ALASKA LEGISLATURE COMMITTEE FILES 1985-1986 8072

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Let's make the Fourth safe again

It is supposed to be a celebration of democracy and the rule of law, but it has instead become something far different:

A license to act like jerks and juvenile delinquents, regardless of age, race, creed, sex, national origin or social position. A license to endanger life, flaunt liberty and pursue craziness. A license to make an utter mockery of what was once a solemn American holiday.

The Fourth of July has become a nightmare, a debauchery with explosive devices, an excuse to inflict gonzo outrages on the entire state for 10 days. From normally peaceful La Conner to normally quiet Queen Anne, the silent majority is being abused by a noisy minority, a minority that sees the Fourth as an excuse for irresponsible behavior that wouldn't be tolerated any other time of the year.

John Marshall

The culprit is clearly the state's fireworks law, which the Legislature liberalized in a fit of naivete and greed last year. The cure is clearly a return to the state's old law, which only allowed sale of July Fourth fireworks deemed "safe and sane."

The horror stories have been accumulating over the last two Fourths in sufficient quantity for a lengthy gothic novel. There have been horror stories of needless property losses, including the $330,000 Bellevue home burned to the ground last year when errant fireworks ignited its roof. There have been horror stories of senseless injuries, including a fatal stabbing in Seattle this year that resulted after a neighborhood dispute over fireworks erupted in violence.

There are, also, reams of statistics being kept by what seem to be the two main protagonists in this noisy battle. The fireworks manufacturers and sellers, who are reaping increased profits from this intolerable situation, versus the fire departments, who are wasting precious manpower trying to contain it.

The fireworks lobbyists blithely say that fire losses and injuries are not that much worse than they ever were and that many of the losses result from illegal fireworks. The fire departments counter that things have gotten bad enough and that only luck and wet weather have prevented far greater tragedies.

Fireworks cause six building fires

"The entire Seattle Fire Department was tied up all day on the Fourth," says Seattle Fire Marshal Bob Hansen. "We had 91 fires on the Fourth.

"There were 52 grass and brush-type fires, including several that were very close to going out of control and involving buildings. There were nine fires in buildings and six of those were from fireworks, causing $162,000 in damage, more than three times the losses last year ($47,000)."

Fire statistics and figures on fireworks' injuries compiled by hospital emergency rooms capture only a small part of the madness that now surrounds the Fourth.

They do not recount the terrorized pets that must be tranquilized over the holiday, the senior citizens who feel like prisoners in their homes, the nights of sleep disturbed by thoughtlessness, the trashed city parks that take days and dollars to clean up afterward.

Nor can the statistics capture the emotional mindset that now has come to characterize the Fourth. More people than one could have imagined are using the Fourth as an excuse to unleash anything explosive they can get their hands on, including practice grenades smuggled from Fort Lewis.

Open season for bozos with bombs

Street-corner sales of stronger fireworks have produced such a soundscreen of noise in every neighborhood that the thinking of many fireworks users seems to be: *Who'll possibly notice when I set off my illegal M-80s or worse? Who'll ever know the difference?*

Thus the liberalized fireworks law has removed the past societal pressure against the use of illegal fireworks and whatever fears there were of getting caught. Instead, it's become open season for bozos with bombs, which is the new law's worst legacy.

Fire Marshal Hansen spent last Monday in the battleground called Myrtle Edwards Park and he seriously considered withdrawing fire department personnel from the park because of fears for their safety. Hansen also watched in horror as occupants in two Queen Anne apartment buildings engaged in a fireworks' firefight, shooting rockets between the two buildings, while the rest of Queen Anne exploded with enough fireworks to remind many of Vietnam.

"It's going to be a miracle if we don't have a serious fire tonight," Hansen told an aide. Fortunately, that "miracle" occurred.

Members of the public were just as aghast. Thousands of angry callers swamped the switchboards of the Seattle police and fire departments, slowing their response time and raising fears that someone with an emergency to report might get only a busy signal.

And there was one woman whose plaintive call put into words what many others were thinking: "Enough, enough, enough. I want to surrender. Who in the hell can take it?"

Similar angry cries were raised last year, prompting the widespread public assumption that the Legislature would return to the tougher standards of the past.

Victory for special interests

But when the Legislature finally considered the issue in March, the cries had died to a whisper and the fire department campaigners were left to wage a lonely fight. They were outmuscled by fireworks' lobbyists who stressed the $2 million in fireworks taxes that the strapped state would lose with a return to the tougher standards.

Chalk up yet another victory in this state for the special interests over the public good, yet another fireworks' perversion of what the Fourth of July is supposed to represent.

The same thing threatens to happen again next year. Time is on the fireworks industry's side since it's hard for the public to keep angry for months. Fireworks lobbyists are better organized, better financed.

But as each year passes under the liberalized law, the stakes grow higher and it becomes tougher to return to the past standards. In a few years, people will think this 10-day Beirut bombardment is the way the Fourth always has been, the way the Fourth always has to be.

Then it will probably take some terrible tragedy, some loss of life to compel the Legislature to do what it should have done in 1983.

ture for a recent publication.[1] The cloacogenic variety of anorectal cancer is the kind that has been described in this population. Recently, Li and associates[2] from the National Cancer Institute described two further cases of anorectal carcinoma, albeit squamous, associated with homosexuality. In view of this rarity and to facilitate future analyses, I suggest that, in the future, each such case in the homosexual population be reported.

Another line of investigation would be to attempt to reproduce the disease in animals, perhaps by repeated applications of oil lubricants or seminal plasma to an artificially traumatized transitional cloacogenic region of the anorectum. It would be of interest if either substance is capable of producing the tumor and, if so, whether this is in substantially greater frequency than a control group that has, for instance, been subjected to just trauma to the area. The possibilities are exciting and should provide answers pertaining to future prevention efforts.

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1. Kondilopoulos P: Cloacogenic carcinoma in homosexual males. *Am J Gastroenterol* 1982;77:592.
2. Li FP, Osborne O, Cronin CM: Anorectal squamous carcinoma in two homosexual men. *Lancet* 1982;2:791.

Graduate Medical Education

To the Editor.—I would like to respond to an article in THE JOURNAL by Milan Korcok entitled "Medical Education: *Prosperitas Interrupta*" (1983;249:12). Dr Korcok seems to lament that "teaching hospitals, faced with continuing cost constraints, might have to reduce the size of the residency programs."

In my inaugural address as President of the American Medical Association in June 1970, I recommended that the four-year in-hospital residency might be improved by substituting at the end of a shortened in-hospital service a preceptorship with an approved practicing physician. My recommendation elicited considerable response—mostly unfavorable. Those who agreed with me did so by private communication.

Within weeks, I was invited to the National Institutes of Health to an international symposium on graduate medical education. The attendees from the European countries did not initially withhold their criticism of my recommendations, but by the end of the seminar, as I stood my ground and presented my reasoning, they were my friends and admitted that my proposals made sense.

As I remember back to my medical school days, I recall that among my teachers were Kanavel, Curtis, Elliott, and DeLee. None of these had served the equivalent of a long residency nor have I, in the intervening 55 years, sat at the feet of more brilliant teachers or providers of patient care!

In my opinion, reduction of the residency to two years of in-hospital indentureship followed by two years of supervised practice would do three important things.

Service with a competent preceptor would provide a decent wage to a young physician who, ten years after high school, is 28 years old and may have a wife or husband and the prospect of one or two children. He or she needs to go to work!

It would provide practical supervised experience outside of the medical halls of ivy.

It would cause a substantial reduction in the amount being paid by insurance companies and Medicare, thus benefiting almost all of those involved.

Has the teaching hierarchy that promotes ever-increasing length of the residency become blind to the tremendous wealth of teaching in the outpatient world? The largest demand for medical care is outside of the hospital, so why not move the young physicians out into the real world of ambulatory patient care for a few years of supervised learning?

Four and more years of in-hospital servitude, in my opinion, is wasteful of a lot of money and an already highly schooled mind, especially since the alternative sounds so sensible.

Walter C. Bornheimer, MD
Saratoga, Calif

Injuries From Fireworks

To the Editor.—Effective in 1982, Washington state changed its law governing the sale of fireworks during the July 4 holiday period. Previously, only nonexplosive ground-display devices known as "Safe and Sane Fireworks" were legally available in the state, elsewhere than on Indian reservations, where aerial devices and exploding firecrackers containing less than 50 mg of gunpowder were legally available. This year, all three types, except skyrockets and missile rockets, were sold throughout the state. To determine if this change in the law affected the number of fireworks-related injuries, we contacted 15 hospitals in nine counties and asked them to report the number of fireworks-related emergency room visits for June 28 to July 6, the period of legal fireworks sale, for 1981 and 1982. The hospitals surveyed are distributed throughout Washington state, and we assume that neither the population served nor the number of emergency room visits for other causes increased substantially from 1981 to 1982. We classed the fireworks-related injuries into five types—eye injuries, burns, lacerations, amputations, and other injuries. We also contacted one large fireworks wholesaler and asked him to estimate the effect the law change had on sales.

Fourteen (93%) of the 15 hospitals contacted responded, and 11 (73%) provided the total number of fireworks-related visits for both years. Ten of the hospitals provided a breakdown by the five categories. Ten hospitals reported an increase in the number of fireworks-related injuries for 1982. The 11th hospital reported no fireworks-related injuries for either year. The total number of visits for fireworks-related injuries increased significantly, from 39 for 1981 to 88 for 1982 ($P<.001$, paired-difference t test). Most of the difference was accounted for by burns, which increased in number significantly, from 17 to 46 ($P<.001$, paired-difference t test). The number of eye injuries and lacerations also increased, but not significantly, from ten to 15 and from three to eight, respectively. No amputations were reported for either year. Other fireworks-related visits increased significantly, from one to five.

The wholesaler contacted estimated that his company sells half the non-Indian reservation fireworks sold in the state. The company's 1982 July 4 holiday sales were 2½ times its 1981 July 4 holiday sales. It sold 160 million exploding firecrackers in 1982 and none in 1981. The wholesaler does not know what effect the law change had on Indian reservation sales.

These data demonstrate that the 1982 change in the fireworks law in Washington state was associated with a statistically significant increase in the number of fireworks-related injuries during the July 4 holiday period. This increase accompanies an increased use of firecrackers and aerial devices made possible by their greater availability. Other states may wish to consider our findings before legalizing fireworks that are not "Safe and Sane."

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Original Contributions

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Risk Factors for Fireworks-Related Injury in Washington State

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• To determine the frequency and effects of and risk factors for fireworks-related injury, we identified all 146 persons who were injured by fireworks and sought emergency care during the 1983 July 4 holiday in the Seattle area. The mean charge for medical care for the injuries received was $562; 7.1% of those injured required hospitalization. In a matched-pair case-control study, use of either of two fireworks types—firecrackers or aerial devices—was significantly associated with injury (odds ratios [ORs], 3.3 and 2.9, respectively; 95% confidence intervals [CI], 1.2, 8.5, and 1.2, 6.6, respectively). Also associated with injury were several fireworks misuse behaviors, including lack of adult supervision of children (OR, 11.5; CI, 2.8, 100.6). We conclude that fireworks cause serious injuries that theoretically could be prevented by behavioral changes or decreased availability of high-risk fireworks devices.

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IN 1982, Washington State changed its law governing the sale of fireworks. Under federal law, fireworks are categorized into three classes: class A and B devices contain more than 50 mg of gunpowder and are illegal for sale to the general public, and class C devices contain 50 mg of gunpowder or less. The sale of individual types of class C fireworks is under state control. Previously, Washington State allowed only the sale of class C ground-display devices (devices that stay on the ground, often emitting sparks). However, in 1982, the sale of class C firecrackers (devices that explode and make noise) and some class C aerial devices (devices that either fly or shoot projectiles into the air) was legalized, but skyrockets and missile rockets remained illegal. During the July 4 holiday that followed the law change, we reported a doubling, from the previous year, in the number of fireworks-related injuries reported by 11 hospitals, from 39 injuries in 1981 to 88 injuries in 1982.[1] In response to this increase, in 1983, we conducted active surveillance to determine the number, circumstances, and costs of these injuries and a case-control study to determine risk factors for injury.

METHODS

Surveillance

We identified all fireworks-related injuries in King County (metropolitan Seattle, population, 1.3 million) by active surveillance of all emergency rooms and emergency clinics open during the legal days of fireworks sale (June 28 to July 6, 1983). A designated contact person, usually the emergency room supervisor, collected demographic and injury information on all patients. Injured persons were counted as cases if they had been admitted to an emergency facility with an injury related to fireworks and the injury they received had occurred during the legal days of fireworks sale. We designated two types of cases: those in active users (persons who were using fireworks at the time of injury) and those in innocent bystanders (persons who were not using fireworks themselves at the time of injury).

After the patients were identified, we mailed each a letter that explained our study and included a picture of fireworks types (for determining which device caused their injury). After one week, we called the patients, verified the age, sex, and injury information, and administered a standard questionnaire about the circumstances and costs of injury, fireworks exposure, and fireworks use behaviors. In most cases, charges for medical care were ascertained directly from medical bills. We interviewed only the parents of children aged 5 years or younger but interviewed all other injured persons directly.

Case-Control Study

We conducted a matched-pair case-control study by telephone. For each active user who was a King County resident, we obtained a control who was a King County resident, had used fireworks during the 1983 July 4 holiday but remained uninjured, and who was matched by sex and age plus or minus two years. Controls were contacted by a modified random-digit dialing technique.[2] The first five numbers of the injured person's telephone number were fixed, then combined with two other numbers obtained successively from a random number table, until a proper match was found. Each control was interviewed immediately after completion of the corresponding injured person's interview. As with the injured persons, we interviewed only the parents of children aged 5 years or younger but interviewed all other controls directly. We obtained informed verbal consent from both the injured persons and controls before administering the questionnaire. When children were interviewed, we obtained consent from both the child and a parent. Injured persons and

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controls were asked identical questions regarding exposure to fireworks and their methods of fireworks use. The questions on fireworks use were designed to reflect the "customary" use of fireworks and not the circumstance that led to injury. All interviews were performed by one person (L.V.M.), and all interview questions were read in a standard manner.

Data Analysis

Differences in means for the surveillance data were analyzed by Student's *t* test for unpaired data. The matched-pair data were analyzed in matched fashion, and McNemar χ^2, odds ratios (ORs), and exact 95% confidence intervals (CI) were calculated,[7] and conditional logistic regression analysis was carried out.[8] Differences between the means of matched-pair groups were analyzed with Student's *t* test for paired data. A significance level of .05 was used for all tests.

RESULTS

A total of 146 persons with fireworks-related injuries were identified in King County during the study period. All 22 hospitals and ten emergency clinics open during the July 4 holiday participated. Of the 146 injured persons, 126 (86%) were initially treated in hospital emergency rooms, and 20 (14%) were initially treated in emergency clinics.

The site and type of injury (Table 1) were available for all 146 persons, while age and sex were available for all but one person. Most common were multiple injuries, followed by single-site burns, eye injuries, lacerations, and ear injuries (usually perforated eardrums). Isolated eye injuries made up 16% of the total injuries; however, nine of the multiple injuries involved the eye, so that overall, 32 (22%) of the 146 injuries involved the eye. Two of the multiple injuries resulted in amputation (one of a finger and one of a complete hand). Injured persons were from 2 to 64 years old; 72 (50%) were younger than 16 years. One hundred six (73%) of the injured were males, and 39 (27%) were females.

We were able to interview by telephone 113 (77%) of the 146 injured persons. Of those not interviewed, 12 refused participation and 21 were lost due to unavailable or incorrect telephone numbers. Those persons interviewed did not differ significantly by age or sex from those persons not interviewed. For the persons interviewed, the mean time from injury to interview was 25 days. From the telephone interview we obtained information on the place of the injured persons, their county of residence, the charges for medical care they received for their injury, the type of fireworks that caused their injury, and the circumstances of injury. The race of those interviewed reflected the racial composition of King County: 101 (89%) were white and 12 (11%) were nonwhite.[9]

The county of residence information allowed a population-based estimate of the incidence of fireworks-related injury during the July 4 holiday in King County. Of the 113 persons interviewed, 98 (87%) were King County residents. Applied to the total of 146 injured persons, this provided an estimated total of 126 King County residents injured by fireworks. The incidence of fireworks-related injury, therefore, was 126 per 1.3 million King County residents, or 9.7 per 100,000 persons for the nine-day interval from June 28 through July 6. The information obtained on medical care charges included both dollars spent and the type and amount of treatment required. The mean dollar charge for care for all injured persons was $562 (median, $132), and 14% of those interviewed required care that cost more than $500. Eight (7%) of those interviewed required hospitalization, for an average of seven days. For these, the average charge for medical care was $5,431 (median, $4,688). The other 105 (93%) injured persons were not hospitalized but required an average of 2.4 outpatient visits, at a mean charge of $191 (median, $130). Twenty percent of those injured remained under medical care a month after injury.

