

ALASKA LEGISLATURE COMMITTEE FILES 1965-1980 80/2

4251 SRES SB 164 - SB 170

1191

Bradley ✓  
01/20/86

Original sponsor: Rules/Governor

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IN THE SENATE

BY THE RESOURCES COMMITTEE

CS FOR SENATE BILL NO. 150 (Resources)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
FOURTEENTH LEGISLATURE - SECOND SESSION

## A BILL

For an Act entitled: "An Act making miscellaneous amendments to the Alaska Water Use Act (AS 46.15); establishing procedures for administrative and judicial adjudication of water rights under that Act; and providing for an effective date."

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

\* Section 1. AS 46.15.040 is amended by adding a new subsection to read:

(d) A right to appropriate water granted under this chapter may not be construed against the state as a guarantee of a particular water level or volume, except as provided in AS 46.15.145, as a guarantee of a particular artesian pressure or water quality, or as a guarantee that water may be withdrawn or diverted at a particular cost.

\* Sec. 2. AS 46.15.065 is amended by adding a new subsection to read:

(f) The adjudication process for a declaration filed under (a) of this section that is pending before the commissioner on the effective date of this Act continues under the procedures set out in this section until the commissioner finally determines whether the declarant is entitled to a certificate. If a certificate is issued under this section, the certificate holder may be included as a participant in an adjudication under AS 46.15.165 or 46.15.166.

\* Sec. 3. AS 46.15.140 is amended to read:

Sec. 46.15.140. ABANDONMENT, FORFEITURE, AND REVERSION OF

1 APPROPRIATIONS. (a) The commissioner may declare an appropriation to  
2 be wholly or partially abandoned and revoke or amend the certificate  
3 of appropriation as to the unused quantity of water if an appropri-  
4 ator, with intention to abandon, does not make beneficial use of all  
5 or a part of the [HIS] appropriated water. [AN APPROPRIATION SO  
6 FORFEITED AND ABANDONED REVERTS TO THE STATE AND THE WATER BECOMES  
7 UNAPPROPRIATED WATER.]

8 (b) The commissioner may declare that an appropriator has [AN  
9 APPROPRIATION TO BE] wholly or partially forfeited an appropriation,  
10 and shall revoke the certificate of appropriation in whole or in part  
11 if the [AN] appropriator voluntarily fails or neglects, without suffi-  
12 cient cause, to make use of all or a part of the [HIS] appropriated  
13 water for a period of five successive years.

14 \* Sec. 4. AS 46.15.140 is amended by adding new subsections to read:

15 (c) Failure to use beneficially for five successive years all or  
16 part of the water granted in a certificate of appropriation raises a  
17 rebuttable presumption that the appropriator has abandoned or for-  
18 feited the right to use the unused quantity of water and shifts to the  
19 appropriator the burden to prove otherwise to the satisfaction of the  
20 commissioner.

21 (d) A state agency or a municipality may not abandon or forfeit  
22 an appropriation in whole or in part except after public notice.

23 (e) If the commissioner revokes a certificate in whole or in  
24 part, the portion of the certificate covered by the revocation reverts  
25 to the state and the water becomes unappropriated water.

26 \* Sec. 5. AS 46.15.145(f) is amended to read:

27 (f) At least once each 10 years the commissioner shall review  
28 each reservation under this section to determine whether the purpose  
29 described in (a) of this section for which the certificate reserving

1 water was issued and the findings described in (c) of this section  
2 still apply to the reservation. If the commissioner determines that  
3 the purpose, or part or all of the findings, no longer apply to the  
4 reservation, the commissioner [HE] may revoke or modify the certifi-  
5 cate reservi the water after notice, hearing when appropriate, and a  
6 written dete nation that the revocation or modification is in the  
7 best interests of the state [IN ACCORDANCE WITH AS 46.15.140(b)].

8 \* Sec. 6. AS 46.15 is amended by adding new sections to read:

9 Sec. 46.15.165. ADMINISTRATIVE ADJUDICATIONS. (a) The commis-  
10 sioner may, by order, initiate an administrative adjudication to  
11 quantify and determine the priority of all water rights and claims in  
12 a drainage basin, river system, ground water aquifer system, or other  
13 identifiable and distinct hydrologic regime, including any hydrologi-  
14 cally interrelated surface and ground water systems.

15 (b) In the order initiating an administrative adjudication, the  
16 commissioner shall describe the appropriate geographic and hydrologic  
17 boundaries of the adjudication area. During the adjudication, the  
18 commissioner may adjust the boundaries to ensure the efficient admin-  
19 istration of water appropriations among users.

20 (c) Upon initiation of the adjudication, the commissioner shall

21 (1) serve the order on each applicant, certificate holder,  
22 or permittee listed in the department's records within the adjudica-  
23 tion area;

24 (2) serve the order on any agency of the federal, state, or  
25 a local government with management authority over land or water within  
26 the adjudication area;

27 (3) serve the order on any person who owns land within the  
28 adjudication area if the land is held in trust by the United States or  
29 if the patent or deed to the land contains a restriction on alienation

1 imposed under 25 U.S.C. 334 (Indian General Allotment Act of February  
2 8, 1887, 24 Stat. 389, as amended and supplemented), 25 U.S.C. 372  
3 (the Allotment Act of June 25, 1910, 36 Stat. 855), or 43 U.S.C.  
4 270-1, 270-2 (the Allotment Act of May 17, 1906, 34 Stat. 197), and on  
5 the United States on behalf of any such person;

6 (4) serve the order on the United States and the appropri-  
7 ate governing body of the Annette Island Reserve established by 25  
8 U.S.C. 495 (the Act of March 3, 1891, 26 Stat. 1101) if the land or  
9 water, including hydrologically interconnected water, of the Annette  
10 Island Reserve is within the adjudication area;

11 (5) serve the order on any other person claiming a federal  
12 reserved water right;

13 (6) serve the regional corporation and village corporation  
14 established under 43 U.S.C. 1601-1628 (Alaska Native Claims Settlement  
15 Act) whose land is located within the adjudication area; and

16 (7) publish the order once each week during four consecu-  
17 tive weeks in a newspaper of general circulation in the adjudication  
18 area.

19 (d) Service of an order under (c) of this section does not  
20 constitute an admission by the state that the person served with the  
21 order has a water right.

22 (e) Service of the order under (c)(1) of this section is suffi-  
23 cient if mailed by certified mail, return receipt requested, to the  
24 last known address that the applicant, certificate holder, or permit-  
25 tee has given to the division of the department responsible for admin-  
26 istration of water rights. A person served under (c)(1) - (4) of this  
27 section who fails to appear in a timely manner and assert a claim as  
28 prescribed by the commissioner is estopped from subsequently asserting  
29 an objection to the adjudication of that person's water rights within

1 the adjudication area, unless the person is entitled to a federally  
2 reserved water right and has failed to consent under (k) of this  
3 section.

4 (f) In an adjudication under this section, the commissioner may  
5 appoint an impartial qualified person as a master to preside over the  
6 adjudication, to hold hearings, to take testimony, to collect evi-  
7 dence, to propose to the commissioner an order adjudicating the valid-  
8 ity of, quantifying, and determining the priority of all water rights,  
9 and to take other action the commissioner decides is necessary.  
10 Employment by a federal, state or local governmental agency does not  
11 disqualify an individual from appointment as master under this sub-  
12 section if the commissioner determines that the individual is other-  
13 wise impartial and qualified to act as master.

14 (g) A state agency may assert a water right on behalf of the  
15 state in the adjudication.

16 (h) A division of the department or another state agency may  
17 provide documentary and testimonial evidence, research, and scientific  
18 analysis during the adjudication. The commissioner may provide evi-  
19 dence, research, or analysis from sources outside government.

20 (i) In conducting an adjudication, the commissioner may take  
21 action necessary for the efficient and fair administration and use of  
22 the state's water including

23 (1) determining indispensable, necessary, and convenient  
24 parties to the adjudication;

25 (2) classifying applicants, certificate holders, permit-  
26 tees, and claimants in groups that share similar interests, such as by  
27 the amount of water used or the type of use, and restricting their  
28 active participation in the adjudication by appointing group represen-  
29 tatives for the purposes of receiving notices, examining witnesses,

1 and other adjudicatory functions;

2 (3) entering interlocutory orders appropriate to a disposal  
3 of all or part of the issues in the adjudication, and designating the  
4 orders as final for the purposes of an appeal to the superior court  
5 under (1) of this section; and

6 (4) allocating to a participant the extra costs that the  
7 state has incurred in conducting the adjudication because the partici-  
8 pant has in bad faith asserted a claim to water wholly without merit  
9 or has unreasonably delayed the proceeding.

10 (j) For the purposes of asserting a water right in an adjudica-  
11 tion, a certificate issued under this chapter is prima facie evidence  
12 of the water right and its priority date.

13 (k) If the commissioner has initiated the adjudication and the  
14 federal government or a private person who has been served under  
15 (c)(2) - (4) of this section asserts a federally reserved water right  
16 but fails to consent in writing to the adjudication, then the commis-  
17 sioner may exclude the federal government or the person, respectively,  
18 as participants in the adjudication. The commissioner may negotiate  
19 the terms of the written consent.

20 (l) A person adversely affected by a final order of the commis-  
21 sioner adjudicating water rights under this section may appeal to the  
22 superior court within 30 days after the decision is mailed or de-  
23 livered to the person.

24 (m) The commissioner may adopt regulations setting out proce-  
25 dures for administrative adjudications under this section.

26 Sec. 46.15.166. JUDICIAL ADJUDICATIONS. (a) Instead of initi-  
27 ating an adjudication under AS 46.15.165, the commissioner may, with  
28 the concurrence of the attorney general, if a federally reserved water  
29 right has been or might be asserted by an agency of the United States

1 on its own behalf or on behalf of a person described in  
 2 AS 46.15.165(c)(3) - (6), file on behalf of the state a complaint in  
 3 superior court to initiate a judicial adjudication consistent with 43  
 4 U.S.C. 666 to quantify and determine the priority of all water rights  
 5 in a drainage basin, river system, ground water aquifer system, or  
 6 other identifiable and distinct hydrologic regime, including any  
 7 hydrologically interrelated surface and ground water systems.

8 (b) Venue is proper in a complaint filed under (a) of this  
 9 section if the complaint is filed in a judicial district in which all  
 10 or a part of the hydrologic regime is located.

11 (c) In a complaint brought under (a) of this section, the court  
 12 may appoint an impartial, qualified person as a master to hold hear-  
 13 ings, take testimony, collect evidence, and make recommendations to  
 14 the court regarding the scope and content of a proposed judicial  
 15 decree that would finally adjudicate the validity of water rights,  
 16 quantify them, and determine priorities among the water right appro-  
 17 priations in the adjudication area. Employment by a federal, state,  
 18 or local government agency does not disqualify an individual from  
 19 appointment as master under this subsection if the court determines  
 20 that the individual is otherwise impartial and qualified to act as  
 21 master. The master may, with the court's permission, take action that  
 22 the commissioner would be authorized to take in an administrative  
 23 adjudication under AS 46.15.165.

