

ALASKA LEGISLATURE COMMITTEE FILES 1983-1984 8672

2865 SRES SB 407 - SB 417

BETTYE: ALSO PLEASE NOTE THAT THE BILL DOES NOT HAVE A FISCAL NOTE BECAUSE THE LEGISLATION WILL HAVE NO FISCAL IMPACT. THE NECESSARY MONEY HAS BEEN INCLUDED IN THE OPERATING BUDGET ^{BY} ~~IN~~ THE SENATE FINANCE COMMITTEE. NO ADDITIONAL MONEY IS NECESSARY.

YOU MIGHT GET A QUESTION ON THE "IDENTIFYING OF STATE WATER SUITABLE FOR PLACER MINING WITHIN 60 DAYS." THE KEY WORD IN THIS SECTION IS "SUITABLE". THERE IS NO WAY IN WHICH THE DEPARTMENT COULD "RECLASSIFY STATE WATERS" WITHIN 60 DAYS. IT IS PHYSICALLY IMPOSSIBLE, IN ADDITION TO BEING EXPENSIVE. (ESTIMATES RUN AS HIGH AS 50 MILLION DOLLARS). WHAT IS REQUIRED IN THIS SECTION IS FOR THE DEPARTMENT TO NAME STREAMS THAT ARE SUITABLE FOR RECLASSIFICATION. THE DEPARTMENT HAS STATED TO THE COMMITTEE THAT THIS IS BOTH POSSIBLE AND CAN BE DONE WITHIN THE TIME LIMIT.

Alaska State Legislature

BETTYE FAHRENKAMP, Chairman
ROBERT H. ZIEGLER, SR., Vice Chairman
DICK ELIASON
PAUL FISCHER
VIC FISCHER
BOB MULCAHY
ARLISS STURGULEWSKI



POUCH V
STATE CAPITAL
JUNEAU, ALASKA 99811
(907) 465-3834
(907) 465-3835

Senate

Committee on Resources

MINUTES

April 4, 1984
3:06 pm

Beltz Room
Room 211, Capitol

MEMBERS PRESENT

Senator Fahrenkamp, Chairman
Senator Ziegler, Vice Chairman
Senator Eliason
Senator Paul Fischer
Senator Vic Fischer
Senator Mulcahy
Senator Sturgulewski

CALENDAR

CSHB 575 (Res), An Act relating to a grant of state land to the City of Whittier.

SB 407, An Act relating to the prevention and abatement of water pollution.
TELECONFERENCE

CSHB 576 (Res)

Senator Sturgulewski moved CSHB 576 (Res) from Committee with individual recommendations. There was no objection.

SB 407

Randy Bayliss, Department of Environmental Conservation, stressed that reclassification of streams is one part of a comprehensive approach to solving the problems of placer miners.

John Reeves, Environmental Field Officer, Department of Environmental Conservation, Fairbanks, provided a detailed historical perspective on placer mining in Alaska.

Del Ackels, Placer Miner from Circle, urged that all uses of water in the state be addressed.

Pedro Denton, Director, Division of Mining, Department of Natural Resources, supported the goals of the bill, recommending the State achieve more realistic stream classification standards.

Joe Vogler, Fairbanks, urged the State to take more control over its air, land, and water management.

Jim Fuksa, Fairbanks, spoke in support of the bill.

Forrest Charlton, Patcher Mining, Anchorage, spoke in support of the bill as one way of providing relief for placer miners.

Bob Warren, Northern Environmental Center, Fairbanks, stated that he did not object to a "placer mining" classification, and recommended that modification procedures be spelled out in the bill.

Henry Warner, President, Placer Miners of Alaska, spoke in support of the Committee Substitute, stating that classification of streams by uses would follow the intent of the Clean Water Act.

Bob Aumiller, Miner's Advocacy Council, Fairbanks, spoke in support of the bill.

Barb Truitt, Koyukuk Mining District, spoke in support of the bill.

Jeff Eustis, Trustees for Alaska, Anchorage, stated that SB 407 does not follow the mandate of the Clean Water Act, which puts health considerations before economic considerations.

Roger Burgraff, Fairbanks, spoke in support of SB 407.

Ken Manning, Miners Rights Action Group, Fairbanks, spoke in support of the bill, and addressed how water quality affects industries other than placer mining.

George Seuffert, Yukon Mining Co. of Alaska, Fairbanks, spoke in support of the bill and outlined some of the problems facing small placer mining operations.

Phil Holdsworth, Alaska Miners Association, Juneau, spoke in support of the bill, which would require the State to initiate stream reclassification.

Rose Rybachek, Livengood/Tolvana Mining District, spoke in support of the bill.

Paul Barelka, Fairbanks, spoke of the burden that regulations place on small miners.

Don Stein, Alaska Miners Association, spoke in support of the bill.

Ron Sheardown, Greatland Exploration, Ltd., explained that water samples have been taken at most of Alaska's lakes and streams and urged that this data be used in the stream reclassification process.

Helen Warner, AU Limited Mining, Fairbanks, spoke in support of the bill.

Del Ackels, Circle Mining District, reiterated his support of the bill and discussed the status of the discharge permits issued by the Environmental Protection Agency.

The meeting adjourned at 4:46 pm.

LETTER OF INTENT TO ACCOMPANY SENATE BILL 407

It is the intent of the legislature that the Department of Environmental Conservation make a conscientious and diligent effort to implement section 5 of this bill. The Department should utilize all available information on past and present uses, existing water quality and in-stream data in determining which streams are suitable for a placer mining classification.

Alaska State Legislature

BETTYE FAHRENKAMP, Chairman
ROBERT H. ZIEGLER, SR., Vice Chairman
DICK ELIASON
PAUL FISCHER
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POUCH V
STATE CAPITAL
JUNEAU, ALASKA 99811
(907) 465-3834
(907) 465-3835

Senate

Committee on Resources

MINUTES

April 25, 1984
3:12 pm

Beltz Room
Room 211, Capitol

MEMBERS PRESENT

Senator Fahrenkamp, Chairman
Senator Ziegler, Vice Chairman
Senator Paul Fischer
Senator Vic Fischer
Senator Mulcahy
Senator Sturgulewski

CALENDAR

HCSSB 269 (2d Finance), An Act relating to the sale of royalty oil by the State of Alaska to Chevron, U.S.A., Inc.

SB 288, An Act relating to the Board of Fisheries,

SB 289, An Act relating to discharge of firearms, and hunting and fishing in state park and recreation areas.

CSSB 407 (Resources), An Act relating to the prevention and abatement of water pollution.

HB 479, An Act relating to the issuance of citations for the violation of certain offenses within state park and recreational facilities.

SB 289

Skip Harding, Deputy Director, Division of Parks and Recreation, Department of Natural Resources, reviewed the status of current regulations governing the discharge of firearms in state parks, specifically those for Denali State Park. Draft regulations that reflect a restructuring of all park regulations, including provisions for allowing lawful discharge of firearms in most areas, will be out for public review within three weeks. He testified that the Department did not support this bill.

Ron Sommerville, Alaska Outdoor Council, spoke in support of CSSB 289.

Senator Mulcahy moved to adopt the committee substitute for SB 289 and report it out of committee with individual recommendations. There was no objection.

HB 479

Skip Harding, Deputy Director, Division of Parks and Recreation, Department of Natural Resources, explained that HB 479 would save the Department of Law, the Department of Natural Resources, and the public a significant amount of time and money by allowing the Supreme Court to establish a bail schedule for park violations.

Lisa Nelson, Criminal Division, Department of Law, spoke in support of the bill.

Senator Mulcahy requested a list of those park violations that would have a bail schedule set.

HCS SB 269 (2d Finance)

Kay Brown, Director, Division of Oil and Gas, Department of Natural Resources, reviewed the changes in the royalty oil contracts that had been negotiated over the interim. The major change in the Chevron contract is a 2-year price reopener.

George Day, Public Affairs Officer, Chevron, U.S.A., Inc., spoke in support of the bill.

Senator Fahrenkamp moved that the committee recommend that the Senate concur with the House amendments to the bill. There was no objection.

SB 288

Senator Vic Fischer moved an amendment to SB 288 that would require that at least two members of the Board be participants in sport fisheries.

Senator Bettye Fahrenkamp moved to adopt CSSB 288 and report it from committee with individual recommendations. There was no objection.

CSSB 407

Randy Bayliss, Department of Environmental Conservation, spoke in support of the committee substitute, explaining that it would direct the Department to inventory significant streams, set standards for a "placer mining use" classification, and plan for resource use in basin-wide areas.

Senator Vic Fischer proposed amending Section 1, Subsection 1, to read "...adequately inventoried and properly classified..."

Phil Holdsworth, Alaska Miners Association, proposed two amendments and a letter of intent to CSSB 407. They would urge the commissioner to utilize all information and the expertise of other agencies in stream classification.

Senator Mulcahy moved to adopt CSSB 407 and the letter of intent for CSSB 407 and report it from committee with individual recommendations. There was no objection.

The meeting adjourned at 4:25 pm.

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§ 46.03.050

WATER, ETC., CONSERVATION

§ 46.03.080

pollution of well, cistern, or spring. 19
ALR2d 769.

Liability for pollution of stream by oil,
water, or the like flowing from well. 19
ALR2d 1033.

Liability for pollution of subterranean
waters. 38 ALR2d 1265.

Validity, construction, and effect of stat-
ute, ordinance, or other measure involving
chemical treatment of public water supply.
43 ALR2d 453.

Measure and elements of damages for
pollution of stream. 49 ALR2d 253.

Validity of prohibition of regulation of

bathing, swimming, boating, fishing, or
the like, to protect public water supply. 56
ALR2d 790.

Validity and construction of anti-water
pollution statutes and ordinances. 32
ALR3d 215.

Landowner's right to relief against pol-
lution of his water supply by industrial or
commercial waste. 39 ALR3d 910.

Validity and construction of statutes,
ordinances, or regulations controlling dis-
charge of industrial wastes into sewer sys-
tem. 47 ALR3d 1224.

Sec. 46.03.050. Authority. The department has jurisdiction to prevent and abate the pollution of the waters of the state. (§ 3 ch 120 SLA 1971)

Sec. 46.03.060. Water pollution control plan. The department shall develop comprehensive plans for water pollution control in the state and conduct investigations it considers advisable and necessary for the discharge of its duties. (§ 3 ch 120 SLA 1971)

Collateral references. — Health board's power to prescribe methods of keeping water free from impurities, 23 ALR 228.

Constitutionality and construction of statutes for protection of municipal water supply, 72 ALR 673.

Validity of prohibition or regulation of bathing, swimming, boating, fishing, etc., to protect public water supply, 56 ALR2d 790.

Sec. 46.03.070. Pollution standards. After public hearing, the department may adopt standards and make them public and determine what qualities and properties of water indicate a polluted condition actually or potentially deleterious, harmful, detrimental or injurious to the public health, safety or welfare, to terrestrial and aquatic life or their growth and propagation, or to the use of waters for domestic, commercial, industrial, agricultural, recreational, or other reasonable purposes. (§ 3 ch 120 SLA 1971)

Sec. 46.03.080. Quality and purity standards. After study and public hearings held upon due notice, the department may establish standards of quality and purity or group the designated waters of the state into classes as to minimum quality and purity, or both. The department shall classify waters in accordance with considerations of best usage in the interest of the public. The department may alter and modify classifications after hearing. (§ 3 ch 120 SLA 1971)

Collateral references. — Statute prescribing standard of purity of water furnished for human consumption, 6 ALR 475.

WATER QUALITY STANDARDS PROGRAM FACT SHEET

PURPOSE:

A water quality standard defines the water quality goals for a particular water body, by deciding what its use will be and by setting criteria necessary to protect that use. States adopt water quality standards to protect public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. Water quality standards should, wherever attainable, provide water quality for the protection and propagation of fish, shellfish and wildlife and provide for recreation in and on the water.

Such standards serve the dual purposes of establishing the water quality goals for a specific water body and of serving as the regulatory basis for the establishment of water-quality-based treatment controls and strategies beyond the technology-based levels of treatment required by Sections 301(b) and 306 of the Act.

FEATURES OF THE REVISED REGULATION

- Increases the emphasis in State standards on control of toxic pollutants.
- Provides for mandatory upgrading of uses to the goals of the Act.
- Clarifies downgrading provisions.
- Clarifies State/EPA roles in adopting and approving standards.
- Describes acceptable forms and derivation of criteria.
- Clarifies and expands antidegradation policy.
- Recognizes application of general policies on mixing zones and variances and EPA review of these policies.
- Specifies administrative procedures required of States and EPA.

MINIMUM REQUIREMENTS FOR WATER QUALITY STANDARDS SUBMISSION

- Use designations and water quality criteria sufficient to protect the designated uses.
- A statewide antidegradation policy.
- Certification that standards are duly adopted according to State law.
- Justification to support revisions in standards and information on general policies which may affect their application and implementation.

STATE REVIEW REQUIREMENTS

- At least once every three years a State must:
 - hold public hearings for the purpose of reviewing and revising standards.
 - re-examine the basis of decision for uses not consistent with goals of the Act.
 - reclassify water bodies to include uses that are attainable; adopt or revise criteria.
- Submit the results of the reviews to EPA for approval.

DESIGNATION OF USES

State Must Adopt

- Uses consistent with the goals of the Act, unless other uses are justified by a Use Attainability Analysis.
- Uses and criteria that will protect downstream standards.
- Standards reflecting the uses actually being attained.

(Continued)

States May Adopt:

- Subcategories of a use (such as warmwater, coldwater, or put-and-take aquatic life uses).
- Seasonal uses.

Use Attainability Analysis

- Scientific assessment of physical, chemical, biological and economic factors affecting attainment of a use.
- Must be done when:
 - designating uses inconsistent with "fishable/swimmable" goals of the Clean Water Act.
 - removing designated uses specified in the Act.
 - adopting subcategories of a use that require less stringent criteria.

REMOVING USES

- States may remove a non-existing designated use if the use is unattainable due to:
 - naturally occurring pollution.
 - natural flow conditions.
 - irretrievable human-caused conditions.
 - hydrologic modifications.
 - physical conditions unrelated to water quality for aquatic life protection uses.
 - substantial and widespread economic and social impact.
- States may not remove designated uses if:
 - uses are existing, unless use requiring more stringent criteria are added.
 - uses can be attained through required technology controls or best management practices.

WATER QUALITY CRITERIA

Criteria Must:

- Protect designated uses.
- Use sound scientific rationale.
- Protect the most sensitive use.
- Protect downstream standards.