The type of fireworks device responsible for injury was also determined for all 113 persons interviewed (Table 2). Ground display devices caused 36% of all injuries, 47% of burns, 43% of multiple injuries, and 25% of eye injuries. Firecrackers caused 34% of all injuries, 75% of ear injuries, 42% of lacerations, and 35% of multiple injuries. Aerial devices caused 23% of all injuries, 44% of eye injuries, and 42% of lacerations. Homemade devices, such as lead pipe bombs, caused 5% of all injuries. Hospitalization rates differed by device type, ranging from 0% for injuries caused by public display devices to 33% for injuries caused by homemade devices (Table 2).

We were able to determine the legal status of 88 (78%) of the fireworks devices causing injury (Table 3). If the devices are classified according to the 1982 Washington law, 58 (66%) of the 88 classifiable injuries were caused by legal fireworks and 30 (34%) by illegal fireworks. Nineteen (22%) of the injuries were caused by devices "newly legalized" in 1982. If the devices are classified according to federal law, 66 (75%) of the 88 classifiable injuries were caused by legal devices. The hospitalization rate for persons injured by devices illegal

Table 1.—Fireworks-Related Injuries, by Site and Type, King County, Washington, July 4 Holiday, 1983

Injury Site	No. Injured (%)
Multiple site	57 (39)
Single site	
Burns	41 (28)
Eye	23 (16)
Lacerations	17 (12)
Ear	6 (4)
Other	2 (1)
Total	146 (100)

Table 2.—Fireworks-Related Injuries and Hospitalization Rates, by Responsible Device, King County, Washington, July 4 Holiday, 1983

Fireworks Type	No. Injured (%)	No. Hospitalized (%)*
Ground display	41 (36)	1 (2)
Firecrackers	38 (34)	3 (8)
Aerial	26 (23)	2 (8)
Homemade	6 (5)	2 (33)
Public display	1 (1)	0 (0)
Other	1 (1)	0 (0)
Total	113 (100)	8 (7)

*Percent is number hospitalized divided by number injured times 100, for a given fireworks type.

Table 3.—Fireworks-Related Injuries and Hospitalization Rates, by Federal Legal Status of Device Causing Injury, King County, Washington, July 4 Holiday, 1983

	No. Injured (%)	No. Hospitalized (%)*
Federally legal	66 (58)	2 (3)
Illegal	22 (19)	4 (18)
Unknown status	25 (22)	2 (8)
Total	113 (99)	8 (7)

*Percent is number hospitalized divided by number injured times 100, for a given fireworks type.

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25 (22)	2 (8)
113 (99)	8 (7)

*Hospitalized divided by number in a given fireworks type

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ry—McFarland et al

Table 4.—Fireworks-Related Injuries, by Circumstances at Time of Injury, King County, Washington, July 4 Holiday, 1983

Circumstance	No. Injured (%)
Misuse of devices	
Holding in hand	35 (31)
Altered device	12 (11)
Relighting	9 (8)
Hit by thrown device	6 (5)
Exploding inside container	5 (4)
Misused aerial devices	4 (4)
Horseplay	3 (3)
Carried in pocket	1 (1)
Malfunctioning devices	17 (15)
Other	
Hit by sparks	16 (14)
Hit by car while avoiding fireworks, etc	5 (4)
Total	113 (100)

under federal law (18%) was six times higher than that for persons injured by devices legal under federal law.

Information on the circumstances of injury included the date and time of day of injury, the fireworks use behavior at the time of injury, and whether the person injured was actively using fireworks at the time of injury. Seventy-nine (70%) of the injuries occurred over the three-day July 4 holiday weekend. Of the 113 injuries, 81 (72%) occurred before dark and only 32 (28%) occurred after dark. The fireworks use behaviors at the time of injury are given in Table 4. Misuse or mishandling of fireworks was the cause of 75 (66%) of the injuries, while malfunctioning fireworks caused only 17 (15%) of the injuries. Holding fireworks in the hand was the most common misuse behavior.

Of the 113 persons interviewed, 97 (86%) were actively using fireworks at the time of their injury, and 16 (14%) were innocent bystanders. The active users were predominantly male (78%) and older (mean age, 19.1 years), while the innocent bystanders were more commonly female (62%) and younger (mean age, 14.2 years).

Eighty-four of the injured persons were active users from King County and thus were eligible for the case-control study. Injured persons were compared with controls for both their quantity of exposure to fireworks and their fireworks use behaviors. The quantity of exposure to fireworks over the entire July 4 holiday season, as measured by dollars spent and number of days used, was not significantly different for injured persons and controls. Injured persons spent a mean of $41 (median, $24) on fireworks, and controls spent $31 (median, $20). Injured persons used fireworks for a mean of 3.0 days, and controls used fireworks for a mean of 2.7 days.

Table 5.—Risk of Fireworks-Related Injury, by Device Used, King County, Washington, July 4 Holiday, 1983*

Fireworks Type	Discordant Matched Pairs†	Odds Ratio‡ (Confidence Intervals§)
Firecrackers	19/6	3.3 (1.2, 8.5)
Aerial	23/8	2.9 (1.2, 6.6)
Ground display	13/13	0.9 (0.4, 2.0)

*n=168.
†Case exposed, control not exposed/case not exposed, control exposed.
‡Odds ratio from conditional logistic regression model.
§95% confidence intervals, precision-based.

Table 6.—Risk Factors for Fireworks-Related Injuries, King County, Washington, July 4 Holiday, 1983*

Behavior	Discordant Matched Pairs†	Odds Ratio (95% Confidence Interval)
Not usually supervised by adult‡	23/2	11.5 (2.8, 100.6)§
Drinking‖	11/13	0.8 (0.3, 2.0)¶
Relighting	27/3	8.8 (1.8, 43.0)¶
Throwing	30/4	6.5 (1.2, 25.2)¶
Holding in hand	24/6	4.7 (1.2, 18.0)¶
Bending over to light	33/9	4.0 (1.3, 12.0)¶
Carrying in pocket	22/3	1.9 (0.4, 8.3)¶
Others throwing	24/13	1.8 (0.6, 4.9)¶
Exploding inside containers	24/12	0.8 (0.2, 2.5)¶
Others drinking	16/25	0.3 (0.1, 0.9)¶

*n=168 unless otherwise indicated.
†Case exposed, control not exposed/case not exposed, control exposed.
‡If aged 15 years or younger, n=82.
§McNemar odds ratio, with exact 95% confidence intervals.
‖If aged 16 years or older, n=82.
¶Odds ratio from conditional logistic regression model with precision-based 95% confidence intervals.

Injured persons and controls did differ significantly in their use of specific fireworks types (Table 5). Use of firecrackers had the highest risk of injury, and use of aerial devices also carried a significant risk. Use of ground display devices, however, was not associated with injury. A conditional logistic regression model that included all three of these variables yielded similar results (Table 5).

The risks of injury associated with various fireworks use behaviors are given in Table 6. The highest risk was associated with lack of adult supervision (asked only of those aged 15 years or younger). Other behaviors with significantly elevated risk in a univariate analysis were relighting fireworks that do not ignite at first, throwing fireworks, carrying fireworks in one's pocket, bending over fireworks to light them (instead of approaching them from the side), and holding fireworks in the hand. Behaviors that were not found to carry a significantly elevated risk of injury were exploding fireworks inside of containers, accompanying persons who were throwing fireworks, drinking alcohol while using fireworks (asked only of those aged 16 years or older), or accompanying persons who were drinking alcohol while using fireworks. A conditional logistic regression model included the eight behavior questions that were asked of persons of all ages and excluded the parental supervision and alcohol use questions. Results were similar to those of the univariate analysis; however, carrying fireworks in one's pocket was no longer significantly associated with injury in this model.

COMMENT

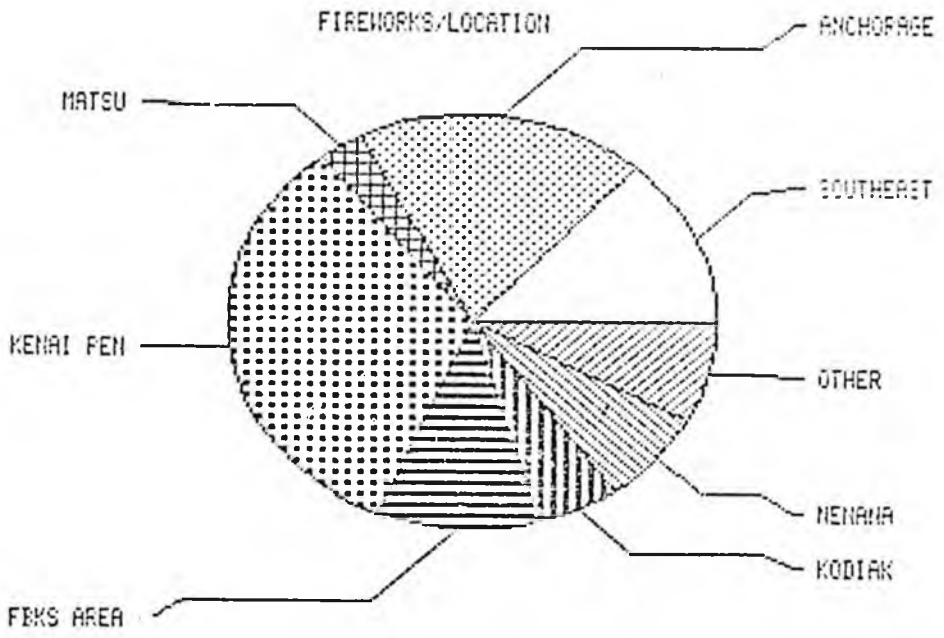
We carried out active surveillance of fireworks-related injuries via emergency facilities in the metropolitan Seattle area during the 1983 July 4 holiday and found a substantial number of expensive injuries. Our

LOCATION OF FIRES CAUSED

BY

FIREWORKS

1980-1984



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gets better. I would just like to say the legislature will put if off and put it off until someone dies or a major riot occurs. Why does it always have to come to that?

Doug Smith

Pourchot explains fireworks bill

I would like to respond to the inaccurate and misleading Jan. 24 letter by Louie March, President of the Alaska Fireworks Association.

I would have expected the association president to have a better knowledge of my bill. His comments suggest he either has not read my bill or is intentionally misleading the public.

House Bill 35 would amend state statutes to restrict use and sale of *dangerous* fireworks statewide to effectively enforce prohibitions on fireworks already imposed by Anchorage, Fairbanks, Juneau and Ketchikan.

House Bill 35:

- *Does not* prohibit, as Mr. March implies, the public fireworks display at Fur Rendezvous and Independence Day celebrations. These would continue to be permitted by the state fire marshal.
- *Does not* prohibit, as Mr. March alleges, the sale and use of novelty fireworks, including toy pistols and cap guns.
- *Does not* prohibit cone fountains, cylindrical fountains, sparklers, illuminating torches and wheels.
- *Does not* bar, as Mr. March says, the use of model rockets and their propellants.

House Bill 35:

- *Does* prohibit the sale and unlicensed use of dangerous fireworks, which include firecrackers, M-80s, and exploding skyrockets.

Increased regulation of the availability of certain fireworks is similar to restrictions on the use and availability of alcohol. Like the misuse of alcohol, the misuse of fireworks has become a significant public problem.

Given the above information, I believe most people would agree that regulation of dangerous fireworks is both reasonable and necessary. House Bill 35 is an effective resolution to this public hazard and nuisance.

— Rep. Pat Pourchot
District 13

Energy subsidy proposal attacked

The Governor's Task Force, which recently proposed a costly plan for power cost subsidization in Alaska will only increase dependency on government with no guaranteed end in sight to that subsidy nor a plan to provide energy without subsidy.

A basic assumption for the success of this plan is the building of major capital projects needed to keep the average statewide cost of power low building such as Susitna and Bradley Lake.

The task force proposes that such capital projects be financed *entirely* by tax-exempt revenue bonds. But, in January 1984 the Kenco report prepared for the Chamber of Commerce examined the use of tax-exempt bonds and concluded that, at the current time, Susitna is not eligible for tax-exempt financing.

To make it eligible would require a change in the power purchase and delivery system to meet federal exemptions. The second approach require a congressional exemption which may be difficult as Congress has been limiting the

ADN 2/5/85

FIREWORKS FACTS

IS A TOTAL BAN EFFECTIVE?

There has been frequent discussion on the effectiveness of total prohibition of the use of fireworks by the general public in reducing the number of annual fireworks-related injuries.

The American fireworks industry, through the American Pyrotechnics Association, has long maintained that the controlled sale and use of legal fireworks, together with a vigorous safety education program, is the best approach to fireworks safety. Where legal fireworks are not available, bootleggers and home manufacturers produce and sell highly dangerous items with no quality control or concern for the health and welfare of the public.

The only statistically valid survey of fireworks injuries is performed annually by the Bureau of Epidemiology of the United States Consumer Product Safety Commission, through its National Electronic Injury Surveillance System (NEISS). In this system, selected hospital emergency rooms are linked via computer to CPSC headquarters, and all types of product injuries are reported and tabulated.

The NEISS figures for 1975, 1976 and 1977 have been analyzed to determine the effectiveness of a total ban. States were divided into three categories: Group 1 (states with a total ban on the public use of fireworks); Group 2 (states permitting sparklers and certain novelty items); and Group 3 (states permitting at least some type of common fireworks to be used by the public).

The number of states in each category, the percent of states in each category, percent of NEISS hospitals located in each category, the number of fireworks-related injuries occurring in states in each category and the percent of total fireworks-related injuries occurring in states in each category were determined. The results of this analysis are shown in the following table:

It can be clearly seen from these figures that there is <u>not</u> a reduction in fireworks-related injuries associated with the adoption of a total ban on the use of sparklers and common fireworks.

Over 40% of the fireworks-related injuries reported to the CPSC during the years 1975-1977 occurred in states <u>with</u> a total ban on the public use of fireworks, and many of these were very serious injuries from homemade fireworks and federally-banned large explosive devices.

Regulation, public education and supervision of children by responsible adults are the keys to fireworks safety These figures and other information has shown that prohibition does not work, cannot work and is counter-productive.

(Note: Detailed injury information regarding location of hospitals was not available for years past 1977.)

Type of fireworks law as of 1977	Number of states in each category	Percent of states with such a law, 1977	Percent of NEISS hospitals in category	Number of firework injuries	Percent of total injuries in Group
Group 1 Total ban	15	30.0	38.0	311	40.7
Group 2 Only sparklers and novelties allowed	13	26.0	31.0	232	30.3
Group 3 Some or all common fireworks allowed	22	44.0	31.0	222	29.0
	50	100.0	100.0	765	100.0

FIREWORKS FACTS

FIREWORKS INJURIES BY TYPE OF DEVICE

June 23 - July 20 Holiday Periods

1974-1980

Type of Device	Percentage of Total Estimated Injuries
Illegal explosive devices	28.7
Legal firecrackers	30.3
Sky Rocket	2.5
Bottle Rocket	5.0
Missile Rocket	0.5
Roman Candle	4.9
Sparklers	8.7
Cone or base fountain	3.9
Handle or spike fountain	0.6
California candle	0.1
Toy smoke device	3.2
Wheel	0.7
Other types of fireworks	2.9
Homemade devices	3.1
Public display accidents	4.7

Average number of injuries during the holiday period, per year for the period 1974-1980 was 4,480.

Data from "Fireworks Injuries" 1980. Report by Deborah Kale and Beatrice Harwood. U.S. Consumer Product Safety Commission Directorate for Hazard Identification and Analysis -- Epidemiology.

FIREWORKS CONTROL LAWS

(as of 3/1/84)

I. States which allow Class C fireworks as approved by enforcing authority, or as specified in law (total of 26 states plus the District of Columbia):

Alabama
Alaska
Arkansas
California
District of Columbia
Idaho
Indiana
Kansas
Kentucky
Louisiana
Michigan
Mississippi
Missouri
Montana
Nebraska
New Mexico
North Dakota
Oklahoma
Oregon
South Carolina
South Dakota
Tennessee
Texas
Utah
Virginia
Washington
Wyoming

II. States having no fireworks laws, except at county level (total is 2):

Hawaii
Nevada

III. States which allow only sparklers and/or snakes (total is 8):

Colorado (sparklers)
Florida (sparklers)
Illinois (sparklers)
Maine (sparklers)
Maryland (sparklers)
Pennsylvania (sparklers)
Iowa (sparklers & snakes)
Wisconsin (sparklers & snakes)

IV. States which ban all Class C fireworks (total is 14):

Arizona
Connecticut
Delaware
Georgia
Massachusetts
Minnesota
New Hampshire
New Jersey
New York
North Carolina
Ohio
Rhode Island
Vermont
West Virginia

ESTIMATES OF INJURIES ASSOCIATED

WITH CONSUMER PRODUCTS

July 1, 1980 - June 30, 1981

Source: U.S. Consumer Product Safety Commission

Product & Rating	Est. Injuries (in 1,000)	Product & Rating	Est. Injuries (in 1,000)
1. stairs	763	26. volleyball	76
2. bicycles	518	27. clothing access.	74
3. baseball	478	28. table/flatware	70
4. football	470	29. porches/balconies	69
5. basketball	434	30. lawn mowers	68
6. nails, tacks	244	40. motor scooters	53
7. chairs, sofas	236	50. workshop tools	40
8. skating	225	60. sleds/toboggans	32
9. tables (non-glass)	225	70. roofing (& material)	27
10. glass doors/windows	208	80. automotive tools	22
11. beds	199	90. martial arts	19
12. playground equipment	165	100. fans (electric)	16
13. lumber	151	110. paper money/coins	14
14. knives & cutlery	140	120. drain/oven cleaners	13
15. glass bottles	140	130. furnaces	11
16. desks/cabinets	126	131. home cleaning equip.	11
17. swimming	126	132. pressure containers	10
18. drinking glasses	111	133. lockers	10
19. ladders/stools	99	134. trimmers/small tools	10
20. fences	99	135. chains	10
21. soccer	96	136. high chairs	10
22. cans	93	137. pruning equipment	10
23. bathtubs/showers	83	138. lacrosse	10
24. exterior structures	78	*139. fireworks	10
25. power workshop saws	76	140. boxing	10

* The fireworks injury estimate is for <u>all</u> types of fireworks. A significant percentage of this estimate results from the use of dangerous, illegal explosive items and homemade "fireworks".

