the ability of the Fairbanks and North Pole communities to provide facilities and support for the 1982 Arctic Winter Games; and

WHEREAS, the Fairbanks North Star Borough is willing to provide in-kind and other support as the host municipality for the Games;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of North Pole that the City expresses its desire to host, in cooperation with the Fairbanks North Star Borough and the City of Fairbanks, the 1982 Arctic Winter Games and petitions the Arctic Winter Games Corporation to designate Fairbanks, Alaska as host for the Games March 14 - 21, 1982.

PASSED AND APPROVED THIS 3rd DAY OF March 1980.

ATTEST:

Pamela Enstey
Pamela Enstey, City Clerk

Carleta Lewis
MAYOR CARLETA LEWIS

FAIRBANKS NORTH STAR BOROUGH SCHOOL DISTRICT

P. O. Box 1250, Fairbanks, Alaska 99707

(907) 456-7934



DR. BRYCE STALLARD

Superintendent of Schools

GUS ZADRA

Associate Superintendent

CHARLES A. LOWRY

Assistant Superintendent

February 29, 1980

The Honorable John A. Carlson
Borough Mayor
Box 1267
Fairbanks, Alaska 99701

Dear Mayor Carlson:

This is to advise you that the Fairbanks North Star Borough School District strongly supports hosting the Arctic Games in Fairbanks in March, 1982.

Please be further advised that we will cooperate in every matter and make our facilities available for a successful activity.

Sincerely,

A handwritten signature in cursive script that reads "Bryce Stallard".

Bryce Stallard
Superintendent

BDS:hv



Greater Fairbanks

CHAMBER OF COMMERCE

(907) 452-1105 550 First Avenue

FAIRBANKS

ALASKA 99701

Member:

U. S. Chamber of Commerce
Alaska State Chamber of Commerce

March 4, 1980

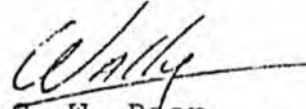
Mayor John Carlson
Members of the Borough Assembly
Fairbanks North Star Borough
P.O. Box 1267
Fairbanks, Alaska 99707

Gentlemen:

At the March 3, 1980 meeting of the Greater Fairbanks Chamber of Commerce Board of Directors, the Board unanimously approved support of Fairbanks as a site for the 1982 Arctic Winter Games. The proposal was submitted and approved by both the Economic Development and Tourism committees of the Chamber.

We feel that Fairbanks has the facilities and interest to support an event such as this. It also occurs during a season when the Fairbanks economy could support additional visitors to the City. We wholeheartedly support the North Star Borough's application to host the games!

Building for Fairbanks' future,


C. W. Baer
General Manager

Enclosure
CWB/sh





fairbanks downtown association

551 2nd Ave. Fairbanks, Alaska 99701 (907) 452-8671

March 3, 1980

Mayor John A. Carlson
Fairbanks North Star Borough
P.O. Box 1267
Fairbanks, AK 99707

Dear Mayor Carlson:

On behalf of the members of the Fairbanks Downtown Association, it gives me great pleasure to offer you our full support of the Borough's proposal to host the 1982 Arctic Winter Games in Fairbanks.

This type of activity can only serve to enhance our Community. The Social, Cultural and Commercial benefits will be advantageous to all of us.

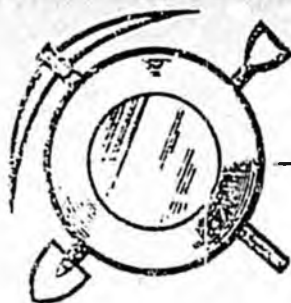
The Fairbanks Downtown Association also wishes to extend an invitation to the Arctic Winter Games to come to Fairbanks in 1982. We will be looking forward with a great deal of anticipation and pleasure to meeting the 1982 participants of the Arctic Winter Games.

Sincerely,

A handwritten signature in cursive script that reads "Karen L. Menafee".

Karen L. Menafee
Executive Director

KLM:mv



February 28, 1980

Mr. John Carlson
Mayor
North Star Borough
P.O. Box 1267
Fairbanks, Ak. 99707

Dear John:

The Board of Directors of the Fairbanks Visitor and Convention Bureau would like to express our support for your decision to invite the 1982 Arctic Winter Games to Fairbanks.

The Bureau wishes to offer our services and assistance in any way possible. Our members are principally from the transportation, accommodation and catering fields, as well as other visitor-related businesses. Our expertise is available to assist with the planning and preparation for the Games in any manner possible.

Please feel free to call on me or any members of the Board for any specific questions you or your staff may have.

Sincerely,

Dave Hall
Chairman, Board of Directors, FVCB

DH:pmt
fi

Fairbanks Convention/Visitor Bureau
550 First Avenue Fairbanks, Alaska 99701 (907) 456 5774

HB 286

10

MSG 81-00014072 PRY 1 04/24/81 17:46:42 ORIG: LF01 IN= 0020 OUT= 0110
FROM: MAXINE/FAIRBANKS TO: JUNO INFO
TARGET: LJH2 SUBJ: POM PAGE 0002

TO: REP. SMITH, CHAIRMAN, HOUSE RULES
REP'S MILLER, BROWN, BUCHHOLDT, COTTEN, FULLER, HAYES, O'CONNELL,
REP. PHILLIPS

FR: RICHARD W MC CARTHY, 19TH & LATHROP, FAIRBANKS 99701 PH. 456-4218

RE: HB 286

I WOULD LIKE TO ENCOURAGE YOU & THE RULES COMMITTEE WHEN YOU RECEIVE HB286
TO APPROVE ASAP. IT IS IMPERATIVE THAT AN EARLY APPROF BE GRANTED IN EARLY
MAY. THIS ENSURES BENEFICIAL OCCUPANCY BY NOVEMBER AND COMPLETION BY MARCH
1982 FOR THE ARTIC WINTER GAMES.

