

ALASKA LEGISLATURE COMMITTEE FILES 1983-1984 86/2

2746 HRES HB 187 - HB 232

STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: HB 187 Date on Bill: 2/11/83
 Title: An act relating to regulation, licensing and fee for farming.
 Sponsor: Ringstad
 Requestor: Resources

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86
Capital				
Operating				
Total	-0-	-0-	-0-	

b. Revenues:

Revenue	FY 83	FY 84	FY 85	FY 86

2. Source of funds to offset fiscal impact of bill:

3. Assumptions:

Minimal effect due to small number of licenses sold (two in CY 1982.)

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It therefore does not represent the final estimate of fiscal impact.

Prepared By: Mary Kempf Phone: 465-2300
 Division: Commissioner's Office Date: 2/24/83
 Approved by Commissioner: Ralph D. Heath Date: 2/24/83
 Department: Revenue

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/15/83

THE LEGISLATURE OF THE STATE OF ALASKA
THIRTEENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 187

Title An Act related to regulation, licensing, and fee for fur farming

Requested by Ringstad Date 2/25/83

II. FISCAL DETAIL

Agency Affected Department of Fish and Game

Program Category Affected _____

BRU, Program, Or Subprogram(s) Affected Game Division

(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 83	FY 84	FY 85	FY 86	FY 87	FY 88
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)

N/A

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

N/A

FULL TIME						
PART TIME						
TEMPORARY						

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

IV. DATE 2/25/83

PREPARED BY Robert A. Rinman

AGENCY Department of Fish and Game

Original: Legislative Finance PHONE 465-4190

cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/82)

ALASKAN FUR RANCHERS ASSOCIATION

P.O. BOX 56166
NORTH POLE, ALASKA 99705

PHONE: 488-3079

PHONE:

February 3, 1982

Chairman Schultz &
Chairman Ringstad
Finance Committee
Capitol Building
Pouch V
Juneau, Alaska 99811

FEB 7 1983

Dear Sirs:

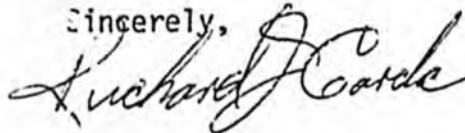
The Alaskan Fur Ranchers Association wishes to thank you both for your willingness to sponsor legislation which will again make fur farming legally possible. Your rapid response to a recent impounding of one of our members breeding stock is also sincerely appreciated. The impounding of breeding stock serves to reinforce the necessity for the legislation you are sponsoring.

As you know the future of fur farming in Alaska looks very promising. The fur farming industry in Alaska is expanding continuously and in doing so we are helping to diversify the Alaskan economy.

The Alaskan Fur Rancher Association stands firmly behind you both and requests your assistance in passing each piece of legislation submitted for us by Mr. Lynn Levensgood. We will assist in any manner you suggest.

Please contact us as soon as these bills have assigned titles and numbers so we can help to inform other legislators.

Sincerely,



Richard J. Carda
President
Alaskan Fur Ranchers Assn.

Dr. Giza
785-3236

(McPherson)
Walt 586-7103

JIM KING

F&W SERVICE -

(586)
7240
786-8111
3547

Don Montgomery
Law Abstract

Dr. Fred Honsinger -

JAMES HOOPER

New battles loom over right to hunt

By WILLIAM E. GEIST
The New York Times

NEPTUNE, N.J.—When Susan Russell strolls through the woods playing classical music on her tape player, the deer, muskrats and other wildlife of the forest run the other way. A muskrat may linger momentarily over a few notes of Chopin, but John Philip Sousa always sends them crashing through the brush.

Russell is one of tens of thousands of animal lovers who patrol the woods during hunting and trapping seasons, blaring everything from Sousa marches to recorded wolf howls in a nationwide campaign to set animals running for their lives before hunters arrive. She has found the hunter has

(See HUNTERS, page 8).

HUNTERS . . .

(Continued from page 1)

no more appreciation for her music than the muskrat.

A growing number of confrontations between hunters and these protectors of wildlife has led a New Jersey legislator to introduce a bill that would make it illegal to "interfere or attempt to interfere with the lawful hunting, pursuit, killing or taking of an animal, bird or freshwater fish." Violators would be fined.

The legislator, Assemblyman Joseph W. Chinnici, Republican of Bridgeton, himself a hunter, said his legislation was needed to protect both the hunters from harassment and the animal protectors from reprisals. Such legislation recently became law in Arizona and is under consideration in several other states in response to the growing militance of animal protectionists.

"There's a war going on," said Russell, a spokesman for Friends of Animals, a national organization with headquarters here and in New York that distributes "Tips for Heat Saboteurs" to its 120,000 members. The tips range from lobbying for changes in the law with local, state and national officials to such guerrilla tactics as taking a female dog in heat into the field to turn the heads of male hunting dogs, and scattering rotten eggs and cow dung in duck blinds.

Russell sees nothing extreme in any of this.

"Wildlife belongs to everybody," she said. "We think it is audacious of hunters to say they can shoot animals but we cannot protect them."

But Chinnici has said, "If this isn't stopped immediately," "someone is going to get hurt."

Implicit in his warning, and those voiced by concerned hunters throughout the state, is that the side carrying tape players is at a distinct disadvantage in confrontations with those carrying rifles and shotguns.

Chinnici said he had received reports of "anti-sportsmen's groups" blaring car horns and firing weapons to scare off game and in one instance even flying a helicopter over a hunting area.

His bill has been referred to the Assembly's Agriculture and Environment Committee, where four of the five committee members are co-sponsors. Both opponents and proponents believe the bill has substantial support in the Legislature.

Bob Busnardo, host of the weekly radio program "Sportsmen's Hot Line" on a Bridgeton station, said "these antis" (one of the more pleasant terms hunters use to describe those opposed to hunting) had disrupted his hunting excursions by playing radios, honking car horns, letting air out of tires and swerving their automobiles toward him as he stood on country roads.

"The confrontations have been verbal so far," he said, "but when you harass someone long enough and hard enough, eventually there are going to be serious problems."

Opponents charge that Chinnici's

bill would infringe on their rights of speech and assembly.

"Whenever there is a protest of anything," said Russell, "whether it be civil rights or women's rights or whatever, there is the chance of confrontation. But someone cannot just do away with our right to speak out on things we disagree with. If they do, I believe that in good conscience we would have to continue to protest as we are now."

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION

BILL SHEFFIELD, GOVERNOR

POUCH D - JUNEAU 99811

March 14, 1983

The Honorable John Ringstad
State House of Representatives
Pouch V
Juneau, AK 99811

Dear Representative Ringstad:

Following our conversation of Saturday morning, March 12, 1983 with you and Sharon Barton of the Department of Natural Resources, I propose the following solution to alleviate some of the problems with regard to fur farming. I propose a waiver permitting release from inspection and permits for fur farm animals for the period required to assess the position of fur farming and to agricultural inspection currently existing within the scope of DEC's regulatory authority. All existing regulations pertaining to fur farming will be evaluated with the intention to eliminate non-essential regulations. This waiver will be effective for a period not to exceed two years.

Sincerely,



Richard A. Neve
Commissioner

cc: Sharon Barton

I. REQUEST

Bill/Resolution No.: CSHB 187
 Title: Fur farming
 Sponsor: Kimstad by request
 Requestor: House Resources

II. FISCAL DETAIL

Agency Affected: DEC
 Program Category Affected: Consumer Protection
 BRU, Program of Subprogram(s) Affected: Seafood and Animal Industries

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
FULL-TIME						
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

N/A

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Billie Trent Phone: 465-2600
 Division: for Seafood and Animal Industries Date: 3/17/83
 Approved by Commissioner: Richard A. Neve Date: 3/17/83
 Department: Environmental Conservation

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
- Copy to Requestor (if different from Sponsor)

3/8/83

STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: HB 187 Date on Bill: 2/11/83
 Title: An act relating to regulation, licensing and fee for farming.
 Sponsor: Ringstad
 Requestor: Resources

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

			FY 83	FY 84	FY 85	FY 86		
Capital								
Operating								
Total			-0-	-0-	-0-			

b. Revenues:

Revenue								
---------	--	--	--	--	--	--	--	--

2. Source of funds to offset fiscal impact of bill:

3. Assumptions:

Minimal effect due to small number of licenses sold (two in CY 1982.)

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It therefore does not represent the final estimate of fiscal impact.

Prepared By: Mary Kelped Phone: 465-2300
 Division: Commissioner's Office Date: 2/24/83
 Approved by Commissioner: Paul D. Heath Date: 2/24/83
 Department: Resources

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/15/83

ALASKAN FUR RANCHERS ASSOCIATION

P.O. BOX 68188
NORTH POLE, ALASKA 99705

PHONE: 488-3078

PHONE:

2/22/83

Chairman Ringstad
Chairman Schultz
House Resource Committee
Pouch
Juneau, Alaska 99811

Dear Chairman Ringstad and Chairman Schultz,

HB 187 was filed to provide legislative correction to clean up disparities and contradictions which have come about unintentionally during the past few legislatures. HB 187 pertains to the agricultural pursuit of fur farming and is necessary for this expanding industry to help provided Alaska with a diversified economy.

Recent changes to statutes and some accompanying regulations have not only hindered the ability of individuals to pursue this occupation, but have actually made illegal long established practices within the fur farming industry.

The intent of executive order no #51 (Gov. Hammond 1/13/81) was to, "consolidate...and eliminate duplicate services by the state, and to reduce the burden on industry resulting from regulation by several state agencies". However, the effect of the above law pertaining to fur farming actually had the opposite effect and created duplicity by placing the industry under two departments (DNR and DEC). Historically and in nearly every other state fur farming is considered an agricultural enterprise and until recently has been solely under the department of DNR in Alaska.

Fur products are not for human consumption which comes under the auspices of DEC. Fur farming should be placed solely under the jurisdiction of the Department of Natural Resources, Division of Agriculture.

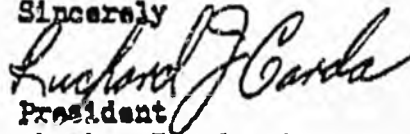
In 1982 AS03.05.010 was changed by SB 872 which was an act relating to health, sanitation, and sanitary practices in the seafood processing industry. Also included were other industries that produced food for human consumption. SB 872 was a legislative reform pertaining to the botulism problem in the salmon canning industry. The result of this legislation was that the department of Environmental Conservation was given the regulatory power to require permits. Within six months a fur farm permit was established with out input from the fur farming industry. Fur farming is an agricultural industry which does not produce food for human consumption.

The co-revisor of statutes (Mr. D.T. Walker) entered into the senate journal "many of the activities included in this law are unrelated to sanitation practices in the food industries. The Alaska Ombudsman, upon investigating this disparity, stated that the single subject rule should prohibit the inclusion of fur farming into the provisions changed by SB 872, and that legislative correction should be sought. The overbearing problem is that the permit, sanitation and inspection provisions relating to seafood processors and industries that produce food for human consumption are not directly applicable to the fur farming industry.

(Cont.)

Therefore in summation the passage of HB 187 will eliminate duplicity and eliminate discrimination against fur farming through the ~~removal~~ ^{removal} of permits and unnecessary regulations. Finally HB 187 would insure the ~~survival~~ ^{survival} of the fur farming industry by allowing the the fur farmers to improve ~~the~~ ^{the} genetic pool through importation of domestic stock and the domestication of ~~the~~ ^{the} stock.

Sincerely



President

Alaskan Fur Ranchers Assn.

ALASKAN FUR RANCHERS ASSOCIATION

P.O. BOX 56166
NORTH POLE, ALASKA 99705

PHONE: 488-3079

PHONE:

February 3, 1982

Chairman Schultz &
Chairman Ringstad
Financ. Committee
Capitol Building
Pouch V
Juneau, Alaska 99811

FEB 7 1983

Dear Sirs:

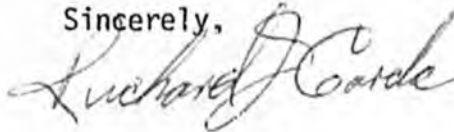
The Alaskan Fur Ranchers Association wishes to thank you both for your willingness to sponsor legislation which will again make fur farming legally possible. Your rapid response to a recent impounding of one of our members breeding stock is also sincerely appreciated. The impounding of breeding stock serves to reinforce the necessity for the legislation you are sponsoring.

As you know the future of fur farming in Alaska looks very promising. The fur farming industry in Alaska is expanding continuously and in doing so we are helping to diversify the Alaskan economy.

The Alaskan Fur Rancher Association stands firmly behind you both and requests your assistance in passing each piece of legislation submitted for us by Mr. Lynn Levengood. We will assist in any manner you suggest.

Please contact us as soon as these bills have assigned titles and numbers so we can help to inform other legislators.