Criteria Forms:

- Numerical criteria must be based on national guidance, site-specific characteristics or other scientifically defensible methods.
- Narrative criteria or criteria based upon biomonitoring methods where numerical criteria cannot be established or to supplement numerical criteria.

ANTIDegradation Policy

- Existing uses and level of water quality must be maintained and protected.
- There will be special protection for high quality and outstanding national resource waters.

For further information contact David Sabock, (202) 245-3042, Kent Ballentine, (202) 245-3030, or Marjorie Pitts (202) 472-3400.

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SENATE RESOURCES COMMITTEE
LEGISLATION CHECKLIST

IDENTIFICATION:

BILL NUMBER: *SB 411*
BILL NAME: *Preferential use of Alaska agricultural products*
SPONSOR(S): *Kurtala* RELATED BILLS PENDING:
DATE INTRODUCED: *2-6-84*
REFERRALS: *Resources*
Finance

INITIAL RESEARCH:

BILL SUMMARY COMPLETED: SUMMARY BY LEGAL DIVISION:
SPONSOR CONTACTED FOR DEPT. OF LAW SUMMARY:
BACKUP MATERIALS: FISCAL NOTE:
AGENCY RESPONSE: OTHER INTERESTED SENATORS OR REPS. NOTIFIED:

BACKGROUND RESEARCH:

SIMILAR BILLS INTRODUCED IN PREVIOUS LEGISLATURES:
RESPONSES FROM INTERESTED PERSONS/GROUPS:
OTHER STATE OR FEDERAL PRECEDENTS, REGULATIONS, LAWS:

HEARING PREPARATION:

CHAIRMAN BRIEFED: DATE AND PLACE SET:
STAFF MEMO TO COMMITTEE: TELECONFERENCE:
BACKGROUND MATERIAL DISTRIBUTED: PSA/PRESS RELEASE:
LIST OF WITNESSES: SUGGESTED AMENDMENTS/COMMITTEE SUBSTITUTES DRAFTED:

Testify - Richard Ramsey - testify for Kurtala
Sharon Barlow, DNR - will testify

SENATE VERSION OF SB 411:

REQUIRES THAT IN THE STATE PURCHASE OF AGRICULTURAL PRODUCTS, THOSE PRODUCTS PRODUCED IN-STATE BE USED WHEREVER COMPETITIVELY PRICED, OF LIKE QUALITY TO OTHER PRODUCTS, AND AVAILABLE. PASSED THE SENATE 4/23/84 (17-0).

HOUSE VERSION OF SB 411:

HOUSE FINANCE C.S. WITH A FLOOR AMENDMENT IS IDENTICAL TO HB 589, AN ACT AUTHORIZING THE CONSTRUCTION OF WATANA, BRADLEY... THE TITLE CHANGE WAS EFFECTED THROUGH PASSAGE OF A RESOLUTION SUSPENDING THE UNIFORM RULES (THE SENATE HAD INTRODUCED AND PASSED THE RESOLUTION, INTENDING TO EXPAND THE TITLE TO INCLUDE PREFERENTIAL USE OF FISHERIES PRODUCTS). THE HOUSE VERSION PASSED THE HOUSE 5/30/84 (33-7).

MAJOR PROVISIONS OF THE BILL ARE HIGHLIGHTED ON THE ATTACHED COPY. THE SENATE PASSED HB 589 5/30/84 (12-7), AND ON RECONSIDERATION 6/2/84 (16-2).

TO: BETTYE
FROM: SANDRA
DATE: APRIL 23, 1984

SB 411 (RESOURCES C.S.) - PREFERENTIAL USE OF ALASKA AGRICULTURAL PRODUCTS
SPONSOR: KERTTULA

IN THE STATE PURCHASE OF AGRICULTURAL PRODUCTS, THOSE PRODUCTS
PRODUCED IN THE STATE WOULD BE USED WHEREVER:

1. COMPETITIVELY PRICED
2. AVAILABLE
3. OF LIKE QUALITY TO OTHER AVAILABLE PRODUCTS

RESOURCES COMMITTEE SUBSTITUTE:

THE ORIGINAL BILL REQUIRES THAT PRIOR TO STATE PURCHASE, THE
PRODUCT MUST BE INSPECTED. THE RESOURCES C.S. REFLECTS THE
CURRENT INSPECTION AUTHORITIES OF DNR AND DEC (D.N.R. INSPECTS
VEGETABLES AND EGGS; D.E.C. INSPECTS POULTRY AND MEAT.)

ACCORDING TO DIVISION OF AG., THE FOLLOWING PRODUCTS ARE COMPETITIVELY
PRICED: POTATOES, LETTUCE, MILK, EGGS, PORK, HONEY, ZUCCHINI,
CABBAGE, BEETS, CARROTS.

THE FOLLOWING STATE ENTITIES PURCHASE AG. PRODUCTS: HOSPITALS,
SCHOOLS, UNIVERSITY, JAILS, PIONEER HOMES, CONCESSIONAIRES IN
STATE OFFICE BUILDING AND PARKS.

RECEIVED RESOURCES COMMITTEE APPROVAL 3/12/84:

ALL DO PASS: FAHRENKAMP, ZIEGLER, ELIASON, MULCAHY, V. FISCHER

Alaska State Legislature

BETTYE FAHRENKAMP, Chairman
ROBERT H. ZIEGLER, SR., Vice Chairman
DICK ELIASON
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STATE CAPITAL
JUNEAU, ALASKA 99811
(907) 465-3834
(907) 465-3835

Senate

Committee on Resources

TO: Senate Resources Committee Members
FROM: Senate Resources Committee Staff
RE: March 12 Hearing - TELECONFERENCE
DATE: March 9, 1984

On Monday, March 12, at 3:00 pm in the Beltz Room, the Senate Resources Committee will be hearing the following two bills:

SB 301 AN ACT RELATING TO FURBEARER MANAGEMENT AND INCREASING A RELATED LICENSE FEE.

Revenues from the sale of trapping, fishing, and hunting licenses are Constitutionally dedicated to the Fish and Game Fund. SB 301 specifies that receipts from the sale of resident trapping licenses be deposited in a furbearer management account within the Fund, and used for furbearer enhancement, research, and education. Resident trapping fees would be increased by \$7 (from \$3 to \$10 for a simple trapping license, from \$15 to \$22 for a combination hunting/trapping license, from \$25 to \$32 for a combination hunting/trapping/sportfishing license) to provide ample revenues to the account.

SB 411 AN ACT RELATING TO PREFERENTIAL USE OF ALASKA AGRICULTURAL PRODUCTS.

In the State purchase of agricultural products (by hospitals, concessionaires in state office buildings and parks, schools, university, jails, Pioneer Homes, etc.), products produced in the state would be used wherever competitively priced, available, and of like quality to other available products. According to the Division of Agriculture, the following products, in season and in certain locations, are competitively priced: potatoes, lettuce, milk, eggs, pork, honey, zucchini, cabbage, beets, and carrots.

The hearing will be teleconfered to sites in Mat-Su and to Fairbanks, Delta, and Galena.



Official Business

Alaska State Legislature

Senate

Office of the President

Pouch V
State Capitol
Juneau, Alaska 99811

MEMORANDUM

To: Senate Committee on Resources
Senator Bettye Fahrenkamp, Chair

From: Senator Jay Kerttula
Senate President

Date: March 9, 1984

Subject: Senate Bill 411: Justification

SB 411, relating to preferential use of Alaskan Agricultural products is intended to encourage the purchase of said products when food service contracts are state financed.

The bill is structured after the Forest Products Preference statute (AS 36.15)

Alaskan agriculturists grow quality produce almost all of which is consumed in state. This bill primarily will serve as a reminder to bidders that such quality products they seek exist and originate in Alaska.

No advantages are given to Alaska products or the producers as with the in-state employment statute. Products considered must be available and competitively priced and of like quality as produce originating out of state.

Many institutions purchase agricultural products for food preparation, schools, senior centers, Pioneer Homes, cafeterias and concession in state buildings and in correctional facilities.

A survey of ^{31 states} other statutes relating to preferential purchase found ¹⁶ ~~states~~ states have some preferential purchase of at least one provision of favorable consideration of an in-state produced commodity and ~~states~~ ¹⁵ states have no such provisions.

Alaska State Legislature

Advisory Council Members
Senator Kerttula, Chairman
Senator Bennett
Senator Fahrenkamp
Senator Vic Fischer



Pouch V
State Capitol
Juneau, Alaska 99811
Phone: (907) 465-3114

SENATE ADVISORY COUNCIL

MEMORANDUM

TO: Richard Ramsey

FROM: Pete Jeans *PJ*
Senior Advisor
Senate Advisory Council

DATE: March 9, 1984

RE: In-State Preference Purchasing

In response to your request earlier today, the following is a breakdown of responses we received to our letter sent to all the states September 23, 1983 regarding laws or regulations addressing "In-State Preference Purchasing" of agricultural goods produced within their state.

A total of 31 states responded. Of that total 15 stated that they do not have a law or regulation that mandates a preference for the purchase of in-state goods and services specifically relating to public purchasing of agricultural products. In-state purchasing is encouraged in a majority of these states. Those states responding were:

California	Illinois
Mississippi	Connecticut
Oklahoma	New Hampshire
Utah	Nevada
Nebraska	Virginia
Maryland	Illinois
Kentucky	Delaware
Georgia	

Memorandum
Richard Ramsey

-2-

March 9, 1984

A total of 16 states responded that they did have statutory provisions that provide for in-state bidders preference for the purchase of goods and services made under state purchasing laws however, these states do not permit the sacrifice of price or quality in giving this preference. Here again, there is no regulations relating specifically to public purchasing of agricultural products. A number of these states also have regulations stating "preference shall be given to purchasing American made products and purchases from American based businesses whenever possible." Those states responding were:

New Mexico	North Dakota
Maine	New York
Minnesota	Hawaii
Florida	Arkansas
Missouri	Missouri
Colorado	Iowa
Ohio	Alabama
South Dakota	North Carolina

I have attached copies of these responses along with the regulations which have been cited. I hope this will be of use to you. If I can provide you with any additional information on this, please let me know.

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: CS SB411
 Title: Preferential use of
Alaskan agricultural products
 Sponsor: Kerttula
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Natural Resources
 Program Category Affected: _____
Agricultural Management
 BRU, Program or Subprogram(s) Affected: _____
Agricultural Development

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 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		-0-	-0-	-0-	-0-	-0-
CAPITAL		-0-	-0-	-0-	-0-	-0-
REVENUE		-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUNDS						
FEDERAL FUNDS						
OTHER						
TOTAL		-0-	-0-	-0-	-0-	-0-

POSITIONS:

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

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Sharon Barton Phone: 465-2400
 Division: Commissioner's Office Date: 3-12-84
1/5 for mt
 Approved by Commissioner: William D. Arnold, Deputy Date: 3-12-84
 Agency: Department of Natural Resources

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

BETTYE FAHRENKAMP, Chairman
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Senate

Committee on Resources

MINUTES

March 12, 1984
3:04 pm

Beltz Room
Room 211, Capitol

MEMBERS PRESENT

Senator Fahrenkamp, Chairman
Senator Ziegler, Vice Chair
Senator Eliason
Senator Vic Fischer
Senator Mulcahy

CALENDAR

SB 301, An Act relating to furbearer management and increasing a related license fee.

SB 411, An Act relating to preferential use of Alaska agricultural products.

SB 411

Esther Wunnicke, Commissioner, Department of Natural Resources, spoke in support of the bill, which would require state agencies to purchase Alaska agricultural products when competitively priced and available, and in support of the proposed Committee Substitute clarifying which agency would provide inspection certificates.

Senator Vic Fischer moved CS SB 411 from Committee with individual recommendations. There was no objection.

SB 301

Bob Hinman, Game Division, Department of Fish and Game, spoke in support of the bill, citing the need for increased fees to provide more funds for fur bearer management.

Martin Richards, Division of Public Service, Department of Revenue, spoke in support of the bill.

Ron Sommerville, Alaska Outdoor Council, testified in favor of increased fees for trappers to fund more fur bearer management.

Ralph Miller, President, Delta Trappers Association, strongly supported the bill.

Floyd Weaver, Delta, recommended including non-resident fees in the bill.

Art Drabeck, Chickaloon, spoke in support of the bill and the need for increased research.

Tim Osborne, Galena, spoke in support of the bill.

Curtis Johnson, Wasilla, supported the proposed increased fees for trappers.

Bob Greene, Wasilla, spoke in support of the bill and recommended funding increased management and education programs.

Mike Peryam, Wasilla, recommended including non-resident trappers and fur buyer license fees in the bill.

Jim MacCracken, Palmer, spoke in support of the bill.

Ron Silas, Subsistence Technician, Tanana Chiefs Conference, Fairbanks, testified that they had not determined the position of bush trappers on the bill.

Norm Phillips, Alaska Trappers Association, Fairbanks, spoke in support of the bill.

Herb Melchior, Furbearer Biologist, Department of Fish and Game, Fairbanks, provided current and projected revenue figures on trappers license fees.

Jim Reese, President, Alaska Frontier Trappers Association, Palmer, spoke in support of the bill.

The meeting adjourned at 4:37 pm.

SB 411

Section

- 85. Seafood processing research
- 90. Penalty for violation
- 100. Definitions

product inspection

Collateral references. — 3 Am. Jur. 2d, Agriculture, § 1 et seq.; 4 Am. Jur. 2d, Animals, § 1 et seq.; 21A Am. Jur. 2d, Crops, § 1 et seq.; 45 Am. Jur. 2d, Irrigation, § 1 et seq.; 52 Am. Jur. 2d, Markets and Marketing, § 1 et seq.

3 C.J.S., Agriculture, § 1 et seq.; 3A C.J.S., Animals, § 1 et seq.

Exemption of farm tools, implements, etc., 2 ALR 828, 830, 837; 9 ALR 1020; 36 ALR 669; 52 ALR 826.

Legality of combination among farmers, 11 ALR 1185; 130 ALR 1326.

Liability of farmer selling unwholesome food for personal injury to the buyer, 13 ALR 1181; 74 ALR 343; 168 ALR 1054.

Constitutionality of regulations as to milk, 18 ALR 235; 42 ALR 556; 58 ALR 672; 80 ALR 1225; 101 ALR 64; 110 ALR 644; 119 ALR 243; 155 ALR 1383.

Delegation of legislative power to board of health or other board, officer or group with regard to milk regulations, 18 ALR 237; 42 ALR 556; 58 ALR 672; 80 ALR

1225; 101 ALR 64; 110 ALR 644; 119 ALR 243; 155 ALR 1383.

