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BUDGET

DOTPF ORGANIZATION

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HOUSE TRANSPORTATION COMMITTEE

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HOUSE TRANSPORTATION COMMITTEE

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HOUSE TRANSPORTATION COMMITTEE

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BOARD
OF
MARINE
PILOTS

ALASKA MARITIME AGENCIES

2101 FOURTH AVENUE—SUITE 1410
SEATTLE, WASHINGTON 98121
TELEPHONE 206 623-0520
TELEX 32-8793

P.O. BOX 6224
ANCHORAGE, ALASKA 99502
TELEPHONE 907 243-0714
TELEX 090-25468

P.O. BOX 8075
KETCHIKAN, ALASKA 99901
TELEPHONE 907 225-6156
TELEX 099-55295

P.O. BOX 1170
VALDEZ, ALASKA 99686
TELEPHONE 907 835-2800
TELEX 090-26391

PLEASE REPLY TO: Anchorage

RESUME

William H. Barrington

April 1, 1919:

Born at San de Fuca, Washington.

1924:

Accompanied parents to Wrangell, Alaska where my father opened the Barrington Transportation Company on the Stikine River.

We lived in Wrangell each year from April until October from 1925 until 1943, spending the winter months in Washington.

I attended public schools in Wrangell and Oak Harbor, Washington, graduating in May 1936.

I attended the University of Washington and Griffin-Murphy Business College in Seattle during the winters and was employed by the Diamond K. Packing Company, Sinclair's Store, Barrington Transportation Company and Wrangell Lumber Mill until my marriage on January 23, 1944.

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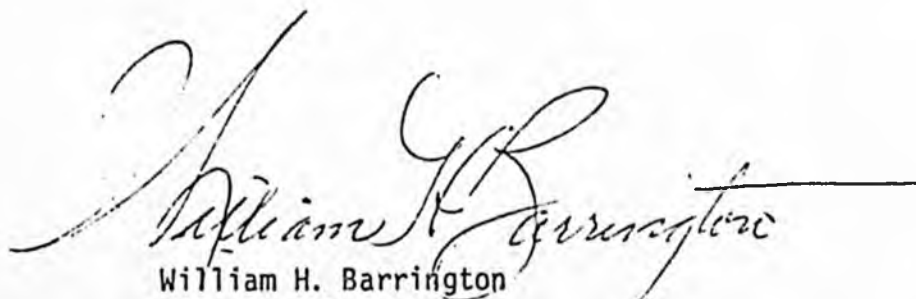
Appointed to U.S. Customs Service in Skagway, Alaska and served during the summer of 1945 as deputy collector in charge of the port of Eagle.

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Was transferred to the Customs headquarters in Juneau serving as marine, vessel admeasurement, and vessel documentation officer, appraiser and assistant collector of Customs until retiring in February 1964.

March 1964:

Moved to Anchorage, Alaska and was engaged in private enterprise. I was employed by Alaska Maritime Agencies as vessel agent in 1967 and presently am the Western Alaska Manager with offices in ERA Aviation Center Anchorage, Kenai and Dutch Harbor.


William H. Barrington



JAMES F. PETERSEN

ATTORNEY & COUNSELLOR AT LAW
319 SEWARD STREET
JUNEAU, ALASKA 99801

DAVID V. GEORGE, ASSOCIATE

(907) 586-3530

October 17, 1979

The Honorable Jay S. Hammond
Governor, State of Alaska
Office of the Governor
State Capitol Building
Juneau, AK 99811

RE: Marine Pilots Board

Dear Governor Hammond:

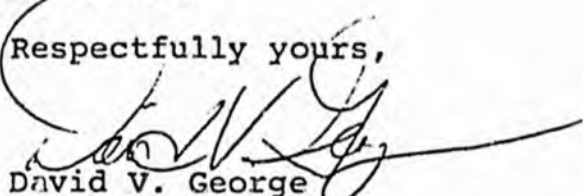
In response to the phone call I received from Elaine Garrett of the Division of Occupational Licensing October 16, 1979, I would like to submit a brief statement of my professional background.

I am a member of the California, Nevada and Alaska Bars, being in good standing in all three. I graduated from law school in 1974, during which time I was a hearing officer for the state welfare department. In 1975 I went to work in the field of private civil practice for the firm of Julian C. Smith, Ltd. in Carson City, Nevada. Upon arriving in Alaska in June of 1977, I became employed by the Limited Entry Commission in a variety of functions, such as House Counsel, Legislative Liaison, Assistant to the Correlation of Programs with the North Pacific Fisheries Management Council, and Special Legal Advisor. In August of 1978, I left state employment to work as an associate in the law offices of James F. Petersen, located here in Juneau at 319 Seward Street. Again, this was by way of private civil practice and is the position I now hold.

I am interested, and would if chosen, serve on the Marine Pilots Board.

If there is any further information which you would require, or any questions which you may have, please feel free to contact me. I await your decision.

Respectfully yours,


David V. George
Associate Counsel

DVG/law

RR5, BOX 5575-A
JUN 99803 Finley & Brinkman
12/15/49 N 586-3811*
Portland
10/22/77

ESTABLISHMENT OF IN-STATE MARITIME ACADEMY

POSITION STATEMENT OF ALASKA BOARD OF MARINE PILOTS

As a result of last year's Sunset Committee hearings regarding the Alaska Marine Pilots Board, and comments received from other agencies, both public and private, great concern has been raised regarding the accessibility of the maritime industry, as well as marine pilotage positions, to Alaskan residents. After substantial discussion, and several meetings, the subcommittee of the Alaska Marine Pilots Board dealing with this issue has prepared this position statement for comment and discussion by the Marine Pilots Board.

The criticism directed to the Marine Pilots Board which complains of the lack of Alaska Marine Pilots is more or less a chicken and the egg argument. A pilot must be licensed by the United States Coast Guard, as well as the State of Alaska, and is the culmination of many years of experience in the maritime industry as an officer. The question is not "per se" then, whether there are more Alaskans available who may step into the responsibilities of a Marine Pilot; but whether there is a conduit for young persons desiring to enter the maritime industry which will result in their ultimate qualifications for pilotage duty or officer status.

The only present in-state training ground for a young man who desires to become an officer and subsequently a pilot, is the Alaska Ferry System. A person may become a pilot only after serving through the ranks as a maritime officer. This is accomplished in one of two ways: (1) Sufficient education has been obtained so that the individual may enter directly into the ranks of the officers or (2) an individual works his way up as a deck hand, able bodied seaman, etc. acquiring such experience as is necessary to qualify for the lowest officer level, that being Third Mate. As previously stated the only in-state training available is obtained on the Alaska Ferrys. There are no intrastate shippers which can provide on the job experience necessary for the Third Mate's test. However, a substantial problem exists with the Alaska Ferry System due to fact that it is a state agency and employees are subject to a rather rigid seniority system. Young men hired as deck hands or in other seamen positions, who acquire the appropriate experience to move up in the ranks, soon are confronted with the obstacle of seniority. Due to the fact that many elder seamen have

acquired large amounts of seniority, a wall of more or less "tenured" employees who have no further ambitions in the maritime industry blocks the bridge between seamen class and officer ratings. This obstacle is inherent in the seniority system and cannot be overcome without a major revamping of the ferry worker's seniority system, which the Board feels is unrealistic. Consequently, the Board would endorse an in-state maritime academy whereby young men desiring entry into maritime industry could obtain sufficient education to qualify for officer examination without the necessity of "on the job training" and thus avoid the internal barricades present in the Alaska Ferry system.

Too many of the jobs in the maritime industry are going to people who live outside of the State of Alaska and who have no specific ties with the needs or realities of the State. In recent years, strict residency laws regarding local hire have been struck down by the State and Federal courts. The only alternative for young Alaskans seeking entry into the industry is to leave the State to obtain the necessary training elsewhere, primarily through larger port cities of the lower 48 which all too often results in the permanent disassociation of these people from Alaska. Though there are maritime academies elsewhere in the United States, they are relatively limited in number, and each year non-resident students are refused training because there is no room in these institutions. It should be noted that the only maritime academy on the west coast is the California State Maritime Academy located in Vallejo, California. This is a three year institution which, though not associated with the University of California, is State funded and gives priority to California residents.

With the recent influx of oil wealth to the State, there has been a tendency noted by both the press and the legislature itself, to spend money freely, and sometimes on projects which will not provide more than a one-shot return. It is the position of the Alaska Marine Pilots Board, that the greatest resource of this state is its residents, and that an expenditure of monies which would promote greater academic achievements and vocational skills, and hence greater employability, is a return which will be continually realized over the years to come.

Out-of-State maritime academies are not necessarily sensitive to the particular problems presented to the Alaska maritime industry. Further, the availability of these programs are extremely limited to Alaska residents, and in the rare event that an Alaskan is admitted into such institutions, quite often the residency of the person is lost in favor of the Southern States or area where he receives his education. Entrance requirements are skewed against our native and rural Alaska students, with their intimately unique social and cultural backgrounds not found in the lower 48. Indeed, the Board has discovered that many students

who would take advantage of an in-state training academy, are not prepared to leave their state and families to travel the great distance necessary to receive outside maritime training in those few events when it is necessary. Considering the importance of shipping to the State of Alaska as a tool of commerce and industry, and the availability of jobs to the adequately qualified, an in-state maritime academy would seem to be the logical remedy for the problems above-described.

Any maritime academy should, of course, be located in a port community which is relatively ice-free and protected. It should be accessible by reasonable modes of transportation and should be established where maritime transportation traffic now exists. The port city should provide exposure to the maritime industry and the academy should be of sufficient size and quality to merit recognition by both industry and appropriate governmental departments. Whether or not the facilities should be directly attached to the community college or senior college campuses of the university of Alaska, is an area which needs to be considered in light of the particular specialization of the training to be provided.

The Board does not propose at this time that a maritime academy be established but rather that a study be approved by the legislature to determine the economic feasibility of such a program, its size, quality, location, and need. The Marine Pilots Board expects the endorsement of the Sealaska Corporation, the Alaska Federation of Natives, the Longshoreman's Union, Admiral Jack Hayes of the United States Coast Guard, the Cook Inlet Native Corporation, the Master Mates and Pilots Union, the Alaska Ferry System, the NANA Corporation, the Resource Development Counsel, Industry Agents, the Inland Boatman's Union, State Chamber of Commerce, the Alaska Loggers Association, and the United Fisherman's Association in support of this plan. Certainly there are other groups and organizations who have not yet been contacted who would also endorse Alaska training for Alaskan residents for an Alaskan Industry.

The Alaska Marines Pilots Board respectfully requests that the Legislators of the State of Alaska consider with an eye toward the future the proposals contained herein and look forward to the action of our Representatives and Senators.

Respectfully submitted:

Charles R. Webber, Chairman _____

Captain Donald Oldow, Member _____

Captain Jack Maroni, Member

Charles Stover, Member

Marvin Taylor, Member

Ken Peabyhouse, Member

David V. George, Member

NOTE REGARDING THE FOLLOWING FRAME ON MICROFILM:

COMPLETE DOCUMENT IS AVAILABLE IN ORIGINAL FILES
IN ALASKA STATE ARCHIVES. TITLE PAGE ONLY HAS
BEEN FILMED.

Note

A PERFORMANCE REVIEW
OF THE
BOARD OF MARINE PILOTS

June 15, 1979

Commissioner of the Department
of Commerce and Economic
Development

Charles Webber

Deputy Commissioner of the
Department of Commerce and
Economic Development

Bertram Wagon

Members of the
Board of Marine Pilots

Chairperson
Member
Member
Member
Member
Member
Member

Charles Webber
Captain Donald Oldow
Captain Jack Maroni
Charles Stover
Marvin Taylor
David Culbertson
Kenneth Peavyhouse

CONFIRMATION

HEARINGS



Official Business

Alaska State Legislature

House of Representatives

Office of the Speaker

Pouch V
State Capitol
Juneau, Alaska 99811

MEMORANDUM

TO: Rep. Bette Cato
Chairperson, Transportation Committee

FROM: Representative Jim Duncan
Speaker of the House

DATE: March 4, 1981

SUBJECT: Confirmation of Governor's Appointments

The following names have been submitted by the Governor for confirmation. Please evaluate the nominees and conduct confirmation hearings as you deem necessary. Please submit your recommendations for action on the nominations by the House of Representatives as soon as possible.