Sincerely,



Richard J. Carda
President

Alaskan Fur Ranchers Assn.

Dr. Giza
785-3236

(McPherson)
Walt 586-7103
JIM KING F&W Service -
Dr. Fred Honsinger -

(586)
7240 Don Montgomery
726-811 low cabinet
3547 JAMES Hoque

SSHB 187 Section Analysis

Fur Farming

- Section 1 Places the authority to regulate fur farming under the Department of Natural Resources and defines the term fur farming.
- Section 2 Eliminates the \$100 fee now required by the Department of Fish & Game.
- Section 3 Grants the Commissioner of Fish & Game the authority to issue, without cost, a permit to collect fish and game, including fur animals. He (the Commissioner) is to consider the scientific propagative, or educational reasons for the decision making process.

In addition, the Commissioner must issue permits for the collecting of wild fur animals, however, he retains his statutory charge to manage the permitting process in accordance with standard maintained yield practices.

The annual fee for collecting for farm animals is the same as an Alaskan resident trapper.

- Section 4 Removes the Department of Environmental Protections' authority for regulating fur farming.

Analysis & Summary

CS HB 187

Section 1 The term fur farming is redefined under the regulatory authority of the Dept. of Environmental Conservation.

Section 2 The statute requiring a \$100 fee for a fish, fur, or game farming license is amended to exclude fur farming. According to the Attorney General's office, in 1974, the \$100 fee was eliminated but the change had never been reflected in the statutes.

Section 3 The Commissioner of Fish & Game retains his authority to issue, without cost, a permit to collect fish and game, including fur animals subject to scientific propagative, or educational purposes that are appropriate.

In Addition, the Commissioner shall make permits available for the collecting of wild fur animals, however, he retains his statutory charge to manage the permitting process in accordance with standard maintained yield practices.

Establishes an annual fee for collecting fur farm animals that will be the same as that paid by an Alaskan resident trapper.

Section 4 The statute requiring an import permit for wild animals is amended to exempt mink and fox when they are imported for fur farming purposes.

Section 5 Provides for an immediate effective date.

STATE OF ALASKA
FISCAL NOTE

Revision Date _____, 1983

I. REQUEST

Bill/Resolution No.: CSHB 187
 Title: Fur farming
 Sponsor: Requested by request
 Requestor: House Resources

II. FISCAL DETAIL

Agency Affected: DEC
 Program Category Affected: Consumer Protection
 BRU, Program or Subprogram(s) Affected: Seafood and Animal Industries

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

N/A

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Billie Trent Phone: 465-2600
 Division: for Seafood and Animal Industries Date: 3/17/83
 Approved by Commissioner: Richard A. Neve Date: 3/17/83
 Department: Environmental Conservation

Distribution:

Original to Legislative Finance
 Copy to Office of Management and Budget (for Legislature introduced bills)
 Copy to Department (for Governor introduced bills)
 Copy to Sponsor
 Copy to Requestor (if different from Sponsor)

3/8/8

3/21/83

For Further Information Contact:

Dave Stancliff 465-4998

FUR FARMING BILL CLEARS FIRST HURDLE

ALASKAN FUR FARMERS MAY GET A LONG AWAITED REPRIEVE AS THE HOUSE RESOURCES COMMITTEE, ON FRIDAY, PASSED OUT A BILL AIMED AT DEREGULATING THAT UNIQUE AGRICULTURAL BUSINESS.

UNDER PRESENT LAW, CONFUSION EXISTS OVER WHICH DEPT. SHOULD HAVE REGULATORY AUTHORITY FOR FUR FARMING. BOTH THE DEPT. OF ENVIRONMENTAL CONSERVATION AND THE DEPT. OF FISH & GAME NOW REQUIRE SEPARATE PERMITS FOR FUR FARMING WITH ADDITIONAL RESTRICTIONS IMPOSED ON THE IMPORTATION OF FUR ANIMALS BY THE FEDERAL GOVERNMENT.

"THE INCREDIBLE MAZE OF RED TAPE AND REGULATIONS FOR FARMERS NOW FACE WILL BE THE DEATH BLOW TO FUR FARMING," SAID REPRESENTATIVE JOHN RINGSTAD, SPONSOR OF THE NEW LEGISLATION. RINGSTAD, A FAIRBANKS REPUBLICAN WHO CO-CHAIRS THE RESOURCES COMMITTEE, FEELS THAT "FUR FARMERS ARE NO DIFFERENT THAN ANY OTHER AGRICULTURAL ENTERPRISE AND SHOULD NOT BE BURDENED WITH UNNECESSARY RESTRICTIONS."

ALSO PROVIDED IN THE BILL IS A MORE PRECISE DEFINITION OF FUR FARMING THAT WILL HELP DISTINGUISH IT AS AN AGRICULTURAL ACTIVITY. "I WILL DO ALL I CAN TO SEE THAT THEIR LEGISLATION IS GIVEN PROMPT ATTENTION," ADDED RINGSTAD. THE NEXT COMMITTEE OF REFERENCE IS HOUSE FINANCE.

H B

1880

THE LEGISLATURE OF THE STATE OF ALASKA
THIRTEENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 188
 Title An Act relating to big game hunting by nonresidents
 Requested by Ringstad Date 2/25/83

II. FISCAL DETAIL

Agency Affected Department of Fish and Game
 Program Category Affected _____
 BRU, Program, Or Subprogram(s) Affected Game
 (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 83	FY 84	FY 85	FY 86	FY 87	FY 88
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)

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

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY	0	0	0	0	0	0

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

IV. DATE 2/25/83 PREPARED BY Robert A. Hinman
 AGENCY Department of Fish and Game
 PHONE 465-4190
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/82)

(B) Subunit 26(B) – that portion of Unit 26 lying east of Subunit 26(A) and west of the west banks of the Canning River and Marsh Fork of the Canning River between the Arctic Ocean and Carter Pass;

(C) Subunit 26(C) – that portion of Unit 26 lying east of Subunit 26(B). (In effect before 1980; am 7/4/80, Reg. 75; am 4/5/81, Reg. 78; am 9/3/81 – 9/12/81, Reg. 80; am 9/30/81, Reg. 79)

Authority: AS 16.05.255(a)(1),(2) and (7)

5 AAC 90.020. DEFINITIONS. In 5 AAC 81 – 5 AAC 90

(1) "airport" means an Alaska airport listed in the Federal Aviation Agency Alaska Airman's Guide and chart supplement;

(2) "bag limit" means the greatest number of game species permitted to be taken by any one person in the unit or portion of a unit in which the taking occurs; however, additional numbers of a species may be taken in another designated open unit or portion of a unit where a greater limit on that species is prescribed; in no case may the total or cumulative bag for one person exceed the limit set for the unit or portion of a unit in which the additional game was taken;

(3) "big game animals" includes black bear, brown and grizzly bear, polar bear, bison, caribou, Sitka blacktail deer, elk, mountain goat, moose, muskoxen, mountain or Dall sheep, wolf and wolverine;

(4) "camp" means a structure erected for the purpose of providing overnight shelter and equipped with bedding and eating facilities for occupants;

(5) "closed season" means the time during which game may not be taken;

(6) repealed 7/2/75;

(7) "cub bear" means a brown, grizzly or polar bear in its first or second year of life, or a black bear (including the cinnamon and blue color phases) in its first year of life;

(8) "fur animals" includes beaver, coyote, arctic fox, red fox, lynx, marten, mink and weasel, muskrat, land otter, sea otter, raccoon,

red squirrel, flying squirrel, ground squirrel and marmot, wolf and wolverine, excepting domestically raised fur animals;

(9) "highway" means the driveable surface of any constructed road;

(10) repealed 7/2/75;

(11) "motorized vehicle" means a motor-driven land, water or air conveyance;

(12) "open season" means the time during which game may lawfully be taken; each period of time prescribed as an open season includes the first and last days of the period prescribed;

(13) "poison" means any substance which is toxic or poisonous upon contact or ingestion;

(14) "raw ivory" means a walrus tusk (upper canine tooth) which has not been endowed with functional, cultural or aesthetic qualities by altering its natural form or surface through carving, drilling, cutting, filing, or engraving; raw ivory is not altered, in the connotation of this definition, by surface polishing or for a head mount; the latter consisting of ivory (tusks) in a skull or part of a skull;

(15) "regulatory year" means July 1 to June 30, inclusive;

(16) "seal pup" means a seal that weighs less than 50 pounds;

(17) "second degree of kindred" means the relatives who are parents, grandparents, children, grandchildren and sisters or brothers of the person acting as a guide;

(18) "small game" means all species of grouse, hares, rabbits, ptarmigan and waterfowl, and Wilson or jacksnipe;

(19) "three-quarter curl horn" means the horn of a mature mountain sheep, the tip of which has grown through three-quarters of a circle (270°) described by the outer surface of the horn, as viewed from the side;

(20) "transport" means shipping, carrying, importing, exporting, or receiving or delivering for shipment, carriage or export;

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

HOUSE RESOURCES COMMITTEE

Revision Date: November 30, 1983

JAN 14 REC'D

I. REQUEST

Bill/Resolution No.: HB 188
Title: Big Game Hunting by Nonresidents
Spons: Ringstad
Requestor: _____
Date of Request: _____

II. FISCAL DETAIL

Agency Affected: Fish and Game
Program Category Affected: NRMEC
BRU, Program of Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						
TOTAL						

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						
TOTAL						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

OFFICE OF
MANAGEMENT & BUDGET

NOV 30 1983

IV. ANALYSIS: Attach a separate page for any Analysis

BUDGET REVIEW

Prepared By: Beverly Reaume Phone: 465-4120
Division: Administration Date: _____
Approved by Commissioner: *Daniel D. L...* Date: 11/29/83
Department: Fish and Game

Distribution:

Original to Legislative Finance
Copy to Office of Management and Budget (for Legislature introduced bills)
Copy to Department (for Governor introduced bills)
Copy to Sponsor
Copy to Requestor (if different from Sponsor)

9/14/83

STATE OF ALASKA
FISCAL NOTE

Revision Date _____, 1983

I. REQUEST

Bill/Resolution No.: HB 188
 Title: "Big Game Hunting by Nonresidents"
 Sponsor: Representative Ringstad
 Requestor: House Judiciary

II. FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: F&WP
 BRU, Program of Subprogram(s) Affected: Fish & Wildlife Protection

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

IV. ANALYSIS: Attach a separate page for any Analysis No fiscal impact anticipated

Prepared By: Paul A. Conger Phone: 465-4338
 Division: Administrative Services Date: 3/22/83
 Approved by Commissioner: [Signature] Date: 3/22/83
 Department: Public Safety

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
- Copy to Requestor (if different from Sponsor)

3/8/83

STATE OF ALASKA
THE LEGISLATURE
LEGISLATIVE AFFAIRS AGENCY

RECEIVED
FEB 24 1983
STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

COPY

MEMORANDUM

February 24, 1983

SUBJECT: Nepotism
(HB 49)

TO: Representative Mitchell E. Abood, Jr.
Chairman, House State Affairs Committee

FROM: *LHA* Linn H. Asper
Legislative Counsel

You have asked whether the relationships included in the "second degree of kindred" as that term is defined in the proposed committee substitute for HB 49 are the same relationships that are traditionally associated with that phrase. The term "degree of kindred" is not defined in the Alaska Statutes. In other jurisdictions the "degree of kindred" between one person and another is normally determined as follows: Take the closest common ancestor of the two persons and count the generations back to that ancestor from each; each generation represents a degree of kindred. Thus, the first degree of kindred to a person includes the parents and children of that person, the second degree includes brothers and sisters, grandparents, and grandchildren, and the third degree includes nephews and nieces and aunts and uncles. In proposed CSHB 49 aunts and uncles are included within the definition of "second degree of kindred" although they would normally be considered to be in the "third degree of kindred". In other respects the statutory and common law definitions are the same.

It should be pointed out that since the definition of "second degree of kindred" in the proposed CSHB 49 only applies to the section in which it appears, the term can include any relationships that the legislature sees fit to include. You can also use a different term, such as "close relationship" if you feel that use of the traditional "degree of kindred" terminology will cause confusion.

LHA:ljb

Enclosure

STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: HB 188 Date on Bill: Introduced 2/11/83
 Title: Relating to big game hunting by nonresidents
 Sponsor: Kingstad
 Requestor: HOUSE RESOURCES

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86
Capital				
Operating				
Total	-0-	-0-	-0-	-0-

b. Revenues:

Revenue				
---------	--	--	--	--

2. Source of funds to offset fiscal impact of bill:

3. Assumptions:

No Fiscal Impact

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It therefore does not represent the final estimate of fiscal impact.