24 (d) In an adjudication under this section, the court may incor-  
 25 porate in an order or judgment final orders of the commissioner previ-  
 26 ously issued under AS 46.15.165.

27 (e) Proceedings under this section shall be conducted without a  
 28 jury.

29 Sec. 46.15.167. EFFECT OF DECISION. The final order of the

1 commissioner under AS 46.15.165 and the final judgment of a court  
2 under AS 46.15.166 are binding on each party to the adjudication and  
3 on each person who subsequently makes an application for a water  
4 right. The court or the commissioner may retain jurisdiction for a  
5 period of time necessary to implement an adjudication order or  
6 judgment and to provide for subsequent water appropriations.

7 Sec. 46.15.168. OTHER ACTIONS. (a) The state may timely inter-  
8 vene as a party in a superior court action potentially involving a  
9 determination of the validity, quantity, use, reservation, or priority  
10 of water rights.

11 (b) The commissioner may accept a remand from a state or federal  
12 court of a water rights dispute and may administratively adjudicate  
13 the dispute under AS 46.15.165.

14 (c) The commissioner may enter into arbitration to resolve a  
15 water rights dispute.

16 (d) The commissioner may incorporate and apply as binding upon  
17 the parties to an administrative adjudication under AS 46.15.165 any  
18 court decree concerning the state hydrologic regime involved in the  
19 adjudication.

20 Sec. 46.15.169. FEDERAL RESERVED WATER RIGHTS. This chapter  
21 does not represent a commitment by the state to a specific federal re-  
22 served water right.

23 \* Sec. 7. AS 46.15 is amended by adding new sections to read:

24 Sec. 46.15.255. ENFORCEMENT. (a) In addition to a penalty  
25 imposed under AS 46.15.180 for violation of an order issued under this  
26 chapter, the commissioner may

27 (1) remove or abate unpermitted works of appropriation,  
28 diversion, impoundment, or withdrawal;

29 (2) install corrective controls or control works; and

1 (3) seek enforcement of the order by filing an action in  
2 the superior court.

3 (b) A person who violates an order issued under AS 46.15.180 is  
4 liable for all costs of removal, abatement or installation and for  
5 court costs and attorney fees incurred by the state in seeking en-  
6 forcement of the order.

7 Sec. 46.15.256. DATA COLLECTION AUTHORITY. To carry out the  
8 provisions of this chapter, the commissioner may

9 (1) inspect books, records, meters, gauges, well logs,  
10 works of appropriation, diversion, impoundment, withdrawal, or control  
11 and other relevant information or physical condition;

12 (2) enter private property at all reasonable times after  
13 obtaining a search warrant from a judicial officer if the owner re-  
14 fuses consent to entry; and

15 (3) compel the production of relevant information by a  
16 subpoena or subpoena duces tecum signed by the commissioner if the  
17 commissioner reasonably believes the information is necessary to carry  
18 out the purposes of this chapter.

19 \* Sec. 8. This Act takes effect immediately in accordance with AS 01.-  
20 10.070(c).

Original sponsor: Binkley

1 IN THE HOUSE

BY THE HOUSE SPECIAL  
COMMITTEE ON FISHERIES

2 CS FOR HOUSE BILL NO. 227 (Fisheries)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to surety for collection of wages  
7 and payment; and providing for an effective date."

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

9 \* Section 1. AS 16.10.290(a) is amended to read:

10 (a) A person applying for a license as a fish processor or  
11 primary fish buyer shall file with the commissioner of labor a surety  
12 bond running to the State of Alaska conditioned upon the promise to  
13 pay (1) all persons furnishing labor to a fish processor or primary  
14 fish buyer, including contractual employee benefits; and (2) indepen-  
15 dent registered commercial fishermen for the price of the raw fishery  
16 resource purchased from them. The surety or sureties shall be satis-  
17 factory, in the determination of the commissioner.

18 \* Sec. 2. AS 16.10.290(b) is amended to read:

19 (b) The amount of the bond shall be \$10,000 unless, during the  
20 immediately preceding term for which the bond was filed, that amount  
21 was insufficient to satisfy a final judgment resulting from a claim  
22 filed during that term against the bond, cash deposits, or other  
23 security filed under this section. If \$10,000 was insufficient, the  
24 bond shall be \$50,000; if \$50,000 was insufficient, the bond shall be  
25 \$100,000. In lieu of the surety bond the fish processor or primary  
26 fish buyer may file with the commissioner a cash deposit or other  
27 negotiable security acceptable to the commissioner in the amount  
28 specified for the bond. If no claim is asserted under this section  
29 within two years from the date the bond, cash deposit or other

1 security is filed, the term of the bond, cash deposit or other securi-  
2 ty shall be two years; if a claim has been asserted within two years,  
3 the term of the bond, cash deposit or other security shall be for five  
4 years.

5 \* Sec. 3. AS 16.10.290(c) is repealed and reenacted to read:

6 (c) A bond is not required if the fish processor or primary fish  
7 buyer has more than the amount of the bond in lienable property in the  
8 state and provides proof of the property satisfactory to the commis-  
9 sioner.

10 \* Sec. 4. AS 16.10.291 is repealed and reenacted to read:

11 Sec. 16.10.291. EXEMPTION FROM BONDING REQUIREMENTS. An opera-  
12 tion that does not purchase fish or hire employees is exempt from the  
13 bonding requirements of AS 16.10.290 - 16.10.296.

14 \* Sec. 5. This Act takes effect immediately in accordance with AS 01.-  
15 10.070(c).

Hein  
1/24/86

Original sponsors: Coghill and Sackett

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO. 164 (Resources)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A. BILL

6 For an Act entitled: "An Act relating to surety for collection of wages  
7 and payment; and providing for an effective date."

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

9 \* Section 1. AS 16.10.290(a) is amended to read:

10 (a) A person applying for a license as a fish processor or  
11 primary fish buyer shall file with the commissioner of labor a surety  
12 bond running to the State of Alaska conditioned upon the promise to  
13 pay (1) all persons furnishing labor to a fish processor or primary  
14 fish buyer, including contractual employee benefits; and (2)  
15 independent registered commercial fishermen for the price of the raw  
16 fishery resource purchased from them. The surety or sureties shall be  
17 satisfactory, in the determination of the commissioner.

18 \* Sec. 2. AS 16.10.290(b) is amended to read:

19 (b) The amount of the bond shall be \$10,000 <sup>a</sup> unless, during the  
20 immediately preceding term for which the bond was filed, that amount  
21 was insufficient to satisfy a final judgment resulting from a claim  
22 filed (during that term) against the bond, cash deposits, or other  
23 security filed under this section. If \$10,000 was insufficient, the  
24 bond shall be \$50,000; if \$50,000 was insufficient, the bond shall be  
25 \$100,000. In lieu of the surety bond the fish processor or primary  
26 fish buyer may file with the commissioner a cash deposit or other  
27 negotiable security acceptable to the commissioner in the amount  
28 specified for the bond. If no claim is asserted under this section  
29 within two years from the date the bond, cash deposit or other

*See Fish Act*

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security is filed, the term of the bond, cash deposit or other security shall be two years; if a claim has been asserted within two years, the term of the bond, cash deposit or other security shall be for five years.

\* Sec. 3. AS 16.10.290(c) is repealed and reenacted to read:

(c) A bond is not required if the fish processor or primary fish buyer has more than the amount of the bond in lienable property in the state and provides proof of the property satisfactory to the commissioner.

\* Sec. 4. AS 16.10.291 is repealed and reenacted to read:

Sec. 16.10.291. EXEMPTION FROM BONDING REQUIREMENTS. An operation that does not purchase fish or hire employees is exempt from the bonding requirements of AS 16.10.290 - 16.10.296.

\* Sec. 5. This Act takes effect immediately in accordance with AS 01.-10.070(c).

*Number of hours*

1 fishery resources purchased by, the processor or fish buyer, then the  
2 amount of the bond for the processor or fish buyer shall be \$100,000.

3 In lieu of the surety bond the fish processor or primary fish buyer  
4 may file with the commissioner a cash deposit or other negotiable  
5 security acceptable to the commissioner in the amount specified for  
6 the bond. If no claim is asserted under this section within two years  
7 from the date the bond, cash deposit or other security is filed, the  
8 term of the bond, cash deposit or other security shall be two years;  
9 if a claim has been asserted within two years, the term of the bond,  
10 cash deposit or other security shall be for five years.

11 \* Sec. 3 AS 16.10.290(c) is repealed and reenacted to read:

12 (c) A bond is not required if the fish processor or primary fish  
13 buyer has more than the amount of the bond in lienable property in the  
14 state and provides proof of the property satisfactory to the commis-  
15 sioner.

16 \* Sec. 4. AS 16.10.291 is repealed and reenacted to read:

17 Sec. 16.10.291. EXEMPTION FROM BONDING REQUIREMENTS. A fish  
18 processor or primary fish buyer that does not purchase fish or hire  
19 employees is exempt from the bonding requirements of AS 16.10.290 -  
20 16.10.296.

21 \* Sec. 5. This Act takes effect immediately in accordance with AS 01.-  
22 10.070(c).

Original sponsors: Coghill and Sackett

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO. 164 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to surety for collection of wages  
7 and payment; and providing for an effective date."

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

9 \* Section 1. AS 16.10.290(a) is amended to read:

10 (a) A person applying for a license as a fish processor or  
11 primary fish buyer shall file with the commissioner of labor a surety  
12 bond running to the State of Alaska conditioned upon the promise to  
13 pay (1) all persons furnishing labor to a fish processor or primary  
14 fish buyer, including contractual employee benefits; and (2)  
15 independent registered commercial fishermen for the price of the raw  
16 fishery resource purchased from them. The surety or sureties shall be  
17 satisfactory, in the determination of the commissioner.

18 Sec. 2. AS 16.10.290(b) is amended to read:

19 (b) The amount of the bond shall be \$10,000 unless, during the  
20 immediately preceding term for which the bond was filed, that amount  
21 was insufficient to satisfy a final judgment resulting from a claim  
22 filed during that term against the bond, cash deposits, or other  
23 security filed under this section. If \$10,000 was insufficient, the  
24 bond shall be \$50,000; if \$50,000 was insufficient, the bond shall be  
25 \$100,000. In lieu of the surety bond the fish processor or primary  
26 fish buyer may file with the commissioner a cash deposit or other  
27 negotiable security acceptable to the commissioner in the amount  
28 specified for the bond. If no claim is asserted under this section  
29 within two years from the date the bond, cash deposit or other

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1 security is filed, the term of the bond, cash deposit or other securi-  
2 ty shall be two years; if a claim has been asserted within two years,  
3 the term of the bond, cash deposit or other security shall be for five  
4 years.