-----EOM

H B

3 16

COMMITTEE REPORT

HOUSE

3/11/81

FURTHER: FINANCE

(5)

Date: 4-13-81

Mr. Speaker:

The Committee on STATE AFFAIRS has had HB 316

"An Act making special appropriations for capital projects for which general obligation bonds have been authorized but not issued and for defeasance of outstanding general obligation bonds; and providing for an effective date."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
- new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without ^{individual} recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Miller

Jon Stille

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Miller

Jon Stille

Miller

CHAIRMAN

STATE OF ALASKA

DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER

JAY S. HAMMOUD, GOVERNOR

POUCH 5
JUNEAU, ALASKA 99811

March 17, 1981

The Honorable Mike Miller
Chairman
House State Affairs Committee
Room 102 - Capitol Building
Juneau, Alaska

Dear Mr. Miller:

Re: House Bills No. 315 and 316

House Bill No. 315, an Act prohibiting the sale of certain general obligation bonds, was introduced in the House on March 11, 1981 and was referred to the House State Affairs and Finance Committees.

House Bill No. 316, an Act making special appropriations for capital projects for which general obligations bonds have been authorized but not issued and for defeasance of outstanding general obligation bonds, was introduced in the House on March 11, 1981 and was referred to the House State Affairs and Finance Committees.

For the consideration of the House State Affairs Committee, I am enclosing a copy of a Fiscal Note prepared by Mr. Anselm Staack, Treasury Comptroller, Department of Revenue concerning the proposed legislation.

Sincerely,



R. D. Stevenson
Special Assistant

RDS/rdh

cc: The Honorable Samuel R. Cotten
Chairman
House Finance Committee

Joseph K. Donohue
Deputy Commissioner
Department of Revenue

Anselm Staack
Treasury Comptroller
Department of Revenue

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

HB 315, 316

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HOUSE BILL NO. 315 & 316

Title Prohibiting the sale of certain general obligation (GO) bonds, special appropriation

~~Requested by~~ for GO bonds that have been authorized but not Date 3/11/81

issued and for defeasance of outstanding GO bonds.

Requested by House State Affairs Committee

II. FISCAL DETAIL

Agency Affected Department of Revenue, State Bond Committee

Program Category Affected General Fund

BRU, Program, or Subprogram(s) Affected _____

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						

TOTAL

FUNDING (Thousands of Dollars)

	MILLIONS					
(1) GENERAL FUND	← 818.3					
(2) Debt Service Cost Reduction		(63.9)	(63.3)	(60.8)	(58.6)	(57.9)
(3) Defeasance Savings		(155.7)				
(4) Opportunity Cost New Debt		8.0	17.6	23.4	27.2	30.9
Not Issued						
(5) PV Opp. Cost of Defeasance		5.8	11.0	15.1	18.6	22.0

FULL TIME
PART TIME
TEMPORARY

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

- Appropriated funds to "cash-out" all remaining authorized but unissued bonds, defeasance of all pre-May, 1978 issued GO bonds. Defeasance portion based on interest rate yields of third week in February, 1981. There would remain \$211 million in bonds issued after May, 1978.
- This is the annual debt service related to the \$507.2 million in bonds that would be subject to defeasance that would be due in the years indicated, would no longer be part of the operating budget as defeasance takes care of these costs; the cash flow of the escrow set aside makes these payments when they become due.
- The savings in principal due to investments allowed on escrow set-aside as part of defeasance.
- Opportunity cost of not using the favorable low interest rate obtainable on issuing GO bonds for new projects, rather using all cash up front.
- Because debt can be paid later with "cheaper dollars" this is the additional cost due to early payment of annual debt service.

IV. DATE March 16, 1981 PREPARED BY Anselm C. Staack, Treasury Comptroller
AGENCY Dept. of Revenue/Treasury Division
PHONE 465-2351

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

H B

3 35

COMMITTEE REPORT

HOUSE

FURTHER: FINANCE

3/13/81

(5)

Date: 4-13-81

Mr. Speaker:

The Committee on STATE AFFAIRS has had HB 335

"An Act relating to appropriations or allocations for projects financed by general obligation bonds; and providing for an effective date."

under consideration and reports it back as follows:

[] do pass [] do not pass

[] do pass with attached amendments(s)

[X] replace with CS for HB 335 [X] same title [] new title

and recommends CI HB 335 DO PASS

[] AND attaches a "Letter of Intent" [] New Fiscal Note

[] reports it back without recommendation

[] referred to the _____ Committee

MEMBERS SIGNING
DO PASS

[Signature]
[Signature]
[Signature]
[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]
CHAIRMAN

STATE OF ALASKA

DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, GOVERNOR

POUCH 5
JUNEAU, ALASKA 99811

April 8, 1981

The Honorable Mike Miller
Chairman
House State Affairs Committee
Room 102 - Capitol Building
Juneau, Alaska

Dear Mr. Miller:

Re: House Bill No. 335

House Bill No. 335, an Act relating to appropriations or allocations for projects financed by general obligation bonds, was introduced in the House on March 13, 1981 and was referred to the House State Affairs and Finance Committees.