Prepared By: Col. Robert J Stickles Phone: 269-5532
 Division: Fish & Wildlife Protection Date: 2-18-83

Approved by Commissioner: [Signature] Date: 2/25/83
 Department: Public Safety

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/15/83

THE LEGISLATURE OF THE STATE OF ALASKA
THIRTEENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 188

Title An Act relating to big game hunting by nonresidents

Requested by Ringstad Date 2/25/83

II. FISCAL DETAIL

Agency Affected Department of Fish and Game

Program Category Affected _____

BRU, Program, Or Subprogram(s) Affected Game

(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 83	FY 84	FY 85	FY 86	FY 87	FY 88
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)

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

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						
	0	0	0	0	0	0

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

IV. DATE 2/25/83

PREPARED BY

Robert A. Hinman
Robert A. Hinman

AGENCY

Department of Fish and Game

Original: Legislative Finance

PHONE 465-4190

cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/82)

Bill Analysis

HB 188

Under current law, blood relatives of resident Alaskans can hunt brown bear, grizzly bear, polar bear, or sheep without a guide if they are within and including second degree of kindred and are personally accompanied by their Alaska relative.

HB 188 would allow the same criteria to also apply to persons related by marriage.

Example: Your brother comes to Alaska to hunt Dall Sheep. You may legally take him without a guide.

However, you cannot legally take your brother-in-law on the same hunt.

HB 188: Under the changes proposed in this law, your brother-in-law would legally be able to participate in the hunt.

Second Degree of kindred includes, under present law:

- 1) Son, Daughter
- 2) Father, Mother
- 3) Grandfather, Grandmother
- 4) Grandchildren
- 5) Brother, Sister - [REDACTED]

In addition, under HB 188, the following relatives would be included:

- 1) Son, Daughter of Spouse
- 2) Father-in-law, Mother-in-law
- 3) Grandfather, Grandmother of Spouse
- 4) Grandchildren of Spouse
- 5) Brother-in-law, Sister-in-law - [REDACTED]

Bill Analysis

HB 188

Under current law, blood relatives of resident Alaskans can hunt brown bear, grizzly bear, polar bear, or sheep without a guide if they are within and including second degree of kindred and are personally accompanied by their Alaska relative.

HB 188 would allow the same criteria to also apply to persons related by marriage.

Example: Your brother comes to Alaska to hunt Dall Sheep. You may legally take him without a guide.

However, you cannot legally take your brother-in-law on the same hunt.

HB 188: Under the changes proposed in this law, your brother-in-law would legally be able to participate in the hunt.

Second Degree of kindred includes, under present law:

- 1) Son, Daughter
- 2) Father, Mother
- 3) Grandfather, Grandmother
- 4) Grandchildren
- 5) Brother, Sister - their children

In addition, under HB 188, the following relatives would be included:

- 1) Son, Daughter of Spouse
- 2) Father-in-law, Mother-in-law
- 3) Grandfather, Grandmother of Spouse
- 4) Grandchildren of Spouse
- 5) Brother-in-law, Sister-in-law - their children

STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: HB 188 Date of Bill: Introduced 2/11/83
 Title: Relating to big game hunting by nonresidents
 Sponsor: Ringstad
 Requestor: _____

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

			FY 83	FY 84	FY 85	FY 86
Capital						
Operating						
Total			-0-	-0-	-0-	-0-

b. Revenues:

Revenue						
---------	--	--	--	--	--	--

2. Source of funds to offset fiscal impact of bill:

3. Assumptions:

No Fiscal Impact

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It therefore does not represent the final estimate of fiscal impact.

Prepared By: Col. Robert J Stickles Phone: 269-5532
 Division: Fish & Wildlife Protection Date: 2-18-83

Approved by Commissioner:  Date: 2/25/83
 Department: Public Safety

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/15/83

H B

195

Sec. 17.30.060. Records of registrants. A person registered to manufacture, distribute, dispense, or conduct research with controlled substances under this chapter shall keep records and maintain inventories in conformance with the record keeping and inventory requirements of federal law and in conformance with additional regulations adopted by the board. (§ 4 ch 45 SLA 1982)

Cross references. — For penalty for furnishing false or fraudulent information in or omitting material information from records required to be kept under this chapter, see AS 11.71.040(a)(8). For penalty for failure to make, keep, or furnish records required by this chapter, see AS 11.71.050(a)(4).

Sec. 17.30.070. Order forms; prescriptions. (a) A controlled substance may be distributed by one registrant to another registrant only if the distribution is in accordance with federal requirements for order forms.

(b) A controlled substance may not be dispensed by a practitioner other than in accordance with federal requirements regarding prescriptions for controlled substances.

(c) If the classification of a controlled substance in a schedule set out in AS 11.71.140 — 11.71.190, or by a regulation adopted in accordance with AS 11.71.120(a), is different from its corresponding classification under federal law, the requirements of (a) and (b) of this section are determined by the classification of the substance under federal law. (§ 4 ch 45 SLA 1982)

Cross references. — For penalty for failure to make, keep, or furnish order forms required under this chapter, see AS 11.71.050(a)(4).

Sec. 17.30.080. Unlawful administration, prescription and dispensation of controlled substances. A controlled substance classified under federal law or in a schedule set out in AS 11.71.140 — 11.71.190 or by regulations adopted in accordance with AS 11.71.120(a) may not be administered, prescribed, dispensed, or distributed other than for a medical purpose. (§ 4 ch 45 SLA 1982)

← Article 2. Enforcement Forfeiture and Review Provisions. →

Section

- 100. Cooperative arrangements
- 110. Forfeitures
- 130. Judicial review

Sec. 17.30.100. Cooperative arrangements. (a) The commissioner of public safety shall cooperate with other state and federal agencies in the discharge of their responsibilities pertaining to illicit traffic in controlled substances and in suppressing the abuse of controlled substances. Under this section, the powers of the commissioner of public safety include but are not limited to the following:

sale plus interest to the date of final disposition of the court proceedings become the subject of the forfeiture action.

(m) Property forfeited under this section other than controlled substances shall be disposed of by the commissioner of administration in accordance with applicable law. The commissioner of administration may

- (1) destroy property harmful to the public;
- (2) sell the property and use the proceeds for payment of all proper expenses of the proceedings for forfeiture and sale, including expenses of seizure, custody, and court costs;
- (3) take custody of the property and authorize its use in the enforcement of this chapter or AS 11.71, or transfer it to another agency of the state or a political subdivision of the state for a use in furtherance of the administration of justice;
- (4) take custody of the property and remove it for disposition in accordance with law; or
- (5) forward it to the Drug Enforcement Administration of the United States Department of Justice for disposition.

(n) Upon a showing that a claimant is entitled to remittance in accordance with this section, the court shall order that

- (1) if the claimant is entitled to the item, it shall be delivered to the claimant immediately;
- (2) if the claimant is entitled to remittance of some value less than the total value of the item, the claimant is entitled, at the claimant's choice, to receive either the value of the claimant's interest or, upon receipt of payment of the difference in value by the claimant, the entire item.

(o) An offender who used an item subject to remission in violation of this chapter or AS 11.71 shall be assessed a fine which may not be less than the cost of any lien payment or remittance made by the state plus the reasonable costs of the seizure.

(p) A controlled substance manufactured, possessed, transferred, sold, or offered for sale in violation of this chapter or AS 11.71 is contraband and must be seized and summarily forfeited to the state. The commissioner of public safety or the commissioner's designee, including a municipal law enforcement agency authorized under (e) of this section to retain custody of controlled substances, is responsible for the disposal of controlled substances which have been forfeited. The controlled substances shall be disposed of in accordance with procedures and requirements prescribed by the commissioner.

(q) Plants from which controlled substances may be derived and which have been planted or cultivated in violation of this chapter or AS 11.71, or which are grown in the wild, may be seized and summarily forfeited to the state. (§ 4 ch 45 SLA 1982)

Cross references. — For penalty for failure to furnish notification required under this chapter, see AS 11.71.050(a)(4).

*New (6)
would be
inserted*

Representative Mike Davis, Dist. 19
Pouch V
Juneau, AK 99811

February 28, 1983

Dear Mike:

The following question was asked of several Fairbanks pilots:
"If Alaska Statutes were amended to permit the Civil Air Patrol
in our state obtain title to some of the aircraft that were
confiscated, such as by game or drug violations, would you be
in favor of such an amendment?"

Tom Olson, owner of Air North, "No question about it, it's the
best idea I've heard for those airplanes yet."

Bob Bursiel, pilot Wright's Air Service, "I would be in favor of
anything that would help the Civil Air Patrol obtain more and
better aircraft."

Randy Acord, Private pilot, owner Acord Company, "Sure, you bet,
in fact lets get a petition going around on it."

Mark Davis, Auto mechanic, "It's a great idea."

Larry Soden, Private pilot, (DOT/PF Planning), "You bet, I can't
think of a better use for those airplanes. I would definately
support the Civil Air Patrol getting them. It would be much
cheaper than our Dept. of military Affairs having to buy planes."

Joe Ryan, ^{Flight Instructor} "Have you got a petition, let me sign it."

Paul Haggland, Fbks Int'l Airport, Airport Manager, "The Troopers
seem to have enough, and as long as the Civil Air Patrol doesn't
get plane happy, I can't see anything wrong with the proposed
amendment. In fact it should save the state some money."

Roger Mayer, pilot Aurora Air Service, vice president of the co.
"I'm all for it, it would be a good shot in the arm for a worthwhile
cause."

Jim Lergen, Aurora Air, chief pilot. "I think it would be a pretty
good idea, I would go for it. The CAP teaches kids how to fly, and
there's going to be a time soon when we come up short on pilots--
let those Cadet kids learn, they are our future pilots."

Glen Wilcox, commander Yukon Senior Squadron, Fairbanks CAP.
"There is a continued need for servicable aircraft, and since the
Civil Air Patrol is a volunteer and public organization with a
state wide mission, it would be appropriate to have these aircraft
available to the Civil Air Patrol."

-MORE-

Bob Cowgill, pilot Larry's Flying Service. "It's a pretty good idea. The Civil Air Patrol shouldn't have to be going into all these fund raising projects for planes. That way good airplanes can then be put into more places within the state."

Dan Slaby, Minto, former Doyon executive, and owner of Alaska Management Planning. "Super idea, put me on that list."

Everett Long, "After the last search and rescue mission we had with the Troopers, I can see how the state would have saved a lot of money by not having to use so many private pilots. When those aircraft become part of Civil Air Patrol---the Air Force pays the fuel bills. And more important, since we have the pilots and few airplanes, we could have sent more experienced search crews out. This would be true for any mission.

It's not like the state loses that plane, if this amendment passes, but it's more like investing those planes back into the state."

From:

Everett A. Long

Box 1

Ester, AK

479-2618

✓

ALASKA STATE LEGISLATURE

INTERIM OFFICE:
P.O. BOX 81435
FAIRBANKS, ALASKA 99708

IN SESSION:
POUCH V
JUNEAU, ALASKA 99811
(907) 465-4830/4941



CHAIRMAN
1983 INTERIOR DELEGATION

MEMBER
TRANSPORTATION
HEALTH, EDUCATION AND SOCIAL SERVICES
LABOR SUBCOMMITTEE
JOINT OIL AND GAS
RURAL EDUCATION ATTENDANCE AREAS

Representative Mike Davis
House District 19

Aircraft Forfeited by the Courts Since Statehood

9 Supercubs: 3 went to the Department of Public Safety
2 went to the Department of Fish & Game
2 are in storage pending a final decision
1 was sold by bid several years ago
1 was torn apart for parts

1 Cessna 185: went to the Department of Public Safety

1 Cessna 180: transferred to the University of Alaska for use in training
after some parts had been removed

1 Cessna 170B: sold by bid several years ago

Three airplanes presently have a questionable status in that the
planes have been seized but not forfeited. These airplanes are:

1 Supercub
2 Cessna 185s

2

HB 195 "An Act permitting transfer of forfeited aircraft to the Alaska Wing, Civil Air Patrol."

Analysis and Background

House Bill 195 would amend the statutes in two places to make it possible for the state to turn over aircraft, forfeited to the state in connection with crimes, to the Civil Air Patrol.

Section 1. addresses aircraft forfeited in fish and game violations, while Section 2. deals with aircraft forfeited in drug-related offenses.

Because CAP corporate rules require that any equipment donated to the CAP become property of the corporation, and may be disposed of as the directors see fit, it may be a concern of the state that equipment donated by the state should remain in the state. The CAP is a national organization, and its directors may place equipment wherever they determine its best use to be. This has evidently caused some consternation with the Department of Military Affairs regarding radio equipment; additionally, the CAP has apparently upset the federal government by selling 10 airplanes given to them by the feds.

Currently the department of Administration may dispose of an aircraft by either selling it, or by transferring it to a department of state government for official use. An example of this would be the transfer of several aircraft to fish and wildlife protection for their use in enforcing fishing and hunting regulations.