5 \* Sec. 3. AS 16.10.290(c) is repealed and reenacted to read:

6 (c) A bond is not required if the fish processor or primary fish  
7 buyer has more than the amount of the bond in lienable property in the  
8 state and provides proof of the property satisfactory to the  
9 commissioner.

10 \* Sec. 4. AS 16.10.291 is repealed and reenacted to read:

11 Sec. 16.10.291. EXEMPTION FROM BONDING REQUIREMENTS. An opera-  
12 tion that does not purchase fish or hire employees is exempt from the  
13 bonding requirements of AS 16.10.290 - 16.10.296.

14 \* Sec. 5. This Act takes effect immediately in accordance with AS 01.-  
15 10.070(c).

1 IN THE SENATE

BY COGHILL AND SACKETT

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 164

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE · FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to surety for collection of wages  
7 and payment."

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

9 \* Section 1. AS 16.10.290(b) is amended to read:

10 (b) The amount of the bond shall be \$20,000 for fish processors  
11 and primary fish buyers who, for the five years immediately preceding  
12 the date on which the bond is filed, have been licensed under (d) of  
13 this section and have not been required to pay a claim under this  
14 section. The amount of the bond for other fish processors and primary  
15 fish buyers shall be \$100,000 [\$10,000]. In lieu of the surety bond  
16 the fish processor or primary fish buyer may file with the commission-  
17 er a cash deposit or other negotiable security acceptable to the  
18 commissioner in the amount specified for the bond. If no claim is  
19 asserted under this section within two years from the date the bond,  
20 cash deposit or other security is filed, the term of the bond, cash  
21 deposit or other security shall be two years; if a claim has been  
22 asserted within two years, the term of the bond, cash deposit or other  
23 security shall be for five years.

24 \* Sec. 2. AS 16.10.290(c) is amended to read:

25 (c) A person applying for a license as a fish processor or  
26 primary fish buyer who has less than the bond amount required under  
27 (b) of this section [\$10,000] in lienable property in the state, with  
28 proof of the property satisfactorily made to the commissioner, shall  
29 file with the application a bond or other security as specified in

*See amendment*  
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this section. A [NO] bond is not required if the fish processor or primary fish buyer has more than the bond amount required under (b) of this section [\$10,000] in lienable property as specified in this subsection.

Hein  
4/3/85✓

Original sponsors: Coghill and Sackett

1  
2 IN THE SENATE

BY THE RESOURCES COMMITTEE

3 CS FOR SENATE BILL NO. 164 (Resources)

4 IN THE LEGISLATURE OF THE STATE OF ALASKA

5 FOURTEENTH LEGISLATURE - FIRST SESSION

6 A BILL

7 For an Act entitled: "An Act relating to surety for collection of wages  
8 and payment."

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

10 \* Section 1. AS 16.10.290(b) is amended to read:

11 (b) The amount of the bond shall be \$20,000, except that the  
12 amount of the bond shall be \$100,000 for (1) a fish processor or  
13 primary fish buyer who has engaged in the business of fish processor  
14 or primary fish buyer in the state but not in compliance with this  
15 section; (2) a fish processor or primary fish buyer who, during any of  
16 the three years immediately preceding the year for which the bond is  
17 due, has been required as a result of a final judgment to satisfy a  
18 claim filed during those years against the bonds, cash deposits, or  
19 other security filed under this section; (3) a nonresident fish pro-  
20 cessor or nonresident primary fish buyer who is applying for a license  
21 to engage in the business of fish processor or primary fish buyer for  
22 the first time in the state; or (4) a nonresident fish processor or  
23 nonresident primary fish buyer who has engaged in the business of fish  
24 processor or primary fish buyer in the state in compliance with this  
25 section for only the year or two years immediately preceding the year  
26 for which the bond is due [\$10,000]. In lieu of the surety bond the  
27 fish processor or primary fish buyer may file with the commissioner a  
28 cash deposit or other negotiable security acceptable to the commis-  
29 sioner in the amount specified for the bond. If no claim is asserted  
under this section within two years from the date the bond, cash

1 deposit or other security is filed, the term of the bond, cash deposit  
2 or other security shall be two years; if a claim has been asserted  
3 within two years, the term of the bond, cash deposit or other security  
4 shall be for five years.

5 \* Sec. 2. AS 16.10.290(c) is amended to read:

6 (c) A person applying for a license as a fish processor or  
7 primary fish buyer who has less than the amount of the bond [\$10,000]  
8 in lienable property in the state, with proof of the property satis-  
9 factorily made to the commissioner, shall file with the application a  
10 bond or other security as specified in this section. A [NO] bond is  
11 not required if the fish processor or primary fish buyer has more than  
12 the amount of the bond [\$10,000] in lienable property as specified in  
13 this subsection.  
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*Rendering / non-rendering ✓  
each station req. to have a bond.  
Do. L. want et al. would give up*

Hein  
4/3/85

*small person up ability to get  
20,000 could get in business*

Original sponsors: Coghill and Sackett

*Com. shall waive*

IN THE SENATE

*Criminal sanctions -*

*Fraud & larceny - illegal to buy*  
CS FOR SENATE BILL NO. 164 (Resources)

*how many violators*

BY THE RESOURCES COMMITTEE

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTEENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to surety for collection of wages and payment."

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

\* Section 1. AS 16.10.290(b) is amended to read:

(b) The amount of the bond shall be \$20,000, except that the amount of the bond shall be \$100,000 for (1) a fish processor or primary fish buyer who has engaged in the business of fish processor or primary fish buyer in the state but not in compliance with this section; (2) a fish processor or primary fish buyer who, during any of the three years immediately preceding the year for which the bond is due, has been required as a result of a final judgment to satisfy a claim filed during those years against the bonds, cash deposits, or other security filed under this section; *may be substituted* (3) a nonresident fish processor or nonresident primary fish buyer who is applying for a license to engage in the business of fish processor or primary fish buyer for the first time in the state; or (4) a nonresident fish processor or nonresident primary fish buyer who has engaged in the business of fish processor or primary fish buyer in the state in compliance with this section for only the year or two years immediately preceding the year for which the bond is due [\$10,000]. In lieu of the surety bond the fish processor or primary fish buyer may file with the commissioner a cash deposit or other negotiable security acceptable to the commissioner in the amount specified for the bond. If no claim is asserted under this section within two years from the date the bond, cash

1  
2 deposit or other security is filed, the term of the bond, cash deposit  
3 or other security shall be two years; if a claim has been asserted  
4 within two years, the term of the bond, cash deposit or other security  
5 shall be for five years.

6 \* Sec. 2. AS 16.10.290(c) is amended to read:

7 (c) A person applying for a license as a fish processor or  
8 primary fish buyer who has less than the amount of the bond [\$10,000]  
9 in lienable property in the state, with proof of the property satis-  
10 factorily made to the commissioner, shall file with the application a  
11 bond or other security as specified in this section. A [NO] bond is  
12 not required if the fish processor or primary fish buyer has more than  
13 the amount of the bond [\$10,000] in lienable property as specified in  
14 this subsection.  
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W/  
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ADOPTED

Hein  
2/3/86

Original sponsor: Binkley

1 IN THE HOUSE

BY THE HOUSE SPECIAL  
COMMITTEE ON FISHERIES

2 CS FOR HOUSE BILL NO. 227 (Fisheries)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to fish processors and primary fish  
7 buyers; and providing for an effective date."

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

9 \* Section 1. AS 16.10.290(a) is amended to read:

10 (a) A person applying for a license as a fish processor or  
11 primary fish buyer shall file with the commissioner of labor a surety  
12 bond running to the State of Alaska conditioned upon the promise to  
13 pay (1) all persons furnishing labor to a fish processor or primary  
14 fish buyer, including contractual employee benefits; and (2) indepen-  
15 dent registered commercial fishermen for the price of the raw fishery  
16 resource purchased from them. The surety or sureties shall be satis-  
17 factory, in the determination of the commissioner.

18 \* Sec. 2. AS 16.10.290(b) is amended to read:

19 (b) The amount of the bond shall be \$10,000 unless, during the  
20 preceding five years, that amount was insufficient to satisfy a final  
21 judgment resulting from a claim asserted against the bond, cash depos-  
22 its, or other security filed under this section. If \$10,000 was  
23 insufficient, the bond shall be \$50,000; if \$50,000 was insufficient,  
24 the bond shall be \$100,000. If the commissioner determines that  
25 during the preceding five years, a fish processor or primary fish  
26 buyer (1) has engaged in the business of fish processor or primary  
27 fish buyer in the state while not in compliance with this section and  
28 (2) has not yet satisfied a final judgment entered against the pro-  
29 cessor or fish buver for pavment for labor furnished to, or raw

Original sponsors: Kerttula and V.Fischer

1 IN THE SENATE BY THE RESOURCES COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 35 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act creating the Nelchina Public Use Area."

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

8 \* Section 1. AS 41.21 is amended by adding new sections to read:

9 ARTICLE 7A. PUBLIC USE AREAS.

10 Sec. 41.21.876. PURPOSE. The purpose of AS 41.21.876 - 41.21.  
11 882 is to establish the area described in AS 41.21.882 as the Nelchina  
12 Public Use Area. The Nelchina Public Use Area is established to

13 (1) protect and maintain fish and wildlife habitat and  
14 populations, particularly caribou calving areas, trumpeter swan nest-  
15 ing areas, and other important habitats for moose, Dall sheep, and  
16 brown bear;

17 (2) perpetuate and enhance public uses of fish and wildlife  
18 and their habitat including fishing, hunting, trapping, viewing,  
19 photography;

20 (3) perpetuate and enhance general public recreation in a  
21 high quality environment;

22 (4) allow other public uses of the area when compatible  
23 with the purposes specified in (1) and (2) of this section.

24 Sec. 41.21.878. MANAGEMENT. (a) Management of the surface and  
25 subsurface estate of the Nelchina Public Use Area is the responsibil-  
26 ity of the Department of Natural Resources. After adequate public  
27 hearings the commissioner shall adopt and may revise a management plan  
28 for the Nelchina Public Use Area. With regard to the management of  
29 land within the core caribou calving area described in

1 AS 41.21.882(a), the commissioner shall obtain the concurrence of the  
2 Department of Fish and Game in the adoption and revision of the  
3 management plan. With regard to the management of land within the  
4 public use area described in AS 41.21.882(b), the commissioner shall  
5 consult with the Department of Fish and Game in the adoption and  
6 revision of the management plan.

7 (b) The Department of Fish and Game is responsible for the  
8 management of fish and game resources and public use of fish and  
9 wildlife in the Nelchina Public Use Area consistent with the purposes  
10 of AS 41.21.876.