For the consideration of the House State Affairs Committee, I am enclosing a copy of a Fiscal Note prepared by Mr. Anselm Staack, Treasury Comptroller, Department of Revenue concerning the proposed legislation.

Sincerely,



R. D. Stevenson
Special Assistant

RDS/rdh

cc: The Honorable Samuel R. Cotten
Chairman
House Finance Committee

Joseph K. Donohue
Deputy Commissioner
Department of Revenue

Anselm Staack
Treasury Comptroller
Department of Revenue

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

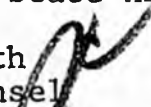
LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 21, 1981

SUBJECT: Transfers between appropriations and
allocations (CSHB 335)

TO: Representative Mike Miller
Chairman, House State Affairs Committee

FROM: John B. Chenoweth
Legislative Counsel 

I have further refined my proposed language by limiting the "no transfers" provision of AS 37.07.080(e) to appropriations and allocations involving money, and adding a new section, AS 37.15.025, establishing a "no transfers" provision with respect to use of the proceeds of general obligation bonds.

JBC:ljb

Enclosure

H B

3 3 9

COMMITTEE REPORT

HOUSE

FURTHER: JUDICIARY

3/16/81

(5)

Date:

1-21-87

Mr. Speaker:

The Committee on STATE AFFAIRS has had HR 330

"An Act relating to the judicial review of administrative regulations."

under consideration and reports it back as follows:

do pass do not pass

do pass with attached amendments(s)

replace with CS for _____ same title

and recommends _____ new title

AND attaches a "Letter of Intent" New Fiscal Note

reports it back without recommendation

referred to the _____ Committee

MEMBERS SIGNING
DO PASS

[Handwritten Signature]

[Handwritten Signature]

[Handwritten Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Handwritten Signature] No Rec

[Handwritten Signature]
CHAIRMAN

A M E N D M E N T

OFFERED IN THE HOUSE:

By: STATE AFFAIRS

To: CS HOUSE BILL No. HB 339

SENATE BILL No. _____

PAGE: _____

LINE: _____

Page 1, lines 14 & 15: delete "absolutely necessary" and insert "there is a clearly demonstrated need"

Page 1, line 12: delete "is not absolutely necessary" and insert "does not clearly demonstrate need for the regulation"



Alaska State Legislature

House of Representatives

Committee on State Affairs

Official Business

NOTIFICATION SHEET

BILL NO. HB 340,339, HJR 58

Pouch V
State Capitol
Juneau, Alaska 99811

NAME	ORGANIZATION	PHONE NO.
Jim Clark	Alaska Lumber & Pulp	63340
Kent-Teida Dawson ^{left message}	Alascon	62667
Brooks Bradford	Odom Corporation	63737
A. Kline	Assoc Gen Contractors	61940
Richard Lauber	Ak Seafood Savin-Trom ^{notified 1-20}	61324
Robert Walker	Evron ^{824 of message left 1-20 will take up after 11:00}	6-2660
Beverly Ward	Atlantic Richfield	63680
Theodore Wieting	New Trendwell Mining Co.	62590
Ed Wojcik	Ak Trollers Assn.	69400
Lucjan Wiles	Alaska Pipeline Service	62660
Dorine Minson	Resource Dev. Council of AK	62660
Clyde Gordon	Cherson	2799666

STATE OF ALASKA
THE LEGISLATURE
LEGISLATIVE AFFAIRS AGENCY

POUCH Y - STATE CAPITOL
JUNEAU ALASKA 99811
907-465-3600

MEMORANDUM

April 29, 1982

SUBJECT: Judicial review of administrative rules
(SCS HB 339)

TO: Senator Patrick M. Rodey
Chairman, Senate Judiciary Committee

FROM: Diane T. Colvin *DTC*
Legislative Counsel

Attached is a draft SCS for HB 339, version 2. The original request on this version contemplated the use of an executive order to trigger a shifting of the burden of proof, presumably to allow the legislature the opportunity to override the governor's decision. However, the use of an executive order is not appropriate in this instance. By Article III, Sec. 23 of the Alaska Constitution, executive orders are reserved for matters pertaining to the organization of the executive branch. Section 23 specifically provides a mechanism for legislative disapproval of these executive orders.

Because an executive order is not appropriate here, I have substituted an administrative order. This leaves the governor with little motivation not to execute one of these orders whenever a rule is challenged. Thus it may be appropriate for the committee to consider setting some legislative standards for when an order could be adopted by the governor.

If you wish further information, please contact us.

DTC:ljb

Enclosure

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CSHB 339 (State Affairs)
 Title "An Act relating to the judicial review of administrative regulations."
 Requested by the Office of the Governor Date March 22, 1982

II. FISCAL DETAIL
 Agency Affected Department of Law
 Program Category Affected General Government
 BRU, Program, Or Subprogram(s) Affected Legal Services
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		155.9	168.4	181.9	196.5	212.2
200 TRAVEL		10.0	10.8	11.7	12.6	13.6
300 CONTRACTUAL		22.0	23.8	25.7	27.8	30.0
400 COMMODITIES		10.8	5.2	5.6	6.0	6.5
500 EQUIPMENT		14.0	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		212.7	208.2	224.9	242.9	262.3

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		212.7	208.2	224.9	242.9	262.3
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		3.0	3.0	3.0	3.0	3.0
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)
 This bill changes the judicial standard of review for the state's administrative code from "reasonably necessary" to "there is a clearly demonstrated need for the regulation." The department anticipates that the primary regulatory areas which will be challenged as a result of this bill will be those with high monetary values, such as the permitting regulations which govern oil and gas drilling and development. Regulations which deal with the public health aspects of food preparation and food processing are also likely candidates for challenge. Because the new burden of proof, provided by this bill, will be very great, it will be necessary for the state to increase its legal resources to advise the various agencies, and to defend against those kinds of challenges.