This avenue could be used to make the aircraft available to the CAP by transferring it to the Department of Military Affairs. However, according to Dick Roundtree of that department, a problem would arise in regard to volunteer, non-state employees using a piece of state-owned equipment. The liability of the state makes it increasingly unattractive to use this route, and Roundtree said it would be better to simply give the aircraft over to the CAP.

MAR 2 1983

STATE OF ALASKA

DEPARTMENT OF PUBLIC SAFETY

DIVISION OF FISH & WILDLIFE PROTECTION

BILL SHEFFIELD, GOVERNOR

ROBERT J. SUNDBERG
COMMISSIONER

*P. O. BOX 6188, ANNEX
ANCHORAGE, ALASKA 99502*

February 18, 1983

Representative John Ringstad
Chairman, House Resources Committee
State Capitol
Pouch V
Juneau, Alaska 99811

Dear Representative Ringstad:

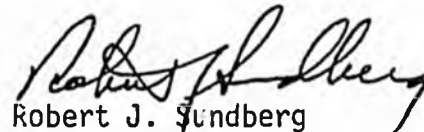
I would like to present the following position which the Division of Fish and Wildlife Protection, Department of Public Safety holds with regard to the subsequent House Bill under proposal:

HB 195 - Neutral

This Bill should be carefully researched to insure Alaska constitutional provisions and procedures are not by-passed in the transfer of State property.

The majority of aircraft forfeited to the State are in the cub class, which may not be the appropriate plane for civil air patrol. Most aircraft that have been forfeited to the State in the past have needed extensive repair in order to be airworthy. This would require facilities or funds for putting an aircraft in an airworthy condition. The State should not be held liable for the condition of the aircraft at the time of transfer of ownership.

Sincerely,



Robert J. Sundberg
Commissioner

STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: HB 195 Date on Bill: 2/14/83
 Title: an act permitting transfer of forfeited aircraft to the Alaska wing, Civil Air Patrol.
 Sponsor: Davis, Hurlbert & McBride
 Requestor: HOUSE RESOURCES

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86
Capital				
Operating				
Total	0	0	0	0

b. Revenues:

Revenue	FY 83	FY 84	FY 85	FY 86
	0	0	0	0

2. Source of funds to offset fiscal impact of bill:

3. Assumptions:

No fiscal impact

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It therefore does not represent the final estimate of fiscal impact.

Prepared By: Colonel Robert J. Stickles Phone: 269-5532
 Division: Fish & Wildlife Protection Date: Feb. 18, 1983
 Approved by Commissioner: [Signature] Date: 2/26/83
 Department: PUBLIC SAFETY

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/15/83

Alaska State Legislature

INTERIM OFFICE:
1024 WEST SIXTH AVENUE
ANCHORAGE, ALASKA 99501
(907) 274-2843
HOME (907) 274-3102

IN SESSION:
FOURTH V
JUNEAU, ALASKA 99811
(907) 463-4947



HOUSE MAJORITY WHIP

CHAIRMAN
STATE AFFAIRS

MEMBER
TRANSPORTATION
LEGISLATIVE COUNCIL

Representative Mitch Abood
HOUSE DISTRICT 11

MEMORANDUM

TO: Representative John Ringstad, Co-Chairman
Representative Richard Shultz, Co-Chairman
House Resources Committee

FROM: Representative Mitch Abood *Mitch*

DATE: March 1, 1983

RE: HB 195
"An Act permitting transfer of forfeited aircraft to the Alaska
Wing, Civil Air Patrol"

The Civil Air Patrol is providing a great service to the public in its search and rescue efforts, and the transfer of confiscated aircraft to the Civil Air Patrol would tremendously benefit this outstanding operation.

The Civil Air Patrol provides emergency search and rescue services to those individuals who wind up in trouble in the vast outlying areas of Alaska. Because of the age of the aircraft and the great number of hours the CAP spends on search and rescue efforts, it is imperative that the aircraft and equipment used in service be replaced periodically to insure the utmost in safety of the operations. The CAP is currently replacing its aircraft with funds of their own, and the process is quite lengthy in their efforts to procure new aircraft from Outside.

It is with this in mind that I highly recommend the passage of HB 195, "An Act permitting transfer of forfeited aircraft to the Alaska Wing, Civil Air Patrol".

cc: Representative Mike Davis

STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: House Bill 195 Date on Bill: 2/14/83
 Title: Transfer of Forfeited Aircraft to CAP
 Sponsor: Davis, Hurlbert, and McBride
 Requestor: Rep. Hurlbert

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

			FY 83	FY 84	FY 85	FY 86		
Capital.			-0-	-0-	-0-	-0-		
Operating			-0-	-0-	-0-	-0-		
Total			-0-	-0-	-0-	-0-		

b. Revenues:

Revenue								
---------	--	--	--	--	--	--	--	--

2. Source of funds to offset fiscal impact of bill:

3. Assumptions:

No apparent fiscal impact,

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It does not represent the policy of the Sheffield Administration or the final estimate of fiscal impact.

Prepared By: *R.L.R.* Richard L. Rountree Phone: 465-4601
 Division: Administrative Services Date: 2/16/83
 Approved by Commissioner: *Edward G. Pagano* Major General Edward G. Pagano Date: 2/16/83
 Department: Military Affairs

Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/8/83

STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

ROBERT J. SUNDBERG
COMMISSIONER

DEPARTMENT OF PUBLIC SAFETY

DIVISION OF FISH & WILDLIFE PROTECTION

P. O. BOX 6188, ANNEX
ANCHORAGE, ALASKA 99502

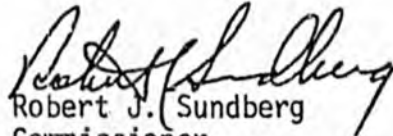
February 18, 1983

Representative Mike Davis
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Representative Davis:

The Division of Fish and Wildlife Protection is the primary agency within the Department of Public Safety that becomes involved in the seizure and subsequent forfeiture of aircraft. Neither the Division nor I see any problem with HB 195.

Sincerely,


Robert J. Sundberg
Commissioner

✓

HB

1977

APR 23 1984

POSITION PAPER

SENATE BILL NO. 503

For an Act entitled: "An Act relating to hazardous wastes."

This Bill appears to be a necessary updating of existing statutes to enable the state to obtain federal approval of a state hazardous waste management program. The Bill also designates the Department of Environmental Conservation as the agency with exclusive jurisdiction to adopt and enforce regulations for the control of hazardous wastes in the state. Regulations adopted must be consistent with 42 U.S.C. 6924-6925 and with regulations adopted under those sections by the U.S. Environmental Protection Agency.

The Department is pleased to note the inclusion in AS 46.03.296(b) of transportation of hazardous wastes as liable to regulation. The Department is also gratified to note the inclusion of civil and criminal penalty provisions in the legislation.

The Department of Health and Social Services recognizes the need for this legislation at this time and looks forward to a cooperative relationship with the Department of Environmental Conservation in reviewing proposed regulations for their impact on the health of the people of the state.

Recommended by:

E.S. Rabeau, M.D.
E.S. Rabeau, M.D.
Director
Division of Public Health

Date:

April 16, 1984

Approved by:

Robert London Smith
Robert London Smith, Ph.D.
Commissioner
Department of Health
and Social Services

Date:

4/18/84

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date 4/18, 1984

REQUEST
Bill/Resolution No.: SB 503
Title: Hazardous Wastes

Sponsor: Resource Committee
Requestor: Senate Resources
Date of Request: 4/17/84

II. FISCAL DETAIL
Agency Affected: Health & Social Servs.
Program Category Affected: Public Health

BRU, Program of Subprogram(s) Affected:
Public Health Administration

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LANDS & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
800 MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE	0	0	0	0	0	0
---------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY	0	0	0	0	0	0

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for Analysis

Prepared By: Dean Tirador, M.D.
Division: Public Health

JCC
Phone: 465-3090
Date: 4/18/84

Approved by Commissioner: Robert London Smith, M.D.
Agency: DHSS

Date: 4/18/84

Distribution (by Agency preparing fiscal note):

Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

12/1/83



Alaska State Legislature

HOUSE OF REPRESENTATIVES
COMMITTEE ON RESOURCES

JOHN RINGSTAD, CO-CHAIRMAN
RICHARD SHULTZ, CO-CHAIRMAN
POUCH V
JUNEAU, ALASKA 99811
(907) 465-3715

SECTIONAL ANALYSIS

CSHB 197 (Resources)

Section 1: Rewrites the statute dealing with hazardous waste regulations. It provides that the Department of Environmental Conservation must adopt and enforce federal hazardous waste regulations adopted by the Environmental Protection Agency under the Resource Conservation and Recovery Act of 1976. The department has until July 1, 1986 to adopt additional regulations that would take effect a year later. Mining waste and various wastes associated with oil and gas drilling operations would not be covered by the regulations. The department is directed to take the steps necessary to get EPA approval for a state hazardous waste management program. Regulations would cover only hazardous waste generated in amounts of 220 pounds per month or greater, and "acute hazardous waste" in amounts of 2.2 pounds per month or greater. These quantity limits are stricter than federal requirements, but if federal limits were to be made stricter than state limits, the department would be required to extend coverage to match federal requirements. The department, of course, could establish stricter standards at any time. Section 1 also provides that from July 1, 1986 through June 30, 1987 the department will conduct a program to inform effected persons of their responsibilities under the program.

Section 2. requires that anyone transporting hazardous waste in the state must first send a copy of a manifest to the department. The department then must send a copy of the manifest to all state and local public safety agencies in areas through which the waste will be transported.

Section 3. requires the department to set up temporary collection points four times a year to receive hazardous wastes from "small quantity generators" and from "household generators" as those terms are defined by the EPA.

Section 4 requires the department to pick sites for hazardous waste management facilities. These would include dumping sites as well as facilities for storage or treatment of hazardous waste. The section lists specific criteria to guide the department in its selections. These criteria are to be expanded upon in regulations adopted by the department not later than July 1, 1986. Those regulations also must set out application procedures for private parties who wish to run hazardous waste facilities. The department is authorized to approve private facilities if they are consistent with the requirements established for all facilities under the bill. Public hearings must be held in each election district where a facility is proposed to be located. The department has to report back to the legislature and the governor with a preliminary findings by July 1, 1987, and final site selections by July 1, 1989.

Sections 5 - 7 work together to establish separate civil penalties for hazardous waste violations of \$500 to \$100,000 for a violation, with an additional fine of up to \$10,000 per day if the violation continues. Punitive fines may be imposed if necessary to deter further violations.

Section 8 sets out separate criminal penalties of up to \$10,000 per day and up to one year imprisonment. These penalties are made applicable to organizations as well as individuals.

Section 9 defines certain terms added by the bill.

Section 10 provides an immediate effective date.

NOTE: the bill title could be amended back to the existing title, "An Act relating to hazardous waste; and providing for an effective date" since provisions dealing with penalties for violations of AS 46.03 not related to hazardous waste are no longer being changed by the bill, as they would have been by previous drafts of this committee substitute.

Jay Nelson - Env. - Generally Supports This Bill.
Oil Industry - Generally Supports This Bill.

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 197 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to hazardous waste; changing pen-
7 alties for environmental pollution violations; and
8 providing for an effective date."

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

10 * Section 1. AS 46.03.299 is repealed and reenacted to read:

11 Sec. 46.03.299. REGULATION OF HAZARDOUS WASTE. (a) The depart-
12 ment shall, in accordance with the Administrative Procedure Act
13 (AS 44.62),

14 (1) adopt by reference and enforce regulations relating to
15 hazardous waste management adopted by the federal government under
16 42 U.S.C. 6921 - 6934, as amended; and

17 (2) not later than July 1, 1986, adopt other regulations
18 that take effect July 1, 1987, for the management of hazardous waste,
19 including waste that exhibits the characteristic of toxicity, persis-
20 tence, or carcinogenicity, or other characteristics identified as
21 hazardous by the Environmental Protection Agency.

22 (b) Regulations adopted under (a) of this section shall exempt
23 from their coverage mining waste and waste associated with the explo-
24 ration, development, or production of crude oil, natural gas, or
25 geothermal energy until studies required under 42 U.S.C. 6982(f) and
26 (m) are completed. The department, after considering the findings in
27 the reports of these studies, may terminate or amend the exemptions.

28 (c) The department shall take all actions necessary to receive
29 authorization from the administrator of the Environmental Protection

1 Agency to administer and enforce a hazardous waste program in accor-
2 dance with 42 U.S.C. 6901 - 6987 (Resource Conservation and Recovery
3 Act of 1976).