ALASKA TRANSPORTATION COMMISSION

Hesden D. Scougal, Petersburg, term expiring February 1, 1987

JD:jp

Board of Marine Pilots

Confirmation Hearings

1) ^{Sum} Barrington - Anchorage
George Juneau

Vicki
Claman
gov's office

State Central Committee
The Republican Party of Alaska
621 W. 5th Avenue, Suite C
Anchorage, Alaska 99501

From: House District Two

Subject: Hesden D. Scougal to Alaska Transportation Commission

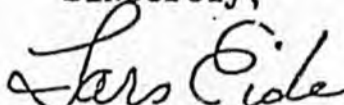
We submit to you, for your consideration, the appointment to the Alaska Transportation Commission, of Hesden D. "Scoug" Scougal of Box 29, Petersburg, Alaska 99833.

Scoug is a 38 year resident, married, with two daughters living in Alaska. An active Republican since 1943, he is a former assistant Finance Chairman of the Republican Party of Alaska.

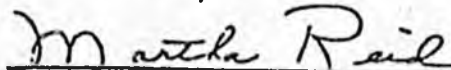
- * He was one of the original members of the Municipal Bond Bank Board,
- * associated with various successful Alaskan businesses for 27 years,
- * served as Deputy Commissioner of Highways for Governor Hickel and Governor Miller,
- * served as Commissioner of Highways for Governor Hammond,
- * served as Deputy Commissioner of the Department of Transportation and Public Facilities for Governor Hammond,
- * served as City Manager of Petersburg for 3 years,
- * served as President of the Southeast Conference of Alaskan Cities.

House District 2 endorses Hesden D. Scougal for appointment to the Alaska Transportation Commission.

Sincerely,



Lars Eide, Chairman



Martha Reid, Secretary

cc: Governor Hammond
Representative Haugen
Senator Eliason

Alaska State Legislature



Official Business

Speaker of the House of Representatives

Pouch V
State Capitol
Juneau, Alaska 99811

MEMORANDUM

APR 8 1981

TO: Representative Bette Cato, Chairperson
House Committee on Transportation

FROM: Representative Jim Duncan
Speaker of the House

DATE: April 8, 1981

SUBJECT: Confirmation of Governor's Appointments

The attached list of Governor's appointees have been referred to your committee for recommendations on confirmation. It is necessary to receive your committee recommendation as soon as possible. If the committee has decided not to hold confirmation hearings and, therefore, has no recommendations, I would like a memorandum indicating such action.

JD:jp
attach.



Alaska State Legislature

House of Representatives

Office of the Speaker

Official Business

Pouch V
State Capitol
Juneau, Alaska 99811

MEMORANDUM

TO: Rep. Bette Cato, Chairperson
House Committee on Transportation

FROM: Representative Jim Duncan

DATE: February 16, 1981

RE: Confirmation of Governor's Appointments

The following names have been submitted by the Governor for confirmation. Please evaluate the nominees and conduct confirmation hearings as you deem necessary. Please submit your recommendations for action on the nominations by the House of Representatives as soon as possible.

Board of Marine Pilots:

William Barrington, Anchorage, term expiring 06/01/84
David George, Juneau, term expiring 06/01/84

JD:jp

Alaska State Legislature

MAR 22 1982



Speaker of the House of Representatives

Official Business

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-3720

TO: Representative Bette Cato, Chair
Transportation Committee

FROM: Speaker Joe Hayes *JH*

DATE: March 19, 1982

RE: Confirmation of Governor's Appointments

The following names have been submitted by the Governor for confirmation. Please evaluate the nominees and conduct confirmation hearings as you deem necessary. Please submit your recommendations for action on the nominations by the House of Representatives as soon as possible.

Board of Marine Pilots

Captain Donald J. Oldow, Seward, term expiring 06/01/85

4 December 1981

The Honorable President, Senate,
The Honorable Speaker, House of Representatives,
Members, Alaska State Legislature

I am Donald J. Oldow and have been reappointed by Governor Hammond to membership on the Board of Marine Pilots for a term ending June 1, 1985 subject to reconfirmation by the Alaska State Legislature. I, therefore, wish to submit the following for your information.

Born 25 September 1925 in Seattle, Washington and lived most of my early life near Anacortes, Washington. Attended Anacortes High School and two semesters (1942-1943) at the University of Washington in Seattle.

I started my seagoing career at the age of 16 during summer vacation in 1942 on Puget Sound as a seaman. From March 1943 through June 1944 I served as Able Seaman, Quartermaster and Boatswain with the Army Transport Service running to all ports in South Central Alaska, the Aleutian Islands and into the Bering Sea. I attended the U.S. Maritime Service Officers Training School at Alameda, California during the period June-October 1944 where I received my Third Mate of Ocean license after which I sailed in various licensed capacities aboard ships throughout the world for Grace Line, Waterman Steamship Co., R.A. Nicol Co. and Matson Line until 1949. In May 1950, after approximately six months with Puget Sound Tug & Barge Co. towing to Hawaii and Southeast Alaska, I accepted a Third Mate's position with Puget Sound Navigation Co. (Black Ball Line) on the flagship CHINOOK running between Seattle and Victoria B.C., Canada. By November 1950 I was relief Master and Pilot on the run and a permanent Master in 1952. I served as Master and Pilot on this route on various vessels until February 1967 when I resigned as Master of M/V COHO to take a position that had been offered to me previously as Master with Alaska Marine Highways. I served as Master of M/V TUSTUMENA, State of Alaska, from February 1967 through May 1976 based in Seward with routes to Kodiak, Cook Inlet and Prince William Sound.

In May 1976 I resigned my command of TUSTUMENA and joined the Southwest Alaska Pilots Association based in Homer, Alaska but I have retained my home and residence of 15 years in Seward at 315 2nd Avenue.

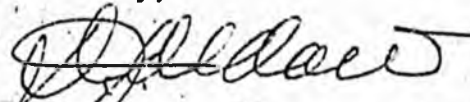
I have held a Master and Pilot license since 1950 and presently have a federal license as Master of Steam and motor vessels upon oceans, of any gross tons; first class pilot on Puget Sound (excluding Tacoma and Olympia) and the waters of Southeastern, Southwestern and Western Alaska on vessels of any gross tons. I also have Alaska State Marine Pilot License No. AA 0012 issued October 20, 1969.

I have served as Master and Pilot aboard vessels continuously since 1950 - until 1967 on Puget Sound and since 1967 in Southwest and Southeast Alaska. Since May 1976 I have served full time as Pilot of all types and sizes of vessels throughout Southwestern Alaska. Also, since 1976 I have received advanced shiphandling and pilotage training at the Port Revel Marine Research and Training Center at Grenoble, France and at the Computer Aided Operations Research Facility (CAORF) simulator at the National Maritime Research Center, Kings Point, N.Y. Additionally, I participated in the planning, training of pilots and shipmasters and start-up of the Valdez Alyeska Marine Terminal operations.

I was appointed to the Alaska State Board of Marine Pilots on 15 November 1976 to fill an unexpired term of a resigned member until 1 June 1977 at which time I was reappointed to my first full term which expired 1 June 1981.

I believe I have the training and experience in the marine piloting field to responsibly carry out the duties of a member of the Board of Marine Pilots and with your approval I would like to serve the people of the State of Alaska in this capacity for an additional term.

Sincerely,



Capt. Donald J. Oldow
Box 881
Seward, Ak. 99664

284-3664

Alaska State Legislature

House of Representatives

Committee on Transportation



Rep. Bette Cato, Chairman

Fouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4858

TO: Speaker Joe Hayes
FROM: House Transportation Committee
DATE: April 14, 1982
RE: Recommendation on Governor's Appointment

The House Transportation Committee gives the following individual recommendations on the following appointment:

Captain Donald J. Oldow to the Board of Marine Pilots.

Confirm:

No Recommendation:

Reject:

<u>Bette Cato</u>	_____	_____
<u>Ray Pelcatte</u>	_____	_____
<u>Walter Wood</u>	_____	_____
<u>Jim Duncan</u>	_____	_____
<u>Poppy Mor</u>	_____	_____
_____	_____	_____
_____	_____	_____

Alaska State Legislature



House of Representatives

REPRESENTATIVE

BETTE CATO

DISTRICT 5

BOX 775

VALDEZ, ALASKA 99686

(907) 835-4568

WHILE IN JUNEAU

POUCH V

JUNEAU, ALASKA 99811

(907) 465-4858

COMMITTEES

CHAIRMAN

HOUSE TRANSPORTATION

VICE CHAIRMAN

HOUSE HEALTH EDUCATION

AND

SOCIAL SERVICES

April 22, 1981

Mr. William Barrington
Alaska Maritime Agencies
P.O. Box 6224
Anchorage, Alaska 99502

Dear Bill,

The House Transportation Committee has unanimously approved your appointment to the Board of Marine Pilots, term expiring 06/01/84. A letter of notification has been transmitted to Speaker Duncan.

Sincerely,

Bette Cato

Representative Bette Cato, Chairman
House Transportation Committee

BC:cb

Alaska State Legislature



House of Representatives

Copy

REPRESENTATIVE
BETTE CATO
DISTRICT 5
BOX 775
VALDEZ, ALASKA 99686
☎(907) 835-4568
WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA 99811
☎(907) 465-4858

COMMITTEES
—
CHAIRMAN
HOUSE TRANSPORTATION
—
VICE CHAIRMAN
HOUSE HEALTH EDUCATION
AND
SOCIAL SERVICES

TO: Speaker Jim Duncan
FROM: Representative Bette Cato, Chairman
House Transportation Committee
DATE: April 10, 1981
RE: Confirmation Hearing

This information per your request.

The House Transportation Committee will be holding a confirmation hearing on the Board of Marine Pilots on April 16, thursday, in room 112 at 8:30 a.m.

The appointees are people who have served on the board previously and their names are; Mr. Bill Barrington and Mr. David George.

Alaska State Legislature



House of Representatives

REPRESENTATIVE
BETTE CATO
DISTRICT 5
BOX 775
VALDEZ, ALASKA 99686
(907) 835-4568
WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA 99811
(907) 465-4858

COMMITTEES
CHAIRMAN
HOUSE TRANSPORTATION
VICE CHAIRMAN
HOUSE HEALTH EDUCATION
AND
SOCIAL SERVICES

April 22, 1981

Mr. David George
c/o Findley & Brinkman Law Offices
201 Seward Street
Juneau, Alaska 99801

Dear David,

The House Transportation Committee has unanimously approved your appointment to the Board of Marine Pilots, term expiring 06/01/84. A letter of notification has been transmitted to Speaker Duncan.

Sincerely,

Bette Cato

Representative Bette Cato, Chairman
House Transportation Committee

BC:cb



JUNEAU ALASKA

Alaska State Legislature
House

TRANSPORTATION COMMITTEE

April 22, 1981

Representative Jim Duncan, Speaker
House of Representatives
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Mr. Speaker,

The House Transportation Committee has unanimously approved the following appointments to the Board of Marine Pilots:

William Barrington, Anchorage, term expiring 06/01/84
David George, Juneau, term expiring 06/01/84

Respectfully Submitted,

Bette Cato

Representative Bette Cato, Chairman
House Transportation Committee

BC:cb

ALASKA MARITIME AGENCIES

2101 FOURTH AVENUE—SUITE 1410
SEATTLE, WASHINGTON 98121
TELEPHONE 206 623-0520
TELEX 32 9793

P.O. BOX 6224
ANCHORAGE, ALASKA 99502
TELEPHONE 907 243-0714
TELEX 090-25468

P.O. BOX 8075
KETCHIKAN, ALASKA 99901
TELEPHONE 907 225-6156
TELEX 099-55295

P.O. BOX 1170
VALDEZ, ALASKA 99686
TELEPHONE 907 835-2900
TELEX 090-26391

PLEASE REPLY TO: Anchorage

RESUME

William H. Barrington

April 1, 1919:

Born at San de Fuca, Washington

1924:

Accompanied parents to Wrangell, Alaska where my father opened the Barrington Transportation Company on the Stikine River.