IV. DATE April 1, 1982 PREPARED BY Richard I. Pegues, Director, Admin. Svcs.
 AGENCY Department of Law
 Original: Legislative Finance PHONE 465-3672
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

The addition of two attorneys and one legal secretary will be required to deal with problems and to defend against expected challenges, particularly those which will arise from the highly complex resources development area. The department notes that the sole exclusion of certain Board of Fisheries and Board of Game regulations, exempted by the bill from the new standard, may, by their exemption, be the cause of additional litigation.

Lastly, the department notes that it may be impossible to prove that the costs to the private sector of the regulations will not adversely affect the economic viability of private business, as provided for in AS 44.62.030(3). In a depressed marketplace, the cost of regulations may well affect the viability of a marginally profitable business. The effect of this section appears to exempt those businesses which would be so affected. In the case, for instance, of a depressed canned salmon market the exemption of the industry from the state's public health regulations could prove disastrous, both socially and economically. In addition, some regulations will require some businesses to spend additional money. Is that expenditure an "adverse" effect? What, exactly, is the "economic viability" contemplated by this statute? This provision is almost certain to cause prolonged and costly litigation.

Cost Detail

Personal Services:

1 Attorney IV (2 (Anchorage)	\$ 64,241
1 Attorney IV (24A, Anchorage)	64,241
1 Legal Secretary I (10) (Anchorage)	27,388
	<u>\$155,870</u>

Travel:

\$5,000 for each attorney for litigation and witness travel; 2 x 5,000 =	\$ 10,000
	<u>\$ 10,000</u>

Contractual:

Communications and copying expense \$500 per attorney, per month; 500 x 2 12 =	\$ 12,000
Expert witness and other outside litigation expense	10,000
	<u>\$ 22,000</u>

Commodities:

Expendable desk top materials \$100 per month, per month, per employee, 100 x 3 x 12 =	\$ 3,600
Recurrent library expense	1,200
Startup library and office furniture (one-time)	6,000
	<u>\$ 10,800</u>

Equipment:

New position equipment 600 x 3 = (one-time)	\$ 1,800
Word processor (one-time)	12,200
	<u>\$ 14,000</u>

Total Costs: \$212,670

Costs beyond FY83 have been increased using an 8% annual inflation factor.

MEMORANDUM

State of Alaska

TO: Keith Specking
Legislative Assistant
Governor's Office

DATE: April 1, 1982

FILE NO:

TELEPHONE NO: 465-3600

FROM: WILSON L. CONDON
ATTORNEY GENERAL

SUBJECT: CSHB 339(SA) am --
Judicial Review of
Administrative
Regulations

By: 
Arthur H. Peterson
Assistant Attorney General

As you know, this bill has passed the House and is now in the Senate Judiciary Committee. The version that passed the House is worse than the version that came out of the State Affairs Committee, but perhaps not as bad as the original one (which would have required regulations to be "absolutely necessary"). The bill presents several very serious problems and definitely should not be enacted. A very brief description of some of those problems is set out in the attached fiscal note, prepared by this department's director of administrative services. Also attached is a draft of a proposed committee substitute which we believe the executive branch could live with.

The attached draft bill is a compromise. The Department of Law firmly believes that the existing law should not be amended. It is consistent with the overwhelming weight of administrative law throughout the country. In addition, it has served Alaska well.

If CSHB 339(SA) am should be scheduled for a committee hearing in the Senate, the Department of Law plans to be represented in order to oppose the bill. The prime sponsor of the bill has said that his intent is to "narrow the window" through which regulations may be adopted, thus perhaps reducing the number of regulations. That objective could be met, at least in part, without such a violent upheaval of the law in this area, by the attached proposed committee substitute bill.

The current title of the bill is not really as descriptive as it might be, but, for the moment, I have used it on the attached draft. It probably should be changed, whether or not this draft is accepted.

WLC/AHP/lw

I. REQUEST
 Bill/Resolution CSHB 339(SA) am
 Title Relating to Judicial Review of Administrative Regulations
 Requested by Representative Metcalfe Date April 1, 1982

II. FISCAL DETAIL
 Agency Affected Administration
 Program Category Affected _____
 BRU, Program, Or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

HB 339 as amended will have no fiscal impact on the Department of Administration.

IV. DATE April 1, 1982 PREPARED BY Kenneth R. Ryals
 AGENCY 465-2211
 Original: Legislative Finance PHONE _____
 cc: Budget and Management
 Prime Sponsor (First Legislator Named) Metcalfe, Aboc. Barnes et al
 33-001 (Rev. 12/81) Office of the Governor: Keith Sneckino

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
Bill/Resolution No. CSHB 339
Title "An act relating to the judicial review of administrative regulations."
Requested by Rep. Barnes, House Judiciary Date 2/5/82

II. FISCAL DETAIL
Agency Affected Department of Law
Program Category Affected General Government
BRU, Program, Or Subprogram(s) Affected Legal Services
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars) -

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

	0	0	0	0	0	0
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	0	0	0	0	0	0
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

No fiscal impact is anticipated by the department through the enactment of this bill.