4 (d) Regulations adopted under (a) of this section shall cover
5 (1) hazardous waste, not otherwise exempted by law, that is generated
6 in any month by a single generator in an amount of 220 pounds or more,
7 and (2) acute hazardous wastes identified in 40 C.F.R. 261.33(e), not
8 otherwise exempted by law, that are generated in any month by a single
9 generator in an amount of 2.2 pounds or more. The department shall
10 extend the regulations to manage smaller quantities of hazardous waste
11 if the quantities specified in this subsection exceed the quantities
12 regulated under the authority of 42 U.S.C. 6921 - 6934, as amended.
13 The department may at any time extend coverage of regulations adopted
14 under (a)(2) of this section to small quantities of hazardous waste
15 and acute hazardous waste.

16 (e) During the period July 1, 1986 through June 30, 1987 the
17 department shall conduct a program to inform persons of their re-
18 sponsibilities under regulations adopted under (a)(2) of this section.

19 * Sec. 2. AS 46.03.308 is repealed and reenacted to read:

20 Sec. 46.03.308. TRANSPORTATION OF HAZARDOUS WASTE. (a) Hazard-
21 ous waste may not be transported in the state unless the waste is
22 accompanied by a manifest and the generator or transporter has de-
23 livered a copy of the manifest to the department before the transpor-
24 tation begins.

25 (b) The department shall send a copy of each manifest received
26 under (a) of this section to the state and local public safety agen-
27 cies with jurisdiction over areas covered by a hazardous waste trans-
28 portation route.

29 * Sec. 3. AS 46.03 is amended by adding a new section to read:

1 Sec. 46.03.309. TEMPORARY COLLECTION OF HAZARDOUS WASTE. The
2 department shall provide for the temporary collection of hazardous
3 waste to be prepared for shipment to a federally approved hazardous
4 waste disposal site. The department shall establish four periods in
5 each calendar year during which it shall collect hazardous waste. A
6 collection point may accept hazardous waste only from small quantity
7 generators and household generators as defined by the Environmental
8 Protection Agency.

9 * Sec. 4. AS 46.03 is amended by adding new sections to read:

10 Sec. 46.03.313. HAZARDOUS WASTE MANAGEMENT FACILITIES AND SITES.

11 (a) The department shall evaluate and select potential sites for
12 hazardous waste management facilities in the state. In evaluating and
13 selecting sites for management facilities, the department shall con-
14 sider at least the following factors:

15 (1) economic feasibility, including proximity to concen-
16 trations of generators of the types of hazardous waste likely to be
17 proposed and permitted for management;

18 (2) intrinsic suitability of the sites;

19 (3) federal and state pollution control and environmental
20 protection regulations;

21 (4) the risk and effect for local residents, units of
22 government, and the local public health, safety, and welfare, includ-
23 ing such dangers as an accidental release of waste during transporta-
24 tion to a facility or at a facility, water, air, and land pollution,
25 and fire or explosion;

26 (5) the consistency of a facility with, and its effect on,
27 existing and planned local land use and development; local laws,
28 ordinances, and permits; and local public facilities and services; and

29 (6) the adverse effects of a facility at the site on agri-

1 culture and natural resources and opportunities to mitigate or elimi-
2 nate the adverse effects by stipulations, conditions, and requirements
3 relating to the design and operation of a management facility at the
4 proposed site.

5 (b) By July 1, 1986, the department shall adopt regulations that

6 (1) interpret and clarify the factors listed in (a) of this
7 section; and

8 (2) establish procedures for processing, reviewing, and
9 approving or disapproving applications for the siting and operation of
10 privately owned hazardous waste management facilities.

11 (c) The department may authorize the siting and operation of
12 privately owned hazardous waste management facilities in accordance
13 with factors and requirements established under this section.

14 (d) The department shall hold public hearings in each election
15 district in which a hazardous waste management facility site is pro-
16 posed to be located. The department shall give reasonable public
17 notice of the time, date, and place of each public hearing at least 30
18 days before the hearing. The public shall be afforded an opportunity
19 at each hearing to submit written and oral testimony concerning a
20 potential site. The department shall consider the testimony submitted
21 at public hearings when it prepares reports under AS 46.03.314.

22 (e) For purposes of this section, "intrinsic suitability" of a
23 site means that, based on existing data on the inherent and natural
24 attributes, physical features, and location of the site, there is no
25 known reason why a waste management facility that may be located in
26 the site could not reasonably be expected to qualify for a permit
27 under AS 46.03.302.

28 Sec. 46.03.314. REPORTS ON MANAGEMENT SITES AND FACILITIES. (a)

29 Not later than July 1, 1987, the department shall submit to the gover-

1 nor and the legislature a preliminary report that includes

2 (1) proposals for the siting of hazardous waste management
3 facilities in the state;

4 (2) proposals for the methods of financing and operating
5 the facilities;

6 (3) proposals for the types of facilities that should be
7 constructed, such as chemical processing facilities, incineration
8 facilities, and transfer and storage facilities; and

9 (4) information about private hazardous waste management
10 sites and facilities approved by the department.

11 (b) Not later than July 1, 1989, the department shall submit to
12 the governor and the legislature a final report that includes

13 (1) identification of sites selected by the department for
14 hazardous waste management facilities;

15 (2) recommendations for the methods of financing and oper-
16 ating facilities at the sites listed in (1) of this subsection;

17 (3) recommendations for the types of facilities that should
18 be constructed at sites listed in (1) of this subsection; and

19 (4) information about private hazardous waste management
20 sites and facilities approved by the department.

21 * Sec. 5. AS 46.03.760(a) is amended to read:

22 (a) A person who violates or causes or permits to be violated a
23 provision of this chapter other than AS 46.03.250 - 46.03.314, or a
24 provision of [OR] AS 46.04, or a regulation, a lawful order of the
25 department, or a permit, approval, or acceptance, or term or condition
26 of a permit, approval, or acceptance issued under this chapter or
27 AS 46.04 is liable, in a civil action, to the state for a sum to be
28 assessed by the court of not less than \$500 nor more than \$100,000 for
29 the initial violation, nor more than \$5,000 for each day after that

1 [THEREAFTER] on which the violation continues, and that [WHICH] shall
2 reflect, when applicable,

3 (1) reasonable compensation in the nature of liquidated
4 damages for any adverse environmental effects caused by the violation,
5 that [WHICH] shall be determined by the court according to the toxi-
6 city, degradability and dispersal characteristics of the substance
7 discharged, the sensitivity of the receiving environment, and the
8 degree to which the discharge degrades existing environmental quality;

9 (2) reasonable costs incurred by the state in detection,
10 investigation, and attempted correction of the violation; [AND]

11 (3) the economic savings realized by the person in not
12 complying with the requirement for which a violation is charged.

13 * Sec. 6. AS 46.03.760(b) is amended to read:

14 (b) Except as determined by the court under (f)(4) of this
15 section, actions [ACTIONS] under this section may not be used for
16 punitive purposes, and sums assessed by the court must be compensatory
17 and remedial in nature.

18 * Sec. 7. AS 46.03.760 is amended by adding a new subsection to read:

19 (f) A person who violates or causes or permits to be violated a
20 provision of AS 46.03.250 - 46.03.314, or a regulation, a lawful order
21 of the department, or a permit, approval, or acceptance, or term or
22 condition of a permit, approval, or acceptance issued under AS 46.-
23 03.250 - 46.03.314 is liable, in a civil action, to the state for a
24 sum to be assessed by the court of not less than \$500 nor more than
25 \$100,000 for the initial violation, nor more than \$10,000 for each day
26 after that on which the violation continues, and that shall reflect,
27 when applicable,

28 (1) reasonable compensation in the nature of liquidated
29 damages for any adverse environmental effects caused by the violation,

1 that shall be determined by the court according to the toxicity,
2 degradability and dispersal characteristics of the substance dis-
3 charged, the sensitivity of the receiving environment, and the degree
4 to which the discharge degrades existing environmental quality;

5 (2) reasonable costs incurred by the state in detection,
6 investigation, and attempted correction of the violation;

7 (3) the economic savings realized by the person in not
8 complying with the requirement for which a violation is charged; and

9 (4) the need for an enhanced civil penalty to deter future
10 noncompliance.

11 * Sec. 8. AS 46.03.790 is amended to read:

12 Sec. 46.03.790. CRIMINAL PENALTIES. (a) Except as provided in
13 (d) - (f) of this section, a [A] person who negligently violates [OR
14 WHO CAUSES OR PERMITS A VIOLATION OF] a provision of this chapter or
15 AS 46.04, or of a regulation, lawful order of the department, or
16 permit, approval, or acceptance, or term or condition of a permit,
17 approval, or acceptance issued under this chapter or AS 46.04 is
18 guilty of a class B misdemeanor.

19 (b) Except as provided in (d) - (f) of this section, a [A]
20 person who knowingly [WILFULLY] violates a provision of this chapter
21 or AS 46.04, or of a regulation, lawful order of the department, or
22 permit, approval, or acceptance, or term or condition of a permit,
23 approval, or acceptance issued under this chapter or AS 46.04 is
24 guilty of a class A misdemeanor.

25 (c) Each day on which a violation described in [(a) OR (b) OF]
26 this section occurs is considered a separate violation.

27 (d) Notwithstanding (a) and (b) of this section, a [A] person
28 who fails to provide or falsely states information required under
29 AS 46.03.755 or AS 46.04 is guilty of a misdemeanor and, upon convic-

1 tion, is punishable by a fine of not more than \$25,000, or by impri-
2 sonment for not more than one year, or by both. Each unlawful act
3 constitutes a separate offense.

4 (e) Notwithstanding (a) and (b) of this section, a person who
5 knowingly (1) transports any hazardous waste to a facility without a
6 permit required under AS 46.03.250 - 46.03.314; (2) treats, stores, or
7 disposes of hazardous waste without a permit required under AS 46.-
8 03.250 - 46.03.314; or (3) makes a false statement or representation
9 in an application, label, manifest, record, report, permit, or other
10 document filed, maintained, or used for purposes of compliance with
11 the hazardous waste provisions of AS 46.03.250 - 46.03.314 or regu-
12 lations adopted under those provisions, is punishable by a fine of not
13 more than \$10,000 per day or by imprisonment for not more than one
14 year, or both.

15 (f) Notwithstanding the penalty provisions of (a) - (e) of this
16 section, a defendant that is an organization is, upon conviction of a
17 violation of any of the provisions listed in this section, subject to
18 the penalties set out in AS 12.55.035(c).

19 * Sec. 9. AS 46.03.900 is amended by adding new paragraphs to read:

20 (36) "mining waste" means solid waste from the extraction,
21 beneficiation and processing of ores and minerals, including coal, and
22 including phosphate rock and overburden from the mining of uranium
23 ore;

24 (37) "waste associated with the exploration, development, or
25 production of crude oil, natural gas, or geothermal energy" means

26 (A) waste, including drilling mud, cuttings, hydro-
27 carbons, brine, acid, sand, and emulsions or mixtures of fluids
28 produced from and unique to the operation or maintenance of a
29 well, whether naturally occurring or added for the operation or

1 productivity of the well; and

2 (B) waste that is derived intrinsically from primary
3 field operations;

4 (38) "waste derived intrinsically from primary field op-
5 erations" means waste produced from a well, and removed (A) at the
6 drill site by crude oil and wastewater treatment process; or (B) at
7 crude oil production facilities before custody transfer; "waste
8 derived intrinsically from primary field operations" does not include
9 spent solvent from equipment maintenance activities, discarded chemi-
10 cal products, or fuel.

11 * Sec. 10. This Act takes effect immediately in accordance with AS 01.-
12 10.070(c).

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: April 19, 1984

REQUEST

Bill/Resolution No.: CSHB 197
Title: Hazardous Waste...

FISCAL DETAIL

Agency Affected: Environmental Conservation
Program Category Affected: NRMEC

Sponsor: House Resources
Requestor: Rep. John Ringstad
Date of Request: April 19, 1984

BRU, Program or Subprogram(s) Affected:
Environmental Quality

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING		6-month				
100 PERSONAL SERVICES		65.9	131.7	131.7		
200 TRAVEL		16.0	16.0	16.0		
300 CONTRACTUAL		8.4	16.8	16.8		
400 SUPPLIES		2.0	4.0	4.0		
500 EQUIPMENT		13.6	3.2	3.2		
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		105.9	171.7	171.7		
CAPITAL		480.0	--	--		
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		585.9	171.7	171.7		
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		3.0	3.0	3.0		
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Stanley W. Hungerford Phone: 465-2666
Division: Environmental Quality Date: April 19, 1984
Approved by Commissioner: Christopher Noah Date: April 19, 1984
Agency: Environmental Conservation Deputy Commissioner

Distribution (by Agency preparing fiscal note):

Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

12/1/83

ANALYSIS of FISCAL NOTE
CSHB 197 AMENDED
April 19, 1984

- A. Details of the costs for recommending the site and type of state owned/sponsored hazardous waste management facility.