We lived in Wrangell each year from April until October from 1925 until 1943, spending the winter months in Washington.

I attended public schools in Wrangell and Oak Harbor, Washington, graduating in May 1936.

I attended the University of Washington and Griffin-Murphy Business College in Seattle during the winters and was employed by the Diamond K. Packing Company, Sinclair's Store, Barrington Transportation Company and Wrangell Lumber Mill until my marriage on January 23, 1944.

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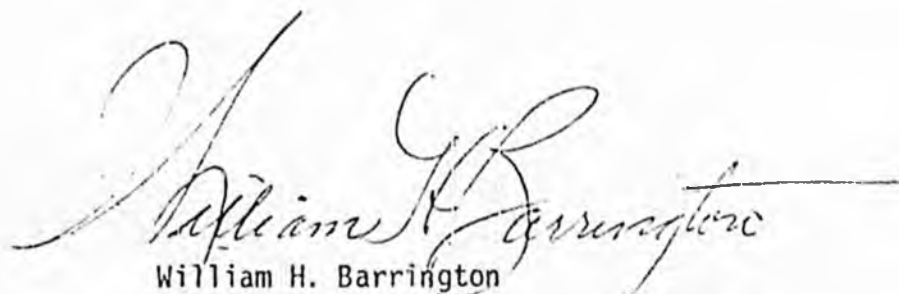
Appointed to U.S. Customs Service in Skagway, Alaska and served during the summer of 1945 as deputy collector in charge of the port of Eagle.

October 1945:

Was transferred to the Customs headquarters in Juneau serving as marine, vessel admeasurement, and vessel documentation officer, appraiser and assistant collector of Customs until retiring in February 1964.

March 1964:

Moved to Anchorage, Alaska and was engaged in private enterprise. I was employed by Alaska Maritime Agencies as vessel agent in 1967 and presently am the Western Alaska Manager with offices in ERA Aviation Center Anchorage, Kenai and Dutch Harbor.


William H. Barrington



JAMES F. PETERSEN

ATTORNEY & COUNSELLOR AT LAW

319 SEWARD STREET

JUNEAU, ALASKA 99801

DAVID V. GEORGE, ASSOCIATE

(907) 586-3530

October 17, 1979

The Honorable Jay S. Hammond
Governor, State of Alaska
Office of the Governor
State Capitol Building
Juneau, AK 99811

RE: Marine Pilots Board

Dear Governor Hammond:

In response to the phone call I received from Elaine Garrett of the Division of Occupational Licensing October 16, 1979, I would like to submit a brief statement of my professional background.

I am a member of the California, Nevada and Alaska bars, being in good standing in all three. I graduated from law school in 1974, during which time I was a hearing officer for the state welfare department. In 1975 I went to work in the field of private civil practice for the firm of Julian C. Smith, Ltd. in Carson City, Nevada. Upon arriving in Alaska in June of 1977, I became employed by the Limited Entry Commission in a variety of functions, such as House Counsel, Legislative Liaison, Assistant to the Correlation of Programs with the North Pacific Fisheries Management Council, and Special Legal Advisor. In August of 1978, I left state employment to work as an associate in the law offices of James F. Petersen, located here in Juneau at 319 Seward Street. Again, this was by way of private civil practice and is the position I now hold.

I am interested, and would if chosen, serve on the Marine Pilots Board.

If there is any further information which you would require, or any questions which you may have, please feel free to contact me. I await your decision.

Respectfully yours,


David V. George
Associate Counsel

DVG/law

*Kindley & Brinkman Law Offices
201 Seward St
Juneau 99801*

*RR 5, Box 5575-A
Juneau 99803 Finley & Brinkman
12/15/49 N 586-3811*
Portland
10/22/77*



Alaska State Legislature
House

JUNEAU ALASKA

TRANSPORTATION COMMITTEE

March 27, 1981

Representative Jim Duncan, Speaker
House of Representatives
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Mr. Speaker,

The House Transportation Committee has unanimously approved the appointment of Mr. Hesden D. Scougal to the Alaska Transportation Commission, term expiring February 1, 1987.

Sincerely,

A handwritten signature in cursive script that reads "Bette Cato".

Representative Bette Cato, Chairman
House Transportation Committee

MEMORANDUM

State of Alaska

TO: Ms. Carol Burnside
Administrative Assistant
to Representative Cato

DATE: March 24, 1981

FILE NO:

TELEPHONE NO: 465-3500

FROM: Vicki A. Clayman
Special Assistant
to the Governor

SUBJECT: Confirmation
of Governor's
Appointments

Per your request of March 18, 1981, attached are the résumés
for the following individuals:

BOARD OF MARINE PILOTS

Mr. William Barrington, Anchorage
Mr. David George, Juneau

ALASKA TRANSPORTATION COMMISSION

Mr. Hesden D. Scougal, Petersburg

Attachments

ALASKA

STATE LEGISLATURE

MEMORANDUM

Confirmation Hearings

- performance sunset audits
test knowledge - good questions
- ask legislators through Betta
- other members of Committee
- lobbyists of industry
Lou + Alex; Clark King
- Marine Pilots - occupational licensing
- Fred Brown - pick brain

-> Exec Budget Act
Title 54

-> Admin Proceed
44.62
44.66

BRU in Finance

State Central Committee
The Republican Party of Alaska
621 W. 5th Avenue, Suite C
Anchorage, Alaska 99501

From: House District Two

Subject: Hesden D. Scougal to Alaska Transportation Commission

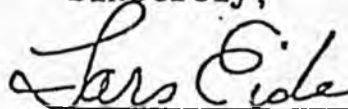
We submit to you, for your consideration, the appointment to the Alaska Transportation Commission, of Hesden D. "Scoug" Scougal of Box 29, Petersburg, Alaska 99833.

Scoug is a 38 year resident, married, with two daughters living in Alaska. An active Republican since 1943, he is a former assistant Finance Chairman of the Republican Party of Alaska.

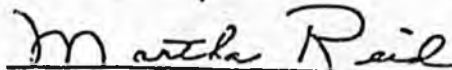
- * He was one of the original members of the Municipal Bond Bank Board,
- * associated with various successful Alaskan businesses for 27 years,
- * served as Deputy Commissioner of Highways for Governor Hickel and Governor Miller,
- * served as Commissioner of Highways for Governor Hammond,
- * served as Deputy Commissioner of the Department of Transportation and Public Facilities for Governor Hammond,
- * served as City Manager of Petersburg for 3 years,
- * served as President of the Southeast Conference of Alaskan Cities.

House District 2 endorses Hesden D. Scougal for appointment to the Alaska Transportation Commission.

Sincerely,



Lars Eide, Chairman



Martha Reid, Secretary

cc: Governor Hammond
Representative Haugen
Senator Eliason

DISC of
Transfer
of AK.
Railroad

PLEASE NOTE: THE FOLLOWING PAGES WERE TREATED
AS A UNIT IN THE ORIGINAL DOCUMENT

Suneel Alaska Corporation

3340 ARCTIC BOULEVARD
SUITE 101
ANCHORAGE, ALASKA 99503

P.O. BOX 3577
ANCHORAGE, ALASKA 99510
TELEX: 25-379 ADVES

PHONE: (907) 277-2658

February 2, 1982

Mr. Frank H. Jones
General Manager and CEO
The Alaska Railroad
Pouch 7-2111
Anchorage, Alaska 99510

Dear Mr. Jones:

Thank you very much for your recent official visit to the Republic of Korea. Your participation, along with that of Senator Murkowski, in our sincere discussions with President Chun and many other officials of our government and KEPCO is most productive in strengthening the growing trade relationship between Alaska and Korea. The understanding and commitment which comes as a result of these meetings will have long-term benefit for all participants.

For the further use of you and your staff in planning, Sun Eel Shipping Co., Ltd., is committed to the purchase of two bulk carriers which will be dedicated to the transportation of coal from Alaska to Korea, fulfilling the contracts which exist between Usibelli Coal Mine, Inc. and Suneel and between The Alaska Railroad and Suneel. These bulk carriers will be of the 50,000 DWT class.

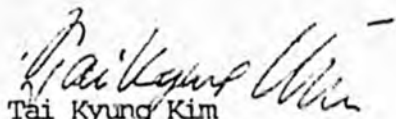
As you are aware, our current contract with Usibelli Coal Mine, Inc. calls for exports of coal which reach a level of 800,000 metric tons in 1984 for the duration of the ten year agreement. As you are also aware, demand for the use of Alaskan coal by KEPCO will be substantially in excess of this amount, reaching over 2.1 million metric tons per year as early as 1986. Suneel, therefore, views it as imperative that the berth at our facility in Seward be capable of handling at least a 50,000 DWT bulk carrier, in order to meet the overall economics in ocean freight in this transaction. Vessels of this class could be expected to call, even for the 800,000 metric ton contract, approximately every two weeks. As details become clearer, we will, of course, coordinate the operation very closely so that exact arrival dates will be known well in advance.

page two
Mr. Frank H. Jones
February 2, 1982

Again, please accept our sincere appreciation for your coming to Korea and for your continued interest in these beginnings of trade between Alaska and Korea. Please also accept our best regards and the personal greetings of Minister Sun Ki Lee.

As always, we will be at your disposal for any questions or further information.

Sincerely,


Tai Kyung Kim
Executive Vice President

January 28, 1982

Mr. Clem Tillion
Director of the International Fishery
and External Affairs Office
338 Denali Street
McKay Building, 7th Floor
Anchorage, Alaska 99501

Dear Mr. Tillion:

On my recent visit to Korea with Senator Frank Murkowski, I attended several meetings with the Korean Government officials including the President and Prime Minister. The Korean government has made the decision to convert four utility plants to use sub-bituminous coal (Alaska type). Two of these plants will be converted in 1983 and the other two in 1985. This will mean the potential exportation of two and one-half million tons of coal annually.

SunEel Alaska Corporation has signed contracts with Usibelli Coal Mine Company. The contracts provide for a minimum of 220,000 tons in 1982, a minimum of 550,000 tons in 1983, and a minimum of 880,000 tons in 1984 and each year thereafter for a period of ten years with option renewal. In addition, SunEel has contracted with The Alaska Railroad for the movement of coal from Usibelli's new loading tipple near Healy to the port of Seward.

In October 1981, SunEel leased 14.08 acres of land at Seward from the ARR. This land will be used for unloading the rail cars and stockpiling the coal and loading it onto their ships. The SunEel vessels will berth at the west berth of the ARR dock which will be dedicated to coal loading. SunEel has completed the conceptual designs of this facility and has issued contracts to complete the detail and structural design. Construction will begin at spring breakup with a completion date of October 1982. The estimated cost of the current design of the coal facility at Seward is in excess of approximately 20 million.

Mr. Clem Tillion
Dir of the International Fishery
and External Affairs Office

To place Alaska coal in an economically viable position with other world trade coal, it must be transported in vessels of at least 50,000 Dead Weight Tons (DWT). Both berths at the ARR Seward Dock are currently dredged to depth of approximately -35' Mean Lower Low Water (MLLW). The west berth has been dedicated for the export of grain and coal. For the 50,000 DWT vessels to utilize this berth, it is necessary to dredge to -45' MLLW. It is estimated that 200,000 cubic yards of materials will have to be dredged from the west berth to reach the required depth.

Enclosed are two copies of the 1979 aerial photo of Seward. Enclosure 1 is a 1" to 400' scale and shows the ARR reserve and the proposed dredging and disposal areas. Enclosure 2 is a 1" to 100' scale showing the ARR dock and soundings taken in 1980. Enclosure 3 is a copy of the Corps of Engineers Public Notice for the dredging. We anticipate that the permit for this dredging can be issued by mid-March of this year.

The City of Seward currently has contracted for dredging at their 4th of July Creek facility. With this contractor operating at Seward, the economics are favorable for dredging a project of this size this year. The ability to use a contractor already in the area greatly reduces mobilization costs, estimated savings of \$1 million. Based upon our knowledge of the city project, it appears that our dredging could be done during the month of April (prior to beginning the city's project) or in October (after its completion). This would meet SunEel's schedule which calls for the first load of coal to leave Healy in September with the first vessel due to dock at Seward in October or November.