IV. DATE February 8, 1982 PREPARED BY Richard I. Pequeo (Director, Admin. Svcs)
AGENCY Department of Law
PHONE 465-3672
Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CS for HB 339
 Title Judicial Review of Administrative Regulations
 Requested by House Judiciary Date 2/5/82

II. FISCAL DETAIL
 Agency Affected Alaska Court System
 Program Category Affected Administration of Justice
 BRU, Program, Or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

IV. DATE 2/9/82 PREPARED BY Richard P. Barrier
 AGENCY Alaska Court System
 Original: Legislative Finance PHONE 264-0546
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3801

LEGISLATIVE AFFAIRS AGENCY

M E M O R A N D U M

April 28, 1982

SUBJECT: Agency regulations
(SCS HB 339)

TO: Senator Nels A. Anderson, Jr.

FROM: Diane T. Colvin
Legislative Counsel

In considering amendments to HB 339, you have expressed your concern that agency regulations often appear to be adopted with no specific statutory authority. You and Senator Parr have suggested that one way to cure this problem might be to require that no regulation be adopted unless it is under the authority of a specific section of the statutes.

Theoretically, this problem should not require a statutory cure, because at the present time no agency has authority, with regard to substantive regulations, other than to adopt rules pursuant to statutory authority and which implement a statute. The Administrative Procedure Act does not expand this authority, and, in fact, AS 44.62.020 specifically provides:

. . . AS 44.62.010 - 44.62.320 do not confer authority upon or augment the authority of a state agency to adopt, administer, or enforce a regulation. To be effective, each regulation adopted must be within the scope of authority conferred and in accordance with standards prescribed by other provisions of law.

In addition, AS 44.62.200 requires that each notice of a proposed adoption, amendment or repeal of a regulation published by an agency contain the following:

(2) reference to the authority under which the regulation is proposed and a reference to the particular code section or other provisions of law which are being implemented, interpreted, or made specific;

Senator Nels Anderson, Jr.
Page 2
April 28, 1982

Despite strictures such as these, abuses do occur, and, this, of course, is your concern. In regard to your suggestion concerning adoption of rules only on specific statutory authority, I would make the following suggestion. While it does not prohibit anything not already prohibited by law, it may help to solve some of the problems that are of concern to you.

Amend AS 44.62.020 to read:

Sec. 44.62.020. AUTHORITY TO ADOPT, ADMINISTER, OR ENFORCE REGULATIONS.

Except for the authority conferred upon the lieutenant governor in AS 44.62.130 - 44.62.170, AS 44.-62.010 - 44.62.320 do not confer authority upon or augment the authority of a state agency to adopt, administer, or enforce a regulation. To be effective, each regulation adopted must be within the scope of authority conferred, specifically authorized by law, and in accordance with standards prescribed by other provisions of law.

Note that this section is not now affected by HB 339, so that if adopted a new bill section would be added.

If you have further questions, please do not hesitate to contact us.

DTC:ljb

cc: Senator Patrick M. Rodey

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 30, 1982

SUBJECT: Statutory authority for regulations
(SCS HB 339)

TO: Senator Patrick M. Rodey
Chairman, Senate Judiciary Committee

FROM: Diane T. Colvin *DC*
Legislative Counsel

In connection with committee work on HB 339, you asked me to prepare a proposal in response to Senator Parr's suggestion on the need for specific, rather than general, statutory authority for administrative regulations. I had previously proposed an amendment to AS 44.62.020; suggested language for that amendment is contained in my memorandum to Senator Nels Anderson of April 28th.

Another possibility would be to amend AS 24.30, relating to the enactment of statutes, to require that all bills contain express language on the adoption of regulations. I believe this may be closer to meeting Senator Parr's intent. A new section could be added to this chapter to read:

Sec. 24.30.032. REGULATIONS STATEMENT ON BILLS. Each bill shall contain a statement regarding the adoption of regulations by the agency affected by the bill. The statement shall grant the express authority to adopt regulations to implement the provisions of the bill. If a bill does not contain this statement of authority an agency may not adopt regulations to implement the statutes affected by the bill.

It is the opinion of this office that this proposal, if enacted, would have a detrimental effect on the operations of all state departments and agencies. There would be a great deal of confusion resulting from any bills enacted which did not contain this statement but which affected

Senator Rodey
Page 2
April 30, 1982

statutes which are part of a broad statutory scheme or part of an integrated title.

In our opinion, there is no single approach which would cure this problem. The only solution would be to go through the statutes and remove, title by title or chapter by chapter, the general authority of departments and agencies to adopt regulations.

If we can be of further assistance, please do not hesitate to contact us.

DTC:ljb

STATE OF ALASKA

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

JAY S. HAMMOND, GOVERNOR

POUCH K - STATE CAPITOL
JUNEAU, ALASKA 99811
PHONE: (907) 465-3600

May 24, 1982

The Honorable Ray Metcalfe
Alaska State House of Representatives
Pouch V
Juneau, Alaska 99811

Re: Variations on HB 339
(administrative regulations)

Dear Representative Metcalfe:

This is a follow-up on our conversation of last Friday, during which we discussed various possible amendments to AS 44.62.030. You will recall that I said that, although the Department of Law does not think that the change is a good idea, I would mull over your proposal for the following amendment which would be the sole change made by the bill:

. . . no regulation adopted is valid or effective unless consistent with the statute and the public benefits resulting from the regulation clearly warrant the burdens placed on persons who are adversely affected by the regulation [REASONABLY NECESSARY TO CARRY OUT THE PURPOSE OF THE STATUTE].