Cooperative marketing of farm products by producers' associations, 25 ALR 1115; 33 ALR 247; 47 ALR 936; 77 ALR 405; 98 ALR 1406; 12 ALR2d 130.

Tenant's right to increase of livestock leased with farm, 32 ALR 858, 862.

Constitutionality and construction of farm aid laws, 92 ALR 768.

Federal Agricultural Marketing Act, 92 ALR 1492.

Breed of cows as basis of milk price differential, 153 ALR 1174.

Federal crop loans, 1 ALR2d 712.

Construction and application of federal Perishable Agricultural Commodities Act, 21 ALR2d 840.

Animals as attractive nuisance, 64 ALR3d 1069.

Liability of member or former member of marketing or purchasing cooperative for its debts or losses, 96 ALR3d 1243.

Sec. 03.05.010. Powers and duties of commissioner of natural resources. (a) The commissioner of natural resources shall

DNR

(1) direct, administer, and supervise promotional and experimental work, extension services, and agricultural projects for the purpose of promoting and developing the agricultural industry within the state including such fields as horticulture, dairying, cattle raising, fur farming, grain production, vegetable production, and development of other agricultural products;

(2) procure and preserve all information pertaining to the development of the agricultural industry and disseminate that information to the public;

(3) assist prospective settlers and others desiring to engage in the agricultural industry in the state with information concerning areas suitable for agriculture and other activities and programs essential to the development of the agricultural industry in the state;

(4) review the marketing, financing, and development of agricultural products inside the state including transportation, with special emphasis upon local production, and negotiate for the marketing of agricultural products of the state with federal and state agencies operating in the state; and

R 644; 119 ALR

of farm products
25 ALR 1115;
77 ALR 405; 98

use of livestock
58, 862.

construction of
Marketing Act, 92

milk price dif-

R2d 712.
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commodities Act,

nuisance, 64

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(5) regulate and control the entry into the state and the transportation, sale or use inside the state of plants, seeds, vegetables, fruits and berries, nursery stock, animal feeds, remedies and mineral supplements, fertilizers, and agricultural chemicals in order to prevent the spread of pests, diseases, or toxic substances injurious to the public interest, and to protect the agricultural industry against fraud, deception and misrepresentation; in this connection the commissioner may require registration, inspection, and testing, and establish procedures and fees.

(b) To carry out the requirements of this title, the commissioner of natural resources may issue orders, regulations, quarantines, and embargoes relating to

(1) examination and inspection of premises containing products, articles, and commodities carrying pests;

(2) establishment of quarantines for eradication of pests;

(3) establishment of standards and labeling requirements pertaining to the sale of agricultural and vegetable seeds;

(4) tests and analyses which may be made and hearings which may be held to determine whether the commissioner will issue a stop order or quarantine;

(5) cooperation with federal and other state agencies. (§ 33-1-2 ACLA 1949; am § 1 ch 46 SLA 1960; am § 1 ch 82 SLA 1974; am §§ 3, 4 ch 138 SLA 1974; am § 1 ch 58 SLA 1978; am Executive Order No. 51, § 2 (1981); am § 1 ch 57 SLA 1982)

Revisor's notes. — As amended in 1981, this section contained a subsection (c). In 1983 the provisions of (c) were transferred and renumbered as a new section, AS 03.05.011.

Effect of amendments. — The 1981 amendment rewrote this section.

Opinion of attorney general. — The statutory authority for the Department of

Natural Resources' jurisdiction over importation of animals is, with the possible exception of rabid animals and animals diseased with livestock diseases listed in AS 03.45.030, limited to domestic animals and poultry, and does not extend to live feral animals, whether indigenous to the State of Alaska or not. August 29, 1979, Op. Att'y Gen.

Sec. 03.05.011. Powers and duties of commissioner of environmental conservation. To carry out the requirements of this title, the commissioner of environmental conservation may issue orders, regulations, permits, quarantines, and embargoes relating to

(1) examination and inspection of premises containing products, articles, and commodities carrying pests;

(2) establishment of quarantines for eradication of pests;

(3) establishment of standards and labeling requirements pertaining to the sale of meat, fish, and poultry;

(4) tests and analyses which may be made and hearings which may be held to determine whether the commissioner will issue a stop order or quarantine;



DEC

- (5) cooperation with federal and other state agencies;
- (6) regulation of fur farming; for purposes of this paragraph, "fur farming" means the raising of and caring for animals for the purpose of marketing their fur, or animals themselves for breeding stock;
- (7) examination and inspection of meat, fish, and poultry advertised for sale or sold to the public;
- (8) enforcement of quality assurance plans developed in cooperation with appropriate industry representatives. (§ 33-1-2 AC.L.A 1949; am § 1 ch 46 SLA 1960; am § 1 ch 82 SLA 1974; am §§ 3, 4 ch 138 SLA 1974; am § 1 ch 58 SLA 1978; am Executive Order No. 51, § 2 (1981); am § 1 ch 57 SLA 1982; am § 1 ch 23 SLA 1983)

Revisor's notes. — Former AS 03.05.010(c). Renumbered in 1983.

Effect of amendments. — The 1981 amendment rewrote the introductory language and paragraphs (3) and (4), made minor word and punctuation changes in paragraphs (1), (6), and (7), and deleted "the" preceding "cooperation" and substituted "other state agencies" for "state

agencies to carry out the purposes of this title" in paragraph (5).

The 1982 amendment substituted "the requirements of" for "his functions under" and inserted "permits" preceding "quarantines" in the introductory language and added paragraph (8).

The 1983 amendment rewrote paragraph (6).

Sec. 03.05.020. Miscellaneous powers of commissioner of environmental conservation. (a) The commissioner shall

(1) require routine inspection of food animals, fish, poultry and derivative food products, to protect the public against fraud, disease and spoilage, and in this connection adopt uniform regulations establishing standards of identity and composition of these food products and minimum standards of sanitation and handling methods as to all phases of slaughtering, processing, storing, transporting, displaying and selling of these food products;

(2) issue orders or cause the orders to be issued by an authorized veterinarian prohibiting transportation and sale of food products intended for human consumption which do not meet the minimum requirements established under (1) of this subsection, and limiting their use and disposal in conformity with protection of the public;

(3) adopt a schedule of fees or charges, and credit provisions, for services rendered by state veterinarians to farmers and others at their request in caring for livestock and poultry, and all the fees shall be transmitted to the commissioner for deposit in the state treasury;

(4) designate points of entry for admission of livestock or poultry into the state, and arrange inspection at those points with or without collaboration and assistance of the federal government, and bar entry of stock or poultry not shipped under a valid permit or not free from contagious or infectious disease;

(5) adopt, repeal, and amend regulations consistent with existing law for

Paragraph, "fur
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4 ch 138 SLA
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(A) the labeling and grading of milk and milk products and standards of cleanliness and sanitation, to at least the minimum of current recommendations of the United States Public Health Service, for the operation of dairies selling, or offering for sale, milk or milk products;

(B) the production and sale of ice cream and allied frozen desserts;

(C) the production and sale of imitation milk and imitation milk products.

(b) In this section, "commissioner" means the commissioner of environmental conservation. (§ 33-1-2(b) (c) (e) (f) ACLA 1949; am § 1 ch 193 SLA 1968; am § 1 ch 25 SLA 1972; am § 2 ch 58 SLA 1978; am Executive Order No. 51, § 3 (1981))

Effect of amendments. — The 1981 amendment added subsection (b).

Opinions of attorney general. — The statutory authority for the Department of Natural Resources' jurisdiction over importation of animals is, with the possible exception of rabid animals and animals diseased with livestock diseases listed in AS 03.45.030, limited to domestic animals and poultry, and does not extend to live feral animals, whether indigenous

to the State of Alaska or not. August 29, 1979, Op. Att'y Gen.

A Department of Natural Resources regulation restricting the importation into the state of "any animal . . . affected with any infections or communicable disease" exceeded the scope of the statutory authority for the regulation where the regulation was applicable not only to domestic animals but also to wild or feral animals. August 29, 1979, Op. Att'y Gen.

Sec. 03.05.025. Seafood processing permits and plans of operation. (a) A person may not operate a seafood processing establishment or seafood processing vessel without a plan of operation approved in writing by the commissioner of environmental conservation and without a permit issued by the commissioner of environmental conservation that incorporates the plan of operation. To be valid, a plan of operation or a permit issued under this section must be renewed annually.

(b) A plan of operation required by this section shall describe:

(1) the proposed water supply and water treatment to be used for processing fish and fish products and for consumption by humans;

(2) the proposed means of waste treatment and disposal to be used;

(3) the proposed seafood and seafood product handling, cleaning, canning, freezing, storage, and transportation systems to be used;

(4) the proposed means to be used to ensure cleanliness, sanitation, wholesomeness, and prevention of contamination of the seafood and seafood products;

(5) the proposed means of surveillance to be used to assure product sanitation, integrity of the preservation process, and product safety; and

(6) other information that the commissioner of environmental conservation may require by regulation. (§ 2 ch 57 SLA 1982)

Sec. 03.05.026. Seafood product quality standards and seals. (a) The Alaska Seafood Marketing Institute (AS 16.51) shall design an

"inspection" seal that may be used to signify that a seafood product has been packed in compliance with the requirements of a permit issued under AS 03.05.025.

(b) The Alaska Seafood Marketing Institute (AS 16.51) shall design a "premium quality" seal that may be used to signify that a seafood product has met the product specifications and standards under (d) of this section.

(c) The commissioner of environmental conservation shall authorize the use of an "inspection" seal for display on seafood products processed by a person who at the time the products are processed, holds a permit to operate issued under AS 03.05.025, and who complies with regulations adopted under AS 03.05.025.

(d) The commissioner of environmental conservation, after consultation with the Alaska Seafood Marketing Institute, shall develop product specifications and standards for the use of the "premium quality" seal on Alaska seafood products. The commissioner shall authorize a seafood processor to display a "premium quality" seal on products that qualify for the seal if the processor meets the requirements of regulations adopted under this section and AS 03.05.025, and has been issued a permit to operate under AS 03.05.025.

(e) A person may not display a seal under this section without authorization from the commissioner of environmental conservation. (§ 2 ch 57 SLA 1982)

Sec. 03.05.030. Rules for grading and classification of agricultural products. The commissioner may adopt rules, regulations and procedures requiring the classification, grading and inspection of agricultural products sold or offered for sale for general consumption before they are sold, and requiring the marking or labeling of any sack, box, carton or other container of agricultural products to show the kind, grade or other prescribed classification of the contents. (§ 33-1-2 ACL A 1949; am § 1 ch 121 SLA 1955)

Collateral references. — 3 Am. Jur. 2d, Agriculture, § 48 et seq.

Constitutionality of statutes relating to grading, packing or branding of farm products, 73 ALR 1445

Federal Agricultural Marketing Act, 92 ALR 1492.

3 C.J.S., Agriculture, § 2; 56A C.J.S. Food, § 12 81.

Sec. 03.05.035. Sale and labeling of frozen meat, fish and poultry. (a) Meat, fish or poultry which has been frozen may not be sold, represented or advertised as a fresh food.

(b) Meat, fish and poultry which has been frozen must be labeled as a frozen food, under regulations.

(c) The commissioner shall adopt regulations which

(1) require frozen food labels for meat, fish and poultry which has been frozen; and

and product has permit issued

shall design that a seafood is under (d) of

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of agricul- tations and tion of agri- ption before y sack, box, w the kind, 3-1-2 ACLA

keting Act, 92 2; 36A C.J.S.

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which has

(2) provide for the examination and inspection of meat, fish and poultry to ascertain whether it has been frozen.

(d) In this section, "commissioner" means the commissioner of environmental conservation. (§ 5 ch 138 SLA 1974; am Executive Order No. 51, § 4 (1981))

Effect of amendments. — The 1981 amendment added subsection (d).

Sec. 03.05.040. Inspection. (a) On any business day during the usual hours of business the commissioner or an authorized inspector may, for the purpose of inspecting agricultural or fisheries products subject to regulation, enter a storehouse, warehouse, cold storage plant, packing house, slaughterhouse, retail store or other building or place where those products are kept, stored, processed or sold.

(b) In this section, "commissioner" means commissioner of natural resources with respect to those products over which the commissioner of natural resources has jurisdiction under this title, and the commissioner of environmental conservation with respect to those products over which the commissioner of environmental conservation has jurisdiction under this title. (§ 33-1-2 ACLA 1949; am § 1 ch 121 SLA 1955; am § 2 ch 25 SLA 1972; am s 3 ch 58 SLA 1978; am Executive Order No. 51, § 5 (1981))

Effect of amendments. — The 1981 amendment added subsection (b).

Collateral references. — 3 Am. Jur. 2d, Agriculture, §§ 40, 41.

Sec. 03.05.050. Products in violation of regulations. (a) An agricultural or fisheries product found by the commissioner, or an authorized inspector, to violate a regulation adopted under this chapter is declared to be a public nuisance injurious to the public interest and shall not be moved by the person in whose possession it may be except upon the specific direction of the commissioner or inspector.

(b) In this section, "commissioner" means commissioner of natural resources with respect to those products over which the commissioner of natural resources has jurisdiction under this title, and the commissioner of environmental conservation with respect to those products over which the commissioner of environmental conservation has jurisdiction under this title. (§ 33-1-2 ACLA 1949; am § 1 ch 121 SLA 1955; am § 4 ch 58 SLA 1978; am Executive Order No. 51, § 6 (1981))

Effect of amendments. — The 1981 amendment added subsection (b).

Sec. 03.05.060. Checking spread of contagious diseases. (a) The commissioner shall issue or cause to be issued by an authorized veterinarian, emergency orders designed to prevent the spread of contagious

TO: SANDRA

FR: EDIE

RE: SB 411

DT: 3/9/84

1. ~~Richard is going to have letter of intent before noon.~~

2. UNDER WHAT CIRCUMSTANCES DOES THE STATE PURCHASE AG PRODUCTS?

hospitals, concessionaires in state office buildings and parks, schools, university, jails, pioneer home, etc.

3. WHAT PRODUCTS ARE COMPETITIVELY PRICED?

potatoes, lettuce, milk, eggs, pork, honey, zucchini, cabbage, beets, carrots, (seasonal, but competitive in season), some locally produced baked goods.

4. INSPECTION CERTIFICATES:

DNR inspects vegetables and eggs. They don't do, in most cases, 100% inspection.

DEC inspects poultry and meat. They don't do, in most cases, 100% inspection.

In an effort to clarify and avoid duplication, the bill should be amended to say that agricultural products receive inspection by DNR or DEC depending upon existing statutory authority.