11 (c) The Nelchina Public Use Area shall be open to mineral entry  
12 under AS 38.05.185 - 38.05.275, and the commissioner may adopt regu-  
13 lations to achieve the purposes specified in AS 41.21.876. Each valid  
14 existing right or permit shall remain valid and continue in full force  
15 and effect according to its terms. Exploration, development, and  
16 extraction of subsurface resources shall be allowed as long as they  
17 occur in a manner that is compatible with the purposes specified in  
18 AS 41.21.876(1) and (2).

19 (d) The state may not acquire by eminent domain privately owned  
20 land within or abutting state-owned land described in AS 41.21.882 but  
21 may acquire privately owned land by purchase, exchange, or otherwise  
22 for inclusion in the Nelchina Public Use Area.

23 Sec. 41.21.880. COMPATIBILITY OF USES. (a) Except as provided  
24 in (e) of this section, the commissioner shall prohibit or restrict  
25 incompatible uses within the state-owned land and water described in  
26 AS 41.21.882.

27 (b) Nothing in AS 41.21.876 - 41.21.882 prohibits the Department  
28 of Fish and Game from engaging in rehabilitation, enhancement, and  
29 development of fish and wildlife habitat within an area described in

1 AS 41.21.882.

2 (c) Sport and subsistence fishing, hunting, or trapping rights  
3 permitted under law or under a regulation of the Board of Fisheries or  
4 the Board of Game within the Nelchina Public Use Area is permitted as  
5 long as it occurs in a manner compatible with purposes specified in  
6 AS 41.21.876(1) and (2).

7 (d) The commissioner shall permit access to the Nelchina Public  
8 Use Area by motorized or nonmotorized means of transportation on  
9 traditional routes to private land, interests in private land, and for  
10 lawful sport and subsistence hunting, fishing, trapping and recre-  
11 ational purposes as long as it occurs in a manner that is compatible  
12 with purposes specified in AS 41.21.876(1) and (2).

13 (e) The Department of Public Safety and the Department of Fish  
14 and Game shall have access for fish and game management, research, and  
15 enforcement purposes.  
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Sea Fisher Products Inc.  
P. O. Box 5  
Petersburg, Ark. 99838

03-26-85

Dear Sirs:

We are a small corporation with one Floating Fish Processor, the Vessel Arctic Fisher.

In Regards to Senate bill 11, Please remove the stipulation that it applies only to Shore-based facilities. We are in favor of any bill that will help our fishing industry as this one certainly will, but Floating Processors are as important to the industry as are Shore-based ones and should not be further discriminated against.

In most cases Floating processors pay a much higher price to the fishermen for the raw fish. Since the tax is based on fish cost that means a higher tax is paid per pound. On top of that we pay 2% more on all species in all areas than do the Shore facilities.

Give us a break. We already have two strikes against us, don't make it three.

(5) R/S  
164  
In regards to bill 186 to change the tax bond to \$100,000.00. . . Please don't, we have been unable to get even the \$10,000.00 bond and have always had to pre-pay our tax. This is a large burden for us and the State has our money for as many as ten months before it is due. If our tax is overdue we pay a 5% fine plus 12% interest but when we pay in advance we get nothing. If the State wishes to cover itself more adequately why not encourage more processors to pre-pay their tax by giving a tax credit of 12% for early payment. Rewards are usually much more successful than punishments.

Thank you for your attention.

Marilyn Power



Sea Fisher Products Inc.

Res / Non Res ✓

Bond  
Cost ✓

Halford

291 section

Payroll  
bond 50% of ~~labor~~ & purchases

- Waiver for processes who  
don't buy

Criminal Penalty.

Jennie Boston to appear  
to discuss Baker letter -  
work during interim -

Week from Friday

get  
back to  
work



Official Business

# Alaska State Legislature

## House of Representatives

Pouch V  
Juneau, Alaska 99811

Phone:  
(907) 465-4924

### Special Committee on Fisheries

July 19, 1985

Mr. Ron Hegge  
Director  
Alaska Longline Fishermen's Association  
P.O. Box 1129  
Sitka, Alaska 99835

Dear Mr. Hegge:

We would appreciate your comments on an interim project being handled jointly by the House Special Committee on Fisheries and Senate Resources Committee. The two legislative committees are receiving the support of state agencies through the Office of Commercial Fisheries Development.

The committees will be taking a critical look at the state's bonding, permitting and licensing processes for buyers and processors of Alaska seafood. The goal is to eliminate unnecessary requirements and consolidate the permitting process. We want to eliminate unnecessary red tape to make the system more "user friendly" without inhibiting the state's ability to protect public health and safety.

The state's application process for seafood buyers and processors represents more than 25 year's accumulation of requirements. In examining these regulations, statutes and administrative procedures, we intend to take a close look at what can be done to make the application procedures easier for fishermen desiring to market their own catches and the growing number of smaller-scale, Alaska-based seafood companies.

Are there specific requirements that you would like to have examined? Do you have any suggestions for improving the process? Please be as explicit as possible.

We would like to gather as much feedback as possible directly from the fishing grounds. Please contact Rodger Painter, Administrative Assistant to the House Special Committee on Fisheries, or Frank Homan, Administrative Assistant to the Senate Resources Committee.

Sincerely,

A handwritten signature in cursive script that reads "Rodger Painter".

Rodger Painter, Administrative Assistant  
House Special Committee on Fisheries



# SEAFOOD PRODUCERS COOPERATIVE

PHONE (206) 733-0120 • TELEX 152-338 SPC BLH • 2875 ROEDER AVE. • BELLINGHAM, WA 98225

August 1, 1985

Mr. Roger Painter  
House Special Committee  
on Fisheries  
Pouch V  
Juneau, AK 99811

Dear Mr. Painter:

We are pleased that the committees mentioned in your letter are undertaking a review of the bonding, permitting and licensing process that we as a processor of seafoods in Alaska must work our way through each year.

We would like to see a single renewable annual permit that would cover a) intent to operate; b) fisheries business license; c) surety bond; and d) request for fish tickets. This could work similar to auto renewal. Once the original permit were applied for and received, subsequent permit renewal notices would be sent out by the State with a 60 day renewal deadline. This time frame would allow time for renewal of the labor or surety bond and evidence of same could be returned with the permit renewal application. It is not the amount of information requested that we have problems with, it's the number of different permits and licenses required, and the different agencies involved.

Many small processors don't know what the various requirements are and it is difficult to find out. Even the pamphlet put out by the State Department of Commerce & Economic Development does not explain exactly what is needed.

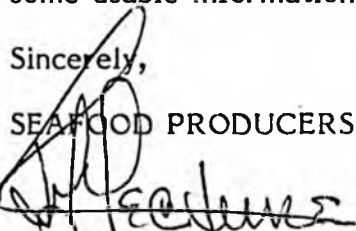
If it were done through a single application to a single agency, the whole process would become simpler and compliance would be assured.

There is one other area that is of great importance to a growing number of processors that now or in the future will have facilities on leased land. Our organization owns a \$5,500,000 cold storage in Sitka yet since it is on leased land (55 year lease) owned by the City & Burrough of Sitka, we are unable to have it included as lienable property for fisheries business tax security. This forces us at considerable cost to post a large bond, or as we do, tie up considerable cash in an U.S. Treasury note in the name of both SPC and the State of Alaska. As the amount of security required has increased, the amount of cash we have had to tie up has increased. This requirement has become an unnecessary burden on our organization. I know it would benefit SPC and other processors if the definition of lienable property were changed to include the value of buildings on long term leased land.

We appreciate the opportunity to express our views and hope we have provided some usable information.

Sincerely,

SEAFOOD PRODUCERS COOPERATIVE



J.G. Lecture  
Executive Vice-President

JGL:km

# MEMORANDUM

# State of Alaska

TO: Greg Baker, Director  
Office of Commercial Fisheries  
Development

DATE: July 15, 1985

FILE NO:

TELEPHONE NO:

FROM:  Richard E. Reynolds  
Development Specialist

SUBJECT: Permit Reform

There has been considerable discussion in the past about simplifying the permit process for fish buyers/processors. A centralized permit process for major projects was instituted a few years ago and continues to some extent under the auspices of the Department of Environmental Conservation and the Division of Governmental Coordination. Permits and licenses required of the seafood industry seem fairly routine, with most requiring annual renewal or reporting. It would help to have one person or office available to direct a newcomer to relevant agencies.

Department of Environmental Conservation (DEC), Department of Labor, and Department of Fish and Game are cooperating to share data and give new applicants better service and direction. It would certainly help to have a current information handout. Revenue Fishery Business tax returns and the Fish and Game processors annual report are duplicative to some extent. Alaska Department of Fish and Game has really had no ability to check the validity of annual reports submitted by processors. Accuracy might be improved and the reporting burden of processors might be relieved if those forms were combined and necessary data shared.

There has always been a problem keeping track of Alaska processors because of the continuous stream of new entrants, drop outs and reorganizations. DEC and Fish and Game have apparently instituted a system of assigning code numbers. It would seem that data sharing accuracy depends to a large extent on establishing a common base for identification of both plants and companies.

The labor bond requirement does not seem to be solving the problems it seeks to address. Either buyers operate without the bond or amounts left owing exceed the \$10,000 limit. Some new small buyers apparently cannot now qualify for bonding. If the limit was increased by legislative action, the cost to all operators would increase, and more financially shaky, or new small firms may be prohibited from legally doing business. In other areas of commerce, nonpayment for goods and services find redress in the civil court system. It may be reasonable to replace or improve the existing system with a good educational program to advise fishermen and processing employees about methods of investigating financial reliability, risks, danger signals, and available forms of legal redress.

Other options exist for modifications of the labor bond requirement. If there are 200 processors/buyers that are not presently exempt and each deposited \$500 in an account with the state, a fund of \$100,000 annually could be created. Over time, with modest claims, such a fund could become quite substantial.

Much of the concern about permitting and reporting seems to come from small buyers and processors. Proposed new DEC regulations for catcher/processors will provide more clear and simple guidelines for that category of operator.

There might be some advantage to exempting small operators from the Department of Revenue requirements for tax liability bonding. A small salmon buyer that might purchase fish valued at say \$50,000, at 3 percent, the total tax liability will only be \$1,500. The question is if that degree of exposure really requires prepayment or the posting of security to insure payment of taxes due.

RER/me0422M  
071585A

Dear Mr. [unclear]

This year I have been penalized several Times by state agencies for minor administrative problems. I may have to pay as much as \$3,000<sup>00</sup> in penalties for "Acts of God" problems that fishermen-processors must contend with. Try to follow This years events.

The D.E.C. is trying to initiate a boat inspection program for certifying holds. So the F/U Ranger was layed up from December to March 15, 1985 for complete insulation, fiberglassing, + Sealed hold tanking. Therefore we missed our short sablefish fishery. Our \$25,000 in Taxes went to Boat maintenance + bad weather. + no fishery left us to dangle until Halibut season.

We work hard to survive in lean years. + this one for some longliners is just that. onward!!