FIREWORKS CONTROL LAWS

(as of 3/1/84)

I. States which allow Class C fireworks as approved by enforcing authority, or as specified in law (total of 26 states plus the District of Columbia):

Alabama	Louisiana	Oregon
Alaska	Michigan	South Carolina
Arkansas	Mississippi	South Dakota
California	Missouri	Tennessee
District of Columbia	Montana	Texas
Idaho	Nebraska	Utah
Indiana	New Mexico	Virginia
Kansas	North Dakota	Washington
Kentucky	Oklahoma	Wyoming

II. States having no fireworks laws, except at county level (total is 2):

Hawaii
Nevada

III. States which allow only sparklers and/or snakes (total is 8):

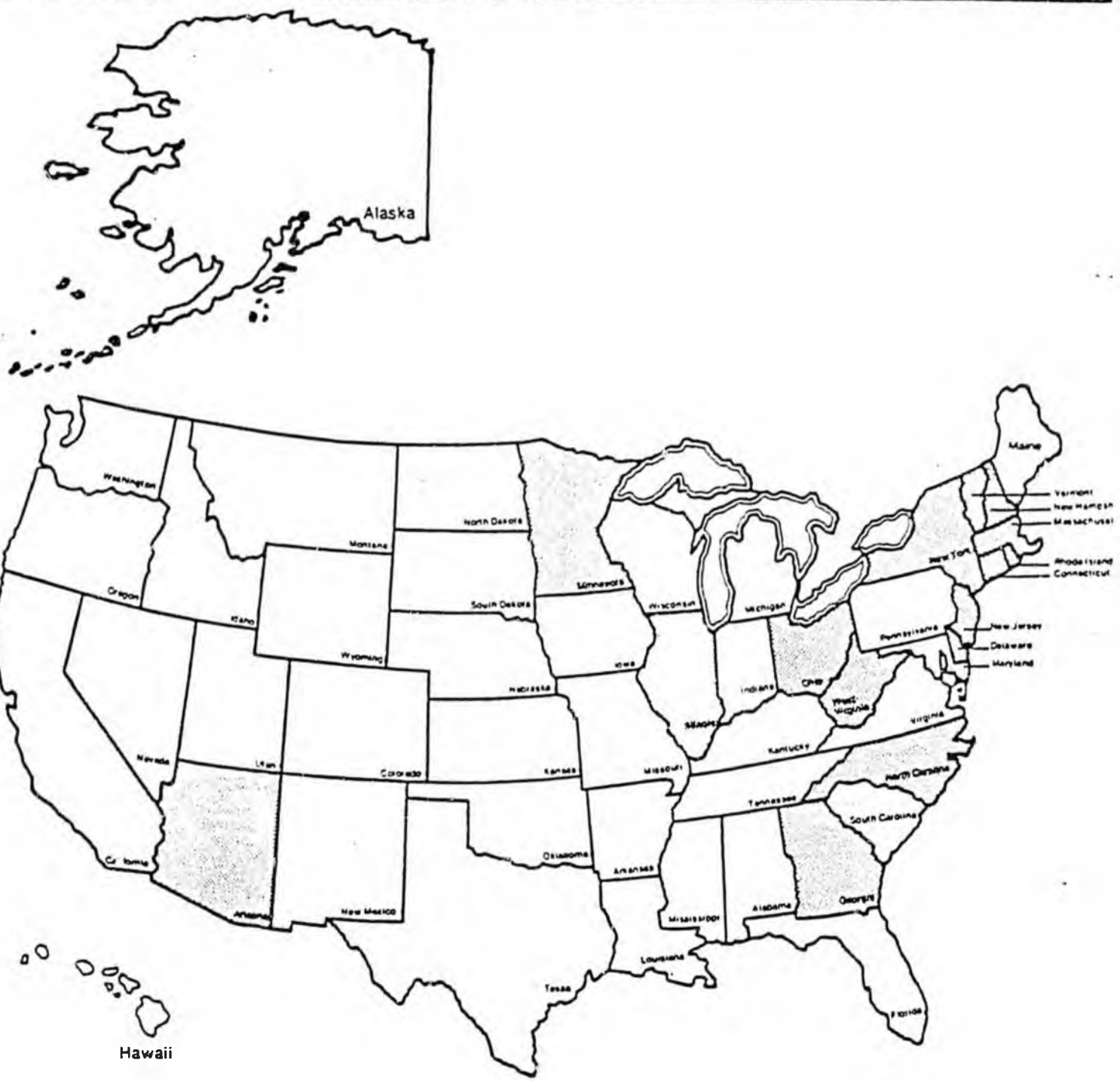
Colorado (sparklers)
Florida (sparklers)
Illinois (sparklers)
Maine (sparklers)
Maryland (sparklers)
Pennsylvania (sparklers)
Iowa (sparklers & snakes)
Wisconsin (sparklers & sna

IV. States which ban all Class C fireworks (total is 14):

Arizona	Minnesota	Ohio
Connecticut	New Hampshire	Rhode Island
Delaware	New Jersey	Vermont
Georgia	New York	West Virginia
Massachusetts	North Carolina	

State Laws

FIREWORKS IN AMERICA



- ☐ State law permits fireworks of some type
- ☐ State law does not permit fireworks of any type

(over)

FIREWORKS INJURIES

1981

Deborah Kale

Beatrice Harwood

U.S. CONSUMER PRODUCT SAFETY COMMISSION

Directorate for Epidemiology

Division of Hazard Analysis

FIREWORKS

Summary

Firework-related injuries have increased, albeit irregularly, since 1974. The 1981 estimate, 11,400 injuries, equals the previous high of 11,100 estimated for the Bicentennial year.

An annual study conducted during the Independence Day holidays indicates that firecrackers continue to account for a major portion of firework-related injuries. Injuries attributed to the more powerful devices, the federally banned Class B firecrackers, appear to have decreased somewhat in recent years. However, injuries identified with Class C firecrackers, a category which since December 1976 has included both legal and illegal devices, have demonstrated an increase over the last couple of years to a point above that estimated for 1976. (In 1976 CPSC reduced the amount of permissible pyrotechnic charge in Class C firecrackers from 130 to 50 milligrams, but their physical dimensions, historically about 1½ by ¼ inch diameter, do not necessarily identify the amount of charge). Injuries associated with fireworks other than firecrackers have also increased over their previous high reported during the Bicentennial year.

Fire department data, which was reviewed from four states for years 1977 through 1980 indicates an increase in firework-related fires during this time period. Unlike personal injury cases, which involved firecrackers more frequently than other kinds of fireworks, house fire incidents most frequently involved rocket-type fireworks, which usually ignited roofing materials.

Data from previous years have indicated that most injuries associated with both (federally) legal and illegal fireworks involved misuse rather than product malfunction. Moreover, injuries attributed to permissible fireworks, from either misuse or malfunction, were generally minor, and did not often require hospitalization.

Nevertheless, the upward trend in injuries and fires over the last several years is discomforting. Even if the increase merely reflects production and sales trends, the fact that fireworks continue to be associated with a large number of preventable injuries each year is a problem of continuing concern.

Introduction

The U.S. Consumer Product Safety Commission (CPSC) adopted new federal regulations for fireworks in December 1976. These regulations reduced the amount of permissible pyrotechnic charge in firecrackers from 2 grains (about 130 milligrams) to 50 milligrams (.772 grains), and established various construction, performance, and labeling requirements for other types of fireworks.

The Commission monitored firework-related hospital emergency room injuries during the 1981 Independence Day holiday period (June 23-July 20) in order to evaluate the effects of these regulations. Hospital personnel were provided with a chart illustrating types and sizes of fireworks (see attachment) for the purpose of identifying the type of firework associated with each injury reported to them during the special study period. This information was evaluated and compared to similar data for the same time periods in 1974 through 1980.

In addition, fire department data from the U.S. Fire Administration was reviewed for years 1977 through 1980 for possible trends in firework-related fires.

National Estimates

Table 1 presents estimates of firework-related injuries for all years since 1974. These estimates were projected from data collected through CPSC's National Electronic Injury Surveillance System (NEISS), a computer based network of statistically selected hospital emergency rooms located throughout the U.S. In calendar year 1981, there were an estimated 11,400 injuries associated with fireworks. Firework injuries have increased, albeit irregularly, since 1974, and the 1981 estimate represents the highest level reached since such injuries peaked at 11,100 during the Bicentennial year.

Table 1.
Total Estimated Firework Injuries for
Complete Years and Special Study Time Periods, 1974 - 1981

Calendar Year	Total Annual Estimated Injuries	Estimated Injuries June 23 - July 20	Special Study Period - Percent of Total
1974	5,200	3,600	69%
1975	4,700	2,700	57%
1976	11,100	6,500	59%
1977	8,200	5,100	62%
1978	7,100	3,900	55%
1979	8,100	4,700	58%
1980	9,400	5,000	53%
1981	11,400*	7,000	61%

*Estimate may be subject to minor increase.

Source: National Electronic Injury Surveillance System, 1974 - 1981

U.S. Consumer Product Safety Commission/EPHA

Specific types of fireworks associated with these injuries were determined from hospital emergency room reports received during the special study time period. Table 2 provides estimates of firework-related injuries by type of device for all years since 1974. These estimates were obtained by applying the proportion of injuries attributed to each type of firework in the sample to the total estimate of firework-related injuries for that time period. Injuries from unknown types of fireworks were prorated according to the distribution of known kinds.

Firecrackers:

The estimate of 3,500 injuries associated with firecrackers during the 1981 holiday period was the highest reported for all years since 1974.

Class C firecrackers, a category which includes both legal and illegal devices*, accounted for almost 2,200 injuries, as compared to 1,300 estimated for Class B types, which have been illegal for some years now. Further, injuries attributed to the Class C devices reached their highest point since the 1974 holiday period.

Injuries associated with Class B firecrackers continued an apparent decline from their highest point of 2010 injuries, which had been estimated for 1979.

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*As noted in Epidemiology's 1980 report on firework injuries, size is no longer a reliable indicator of the amount of charge in a firecracker, due to changes in firecracker construction in recent years. Thus, injuries associated with either Type A or Type AA firecrackers, as specified on the fireworks chart, have been combined and discussed under the broader category of Class C firecrackers. While this category therefore includes both legal and illegal firecrackers, further distinction between the two is not possible.

Table 2.

Estimates of Fireworks Injuries by Type of Device
(June 23 - July 20, 1974 - 1981)

	1981	1980	1979	1978	1977	1976	1975	1974
N =	108	80	136	162	180	205	124	131
Total Estimated Injuries	7,000*	5,000	4,700	3,900	5,100	6,500	2,700	3,600
Firecrackers	3,500	3,330	2,950	2,700	2,240	3,440	1,520	2,340
Large (Class B)	1,300	1,510	2,010	1,410	850	1,660	750	800
Small (Class C)	2,190	1,820	940	1,280	1,391	1,780	780	1,540
Other Common Fireworks	3,500	1,290	1,200	1,070	2,370	2,530	990	940
Sparklers	800	410	280	180	650	780	200	220
Cone or Base Fountain	220	-	130	130	120	370	160	310
Handle or Spike Fountain	-	-	30	-	30	100	-	30
Sky Rocket	150	200	60	50	120	100	200	60
Bottle Rocket	660	340	130	230	340	440	70	30
Missile Rocket	150	-	30	30	30	-	20	30
Roman Candle	220	70	160	160	520	340	180	90
California Candle	-	-	-	-	-	-	20	-
Smoke Bomb	70	270	90	130	180	200	40	90
Wheel	-	-	30	-	30	100	40	30
Other	1,240	-	250	160	340	100	40	30
Home Made Device	-	70	310	120	90	270	70	30
Public Display	-	270	220	30	370	230	90	250

*Column detail may not add up due to rounding.

Source: National Electric Injury Surveillance System, 1974 - 1981.

U.S. Consumer Product Safety Commission/ EPHA

Other Class C Fireworks:

Injuries were evenly divided between those associated with firecrackers and those attributed to other common fireworks, both with 3500 injuries. It should be noted, however, that over a thousand of the injuries, shown in the "other" column for non-firecracker types of devices involved a "ground-spinner" type of firework, reported primarily from one hospital in the NEISS system. Because this appears to have been a problem in that locale only, and not representative of a national problem, the estimate of injuries associated with other Class C devices may be artificially high.

However, even if injuries from this local device are excluded, a substantial increase would be indicated from estimates for most previous years. Sparklers and bottle rockets were the devices associated with the largest number of injuries, with such injuries reaching their highest levels since 1974. For other types of Class C fireworks, no readily discernible trends were evident, aside from a peak in 1976.

Characteristics of Victims:

As in past years, almost half of the victims were under age 15, and about three-fourths were under 25. About two-thirds of the victims were males. Over one-third of the injuries involved the arm area, including shoulders, hands, and fingers, and another third involved the head, including neck, face, mouth, eyes, and ears. Almost 60 percent of the injuries were burns; another 25 percent involved contusions/abrasions or lacerations. The hospitalization rate averaged about 9 percent for all years since 1974, with about 10 percent being reported for the 1981 Independence Day period.

Fire Department Data

Data from the U.S. Fire Administration was also examined for recent trends in fireworks fires. As shown in Table 3, fire department data from California, Missouri, Ohio, and Oregon was reviewed for years 1977 through 1980. While the number of residential fires from all causes remained fairly constant or declined slightly (about four percent) over this time period, fires started by fireworks increased about 17 percent. Each year, about three-fourths of these fires involved the ignition of exterior structural components, primarily the roof.

While it is not possible to specify from this data the types of fireworks involved, a special study sponsored by the Los Angeles County Chapter of the California Fire Chiefs Association* does provide some of this information. Of 382 structure fires reported by participating fire departments during their June 13 to July 13, 1981 study period, 78 percent involved the ignition of wooden roofing materials. Over 59 percent of the structure fires, and over 68 percent of the structure fires specifically involving a wooden roof were caused by bottle rockets. An additional 14 percent and 13 percent of these fires, respectively, were attributed to other types of rocket devices such as sky rockets, missile rockets, and rockets of unspecified type.

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*"The 1981 Los Angeles County-wide Study of Fireworks Related Fires and Injuries." Sponsored by the Los Angeles County Chapter of the California Fire Chiefs Association and prepared by the Los Angeles City Fire Department Information Systems Division. August 1981.

Table 3.