However, after mulling it over, I think that the following version would be better, avoiding some interpretation problems:

. . . no regulation adopted is valid or effective unless it is consistent with the statute, [AND] reasonably necessary to carry out the purpose of the statute, and, in situations in which persons are adversely affected by the regulation, the public benefits resulting from the regulation warrant the burdens placed on the persons adversely affected by the regulation.

The "it is" is merely a grammatical clarification. The main change in your wording is that this version adds rather than substitutes your new standard, so that, in the situations in which no person can be identified as "adversely" affected, the traditional "reasonableness" standard will still apply. This version also deletes "clearly" from your wording (in

May 24, 1982

front of the word "warrant").

I must repeat that the Department of Law can not support this amendment of AS 44.62.030. However, we will agree that, if this is the version that is finally passed by the legislature, we will not advise the governor to veto it. But, if he should want to veto it anyway, we would not urge him not to do so.

You also have asked that I put my comments regarding the unconstitutionality of the Senate's version, SCS CSHB 339(Jud), in writing. The problem lies in the third sentence of sec. 1's new AS 24.30.032, stating: "If a bill does not contain this statement of authority, an agency may not adopt regulations to implement the statute or statutes enacted by or otherwise affected by the bill." As I mentioned to the Senate Judiciary Committee, that sentence does not recognize the distinction between "legislative" type administrative regulations and "interpretive" or "interpretative" type administrative regulations. The distinction is imbedded in many statutes and court decisions, as well as in scholarly literature. If that sentence is interpreted as applying to interpretive regulations, then it would be an undue interference with the executive branch's execution of the laws. An administrative regulation is one kind of indispensable tool the executive uses in meeting its constitutional obligations and performing its constitutional duties. An administrative regulation sets out in writing, for prospective application, the rules applicable to a particular program or function. It thus avoid purely arbitrary decision making on a case-by-case basis. (Obviously, the regulation will be applied to situations as they arise, but the room for decisions made without guidelines is much smaller.)

The Senate version has other problems in it, too. The most obvious and most serious one is that of inadvertent failure by a future legislature or drafter to include the required regulations statement. To the extent that legislative type regulations are needed, that simple failure could virtually close down or prevent a program or function that has overwhelming legislative and public support. While the idea of having legislation deal more specifically with the permissible area of administrative regulations for a particular program is a good one, the provisions in that version of the bill do not achieve that result. Instead, they create problems.

The Honorable Ray Metcalfe -3-

May 24, 1982

Yours truly,

WILSON L. CONDON
ATTORNEY GENERAL

By: Arthur H. Peterson
Assistant Attorney General
and Regulations Attorney

WLC/AHP/11b

cc: Senator Patrick Rodey
Senator Nels Anderson
Honorable Keith Specking
Legislative Assistant
Governor's Office

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800


LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

May 28, 1982

SUBJECT: Adoption of administrative regulations
(HB 339)

TO: Senator Patrick M. Rodey
Representative Ray H. Metcalfe
Chairmen, Conference Committee on HB 339

FROM: Richard A. Bradley 
Legislative Counsel

The last sentence of the proposed Sec. 24.30.032 contains the following proposed language:

If a bill does not contain a statement prohibiting the adoption of regulations, an agency may adopt regulations to implement the statute or statutes enacted or otherwise affected by the bill.

The language appears to reverse the rule apparently conceded by Assistant Attorney General Art Peterson in his May 24th memorandum to Representative Metcalfe on an earlier version of HB 339: that an agency may only adopt "legislative type" regulations (as opposed to "interpretive type" regulations) to implement a statutory scheme if the legislature grants the agency the authority to adopt regulations. The committee may have intended the result and it may not be undesirable.

But since the focus of this bill is on the practices of the executive in the adoption of regulations, if the committee had in fact not intended this result, I did not want the committees to miss the implication of the language. It says that in the absence of an affirmative prohibition, an agency automatically is granted the authority to adopt regulations, at least once a general statutory scheme is modified by a bill not containing a prohibition.

RAB:ljb

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CSHB 339

Title "An act relating to the judicial review of administrative regulations."

Requested by Rep. Barnes, House Judiciary Date 2/5/82

II. FISCAL DETAIL

Agency Affected Department of Law

Program Category Affected General Government

BRU, Program, Or Subprogram(s) Affected Legal Services

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	Ø	Ø	Ø	Ø	Ø	Ø

FUNDING (Thousands of Dollars)

GENERAL FUND	Ø	Ø	Ø	Ø	Ø	Ø
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME	Ø	Ø	Ø	Ø	Ø	Ø
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

No fiscal impact is anticipated by the department through the enactment of this bill.

IV. DATE February 8, 1982

PREPARED BY Richard I. Peques, (Director, Admin. Svcs.)