*Marion Burton will testify and
have fiscal note Mon. am*

§ 36.10.125

36.05.031(c) and § 4, Chapter 58, 2.

ings. The Department of chapter gs relating to employment

d the production of books,

13 ch 142 SLA 1972; am

orney general shall, when orce the provisions of this court order prohibiting a napter from continuing to s of the state or a political al subdivision of the state ract or otherwise, and the lies of the contractor or completing the work. an action in the superior if that private person first ioner of labor. The notice

ing an action under this

nd violation.

ction the court may, in its sharing or public school ion, or injunctive or other action brought under (b) mount equal to the actual intiff. (§ 13 ch 142 SLA

36.05.031(c) and § 4, Chapter 58.

§ 36.15.010

PUBLIC CONTRACTS

§ 36.19.010

Chapter 15. Forest Products Preference.

Section

10. Use of local forest products required in projects financed by public money

Section

20. Insertion of clause in calls for bids and in contracts

Collateral references. — 64 Am. Jur. §§ 2, 3, 7, 10, 18; 81A C.J.S., States, 2d, Public Works and Contracts, § 94. §§ 154, 158, 161. 72 C.J.S. Supplement, Public Contracts,

Sec. 36.15.010. Use of local forest products required in projects financed by public money. In a project financed by state money in which the use of timber, lumber, and manufactured lumber products is required, only timber, lumber, and manufactured lumber products originating in this state from local forests shall be used wherever practicable. (§ 14-3-1 ACLA 1949)

Sec. 36.15.020. Insertion of clause in calls for bids and in contracts. A clause containing the substance of AS 36.15.010 shall be inserted in all calls for bids and in all contracts awarded. (§ 14-3-2 ACLA 1949)

Chapter 20. Purchases and Supplies.

Section

10. Preference of producers or dealers in Alaska

Collateral references. — 64 Am. Jur. §§ 2, 3, 7, 10, 18; 81A C.J.S., States, 2d, Public Works and Contracts, § 94. §§ 154, 158, 161. 72 C.J.S. Supplement, Public Contracts,

Sec. 36.20.010. Preference of producers or dealers in Alaska. In making purchases or awarding contracts for supplies, commodities or materials for an office or institution of this state preference shall be given, whenever practicable, to producers and dealers in the state, price and quality being equal. (§ 14-4-2 ACLA 1949)

Cross references. — As to preference for Alaska bidders under the Fiscal Procedures Act, see AS 37.05.230.

SENATE
LETTER OF INTENT
FOR
~~SCS CSHB 589 (Finance)~~

SB 411

SCS CSHB 589 (Finance) authorizes construction of the Bradley Lake hydroelectric project and the Susitna River hydroelectric project in accordance with AS 44.83.185 and other statutory provisions.

It is the intent of the Legislature that the Alaska Power Authority spend no funds for detailed design work on either of these projects until power sales agreements have been signed by the utilities which will purchase power from the projects.

Further, no funds shall be spent until (1) the Alaska Power Authority Board of Directors adopts a written finding that the respective project is economically and financially feasible and recommends that it be constructed, and (2) the provisions of AS 44.83.183 and AS 44.83.185, which require submittal by the Alaska Power Authority of a feasibility study, plan of finance, and an independent cost estimate, and submittal by the Office of Management and Budget of a review report recommending approval or disapproval have been complied with. It is the intent of the Legislature that the report by the Office of Management and Budget be in a written form.

Adopted by the Senate May 30, 1984.

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STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SB 412
 Title: Alternative Technology Energy
Loan Fund
 Sponsor: Senator Vic Fischer
 Requestor: Senate Resources
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Commerce & Economic Development
 Program Category Affected: _____
Development
 BRU, Program or Subprogram(s) Affected:
Investments

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		205.3	205.3	205.3	205.3	205.3
200 TRAVEL		11.9	11.9	11.9	11.9	11.9
300 CONTRACTUAL		14.0	14.0	14.0	14.0	14.0
400 SUPPLIES		1.7	1.7	1.7	1.7	1.7
500 EQUIPMENT		21.5				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		254.4	232.9	232.9	232.9	232.9
LOANS: OPERATING		10,000.0	10,000.0	8,000.0	8,000.0	8,000.0
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		10,254.4	10,232.9	8,232.9	8,232.9	8,232.9
FEDERAL FUNDS						
OTHER						
TOTAL		10,254.4	10,232.9	8,232.9	8,232.9	8,232.9

POSITIONS:

FULL-TIME		5.0	5.0	5.0	5.0	5.0
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

See attachment

ANALYSIS: Attach a separate page for analysis

Prepared By: Paul B. Arnoldt, Director
 Division: Investments and Veterans' Affairs

Phone: 465-2510
 Date: 2/8/84

Approved by Commissioner: Richard A. Lyon
 Agency: Commerce and Economic Development

Date: 3/12/84

Distribution (by Agency preparing fiscal note):

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

12/1/83

FISCAL ANALYSIS
SB 412

The Division of Investments & Veterans' Affairs estimates that expansion of the Alternative Technology Energy Loan Program under this measure would produce an increase in the demand for loans in the \$8 million to \$14 million range. --Loans to businesses and for conversions of heating systems to natural gas would make up approximately \$8 million of this increased demand. Additionally, the favorable terms for loans for "energy conservation improvements" would create approximately \$2 million of new demand. It should be noted that these loans would be in lieu of loans under the existing Residential Energy Conservation Program.

If a \$10 million initial loan demand can be assumed, the division believes that three additional loan examiners and two loan closers would be required to handle the increased work load. The division estimates that most applicants would seek to borrow the maximum available under the program at the favorable five percent (5%) interest rate up to \$15,000. If total loan demand is \$10 million and the average loan amount is \$11,000, the division would have to process an estimated 725 new loans. Experience with the Residential Energy Conservation Program indicates that three loan examiners would be required to process these applications. One examiner would be located in each of the division's three regional offices: Anchorage, Fairbanks and Juneau. Two additional loan closers would be needed for the additional volume of loan closing and would be located in Anchorage and Fairbanks. The Juneau regional office would not need an additional loan closer.

100 line detail:

Juneau:	(1) Loan Examiner II, Range 17A	Salary	\$33,084.00
		Benefits	10,158.86
		Total	<u>\$43,242.86</u>
Anchorage:	(1) Loan Examiner II, Range 17A	Salary	\$33,084.00
		Benefits	10,158.86
		Total	<u>\$43,242.86</u>
	(1) Loan Closer II, Range 12A	Salary	\$24,396.00
		Benefits	8,207.54
		Total	<u>\$32,603.54</u>
Fairbanks:	(1) Loan Examiner II, Range 17A	Salary	\$38,124.00
		Benefits	11,290.84
		Total	<u>\$49,414.84</u>
	(1) Loan Closer II, Range 12A	Salary	\$27,804.00
		Benefits	8,972.97
		Total	<u>\$36,776.97</u>
Total 100 Line: (12 months)			\$205,281.07

Estimates for other lines assume that the new employees required for this program change will require support at levels similar to that actually being incurred by the division on other loan programs. A July 1, 1984 effective date is assumed.

200 Line: Travel to inspect collateral, interview applicants and inform the public on program: \$3,950 per loan examiner. (3 x \$3,950 = \$11.9)

300 Line: Printing and advertising expense. Estimate: \$14.0

400 Line: Commodities for five new employees. Estimate: \$1.7

500 Line:	3 calculators at \$365 each	\$ 1,095
	3 microfiche readers at \$300 each	900
	2 typewriters at \$1,242 each	2,484
	3 support work stations at \$3,890 each	11,670
	2 technician work stations at \$2,696 each	5,392
	TOTAL	<u>\$21,541</u>

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SB 412
Title: Alternative Energy & Energy
Revolving Loan Fund
Sponsor: Senator Vic Fischer
Requestor: Senator Vic Fischer
Date of Request: 2/8/84

FISCAL DETAIL

Agency Affected: Commerce & Economic Development
Program Category Affected: Development
BRU, Program or Subprogram(s) Affected: Division of Accounting & Collections BRU
Data Processing BRU

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		59.7	62.7	102.4	107.5	148.5
200 TRAVEL		1.2	2.4	3.6	4.8	6.0
300 CONTRACTUAL		28.1	50.8	73.9	97.0	110.1
400 SUPPLIES		6.8	8.6	10.8	13.4	18.0
500 EQUIPMENT		21.3	0.0	3.4	0.0	3.4
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		117.1	124.5	194.1	222.7	286.0
CAPITAL		-0-	-0-	-0-	-0-	-0-
REVENUE		-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND		117.1	124.5	194.1	222.7	286.0
FEDERAL FUNDS						
OTHER						
TOTAL		117.1	124.5	194.1	222.7	286.0

POSITIONS:

FULL-TIME		2.0	2.0	3.0	3.0	4.0
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

General Fund

ANALYSIS: Attach a separate page for analysis

Prepared By: Margaret I. Hamley, Director Phone: 465-2555
Division: Accounting and Collections Date: 3-1-84
Approved by Commissioner: Richard A. Lyon Date: 3/10/84
Agency: Commerce and Economic Development

Distribution (by Agency preparing fiscal note):

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

12/1/83

FISCAL NOTE ADDENDUM
(Assumes net increase of 1,000 new loans/year)

		<u>FY '85</u>	<u>FY '86</u> (+5%)	<u>FY '87</u> (+5%)	<u>FY '88</u> (+5%)	<u>FY '89</u> (+5%)
<u>PERSONAL SERVICES</u>						
Clerk III	\$1,598/mo.					
Range 08B	Salary	\$19,176	\$20,135	\$21,142	\$22,199	\$23,310
	Benefits	7,438	7,810	8,200	8,610	9,041
Accounting						
Tech. I	\$2,033/mo.					
Range 12B	Salary	\$24,396	\$25,616	\$26,897	\$28,242	\$29,654
	Benefits	8,715	9,150	9,610	10,090	10,595
Accounting						
Tech. I	\$2,033/mo.					
Range 12B	Salary	\$ -	\$ -	\$26,897	\$28,242	\$29,654
	Benefits	-	-	9,610	10,090	10,595
Accounting						
Clerk III	\$1,803/mo.					
Range 10B	Salary	\$ -	\$ -	\$ -	\$ -	\$25,965
	Benefits	-	-	-	-	9,645
<u>TOTAL LINE 100</u>		<u>\$59,725</u>	<u>\$62,711</u>	<u>\$102,356</u>	<u>\$107,473</u>	<u>\$148,459</u>
<u>TRAVEL (200)</u>						
Collections Travel		1.2	2.4	3.6	4.8	6.0
<u>CONTRACTUAL (300)</u>						
DP Chargeback						
(at \$18.00/loan)		18.0	36.0	54.0	72.0	90.0
DP Line Charges (2)		4.0	4.0	4.0	4.0	4.0
Telephone		2.6	4.8	7.4	10.0	12.6
Postage		1.5	2.0	2.5	3.0	3.5
Printing		2.0	4.0	6.0	8.0	10.0
<u>SUBTOTAL LINE 300</u>		28.1	50.8	73.9	97.0	110.1
<u>COMMODITIES (400)</u>						
Payment Coupon Forms]						
DP Supplies]		6.8	8.6	10.8	13.4	18.0
Microfiche Supplies]						
<u>EQUIPMENT (500)</u>						
Calculators @ \$300/ea		.6		.3		.3
Microfiche Readers @ \$300/ea		.6		.3		.3
Workstations @ \$2,800/ea		5.6		2.8		2.8
DP Equipment		10.0				
Microfiche Printer @ \$4,500		4.5				
<u>SUBTOTAL LINE 500</u>		21.3	0.0	3.4	0.0	3.4

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STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SB 413
 Title: Establishing the alter-
 native energy business loan fund.
 Sponsor: Senator Vic Fischer
 Requestor: Senate Resource Comm.
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Commerce & Economic Development
 Program Category Affected: Development
 BRU, Program or Subprogram(s) Affected: Investments

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		273.6	273.6	273.6	273.6	273.6
200 TRAVEL		15.8	15.8	15.8	15.8	15.8
300 CONTRACTUAL		16.8	16.8	16.8	16.8	16.8
400 SUPPLIES		2.0	2.0	2.0	2.0	2.0
500 EQUIPMENT		26.1				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		334.3	308.2	308.2	308.2	308.2
LOAN XXXXXX		20,000.0	20,000.0	16,000.0	16,000.0	16,000.0

REVENUE						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		20,334.3	20,308.2	16,308.2	16,308.2	16,308.2
FEDERAL FUNDS						
OTHER						
TOTAL		20,334.3	20,308.2	16,308.2	16,308.2	16,308.2

POSITIONS:

FULL-TIME		6.0	6.0	6.0	6.0	6.0
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Paul B. Arnoldt, Director
 Division: Investments & Veterans' Affairs

Phone: 465-2510
 Date: 3/8/84

Approved by Commissioner: Richard A. Lyon
 Agency: Commerce and Economic Development

Date: 3/12/84

Distribution (by Agency preparing fiscal note):

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

12/1/83

FISCAL ANALYSIS
SB 413

Establishment of a broadly-based business loan program of the type suggested in this measure could produce a major loan demand in a short period of time. Given that some time would be required for knowledge of this program to reach the public, demand would take several weeks to develop, but then would rapidly pick up until loan funds were exhausted. For the purposes of this analysis, it is assumed that total new loan demand would range from \$20 million to \$40 million in the first year of operation. Based on the division's prior experience with business lending and the \$1 million maximum loan amount under the legislation, it is estimated that the average loan would be \$100,000. If \$20 million was available for lending, 200 loans would be made by the division with a larger number of applications being submitted. Given the complexity of the typical business loan application, it is anticipated that four experienced loan examiners and two loan closers would be required to process these loan applications and respond to inquiries from the public.

Two loan examiners and one loan closer would be located in the Anchorage regional office. One loan examiner and one loan closer would be located in the Fairbanks regional office. One loan examiner would be located in the Juneau regional office.

100 line detail:

Juneau:	(1) Loan Examiner III, Range 19A	Salary	\$38,124.00
		Benefits	<u>11,290.84</u>
		Total	\$49,414.84
Anchorage:	(1) Loan Examiner III, Range 19A	Salary	\$38,124.00
		Benefits	<u>11,290.84</u>
		Total	\$49,414.84
	(1) Loan Examiner III, Range 19A	Salary	\$38,124.00
		Benefits	<u>11,290.84</u>
		Total	\$49,414.84
	(1) Loan Closer II, Range 12A	Salary	\$24,396.00
		Benefits	<u>8,207.54</u>
		Total	\$32,603.54
Fairbanks:	(1) Loan Examiner III, Range 19A	Salary	\$43,560.00
		Benefits	<u>12,391.54</u>
		Total	\$55,951.54
	(1) Loan Closer II, Range 12A	Salary	\$27,804.00
		Benefits	<u>8,972.97</u>
		Total	\$36,776.97
<u>Line 100 total:</u>			\$273,576.57

Estimates for other lines assume that the new employees required for the program would require support at levels similar to that actually being incurred by the division on other loan programs.