So in June we get popped for no intent to operate which I applied for in January but I can't use my vessel as real property so the intent is rat holed for 6 months + I didn't even know it. Bruce Lester the fish cop becomes Captain America + takes us to justice for \$600 while we are penalized by the revenue dept for \$2500 for lack of tax payments and the D.E.C. puts full processor status to our unprocessed fish buying operation. So you want me to

be specific on requirements.

1.) let Alaskan catcher-processors use their boats & equipment to be bonded for Advancement on Taxes through the Revenue Dept. Some of us can't afford both boats & inflated land. This Revenue prepayment of taxes is too much for small developing operations to bear.

2) Provide another status for D.E.C. requirements for catcher processors. The only reason I'm considered a "Processor" is because I Box fish for transport. I don't mind paying the tax. I do mind having to bow down to unnecessary D.E.C. requirements that don't pertain to sanitation for whole unprocessed fish. This processor status has been used as a harassment technique by larger processors and in some cases causes unnecessary handling of fish which decreases the quality. D.E.C. regulations should fit the processing techniques. All my fish are wholesaled for transport to other processors in or out of town. (see correspondence w/ D.E.C.)

3) The Dept of Economic Development violated my processor status during Herring Season through an order of the Dept of public safety. I would like an open door hearing process for small catcher-processors

To explain our problems to a mediating Agency such as the Office of the Ombudsman, where solutions to real problems can be arranged for the small catcher-processors, <sup>some</sup> can survive through the bureaucrat confusion.

If the governor's office can rescind my processor status without due process the state should pay my loss, and I would like to have the \$50,000 loss repaid to my company so I can stay in business. When only large corporate influences are heard the small catcher-processors will be rat holed and innovation crushed.

rag, rag, rags . . .  
4) Enforcement problems should be administered through each specific Dept. (ie) my ticket from ADF+G enforcement was due to a Dept of Revenue problem. I should have been informed by both Dept of my problem before the fish cop took me to court. It took 6 months this year for D.E.C. to process my application and the Revenue + ADF+G are often just as slow. I really don't care as long as they accept my delays as being justified also. (see correspondence with Dept of public Safety).

5) Finally, I feel a lack of gratitude from the Bureaucratic entities when a new

Fishery is developed due to hardwork, innovation, and personal promotion. and there is no reimbursement for Taxes. specifically The ASMI Tax: Our company spent \$20,000 to promote new species of seafood + upgrade my facilities I should get a tax break. Established businesses + cold storages don't promote new products as developing catcher-processors. must yet they eventually benefit through our mistakes + successes without the risks, I should be able to get a rebate due to promotion not available through ASMI.

(c) As the catcher processor grows buying <sup>fish</sup> is an integral part of developing the business to keep a continual product flow, however the state fishing loan through Econ. Development will not consider revenue generated from buying as a basis for lending any money for ~~as~~ upgrading a vessel or vessel purchase. If I fish part of the year and due to lack of permits I must buy part on my vessel + sell in port. I believe the state should make financing available. Loans based on fishing performance only limit + inhibit normal vessel + business use of vessels and our personal business potential. This is a very important point. Alaska must aid new businesses + promote new ideas to keep-up with

changes in the industry. ~~It is a~~  
#8 I don't own land in Alaska I have  
lived here 5 years and my whole  
lively hood depends on the Seafood  
industry which is a water based  
industry. As an Alaskan I  
should receive my benefits land  
holders are entitled to since owning  
the ocean is ridiculous.

Well Rodger if you've held  
your attention to these points I  
would hope further questions on  
my mad ravings are in order,  
please give me a call. my finger  
has a blister & its lunch time

Thany.  
Jim  
Sedex etc

DEC

SEABOY ALASKA LONGLINE  
John & Richard Maher  
P.O. Box 1610  
Sitka, AK 99835  
July 9, 1985

State of Alaska  
Div. of Environmental Health  
P.O. Box 10-4240  
Anchorage, AK 99510-4240

Dear Mr. Soares:

This is in reply to your letter of 6-25-85. Animals are excluded from the truck facility because they can't climb five (5) feet into the van when in operation.

Rodents are eliminated by cats in the available area and any animal that has entered the van will be frozen overnight when the refer unit is in operation. This includes insects.

The truck is mobile and can out distance any rats and flies on its way to the airport.

The truck is sprayed regularly inside and out with a special high pressure sprayer available at the Allen Marine Ways. This also doubles as a hand washing source when pressure equipment is turned off.

Since the fish ~~is~~ boxed in this van is unprocessed there is little or no liquid waste. If any it is washed over the edge of the dock. All solid waste is dumped at sea in an accepted manner.

Lighting is provided by sealed beam sources in the ceiling.

The Allen Marine warehouse has a toilet facility during normal working hours and a portable toilet is available 24 hours a day. There are no floor drains in the van. Water drains out the rear when washed on the usual incline washing area.

Ms. Krohn has been notified several times to inspect our mobile facility, however she was not able to visit during our operating schedule. We will continue to attempt a connection with Ms. Krohn.

As per our conversation concerning the F/V Alaska I which visited Sitka with a permit AK144 but no inspection from your department, I would hope this same courtesy would apply here.

Div. of Environmental Health -2- July 9, 1985

The people of Sitka seem to wonder what laws do and don't apply to Alaskans. I have also been aware along with other processors in the area who are ready to verify that it is common policy to permit operation while an attempt to coordinate a compliance or variance with your department, to insure that the regulatory intent of producing a wholesome seafood product is maintained.

Sincerely,

*John T. Maher*

John Maher  
Seafood Processor

# STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

**DEPT. OF ENVIRONMENTAL CONSERVATION**  
DIVISION OF ENVIRONMENTAL HEALTH  
P.O. BOX 10-4240, ANCHORAGE, ALASKA 99510-4240

Telephone: (907) 272-1561  
Address:

REPLIED

7-9-85

June 25, 1985

John T. Maher  
Seaboy Alaska Longline  
P.O. Box 1610  
Sitka, Alaska 99835

SUBJECT: FROZEN FOOD SERVICE FACILITY

Dear Mr. Maher:

Once again I have received an application from you which is not complete, nor does it contain the information I requested in my letter of January 24, 1985. In order to permit this facility, we must insure that basic handling and sanitation requirements have been met, and the following items are required:

1. A plot plan of the area showing docks, roads, buildings, restrooms, etc. in proximity to the truck facility.
2. A floor plan of the facility drawn to a reasonable scale (1" equals 4 feet or larger), showing overall dimensions, doors, windows, floor drains, equipment, handwashing facilities, storage, and a plumbing plan of both the water system and waste system.
3. Specify what effective measures will be taken to exclude animals, birds, and vermin (including but not limited to rodents and insects) from the facility.
4. Specify the type of lighting and protection provided to prevent breakage.

Several attempts were made by Joyce Krohn of the Sitka Office to review your facility upon your request. However, not only was she not able to locate anyone there, but on her last attempt the truck was also gone.

Mr. John T. Maher

- 2 -

June 25, 1985

Upon receipt of the above requested information and a verification inspection for compliance with 18AAC34, by a representative of the department, we will complete the review and issue your permit. Until such time that you have been issued a permit for this facility, it has not been permitted and may not be used. Also the permit #AK 371 issued to the F/V Ranger may not be used at any other facility, only the Ranger.

If you have any questions or we can be of assistance, please feel free to contact me.

Sincerely,



Manuel J. Soares  
Seafood Permit Coordinator

MJS:k11

cc: Joe Cladouhos  
Harmon Blanch  
Susan Braley  
Joyce Krohn



# Ombudsman

John B. Chenoweth

June 28, 1985

John Maher  
Seaboy Alaska Longline  
Box 1610  
Sitka Alaska 99835

RE: Ombudsman Complaint J85-0496

Dear Mr. Maher:

This will acknowledge our receipt of a copy of your June 24, 1985 letter to Lt. Tedsloff of the Department of Public Safety.

It is our policy to first allow the agencies the opportunity to respond to citizen complaints before our involvement. If after a reasonable period of time you do not receive an adequate response to your letter to Lt. Tedsloff, you may recontact us if you wish.

As you may be aware, in past years this office has had a policy of accepting collect calls regarding complaints. Unfortunately, because of severe budget cuts, the Ombudsman has directed our staff not to accept collect calls starting July 1, 1985. I mention this so should you have to contact us in the future, you will understand the reasons for the policy change.

Please let me know if you have any questions.

Sincerely,

Duncan C. Fowler  
Regional Representative

DCF:11e

State of Alaska

Reply to:

3201 C Street, Suite 608  
Anchorage, Alaska 99503  
(907) 563-3673

Pouch WO  
Juneau, Alaska 99011  
(907) 465-4970

P.O. Box 74358  
Fairbanks, Alaska 99707  
(907) 452-4001

Seaboy Alaska Longline  
John & Richard Maher  
P.O. Box 1610  
Sitka, Alaska 99835  
June 24, 1985

Lt. Tedsloff  
Public Safety  
Fish & Wildlife Protection Div.  
P.O. Box 6188 Annex  
Anchorage, Alaska 99504

Dear Lt. Tedsloff,

This is a letter of complaint against officer Bruce Lester of Sitka, Alaska. I believe that officer Lester is abusing his privileges of authority and alienating both fisherman and processing company (Seaboy Alaska Longline). Mr. Lester has cited Seaboy Alaska Longline for turning in a fish ticket that was misplaced when we moved our office. The intent of the regulation is to promote a speedy fish ticket return. However, Mr. Lester's attitude when dealing with this problem is one of harassment. If Mr. Lester could find that our company has purposely withheld the fish tickets then a citation would be in order. He also said that we turned our tickets in late on a regular basis. This maybe true due to the fact that Fish & Game has a courtesy pick up from the other processors in town. It seems that our company gets by passed occasionally. It's also a courtesy that our company works with Fish & Game to biologically monitor rockfish stocks. Frankly! Mr. Lester's actions and attitude makes me feel like throwing away misplaced fish tickets. His zealousness to the letter of the law has alienated his own subordinates and myself as a processor. If a ticket is the response for being honest, then why follow the regulations. It would be easier to dump old misplaced tickets in the waste basket.

Mr. Lester also served another ticket for no Intent to Operate at midday on Friday May 24, 1985 knowing I had little time to find what problem was responsible for the delay. Before halibut season after Memorial Day, I quickly corrected the situation however, Mr. Lester left work early Friday and he didn't get the message from the Revenue Department, to grant my company an extension time. Mr. Lester visited my operation on Saturday May 25th out of uniform and caused a work delay so he could listen to his phone messages in my office. His outbursts in front of my crew and unnecessary badgering should be a point looked into on other instances. There is no need to tell you why two men under his employment quit. It becomes evident when his gestapo interrogation of my private business affairs and judgemental attitude ex-  
wondering how he keeps his job? As a public servant Mr. Lester is a lack of guidance and his hardline tactics leave me disappointed with Fish & Wildlife protection's courteous reputation and fairness. There is more to living and working in Sitka than dodging an unprofessional man who is out to harass developing businesses with paper tiger problems.