Assumptions:

- a) The project will take six to seven years to complete through contracts managed by the Department of Environmental Conservation.
- b) In the first year, develop the specific details of siting criteria, the appropriate types of facilities to be evaluated based on industries regulated and types of waste, and five or more general areas for evaluation.

In the second and third years, identify five potential sites, the type(s) of facility to be located at each, and begin physical evaluations of the sites. (75.0 each year)

- c) In the next three to four years, conduct detailed evaluations of the five sites, including such parameters as meteorology, geology, hydrology, access, and socioeconomic factors. The cost could range from 500.0 to 2 million per site - an average of 1.25 million is estimated to justify each site to the public. Excess funds would be reserved for the design of the facility after approval of the site by the governor and legislature. (To be included in a fiscal note in 1986 audit cycle.)
- d) In the sixth/seventh year conduct the public review of at least two sites. (50.0)
- e) Prepare recommendation for the governor and legislature.
- f) No inflation of costs or salaries.

Staffing Needs:

1	Environmental Engineer	(Range 19)	50.0 plus support costs
1	Administrative Assistant	(Range 12)	11.7 plus support costs

- B. Details of the costs for a collection and transportation service for disposal of hazardous wastes from small quantity generators and households.

Assumptions:

- a) The project will be for at least three and one half years.
- b) There will be "cleanups" in four or more cities per year. (85.0 per year)
- c) No inflation of transportation or disposal costs.

- d) An aggressive program of technical assistance to the small quantity generator to assure conformance to RCRA (Applicable Federal Hazardous Waste regulations)
- e) A comprehensive public information campaign each year to maximize legal collection and disposal of hazardous wastes.
- f) Analysis of the types, quantities and sources of hazardous wastes to provide information for the state hazardous waste facility siting project.
- g) Site for the collection activity and security will be provided by local government.

Staffing needs:

• 1 Environmental Engineer III (Range 19) 50.0 plus support costs

C. Details of the estimated support costs for four positions.

Travel Costs:	<u>1st year</u>	<u>2nd & 3rd years</u>
Moving costs -- of the 2 Environmental Engineer IIIs: the department has found that the specialized expertise required cannot be found in Alaska.	12.0	--
Travel in support of project work (technical assistance and public information)	3.0	12.0
Travel to meet with contractors, local governments, public meetings	1.0	4.0
 Contractual Costs:		
Office costs (5.6 per person -- telephone, xerox, janitor)	8.4	16.8
 Supplies:		
Replace expendable laboratory, safety materials	--	2.0
Office	2.0	2.0
 Equipment:		
Office equipment (desks, chairs, word processor)	5.1	--
Safety equipment and replacements	8.5	3.2

HA B

206

Proposed amendment to HB 206

Page 1, line 10:

Delete [IS NOT REQUIRED OF]

Insert in its place: shall be issued without fee to

Page 1, line 12:

Following "one year", delete the remainder of the bill.

Section 1 of the bill would then read:

*Section 1. AS 16.05.400(b) is amended to read:

(b) A sport fishing, hunting or trapping license shall be issued without fee to [IS NOT REQUIRED OF] a resident who is 60 years of age or older [MORE] and has been a resident for one year [30 CONSECUTIVE YEARS OR MORE. THE COMMISSIONER OF REVENUE SHALL ISSUE A PERMANENT IDENTIFICATION CARD WITHOUT CHARGE TO PERSONS WHO QUALIFY BY AGE AND RESIDENCE AND WHO COMPLETE THE FORMS REQUIRED BY THE COMMISSIONER FOR IMPLEMENTATION OF THIS SUBSECTION. A PERSON WHO IS ISSUED A PERMANENT IDENTIFICATION CARD UNDER THIS SUBSECTION SHALL HAVE IT IN HIS POSSESSION WHILE SPORT FISHING, HUNTING OR TRAPPING].

STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: CS HB 206 Date on Bill: 3/4/83
 Title: "An Act providing for free sport fishing, hunting and trapping licenses for older Alaska
 Sponsor: House Resources
 Requestor: House Finance Committee

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

			FY 83	FY 84	FY 85	FY 86		
Capital								
Operating								
Total			-0-	-0-	-0-			

b. Revenues:

Revenue								
---------	--	--	--	--	--	--	--	--

2. Source of funds to offset fiscal impact of bill:

This information has not been furnished by sponsors. There is no fiscal impact on the Older Alaskans Commission.

3. Assumptions:

--

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor.

Prepared By: Jon B. Wolfe, Executive Director *Jon B. Wolfe* Phone: 465-3250
 Division: Older Alaskans Commission Date: 3/11/83
 Approved by Commissioner: *[Signature]* Date: 3/15/83
 Department: Administration

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/8/83

Alaska State Legislature

REPRESENTATIVE
BARBARA LACHER
P.O. BOX 478
PALMER, ALASKA 99645
(907) 376-4215



WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA 99811
(907) 465-4894

House of Representatives

MEMORANDUM

DATE: February 25, 1983
TO: House Resources Committee
FROM: Representative Barbara Lacher *BL*
SUBJECT: HB206

HB206 will reduce the residency requirement for senior citizens to obtain a free hunting, fishing, or trapping license. Currently, people 60 years old and over are required to have been Alaska residents for 30 consecutive years or more to qualify for this. HB206 would reduce that requirement to one year of residency.

This action has been requested by senior citizens in my district. Rose Palmquist, of the Older Persons Action Group and a Mat-Su Borough Assembly person, has also supported this move.

Additionally, the bill is in keeping with the legislature's need to look at ensuring the constitutionality of the residency requirements of its programs.

There will be a fiscal impact, as the Department of Revenue issues a free permanent identification card to qualified individuals who apply for this license. The number of people who would qualify will greatly increase if the residency requirement is reduced. Fiscal impact has been requested of the Departments of Revenue and Fish and Game.

STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: HB 206 Date on Bill: 2/16/83
 Title: "An Act relating to sport fishing, hunting & trapping for older Alaskans"
 Sponsor: Lachner, Larson, Uehling, Furnace and Lindauer
 Requestor: Representative Lachner

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

			FY 83	FY 84	FY 85	FY 86		
Capital								
Operating								
Total								

b. Revenues:

Revenue			-	64.6	137.0	145.2	154.0	
---------	--	--	---	------	-------	-------	-------	--

2. Source of funds to offset fiscal impact of bill:

General Fund - in light of declining General Fund revenue this may be very difficult.

3. Assumptions: Based on calculations from the Department of Revenue using calendar 1981 actual license sales, would cause the following lost revenue:

	FY 84	FY 85	FY 86	FY 87
Sport Fish fund	18.2	38.5	40.8	43.4
Game fund	14.1	30.0	31.8	33.6

These numbers are based on percentage of total population who purchased licenses which did not account for the free licenses already established for that age group. We estimate, therefore, that Reveue's numbers should be at least doubled. Even at this, the dollar amounts are probably very conservative.

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It therefore does not represent the final estimate of fiscal impact.

Prepared By: Beverly Reaume *Beverly Reaume* Phone: 465-4120
 Division: Administration Date: 2/28/83
 Approved by Commissioner: *Donna Collinsworth* Date: 3-1-83
 Department: FISH AND GAME

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/15/83

STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: HB 206 Date on Bill: 2/16/83
 Title: An act relating to sport fishing, hunting, and trapping licensing requirements
 Sponsor: Lacher
 Requestor: House Resources

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86
Capital				
Operating		6	1	1
Total	-0-	6	1	1

b. Revenues:

Revenue	FY 83	FY 84	FY 85	FY 86
	-0-	(32)	(68)	(73)

2. Source of funds to offset fiscal impact of bill:

3. Assumptions:

Three thousand is needed to initially design and print applications and the permanent I.D. card and to order enough laminating jackets for the fiscal year. Each subsequent fiscal year we will have the cost of additional laminating jackets. The equipment cost is for three laminating machines; one for the Public Services Counter in Anch., Fair., and Juneau. The travel expenditure is for the Records & Licensing Supervisor to go to the above and instruct the counter employees.

There will be losses to both the Sport Fish & Game Funds in each subsequent fiscal year.

We are recommending that this bill be amended to include an effective date of January 1, 84 because license changes traditionally take place at the beginning of a calendar year. If

4. Disclaimer: ^{implemented in mid year, some licensees eligible would have purchased licenses.}
 This statement has not been reviewed by the OMB in the Office of the Governor. Therefore does not represent the final estimate of fiscal impact.

Prepared By: Mary Rehfeld Phone: 465-2300
 Division: Commissioner's office Date: 3/2/83
 Approved by Commissioner: [Signature] Date: 3/2/83
 Department: Revenue

5. Distribution:
 Original to Legislative Finance
 Copy to OMB
Copy to Sponsor
Copy to Requestor

2/15/83

H

B

2022

THE LEGISLATURE OF THE STATE OF ALASKA
THIRTEENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 232
 Title Authorizing Chester Lake Hydro, approving project costs: efd
 Requested by Rep Ringstad Date May 2, 1983

II. FISCAL DETAIL

Agency Affected Commerce & Economic Development - Alaaka Power Auth
 Program Category Affected _____
 BRU, Program, O: 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 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		-0-	-0-	-0-		

FUNDING (Thousands of Dollars)

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

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

IV. DATE May 2, 1983 PREPARED BY Rep. John Ringstad
 AGENCY House Resources
 Original: Legislative Finance PHONE 465-3775
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/82)

INITIAL ANALYSIS

HB 232 "An Act authorizing the Chester Lake Hydroelectric project and approving the project construction cost under AS 44.83.185(c); and providing for an effective date

Section 1 authorizes the hydro project, and approves a construction cost of \$13,200,000 under the provisions of AS 44.83.185(c), which is the subsection of the Alaska Power Authority chapter requiring legislative authorization of proposed power projects.

Section 2 provides an immediate effective date.

SUMMARY OF CHESTER LAKE HYDRO - METLAKATLA

The proposed Chester Lake Dam and hydro project would solve two problems for the Metlakatla Indian Community: replacement of a very dilapidated dam which is now the only water source for the community, and provide a much-needed source of energy.

The existing Chester Lake Dam has been labeled "hazardous, dangerous, and dilapidated" and is essential for storage and distribution of the Community's water source. Metlakatla is attempting to obtain a water and sewer construction grant (50% match) to replace this dam.

The community's power is currently provided by Purple Lake Dam which is rated at a capacity of 3 megawatts with an additional 3 megawatts provided by the Quarry Diesel Plant which has two generators rated at 1.5 megawatts each. This combination of hydro and diesel does not meet the criteria known as "prime power" and particularly during times of draught and low water flow, the community comes dangerously close to running short of power. With an additional 45 houses projected to be added to the community as well as the community college, trailer park, swimming pool, and church, power needs are going to become critical in the near future should there be a period of low water flow. Metlakatla is a community which is not easily connected to power supplies from other communities.

In 1977, Metlakatla contracted with R.W. Rutherford and Associates and their recommendation was to create a storage project as Chester Lake with a power capacity of 2 1/2 megawatts. Other alternatives which were looked at were adding additional diesel units and heating-oil-fired turbines.

In 1981, the legislature appropriated one million dollars for a feasibility study with the understanding that Metlakatla would enter into an agreement with the Alaska Power Authority to take over the contract. Because of its unusual legal status as an Indian Reservation, Metlakatla was exempted from the requirement of a Federal Energy Regulatory Commission license.

Of the one million dollars, \$350,000 has been expended to produce a report entitled "Chester Lake Project Feasibility Report" prepared by Harza Engineering Company in May 1982 for the Alaska Power Authority and Metlakatla Power and Light. This report examines several alternatives including wood waste generation, Triangle Lake development, increasing the number of diesel generators and the Chester Lake water storage project. The report recommends the "run-of-river" alternative which is a lower-cost alternative for development of Chester Lake for hydro and water supply combined with utilizing the existing Purple Lake facility to be operated to provide extra water storage for periods of low-water flow. In addition, this recommendation calls for maintaining the existing diesel generation.

Metlakatla is proposing to construct a new concrete Arch Gravity Dam in the vicinity of the existing Chester Lake Dam with a steel primary main distribution tube connecting the existing completed portion of the system. This system services the entire Metlakatla Indian Community, the Annette Island Packing Company, the Annette Hemlock Mill and the Annette Island School District. This project will assure an adequate supply of uncontaminated potable water for the population of Metlakatla.

Assuming that Metlakatla is identified as a grant recipient for a water and sewer construction grant and receives 50% grant funds to construct a new water supply dam, additional funds will be required to complete the dam and to finance the Chester Lake Hydroelectric Project.