Comparison of Residential Fires in Which Fireworks
Were the Form of Heat of Ignition
(California, Missouri, Ohio, Oregon - 1977 to 1980)

Year Total, 4 States	All Fires	Firework Fires	Form of Material First Ignited: Exterior Roof, Sidewall and Trim	Form of Material First Ignited: Other or Unknown
1977	69,043	263	179	84
1978	68,375	317	245	72
1979	66,964	390	315	75
1980	66,332	309	253	56
Percent Change, 1977-1980	-4%	+17%	+41%	-33%

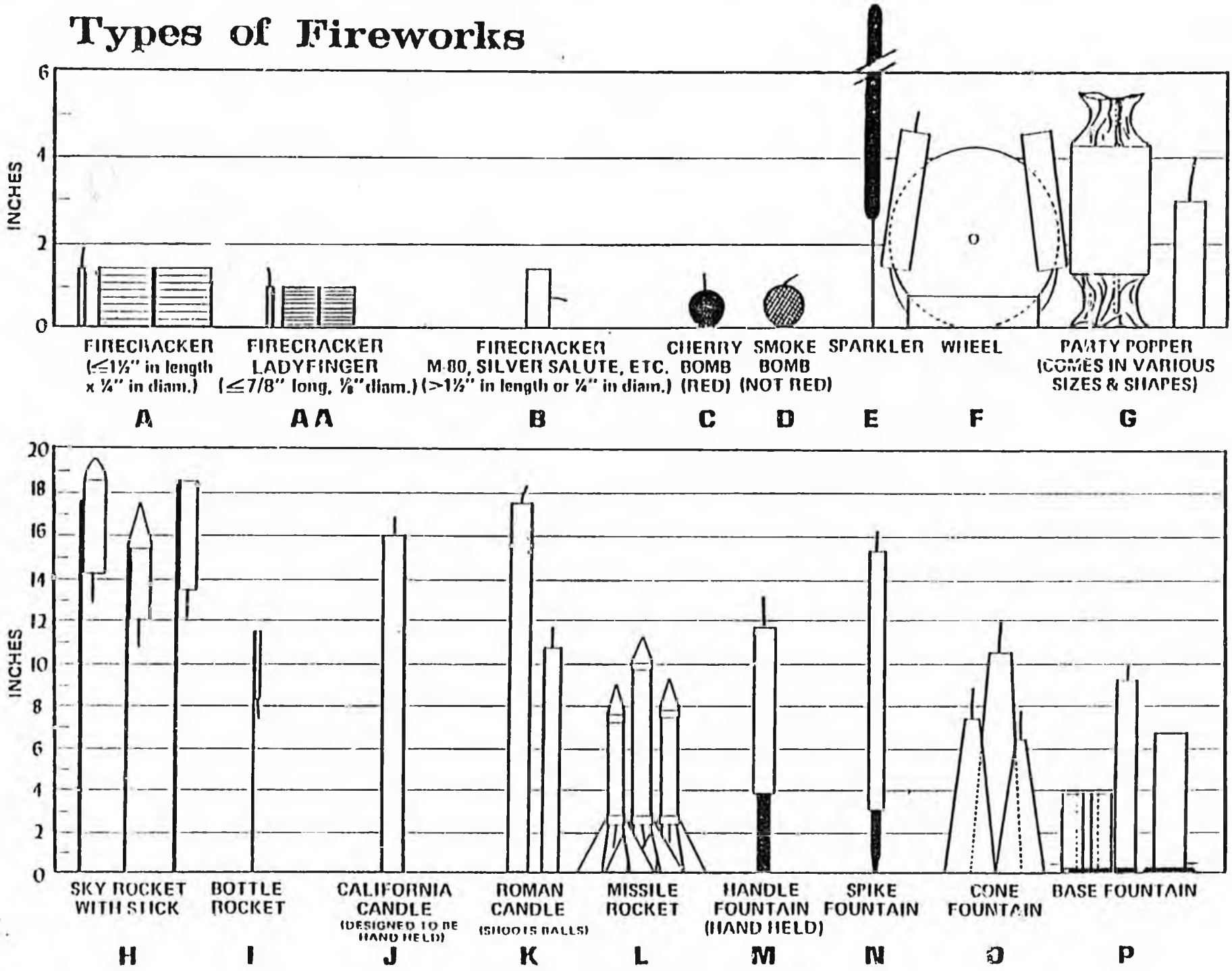
Source: Data obtained from U.S. Fire Administration 1977-1980
U.S. Consumer Product Safety Commission/EPHA

Discussion

Analysis of specific hazard patterns involved in fireworks injuries is outside the scope of the present report. However, previous studies have shown that a majority of the injuries, particularly those that involved devices that are permissible under CPSC standards, involved misuse rather than a product defect. Further, misuse-type accidents with permissible fireworks generally did not involve serious injuries. Few of the victims required hospitalized care.

Nevertheless, the upward trend in injuries and fires over the last several years is discomforting. Even if the increase merely reflects production and sales trends, the fact that fireworks continue to be associated with a large number of preventable injuries each year is a problem of continuing concern.

Types of Fireworks



U.S. CONSUMER PRODUCT SAFETY COMMISSION - BUREAU OF EPIDEMIOLOGY

Alaska State Legislature

House Committee on State Affairs

HB 35

Fireworks

PLEASE SIGN-IN AS A WITNESS OR AN OBSERVER. YOUR ADDRESS AND PHONE NUMBER MUST BE INCLUDED IN THE DESIGNATED BLOCK.

HEARING DATE: _____ MTWTF

BILLS TO BE HEARD: 2/1/85

HB 35

President Alaska Kenai Borough Assembly

NAME (PRINT PLEASE)	ADDRESS, CITY, STATE, ZIP	REPRESENTING	PHONE	ARE YOU A WITNESS OR AN OBSERVER? IF YOU ARE TESTIFYING, WHICH BILL?
MARILYN DIMMICK	BOX 39310 NINILCHIK	Kenai Boro	567-3927	
ELMER HURD	Pouch 7-005- Anch.	AK. DIV. Forestry	265-4477	Testif - HB-35
Gordon Brunton	Pouch N Juneau 99811	State Fire Marshal	465-4331	Testify if needed.
JERALD E FARLEY	1023 So Adams, Suite 177, Olympia, WA 98501 2510 34th So. Seattle, WA 98144	Rhodrine et al	206-723-4477	test fy
MARK S. JOHNSON	DHSS POUCH H-06C JUNEAU	Dept. of Health Hiss	465-3027	Testify
Rep. Pat Pourchot		self		Testify
Alan Hudgens	820 Chevron Ave Juneau 99801	Fire Chiefs	586-2364	Testify
Norma Laney	Pouch H-01	H+SS	5-3030	Observe

CORRECTION

THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY

Alaska State Legislature

House Committee on State Affairs

HB 35

Fireworks

PLEASE SIGN-IN AS A WITNESS OR AN OBSERVER. YOUR ADDRESS AND PHONE NUMBER MUST BE INCLUDED IN THE DESIGNATED BLOCK.

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MARILYN DIMMICK	BOX 39310 NINILCHIK	Kenai Boro	567-3927	
ELMER HURD	Pouch 7-005- Anch.	AK. DIV. Forestry	265-4477	Testif - HB-35
Gordon Brunton	Pouch N Juneau 99811	State Fire Marshal	465-4331	Testify if needed.
JERALD E. FAZLE,	1023 SW Adams, Suite 177 Ok 97850; 2510 34th So. Seattle, Wa. 98144	Pyrodyne et al	206-723 4477	test. f.
MARK S. JOHNSON	DHSS POUCH H-06C JUNEAU	Dept. of Hm. Affairs	465-3027	Testify
Rep. Pat Pourchot		self		Testify
Alan Ludgan	820 Chilkoot Ave Juneau 99801	Fire Chiefs	586-2364	Testify
Norma Laney	Pouch H-01	H+SS	5-3030	observe

POM

TO: REPS. BOUCHER, CATO, COLLINS, HURLEY JENKINS, MILLER,M.M., NAVARRE

FROM:
LOUIE MARCH
PRESIDENT AK FIREWORKS ASSOC.
BOX 1292
SEWARD, AK 99664
224-3645

MAR 13 1985

SUBJECT: HB 35 FIREWORKS
MESSAGE: I AM AGAINST THE AMENDED HB 35. I DO APPRECIATE THE JULY 15TH ENACTIVEMENT DATE, BUT AS IT READS NOW THIS WILL STILL RUIN US. AS PRESIDENT OF AK FIREWORKS ASSOC. AND BUSINESSMAN, I ENCOURAGE YOU TO VOTE AGAINST THIS BILL GOING ANY FURTHER. THANK YOU.
EOM

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**********************************************************************
*                                                                    *
* DELIVER TO: TCJNU                                                  *
*                                                                    *
*                                                                    *
* ORIGINAL                                                           *
* SENT:          02/01/85  TIME: 16:51                               *
* FROM:          LIOBAR                                              *
* SUBJECT:       FINAL STATS.                                        *
* PRINT DATE:    02/01/85  TIME: 16:51                               *
*                                                                    *
**********************************************************************

****FINAL STATS****FINAL STATS****FINAL STATS****FINAL STATS******

DATE:              FEBRUARY 1, 1985.
SITE/LOCATION:     BARROW LIO.
SPONSOR/SUBJECT:   (H)SA/FIREWORKS.
-------------------------------------------------------TESTIFY/OBSERVE
BARROW PARTICIPANTS:

1) BARROW HAD NO PARTICIPANTS.

TESTIFIED:  0          OBSERVED:  0          TOTAL: 0
T/C STARTED: 3:15      T/C ENDED: 4:50


                              EOM
```

DELIVER TO: TCJNU

ORIGINAL
SENT: 02/04/85 TIME: 10:39
FROM: LIONOM
SUBJECT: H.B. 35 STATE AFFAIRS
PRINT DATE: 02/04/85 TIME: 10:39

**** FINAL T/C STATS ****

DATE: 2/1/85
SITE: NOME, ALASKA
SPONSOR: HOUSE STATE AFFAIRS
SUBJECT: H.B. 35 FIREWORKS REGULATIONS
LOCAL MODERATOR: ALTON A.WALLUK

TESTIFIED:
NAME/REPRESENTING ADDRESS PHONE

OBSERVED:
NAME/REPRESENTING ADDRESS PHONE

TESTIFIED: _____ TIME START: _____
OBSERVED: _____ TIME END: _____
TOTAL: _____

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*                                                                    *
* DELIVER TO: TCJNU                                                  *
*                                                                    *
*                                                                    *
* ORIGINAL                                                           *
* SENT:          02/04/85  TIME: 08:40                               *
* FROM:          TCGLN                                               *
* SUBJECT:       FIREWORKS T-C                                       *
* PRINT DATE:    02/04/85  TIME: 08:40                               *
*                                                                    *
**********************************************************************
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****
E_I_N_A_L____S_I_A_I_S
****
LEGISLATIVE TELECONFERENCE NETWORK

****

DATE: 2-1-85
SITE-MODERATOR: GLENNALLEN-REBA
SPONSOR: HOUSE STATE AFFAIRS
SUBJECT: STATE FIREWORKS

1	TESTIFIED	T-C BEGAN: 3:08
0	OBSERVED	T-C ENDED: 4:55
1	TOTAL	JNU MODERATOR AIN DORIS

****

NAME	ADDRESS-PHONE	TESTIFIED - OBSERVED
1. RANDY SPECKELS	NORTH STAR FIREWORKS SR BOX 226 COPPER CENTER, AK 99573	X

EOM

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*                                                                    *
* DELIVER TO: TCJNU                                                  *
*                                                                    *
*                                                                    *
* ORIGINAL                                                           *
* SENT:          02/01/85  TIME: 17:23                               *
* FROM:          LIOSOL                                              *
* SUBJECT:       FINAL STATS                                         *
* PRINT DATE:    02/01/85  TIME: 17:23                               *
*                                                                    *
**********************************************************************
```

FINAL T/C STATS

DATE: FRI. FEB. 1, 1985

SITE: SOLDOTNA

SPONSOR: HOUSE STATE AFFAIRS

SUBJECT: HB 35: AN ACT RELATING TO STATE FIREWORKS

LOCAL MODERATOR: IIM

****

TESTIFIED:

NAME/REPRESENTING	ADDRESS	PHONE
1. ROGER HANSEN	BOX 744, STERLING	262-6440
2. JOHN WILLIAMS	BOX 1315, KENAI	282-4960

3. JASON ELSON, PRES. AK STATE FIREFIGHTERS ASSN., BOX 2712, KENAI, 283-7666

4. FRANK MULLEN, K.P. BOROUGH ASSEMBLY, 43955 STERLING HWY, SOLDOTNA 262-5612

5. PAUL WROE, BOX 3133, KENAI 262-5280

****

OBSERVED: NAME	ADDRESS	PHONE
1. MARIE KING	BOX 257, STERLING	262-5626
2. THOMAS REINHART	BOX 2487, SOLDOTNA	283-9338
3. BARRY THOMSON	BOX 457, KENAI	

4. ALAN PHILIPS/SOLDOTNA FIRE DEPT., 23150 STERLING HWY, 262-4792

****

TESTIFIED: 5

OBSERVED: 4

TOTAL: 9

TIME STARTED: 3:00P

TIME FINISHED: 4:45P

ORIGINAL

SENT: 02/01/85 TIME: 17:22
FROM: PAULA GRAY
SUBJECT: F/STS FIREWORKS/HSTA
PRINT DATE: 02/01/85 TIME: 17:22

*** FINAL T/C STATS ***

DATE: 2-01-85
SITE: FAIRBANKS
SPONSOR: HOUSE STATE AFFAIRS
SUBJECT: REGULATION OF FIREWORKS
LOCAL MODERATOR: PAULA GRAY

TESTIFIED:

NAME/REPRESENTING	ADDRESS	PHONE
1. HARRY NIEHAUS,	PO BX 55090 N.P. AK, 99705	488-9328
2. BROTHER TOM PATMOR,	PO BX 124, CLAM GLUCH, AK	262-5978
3. WAYNE GRIEME,	6230 GRIEME RD., N.P. AK 99705	488-3083
4. MARTON WUBBOLD,	PO BX 60773, FBX, 99706	457-7603
5. JOHN WARD,	PO BX 74233, FBX, 99701	455-6339

OBSERVED:

NAME/REPRESENTING	ADDRESS	PHONE
1. PAUL JURGENS,	2350 LORI LANE, N.P. AK 99705	457-7603

TESTIFIED: 5
OBSERVED: 1
TOTAL: 6

TIME START: 3:10 PM
TIME END: 4:40 PM

DELIVER TO: TCJNU

ORIGINAL
SENT: 02/01/85 TIME: 17:10
FROM: TCANC
SUBJECT: HB 35 FIREWORKS
PRINT DATE: 02/01/85 TIME: 17:10

*** FINAL T/C STATS ***

DATE: 2/1/85
SITE: ANCHORAGE MAIN
SPONSOR: HOUSE STATE AFFAIRS
SUBJECT: HB 35 FIREWORKS
LOCAL MODERATOR: JEANMARIE SMITH

TESTIFIED:

NAME/REPRESENTING	ADDRESS	PHONE
ROBERT HALL	1205 W 47TH	563-0672/276-02265
ROSS FOSBERG/FIRE CHIEF ANCH.	1301 E 80TH	267-4934
SAM NEAL	PO BOX 6313 ANCH.	269-5491
ED RHODE	S 625 'C' ST. ANCH.	264-4364
THOMAS SPENCER	1409 NUNAKA DR.	337-2955

OBSERVED:

NAME/REPRESENTING	ADDRESS	PHONE
A C SCHALH/FIRE MARSHALL DPS		269-5004
LUELLA M SPENCER	1517 NUNAKA DR. ANCH.	3331036

TESTIFIED: 5
OBSERVED: 2
TOTAL: 7

TIME START: 3:00PM
TIME END: 4:45PM

DELIVER TO: TCJNU

ORIGINAL
SENT: 02/01/85 TIME: 17:23
FROM: BONNIE POTTER
SUBJECT: 2/1/85 T/C HB 35 FIREWORKS
PRINT DATE: 02/01/85 TIME: 17:23

*** FINAL T/C STATS ***

DATE: 2/1/85
SITE: KETCHIKAN
SPONSOR: HOUSE STATE AFFAIRS
SUBJECT: HB 35 RE STATE FIREWORKS
LOCAL MODERATOR: JUNE ROBBINS

TESTIFIED:
NAME/REPRESENTING ADDRESS PHONE

1. J. RAY ROADY, 605 MAIN ST., KETCHIKAN, AK. 99901, 225-3551

TESTIFIED: 1
OBSERVED: 0
TOTAL: 1

TIME START: 3:00 PM
TIME END: 4:30 PM

****

* DELIVER TO: TCJNU *

* ORIGINAL *
* SENT: 02/04/85 TIME: 09:08 *
* FROM: LIOKOT *
* SUBJECT: T/C HB 35 *
* PRINT DATE: 02/04/85 TIME: 09:08 *

****

****FINAL T\C STATS****

DATE:_____2\1\85_____
SITE:_____KOTEBUE_____
SPONSOR:_____HOUSE STATE AFFAIRS_____
SUBJECT:_____HB 35:FIREWORKS_____
LOCAL MODERATOR:____SUSAN LIE, RES.LIO_____

****

TESTIFIED:
KOTZEBUE
0
AMBLER
0

****

OBSERVED:
KOTZEBUE
0
AMBLER
0

****

TESTIFIED:_____0_____ TIME STARTED: 3:00 PM
OBSERVED:_____0_____ TIME ENDED: 4:30 PM
TOTAL:_____0_____

********EOM**********

DELIVER TO: TCJNU

ORIGINAL
SENT: 02/04/85 TIME: 13:29
FROM: TCHOM
SUBJECT: FINAL STATS-FIREWORKS
PRINT DATE: 02/04/85 TIME: 13:29

*** FINAL T/C STATS ***

DATE: _____FEBRUARY 1, 1985_____
SITE: _____HOMER_____
SPONSOR: _____HOUSE STATE AFFAIRS_____
SUBJECT: _____FIREWORKS_____
LOCAL MODERATOR: __JEAN SCHROEDER_____