Our lack of Intent to Operate was a financial problem due to a series of events, of poor fishing, bad weather, and bad debts. The Intent to Operate was filed on January 4 1985, personally by myself, but Fish & Game withheld the Intent to Operate without informing me or my brother. As you will notice concurrently DEC permits from the state take 5-6 months to process. We

were unaware of the paper work problem. If Mr. Lester would have investigated further he would have found the Revenue Department and their enforcement division have the responsibility for negotiating our problem. Your cut and dry letter of June 13th 1985 to protect your subordinates actions reflects a neglect to the responsibility of "due process of Law". I respectfully suggest your department handle criminal enforcement and let the revenue department handle administrative problems.

Concerning our ticket 3 years ago, that also was close to being thrown out of court. A minimum \$50 fine and a voidance of more court action was an easy solution to selective prosecution, which is what really was the issue. So I don't accept any attitude from Fish & Game enforcement of criminal misconduct concerning Seaboy Alaska Longline. We've been an asset and inspiration to this community and we dis-respect any attempts by state agencies to interfere with due process of Law, which was incurred by Mr. Lester's 11th hour tactics.

There must be a lack of real problems in this community when harassment of businessess is condoned by state enforcement officials.

Copies of this letter will be distributed as widely as possible to insure a fair assesment of the problem. Mr. Lester's suggestions during his out of uniform harasment, that we go back to fishing instead of fish processing shows his bias, no doubt, aquired through a personal interest in our private operations.

I will be available to discuss this in person at a inquest if necessary and witness other instances of pety harasment which could be documented officially at this time.

Sincerely,

John Maher, Partner/Manager  
Seaboy Alaska Longline

P.S. I don't spend my Saturdays in jogging attire harassing state agencies to do their jobs. I expect no less in return.

# Alaska State Legislature

Advisory Council Members  
Senator Bennett, Chairman  
Senator Kerttula  
Senator Abood  
Senator Sackett



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

## SENATE ADVISORY COUNCIL

### MEMORANDUM

TO: Frank Hohman  
Aide to Senator Sturgulewski

FROM: Bill Hall *BH*  
Senior Advisor

DATE: June 3, 1985

RE: Senate Advisory Council (SAC) Involvement in the Need to Streamline Permitting, Licensing and Bonding Requirements of Alaska's Fishing Industry.

I am in receipt of Senator Sturgulewski's memorandum outlining her interest in working on this issue with assistance from SAC. I am writing this memo to confirm our earlier discussions regarding the timing of our involvement relative to my impending leave of absence and to confirm that you do not anticipate a need for my assistance until my return to work on September 1.

It is my understanding that work on this issue will involve staff from both the House and the Senate. I have discussed the matter with Roger Painter of Representative Goll's staff, and he expressed an interest in arranging a planning meeting this week.

BH;cb

Mary Levan  
Sen. Cleason

Criminal Penalties

Bob Charles  
Rep. Bentley

Catchers Processor  
Smaller operators

Mini Tack Force  
Gregg Baker

Letters to  
- Fisherman group  
- small processors  
- City govts

Frank  
Roger

Seafood Processors  
Rick Barber

Dept of Revenue  
Dan Anderson

rather existing  
requirements from  
agencies

Dept of F & G

Contact mini Cabinet  
Roger

DEC Tack Force

Dept of DEC

Requirements — Penalties  
Bonding — Enforcement  
Education  
Credit Check?  
waiver after 4/15

Dept of Labor  
Jim O'Connor

FISH Buyers <

< FISH Brokers

Legal Services  
A.G.

FISH TICKETS

Hom an  
Coordinate - memo  
of meeting  
Statement of task  
or purpose.

Ely - Permitter Process  
DEC

Earl Krueger  
ATA

ASMI  
Permit brochure

Next  
meeting



# 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 O. Smith  
Signature of Camera Operator

11/24/89  
Date

S B

170

STATE OF ALASKA  
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY  
LEGISLATIVE REFERENCE LIBRARY

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

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

SENATE RESOURCES COMMITTEE, 4/12/85, 1:30

# Alaska State Legislature

ARLISS STURGULEWSKI, Chairman  
BETTYE FAHRENKAMP, Vice Chairman  
JACK COGHILL  
DICK ELIASON  
VIC FISCHER  
RICK HALFORD  
FRED ZHAROFF



POUGH V  
JUNEAU, ALASKA. 99811  
(907) 465-4907

## Senate Committee on Resources

MEMORANDUM

April 11, 1985

TO: Senate Resources Committee Members

FROM: Senate Resources Committee Staff *MZ*

RE: SB 170  
"An Act making a special appropriation to the Department of Fish and Game for payment as a grant to the Fish and Game Advisory Committee on Hunting and Firearm Safety for statewide construction of rifle range; and providing for an effective date."

This is a one million dollar grant to build rifle ranges. The Fish and Game Advisory Committee on Hunting and Firearm Safety has built a number of ranges throughout the state using similar grants. The Committee proposes to use this appropriation to construct a number of small, low cost ranges in smaller communities.

In this packet, is a position paper from the Department of Fish and Game, a fiscal note, and a letter to Senator Rodey from Joe Nava on behalf of the committee. A directory of ranges built through this program will be available at the meeting.



**STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
BILL ANALYSIS**

DEPARTMENT Fish and Game	DIVISION Game	BILL NUMBER SB 170	SPONSOR Rodev/Bennett/Faiks/Kerttula
DEPARTMENT POSITION Favor			
PREPARED BY Phil Koehl	DATE 4/11/85	COMMISSIONER'S SIGNATURE <i>[Signature]</i>	DATE 4-11-85

**SUMMARY**

OTHER AGENCIES AFFECTED BY BILL None	CONSTITUENT GROUP(S) AFFECTED BY BILL Sportsmen School students
ORGANIZATIONAL SUPPORT FOR BILL Sportsmen's groups Gun clubs	ORGANIZATIONAL OPPOSITION TO BILL Unknown

FISCAL IMPACT:     NONE                     FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

To provide shooting facilities for hunter safety training and public recreational shooting.

ANALYSIS OF BILL/PROGRAM EFFECTS

This bill would allow the department to implement/continue the program to provide a broad range of safe shooting facilities in the state. The bill would have little impact on the department's budget because administrative costs are low (ranging from 3 to 5 percent) and personnel who would be responsible for administration are both familiar with the program and already partially funded.

AMENDMENTS PROPOSED

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_

REQUEST

Bill/Resolution No.: SB 170  
 Title: Special appropriation for  
construction of rifle ranges  
 Sponsor: Rodev/Bennett/Faiks/Kerttula  
 Requestor: \_\_\_\_\_  
 Date of Request: \_\_\_\_\_

FISCAL DETAIL

Agency Affected: Department of Fish & Game  
 Program Category Affected: Game  
Resource Conservation  
 BRU, Program or Subprogram(s) Affected:  
Game

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<b>OPERATING</b>						
100 PERSONAL SERVICES		15.5				
200 TRAVEL		8.6				
300 CONTRACTUAL		3.5				
400 SUPPLIES		0.5				
500 EQUIPMENT						
600 LAND & STRUCTURES		971.9				
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>	-0-	1000.0	-0-	-0-	-0-	-0-

<b>CAPITAL</b>						
----------------	--	--	--	--	--	--

<b>REVENUE</b>						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	1000.0	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

POSITIONS:

FULL-TIME		6.0				
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Total administrative expenses for a \$1 million appropriation would be approximately 3 percent. Because some costs are fixed, expenses could reach 5 percent at lower funding levels.

Prepared By: Phil Koehl Phone: 465-4190  
 Division: Game Date: 4/11/85

Approved by Commissioner: James R. Meyer Date: 4/11/85  
 Agency: \_\_\_\_\_

Distribution (by Agency preparing fiscal note):

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

7/1/84

APR 02 1985

28 March 1985

Senator Arliss Sturgulewski, Chairman  
14th Alaska Legislature, 1985  
Pouch V  
Juneau, AK 99811

Dear Senator Sturgulewski,

I write in support of SB170, a bill to provide money for construction of shooting ranges for fire arms safety training.

I have appeared before your Committee in support of the same Program in prior years.

This is an ongoing program to provide facilities throughout the State. The Advisory Committee originally identified Statewide needs costing ten million dollars. In the first 4 years of the Program about 3 1/2 million was spent, mostly on the larger population centers. Now the smaller communities still need to be done.

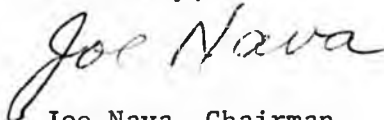
For the last 2 years the Legislature has made an appropriation, but Governor Sheffield has vetoed it. We need an appropriation desperately this year in order to keep the Program going and to be fair to the smaller communities of the State.

These are one-time capital expenditures with no associated on-going costs to the State. This Program provides the facilities where our State's people will be recreationally and educationally shooting for many years into the future.

Without these facilities, inadequate training will be done, and recreational shooting will be dispersed along the roadsides.

Please support SB170 and help it along, all the way past the Governor's Office, as much as you can. Future generations of safe shooters will thank you for it.

Sincerely,



Joe Nava, Chairman  
Advisory Committee on Hunting & Firearm Safety  
469 NRA Lane  
Fairbanks, AK 99701

**FIREARMS SAFETY** MAKE NO  
**DEPENDS ON YOU** MISTAKE  
ABOUT IT!

5 February 1985

Senator Patrick Rodey  
State Capitol Room 504  
Pouch V  
Juneau, AK 99811

Dear Senator Rodey:

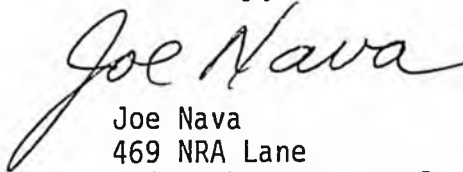
The Fish & Game Advisory Committee on Hunting and Firearm Safety met on 1 February. We agreed that we would like you to put some money through the Legislature for Range Construction this year. We realize that money is scarce, but we believe we have a good chance of getting the appropriation through the Governor's Office for two reasons:

1) This money is to build facilities that will be for the long-term benefit of the People without incurring any additional cost to the State in the future.

→ (2) The need now is for many small, low-cost ranges in the smaller communities throughout the State.

Therefore, will you please give this program whatever help you can, and keep me informed if we need to help in any specific area. We don't know if a separate bill is the way to go, but we are ready to help see it through if you think this is best.

Sincerely,



Joe Nava  
469 NRA Lane  
Fairbanks, AK 99701

ADVISORY COMMITTEE ON  
HUNTING AND FIREARM SAFETY

March 3 and 4, 1983

Chairman Joe Nava called the meeting to order at 9:00 am. Members present were Pete Hallgren, Paul Weller, Ted Nelson, Sam McDowell, and Dolores Scott support staff.