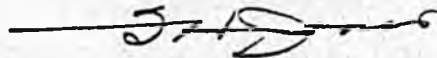
To obtain the required -45' MLLW depth at the west berth without undercutting the dock piling, it is necessary to continue the 3:1 subsea soil slope as shown in Enclosure 4. Bulk carriers such as SunEel plans to use are essentially rectangular in shape. To prevent bottoming at the dock face, a fendering system to keep the vessel back from the dock face approximately 15 feet will be required. We have reviewed various types of fendering systems and believe that the Yokohama pneumatic rubber fenders or similar type would be the most effective method of pushing the ships out the required distance. An alternate method would be rebuilding the fender system on our dock to allow deeper dredging at the face of the dock. Enclosure 5 is a copy of a portion of the Yokohama catalog showing this type of fendering system.

Enclosure 6 is a cost estimate for dredging completion during the 1982 construction season. Also shown on the cost estimate is the cost of equipping the Seward Dock with the required rubber fenders to handle 50,000 DWT vessels. This work needs to be accomplished this year to further the exportation of Alaskan coal to the far eastern markets. This project will not only benefit the City of Seward but the entire railbelt as the export of coal will make the ARR a more viable operation.

Mr. Clem Tillion
Director of the International Fishery
and External Affairs Office

Your recommendations for funding sources and assistance in this project
will be greatly appreciated.

Sincerely,



F. H. Jones
General Manager

Enclosures: 6

1. 1979 Aerial Photo of Seward
2. 1"-100' Scale ARR Dock/Soundings
3. Corps of Engineers Public Notice
4. 3:1 Subsea Soil Slope
5. Portion of Yokohama Catalog
6. Cost Estimate - Dredging Completion

cc: City of Seward
Chuck Webber

MAPS AND DRAWING OF SEWARD TERMINAL RESERVE

DREDGING OPERATION AVAILABLE IN COMMITTEE OFFICE

ROOM 108 Capitol.

SEWARD DREDGING PROJECT

Dredging

Mobilization	\$ 50,000
Dredging 200,000 yards @ 3.15	630,000
Engineering, construction, inspection	<u>40,000</u>

\$720,000

Fendering System

270,000

\$990,000

Prepared by: Office of Chief Engineer
January 28, 1982

Encl 6



DEPARTMENT OF THE ARMY
ALASKA DISTRICT, CORPS OF ENGINEERS

P.O. BOX 7002

ANCHORAGE, ALASKA 99510
REGULATORY FUNCTIONS BRANCH
(907) 279-4123

REPLY TO
ATTENTION OF:

NPACO-RF-P

RECEIVED

JAN 20 1982

The Alaska Railroad
Office of Chief Engineer

PUBLIC NOTICE

PUBLIC NOTICE DATE: January 19, 1982

EXPIRATION DATE: February 19, 1982

REFERENCE NUMBER: 071-OYD-2-810521
Resurrection Bay 59

Interested parties are hereby notified that application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan.

APPLICANT: The Alaska Railroad, Pouch 7-211, Anchorage, Alaska 99510.

LOCATION: Section 3, T. S., R. 1 W., S.M., Seward, Alaska.

WORK: To dredge approximately 200,000 cubic yards of mixed gravel, sand and silt from the west berth of the Alaska Railroad's Seward Dock and dispose of the dredged material at a nearby upland site using a dike/wier structure to attempt to separate the solids from the water. The run off water will be disposed of in the intertidal resource. A -45' mean lower low water berthing area would result from the action.

PURPOSE: To provide a -45' mean lower low water berthing area for coal container ships.

AUTHORITY: This permit will be issued or denied under the following authorities:

- (X) Perform work in or affecting navigable waters of the United States - Section 10, River and Harbor Act 1899 (33 U.S.C. 403).
- (X) Discharge dredged or fill material into waters of the United States - Section 404, Clean Water Act (33 U.S.C. 1344).

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

Encl 3

19 January 1982

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify that the described activity affecting land or water uses in the Coastal Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Division of Policy Development and Planning has concurred with the applicant's certification.

EIS DETERMINATION: A preliminary determination has been made that an environmental impact statement is not currently required for the described work.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

CULTURAL RESOURCES: The property described is not a registered or eligible property in the latest published version of the National Register of Historic Places.

ENDANGERED SPECIES: Preliminarily, this described activity will not affect endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). Formal consultation under Section 7 of the Act is not required for the described activity.

FLOOD PLAIN MANAGEMENT: Evaluation of the described activity will include conformance with appropriate State or local flood plain standards; consideration of alternative sites and methods of accomplishment; and weighing of the positive, concentrated and dispersed, and short and long-term impacts on the flood plain.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production, and, in general, the needs and welfare of the people.

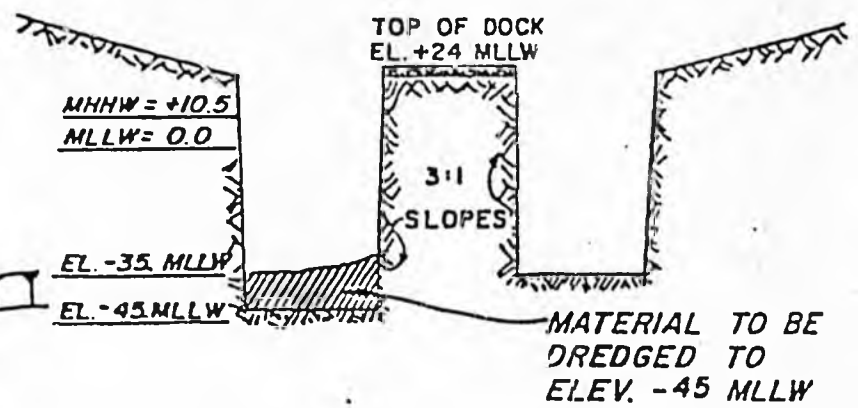
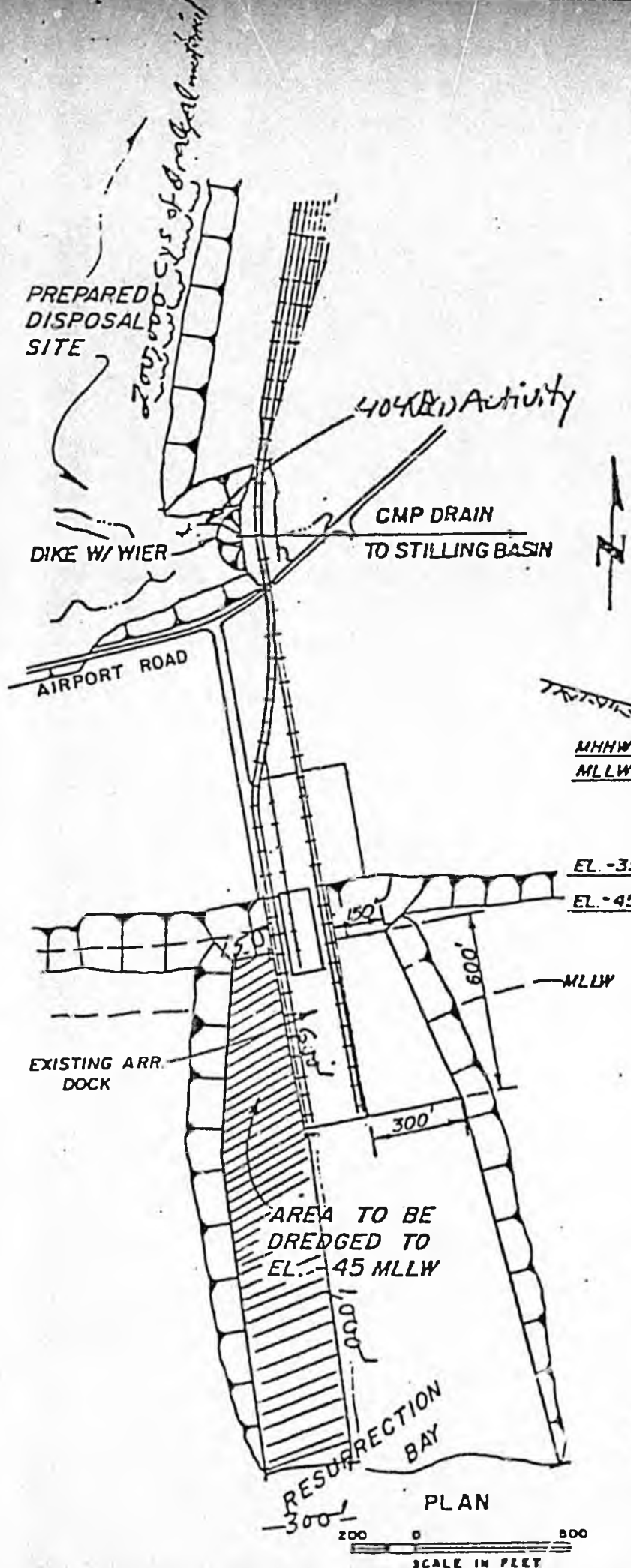
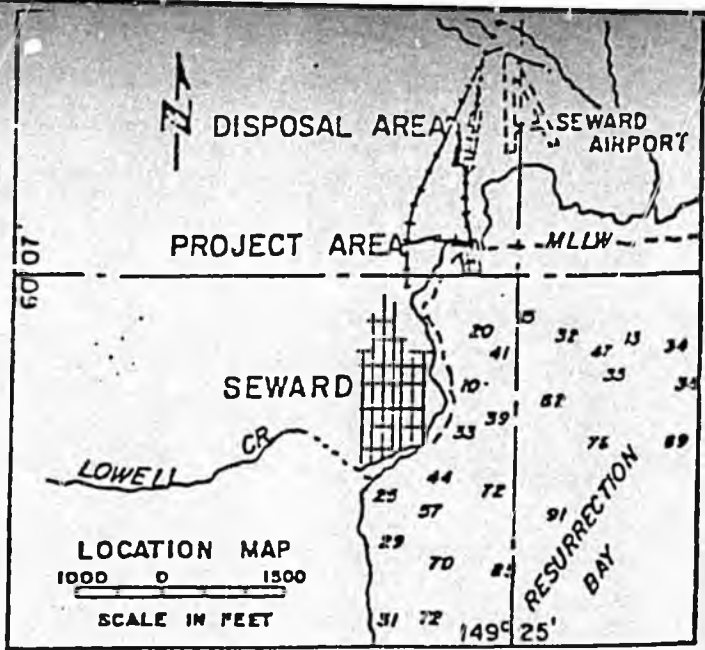
19 January 1982

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. If further information is desired concerning this notice, contact Mr. Richard Borsetti at (907) 552-4942 or 279-4123.

FOR THE DISTRICT ENGINEER:

- 3 Incl
- 1. Plan
- 2. ACMP Notice
- 3. 401 Notice

M. James Wolfe
M. JAMES WOLFE
Chief, Permit Processing Section
Regulatory Functions Branch



TYPICAL CROSS SECTION
 SCALE: HORIZ. 1" = 300'
 VERT. 1" = 60'

~10 acres of area to be dredged.

RESURRECTION BAY 59

APPLICATION TO DREDGE WEST BERTH

in RESURRECTION BAY

at SEWARD

State ALASKA

By THE ALASKA RAILROAD

Dated 21 Dec 81

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

465-2601

PUBLIC NOTICE - BUREAU 85311

NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a Federal license or permit to conduct any activity which may result in any discharge into the navigable waters must first apply for and obtain certification from the Alaska Department of Environmental Conservation that any such discharge will comply with the Clean Water Act of 1977 (PL 95-217), the Alaska Water Quality Standards and other applicable State laws. By Agreement between the U.S. Army Corps of Engineers and the Alaska Department of Environmental Conservation application for a Department of the Army Permit may also serve as application for State Water Quality Certification when such certification is necessary.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers Public Notice No. 071-0YD-1-810521 also serves as application for State Water Quality Certification from the Alaska Department of Environmental Conservation, as provided in Section 401 of the Clean Water Act of 1977 (PL 95-217).

The Department will review the proposed activity to insure that any discharge to waters of the United States resulting from the referenced project will comply with the Clean Water Act of 1977 (PL 95-217) the Alaska Water Quality Standards and other applicable State laws.