TESTIFIED:
NAME/REPRESENTING ADDRESS PHONE

1. MARC COWART\KACH. LIBERTARIANS BOX 2173, HOMER 235-5405
2. DAVE BENTLEY 41955 SPENCER DR., HOMER, AK. 99603 235-7389 3. BEVERLY JONES, STAR RT. A, BOX 17, HOMER, AK. 99603 235-8637

OBSERVED:
NAME/REPRESENTING ADDRESS PHONE

TESTIFIED: _____3__
OBSERVED: _____0__
TOTAL: _____3__

TIME START: __3:00_____
TIME END: __4:45_____

DELIVER TO: TCJNU

ORIGINAL
SENT: 02/05/85 TIME: 11:35
FROM: TCMAT
SUBJECT: 2/1, HOUSE STATE AFFAIRS
PRINT DATE: 02/05/85 TIME: 11:35

*** FINAL T/C STATS ***

DATE: FEBRUARY 1, 1985
SITE: MAT-SU LIO
SPONSOR: HOUSE STATE AFFAIRS
SUBJECT: HB 35, FIREWORKS
LOCAL MODERATOR: MARIE/MARY

TESTIFIED:

NAME/REPRESENTING	ADDRESS	PHONE
WILLIAM PEPPER, BOX 189, WILLOW	99688	495-6229

OBSERVED:

NAME/REPRESENTING	ADDRESS	PHONE

TESTIFIED: -1-
OBSERVED: -0-
TOTAL: -1-

TIME START: _____
TIME END: _____

DELIVER TO: TCJNU

ORIGINAL
SENT: 02/05/85 TIME: 11:54
FROM: TCMAT
SUBJECT: HOUSE STATE AFFAIRS/HB 35
PRINT DATE: 02/05/85 TIME: 11:54

*** FINAL T/C STATS ***

DATE: FEB. 1, 1985
SITE: SEWARD
SPONSOR: HOUSE STATE AFFAIRS COMMITTEE
SUBJECT: HB 35/FIREWORKS
LOCAL MODERATOR: JACKIE CAMERELL

TESTIFIED:

NAME/REPRESENTING	ADDRESS	PHONE
1. LOUIE R. MARCH, JR.--BOX 1292, SEWARD	99664	
2. C. DAVID BROSSOW-- BOX 1242, SEWARD		
3. DAVID SQUIRES--BOX 832, SEWARD		
4. LEONARD WEIMAR--BO X 916, SEWARD		

OBSERVED:

NAME/REPRESENTING	ADDRESS	PHONE
1. JOHN GAGE--BOX 984, SEWARD		

TESTIFIED: -4-
OBSERVED: -1-
TOTAL: -5-

TIME START:
TIME END:

****

* DELIVER TO: TCJNU *

* ORIGINAL *
* SENT: 02/01/85 TIME: 16:36 *
* FROM: LIODJT *
* SUBJECT: FINAL TC STATS *
* PRINT DATE: 02/01/85 TIME: 16:37 *

****

********** DELTA FINAL TC STATS **********

DATE: FEBRUARY 1, 1985

SPONSOR: HOUSE STATE AFFAIRS

SUBJECT: HB 35: A[illegible]CT RELATING TO STATE FIREWORKS AND PROVIDING [illegible]R AN EFFECTIVE DATE

SITE: DELTA

LOCAL MODERATOR: LIZ SARVER

TESTIFIED:

OBSERVED:

TESTIFIED: 0

OBSERVED: 0

TOTAL: 0

EOM

DELIVER TO: TCJNU

ORIGINAL

SENT: 02/01/85 TIME: 16:54
FROM: LIOKOD
SUBJECT: FIREWORKS T/C FINAL STATS
PRINT DATE: 02/01/85 TIME: 16:54

*** FINAL T/C STATS ***

DATE: _____FEBRUARY 1, 1985_____
SITE: _____KODIAK L.I.O._____
SPONSOR: ____HOUSE STATE AFFAIRS_____
SUBJECT: __HB: 35 AN ACT RELATING TO STATE FIREWORKS__
LOCAL MODERATOR: ___LORNA_____

TESTIFIED:
NAME/REPRESENTING ADDRESS PHONE

******NO PARTICIPANTS TO TESTIFY*********

OBSERVED:
NAME/REPRESENTING ADDRESS PHONE

1. JOEL HAYES, BOX 1414, KODIAK, AK. 99615 486-5961

TESTIFIED: ___0_____
OBSERVED: ___1_____
TOTAL: ___1_____

TIME START: 3:00 PM
TIME END: 4:50 PM

RECORDS CERTIFICATION

I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James A. Smith
Signature of Camera Operator

7/25/89
Date

02-519 (REV 8/78)

HB

STATE OF ALASKA
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY

LEGISLATIVE REFERENCE LIBRARY

May, 1986

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS date base CM 14. In order to save space copies of minutes have not been left in the files.

Jeanie Henry

House Judiciary	4/1/85	1:30 Am
" "	4/10/85	1:30 pm
" "	4/12/85	1:30 pm

COMMITTEE REPORT

HOUSE

4/4

(7)
(3/13/85

FURTHER: FINANCE

(Judiciary added 3.13.85)
taken from Jud 3/15
returned to Jud 3/18)

Date: 4-1-85

The Committee on JUDICIARY has had HB 44

"An Act establishing additional state land as marine park units of the state park system."

under consideration and recommends:

[ ] do pass [ ] do not pass

[ ] do pass with attached amendments(s)

[ ] replace with CS for HB 44 (JUD) [ ] same title [ ] new title

and recommends it do pass

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

[ ] Zero Fiscal Note Attached

[ ] reports it back without recommendation

[ ] referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MR MILLER

BLOCKSOM

GAUGHENBAUGH

SOMMERS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

PHILLIPS

TAYLOR (Bobbi H. Taylor Cont'd without Resolves amendment)

CHAIRMAN

Alaska State Legislature

House of Representatives

House Judiciary Committee

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4990

LETTER OF INTENT

HB 44

The House Judiciary Committee has heard HB 44, establishing a number of marine parks in Southeast Alaska, and has replaced the original bill with CSHB 44 (Judiciary).

It was the intent of the Judiciary Committee, in passing the bill without an additional appropriation to the Department of Natural Resources, that the department should, to the greatest extent possible, initiate planning for the management of marine parks in Southeast and Southcentral Alaska using existing staff and staff time and resources.

This planning process should take into consideration the concerns of legislators that a process be developed for management and the addition of capital improvements as money becomes available and is appropriated by the legislature in future years. The planning should include some initial work on the need for, and proper location of, mooring buoys, docks and other appropriate facilities. The process should also include the initiation of discussions with the U.S. Forest Service for state-federal coordination and cooperation in recreation planning as a part of that federal agency's mandate for recreation improvements as part of their responsibilities of multiple-use management.

The Judiciary Committee is also cognizant of legislative intent of previous years regarding marine parks legislation, that no funding for management or improvement of marine parks established under the program would be made available at least until the late 1980s. In light of that intent, and in light of the fiscal situation of the state as we develop the FY 1986 budget, the committee understands that the possibility for passage of this legislation would be greatly jeopardized if there were to be a fiscal impact resulting in the need for an appropriation in FY 86.

It is the intent of the committee, therefore, that the bill be passed in a form that will require no appropriation for FY 86.

M. Mike Miller, Chairman
House Judiciary Committee

Bradley
4/1/85

Original sponsors: M.M.Miller, Goll and Duncan

IN THE HOUSE BY THE JUDICIARY COMMITTEE

CS FOR HOUSE BILL NO. 44 (Judiciary)

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTEENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to marine park units of the state park system; and providing for an effective date."

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

* Section 1. AS 41.21.302(h) is amended to read:

(h) Nothing in AS 41.21.300 - 41.21.306 precludes the use of or access to [PRIVATELY OWNED] land <u>proximately located to a marine park unit of the Alaska state park system</u> or <u>to</u> mineral claims and leases. The commissioner of natural resources shall permit adequate and feasible access across state land within a marine park unit of the Alaska state park system to and from private <u>and public</u> land within or outside a unit. In the granting of such access the commissioner of natural resources may adopt reasonable regulations to protect the natural and other values of the marine park unit lands and water.

* Sec. 2. AS 41.21.304 is amended by adding new paragraphs to read:

(13) Taku Harbor

U.S. Mineral Survey No. 2192

Township 44 South, Range 70 East, Copper River Meridian

Section 5: W1/2SW1/4, W1/2E1/2SW1/4

Section 6: E1/2SE1/4

Section 7: NE1/4, NE1/4SE1/4, S1/2SE1/4

Section 8: W1/2, excluding ILMT 33289 (ATS682)

Section 17: W1/2W1/2

Section 18: E1/2, excluding tideland permit 100597

(14) Funter Bay

Township 42 South, Range 64 East, Copper River Meridian

Sections 1 and 12: The following described tracts, excluding U.S. Surveys Nos. 2448 and 3149:

(A) Beginning at Corner No. 4, Lone Star Lode claim, U.S. Mineral Survey No. (M.S.) 1492 proceed N. 70 degrees 00 feet E. along the north boundary of said claim a distance of 359.15 feet more or less to Corner No. 3, Otter Lode claim, M.S. 1492; thence N. 5 degrees 50 feet E. a distance of 666.60 feet more or less along the west boundary of the Otter Lode claim to Corner No. 4 of said claim; thence N. 70 degrees 00 feet E. a distance of 1,500.00 feet more or less along the north boundary of the Otter Lode claim, M.S. 1492 to Corner No. 1 of said claim, said Corner being common to Corner No. 2, Mill Site claim, M.S. 2191; thence N. 5 degrees 27 feet W. to an intersect with the southwest boundary of ISH NIC claim, M.S. 2191; thence N. 44 degrees 00 feet W. along said boundary to Corner No. 4 of ISH NIC claim; thence N. 46 degrees 00 feet E. along the northwest boundary of ISH NIC claim a distance of 321.62 feet more or less to Corner No. 3 of Beach No. 4 claim, M.S. 2191, common with Corner No. 2 of Beach No. 1 claim, M.S. 2191; thence N. 44 degrees 00 feet W. along the southwest boundary of Beach No. 4 claim a distance of 600. 00 feet more or less to Corner No. 4 of Beach No. 4 claim; thence N. 46 degrees 00 feet E. along the northwest boundary of Beach No. 4 claim a distance of 1,099.47 feet more or less to Corner No. 1 of Beach No. 4 claim, common with Corner No. 1 of Beach No. 5 claim, M.S. 2191; thence N. 44 degrees 00 feet W. along the southwest boundaries of Beach No's. 6 and 7 claims, M.S. 2191 a distance of 1,200.00 feet more or less to Corner No. 1 of Beach No. 7 claim; thence N. 46 degrees 00 feet E. along the

northwest boundary of Beach No. 7 claim a distance of 135.10 feet more or less to Corner No. 4 U.S. Survey No. (U.S.S.) 3149; thence continue N. 46 degrees 00 feet E. along the northwest boundaries of Beach No's. 7 and 8 claims, M.S. 2191 a distance of 2,864.90 feet more or less to Corner No. 2, Beach No. 8 claim; thence due west a distance of 3,300 feet more or less to an intersection of a line projected due north from Meander Corner (M.C.) No. 3, U.S.S. 2448; thence due south a distance of 1,214 feet more or less to M.C. No. 3, U.S.S. 2448; thence meander along the mean high water line of the northeast shore of Funter Bay in a southwesterly, easterly, southeasterly, southwesterly direction a distance of 1.11 miles more or less to a point lying S. 70 degrees 00 feet W. from Corner No. 4, Lone Star Lode claim, M.S. 1492 on the mean high water line of the easterly shore of Funter Bay; thence N. 70 degrees 00 feet E. to Corner No. 4, Lone Star Lode claim; the point of beginning.

(B) That portion of Mill Site, Mineral Survey (M.S.) No. 2191, described as follows: beginning at Corner No. 1, Mill Site, on line 2-3, Beach No. 1, M.S. 2191, thence S. 5 degrees 27 feet E., 57.26 feet, to the intersection of line 1-4, ISH NIC, M.S. 2191; thence S. 46 degrees 00 feet W., 264.36 feet, along a portion of line 1-4, of ISH NIC, to Corner No. 4, ISH NIC, M.S. 2191; thence S. 44 degrees 00 feet E., 331.75 feet, along a portion of line 4-3 of ISH NIC, to the intersection of line 1-2, Mill Site; thence S. 5 degrees 27 feet E., 137.55 feet, along a portion of line 1-2 of Mill Site, to Corner No. 2, Mill Site, identical to Corner No. 1 of Otter, M.S. 1492; thence S. 70 degrees 00 feet W., 1,500.00 feet, on line 2-3, Mill Site, identical to line 1-4 of Otter, M.S. 1492, to Corner No. 3, Mill

Site, M.S. 2191, identical to Corner No. 4 of Otter, M.S. 1492; thence N. 5 degrees 27 feet W., 497.70 feet, on line 3-4, along the mean-high tide line of Funter Bay, to Corner No. 4, Mill Site; thence N. 30 degrees 07 feet E., 183.08 feet, on line 4-5, along the mean-high tide line of Funter Bay, to Corner No. 5, Mill Site, identical to Corner No. 3, Beach No. 1, M.S. 2191; thence N. 70 degrees 00 feet E., 1,390.00 feet, on line 5-1, Mill Site, identical to a portion of line 3-2, Beach No. 1, to Corner No. 1, the point of beginning.

(C) That portion of Beach No. 1, Mineral Survey (M.S.) No. 2191, described as follows: beginning at Corner No. 2, Beach No. 1, identical with Corner No. 3, Beach No. 4, M.S. 2191, on line 4-1 of ISH NIC, M.S. 2191, thence S. 70 degrees 00 feet W., 1,500.00 feet on line 2-3, Beach No. 1, identical to a portion of line 1-5, Mill Site, M.S. 2191, to Corner No. 3, Beach No. 1, identical to Corner No. 5, Mill Site; thence N. 12 degrees 43 feet E., 460.00 feet, along the mean-high tide line of Funter Bay to Corner No. 4, Beach No. 1; thence N. 47 degrees 23 feet E., 157.50 feet, along the mean-high tide line of Funter Bay, to Corner No. 5, Beach No. 1, thence N. 14 degrees 02 feet E., 183.33 feet, along the mean-high tide line of Funter Bay, to Corner No. 6, Beach No. 1, identical to Corner No. 4, Beach No. 2, M.S. 2191; thence N. 70 degrees 00 feet E., 874.74 feet, on line 6-1, Beach No. 1, identical to a portion of line 4-3 of Beach No. 2, to the intersection of line 4-1, Beach No. 4, M.S. 2191; thence S. 46 degrees 00 feet W., 126.34 feet, along a portion of line 4-1 of Beach No. 4, to Corner No. 4, Beach No. 4; thence S. 44 degrees 00 feet E., 600.00 feet, on line 4-3, Beach No. 4, to Corner No. 3, Beach No. 4, identical to Corner No. 2,

Beach No. 1, the point of beginning.

(D) That portion of Beach No. 2, Mineral Survey (M.S.) No. 2191, described as follows: beginning at the true point for Corner No. 1, Beach No. 2, thence N. 70 degrees 00 feet E., 1,197.45 feet, along a portion of line 1-2 of Beach No. 2, to the intersection of line 1-4 of Beach No. 6, M.S. 2191; thence S. 44 degrees 00 feet E., 223.40 feet, along a portion of line 1-4 of Beach No. 6, to Corner No. 4, Beach No. 6, identical with Corner No. 1, Beach No. 5, M.S. 2191; thence S. 46 degrees 00 feet W., 973.13 feet, along a portion of line 1-4 of Beach No. 4, to the intersection of line 3-4 of Beach No. 2; thence S. 70 degrees 00 feet W., 874.74 feet, along a portion of line 3-4 of Beach No. 2, to Corner No. 4, Beach No. 2, identical with Corner No. 6, Beach No. 1; thence N. 14 degrees 03 feet E., 478.00 feet, along the mean-high tide line of Funter Fay, to Corner No. 5, Beach No. 2; thence N. 25 degrees 33 feet E., 291.00 feet, along the mean-high tide line of Funter Bay, to Corner No. 1, Beach No. 2, the point of beginning.

(E) That portion of Beach No. 3, Mineral Survey (M.S.) No. 2191, described as follows: beginning at Corner No. 1, Beach No. 3, thence N. 70 degrees 00 feet E., 637.07 feet, along a portion of line 1-2, to the intersection of line 1-4, Beach No. 7, M.S. 2191; thence S. 44 degrees 00 feet E., 279.27 feet, along a portion of line 1-4 of Beach No. 7, to Corner No. 4, Beach No. 7, identical to Corner No. 1, Beach No. 6, M.S. 2191, thence continue S. 44 degrees 00 feet E., 376.60 feet, along a portion of line 1-4 of Beach No. 6, to the intersection of line 3-4, Beach No. 3; thence S. 70 degrees 00 feet W., 1,139.45 feet, along a portion of line 3-4 of Beach No. 3, to Corner No. 4,

Beach No. 3; thence N. 1 degree 30 feet E., 644.00 feet, along the mean-high tide line of Funter Bay, on line 4-1, to Corner No. 1, Beach No. 3, to point of beginning. Containing 12.22 acres.