Of the one million appropriated in the FY 82 budget, \$650,000 remains to be used for design work. State law, however, precludes the expenditure of funds for design work until authorizing legislation is passed for the entire project. The bill which has just been drafted by Representative McBride would accomplish this. In addition, Metlakatla has been awarded a 5 1/2 million dollar REA loan for 35 years. However, this money cannot be disbursed until sufficient financing has been allocated for the entire project. In the Governor's proposed FY 84 budget, \$5,449,000 is proposed for Chester Lake Hydro Development. This, combined with the REA loan, would be sufficient to get the project underway this year. This would leave approximately 3.2 million to be appropriated by future legislatures unless, however, Metlakatla qualifies for a DEC construction grant to fund half the cost of the Water Supply Dam, which would reduce the amount of the project.

The Alaska Power Authority is preparing a detailed analysis of the project and will be sending it down to us this week. However, according to Brent Perrie of APA, the figure which was included in the bill (\$13,200,000) is very close to the cost estimates they are developing.

CHESTER LAKE PROJECT

Annette Island, Alaska

Study Reveals Feasibility of 2.5 MW Hydro Project

Economic Source of Power For Metlakatla Power and Light

In November, 1981, Harza Engineering Company was retained by the Alaska Power Authority (APA) to conduct a feasibility study of the proposed Chester Lake Hydroelectric Project. Harza engineers and scientists worked closely with the APA project manager and Metlakatla Power and Light (MP & L) management. The study included:

- review and update of an existing Definite Project Report of 1977
- consideration of alternative developments of the Chester Lake resource
- consideration of other means of meeting the forecast electrical loads
- evaluation of the project on technical, economic, financial and environmental bases
- forecast of electrical load
- economic and financial analyses of alternative heating technologies

An exploratory drilling program was conducted by a Harza subcontractor, with a Harza geologist supervising the drilling, from mid-November to mid-December, 1981.

Electric Power History

Electric power to Metlakatla on Annette Island was first provided in 1927. Electrical generation consisted of the one unit, 150-kW Chester Lake Hydroelectric Project. In 1937 a second unit of 250-kW was added.

Two 1,000-kW units were installed at the Purple Lake Hydroelectric Project in 1956, and a third 1,000-kW unit was added in 1962. Chester Lake Hydroelectric Project then ceased operation. Its penstocks and powerhouse have since been abandoned, but the concrete dam continues to maintain Chester Lake at its present elevation of 845 for municipal water supply for Metlakatla (population approximately 1,000). A 1976 inspection found the dam to be in disrepair with substantial leakage, and replacement was recommended. Diesel powered generating units rated at 1,500-kW were



Existing Chester Lake water supply dam. An inspection report favored replacement, and Harza recommended a new concrete arch-gravity dam downstream.

installed at the Quarry Diesel Plant in 1967 and 1970.

Alternative Projects Considered

Principal alternative projects identified were:

- 1) continued use of diesel generation
- 2) installation of additional capacity and raising the reservoir at the Purple Lake Hydroelectric Project
- 3) the Triangle Lake Hydroelectric Project on northeastern Annette Island
- 4) installation of a wood-fired steam-electric plant near Metlakatla

Diesel generation alternative would consist of continued use of two existing 1.5-MW diesel generators at the Quarry Diesel Plant. This alternative was ruled out because of the increasing cost of fuel.

The Purple Lake alternative was not economically feasible because additional generating capacity would not provide substantial new energy, and raising the

reservoir would not be needed due to existing capability to regulate most of the available runoff.

Triangle Lake alternative would consist of a hydro project to develop the head between the lake and Hassler Harbor on the Revillagigedo Channel. It was not as attractive as Chester Lake because it would be more expensive.

Woodwaste generation alternative would generate power by using woodwaste produced by an existing sawmill to fuel a nearby steam-electric plant. Due to intermittent sawmill operations creating an unreliable source of fuel and the high cost of this energy, woodwaste generation was ruled a less favorable alternative to the others.

Economic Analysis

Economic analysis for the project is based on criteria established by the APA in accordance with State feasibility study regulations. A "base case" plan, a "preferred" plan and a "second most preferred" plan were developed.

The power market would continue to

be served by the existing Purple Lake Hydroelectric Project supplemented by diesel units under the base case plan. The preferred plan would be the Purple Lake Project supplemented by the Chester Lake Project. The second most preferred plan would be the Purple Lake Project supplemented by the Triangle Lake Project.

Recommended Project

Based on economic analyses, the recommended development is the 2.5-MW Chester Lake Project, which will serve residential, small commercial customers, and a sawmill.

Principal elements include:

- a concrete arch-gravity dam, across Waterfall Creek at the outlet of Chester Lake and downstream of the existing water supply dam, which will raise the lake level to El. 885, creating a reservoir with 4,180 acre-feet of live storage
- an uncontrolled spillway in the center of the dam with a design discharge capacity of 1,000 cfs
- a single-port intake and a gated emergency outlet conduit, located on the upstream face of the dam
- a 28-inch diameter penstock 2,800 feet long, connecting the intake to the powerhouse
- a powerhouse containing one Francis type turbine and a generator rated at 2,500-kW
- a substation, containing a step-up transformer built adjacent to the powerhouse, will transmit power to the Metlakatla Power and Light transmission system over a 12.5-kV wood pole transmission line 2,700 feet long

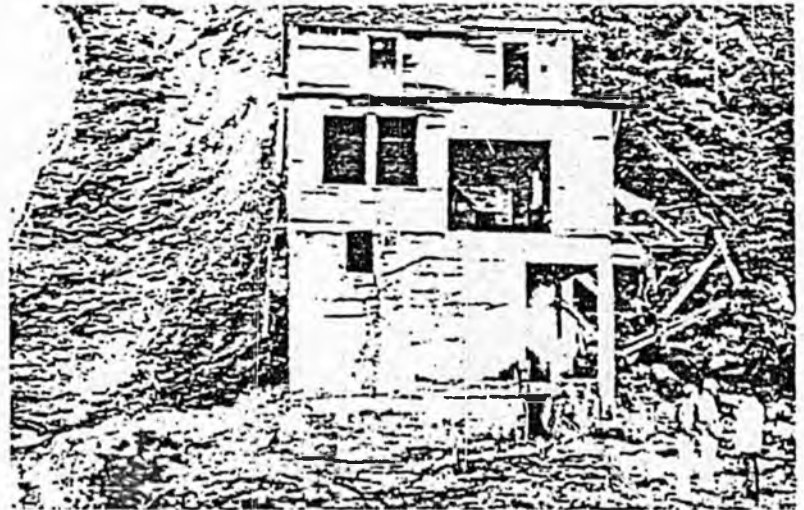
Cost of energy from the entire generation system and from the Chester Lake Project alone were estimated under four alternative financing plans and also computed for each of three alternative developments of Chester Lake and for the most likely and low load growth scenarios.

Environmental Aspects

In 1980, the REA conducted an environmental assessment on the Chester Lake Hydroelectric Project. Analysis of the air, water, and land resources in the affected area showed the project will have no significant effect on floodplains, wetlands, prime agricultural lands, threatened or endangered species, or known historical and archeological sites.

Project Financing

Project owner, MP & L, applied to REA for a loan for the project. The APA has also applied to the Alaska state legislature for a loan, and when financing is approved, project design can begin.



Inspection of abandoned Chester Lake powerhouse by Harza engineers. Feasibility study recommendation was for a new reinforced concrete powerhouse containing one unit rated at 2,500-kW.



Chester Lake proposed project area. The new dam, recommended in Harza's feasibility study, would be located at the outlet of the lake. Town of Metlakatla is in the background.

Chester Lake Project Highlights

Dates: Feasibility study, 1981

Key personnel: Project manager, K. Leonardson; lead civil engineer, G.J. Kocian; load forecasts and economic analysis, B. Trouille; geologists, D.D. Wilson, D.A. Frey.

Subcontractors: Exploratory drilling, Salisbury and Dietz, Inc., Spokane, WA. Surveying, Charles Pool and Associates, Inc., Ketchikan, AK.

Alaska Power Authority Contact: Brent N. Petrie.

division of budget and management shall include a recommendation to the governor and legislature for approval or disapproval of the project based on the division's review of the feasibility study and plan of finance for compliance with the requirements of AS 44.83.181(b) — (d).

(d) The report required by (c) of this section shall be prepared and submitted not later than 60 days after the feasibility study and plan of finance for a proposed project have been received by the division of budget and management.

(e) The report required by (c) of this section shall include a financial analysis of the proposed project of the authority that evaluates proposed bond resolutions or other financial arrangements or financial plans, security plans and arrangements, cost and demand uncertainties, and debt volume, as they relate to the total direct and indirect indebtedness of the state. In preparing the financial analysis required by this section the division of budget and management may use the services of outside agencies or institutions that are not otherwise involved in the project. (§ 24 ch 83 SLA 1980; am § 7 ch 133 SLA 1982)

Effect of amendments. — The 1982 amendment, effective June 25, 1982, added subsection (e).

Sec. 44.83.185. Submission to the legislature. (a) The authority shall submit a feasibility study and plan of finance for a proposed new project to the legislature. When the report of the division of budget and management examining the feasibility study and plan of finance is completed as required by AS 44.83.183, it shall be submitted to the legislature.

(b) The authority may not proceed with work on the engineering or design phase of a proposed new project for which legislative approval is required until the legislature approves the proposed new project. However, the authority may proceed with the engineering or design work necessary to meet the requirements for submission of a license application for the proposed new project to the Federal Energy Regulatory Commission without obtaining legislative approval of the proposed new project.

(c) The legislature shall consider and must approve all proposed new projects except proposed new projects that are exempt under AS 44.83.187. The legislature may approve a proposed new project only by enacting law that authorizes the project and approves a construction cost for that project. (§ 24 ch 83 SLA 1980; am § 8 ch 133 SLA 1982)

Effect of amendments. — The 1982 amendment, effective June 25, 1982, substituted "that authorizes the project and approves a construction cost for" for "authorizing" in the second sentence of subsection (c).

Project Title Chester Lake		Type	Location Annette Island		Agency ID #	Elect Dist S	Start Date 7-1983	Complete Date 12-1986		
Cash Flow		Operating Impact		First Op. Yr. 86	Ult. Annual Yr. 87	Funding Information				
Y 84	5,449.0	Funding Source	Fed. Rec.			Agency FY		Gov. FY 84	FY	FY
Y 85	0,301.0		Gen. Fund			1002	Fed. Rec.			
Y 86	13,750.0		Other			1004	Gen. Fund	5,449.0	5,449.0	
Y			Proj. Rev	9.50	100.00		U.S. Bonds			
Y			Total	9.50	100.0		Total	5,449.0	5,449.0	
TOTAL		Positions (FIE)				Priority	Prior Year 83-10	Agency 84-10	Obvnt/Avr 84-8	
Special Features	One of Several Phases <input type="checkbox"/>	External Funding Source <input type="checkbox"/>	Funds to Enable Completion <input checked="" type="checkbox"/>	Contingent Upon Other Projects <input type="checkbox"/>	Site Owned? <input type="checkbox"/>	Utilities Available? <input type="checkbox"/>	Access Available? <input type="checkbox"/>			
Project Description: COMMUNITY The Chester Lake project would serve the community of Metlakatla on Annette Island which is about twenty miles to the southwest of Ketchikan. The U.S. Congress designated the island, the Annette Islands Reserve in 1891. The predominantly native citizens of Metlakatla did not elect to establish a village corporation to select and receive patent to their lands under the Alaska Native Claims Settlement Act, and now it is the only Indian reservation remaining in Alaska. Fishing, logging and lumber processing are the major economic activities on the island. The community owned cannery and cold storage employ up to 260 people during the operating season. Logging on the island is done by contractors who employ mostly non-island residents. The lumber mill processes logs shipped from Thorne Bay on Prince of Wales Island, and in 1981-82 was modified to handle small logs for customer cutting. The mill can employ 140 people and run 2 shifts per day.					Project Justification: <u>NEED</u> Since 1976, energy demand in Metlakatla has fluctuate from year to year. During that period the lowest sales were 12,600 MWH in 1979, and a high sales figure of 14,900 MWH in 1980. The Purple Lake storage project has met most of the demand, and diesel generation has provided from 10% to 26% of annual needs depending on peaking needs and water availability at Purple Lake. Over the last six years diesel has met an average of 19.7% of the electrical energy requirements. The entire community including the cannery, cold storage, and lumber mill are served by Metlakatla Power and Light. The industrial customers have diesels installed for emergency back-up only. Several projects underway or completed in 1982 will change the energy demand picture from 1981. These changes are: 1. 24 new HUD houses are under construction and at least five (5) other homes have been completed.					

35a PROPOSED PROJECT
Chester Lake hydroelectric
Project Title

CATEGORY Power Development
AGENCY Alaska Power Authority
PROGRAM Energy Development
PROPOSED FUNDING YEAR FY 1984

Page 1 of 9
Revised Date _____

FY 84
000148

PROJECT DESCRIPTION (CONTINUED):

Federal government employment dropped drastically to about 20 employees with the departure of the U.S. Coast Guard air station in 1977. The state school district, with an average of 30 employees, and the local government, with about 80 full-time and temporary employees, are the major governmental employers.