Any person desiring to comment on the water quality impacts of the proposed project may do so by writing to:

Alaska Department of Environmental Conservation
Southcentral Regional Office
437 "E" Street, Second Floor
Anchorage, Alaska 99501
Telephone: 274-2533

within 30 days of publication of this notice.

Incl 3

STATE OF ALASKA

OFFICE OF THE GOVERNOR
DIVISION OF POLICY DEVELOPMENT AND PLANNING

JAY S. HAMMOND, Governor

Phone 465-3512
Pouch AD - Juneau 99811

STATE OF ALASKA
DIVISION OF POLICY DEVELOPMENT AND PLANNING

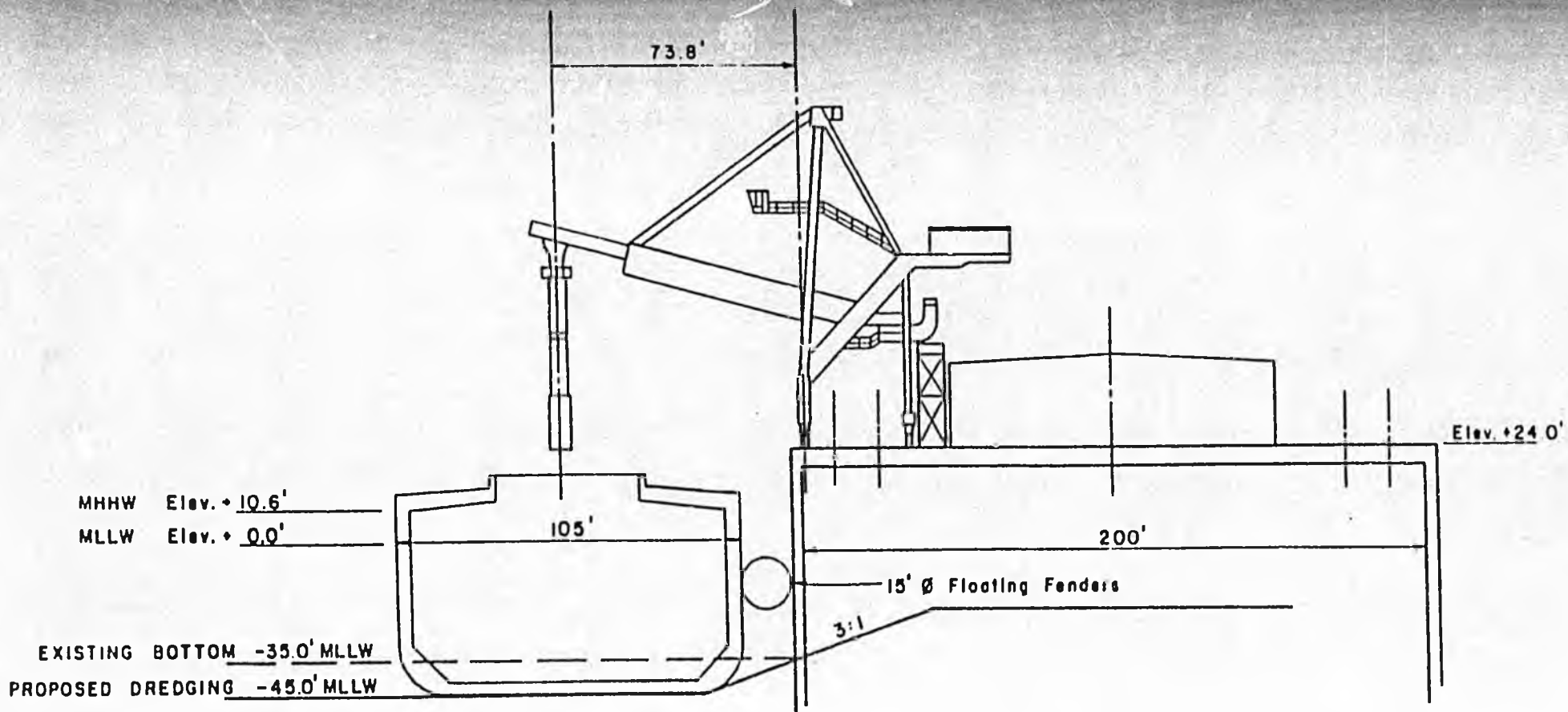
Notice of Application for
Certification of Consistency with the
Alaska Coastal Management Program

Notice is hereby given that a request is being filed with the Division of Policy Development and Planning for concurrence, as provided in Section 307 (c)(3) of the Coastal Zone Management Act of 1972, as amended [P.L. 94-370; 90 Stat. 1013; 16 U.S.C. 1456 (c)(3)], that the project described in the Corps of Engineers Public Notice No. 071-OYD-1-810521 will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

Any person desiring to present views on considerations pertaining to the project's compliance or consistency with the Alaska Coastal Management Program may do so by providing his views in writing to the State Clearinghouse, Division of Policy Development and Planning, Office of the Governor, Pouch AD, Juneau, Alaska 99811, within 20 days of publication of this notice.

Incl 2

Encl 4

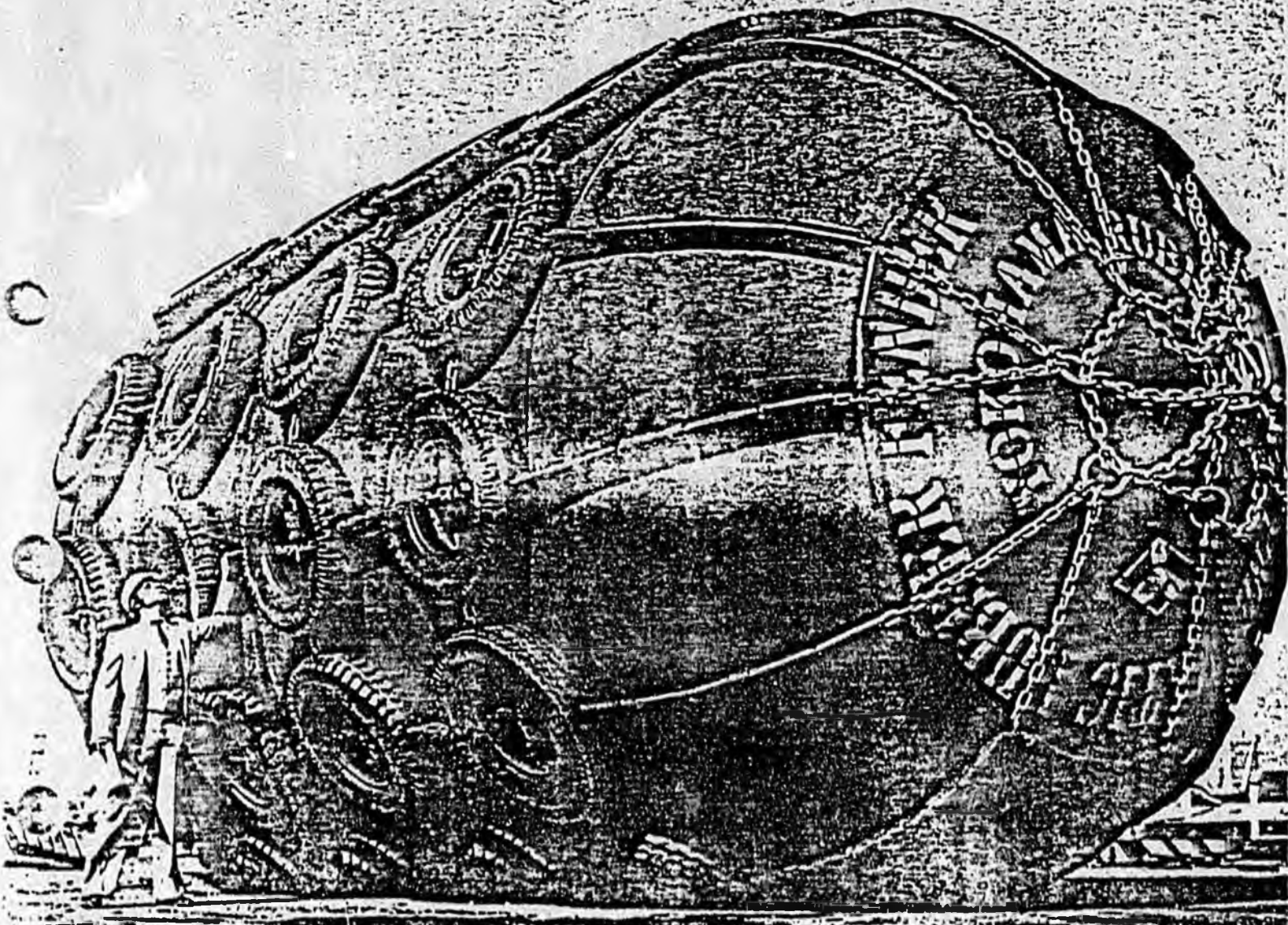


CROSS SECTION - ALASKA RAILROAD SEWARD DOCK

3:1 SUBSEA SOIL SLOPE
50,000 DWT CLASS BULK CARRIER

YOKOHAMA PNEUMATIC RUBBER FENDERS

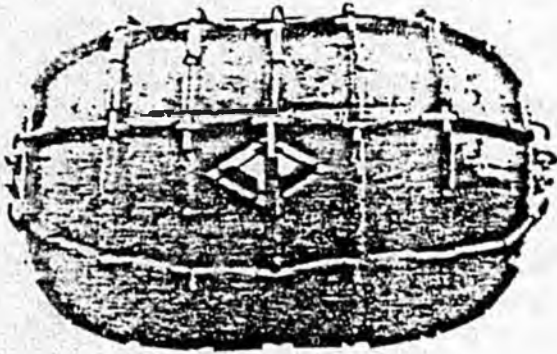
for ship transfer and ship to pier & quay service



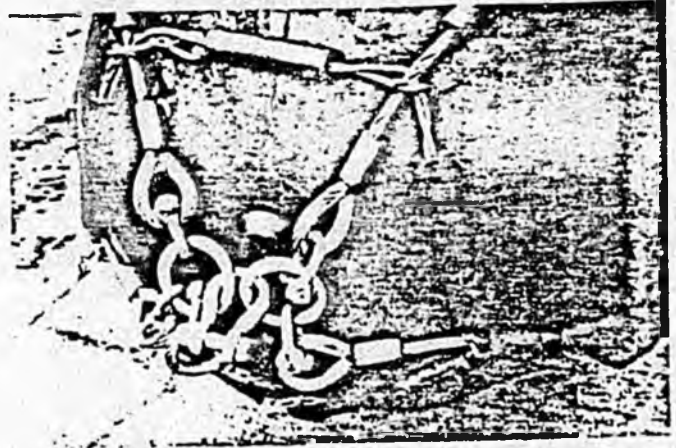
YOKOHAMA

Wm. S.