Section 2: W1/2

Section 3: S1/2SW1/4, NW1/4SW1/4

Section 4: S1/2NE1/4, E1/2SE1/4

Section 10: N1/2N1/2, S1/2NE1/4

Section 11: NW1/4, NW1/4NE1/4, including all tide and submerged land

(15) Pt. Higgins Beach

Township 74 South, Range 89 East, Copper River Meridian

U.S. Survey 3762 and adjacent tideland

(16) Joe Mace Island

Township 64 South, Range 75 East, Copper River Meridian

Lot 4, U.S. Survey 3854 and adjacent tideland

(17) Thoms Place

Township 65 South, Range 86 East, Copper River Meridian

Section 32: S1/2

Township 66 South, Range 86 East, Copper River Meridian

Section 4: SW1/4, S1/2NW1/4, NW1/4NW1/4, S1/2SE1/4, NW1/4SE1/4

Section 5: All except for land within ASLS 81-234

Section 8: NE1/4

Section 9: N1/2, SE1/4

(18) Thoms Lake

Township 65 South, Range 85 East, Copper River Meridian

Section 9: S1/2SE1/4

Section 10: S1/2S1/2

Section 11: SW1/4SW1/4

Section 14: S1/2, S1/2NW1/4, NW1/4NW1/4, SW1/4NE1/4

Section 15: All

Section 16: E1/2

Section 21: NE1/4

Section 22: N1/2

Section 23: N1/2

(19) Beecher Pass

Township 61 South, Range 79 East, Copper River Meridian

Section 1: NE1/4SW1/4, Lots 5 - 8

Section 10: Lots 1 - 2, including all adjacent tideland

Section 11: Lots 1 - 11, including all adjacent tideland

Section 12: Lots 3 - 11, including all adjacent tideland

Section 14: Lot 2, including all adjacent tideland

Section 15: Lot 2, including all adjacent tideland

Township 61 South, Range 80 East, Copper River Meridian

Section 6: Lot 1, including all adjacent tideland

Section 7, Lots 1 - 2, including all adjacent tideland

(20) Dall Bay

Township 77 South, Range 91 East, Copper River Meridian

Section 29: W1/2SW1/4, SW1/4NW1/4

Section 30: SE1/4, E1/2SW1/4

Section 31: NE1/4, N1/2SE1/4, NE1/4SW1/4, E1/2NW1/4 subject to USS 3525 and A.T.S. 155

Section 32: NW1/4, N1/2SW1/4

(21) Security Bay

Township 58 South, Range 70 East, Copper River Meridian

Section 1: SW1/4SW1/4

Section 2: S1/2

Section 11: N1/2, SE1/4, E1/2SW1/4

Section 12: W1/2W1/2, E1/2SW1/4 subject to Forest Service Preference 103521

Section 13: All subject to Historic Place Application AA-6569, Parcel A

Section 14: NE1/4

(22) Petersburg Creek

Township 58 South, Range 79 East, Copper River Meridian

Section 18: S1/2 subject to valid existing rights to lot 5

Section 19: N1/2, SE1/4

Section 20: All

Section 29: N1/2, SW1/4, W1/2SW1/4 excluding Block 3

Section 32: N1/2, N1/2S1/2 excluding Lots 5 - 8 and U.S. Survey 2867

* Sec. 3. AS 41.21.306(d) is amended to read:

(d) Reasonable access shall be permitted to and across a marine park unit of the Alaska state park system for lawful [HUNTING, FISHING, TRAPPING AND RECREATIONAL] purposes.

* Sec. 4. This Act takes effect August 1, 1985.

HB 44

SECTION ANALYSIS B

PROPOSED JUDICIARY COMMITTEE SUBSTITUTE

SECTION ONE: amends AS 41.21.302(h) to clarify that access through marine parks is permitted to and from both private and public land adjacent to units of the marine park system. This amendment was made at the request of the U.S. Forest Service because existing law is vague regarding access rights by federal agencies, specifically the Forest Service.

SECTION TWO: establishes marine parks at ten (10) sites in Southeast Alaska; specifically, the following locations:

Taku Harbor (starting page 1, line 20);
Funter Bay (starting page 1, line 29);
Point Higgis Beach (starting page 6, line 10);
Joe Mace Island (starting page 6, line 13);
Thoms Place (starting page 6, line 16);
Thoms Lake (starting page 6, line 26);
Beecher Pass (starting page 7, line 8);
Dall Bay (starting page 7, line 22);
Security Bay (starting page 7, line 29);
Petersburg Creek (starting page 8, line 10).

SECTION THREE: as in Section 2, this section is included at the request of the Forest Service, to ensure reasonable access across units of the marine park system to all adjacent landowners, both public and private, for all lawful purposes as established under AS 41.21.300-306.

SECTION FOUR: Effective date clause; this date was established as appropriate to provide time requested by the division of land and water management to deal with private parties claiming inholdings at Taku Harbor.

B

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

SOUTHEAST REGIONAL OFFICE

BILL SHEFFIELD, GOVERNOR

400 WILLOUGHBY AVENUE
SUITE 400
JUNEAU, ALASKA 99801
PHONE (907) 465-3400

January 26, 1985

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

RE: HB 44, Marine Parks

Dear Mike:

My apologies that this package was not delivered yesterday, as I had promised Bob Speed. Its preparation required considerably more effort than I had anticipated, but effort toward a worthy cause.

This package represents DNR's unified position on the proposed marine parks, as I believe that Neil Johannsen explained to you on Friday. There were many problems with the legal descriptions as written in the bill. For the most part, this package represents a clean-up of the legal descriptions: the exclusion of private lands, the inclusion of other lands that were contiguous and would be logical extensions of the park, and the inclusion of tide and submerged lands.

The proposed parks are listed here in the same order as they are in the bill, with the reference number preceeding the legal description. Traitor's Cove (the last proposed park) was excluded entirely because of likely conflicts with logging operations of the Forest Service. (The state's Tentative Approval recognizes the right of the Forest Service to continued use of the area through the year 2004, as outlined in their long range timber plan.)

For each proposed park, we have included three sheets:

1) our recommended legal description,
2) a (rather roughly drawn) map, with the status plat as a base in order to identify inholdings, and
3) a listing of the few key factors that explain why we have proposed these changes in the legal descriptions.

If I can provide additional information, do not hesitate to contact me.

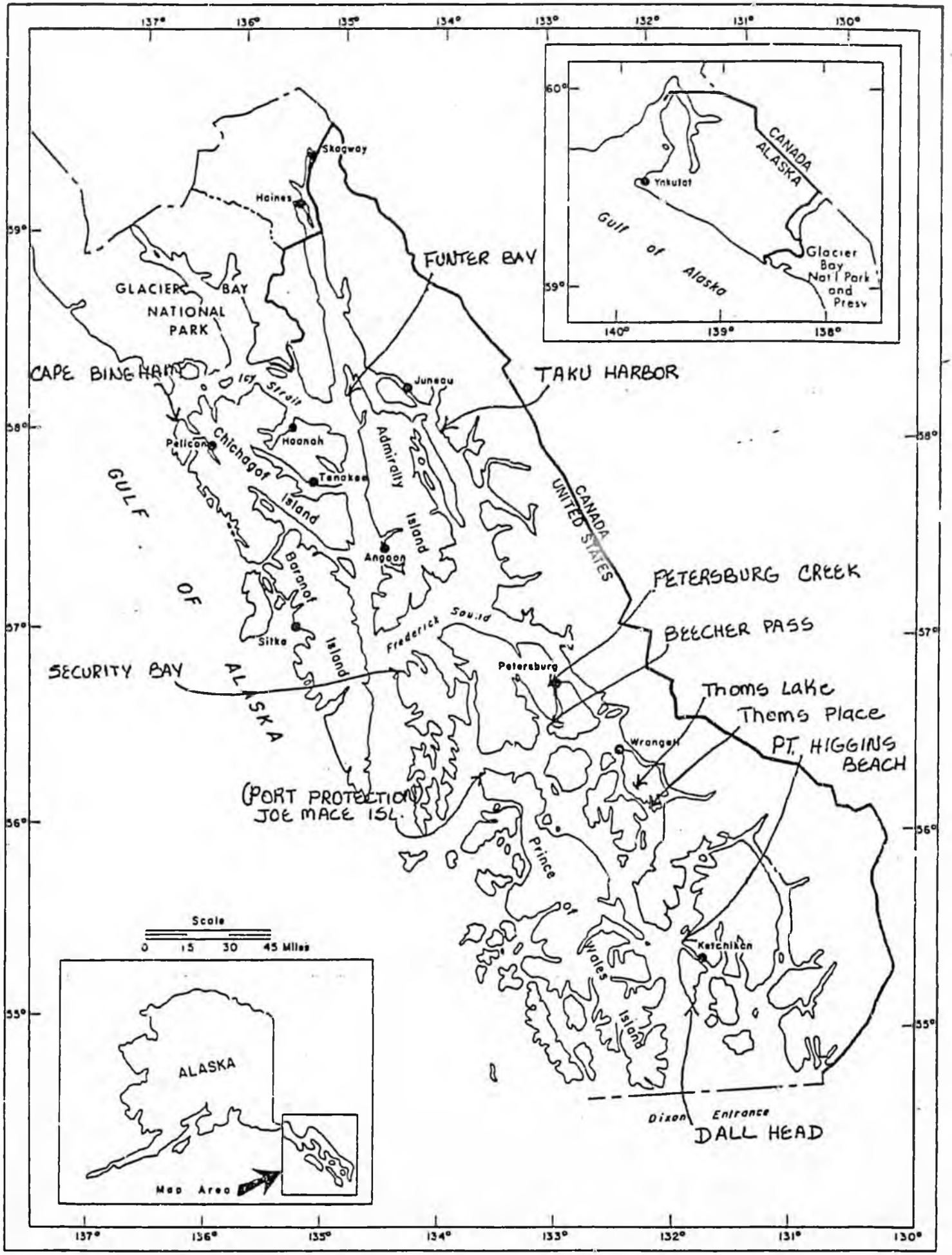
Sincerely,

Paula Burgess
Regional Manager

cc: Esther C. Wunnicke, Commissioner, DNR

10-J35LH

DNR RECOMMENDED MARINE PARKS



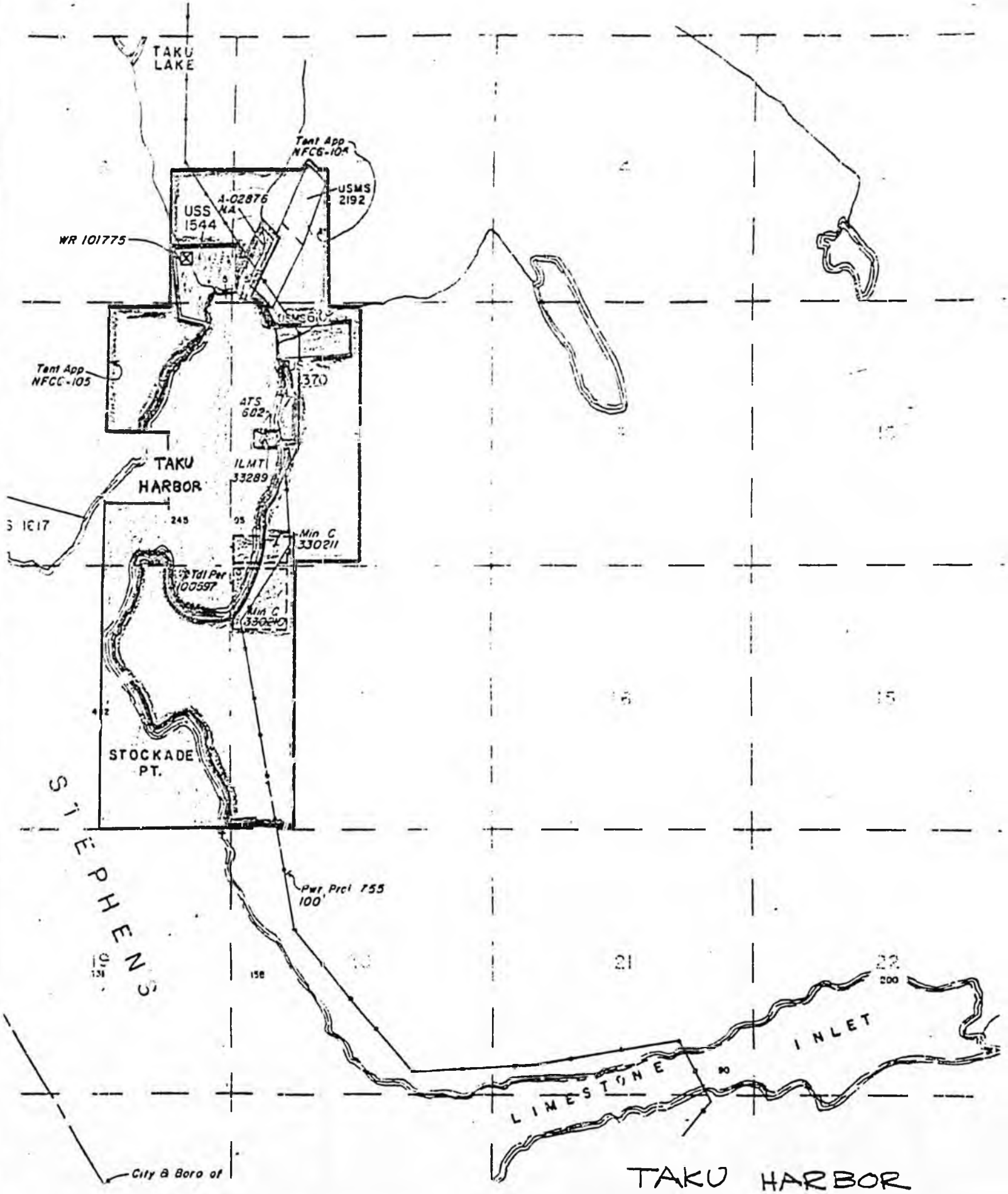
(13) Taku Harbor

U.S. Mineral Survey No. 2192 and the following unsurveyed state-owned lands and waters described below: Township 44 South, Range 70 East, Copper River Meridian

Section 5: W½SW¼, W½E½SW¼;
Section 6: E½SE¼;
Section 7: NE¼, NE¼SE¼, S½SE¼;
Section 8: W½;
Section 17: W½W½;
Section 18: E½.

Excluding U.S. Survey 1544, U.S.M.S. 610, U.S. Survey 370, and U.S. Survey 1617. Subject to all valid existing rights including:

(1) Native Allotment A-02876
(2) ILMT 33289 (ATS 682)
(3) Water right 101775
(4) Tideland permit 100597
(5) existing mining claims.


TAKU LAKE
Tent App NFCG-104
USMS 2192
A-02876 NA
USS 1544
WR 101775
Tent App NFCG-105
370
ATS 602
TAKU HARBOR
ILMTI 33289
245
Min C 330211
Tdl Per 100597
Min C 330210
STOCKADE PT.
STEPHENS
Pwr Prcl 755 100'
INLET
LIMESTONE
City & Boro of

TAKU HARBOR

Taku Harbor

1. Tidelands and Submerged lands are included so that normal Marine Park improvements such as docks and mooring buoys won't require leases and permits.

2. Area is subject to ILMT to DOT/PF in W½ of Section 8 (ADL 33289, ATS 682) and existing tideland permit 100597.

   Also subject to Mining Claims 330211 and 330210, and the tide and submerged lands in front of lands not included in the bill.