200 Line: Travel to inspect collateral, interview applicants and inform the public on program: \$3,950.00 per loan examiner.
(4 x \$3,950.00 = \$15,800.00)

300 Line: Printing and advertising expense. Estimate \$16.8

400 Line: Commodities. Estimate: \$2.0

500 Line: Equipment.

4 calculators at \$365 each	\$ 1,460
4 microfiche readers at \$300 each	1,200
2 typewriters at \$1,242 each	2,484
4 support workstations at \$3,890 each	15,560
2 technician workstations at \$2,696 each	5,392
Total	<u>\$26,096</u>

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SB 413
Title: Alternative Energy Business Loan Fund
Sponsor: Vic Fischer
Requestor: Vic Fischer
Date of Request: _____

FISCAL DETAIL

Agency Affected: Commerce & Economic Development
Program Category Affected: Economic Development
BRU, Program or Subprogram(s) Affected: Accounting & Collections
DP BRU

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		66.2	69.5	73.0	76.7	80.5
200 TRAVEL		1.0	1.5	3.5	4.8	6.0
300 CONTRACTUAL		27.0	2.5	3.0	3.5	4.0
400 SUPPLIES		3.0	6.0	8.0	10.0	13.0
500 EQUIPMENT		12.8				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		110.0	79.5	87.5	95.0	103.5
CAPITAL		-0-	-0-	-0-	-0-	-0-
REVENUE		-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND		110.0	79.5	87.5	95.0	103.5
FEDERAL FUNDS						
OTHER						
TOTAL		110.0	79.5	87.5	95.0	103.5

POSITIONS:

FULL-TIME		2.0	2.0	2.0	2.0	2.0
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

General Fund

ANALYSIS: Attach a separate page for analysis

Prepared By: Margaret I. Hamley, Director *MH* Phone: 465-2555
Division: Accounting and Collections Date: 3-2-84
Approved by Commissioner: Richard A. Lyon *RA* Date: 3/12/84
Agency: Commerce and Economic Development

Distribution (by Agency preparing fiscal note):

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

12/1/83

FISCAL NOTE ADDENDUM
 (Assumes annual new loan demand at \$20,000.0)
 SB 413

	<u>FY '85</u>	<u>FY '86</u> (+5%)	<u>FY '87</u> (+5%)	<u>FY '88</u> (+5%)	<u>FY '89</u> (+5%)
<u>PERSONAL SERVICES</u>					
Accounting					
Tech. I	\$2,033/mo.				
Range 12B					
Salary	\$24,396	\$25,616	\$26,897	\$28,242	\$29,654
Benefits	8,715	9,150	9,610	10,090	10,595
Accounting					
Tech. I	\$2,033/mo.				
Range 12B					
Salary	\$24,396	\$25,616	\$26,897	\$28,242	\$29,654
Benefits	8,715	9,150	9,610	10,090	10,595
TOTAL LINE 100	<u>\$66,222</u>	<u>\$69,532</u>	<u>\$73,014</u>	<u>\$76,664</u>	<u>\$80,498</u>
<u>TRAVEL (200)</u>					
Collections Travel	1.0	1.5	3.5	4.8	6.0
<u>CONTRACTUAL (300)</u>					
DP Modifications (new loan program)	25.0				
Telephone]					
Postage]	2.0	2.5	3.0	3.4	4.0
Printing]					
SUBTOTAL LINE 300	27.0	2.5	3.0	3.5	4.0
<u>COMMODITIES (400)</u>					
Payment Coupon Forms]					
DP Supplies]	3.0	6.0	8.0	10.0	13.0
Microfiche Supplies]					
<u>EQUIPMENT (500)</u>					
Calculators @ \$300/ea	.6				
Microfiche Readers @ \$300/ea	.6				
Workstations @ \$2,800/ea	5.6				
DP Equipment	6.0				
SUBTOTAL LINE 500	12.8	0.0	0.0	0.0	0.0

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416

SENATE RESOURCES COMMITTEE
LEGISLATION CHECKLIST

IDENTIFICATION:

BILL NUMBER: *SB 416*

BILL NAME: *CLARIFYING THE AUTHORITY OF THE ALASKA BOARD OF FISHERIES
OVER GUIDED SPORT FISHING ACTIVITIES.*

SPONSOR(S): *Governor*

RELATED BILLS PENDING:

DATE INTRODUCED: *2-7-84*

REFERRALS: *Resources*

INITIAL RESEARCH:

BILL SUMMARY COMPLETED:

SUMMARY BY LEGAL DIVISION:

SPONSOR CONTACTED FOR
BACKUP MATERIALS:

DEPT. OF LAW SUMMARY:

FISCAL NOTE:

AGENCY RESPONSE:

OTHER INTERESTED SENATORS OR
REPS. NOTIFIED:

BACKGROUND RESEARCH:

SIMILAR BILLS INTRODUCED IN PREVIOUS LEGISLATURES:

RESPONSES FROM INTERESTED PERSONS/GROUPS:

OTHER STATE OR FEDERAL PRECEDENTS, REGULATIONS, LAWS:

HEARING PREPARATION:

CHAIRMAN BRIEFED:

DATE AND PLACE SET:

STAFF MEMO TO COMMITTEE:

TELECONFERENCE:

BACKGROUND MATERIAL DISTRIBUTED:

PSA/PRESS RELEASE:

LIST OF WITNESSES:

SUGGESTED AMENDMENTS/COMMITTEE
SUBSTITUTES DRAFTED:

Bob Hagland, 349-7464

*wants "establish regulations"
not "establish restrictions"*



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

ee 416

February 7, 1984

The Honorable Jalmar Kerttula
Alaska State Senate
Pouch V
Juneau, AK 99811

Dear Senator Kerttula:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the authority of the Board of Fisheries to regulate sport fish guiding activities. This bill clarifies and makes explicit that authority.

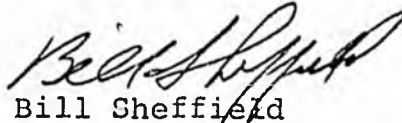
The bill makes two additions to current statutes. First, it adds sport fish guiding activities to AS 16.05.251(a)'s list of subjects appropriate for Board of Fisheries regulation. Second, the bill adds to AS 16.05.940 a definition of "sport fish guiding" similar to the definition of guiding found in AS 08.54.240(2), relating to hunting guides.

The Board of Fisheries would not become a fish guide board under this bill. It would not be authorized to regulate guides in the way that the current Guide Licensing and Control Board governs hunting guides. In other words, the Board of Fisheries would not be burdened with the responsibility of establishing eligibility criteria for guides, assigning guiding areas to particular guides, setting standards of conduct for guides, etc. Rather, the bill would clarify that the Board of Fisheries has the authority to regulate sport fish guiding activities differently from sport fishing. For example, for the Kenai River the Board of Fisheries would be able to authorize sport fishing in particular areas, with particular methods and means and particular bag limits. However, within that same area, additional restrictions could be placed upon sport fish guiding activities, such as a prohibition on such activities on certain days of the week.

In fact, desirability of clarifying the authority of the Board of Fisheries to restrict sport fish guiding activities is amply demonstrated by the current situation on the Kenai River, for which there are over 200 sport fish guides registered. Guided anglers take a disproportionately high percentage of the total catch. In 1982, 21.7 percent of the fishermen on the Kenai River were guided, and they took 47.3 percent of the harvest of king salmon. In 1983, 24.1 percent of anglers were guided, and they took 59.2 percent of the king salmon catch. The assistance of a guide clearly improves fishing effectiveness. In 1982, guided fishermen caught .253 king salmon per user day, compared to .078 for unguided fishermen. In 1983, the efficiency attributable to guides increased, with guided anglers catching .386 fish per user day, and unguided fishermen taking only .084. These statistics demonstrate that the amount of time guides may operate on the river has a major impact on the in-river harvest. As you may recall, a Kenai River Task Force was convened to consider the use conflicts on the river, and its finding substantiated that sport fish guiding activities are one major factor which needs to be addressed.

In light of the current situation on the Kenai River, and the possibility that similar situations exist or may arise in other parts of the state, it is important to give the Board of Fisheries explicit authority to regulate sport fish guiding activities apart from sport fishing. This bill accomplishes that, without converting the Board of Fisheries into a fish guide board.

Sincerely,


Bill Sheffield
Governor

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SB 416
Title: Authority of Board of Fish guided sport fishing activities
Sponsor: Governor Sheffield
Requestor: Governor Sheffield
Date of Request: _____

FISCAL DETAIL

Agency Affected: Fish and Game
Program Category Affected: NRMEC
BRU, Program or 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 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
900 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						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Beverly Reaume Phone: 465-4120
Division: Administration Date: January 30, 1984
Approved by Commissioner: Don Callinsworth Date: 1-31-84
Agency: Fish and Game

Distribution (by Agency preparing fiscal note):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)



Official Business

Alaska State Legislature

Senate

RESOURCES SUBCOMMITTEE ON FISHERIES

Pouch V
State Capitol
Juneau, Alaska 99811

March 15, 1984

TO: Senator Bettye Fahrenkamp, Chairman
Senate Resources Committee

FROM: Senate Resources Subcommittee on Fisheries

SUBJ: SB 416

The subcommittee has taken testimony and reports SB 416 back to the committee as a whole with the following recommendations.

Members

Recommendation

Senator Mulcahy	<u>Bob Mulcahy</u>	<u>Do Pass</u>
Senator Eliason	<u>Eliason</u>	<u>Do Pass</u>
Senator Gilman	<u>Don Gilman</u>	<u>DO PASS</u>

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COMMITTEE REPORT

SENATE

FURTHER: *R. ...*

3/22/84

Date 4/27/84

Mr. President

The Committee on FINANCE considered SB 417

establishing the Kenai River Special Management Area; efd.

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- ~~replace~~ with/or adopt CS for SB 417 (Pas)
- new title Do Pass w/ Res. Letter of Intent
- same title and recommends Do Pass
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

Bob Mulcahy
George ...
V. ...
John ...

MEMBERS HAVING
OTHER RECOMMENDATIONS

1) James ... n/r
1) ... No Rec

Chairman Chairman *No Rec*

Chairman recommendation

COMMITTEE REPORT
SENATE

FURTHER: FINANCE

2/7/84

Date 3-21-84

Mr. President

The Committee on RESOURCES considered SF 417

establishing the Kenai River Special Management Area; efd.

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for SB 417 (Res)
- new title
- same title and recommends Do Pass
- and attached a "LETTER OF INTENT" - NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS

Paul Gruber
W. Ziegen
W. Fischer
Don Gilman
Bob Mulcahy
Celia Youngblood
W. Johnson

How'd he get in here?

Little Schenk
Chairman

Do Pass
Chairman recommendation

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: 3/21/84

REQUEST

Bill/Resolution No.: CS for SB417
 Title: (Sen. Resources) Kenai River Park Management
 Sponsor: Governor
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Natural Resources, Parks
 Program Category Affected: Parks and Recreation
 BRU, Program or Subprogram(s) Affected: Park Operations

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		208.9	208.9	208.9	208.9	208.9
200 TRAVEL		1.5	1.5	1.5	1.5	1.5
300 CONTRACTUAL		31.8	31.8	31.8	31.8	31.8
400 SUPPLIES		23.0	23.0	23.0	23.0	23.0
500 EQUIPMENT		121.5				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		386.7	265.2	265.2	265.2	265.2
CAPITAL						
REVENUE		-0-				

FUNDING: (Thousands of Dollars)

GENERAL FUND		386.7	265.2	265.2	265.2	265.2
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		2	2	2	2	2
PART-TIME						
TEMPORARY		7	7	7	7	7

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Neil Johannsen Phone: 276-2653
 Division: Parks and Outdoor Recreation Date: 3/21/84

MH Approved by Commissioner: Walter J. Arnold, Deputy Date: 3/21/84
 Agency: Natural Resources

Distribution (by Agency preparing fiscal note):

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

12/1/83

Fiscal Note Section IV Analysis
Kenai River Management

		Salary	Benefits	FY 85 Total
100:	Natural Resource Officer II	12 mm 33.0	10.0	43.0
	Park Ranger II	12 mm 33.9	10.1	44.0
	Park Ranger I	8 mm 19.2	5.8	25.0
	Park Ranger I	8 mm 19.2	5.8	25.0
	Natural Resource Technician II	5 mm 10.5	3.2	13.7
	Radio Dispatcher I	6 mm 11.8	3.6	15.4
	Radio Dispatcher I	6 mm 11.8	3.6	15.4
	Natural Resource Technician II	5 mm 10.5	3.2	13.7
	Natural Resource Technician II	5 mm 10.5	3.2	13.7
				<u>13.7</u>
				208.9
200:	Travel and Per Diem for Natural Resource Officer to attend public meetings and Advisory Board meetings in Anchorage and Homer and meetings to coordinate with Federal and other State agencies.....			1.5
300:	River boat repair and maintenance.....			9.0
	Vehicle rental - mileage and fixed costs.....			<u>22.8</u>
				31.8
400:	Uniform allowance.....			2.0
	Fuel, oil and parts for river boats.....			20.7
	Office supplies.....			<u>3</u>
				23.0
TOTAL OPERATING:				<u>265.2</u>
500:	Listed equipment costs will be necessary for initial program start-up only, these will not be necessary on a yearly basis.			
	Three Jetboats: 17 ft. equipped with lights, siren, life preservers and trailers @ \$20. each.....			60.0
	Four MX 360 Radios and Convertzoms @ \$2.5 each.....			10.0
	Seven Parks Radio 100 Watt Mobile Radio @ \$2.5 each.....			17.5
	Two 4X4 Pickups @ \$9.0 each.....			18.0
	One 1/2 ton Pickup @ \$7.0			7.0
	One Station Wagon @ \$6.0.....			6.0
	One Defensive Equipment.....			1.0
	One Word Processor.....			<u>2.0</u>
				121.5
TOTAL FY 85 REQUEST:				<u>386.7</u>
CIP REQUEST:	Comprehensive Plan for river management, to be done over two fiscal years (1985 and 1986).....			160.0

1	POSITION TITLE			RANGE/STEP	BARG. UNIT.	LOCATION	GOV.	APPROV.	DISAP.
	Natural Resource Technician II			12 A	GGU	Soldotna			
2	TYPE OF POSITION	STAFF MONTHS	RP No.	PCN No.	PRIORITY	FORM 12	PAGE/LINE	LEG.	
	Seasonal	5		New					
3	TYPE OF EXPENDITURE			AMOUNT		JUSTIFICATION: This position is needed as part of a management package for the Kenai River column from Skilak Lake to Cook Inlet. The incumbent will provide a necessary safety function in boat operation by assisting one Park Ranger boat operator. The three boat operators must have technician assistance to set the example for safe boat operation. Without assistance in boarding other boats, inspecting shorelines, retrieving accident victims and law enforcement situations, the rangers will not be able to perform an adequate or safe job during the peak season (May-Sept.). Up to 1,200 boats operate on the lower 52 miles of the Kenai River at the same time. It is virtually impossible for an operator to land a jet boat or approach another boat in the swift current without an assistant.			
	1	2	3						
4	PERSONAL SERVICES: SALARY								
5	BENEFITS			10,500					
6	FICA			3,150					
7	HEALTH INS.								
8	TOTAL PERSONAL SERVICES			13,650					
9	TRAVEL								
10	CONTRACTUAL								
11	COMMODITIES			250					
12	EQUIPMENT								
13	OTHER								
14	TOTAL COST			13,900					
	CODE	FUNDING SOURCE							
15		FED RCPTS.							
16		GF MATCH.							
17		GEN. FUND		13,900					
18		I-A RCPTS.							
19		FGM RCPTS							
20		OTHER							
21	CONTINUATION		FOR B&M USE ONLY						
22	ADDITION								
4A KEY NUMBER		COLUMN NO.							