b) DETAILS OF FENDER NETS



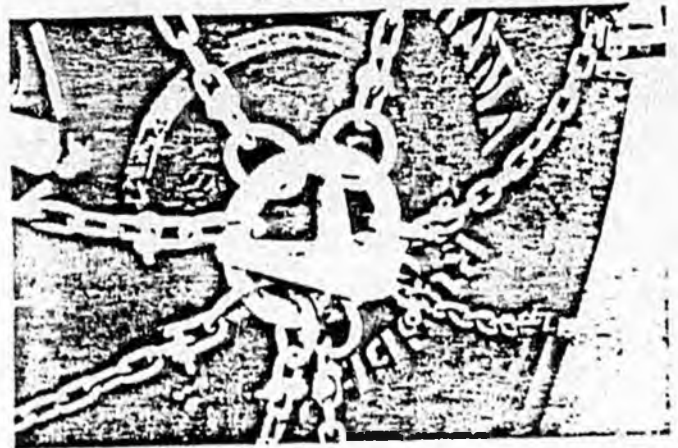
Fibre net type



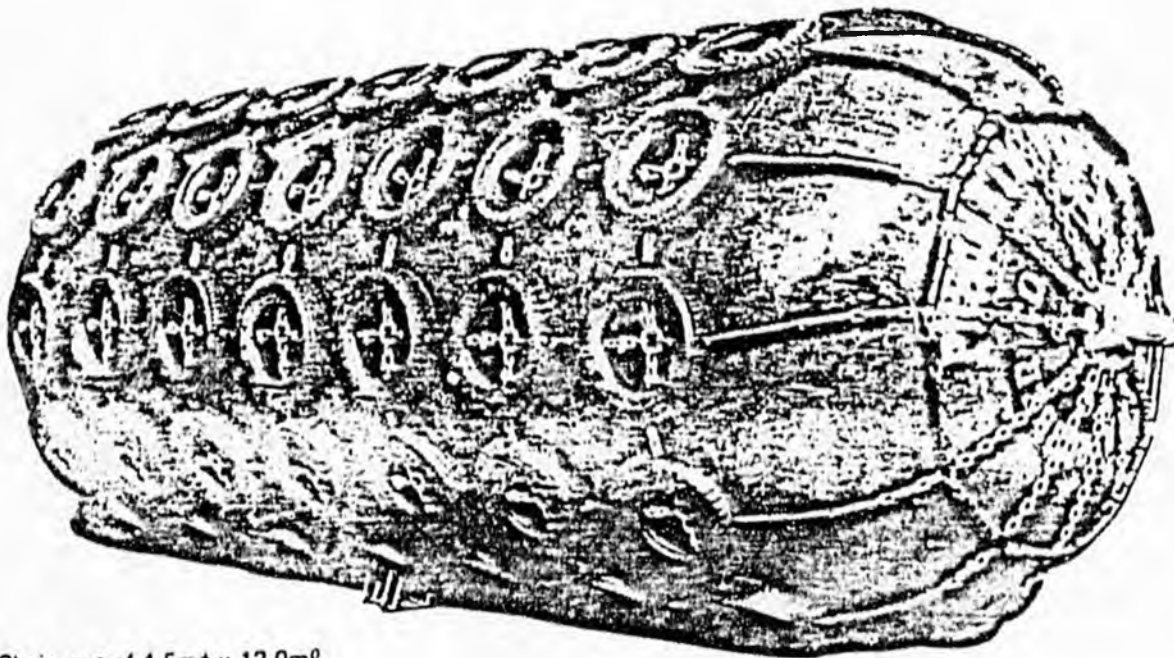
Ring shackle type



Special towing ring type

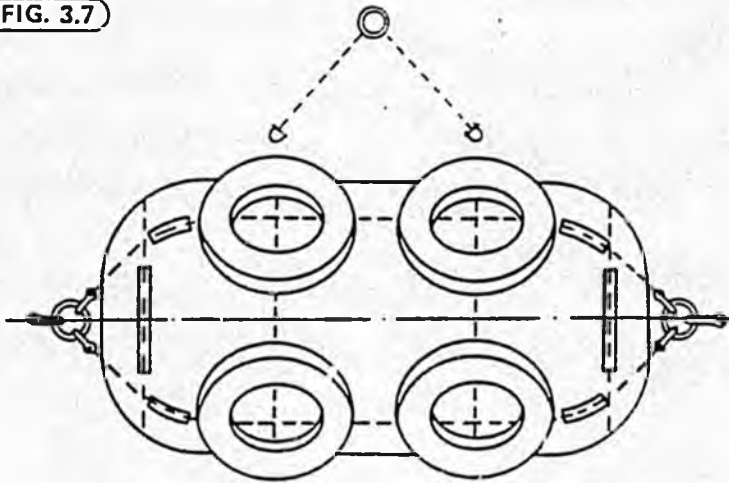


Towing ring type



Chain net of 4.5mφ x 12.0mℓ

FIG. 3.7



Ring Shackie Type
(1.05m x 2.5ml & smaller size)

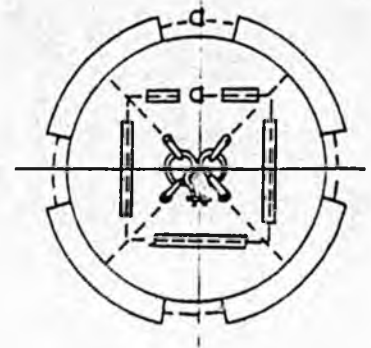
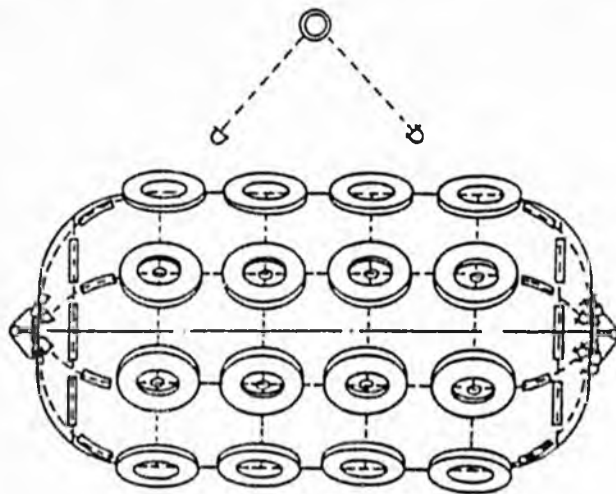


FIG. 3.8



Towing Ring Type
(From 1.5m x 3.0ml to 3.3m x 6.5ml)

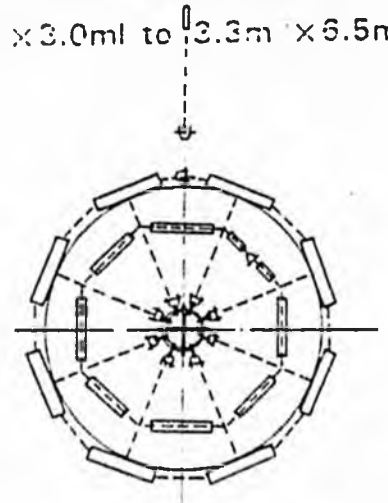
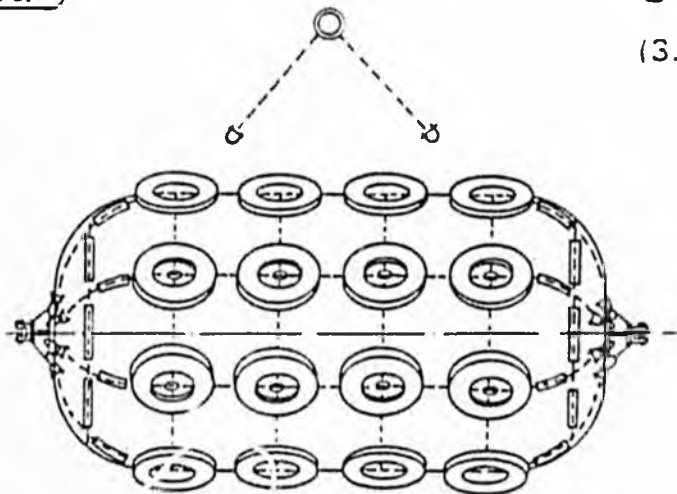
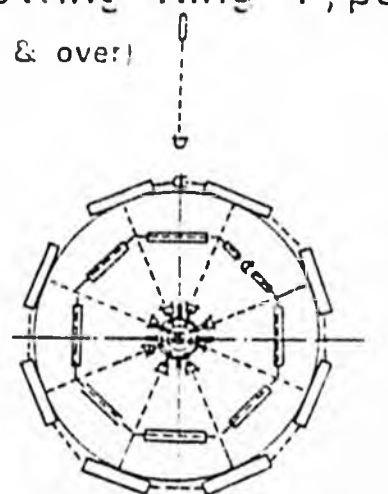


FIG. 3.9



Special Towing Ring Type
(3.3m x 6.5ml & over)



**PLEASE NOTE: THE PRECEDING PAGES WERE TREATED
AS A UNIT IN THE ORIGINAL DOCUMENT.**

From Bettisworth

DRAFT 12/31/81

Introduced:
Referred: **Transportation and Finance**

IN THE SENATE BY DANKWORTH AND KERTTULA
SENATE BILL NO. _____

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE - SECOND SESSION
A BILL

For an Act entitled: "An Act relating to the Alaska Railroad."

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

* Section 1. AS 42 is amended by adding a new chapter to read:

"CHAPTER 41. TRANSFER OF ALASKA RAILROAD

Sec. 42.41.010. RAILROAD TRANSFER TEAM

(a) There is hereby established the "State Of Alaska Railroad Transfer Team", to be comprised of three members: one member to be appointed by the senate, one member to be appointed by the house of representatives, and one member to be appointed by the governor.

(b) The team shall have the following duties:

(1) to serve as the liaison of the State of Alaska to the United States Congress and federal agencies with

respect to any federal legislation or administrative actions to transfer, sell, or lease the Alaska Railroad or any of its properties to the state of Alaska, or with respect to any federal legislation or administrative actions affecting the nature or extent of the present or future properties of the Railroad, including matters with respect to future rights-of-way for the Railroad;

(2) to conduct investigations and gather facts and, on the basis of such information, recommend to the senate, house of representatives, and governor whether or not acceptance of any proposed transfer, sale, or lease of the Alaska Railroad or any of its properties from the federal government to the state of Alaska is in the best interest of the state; and

(3) to report periodically, and not less than semi-annually, to the legislature and the governor regarding its activities.

(c) The team shall have the following powers:

(1) to hire staff, legal counsel, or consultants as required to carry out its duties described in this section; and

THE FOLLOWING DOCUMENT(S) MAY NOT FILM
LEGIBLY BECAUSE OF POOR QUALITY OF THE
ORIGINAL.

(2) to take such other administrative actions as are necessary to carry out its duties under this section.

(d) The team shall be the sole body authorized to present the views of the state of Alaska to the federal government, and to negotiate with the federal government with respect to any proposal to transfer, lease, or sell the Alaska Railroad or any of its properties to the state.

(e) The team is not authorized to enter into any agreement binding on the State with respect to the transfer, sale, or lease of the Alaska Railroad or any of its properties to the state from the federal government except in accordance with the provisions of this section. Any recommendations made by the team with regard to the Alaska Railroad shall be binding upon the State of Alaska only upon enactment of appropriate enabling legislation.

(f) The authority of the team shall become effective as soon after enactment of this section as two members of the team are appointed.

(g) The team shall be disbanded and its authority shall expire upon the signing of a agreement effectuating the transfer or sale of the Alaska Railroad to the state.

(h) Members of the team shall receive no salary, but are entitled to per diem and travel expenses authorized by law for state boards and commissions under AS 39-20-180.

Members of the team serve at the pleasure of the organizations which appointed them.

(i) The sum of \$ _____ is appropriated from the general fund to the team for operating expenses for the fiscal year ending June 30, 1982; the sum of \$ _____ is appropriated from the general fund to the team for operating expenses for the fiscal year ending June 30, 1983.

* Section 2. AS 42 is amended by adding a new chapter to read:

"CHAPTER 40. ALASKA RAILROAD AUTHORITY

ARTICLE 1. CREATION AND ORGANIZATION.

Sec. 42.40.010. ESTABLISHMENT OF AUTHORITY. The Alaska Railroad Authority is established as a public corporation of the state.

Sec. 42.40.020. GOVERNING BODY. The powers of the authority are vested in the board of directors. However, the board may not exercise its powers until either: (1) the state enters into an agreement for the transfer, sale, or lease of the

Alaska Railroad to the State; or (2) an earlier time specified by the Governor with the approval of the legislature in joint session.

Sec. 42.40.030. APPOINTMENT AND COMPOSITION OF BOARD. (a) The board of directors of the authority consists of the commissioner of transportation and public facilities and six public members appointed by the governor. The public members may not be public officers or employees.

(b) The public members of the board must be confirmed by a majority of the membership of the legislature in joint session.

(c) The governor shall, in transmitting the names of appointees to the legislature for confirmation, state, in writing, why the nominee is expected to contribute to the effective resolution of the financial, transportation, and legal problems facing the authority, and why, in light of the identity of other appointees, the nominee will help effect a balance in the skills and experience of the board membership.

(d) The board shall elect one of its members to serve as chairman. The chairman is empowered to call meetings of the board and shall preside at the meetings.

Sec. 42.40.040. TERM OF OFFICE; VACANCIES. (a) The public members of the board shall serve for a term of four

years, except that with respect to the six members first appointed, the governor shall designate two to serve a term of two years, two to serve a term of three years, and two to serve a term of four years.