AGENCY Department of Law

PHONE 465-3672

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

Richard I. Peques

Introduced: 3/16/81
Referred: State Affairs and
Judiciary

BY METCALFE, ABOOD, BARNES,
BEIRNE, BETTISWORTH, BYLSMA,
HALFORD AND RANDOLPH

1 IN THE HOUSE

2 HOUSE BILL NO. 339

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the judicial review of adminis-
7 trative regulations."

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

9 * Section 1. AS 44.62.030 is amended to read:

10 Sec. 44.62.030. CONSISTENCY BETWEEN REGULATION AND STATUTE. If,
11 by express or implied terms of a statute, a state agency has authority
12 to adopt regulations to implement, interpret, make specific or other-
13 wise carry out the provisions of the statute, no regulation adopted is
14 valid or effective unless consistent with the statute and absolutely
15 [REASONABLY] necessary] to carry out the purpose of the statute.

16 * Sec. 2. AS 44.62.300 is amended by adding a new subsection to read:

17 (b) In ^{addition to} an action under (a) of this section brought on the ground
18 that a regulation ^{is not} ~~is not~~ ^{absolutely necessary} ~~absolutely necessary~~ as required by AS 44.62.-
19 030, the state has the burden of proving that

20 (1) the burdens imposed on the public by the regulation are
21 outweighed by the benefits accruing to the public from the regulation;
22 and

23 (2) there is no less restrictive means available to achieve
24 the purpose of the regulation.

MEMORANDUM

State of Alaska

TO: Committee Staff
House State Affairs
Committee

DATE: January 11, 1982

FILE NO:

TELEPHONE NO: 465-3500

FROM: Rebecca L. Engen *RE*
Special Assistant
Governor Hammond's
Legislative Office

SUBJECT: Departmental Legislative
Liaisons

Your committee will undoubtedly wish to contact agencies of the Executive Branch for information and testimony before your committee. A list of legislative liaisons is attached for your information. These people serve as a contact point for you and should be called if you need testimony, fiscal notes or other information about their departments.

Additionally, do not hesitate to contact Susan Rogers or myself (465-3500) if we can be of help to you. We look forward to working with you.

Attachment

<u>DEPARTMENT</u>	<u>LEGISLATIVE LIAISON*</u>	<u>ALTERNATE*</u>	<u>FISCAL NOTE</u>
Administration	Ken Ryals 465-2277 789-9595	Fred Muller 465-2200 789-2674	Ken Ryals
Commerce & Economic Development	Katie Wallen 465-2504 586-2633	Alix Wilkerson 465-2500 789-0096	Katie Wallen
Community & Regional Affairs	Richard Aks 465-4700 364-3142	Lee McAnerney 465-4700 586-6095	Rod Mourant 465-4709 364-3382
Education	Steve Hole 465-2890 789-0085	Bob Van Slyke 465-2800 586-4097 Marilou Madden 465-2890 586-3847	Steve Hole
Environmental Conservation	Glen Akins 465-2600 789-7589	John Halterman 465-2640 789-4192	Dale Wallington 465-2621 789-9523
Fish and Game	Mary Jablonski 465-4100 789-2592	Kathy Libbey 465-4100 586-1907	M. Jablonski
Health & Social Services	Deborah Behr 465-3030 586-2872	Helen Beirne 465-3030 586-6410 Allen Korhonen 465-3030 586-3466	Marsha Hubbard 465-3331 586-1315
Labor	Judy Knight 465-2700 586-9562	Eileen Plate 465-2700 789-9883	Judy Knight
Law	Art Peterson 465-3600 586-6374	Pete Froehlich 465-3600 586-2806 Ken Vassar 465-3600 586-1009	Dick Pegues 465-3675 789-0463

* First phone number listed is office; second phone number is home.

<u>DEPARTMENT</u>	<u>LEGISLATIVE LIAISON*</u>	<u>ALTERNATE*</u>	<u>FISCAL NOTE</u>
Military Affairs Anchorage contact	Brig. Gen. Sharrow 243-0656 ext 517 279-4190	Col. John Hoyt 273-0656 ext 515 333-4445	Richard Roundtree 465-4600 - Juneau 586-2496
Juneau contact	Richard Roundtree 465-4600 536-2496	Lois Richardson 465-4600 789-7304	Richard Roundtree
Natural Resources	Mark Wittow 465-2400 364-2326	Sharon Barton 465-2400 364-2360	Mark Wittow
Public Safety	Walter Lawson 465-4336 789-7395	Paul Conger 465-4336 789-2889	Walter Lawson
Revenue	Denna Cline 465-2300 364-3429	Joe Donohue 465-2300 364-3148 Phil Wall 465-2313 789-3243	Bob Stevenson 465-2300 586-3965
Transportation & Public Facilities	Robert Ward 465-3900 789-3713	Ron Lind 465-3900 364-2267 John Bates 465-3900 789-9472	Ron Lind
Agencies within the Governor's Office	Karen Slack 465-3500 586-2947	Mike Nizich 465-3616 789-9970	Karen Slack

* First phone number listed is office; second phone number is home.

DELANEY, WILES, HAYES, REITMAN & BRUBAKER, INC.