AGENCY Natural Resources PROGRAM AREA Division of Parks

BRU Operations

COMPONENT M & O

13 REQUEST FOR NEW POSITION.

Page _____ of _____

REVISED DATE _____

FY 85

1	POSITION TITLE Natural Resource Technician II			RANGE/STEP 12 A	BARG. UNIT. GGU	LOCATION Soldotna	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION Seasonal	STAFF MONTHS 5	RP No.	PCN No. New	PRIORITY	FORM 12 PAGE/LINE	LEG.		
3	TYPE OF EXPENDITURE			AMOUNT					
	1			2		3			
4	PERSONAL SERVICES: SALARY			10,500					
5	BENEFITS			3,150					
6	FICA								
7	HEALTH INS.								
8	TOTAL PERSONAL SERVICES			13,650					
9	TRAVEL								
10	CONTRACTUAL								
11	COMMODITIES			250					
12	EQUIPMENT								
13	OTHER								
14	TOTAL COST			13,900					
JUSTIFICATION: This position is needed as part of a management package for the Kenai River column from Skilak Lake to Cook Inlet. The incumbent will provide a necessary safety function in boat operation by assisting one Park Ranger boat operator. The three boat operators must have technician assistance to set the example for safe boat operation. Without assistance in boarding other boats, inspecting shorelines, retrieving accident victims and law enforcement situations, the rangers will not be able to perform an adequate or safe job during the peak season (May-Sept.). Up to 1,200 boats operate on the lower 52 miles of the Kenai River at the same time. It is virtually impossible for an operator to land a jet boat or approach another boat in the swift current without an assistant.									
	CODE	FUNDING SOURCE							
15		FED RCPTS.							
16		GF MATCH.							
17		GEN. FUND			13,900				
18		I-A RCPTS.							
19		FGM RCPTS							
20		OTHER							
21	CONTINUATION								
22	ADDITION		FOR B&M USE ONLY						
4A KEY NUMBER _____ COLUMN NO. _____									

AGENCY Natural Resources PROGRAM AREA Division of Parks

BRU Operations

FY 85

13 REQUEST FOR NEW POSITION.

COMPONENT M & O

Page _____ of _____

REVISED DATE _____

1	POSITION TITLE Natural Resource Technician II			RANGE/STEP 12 A	BARG. UNIT. GGU	LOCATION Soldotna	GOV. LEG.	APPROV.	DISAPP.
2	TYPE OF POSITION Seasonal	STAFF MONTHS 5	RP No.	PCN No. New	PRIORITY	FORM 12	PAGE/LINE		
3	TYPE OF EXPENDITURE			AMOUNT		JUSTIFICATION: This position is needed as part of a management package for the Kenai River column from Skilak Lake to Cook Inlet. The incumbent will provide a necessary safety function in boat operation by assisting one Park Ranger boat operator. The three boat operators must have technician assistance to set the example for safe boat operation. Without assistance in boarding other boats, inspecting shorelines, retrieving accident victims and law enforcement situations, the rangers will not be able to perform an adequate or safe job during the peak season (May-Sept.). Up to 1,200 boats operate on the lower 52 miles of the Kenai River at the same time. It is virtually impossible for an operator to land a jet boat or approach another boat in the swift current without an assistant.			
	1	2	3						
4	PERSONAL SERVICES: SALARY								
5	BENEFITS			10,500					
6	FICA			2,150					
7	HEALTH INS.								
8	TOTAL PERSONAL SERVICES			13,650					
9	TRAVEL								
10	CONTRACTUAL								
11	COMMODITIES			250					
12	EQUIPMENT								
13	OTHER								
14	TOTAL COST			13,900					
	CODE	FUNDING SOURCE							
15		FED RCPTS.							
16		GF MATCH.							
17		GEN FUND		13,900					
18		I-A RCPTS							
19		FGA RCPTS							
20		OTHER							
21	CONTINUATION								
22	ADDITION			FOR B&M USE ONLY					
AA KEY NUMBER				COLUMN NO.					

AGENCY Natural Resources PROGRAM AREA Division of Parks

nnu Operations

FY 85

13 REQUEST FOR NEW POSITION.

COMPONENT M & O

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REVISED DATE _____

1	POSITION TITLE Radio Dispatcher I			RANGE/STEP 11A	BARG. UNIT. GGU	LOCATION Soldotna	GOV	APPROV.	DISAPP.
2	TYPE OF POSITION Seasonal	STAFF MONTHS 6	RP No.	PCN No. New	PRIORITY	FORM 12	PAGE/LINE	LEG.	
3	TYPE OF EXPENDITURE			AMOUNT	JUSTIFICATION:				
	1	2	3						
1	PERSONAL SERVICES:								
	SALARY			11,838					
5	BENEFITS			3,551					
6	FICA								
7	HEALTH INS.								
8	TOTAL PERSONAL SERVICES			15,389					
9	TRAVEL								
10	CONTRACTUAL								
11	COMMODITIES			250					
12	EQUIPMENT								
13	OTHER								
14	TOTAL COST			15,639					
	CODE	FUNDING SOURCE							
15		FED RCPTS.							
16		GF MATCH.							
17		GEN. FUND		15,639					
18		I-A RCPTS.							
19		FGM RCPTS.							
20		OTHER							
21	CONTINUATION								
22	ADDITION								
FOR B&M USE ONLY									
4A KEY NUMBER		COLUMN NO.							

AGENCY Natural Resources PROGRAM AREA Division of Parks

BRU Operations

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REVISED DATE

FY 85

13 REQUEST FOR NEW POSITION.



1	POSITION TITLE			RANGE/STEP	BARG. UNIT.	LOCATION	GOV.	APPROV.	DISAPP.
1	Radio Dispatcher I			11A	CCU	Soldona			
2	TYPE OF POSITION	STAFF MONTHS	RP No.	PCN No.	PRIORITY	FORM 12	PAGE/LINE	LEG.	
3	TYPE OF EXPENDITURE			AMOUNT		JUSTIFICATION:			
	1	2	3	This position is needed as part of a management package for the Kenai River column from Skilak Lake to Cook Inlet. Two radio dispatchers are needed to provide 7 days/week, 16 hours/day communications for three field rangers, one technician and one manager who will spend most of their time in the field. The rangers in boats will require radio dispatch to perform the public safety inspection and maintenance aspects of their job, which will be a major portion of their work. Without radio dispatch and adequate communication the rangers will not be able to respond to complaints and public assistance calls. The manager needs immediate communication with field staff to investigate permit compliance. Water related accidents require immediate response (within minutes). Central radio dispatch is needed for these tasks. The local department of Public Safety cannot monitor and dispatch any more frequencies since they already have nine emergency and law enforcement radio and telephone networks,					
4	PERSONAL SERVICES: SALARY		11,838						
5	BENEFITS		3,551						
6	FICA								
7	HEALTH INS.								
8	TOTAL PERSONAL SERVICES		15,389						
9	TRAVEL								
10	CONTRACTUAL								
11	COMMODITIES		250						
12	EQUIPMENT								
13	OTHER								
14	TOTAL COST		15,639						
	CODE	FUNDING SOURCE							
15		FED RCPTS.							
16		GF MATCH.							
17		GEN. FUND		15,639					
18		I-A RCPTS.							
19		FGM RCPTS							
20		OTHER							
21	CONTINUATION								
22	ADDITION		FOR B&M USE ONLY						
4A KEY NUMBER				COLUMN NO.					

AGENCY Natural Resources PROGRAM AREA Division of Parks

BRU Operations

FY 85

13 REQUEST FOR NEW POSITION.

COMPONENT Maintenance & Operations

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REVISED DATE _____



1	POSITION TITLE Park Ranger I			RANGE/STEP 14A	BARG. UNIT. GGU	LOCATION Soldotna	GOV	APPROV.	DISAPP.
2	TYPE OF POSITION Seasonal	STAFF MONTHS 8	RP No.	PCN No. New	PRIORITY	FORM 12	PAGE/LINE	LEG.	
3	TYPE OF EXPENDITURE			AMOUNT		JUSTIFICATION:			
	1	2	3						
4	PERSONAL SERVICES:								
	SALARY			19,184					
5	BENEFITS			5,755					
6	FICA								
7	HEALTH INS.								
8	TOTAL PERSONAL SERVICES			24,939					
9	TRAVEL								
10	CONTRACTUAL			9,000					
11	COMMODITIES			7,250					
12	EQUIPMENT								
13	OTHER								
14	TOTAL COST			41,189					
	CODE	FUNDING SOURCE							
15		FED RCPTS.							
16		GF MATCH.							
17		GEN. FUND		41,189					
18		I-A RCPTS.							
19		FGM RCPTS							
20		OTHER							
21	CONTINUATION								
22	ADDITION		FOR B&M USE ONLY						
4A KEY NUMBER				COLUMN NO.					

AGENCY Natural Resources PROGRAM AREA Division of Parks

BRU Operations

FY 85

13 REQUEST FOR NEW POSITION.

COMPONENT Maintenance & Operations

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REVISED DATE _____



1	POSITION TITLE Natural Resource Officer II			RANGE/STEP 16 A	BARG. UNIT. GGU	LOCATION Soldotna	GOV	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RI' No.	PCN No. New	PRIORITY	FORM 12 PAGE/LINE	LEG		
3	TYPE OF EXPENDITURE			AMOUNT					
	1	2	3						
4	PERSONAL SERVICES:								
	SALARY			33,084					
5	BENEFITS			9,925					
6	FICA								
7	HEALTH INS.								
8	TOTAL PERSONAL SERVICES			43,009					
9	TRAVEL			1,500					
10	CONTRACTUAL			4,800					
11	COMMODITIES			250					
12	EQUIPMENT								
13	OTHER								
14	TOTAL COST			49,559					
	CODE	FUNDING SOURCE							
15		FED RCPTS.							
16		GF MATCH.							
17		GEN. FUND		49,559					
18		I-A RCPTS.							
19		FGM RCPTS							
20		OTHER							
21	CONTINUATION								
22	ADDITION			FOR B&M USE ONLY					
4A KEY NUMBER				COLUMN NO.					

JUSTIFICATION: This position is required as part of a management package for the Kenai River column from Skilak Lake to Cook Inlet. The incumbent shall accomplish the management objectives to be established by statute, generally stated as follows: provide a safe and healthy river environment for the recreating public and adjacent land owners; maintain a free-flowing river in its natural state; promote recreational enjoyment of the river by developing educational and interpretive programs while stimulating the local tourist economy. This position shall assist in implementing Legislative Resolve 26. Job tasks will include the following: Provide single-agency management of the Kenai River; permit oversight and management; establish a Citizen's Advisory Board to provide local public input and guidance; establish concessions permits and policies for commercial operations on the river; assure compliance with laws and provide recreation information; propose regulations under state park management authority; research legal and land ownership problems; enforce boating safety regulations and educate boaters on safe operations; stimulate the state tourism industry by developing educational and interpretive points of interest. This position will be a staff assistant to the District Superintendent.

AGENCY Natural Resources PROGRAM AREA Division of Parks

BRU Operations

COMPONENT M & O

FY 85

13 REQUEST FOR NEW POSITION.

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REVISED DATE _____



1	POSITION TITLE <u>Park Ranger II</u>			RANGE/STEP <u>16 A</u>	BARG. UNIT. <u>Supervisory</u>	LOCATION <u>Soldotna</u>	GOV. <u>GOV.</u>	APPROV.	DISAPP.
2	TYPE OF POSITION <u>PFT</u>	STAFF MONTHS <u>12</u>	RP No.	PCN No. <u>New</u>	PRIORITY	FORM 12 PAGE/LINE	LEG.		
3	TYPE OF EXPENDITURE			AMOUNT					
	1			2		3			
4	PERSONAL SERVICES: SALARY			33,888					
5	BENEFITS			10,166					
6	FICA								
7	HEALTH INS.								
8	TOTAL PERSONAL SERVICES			44,054					
9	TRAVEL								
10	CONTRACTUAL			9,000					
11	COMMODITIES			7,250					
12	EQUIPMENT								
13	OTHER								
14	TOTAL COST			60,304					
15	CODE	FUNDING SOURCE							
16		FED RCPTS.							
17		GF MATCH.							
18		GEN. FUND		60,304					
19		I-A RCPTS.							
20		FLA RCPTS							
21	CONTINUATION								
22	ADDITION		FOR B&M USE ONLY						
4A KEY NUMBER _____ COLUMN NO. _____									

JUSTIFICATION: This position is required as part of a management package for the Kenai River column from Shilak Lake to Cook Inlet. The field ranger positions will report directly to this position who will have line authority over the river operations. The management objectives for the Kenai River are to provide a safe and healthy river environment for the recreating public and adjacent land owners. From daily observations and contact with local users and a citizen advisory board the district staff would propose regulations under state park management authority, resolve conflicts, enforce laws, erect proper signing, coordinate public information and education, assist in rescues and emergency medical problems, and remove dangerous obstacles. Another objective is to maintain a free-flowing river in its natural state, control pollution and man-made erosion problems, and maximize recreational use with a minimum of habitat degradation. To promote recreational enjoyment and stimulate the local tourist economy the rangers will develop points of historic, scientific and cultural value so that the public will appreciate them through education and interpretation of the resources. They shall monitor permits and policies for commercial operation, private structures in the river, and cooperative agreements with other State and Federal agencies and private landholders; they shall also respond to all public complaints on the river column. Most of their working time will be spent on the river itself.