(b) A vacancy on the board shall be filled by appointment by the governor and the appointment must be confirmed by the legislature in joint session. A member selected to fill a vacancy holds office for the balance of the full term for which his predecessor on the board was appointed.

(c) A vacancy on the board does not impair the authority of a quorum of members to exercise all the powers and perform all the duties of the board.

Sec. 42.40.050. CONFLICT OF INTERESTS. Upon appointment, annually during his term of office, and upon a change in financial or business interests which generates a conflict such as described in this section, a board member shall declare privately in writing to the governor, the attorney general of the state, and the board, any financial or business interest he has which might conflict with the public nature of his membership on the board. The attorney general shall review such declarations and determine whether there is or would be a conflict. On the basis of the attorney general's determination, the governor shall direct

the member to abstain from voting with respect to decisions which would result in a conflict, and the governor shall advise the board of such directive. Further, if the governor believes the conflict is extensive or would seriously impair the ability of the member to serve impartially on the board, the governor may remove the member from the board.

Sec. 42.40.060. COMPENSATION AND EXPENSES. Members of the board shall receive no salary, but are entitled to per diem and travel expenses authorized by law for state boards and commissions under AS 39.20.180.

Sec. 42.40.070. QUORUM AND NOTICE OF MEETINGS. Four members are a quorum for the transaction of business unless the bylaws require a larger number. Notice of a meeting of the board, including an agenda for the meeting, must be given to each member and to the public.

Sec. 42.40.080. PUBLIC BOARD MEETINGS. The meetings of the board are public, with the exception of executive sessions as permitted by AS 44.62.310.

Sec. 42.40.090. MINUTES OF MEETINGS. The board shall keep minutes of each meeting and send a certified copy to the governor.

Sec. 42.40.100. PRESIDENT. The board may employ a president to manage the authority. His selection is subject to the approval of the governor. The president may not have any financial or business interest that might conflict with the management of the authority in the public interest. The board may delegate all powers and duties to the president except the power to:

- (a) issue bonds or notes; and
- (b) to commit the authority to individual capital projects with an estimated completion cost greater than \$1,000,000.

ARTICLE 2. POWERS AND DUTIES.

Sec. 42.40.110. GENERAL POWERS. The authority may

- (1) exist continuously as an authority;
- (2) adopt a seal;
- (3) adopt bylaws and regulations governing the business of the authority;
- (4) sue and be sued;
- (5) appoint officers, employees, trustees, and agents, and prescribe their powers and duties;
- (6) hire legal counsel to represent the authority;
- (7) make contracts and execute instruments necessary or convenient in the exercise of its powers and duties;

(8) acquire by purchase, lease, bequest, devise, gift, the satisfaction of debts, the foreclosure of mortgages, or eminent domain under AS 09.55.240 - 09.55.480, and hold, maintain, use, operate, lease, alienate, dispose of, and convey real or personal property;

(9) borrow money and issue its negotiable bonds or notes and provide for and secure their payment, provide for the rights of their holders and purchase, hold, or dispose of any of its bonds or notes;

(10) secure the payment of its obligations by pledge or mortgage or other lien on its contracts, revenues, income, or property, except that it may not incur secondary liability by guaranty or endorsement of the obligations of another corporation or legal entity, except endorsement of checks, bank drafts, or other commercial paper in the ordinary course of business;

(11) accept grants or loans from and contract with the federal government, the state, or its political subdivisions, and to that end comply with the provisions of federal, state, or local programs when necessary;

(12) acquire, hold and dispose of stocks, memberships, contracts, bonds, or other interests in another corporation or legal entity, and exercise the powers or rights in connection

with these interests which are provided in contracts or agreements and which are allowed by law concerning the satisfaction of debts;

(13) provide for the operation, maintenance, and control of the tracks and equipment transferred to it by the federal government or by any person;

(14) acquire, construct, maintain, equip, and operate connecting, switching, terminal, or other railroads and railroad facilities in the state;

(15) do what is necessary to carry out its powers and duties under this chapter or other laws of the state, or the laws and regulations of the federal government.

Sec. 42.40.120. OPERATION OF ALASKA RAILROAD. The authority shall provide for the operation of the Alaska Railroad after it is transferred to the authority by the federal government, and may extend the operations of the Alaska Railroad to the extent that the authority considers desirable in order to promote economic growth and development in the state.

Sec. 42.40.130. REGULATIONS. The board shall adopt regulations in accordance with the Administrative Procedure Act (AS 44.62) to implement this chapter.

Sec. 42.40.140. ANNUAL REPORT. The board shall prepare and distribute to the governor and to each legislator by December 30 of each year a report describing the operations, financial condition, and short- and long-term plans of the authority. The board may include in the report suggestions for legislation relating to the structure, powers, or duties of the authority or relating to the operation of railroad facilities of the authority.

Sec. 42.40.150. ANNUAL AUDITS. The board shall have the financial records of the authority audited annually by the legislative auditor. If an audit is conducted by a private certified public accountant, the legislative auditor may accept that audit in satisfaction of the requirements of this section. The legislative auditor may prescribe the form and content of the financial records of the authority and may have access to those records at any time.

ARTICLE 3. FINANCIAL PROVISIONS.

Sec. 42.40.160. BONDS AND NOTES. (a) The authority, by resolution of the board, may issue bonds and bond anticipation notes to provide money to carry out its purposes.

(b) The principal and interest on the bonds or notes of the authority is payable from money or assets of the authority.

Bond anticipation notes may be payable from the proceeds of the

sale of bonds or from the proceeds of sale of other bond anticipation notes or, if bond or bond anticipation note proceeds are not available, the notes may be paid from other money or assets of the authority. Bonds or notes may be additionally secured by a pledge of a grant or contribution from the federal government, or a corporation, association, institution or person, or a pledge of money, income, or revenues of the authority from any source.

(c) Bonds or bond anticipation notes may be issued in one or more series and shall be dated, bear interest at the rate or rates per year or within the maximum rate, be in the denomination, be in the form, either coupon or registered, carry the conversion or registration provisions, have the rank of priority, be executed in the manner and form, be payable from the sources in the medium of payment and place or places inside or outside the state, be subject to authentication by a trustee or fiscal agent, and be subject to the terms of redemption with or without premium, as the resolution of the board may provide. Bond anticipation notes shall mature at the time or times as may be determined by the board. Bonds shall mature at the time, not exceeding 50 years from their date, as may be determined by the board. Before the preparation of definitive bonds or bond

anticipation notes, the authority may issue interim receipts or temporary bonds or bond anticipation notes, with or without coupons, exchangeable for bonds or bond anticipation notes when these definitive bonds or bond anticipation notes have been executed and are available for delivery.

(d) Bonds or bond anticipation notes may be sold in the manner, on the terms, and at the price the board determines.

(e) If an officer whose signature or a facsimile of whose signature appears on bonds or notes or coupons attached to them ceases to be an officer before the delivery of the bond, note or coupon, his signature or facsimile is valid the same as if he had remained in office until delivery.

(f) In a resolution of the board authorizing or relating to the issuance of bonds or bond anticipation notes, the board has power by provisions in the resolution which will constitute covenants of the authority, and contracts with the holders of the bonds or bond anticipation notes:

(1) to pledge to any payment or purpose all or any part of its revenues to which its right then exists or may thereafter exist, and the money derived from the revenues, and the proceeds of its bonds or notes;

(2) to covenant against pledging all or any part of its revenues, or against permitting or suffering a lien on the revenues or its property;

(3) to covenant as to establishment of reserves or sinking funds and the provision for and the regulation and disposition of the reserves or sinking funds;

(4) to covenant with respect to or against limitations on a right to sell or otherwise dispose of property of any kind;

(5) to covenant as to bonds and notes to be issued, and their limitations, terms and conditions, and as to the custody, application and disposition of the proceeds of the bonds and notes;

(6) to covenant as to the issuance of additional bonds or notes, or as to limitations on the issuance of additional bonds or notes and the incurring of other debts;

(7) to covenant as to the payment of the principal of or interest on the bonds or notes, as to the sources and methods of payment, as to the rank or priority of the bonds or notes with respect to a lien or security, or as to the acceleration of the maturity of the bonds or notes;

(8) to provide for the replacement of lost, stolen, destroyed or mutilated bonds or notes;

(9) to covenant against extending the time for the payment of bonds or notes or interest on the bonds or notes;

(10) to covenant as to the redemption of bonds or notes and privileges of their exchange for other bonds or notes of the authority;

(11) to covenant to create or authorize the creation of special funds of money to be held in pledge or otherwise for operating expenses, payment or redemption of bonds or notes, reserves or other purposes, and as to the use and disposition of the money held in the funds;

(12) to establish the procedure, if any, by which the terms of a contract or covenant with or for the benefit of the holders of bonds or notes may be amended or abrogated, the amount of bonds or notes the holders of which must consent to amendment or abrogation, and the manner in which the consent may be given;

(13) to covenant as to the custody of any of its properties or investments, their safekeeping and insurance, and the use and disposition of insurance money;

(14) to vest in a trustee or trustees inside or outside the state property, rights, powers, and duties in trust as the authority may determine, which may include any or all of the rights, powers and duties of any trustee appointed by the holders of bonds or notes of the authority, and to limit or abrogate the rights of the holders of the bonds or notes of the authority to appoint a trustee under this chapter or limit the rights, powers and duties of the trustee;

(15) to pay the costs or expenses incident to the enforcement of the bonds or notes or of the provisions of the resolution or of a covenant or agreement of the authority with the holders of its bonds or notes;

(16) to agree with an authority trustee which may be a trust company or bank having the powers of a trust company inside or outside the state as to the pledging or assigning of revenues or funds which or in which the authority has any rights or interest; the agreement may further provide for other rights and remedies exercisable by the trustee as may be proper for the protection of the holders of bonds or notes of the authority and not otherwise in violation of law and may provide for the restriction of the rights of an individual holder of bonds or notes of the authority;

(17) to appoint and provide for the duties and obligations of a paying agent or paying agents, or other fiduciaries as the resolution may provide inside or outside the state;

(18) to limit the rights of the holders of bonds or notes of the authority to enforce a pledge or covenant securing the bonds or notes; and

(19) to make covenants other than and in addition to the covenants expressly authorized in this section, of like or different character, and to make the covenants to do or refrain from doing the acts and things as may be necessary, or convenient and desirable, in order to better secure bonds or notes or which, in the absolute discretion of the board will tend to make bonds or notes more marketable, notwithstanding that the covenants, acts or things may not be enumerated in this section.

Sec. 42.40.170. INDEPENDENT FINANCIAL ADVISOR. In negotiating the private sale of bonds or bond anticipation notes to an underwriter, the board shall retain a financial advisor who is independent from the underwriter.

Sec. 42.40.180. VALIDITY OF PLEDGE. The pledge of assets or revenues of the authority to the payment of the principal or interest on bonds or notes of the authority is valid and binding from the time the pledge is made and the assets or

revenues are immediately subject to the lien of the pledge without physical delivery or further act. The lien of a pledge is valid and binding against all parties having claims of any kind in tort, contract, or otherwise against the authority, irrespective of whether those parties have notice of the lien of the pledge. Nothing in this section prohibits the authority from selling assets subject to a pledge, except that a sale may be restricted by the trust agreement or resolution providing for the issuance of the bonds or notes.

Sec. 42.40.190. REMEDIES. A holder of bonds or notes or of coupons attached to them issued under this chapter, and a trustee under a trust agreement or resolution authorizing the issuance of the bonds or notes, except as restricted by a trust agreement or resolution, either at law or in equity, may enforce all rights granted under this chapter or under the trust agreement or resolution, or under any other contract executed by the authority under this chapter, and may enforce and compel the performance of all duties required by this chapter or by the trust agreement or resolution to be performed by the authority or by an officer of it.

Sec. 42.40.200. NEGOTIABLE INSTRUMENTS. Bonds and notes and interest coupons attached to them issued under this

chapter are negotiable instruments under the laws of this state, subject only to applicable provisions for registration.

Sec. 42.90.210. BONDS AND NOTES ELIGIBLE FOR INVESTMENT. Bonds and notes issued under this chapter are securities in which all public officers and public bodies of the state and its political subdivisions, all insurance companies, trust companies, banking associations, investment companies, executors, administrators, trustees and other fiduciaries may properly and legally invest funds, including capital in their control or belonging to them. These bonds and notes may be deposited with a state or municipal officer of any agency or political subdivision of the state for any purpose for which the deposit of bonds or notes of the state is authorized by law.