The Metlakatla Indian Community has operated its own power system beginning in 1927 with the installation of a 150 KW unit Chester Lake hydroelectric project. In 1937 a second 250 KW unit was added. Development of the Purple Lake hydroelectric project was begun in the early 1950's and two 1,000 KW units began operation in 1956. A third 1,000 KW unit was added at Purple Lake in 1962. With the development of Purple Lake the 400 KW Chester Lake plant was decommissioned in 1956. The latest additions to the power system were two 1,500 KW diesel generators at the quarry diesel plant, the first in 1967, and the latest in 1979.

Studies to replace the diesel generation with hydropower began in the mid-1970's. A feasibility study of several sites contracted by the community was completed in 1977, and recommended redevelopment of Chester Lake. The community encountered delays in project licensing and funding which has led to substantial increases in project cost. The community has received an exemption to licensing from the Federal Energy Regulatory Commission (FERC), and has received a Corps of Engineers 404 permit to construct. The Rural Electrification Administration (REA) had authorized a \$5,480,000 loan for the project but there was concern from the community and REA that this may not be sufficient. In 1981, the community requested

PROJECT JUSTIFICATION (CONTINUED):

2. The school district has completed construction of an electrically heated swimming pool with an installed peak heating demand of 2,600 KW. Average demand is estimated at 400 KW.
3. Docks have been installed within the new breakwater and lights and electrical hookups have been installed
4. The LPK spruce mill has installed equipment to handle small logs for dimension lumber which will increase consumption when operating.
5. The cultural center, which burned in 1981, is being rebuilt.

A highly probable planned addition within the next three years are plans of the cold storage to increase freezing capacity by 50%.

Installation of 36 HUD housing units are being planned for 1983, whereas the most likely forecast estimated 20 new residential customers for the period 1983-1985.

A less likely development that was included only under a high scenario was redevelopment of the existing building at the Annette airport for commercial use.

Metlakatla is unique for small rural Alaskan villages in that much of the space heating needs are met by electric resistance space heaters supplemented by wood stoves. As the result of energy audits and weatherization efforts underway in 1982, and an expectation that new housing will be more heavily insulated and use more efficient electrical

35b PROPOSED PROJECT
(Continued)

Chester Lake
Project Title

CATEGORY POWER DEVELOPMENT

AGENCY ALASKA POWER AUTHORITY

PROGRAM ENERGY DEVELOPMENT

PROPOSED FUNDING YEAR FY 84

Page 2 of 9

Revised Date

FY 84

000149

PROJECT DESCRIPTION (CONTINUED):

construction funding through the Alaska Power Authority (APA). \$1,000,000 was appropriated in SB 26 for "feasibility studies, preconstruction design, and engineering" of the Chester Lake project among others.

During late 1981 and early 1982, the Power Authority contracted for a detailed feasibility study update of the Chester Lake as well as investigation of other hydro and non-hydro alternatives to fulfill state requirements for feasibility studies in the event state financing might be utilized for the Chester Lake project. The alternatives considered are discussed under Item IV, "Alternatives."

PROJECT STATUS

Geotechnical field investigations began in November 1981, and concluded in mid-December. They were conducted under severely adverse conditions which included rain, snow, ice, 80 MPH winds, and freezing rain which glazed the drilling equipment and work areas. The geotechnical work concluded that the powerhouse site recommended in the 1977 report was not prudent to develop due to steeply residing talus deposits in the area and identified better rock conditions near the original 1927 powerhouse. Cores from the drilling work are now stored in a warehouse at the Annette airport.

A draft report was released in February 1982 and a public meeting was held in Metlakatla. The cost of the storage project alternative with road access to the new powerhouse location was estimated to cost about \$14,000,000 in January 1982 dollars. This compared to a 1977 estimate for a slightly different project of about \$3,600,000 in 1977 dollars. The 1977 estimates were likely low. Options to reduce capital costs were

PROJECT JUSTIFICATION (CONTINUED):

appliances per customer, per customer residential consumption was forecast to decrease under both low and most likely forecasts.

Low Forecast

YEAR	SALES (MWII)	PEAK LOAD (KW)	AVERAGE ANNUAL GROWTH RATE (SALES)
1980	14,888	4,770	
1985	17,260	5,036	3.0%
1990	17,570	5,127	0.4%
2000	19,060	5,561	0.8%

Most Likely Forecast

YEAR	SALES (MWII)	PEAK LOAD (KW)	AVERAGE ANNUAL GROWTH RATE (SALES)
1980	14,888	4,770	
1985	19,140	5,580	5.2%
1990	20,360	5,940	1.2%
2000	23,370	6,820	1.4%

A 50-year present worth analysis was prepared for diesel, for a 2.5 MW storage project, and for a 2.5 MW run-of-river project using the following parameters:

Discount rate = 3.0%, Fuel escalation = 2.6%
 January, 1982, capital cost of \$13,140,000 for the storage project.
 \$9,100,000 for the run-of-the river project.

CATEGORY POWER DEVELOPMENT

AGENCY ALASKA POWER AUTHORITY

PROGRAM ENERGY DEVELOPMENT

PROPOSED FUNDING YEAR FY 84

35b PROPOSED PROJECT
(Continued)

Chester Lake

Project Title

Page 3 of 9

Revised Date

FY 84

000150

PROJECT DESCRIPTION (CONTINUED):

discussed and various operating modes were discussed. One option which was reviewed included a run-of-the river project at Chester Lake with a lower dam, rather than a storage project which involved a higher dam. Other options were also discussed and investigated over the next several months.

In May 1982, a final report was released with detailed discussion of other project options and alternative generating plans and follow-up public meetings were held in Metlakatla in June 1982. The Chester Lake project still was the most economical long term alternative. Metlakatla Indian Community has indicated a preference for construction of the higher dam, storage alternative, while APA staff recommended the lower dam, run-of-the river alternative based on potential financial risk and joint operating characteristics with the Purple Lake hydro plant. One of Metlakatla's concerns is that the run-of-the river project leave sufficient water storage for the community water supply. This stipulation can be met.

Independent cost estimates for each alternative were completed in July 1982 and evaluated by APA staff. The original engineer's estimate and independent cost estimator's estimate varied by less than one percent. APA staff included an estimate of construction camp costs on top of the engineers estimates and the January 1982, cost of each alternative are as follows:

Chester Lake Storage Project - 2,500 KW - \$13,815,000
 Chester Lake Run-of-River Project - 2,500 KW - \$9,611,000

PROJECT JUSTIFICATION (CONTINUED):

50 Year Cumulative Present Worth (1982\$).

<u>OPTION</u>	<u>LOW FORECAST</u>	<u>COST/ COST RATIO</u>	<u>MOST LIKELY</u>	<u>COST/ COST RATIO</u>
Purple Lake and diesel base case	\$35,740,000		\$54,344,000	
Purple Lake and Chester Lake storage and diesel	\$24,253,000	1.47	\$30,951,000	1.76
Purple Lake and Chester Lake run-of-river and diesel	\$21,153,000	1.69	\$31,332,000	1.73

ALTERNATIVES CONSIDERED

The following generation alternatives were considered

1. Purple Lake with additional diesel generation as needed.
2. Purple Lake expansion
 - a. Increase height of existing dam to raise lake level.
 - b. Construct new dam to increase catchment area.
 - c. Increase peaking capability by adding a fourth turbine and generator.

351b PROPOSED PROJECT
(Continued)

Chester Lake
Project Title

CATEGORY POWER DEVELOPMENT

AGENCY ALASKA POWER AUTHORITY

PROGRAM ENERGY DEVELOPMENT

PROPOSED FUNDING YEAR FY 84

Page 4 of 9

Revised Date

FY 84

000151

PROJECT DESCRIPTION (CONTINUED):

Of the original \$1,000,000 appropriation, \$350,000 was used for the feasibility update, alternatives evaluation, and independent cost estimating. The balance of \$650,000 remains unexpended.

Metlakatla Indian Community has petitioned the Power Authority to begin the engineering design of the Chester Lake project with the \$650,000 remaining, so equipment might be ordered and construction get underway by July 1983. They have requested that APA request funds in its FY 84 budget for full construction funding of the Chester Lake project. On their own initiative Metlakatla has applied to the Rural Electrification Administration for a loan as a back-up to state funding of the project. A formal response from APA is needed on Metlakatla's request. APA staff feels the law may be unclear on whether the balance can be used for design, since the SB 26 appropriation was for "feasibility studies, preconstruction designs, and engineering" and as 44.03.185(b) states "the Power Authority may not proceed with engineering or design of a proposed new project until the legislature approves the proposed new project."

APA staff are preparing the detailed findings and recommendations and will recommend the run-of-the river project for construction.

PROJECT JUSTIFICATION (CONTINUED):

3. Triangle Lake 3.0 MW project.
4. Woodwaste generation.
5. Chester Lake
 - a. 2.5 MW storage project
 - b. 2.5 MW run-of-river project
 - c. 1.5 MW run-of-river project

In addition, since space and water heating is the largest component of the residential load, the following space and water heating alternatives were considered:

1. Electric resistance
2. Fuel Oil
3. Wood at varied costs
4. Heat pumps

Electric heat with wood supplement appeared to be the least cost heating alternative for this market area.

KEY ISSUES

There is a large amount of electric space heating in the market area which can be expected to be more sensitive to rate increases than other electrical energy end uses. This is a concern in trying to balance the project cost, kW/h cost, and expected market reactions to higher costs. This is a concern when selecting a run-of-the river project or a more expensive storage project with more firm energy. If the Chester Lake project is financed with bonds or loan funds, then a guarantee for purchase of some minimum amount

351b PROPOSED PROJECT
(Continued)

Chester Lake
Project Title

CATEGORY	POWER DEVELOPMENT
AGENCY	ALASKA POWER AUTHORITY
PROGRAM	ENERGY DEVELOPMENT
PROPOSED FUNDING YEAR	FY 84

Page 5 of 9
Revised Date

FY 84

000152

PROJECT DESCRIPTION (CONTINUED):

PROJECT JUSTIFICATION (CONTINUED):

of energy will be necessary to cover debt service. This could be accommodated by operating a Chester Lake run-of-the river project as a base load facility with the balance of base load and peaking met by Purple Lake and diesel generation.

The community has indicated a preference for a storage project while APA staff recommends a run-of-river project. Adequate water supply storage can still be provided with the run-of-the river project.

The legislature needs to formally authorize this project if state funds are to be used for any further design and/or construction of this project.

OUTPUT

Installed Capacity (KW):	2,500
Firm/Dependable Capacity (KW):	Run-of-river
Plant Factor:	.44
Average Annual Generation (KWH):	9,800,000
Firm Annual Generation (KWH):	6,600,000

EXISTING SYSTEM (Most Recent Year)

Generation By Type:

Generation Type	Installed Capacity (KW)	Dependable Capacity (KW)	Net Generation (KWH)
Hydro	3,000	2,000	13,523,000
Diesel	3,000	1,500	2,255,000
TOTAL	6,000	3,500	15,778,000

CATEGORY POWER DEVELOPMENT
 AGENCY ALASKA POWER AUTHORITY
 PROGRAM ENERGY DEVELOPMENT
 PROPOSED FUNDING YEAR FY 84

Page 6 of 9
 Revised Date

FY 84

000153

35b PROPOSED PROJECT
 (Continued)
 Chester Lake
 Project Site

PROJECT DESCRIPTION (CONTINUED):

PROJECT JUSTIFICATION (CONTINUED):

Energy Sales (KWH): 13,456,000
 Peak Demand (KW): 4,200
 Year of Data and Source: 1981 Alaska Power Administration Electric Power Statistics

ENERGY COST

Average Cost (Revenue ÷ Total Net Generation): 6.4¢/KWH
 Year of Data and Source: 1981, Revenue from Alaska Power Administration
 Unsubsidized Residential Rate: 7.4¢/KWH

SERVICE AREA

Metlakatla population: 1,110
 Source of Data and Date: U.S. Census, Metlakatla Indian Community, Pacific Rim Planners, 1980

ENERGY FORECAST

Energy

Year	Sales	Generation (KW)	Growth rate (Sales) ^{2/}
1985	19,140,000	22,010,000	
1990	20,360,000	23,410,000	1.2%
2000	23,370,000	26,000,000	1.4%

CATEGORY POWER DEVELOPMENT
 AGENCY ALASKA POWER AUTHORITY
 PROGRAM ENERGY DEVELOPMENT
 PROPOSED FUNDING YEAR FY 84

Page 7 of 9
 Revised Date

FY 84

000154

35b PROPOSED PROJECT
 (Continued)

Chester Lake

Project Title