AGENCY Natural Resources PROGRAM AREA Division of Parks

BRU Operations

COMPONENT Maintenance and Operations

13 REQUEST FOR NEW POSITION.

FY 85

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REVISED DATE _____

1	POSITION TITLE Park Ranger I			RANGE/STEP 14A	BARG. UNIT. GGU	LOCATION Soldotna	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION Seasonal	STAFF MONTHS 8	RP No.	PCN No. New	PRIORITY	FORM 12 PAGE/LINE	LEG.		
3	TYPE OF EXPENDITURE			AMOUNT		JUSTIFICATION:			
	1	2	3						
4	PERSONAL SERVICES: SALARY		19,184						
5	BENEFITS		5,755						
6	FICA								
7	HEALTH INS.								
8	TOTAL PERSONAL SERVICES		24,939						
9	TRAVEL								
10	CONTRACTUAL		9,000						
11	COMMODITIES		7,250						
12	EQUIPMENT								
13	OTHER								
14	TOTAL COST		41,189						
	CODE	FUNDING SOURCE							
15		FED RCPTS.							
16		GF MATCH.							
17		GEN. FUND		41,189					
18		I-A RCPTS.							
19		FGM RCPTS							
20		OTHER							
21	CONTINUATION								
22	ADDITION		FOR B&M USE ONLY						
4A KEY NUMBER				COLUMN NO.					

AGENCY Natural Resources PROGRAM AREA Division of Parks

BRU Operations _____

FY 85

13 REQUEST FOR NEW POSITION.

COMPONENT Maintenance & Operations

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REVISED DATE _____

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

#

Revision Date: _____

REQUEST

Bill/Resolution No.: 417
 Title: "An act relating to Kenai River Special Management Area."
 Sponsor: _____
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: Admin. of Justice/Natural Resources
 BRU, Program or Subprogram(s) Affected: Alaska State Troopers / Fish & Wildlife Protection

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 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE						

FUNDING: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
GENERAL FUND	0.0	0.0	0.0	0.0	0.0	0.0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Francis C. Allan/Captain W. Fleek Phone: 269-5691
 Division: AK State Troopers/Fish & Wildlife Prot. Date: 02/06/84

Approved by Commissioner: Robert J. Sundberg Date: 2/6/84
 Agency: Public Safety

Distribution (by Agency preparing fiscal note):

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

12/1/83

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

#9

Revision Date: 2/3/84

REQUEST
Bill/Resolution No.: SB417
Title: Kenai River Park Management

FISCAL DETAIL
Agency Affected: Natural Resources, Parks
Program Category Affected: Parks & Recreation

Sponsor: Governor
Requestor: _____
Date of Request: _____

BRU, Program or Subprogram(s) Affected:
Park Operations

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
100 PERSONAL SERVICES		208.9	208.9	208.9	208.9	208.9
200 TRAVEL		1.5	1.5	1.5	1.5	1.5
300 CONTRACTUAL		31.8	31.8	31.8	31.8	31.8
400 SUPPLIES		23.0	23.0	23.0	23.0	23.0
500 EQUIPMENT		121.5				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		386.7	265.2	265.2	265.2	265.2
CAPITAL		0 **				
REVENUE		0				

FUNDING: (Thousands of Dollars)

GENERAL FUND		386.7	265.2	265.2	265.2	265.2
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		2	2	2	2	2
PART-TIME						
TEMPORARY		1	1	1	1	1

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

**Note: \$160.0 for the Kenai River Comprehensive Plan is in the Governor's
FY 85 Capital Budget

ANALYSIS: Attach a separate page for analysis

Prepared By: Neil C. Johannsen Phone: 264-2103
Division: Parks Date: 11/17/83

Approved by Commissioner: William D. Amund, Deputy Date: 2/3/84
Agency: Natural Resources

Distribution (by Agency preparing fiscal note):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

#3

Revision Date: 2/3/84

REQUEST

Bill/Resolution No.: SB417
Title: An Act establishing the Kenai River Special Management Area
Sponsor: _____
Requestor: Governor/Law
Date of Request: 2/3/84

FISCAL DETAIL

Agency Affected: Environmental Conservation
Program Category Affected: _____
BRU, Program or Subprogram(s) Affected: Environmental Quality Management

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES	0	0	(The nature of this legislation allows budgeting only through FY 85 after which time the specific agency involvement identified in the completed Kenai River Plan will be clearly outlined.)			
200 TRAVEL	0	0				
300 CONTRACTUAL	0	0				
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	0	0				
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

RSA with DNR

\$5,000 will be allocated to DEC for travel for each of FY84 and FY85.

ANALYSIS: Attach a separate page for analysis

Prepared By: Bob Martin Phone: 274-2533
Division: Environmental Quality Management Date: 1/31/84
Approved by Commissioner: Richard A. Neve Date: 2/3/84
Agency: Environmental Conservation

Distribution (by Agency preparing fiscal note):

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

12/1/83

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

#4

Revision Date: _____

REQUEST

Bill/Resolution No.: 417
 Title: Kenai River Special Management Area
 Sponsor: Governor Sheffield
 Requestor: Governor Sheffield
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Fish and Game
 Program Category Affected: NRMEC
 BRU, Program or 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 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
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						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Beverly Reaume Phone: 465-4120
 Division: Administration Date: January 30, 1984
 Approved by Commissioner: [Signature] Date: 1-31-84
 Agency: Fish and Game

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

BETTYE FAHRENKAMP, Chairman
ROBERT H. ZIEGLER, SR., Vice Chairman
DICK ELIASON
PAUL FISCHER
VIC FISCHER
BOB MULCAHY
ARLISS STURGULEWSKI



POUCH V
STATE CAPITAL
JUNEAU, ALASKA 99811
(907) 465-3834
(907) 465-3835

Senate

Committee on Resources

Letter of Intent for CS SB 417(Pes)

It is the intent of the Legislature that the management plan described in AS 41.21.506 be developed jointly by the Commissioner of Natural Resources and the Kenai Peninsula Borough.



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 7, 1984

The Honorable Jalmar Kerttula
Alaska State Senate
Pouch V
Juneau, AK 99811

Dear Senator Kerttula:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the management of the Kenai River. The bill addresses the problems on the river as pointed out by (1) the Kenai River Task Force; (2) the interagency task force composed of the Office of Management and Budget, and the Departments of Natural Resources, Fish and Game, Public Safety, and Environmental Conservation; and (3) 1983 Legislative Resolve No. 26.

Section 1 of the bill restates the findings of 1983 Legislative Resolve No. 26, and adds the two task forces' finding that the highest priority resources of the Kenai River are its fishery and wildlife.

Section 2 contains the body of the bill. It first states the purposes of the bill. It then adds new provisions to AS 41.21 which are intended to do three things. First, new AS 41.21.502 creates the Kenai River Special Management Area, composed of state-owned land and water from the Kenai River's confluence with Cook Inlet upstream to and including the Kenai and Skilak Lakes. Included within the described area is state land already managed by the division of parks and outdoor recreation, of the Department of Natural Resources, and additional, adjacent state land either already owned or selected and soon to be in state ownership.

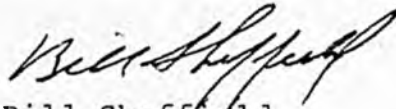
Second, new AS 41.21.504(a) assigns the Area's interim and long-term management and regulatory control to the Department of Natural Resources, with the intent that through cooperative management agreements with other local, state, and federal agencies that department will bring sensible, coordinated management to the Kenai River and its resources. It is anticipated that this function will be administered by the division of parks and outdoor recreation. New AS 41.21.504(b) ensures that the Department of Fish and Game, the Boards of Fisheries and Game, the Department of Environmental Conservation, and other state agencies, as well as municipalities, will retain their respective management, regulatory, and enforcement responsibilities. Cooperative agreements under new AS 41.21.512 will provide appropriate coordination.

Third, under new AS 41.21.506(a) and (b), the commissioner of the Department of Natural Resources is directed to develop and adopt within two years a long-range comprehensive management plan for the Kenai River Special Management Area, the shoreland of the Kenai River up to one-quarter mile on each side, and any additional public and private land that is crucial to the overall purposes of the bill. The commissioner is directed to use the department's regulatory authority to protect the river corridor and to implement the plan. New regulations must identify and control incompatible uses, and deal with the increasing difficulties associated with a proliferation of professional fishing guides on the Kenai River. Regulations adopted to implement the plan may, on private land, regulate activities that are inconsistent with the purposes of the bill or the plan. During the period of the development and implementation of the plan, it is hoped that the affected local governments will adequately exercise their planning, platting, and zoning powers granted in AS 29 so that the commissioner's regulatory power over private land-use activities need not be used. To that end, in developing and implementing the plan the commissioner is directed, in new AS 41.21.510, to appoint an advisory board and to continuously consult with relevant federal, state, and local government agencies, and with private interest groups and individuals. The commissioner is further authorized, under new AS 41.21.512, to enter into cooperative agreements not only with other government agencies but also with private landowners in order to simplify sound management of the Kenai River.

Section 3 of the bill explicitly provides the commissioner with authority to seek, through the attorney general's office, civil enforcement of regulations adopted under AS 41.21.500 -- 41.21.512, regarding the Kenai River Special Management Area, and other regulations applied to the Area.

Given the increasing problems and conflicts on the Kenai River, I urge your prompt action on this measure.

Sincerely,



Bill Sheffield
Governor

SENATE RESOURCES SUBCOMMITTEE ON FISHERIES

MINUTES FOR HEARING IN ANCHORAGE
MARCH 3, 1984

LEGISLATORS PRESENT

Senator Mulcahy
Senator Gilman
Senator Eliason
Senator P. Fischer

CALENDAR

SB 416, An Act clarifying the authority of the Alaska Board of Fisheries over guided sport fishing activities.

SB 417, An Act establishing the Kenai River Special Management Area; and providing for an effective date.

Chris Goll, guide: SB 417; He is opposed to the Division of Parks as the lead agency for the Kenai River Special Management Area. SB 416; He supports SB 416 and thinks the committee should rely on the Kenai River Task Force findings as a basis for proceeding on regulations. The guides have a responsibility to provide services.

Dave Cline: Supports a bill for the Kenai River, but hasn't studied the proposed CS. He feels there should be protection of critical fish and wildlife areas and coordination of regional, state, and federal planning. The citizen's advisory group should consist of local and state agencies and the governor should make the appointments to the board, not the commissioner of Natural Resources.

Sam Best, Kenai Peninsula Borough Administration Assessor: The Administration of the Borough is generally in favor of the CS. The primary problem is power boat wakes. He wants the Borough to play a role in the coordination and appointment of the advisory board.

Neil Johannsen, Director of Division of Parks: Stated that the Governor and the commissioner of Natural Resources are flexible on this legislation. There are three reasons for the Division of Parks to be the lead agency:

- 1) Parks has been involved in planning for land use.
- 2) Parks has been involved in land managing functions.
- 3) Parks considers itself to be an expert in managing people.

Went through CS offering comments:

- 1) p. 2; should continue to reference scenic values in the purpose, also recreational values. What happens next to the river is important.

- 2) Possibly cut off the park just below the Warren Ames Bridge and the wetlands close to the mouth.
- 3) Recommends that on p. 6, insert that this act is subject to valid existing rights.
- 4) Comprehensive Management plan should have local government input.
- 5) Elimination of $\frac{1}{2}$ mile on each side of the river is no problem.
- 6) Veto power of the commissioner eliminated probably would be agreed to.
- 7) Administration feels that the advisory board could have local majority, but shouldn't be caled a "local advisory board".

Dave Lowery: Supports a plan for the Kenai River totally and his questions have been clarified by previous testimony and by reading the CS.

Sharon Jean, Kenai Borough Assembly: Handed out a proposed amendment tnat will be reviewed the Assembly on Tuesday, March 6. This amendment specifically adds that in developing a comprehensive management plan for the Kenai River Special Management Area, representatives of the Kenai Peninsula Borough shall help develop and adopt the plan.

Louis Fields, property owner: He feels that the environmentalists are screwing things up and everything in each version of SB 417 reverts back to the commissioner of Natural Resources, so the original and CS are both no good.

Leo Oberts, property owner: Suggestions:

- 1) The CS should address research on salmon.
- 2) The CS should be much stronger in regards to getting the 21 agencies involved on the river to work together in cooperative agreements.
- 3) Have a patrolman on the river.

Dale Bondurant: Feels there needs to be a management plan that implies that the river comes first. There needs to be more public input and better control and the plan needs to be strong. He doesn't think that the local governments should have veto power. The conflicts between state and local governments won't be that big if both consider the river of first importance. If any mistakes are made, hopefully they will be of benefit to the river.

Paul Dale, Kenai Peninsula Borough: The Kenai River Special Committee supports an management plan. He feels that the cut off point for the park should be $\frac{1}{2}$ mile below the Kenai Fiver Bridge and agrees with deletion of the reference to scenic values in the CS. Also, it is important to get the Borough involved on the management plan and a good case can be made for local involvement on the advisory board. Agrees with Parks as the lead agency.

David Wangaad: Encourages wider participation in developing the management plan, don't leave it up to DNR exclusively. Cited a documentation by "Paul Reimers" in that there are ways to develop wise management plans. Suggested development of a research corporation to research the river and Kenai River king salmon.

Adjourned at 4:12 p.m.

POSITION PAPER

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

SB 417

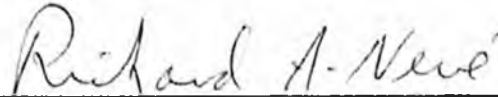
Kenai River Management Area

The Department of Environmental Conservation supports this bill. It will result in the preparation of a management plan for the river which, when completed, will guide the department in issuing permits and certifications of Corps of Engineer permits.

Development activities along the riverbank, which have the potential to conflict with fisheries habitat, have long needed the guidance of a plan such as that envisioned by SB 417.

We also support the coordination of various agency activities by the Division of Parks, together with the concept of strong local involvement in the development of plans and policies affecting the Kenai River.