Sec. 42.90.220. REFUNDING BONDS. (a) The authority may provide for the issuance of refunding bonds for the purpose of refunding any bonds then outstanding which have been issued under this chapter, including the payment of any redemption premium on them and any interest accrued or to accrue to the date of redemption of the bonds. The issuance of the refunding bonds, the maturities and other details of them, the rights of the holders of them, and the rights, duties and obligations of

the authority in respect of them are governed by the provisions of this chapter which relate to the issuance of bonds, insofar as those provisions may be appropriate.

(b) Refunding bonds may be sold or exchanged for outstanding bonds issued under this chapter and, if sold, the proceeds may be applied, in addition to any other authorized purposes, to the purchase, redemption or payment of the outstanding bonds. Pending the application of the proceeds of refunding bonds, with any other available money, to the payment of the principal, accrued interest and any redemption premium on the bonds being refunded, and; if so provided or permitted in the resolution authorizing the issuance of the refunding bonds or in the trust agreement securing them, to the payment of any interest on the refunding bonds and any expenses in connection with the refunding, the proceeds may be invested in direct obligations of, or obligations the principal of and the interest on which are unconditionally guaranteed by, the United States of America which mature or which will be subject to redemption, at the option of the holders of them, not later than the respective dates when the proceeds, together with the interest accruing on them, will be required for the purposes intended.

Sec. 42.40.230. CREDIT OF STATE NOT PLEDGED. (a)

The authority may not pledge the credit or the taxing power of the state or its political subdivisions. The state and its political subdivisions are not liable for the debts of the authority.

(b) Bonds and notes issued under this chapter do not constitute a debt, liability, or obligation of the state or of a political subdivision of the state or a pledge of the faith and credit of the state or of a political subdivision but are payable solely from the revenues or assets of the authority. Each bond and note issued under this chapter shall contain on its face a statement that the authority is not obligated to pay it nor the interest on it except from the revenues or assets pledged for it and that neither the faith and credit nor the taxing power of the state or of a political subdivision of the state is pledged to the payment of the principal of or the interest on the bond or note.

Sec. 42.40.240. OFFICERS NOT LIABLE. An officer or employee of the authority is not subject to personal liability or accountability because of his execution of bonds or notes or the issuance of them.

Sec. 42.40.250. TAX EXEMPTION. (a) The exercise of the powers granted by this chapter will be in all respects for the benefit of the people of the state, for their well-being and

prosperity, and for the improvement of their social and economic conditions, and the authority is not required to pay a tax or assessment on any property owned by the authority under the provisions of this chapter or on the income from the property.

(b) Bonds and notes issued under this chapter are declared to be issued by a body corporate and public of the state and for an essential public and governmental purpose, and the bonds and notes, and the interest and income on and from the bonds and notes, and all fees, charges, funds, revenues, income and other money pledged or available to pay or secure the payment of the bonds and notes, or interest on the bonds and notes, are exempt from taxation except for inheritance, transfer and estate taxes.

Sec. 42.40.260. REVENUES. Revenues generated by the Alaska Railroad Authority do not become part of the general fund of the state but shall be held in an independent fund available to the authority for railroad expenditures.

ARTICLE 4. GENERAL PROVISIONS

Sec. 42.40.280. PERSONNEL EXEMPT FROM STATE PERSONNEL ACT. The personnel of the authority are in the exempt state service under AS 29.25.110.

Sec. 42, 40, 990. DEFINITIONS. In this chapter, unless the context clearly indicates otherwise,

(1) "authority" means the Alaska Railroad Authority;

(2) "board" means the board of directors of the Alaska Railroad Authority;

(3) "railroad and railroad facilities" includes, but is not limited to, tracks, spurs, switches, terminals, terminal facilities, road beds, rights-of-way, bridges, stations, railroad cars, locomotives or other vehicles constructed for operation over railroad tracks, crossing signs, lights, signals, storage buildings, administration buildings, repair buildings, and all structures, materials and equipment which are deemed by the Board to be necessary for the operation of a railroad."

* Section 3. Except as may be specifically provided otherwise, the provisions of this Act take effect upon enactment.

DRAFT BILL DATED 12/31/81

BRIEF SECTION-BY-SECTION ANALYSIS

INTRODUCTION

The Bill would add two new chapters to the Alaska Statutes to provide for: (1) establishment of a "State of Alaska Railroad Transfer Team" to negotiate, consider, and make recommendations with respect to the terms of any transfer, sale, or lease of the Alaska Railroad to the State and; (2) establishment of an "Alaska Railroad Authority" which would administer the Alaska Railroad and its properties subsequent to any transfer.

TRANSFER TEAM

Section 1 of the bill would add a new chapter to the Alaska Statutes which would establish the State of Alaska Railroad Transfer Team. The Team would be comprised of three members: one appointed by the Senate; one appointed by the House of Representatives; and one appointed by the Governor.

Establishment of the Team would accomplish two important objectives. It would be independent of the organization that would ultimately have responsibility for operating the Railroad. Thus, the team would be able to provide the legislature and the governor with advice as to the desirability of any proposed transfer, sale, or lease

of the Railroad to the State that would not be influenced by any interest in operating the Railroad subsequent to any transfer.

Second, this joint legislative-executive organization will provide the federal government with a focal point for its dealings with the State with respect to the Alaska Railroad. Thus, the establishment of the Team should facilitate effective presentation of a uniform position on behalf of the state.

The Team would serve as liaison with respect to federal legislative and administrative actions affecting the Alaska Railroad or the transfer of the Railroad, but could not bind the State to accept the Railroad. Binding acceptance of the Railroad would be subject to the state legislative process. Members of the team would serve at the pleasure of the organizations which appoint them and the team would be authorized to commence its activities as soon as two of its members are appointed.

To enable the Team to carry out its duties, the bill would also provide appropriations for the Team's operating expenses for the fiscal year ending June 30, 1983 and for the balance of the current fiscal year.

ALASKA RAILROAD AUTHORITY

Section 2 of the bill would add a new chapter to the Alaska Statutes which would establish the Alaska Railroad Authority, to operate and administer the Alaska Railroad subsequent to any transfer

- 3 -

to the State. The powers of the Authority would be vested in a Board of Directors which would have the authority to hire a President to manage day-to-day operations.

The Board of Directors would consist of the Commissioner of Transportation and Public Facilities and six public members to be appointed by the Governor, subject to confirmation by the legislature in joint session. Members of the Board shall receive no salary but would be compensated for expenses.

The Board would have full authority to undertake all of the actions necessary for the operation, maintenance, and expansion of the Railroad. It may hire staff, enter into contracts, issue bonds, and accept grants from the federal government and the state. The Board may delegate its powers to the President except for the powers to issue bonds and to undertake capital projects with an estimated completion cost greater than \$1 million.

The revenues generated by the Railroad would be placed in a revolving fund available for maintenance, operation, and expansion of the Railroad. Thus, the proposed bill would establish, in essence, a corporate organization, able to make day-to-day operating decisions without resort to the appropriations process.

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THE PRECEDING DOCUMENT(S) MAY NOT FILM
LEGIBLY BECAUSE OF POOR QUALITY OF THE
ORIGINAL.

DOTPF

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

DEPUTY COMMISSIONER - ADMINISTRATION

POUCH Z
JUNEAU, ALASKA 99811

February 26, 1981

100H

MAR 2 1981

Re: MT Dec 1170 Computer

Honorable Bette M. Cato
Chairwoman
House Transportation Committee
Pouch V
Juneau, Alaska 99811

Dear Representative Cato:

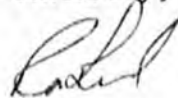
At present the MT Dec 1170 computer has thirty-two (32) terminal ports in operation. Equipment is being installed to allow the addition of an additional sixteen (16) ports. The computer has a maximum capacity of sixty-four (64) terminal ports. Response time for the reservation system is at present at an unacceptable level of one minute or more, the solution to this appears to lie in a program "rewrite".

As indicated above the computer is capable of accepting additional ports, should it be decided to hook up ticket agencies to the system, the costs to a travel agency would be:

Hardware (CRT)	\$2,500 - \$3,000
Line Charges	\$ 650 per month approximately

Please contact me if you need additional information on this matter.

Sincerely,



Ron Lind
Deputy Commissioner

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

OFFICE OF THE COMMISSIONER

POUCH 7 JUNEAU 99811
(TELEX 45328)

February 26, 1981

Honorable Bette M. Cato
Chairwoman
House Transportation Committee
Pouch V
Juneau, Alaska 99811

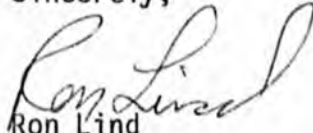
Dear Representative Cato:

At the request of the House Transportation Committee, the Division of Marine Highways submits the following information:

- I. Breakdown of Authorization and Expenditures for FY-80.
- II. Recap of Expense and Revenue FY-80.
- III. Detail of Expenditures by Vessel FY-80.
- IV. Detail of Overtime by Vessel FY-80.
- V. Detail of Revenue FY-80.
- VI. Traffic volume by past Calendar 1979.
(1980 is not yet available. As soon as it is completed we will send you a copy)
- VII. Gross pay for Maritime employees Calendar 1980.
- VIII. Current agreed Union Wage Scale and Benefits Formulas.

The information you requested regarding the expansion cost of the Reservation System will be transmitted under separate cover within a few days.

Sincerely,


Ron Lind
Deputy Commissioner

DIVISION OF MARINE HIGHWAY SYSTEMS
EXPENSE & REVENUE
FISCAL YEAR 1980

<u>Months of Operation</u>	<u>S.E. System Vessels</u>	Expenditure	Revenue	Passenger Traffic	Vehicle Traffic
	M/V's				
8	TAKU	4,578,892	2,915,426	49,230	12,562
8	MALASPINA	5,817,667	4,421,116	53,164	12,032
10	MATANUSKA	6,846,772	5,390,651	43,423	10,223
11	CHILKAT	731,328	175,661	19,146	5,249
6	COLUMBIA	6,388,668	4,673,303	30,091	7,837
7 1/2	LeCONTE	3,159,460	681,802	30,532	5,481
8	AURORA	2,834,538	651,352	25,996	5,338
Charges unapplicable to any one vessel:		4,921,615			
S.E. Shore and Dock		1,459,719			
TOTAL S.E. SYSTEM		36,738,659	18,909,311	251,583	58,722
	M/V's				
10	TUSTUMENA	4,067,919	1,148,367	22,310	7,543
10	BARTLETT	2,173,498	1,106,904	27,078	6,194
Charges unapplicable to any one vessel		789,225			
S.W. Shore and Dock		470,723			
TOTAL S.W. SYSTEM		7,501,365	2,255,271	49,388	13,737
Advertising & Promotion		151,152			
Admin. Traffic		630,306			
Administration		772,079			
DIVISION TOTAL		41,793,561	21,164,582	300,971	72,459
Lapse		1,207,039	1,207,039		
Subsidy			24,628,979		
Authorization		47,000,600	47,000,600		

FY-80 MARINE HIGHWAYS

	Authorizations	Expenditures
Southeast Vessel Operations	\$31,159.3	\$30,916.7
Southeast Vessel Overhaul	5,118.6	4,332.4
Southeast Shore Facilities	1,463.7	1,459.7
Southwest Vessel Operations	6,641.3	6,543.1
Southwest Vessel Overhaul	497.1	487.5
Southwest Shore	537.3	470.7
Administration and Support	<u>1,583.4</u>	<u>1,553.5</u>
Total	\$47,000.6	\$45,793.5
Personal Services	\$29,766.2	\$29,575.4
Travel	228.3	182.8
Contractual	6,242.5	5,738.9
Commodities	10,485.5	10,050.7
Equipment	84.1	43.1
Claims	<u>194.0</u>	<u>202.6</u>
Total	\$47,000.6	\$47,793.5
Full Time Positions	537.6	537.6
Part Time Positions	151.4	151.4
Temporary Positions	29.0	29.0
Man Months	8718.6	8,718.6