3. Proposal includes entire Tentative Approval totalling approximately 701 acres.

(14) Funter Bay

The following proposed state selected lands as described below:

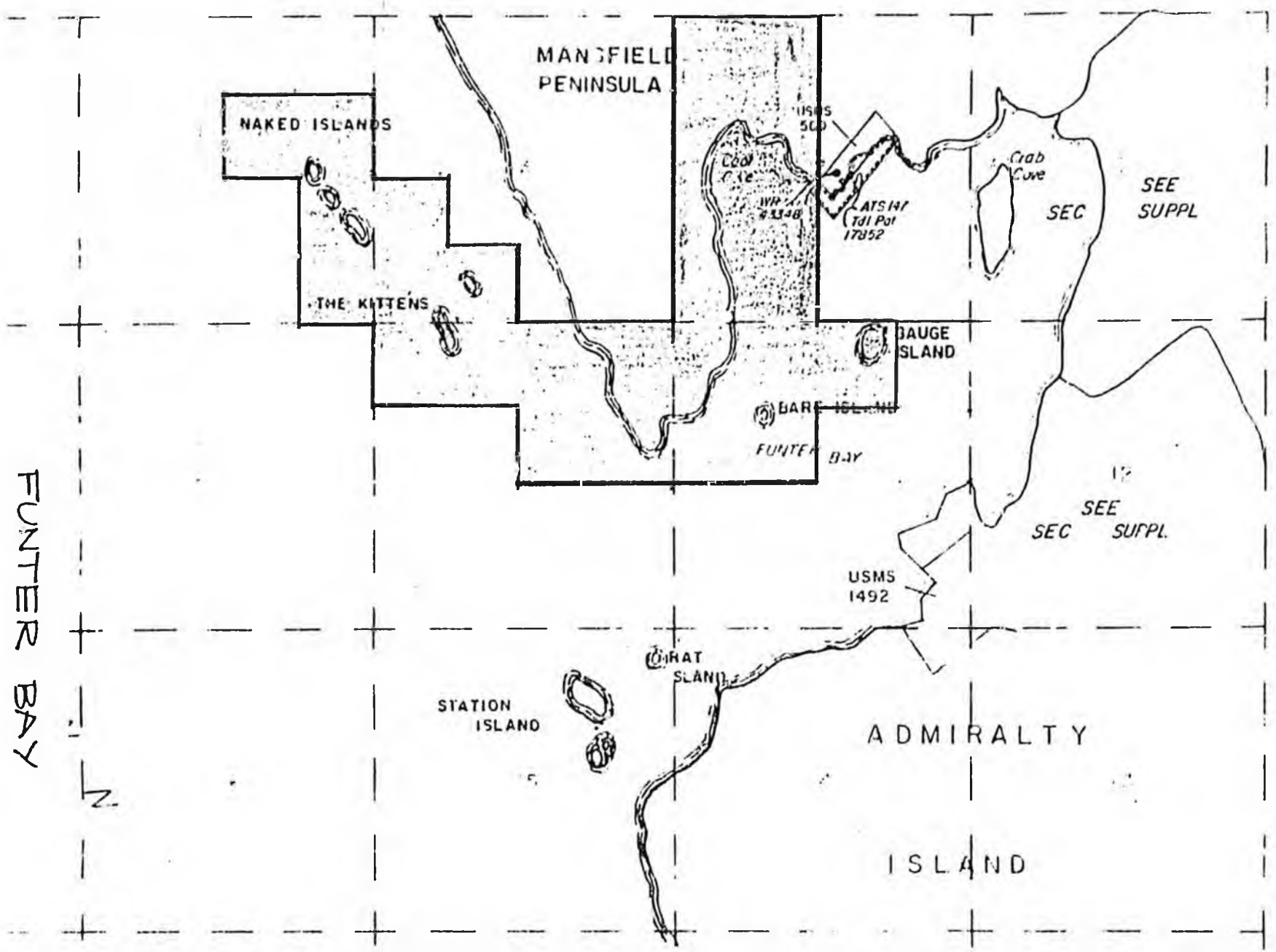
Township 42 South, Range 64 East, Copper River Meridian

Section 2: W½;
Section 3: S½SW¼, NW¼SW¼;
Section 4: S½NE¼, E½SE¼;
Section 10: N½N½, S½NE¼;
Section 11: NW¼, NW¼NE¼.

Including all tide and submerged lands described above.

Subject to prior existing rights.

NSHIP 42S RANGE 64E OF THE COPPER RIVER MER.



Funter Bay

1) DNR does not support the marine park in Funter Bay as proposed in House Bill 44 for the following reasons:

   (1) The bill proposes three non-contiguous parcels in an already developed part of the bay.

   (2) The primary water source in the park would be a small creek that runs into the bay in front of an existing house.

   (3) As currently described, the northern parcel includes two privately owned lots with houses on them. If these privately owned lots are excluded, the northern parcel would not include any shoreline, and would have no legal access from the shoreline.

   (4) This land in Funter Bay was selected by the state for two reasons: to help several residents of the bay get title to the land their houses were on, and for additional recreational properties in the proximity of Juneau. DNR plans to sell approximately twenty lots adjacent to the existing settled area.

2) DNR does support a marine park in Funter Bay at Coot Cove. The cove has no existing development, has a salmon stream at its head, offers good anchorage, and has a good view of the bay and of Robert Barron Peak. The entire cove could be included in the park, as well as Clear Point, at the entrance to Funter Bay, and the sandy beach on the outer shore, along Lynn Canal. The Naked Islands (which have a rookery on their northern tip) and the Kitten Islands that are near the mouth of the bay could be included, as well as Guage and Bare Islands that are inside the bay.

3) DNR is in the process of selecting Coot Cove from the Forest Service. When the selection has been approved, T.A. and patent have been received, the land would have marine park status.

4) The DNR proposed marine park at Funter Bay would include approximately 240 acres.

(15) Pt. Higgins Beach

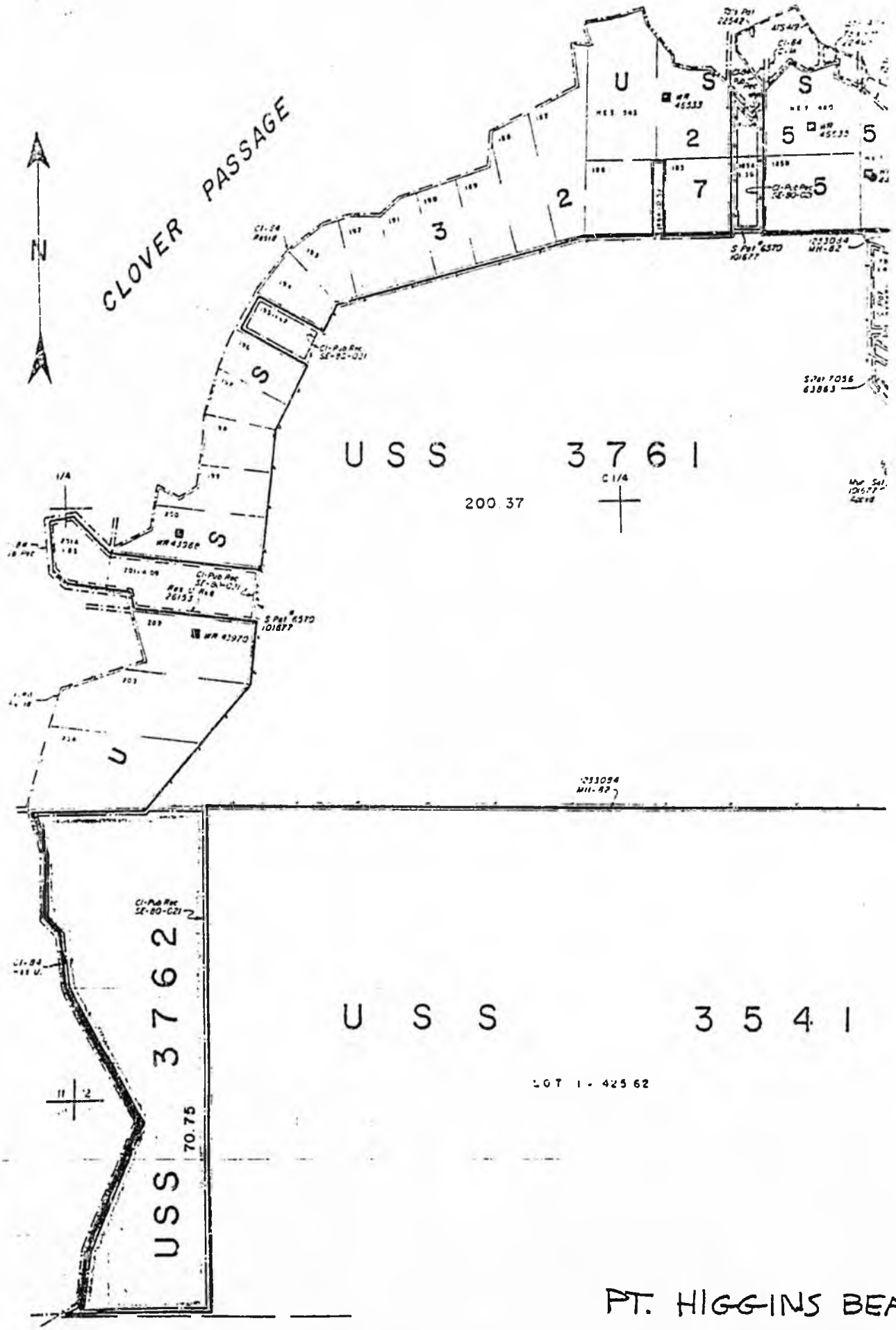
State owned land and tideland as described below:

Township 74 South, Range 89 East, Copper River Meridian

U.S. Survey 3762.

Pt. Higgins Beach

SHEET #1 T. 74 S. R. 89 E. C.R.M.



PT. HIGGINS BEACH

Point Higgins Beach

1) Access to Point Higgins Beach will be mostly by road, therefore tidelands are included, but not submerged lands. The beach is not protected from storms, but is already heavily used by local residents.

2) The proposed park would include 70.75 acres of uplands.

(16) Joe Mace Island

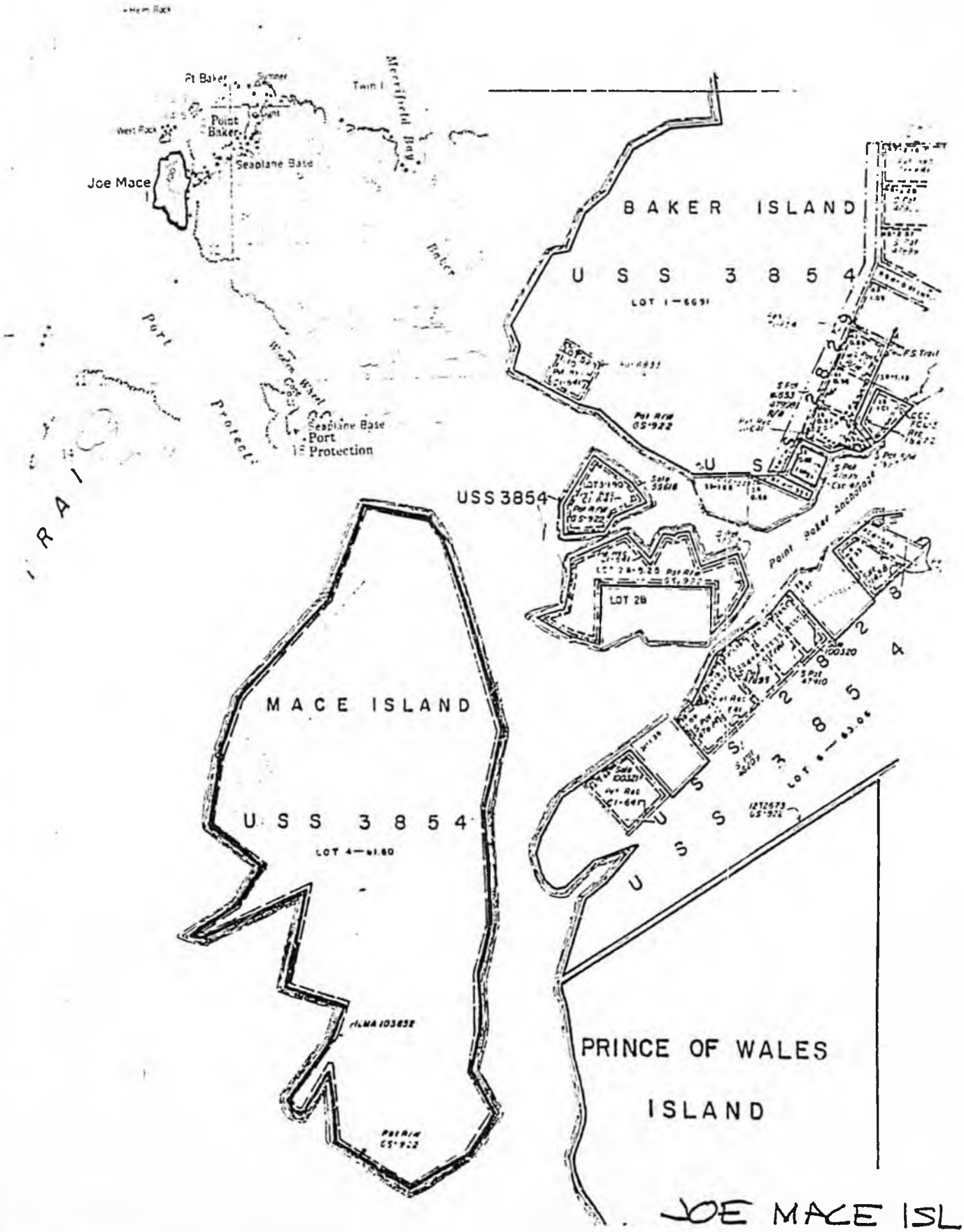
State owned land and tidelands as described below:

Township 64 South, Range 75 East, Copper River Meridian

Lot 4, U.S. Survey 3854.

Section 2

64S RANGE 75E OF THE COPPER RIVER MERIDIAN, ALASKA



JOE MACE ISLAND

Joe Mace Island

(1) Should be subject to all valid existing rights.

(2) Parks already has management authority for this island by virtue of ILMA ADL 103852.

(3) This proposal includes 61.80 acres of land.

(17) Thoms Lake

Township 65 South, Range 85 East, Copper River Meridian

Section 9: S½SE¼;

Section 10: S½S½;

Section 11: SW¼SW¼;

Section 14: S½, S½NW¼, NW¼NW¼, SW¼NE¼;

Section 15: All;

Section 16: E½;

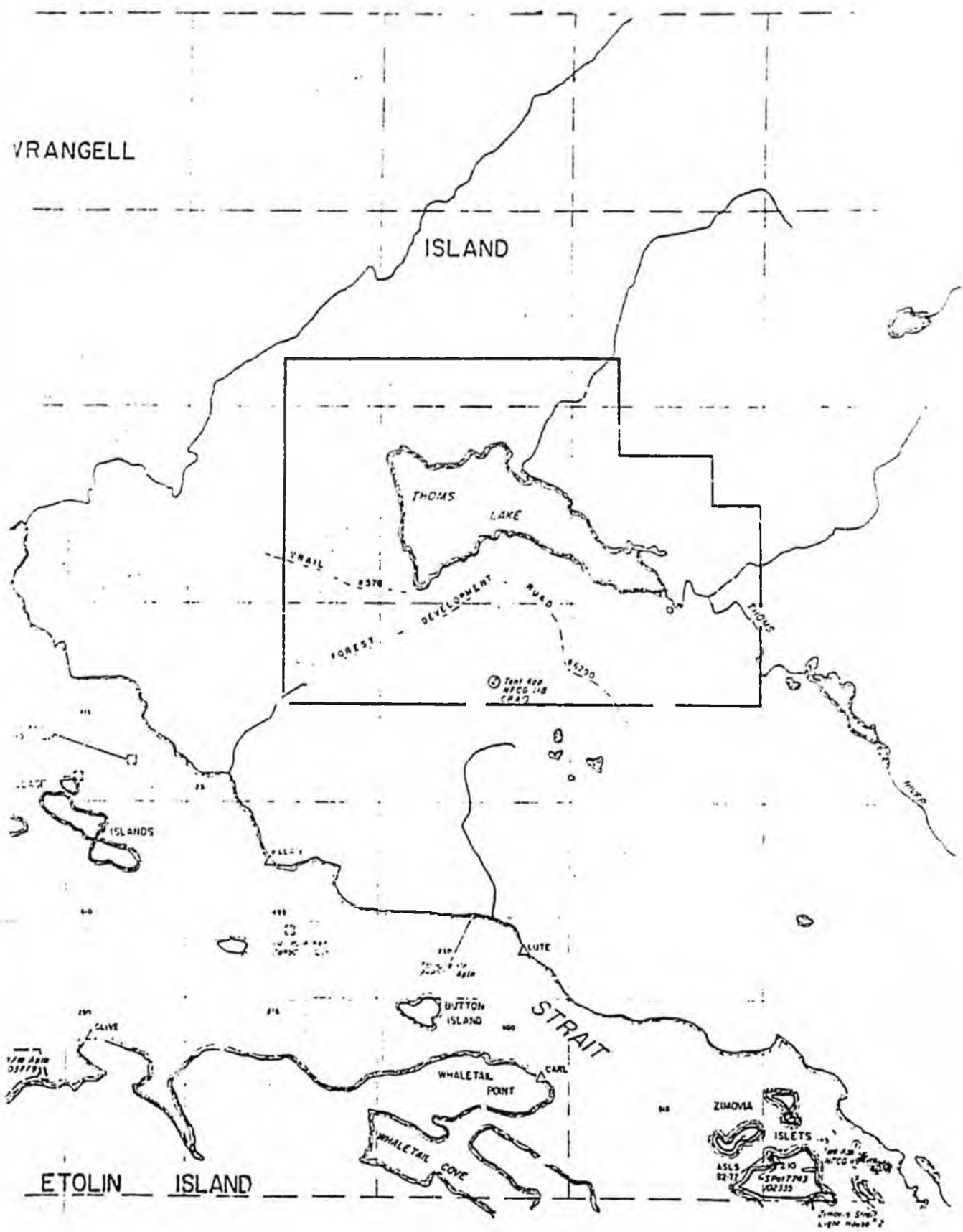
Section 21: NE¼;

Section 22: N½;

Section 23: N½.