The Committee discussed the need for continued funding of the program, and legislators most likely to help.

Joe Nava reported that initial information has been sent to Senators Bennett and Rodey and Representatives Bettisworth, Ringstad and Malone. Malone has already introduced House Bill 233 requesting the \$4,500,000 for rifle range construction in FY 84.

Legislators to be personally contacted were discussed and assigned.

The Committee voiced the desire to concentrate on ranges for bush communities in FY 84, and to make sure ground is dedicated for future ranges in all communities throughout the State. The program will continue emphasis on both construction of safe facilities and hunting and firearm safety programs. There is a stated need for trained instructors throughout the smaller communities. Jack Alexander is currently conducting training programs for hunter safety instructors.

Joe distributed a mailout from the Committee and the Alaska State Rifle and Pistol Association which had been sent to the National Rifle Association for them to mail to all their members in Alaska. (attached)

Bob Hinman talked with the committee about financing. He reported that Rifle Range funding had been cut out of the ADF&G FY 84 budget submission. The Committee discussed how to get money earmarked from the Legislature for the Rifle Range program. The pros and cons of having it in a Capital Improvements Project or the ADF&G Operational Budget were discussed.

Distribution of the remaining \$29,700 of FY 83 funds was discussed. Moved and seconded to hold the money over until the next meeting, which will be held May 20 in either Anchorage or Fairbanks.

Other business, Pete Hallgren discussed acquisition of an old building from the Mt. Edgecomb school for a Sitka Pistol Club facility. He will pursue several alternatives and keep the Committee posted on developments

Joe reported that NRA Range Facilities Specialist Dick Whiting will be coming to Alaska in June. He will see ranges in Barrow, Delta, Tok, and Nenana (at least), and will inspect others as necessary.

NAME: Juneau Gun Club

LOCATION: 1 Mile Montana Creek Road

OPERATED BY: Juneau Gun Club

CONTACT: Jim White, President 907-789-9844 (H)  
P.O. Box 2444  
Juneau, Alaska 99803

HOURS OF OPERATION: Sunday: 11:00 AM to 4:00 PM  
Wednesday: 6:30 PM to 9:00 PM

FEES CHARGED: \$3.00 per 25 targets

FACILITIES AVAILABLE: 5 trap ranges  
Clubhouse/shelter; restroom facilities  
4 point, small bore range

PROGRAMS CONDUCTED: Hunter Safety Courses for shotgun certification  
(required for under 16 years for duck hunting)  
Boy Scout shotgun safety program  
Shotgun class for the University of Alaska  
Public turkey shoot under club supervision  
Registered trap shoots - open to the public.

NAME: Homer Rifle & Pistol Club

LOCATION: Homer Campground (indoor range)  
10 miles west of Homer (outdoor range)

OPERATED BY: Homer Rifle & Pistol Club

CONTACT: Scott Kyle, President  
Box 1454  
Homer, Alaska 99603

HOURS OF OPERATION: Indoor Range - Continuous for members  
Outdoor Range - Continuous for members and general public

FEES CHARGED: Indoor Range - \$2.00 per evening  
Outdoor Range - None

FACILITIES AVAILABLE: Indoor Range: 4 point, 50 ft range; club room separated from  
shooting points by windowed wall  
Outdoor Range: 4 covered shooting points; 100 yd range; 50 yd  
pistol range; warm-up building

PROGRAMS CONDUCTED: Hunter Safety courses  
High School Wilderness Survival course work  
Junior Club - now being formed to shoot competition  
.22 cal. courses  
Homer Police Qualification courses  
U.S. Coast Guard Qualification courses

NAME: Rabbit Creek Rifle Range

LOCATION: Mile 10 Seward Highway, Anchorage, Alaska

OPERATED BY: State of Alaska, Department of Fish and Game

CONTACT: Lee Glenn, Department of Fish and Game, 333 Raspberry Road,  
Anchorage, Alaska 99502. Phone 907-344-0541  
Range Master - Phone 907-345-2502

HOURS OF OPERATION: 10:00 AM to 6:00 PM, Saturday through Wednesday

FEES CHARGED: None

FACILITIES AVAILABLE: 100 meter largebore rifle range  
100 meter handgun range  
100 meter 22 cal. range  
50 meter instructional range (reserved for group events)  
Shotgun range

PROGRAMS CONDUCTED: Hunter Safety Classes. The instruction range will be open to such groups as Boy Scouts, Girl Scouts, Y.M.C.A., Boys Club, highschool rifle teams, state and local law enforcement agencies, etc. Groups must provide their own certified instructor or range master in order to use the facility.

NOTE: This range is currently being renovated and completion is anticipated prior to June 30, 1983. The above programs will go into effect once the range has been completed.

NAME: Wrangell Public Firearms Range

LOCATION: 3/4 Mile Spur Road  
Wrangell, Alaska

OPERATED BY: Wrangell Police Department

CONTACT: William G. Klein, Chief of Police 907-874-3304 (W)  
P.O. Box 531  
Wrangell, Alaska 99929

HOURS OF OPERATION: Summer months: 6:00 AM to 8:00 PM  
Winter months: 8:00 AM to 4:00 PM

FEES CHARGED: None

FACILITIES AVAILABLE: 200 yard rifle range with 5 covered shooting benches  
60 yard pistol range  
Skeet range

PROGRAMS CONDUCTED: Skeet training program  
Hunter Safety courses  
Small Bore rifle instruction

NAME: Fairbanks Trap Club

LOCATION: 6.5 Mile Old Steese Highway      P.O. Box 1447  
Fairbanks, Alaska      Fairbanks, Alaska 99707

OPERATED BY: Fairbanks Trap Club

CONTACT: Mr. Larry Thacker, Manager  
P.O. Box 80614  
Fairbanks, Alaska 99708

HOURS OF OPERATION: May - September:  
Wed. & Thurs. Evenings 6:00-9:00 PM: Sun. Noon - 5:00 PM  
Registered Shoot Dates: 9:00AM - 6:00 PM

FEES CHARGED: Practice: \$3.25/25 targets  
Registered Shoots: \$20/100 targets + fees

FACILITIES AVAILABLE: 4 Trap layout for Trapshooting  
Clubhouse with luncheonette, restrooms, etc.

PROGRAMS CONDUCTED: Team Shoots  
Registered Shoots  
Hunter Safety Courses

NAME: Tanana Valley Sportsmen's Rifle & Pistol Range  
Indoor Range

LOCATION: Tanana Valley Sportsmen's Club  
Sportsmen's Way  
Fairbanks, Alaska

OPERATED BY: Tanana Valley Sportsmen's Club

CONTACT: Oliver E. Burris, Secretary 907-452-3109 (H)  
2301 Talkeetna  
Fairbanks, Alaska 99701

HOURS OF OPERATION: 24 hours/day

FEES CHARGED: Regular Club Membership - \$25.00/year; Spouse - \$3.00/year  
Junior (16-19) - \$6.00/year; Junior (under 16) - \$2.00/year  
No charge for special programs (Hunter Safety, police qualification,  
scholastic shooting, etc.)

FACILITIES AVAILABLE:

10 point, 50 ft. Range with turning targets (60 ft. capability  
for Canadian style shooting)  
Combination statistical & locker room; restrooms  
10 meter international air rifle, air pistol, and running boar range  
Camping spaces available in season

PROGRAMS CONDUCTED:

Alaska Hunter Education Courses  
Junior Rifle & Pistol Instruction (Lathrop & West Valley High Schools)  
NRA Rifle & Pistol competitions  
Practical Pistol courses and competition  
Security and Police qualification courses  
Adult rifle and pistol instruction and training  
Postal matches  
Unsupervised recreational shooting for members and guests  
(insurance and liability is covered for non-members only during  
scheduled shooting programs)



NAME: University of Alaska-Fairbanks Outdoor Range

LOCATION: University Campus  
Fairbanks, Alaska

OPERATED BY: UAF Department of Campus Recreation

CONTACT: William L. Smith, Rifle Coach Phone: 907-474-7205  
Patty Building, University of Alaska  
Fairbanks, Alaska 99701

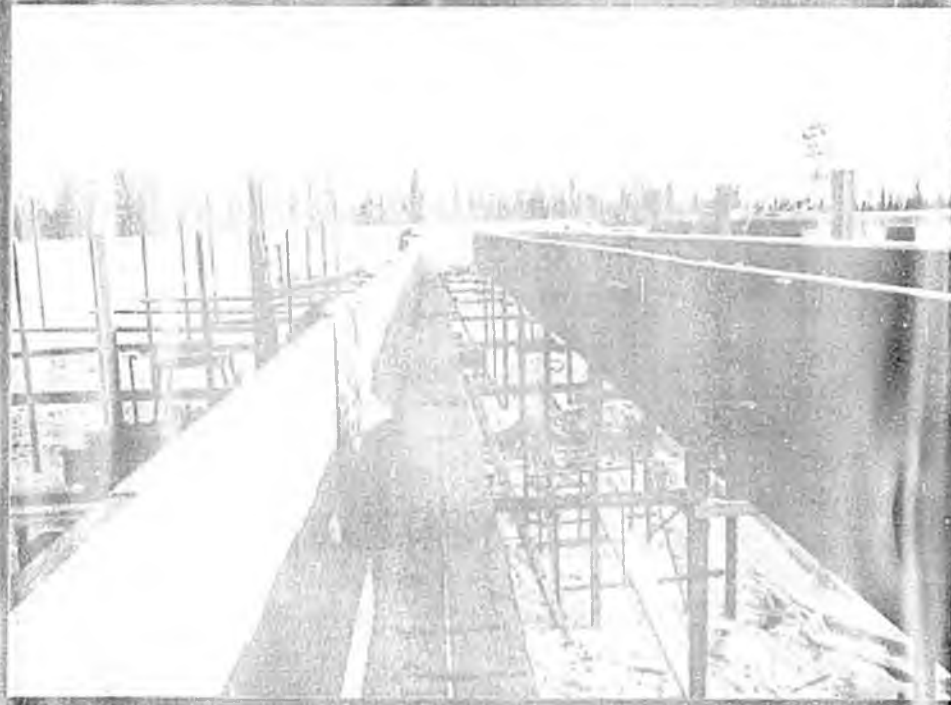
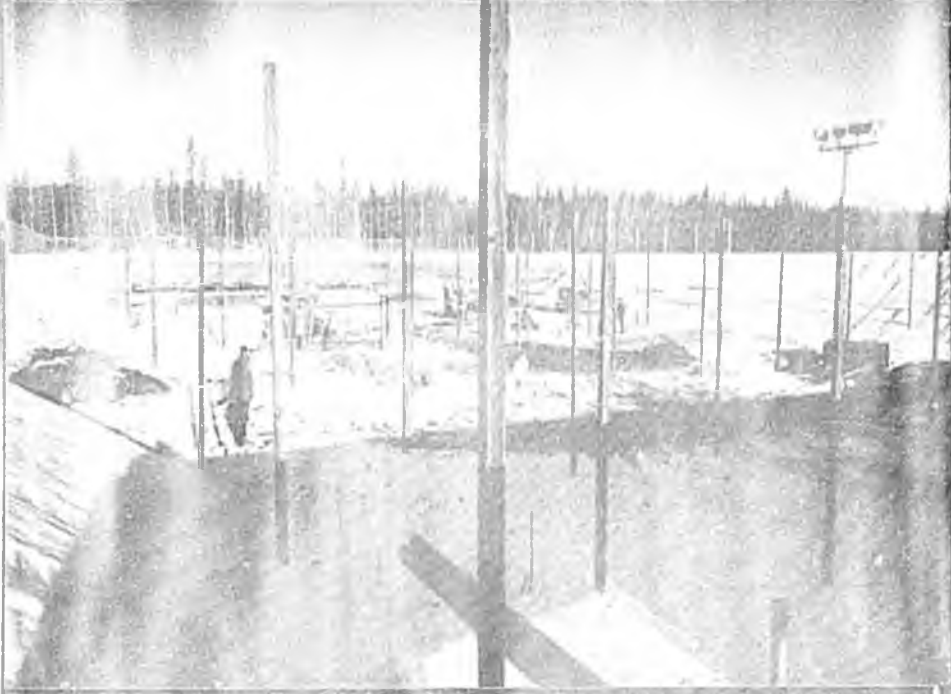
HOURS OF OPERATION: As scheduled by the season