ATTORNEYS AT LAW

SUITE 400

1007 WEST 3RD AVENUE

ANCHORAGE, ALASKA 99501

TELEPHONE 279-3581

TELECOPIER 279-3587

AREA CODE 907

November 25, 1981

JAMES J. DELANEY
EUGENE F. WILES
GEORGE N. HAYES
STANLEY H. REITMAN
JOHN K. BRUBAKER
RAYMOND E. PLUMMER, JR.
DANIEL A. GERETY
ROBERT L. EASTAUGH
STEPHEN M. ELLIS

CLAY A. YOUNG
KAREN L. HUNT
FRANK S. KOZIOL, JR.
RICHARD S. THWAITES, JR.
WILLIAM E. MOSELEY
MARC D. BOND
JACQUELINE CARR-AGNI
J. MICHAEL MOXNESS
J. D. CELLARS

Representative Ray Metcalfe
Chairman
Committee on State Affairs
House of Representatives
600 W. 41st Avenue, Suite 201-A
Anchorage, Alaska 99503

Re: HB 339, HB 340, and HGR 28

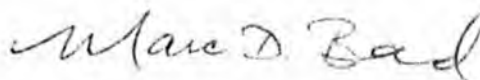
Dear Representative Metcalfe:

Once again I would like to thank you for the opportunity to appear before your committee and testify on behalf of Chevron U.S.A. Inc. in favor of the legislature's reacquisition of authority over regulations lost as a result of the A.L.I.V.E. decision. State v. A.L.I.V.E. Voluntary, 606 P.2d 769 (Alaska 1980). We are certainly interested in the legislative oversight of regulations promulgated by various agencies of the administration.

As I was leaving the committee hearing, you indicated that you might be able to give me some information concerning the dates and times of the mark-up sessions on these bills. I would certainly be interested knowing that, so that I may communicate it to the other members of the AOGA Regulatory Reform Committee.

Very truly yours,

DELANEY, WILES, HAYES,
REITMAN & BRUBAKER, INC.



Marc D. Bond

MDB/cs

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, GOVERNOR

P.O. BOX 3-2000
JUNEAU, ALASKA 99802
PHONE: (907) 465-4100

December 1, 1981

Honorable Ray Metcalfe, Chairman
House State Affairs Committee
600 W. 41st Ave., Suite 201-A
Anchorage, AK 99503

Dear Mr. Metcalfe:

I regret that a representative of the Department of Fish and Game was not able to attend your hearing of November 23, 1981. I do appreciate the opportunity to comment in writing, particularly since three of the items you will have discussed could seriously impact the Department's and Boards of Fisheries' and Game's ability to manage the State's fish and game resources in an efficient manner that benefits the public.

HB 339

The substitution of "absolutely" for "reasonable" in AS 44.62.030 has the very real potential of having the courts negate all regulatory actions relative to fish and game management. The Boards of Fisheries and Game were established for the purpose of conservation and development of fish and game resources and may adopt regulations to accomplish those goals (AS 16.05.221, 251, and 257). Groups such as Greenpeace could challenge that sport hunting of Dall sheep is not absolutely necessary for conservation and development of that resource; the court would issue a temporary restraining order closing the season until the State could prove the regulation was absolutely necessary and the State would lose recreational opportunities and income. Similarly, spinning lure fishermen could challenge regulations establishing fly fishing only areas and commercial fishermen could challenge regulations that ensure an equitable harvest for sport fishermen. As you can see, these types of litigation could very easily hinder management of the resources and create frustration and animosities between resource users.

HB 340

First of all, I would like to say that statement number (1) of the findings is an insult to those citizens of the State that have donated their time to serve on the Boards of Fisheries and Game. These people have been selected by the Governor, confirmed by the Legislature, and have maintained a very high level of integrity and justice in their decisions on management of the State's resources. Rather than prejudge their abilities, I would recommend that if you are not satisfied with their performance you recommend to the Governor that they be removed. If you think the Boards have acted beyond their statutory authority, then amend that authority by making it more specific.

The requirement for legislative approval of regulations before they become effective could seriously delay implementation of fish and game management systems. The Boards currently meet twice a year to consider proposals for changes to hunting and fishing regulations. These meetings are timed to allow the greatest amount of input and involvement from the public, provide the best and most current data, and to ensure that any changes made are in place and the public so informed before the start of the various seasons. The Legislature is a very busy body with tremendous responsibilities and heavy work loads and thus will not have the time to devote to fish and game resource issues that the Boards do. The issues may not be a legislative priority compared to oil and gas revenue, power projects, social programs, etc. with the result that new resource management programs may not be approved by the Legislature early enough in a session to be in place by the mid-April start of some of the major commercial fisheries.

In the case of fish and game management, the establishment of a citizen's review committee is not warranted. Fish and game regulations are reviewed annually by three public bodies: local Fish and Game Advisory Committees, Regional Resource Councils, and the Boards. To insert another committee made up of people attuned to issues other than fish and game would frustrate the present system and increase the administrative burden of the Department.

HJR 28

The Legislature has mandated broad public input in the formalization and adoption of fish and game regulations by its creation of public regulatory bodies (the Boards), public advisory bodies (local Advisory Committees), and the Administrative Procedures Act. The adoption of the proposed constitutional amendment would allow a committee or committees to annul a regulation that had gone through this extensive public review. This would be frustrating those who have involved themselves in the above public process only to find that some small, influential group had convinced a legislative committee to annul a regulation. Eventually the public would turn to the Legislature rather than the other public groups as the decision making body.

In summary, the bills reviewed would hinder efficient and equitable management of the State's fish and game resources and frustrate the present systems established to maximize public involvement in the decision making process.

I thank you again for the opportunity to comment on these bills and request the chance to submit additional comments in the future.

Sincerely,



Ronald O. Skoog
Commissioner
(907) 465-4100