Subject to all valid existing rights.

HIP 65S RANGE 85E OF THE COPPER RIVER MER

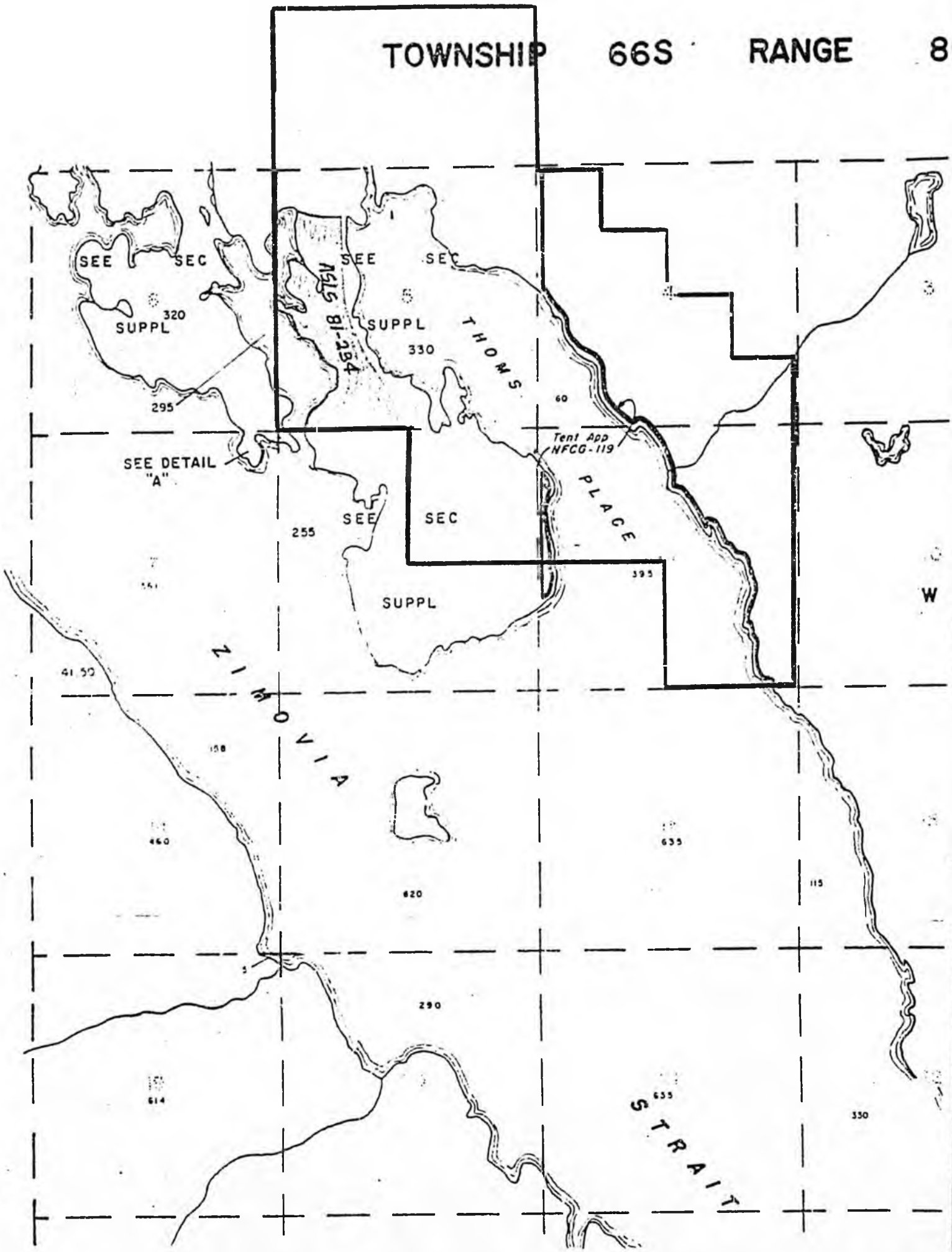


THOMS LAKE

Thoms Lake

1) Thoms Lake was originally selected for community recreation, and the state has received Tentative Approval. While it is not directly on tidelands, the area is accessed from the tidelands or from Forest Development Road #6290 and Forest Trail #576 that run within the proposed park.

2) The total area is 2,520 acres.


TOWNSHIP 66S RANGE 8
SEE SEC
SUPPL 320
295
SEE SEC
SUPPL
330
NFS 81-284
THOMS PLACE
60
Tent App NFCG-119
SEE DETAIL "A"
SEE SEC
255
SUPPL
395
W
ZIMOVIA
41.30
158
460
620
635
115
290
614
635
330
STRAIT

Thoms Place

1. Area was originally selected for community development and community recreation and has been Tentatively Approved.

2. Tidelands and submerged lands are included within the inlet and tidelands along Zimovia Strait for consistant management of the Marine Park.

3. ASLS-81-234 is an existing subdivision along Zimovia Strait and is adjacent to and excluded from the proposed Marine Park.

4. Area is subject to valid existing rights.

5. Area totals approximately 1400 acres of uplands.

(18) Thoms Place

Unsurveyed state owned land and waters as described below:

Township 65 South, Range 86 East, Copper River Meridian

Section 32: S½

Township 66 South, Range 86 East, Copper River Meridian

Section 4: SW¼, S½NW¼, NW¼NW¼, S½SE¼, NW¼SE¼
Section 5: All;
Section 8: NE¼;
Section 9: N½; SE¼.

Excluding all lands within ASLS 81-234.

Subject to all valid existing rights.

(19) Beecher Pass

Township 61 South, Range 79 East, Copper River Meridian

Section 1: Lots 5,6,7, and 8, NE¼SW¼

Section 10: Lots 1 and 2

Section 11: Lots 1,2,3,4,5,6,7,8,9,10, and 11.

Section 12: Lots 3,4,5,6,7,8,9,10, and 11.

Section 14: Lot 2

Section 15: Lot 2

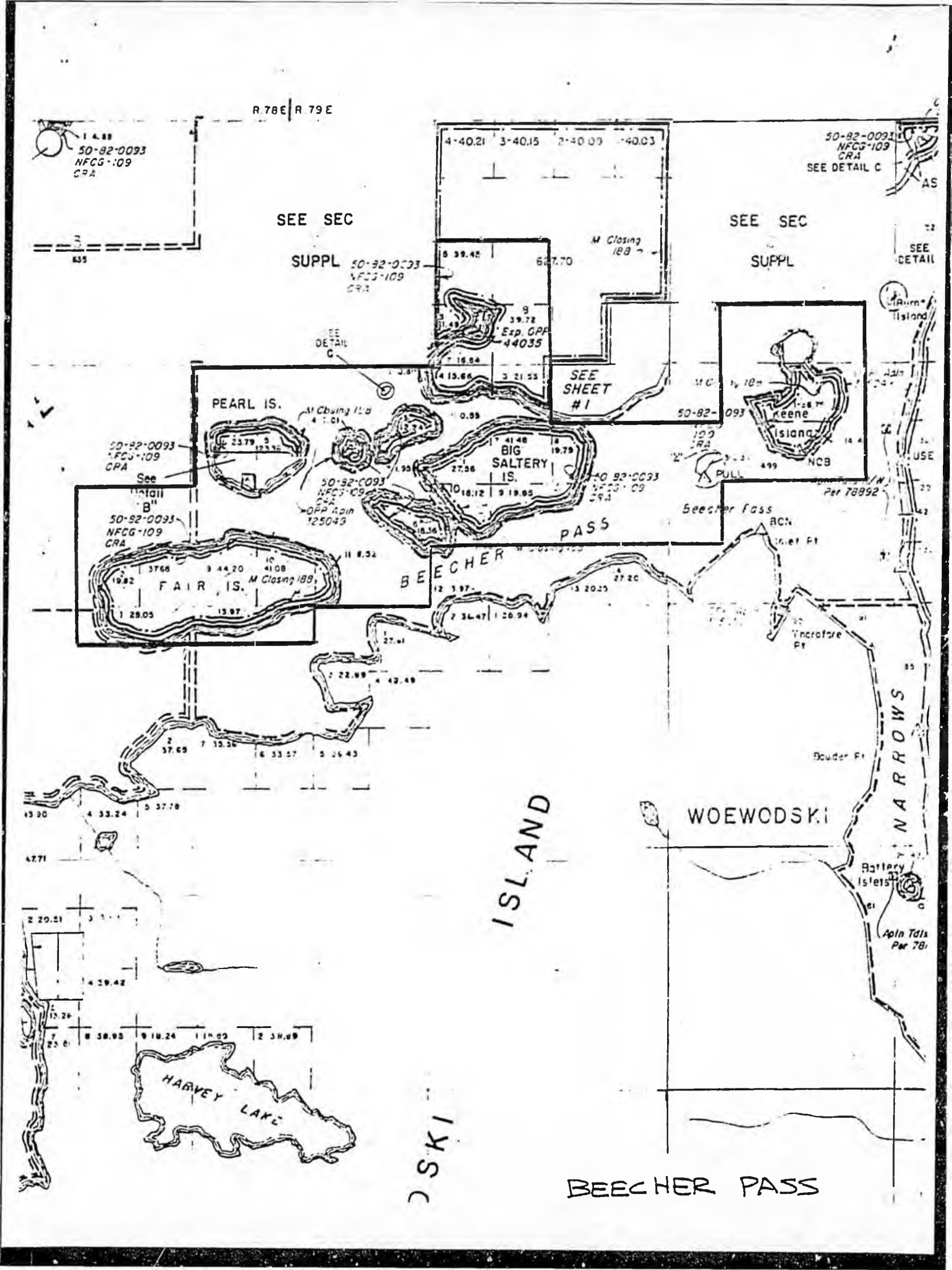
Township 61 South, Range 80 East, Copper River Meridian

Section 6: Lot 11

Section 7: Lots 1 and 2

Including all adjacent tidelands

Subject to valid existing rights and the adjudication of U.S. Forest Service Preferences as described in ADL 102336 and ADL 102843 and the reservation of those adjacent tidelands.


R 78 E
R 79 E
SEE SEC SUPPL
SEE SEC SUPPL
SEE SHEET #1
PEARL IS.
BIG SALTERY IS.
FAIR IS.
BEECHER PASS
Beecher Pass
WOEWODSKI ISLAND
NARROWS
HARVEY LAKE
Keene Island
Battery Islets
Boulder Pt
Yacratore Pt
SEE DETAIL C
See Detail "B"
50-82-0093 NFCG-109 CRA
M Closing 188
Exp. CPP 44035
BEECHER PASS

Beecher Pass

1. Tidelands were included for development of Marine Park facilities.

2. S½S½ of Section 2 was excluded because of existing subdivision and other Tracts within the subdivision.

3. Keene Island was added because it is a logical extension of a Marine Park and should not be used for settlement.

4. Area is subject to two preference right applications that will revert to Marine Park should the process terminate prior to issuing patent.

5. Area is subject to other valid existing rights such as easements, and offshore Prospecting Permits.

6. Land is Tentatively Approved and was selected for community development and recreation. Duncan Canal and Keene Channel Subdivision sales have taken place in the area.

7. Proposed acreage totals approximately 741.49 acres.

(20) Dall Bay

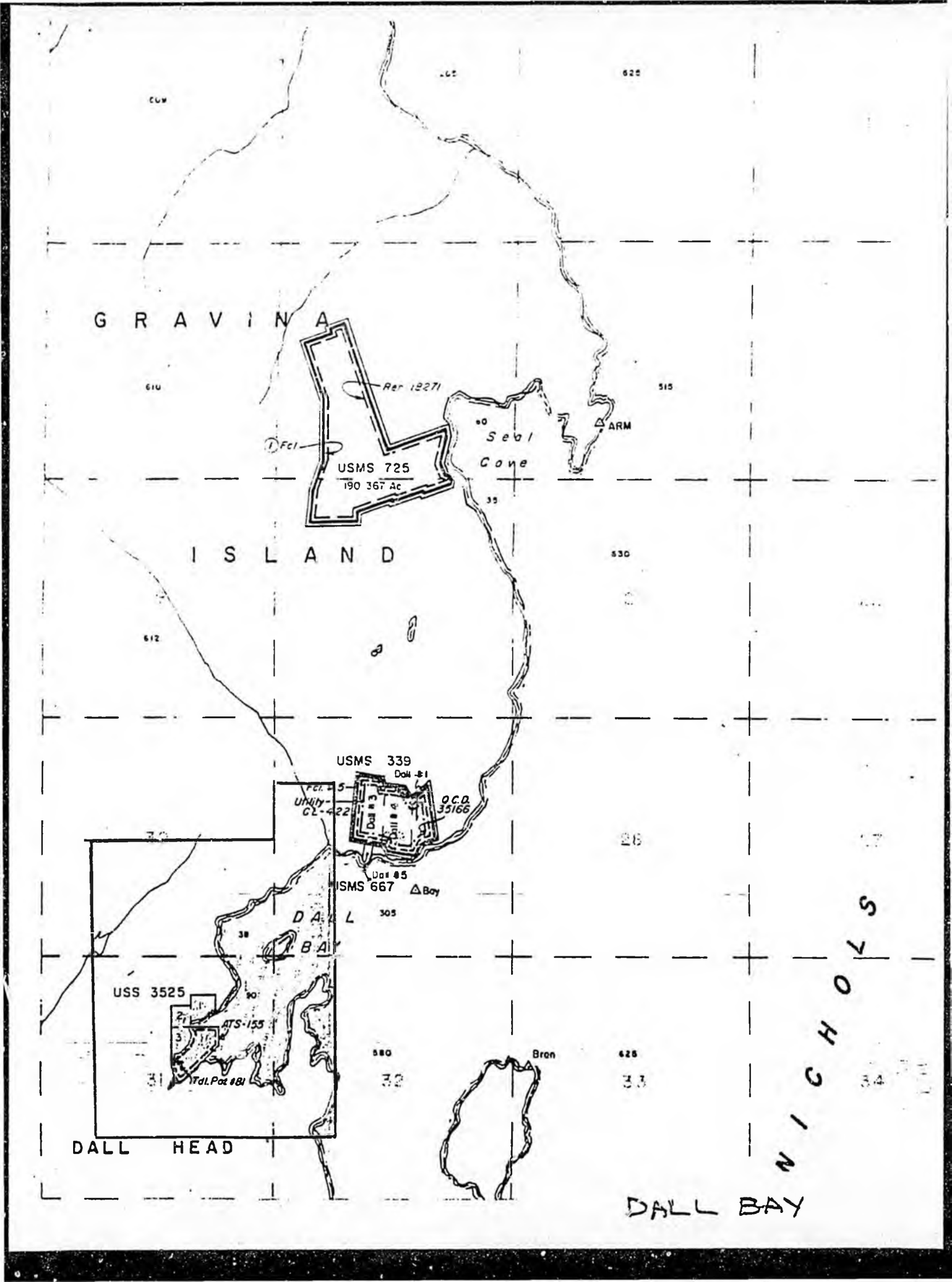
Unsurveyed State owned lands and waters as described below:

Township 77 South, Range 91 East, Copper River Meridian

Section 29: W½SW¼, SW¼NW¼;
Section 30: SE¼, E½SW¼;
Section 31: NE¼, N½SE¼, NE¼SW¼, E½NW¼;
Section 32: NW¼, N½SW¼.

Subject to valid existing rights including:

U.S.S. 3525 and A.T.S.-155.


GRAVINA
ISLAND
Rer 18271
Fcl
USMS 725
190 367 Ac
Sebl
Cone
ARM
USMS 339
Dall #1
Fcl. 5
Utility
CL-422
Dall #3
Dall #4
O.C.D.
35166
Dall #5
USMS 667
Bay
DALL
BAY
USS 3525
Fl
ATS-155
Tdl. Pat #81
DALL HEAD
Bron
NICHOLS
DALL BAY

Dall Bay

(1) This state selection (NFCG-131) was nominated by Ketchikan Gateway Borough for possible future use for low density residential development. The expressed purpose of the selection was for development and expansion of an established community and for established community recreation.

(2) 4.21 acres of tide and submerged lands at the head of the bay are patented (ATS-155, appears to be an old cannery site of the New England Fish company). A cluster of patented homesites 14.17 acres in size lies adjacent to the tideland patent.

(3) Patented mining claims are located on the north shore at the entrance of the bay.

(4) The U.S. Coast Pilot cautions that Dall Bay requires local knowledge to enter.

(5) This proposal includes the entire state selection and encompasses approximately 850 acres of land.

(6) This selection has been approved by the U.S. Forest Service but has not been Tentatively Approved by BLM.