DATED: March 19, 1984.



Richard A. Neve
Commissioner

SENATE RESOURCES SUBCOMMITTEE ON FISHERIES

MINUTES FOR HEARING IN KENAI, ALASKA
MARCH 2, 1984

LEGISLATORS PRESENT

Senator Mulcahy
Senator Gilman
Senator Eliason
Senator P. Fischer
Representative Fritz

CALENDAR

SB 416, An Act clarifying the authority of the Alaska Board of Fisheries over guided sport fishing activities.

SB 417, An Act establishing the Kenai River Special Management Area; and providing for an effective date.

SB 357, An Act relating to management plans and regulations adopted by the Board of Fisheries.

Mayor Stan Thompson-Kenai Peninsula Borough: Original version of SB 417 is unacceptable to the Borough because all powers over the river go to the state Dept. of Natural Resources. The CS is basically acceptable because it recognizes local authorities. There still are a few problems with the CS such as, the implications in the Findings section that stream bank development contributed to erosion is questionable. The main problem is that there are too many people on the river, especially during King Salmon season. The second problem is erosion from boat wakes. Heavy salmon runs suggest that fish beds and smolt are not being hurt. Implications in the original that private land owners were causing erosion is just the opposite. Property owners need protection from increased use of the river. A lot of the general public uses the private land. The continued reference to "adjacent land" in the CS concerns Mayor Thompson. He suggests that the park should be cut off at the Kenai River Bridge. Also, the bill should say "all state owned lands abutting the Kenai River" rather than specifically describing the land because land ownership may change over time and wouldn't be included in the bill. He feels that there should be restrictions as to who should be on the advisory board (property owners, guides, commercial fishermen, sports fishermen, etc.). The decisions of the local governments should be absolute when they have a dispute with DNR.

Justin Maley, Mayor of Soldotna: The City of Soldotna concurs with CS for SB 417 because it takes care of the concerns the City of Soldotna had with the original bill. If the Municipalities and DNR do not agree in the formulation of the management plan or regulations he feels that the City of Soldotna can negotiate fairly and will be concerned about how much authority the local governments will have. The original version of SB 417 is unacceptable.

Senator Mulcahy brought up the point that there needs to be a mechanism for solving disputes between the local governments and DNR over disagreements in authority.

Neil Johansen, Director, Division of Parks: The Governor and the commissioner of Natural Resources are flexible on this bill, they anticipated a CS, and want to hear the people. Mr. Johansen has some comments about the CS:

- 1) The reference to scenic or recreational values to properties adjacent to the river should not be deleted from the original. There should be some interest in adjacent properties whether public or private.
- 2) Technical changes that were previously gone over with Sen. Gilman.
- 3) The reference that all occurs "subject to valid existing rights" should not be deleted to protect people who already have claims to oil rights, etc.
- 4) No problem with deletion of closure to mineral entry in CS.
- 5) No problem with striking "closed to multiple purpose use" in CS.
- 6) The comprehensive management plan should be generated as a partnership between the state, Kenai Peninsula Borough, and the Cities of Kenai and Soldotna as this is beneficial to the people.
- 7) No serious problem with reducing the $\frac{1}{4}$ mile on each side of the river.
- 8) Strongly urge reference to advisory board which would allow some membership of individuals who are not local residents and seek a mix on the local advisory board with a majority being local residents.
- 9) As far as resolving disagreements between local governments and DNR, the language, if proposed, should not be so specific so as to restrict traditional uses and should pursue the requirements of the Administrative Procedures Act.

The CS is basically good in that it reflects concerns of the local residents.

John Wise, Kenai City Council: He has problems with both versions of SB 417 and suggests using guidelines from the Federal Flood Plain Insurance Program. Studies on the Kenai River provide for control and development standards to the 50 year flood contour. Zoning authority must establish developmental standards, then all properties will be insured from floods. By using this you would 1) define the area to be controlled 2) adopt standards required by the program 3) this could be enacted in 90 days. If this is adopted then the state should move out of the picture.

Les Palmer, realtor: Supports CS and recommends some additions:

- 1) Line 24, p. 8, CS; should specify specific representation with provision to add members as the commissioner deems necessary. Specific representation should be specified and should be 3 year staggered terms.
- 2) Division of Parks should get a blanket permit from the Corps of Engineers.
- 3) There should be various interests represented on the advisory board and the Division of Parks should have a representative at local planning meetings.

Waldo Coyle, 35 year resident: Original version of SB 417 is too restrictive. The main problem is too many people, but this can be handled through regulations and enforcement. The CS is acceptable.

Leo Oberts, property owner: Opposed to original SB 417. It would set bad precedent for rivers all over the state. He showed aerial photo from 1976 with no erosion showing and then some recent photos showing a lot of erosion. If river banks are open to public use they get abused and become a "human cesspool" because of no toilet facilities. Enforcement is what is really needed. He suggests that the Division of Parks be given the opportunity to police the water corridor for 1 year to see what will happen. Also public facilities (toilets, parking, garbage disposals) are needed.

Charles Dickson, professional sport fishing consultant: More enforcement is needed on the river. The original version on SB 417 puts too much power in the hands of the commissioner. In SB 416, line 10 delete "restrictions" and insert "regulations". He sees no need for ADF&G to regulate guides separately from sport fishermen. Sport fishermen who want of fish with a guide can not be discriminated against. There needs to be more places for sport fishermen to go and suggests putting a harbor in Ninilchik. Having criteria for guides is o.k., but he is opposed to limited entry for guides. He feels that fear of guide limited entry is the cause of so many guides on the river.

M.R. Posey, property owner: CSSB 417 is acceptable with minor changes:

- 1) page 7, line 17, CS; delete "or privately owned"
- 2) page 8, line 11, CS; delete "any other lawful means"
- 3) page 8, line 15, CS; delete "eminent domain" to be consistent with deletion of "any other lawful means".

He is comfortable with Borough control and veto power over state regulations. Also there should be speed laws, and regulations for high powered boats and floaters even though he thinks most of the erosion is done by ice, not boats.

Louis Fields, property owner: High powered boats are the biggest problem and both the original version and the CS for SB 417 will just add another layer of bureaucracy that is not needed.

Tom Baker, guide and property owner: SB 416; Guides were the first ones to recommend something be done and maybe things are more out of control now more than ever. People are obtaining guide licenses now out of fear of limited entry. Fishing on the Kenai River generates economic benefit for the whole state. It is not fair to regulate the guides when it is their clients who catch all the fish. SB 417; In favor of a plan, but speed laws for boats will never work.

Gayle Phillips, Homer resident: Supports CSSB417. She is concerned that the same kind of problems will occur on the Anchor River and Deep Creek, so a precedent needs to be set.

Tom Mears, Cook Inlet Aquaculture Assn.: Development along the river banks degrades fish populations and protective regulations are needed now. The major habitat problem is human caused erosion. The area of jurisdiction should be expanded along the lower river and wider along the banks. Neither version of SB 417 will control human caused erosion. The CS doesn't the local governments the responsibility to regulate the river.

Paul Dale, Kenai Pen. Borough Assembly, chrm. Special Committee on the Kenai River: Supports concept of SB 417 and the CS takes care of most of his concerns, but may need one small change:

Page 7, CS; the first paragraph on the comprehensive management plan should be changed for a more cooperative plan with the local government included.

Changes on river use may be causing erosion. The Kenai River Committee passed a one year moratorium on small lot recreational subdivision developments along the river so the Assembly could have the time to draft an ordinance that would address high density recreational subdivision development and they are also working on a local zoning ordinance.

E. Bauman, property owner: Agrees with Borough Mayor Stan Thompson's comments and adds that there needs to be more research done on the river.

Jeff Sauer, Kenai Audubon Society: Supports original SB 417. Opposes CS for SB 417 because he feels municipal power in the CS is no change from now. The Borough is not responsible enough to manage the river. He suggests a moratorium on development prior to adoption of legislation.

THE HEARING NOW SWITCHED TO TAKE TESTIMONY ON SB357

Loretta Breeden: Asked question as to if subsistence fishing gets preference over all other fisheries. Sen. Mulcahy replied that it did.

Robert Wiseman: Confused as to intent of SB 357.

Sen. Fischer: Clarified that the intent of SB 357 is to give the Board of Fisheries some criteria to base its decisions on. They were suspected of making political decisions in the past.

Joe Melatesta, Clam Gulch; Fishermen's Defense Fund Committee: Recommends passage of SB 357 without amendment.

Doug Blossom, commercial fisherman: Supports SB 357 and feels that it will help in times when there is an inefficient Board of Fisheries.

R.L. Schmidt, commercial fisherman/processor: Supports SB 357 100%.

D.F. Edelman, President of Kenai Peninsula Fishermen's Cooperative Assn. Supports SB 357 without amendment.

Karen McGahan, Kenai Pen. Borough Assembly: Delete the word "exclude" on page 2, line 11, as she feels this will only apply to commercial fishermen.

Paul Dale, Borough Assembly: Recommends passage of SB 357.

Lattie Edelman: Supports SB 357, but there needs to be more scientific information to base decisions on. Also on page 2, line 12, add "on a maximum sustained yield basis".

Waldo Coyle: Supports SB 357.

Tommy Corr: Supports SB 357.

HEARING GOES BACK TO TESTIMONY ON SB 416 AND SB 417

Tom Wagoner, Mayor of the City of Kenai: Sees 2 big problems on the river:

- 1) The number of people that want to sport fish the river and the increase in number of guides and the number of fish they catch.
- 2) Boat size and erosion. There are no facts about the erosion and should be in the bill if available.

Opposed to original SB 417, and offered solutions:

- 1) Manage the Kenai River on a biological basis.
- 2) Reduce the $\frac{1}{4}$ mile to 100 feet on each side of the river.
- 3) Give the advisory board more power than just advising.

Feelings of Mayor Wagoner:

- 1) The people want to control their own destiny on the river.

- 2) He is not sure if erosion is really a problem.
- 3) Guides are also a commercial user of the fishery resource and are just as entitled to the fish as commercial fishermen.
- 4) Property owners should be listened to.
- 5) Supports CSSB 417.

Doug Blossom, commercial fisherman: Has two points:

- 1) CS takes power away from sport fish biologists to manage the river. Make sure that there is one person in charge of the fishing, not 3 or 4.
- 2) Write the bill so that it will fit other rivers in the state (state-wide river management bill).

Robert Wiseman: SB 416; 30% of sport fishermen that were guided were state residents, for more information he suggests a log book study by Mike Mills of ADF&G in Anchorage. SB 417; He feels that there are too many people in the river and they need a place to go.

Elmer Bird, property owner: Original SB 417 is bad, CS is better, but needs work concerning boats on the river and erosion by tide action.

Chuck Simpson, property owner: Original SB 417 is unacceptable, CS is more acceptable with some changes:

- 1) page 7, line 15, change "must" to "may" (this is already taken care of in the CS.)
- 2) page 7, line 17, delete "or privately owned".
- 3) page 8, line 11, delete "or any other lawful means".
- 4) page 8, lines 24-26, should include that the local advisory board should be represented by private property owners, guides, sport fishermen, and commercial fishermen.
- 5) Add on an enforcement clause in the bill.

Karen McGahan, Borough Assembly: Feels that a management plan shouldn't be adopted until there are public hearings. Sen. Gilman clarified that this is included in the CS.

Ted Carson: Opposed to CSSB 417. He feels there are conflicts in what is in the CS and what is already in use concerning regulations or authority. There should be some repealer language for duplication of agency regulations or authority. Also as far as guide regulation in 417, some regulation is already being enforced.

Kathy Renney, Great Alaska Fish Camp: Supports CSSB 417.

Sam McLain: Supports CSSB 417, but is apprehensive because he is disappointed with the Division of Parks regulation of Morgan's Landing.

Tim Hiner, Guide: SB 416 Does not recommend passage of SB 416.

- 1) He feels there should be more stringent time and days-of-the-week regulations for boat and guide fishing on the river.
- 2) There should be more enforcement on the river.
- 3) Put boat ramps to salt water in Ninilchik and Anchor Rivers to relieve activity on the Kenai River.
- 4) Also to relieve activity on the Kenai River, allow limited trawl fishery on Deep Creek and Anchor River.

Sharon Jean, Borough Assembly: Wants stronger language regarding local input in CSSB 417.

Tommy Corr, Borough Assembly: Neither version of SB 417 addresses the fact that local soil and water conservation boards could help erosion. Maybe there should be a property tax credit for property owners who do not develop their land. If a bill is not passed to manage the river, then the Borough will probably do something like passing a zoning ordinance.

Cherry Carson: Opposed to any state control over the river. Leave the matter alone. The local government should be more active.

Pat Bird: Would like a provision for people who lost land to erosion to be able to get it back and also wants funding for the Funny River Bridge to be in 417.

Alaska State Legislature

BETTYE FAHRENKAMP, Chairman
ROBERT H. ZIEGLER, SR., Vice Chairman
DICK ELIASON
PAUL FISCHER
VIC FISCHER
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ARLISS STURGULEWSKI



POUCH V
STATE CAPITAL
JUNEAU, ALASKA 99811
(907) 465-3834
(907) 465-3835

Senate

Committee on Resources

MEMORANDUM

TO: Senate Resources Committee Members
FROM: Senate Resources Committee Staff
RE: Committee Meeting, March 21, 1984
DATE: March 19, 1984

On Wednesday, March 21st, at 3:00 pm in the Beltz Room, the Senate Resources Committee will hear the following bills:

SB 356, An Act establishing a preference right to land.

SB 356 amends the state's preference right statute to require the grant of a preference right under certain conditions. The bill defines those "past errors or omissions" of federal agencies to which this requirement would apply.

Current statute (AS 38.05.035(b)(2)) addresses errors and omissions of state and federal agencies, but leaves the granting of preference rights to the discretion of the Commissioner.

SB 417, An Act establishing the Kenai River Special Management Area; and providing for an effective date.

As recommended by the Kenai River Task Force in their March 1983 Statement of Findings, legislation (HCR 31) was passed last year that designated representatives of the Office of Management and Budget, the Department of Natural Resources, the Department of Fish and Game, the Department of Public Safety, and the Department of Environmental Conservation as an interagency task force to address the problems on the Kenai River. SB 417 is the result of the latter group's recommendation that a portion of the Kenai River (from Cook Inlet to Skilak Lake) be legislatively designated as a "special use area".

As a result of public hearings held in Kenai and Anchorage by the Resources Subcommittee on Fisheries on March 2nd and 3rd, a Committee Substitute has been prepared.