FEES CHARGED: None except for target costs

FACILITIES AVAILABLE: Baffled range with smallbore rifle capabilities  
to 100 meters  
12 firing points  
Covered firing line

PROGRAMS CONDUCTED: Arctic Winter Games Biathlon  
Community Sighting-in Day  
Regular match and practice schedule for smallbore  
silhouette during summer  
Instruction programs for TVCC and local shooting clubs  
UAF Varsity Rifle Team practice

11 - 14 - Fairbanks  
Kump Road - 7/21





**RIFLING IN**—Dr. Ian Scarborough, a West Valley High School senior and member of the Arctic Winter Games showshoe biathlon team tries out the new University of Alaska-Fairbanks outdoor rifle range. The new \$325,000 facility will get its first workout during the Arctic Winter Games in March.

*UAF photos by Sandra McCracken*

## *New UAF rifle range set for Winter Games*

The new University of Alaska-Fairbanks outdoor rifle range has been constructed on university property near Ballaine Lake.

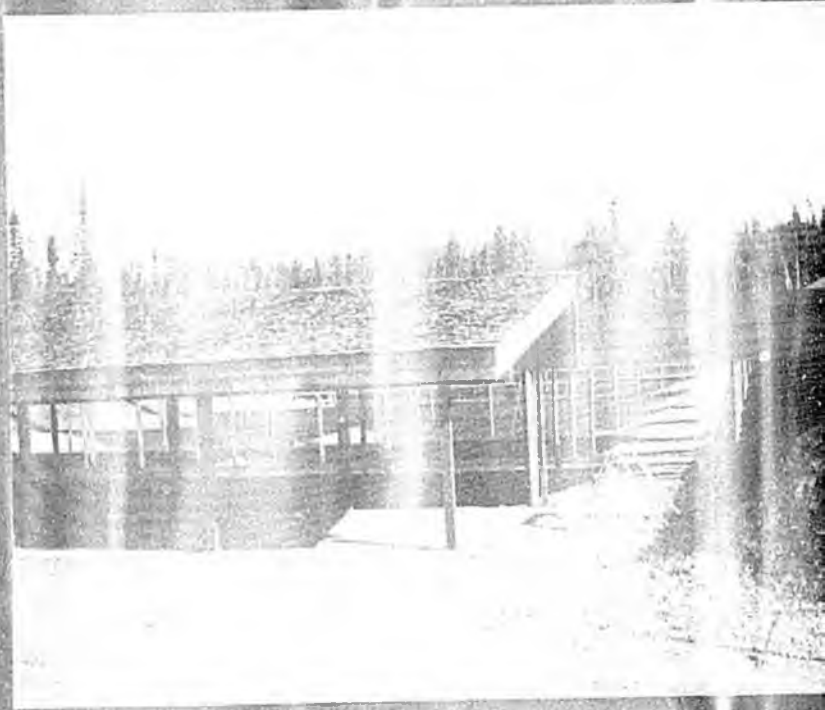
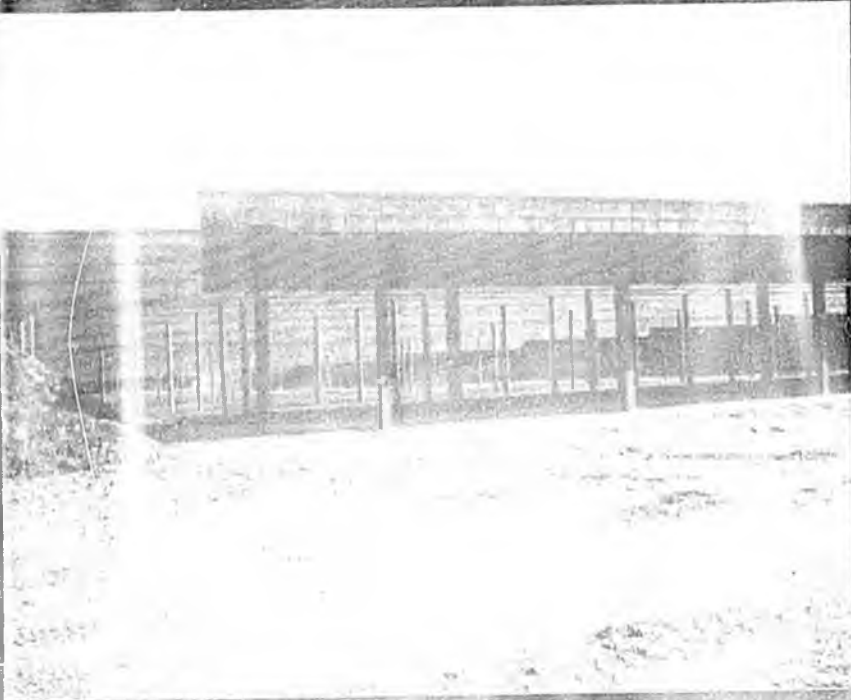
Built by Coastal Construction at a cost of \$325,000, the rifle range will get its first official use during the Arctic Winter Games in March.

The showshoe biathlon competition is scheduled for March 16 and 17 at 10 a.m. and a closing ceremony will be held March 16 at noon at the range.

Joe Nava, who sits on the Fish and Game Advisory Board, and Bill Smith, UAF coach and grant writer for the range, were responsible for obtaining the funds from the State Department of Fish and Game.

The new biathlon range was authorized by the Legislature last year and will for use by university and other area participants.

Completed Range



RANGE DIRECTORY QUESTIONNAIRE

NAME OF RANGE: SNOW SHOE GUN CLUB

LOCATION: MILE 6 KENAI SPUR ROAD - KENAI, ALASKA

OPERATED BY: SNOW SHOE GUN CLUB

HOURS OF OPERATION: ON RANGE MASTER AVAILABILITY

FEES CHARGED (IF ANY): Family Membership \$50.00 per year with key to gate.  
No fees charged to public on open days.

CONTACT (NAME, ADDRESS & PHONE NUMBER): DON FELTMAN  
P.O. BOX 429  
KENAI, ALASKA 99611  
Phone: 907-283-7373

DESCRIPTION OF RANGE FACILITIES AVAILABLE:

20 covered firing points - High Power Rifle 100 to 600 yards  
- Smallbore Rifle 50 yards and 100 yards

10 covered bench rest tables - 100 yards to 600 yards

5 position police combat pistol range - 7 yards to 50 yards

4 position high power pistol silhouette range - 50 meters to 200 meters  
1 trap house

PROGRAMS CONDUCTED:

TRAP

SMALLBORE RIFLE SILHOUETTE

HIGH POWER RIFLE SILHOUETTE

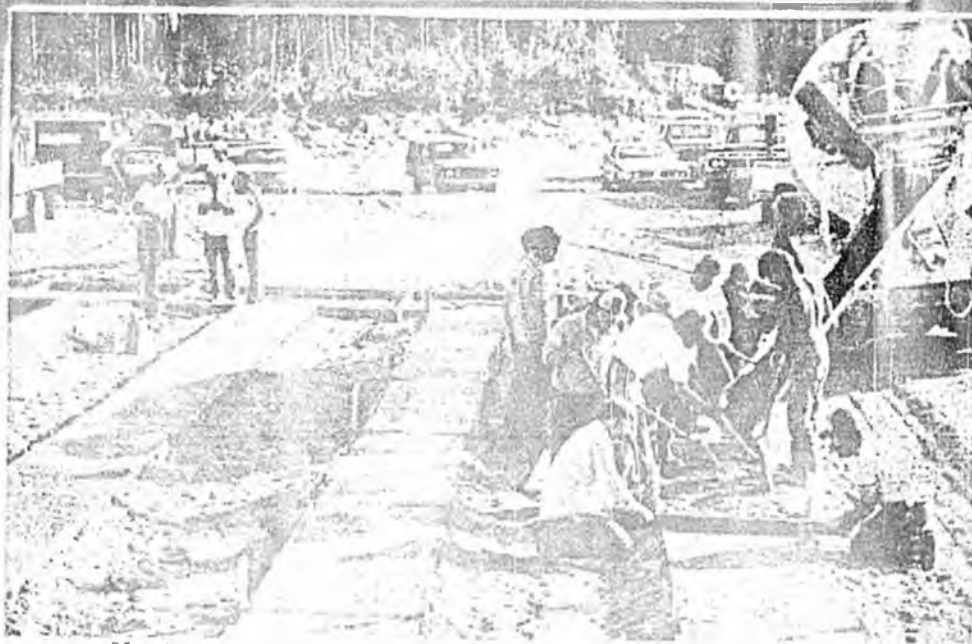
HIGH POWER PISTOL SILHOUETTE

BENCH REST RIFLE - HUNTER RIFLE - HEAVY VARMINT - SPORTING RIFLE

HIGH POWER RIFLE

SMALLBORE RIFLE

Hunter Safety Courses



Members of the Kenai Peninsula Peace Officers Association and the Snow Shoe Gun Club work together to build a combat pistol range at the gun club.

## *Pistol range in the making*

Volunteers from the Kenai Peninsula Peace Officers Association and the Snow Shoe Gun Club pitched in to begin construction of a combat pistol range at the gun club grounds last week.

The gun club received a \$10,000 grant from the state during the 1981 session to build the pistol range, which will be primarily used by area law enforcement agencies.

Alaska State Trooper Fran Moore said most law officers "must qualify periodically" in practical pistol shooting. The troopers must qualify three times per year, he said.

In the past, temporary shooting ranges were set up for the pistol exercises. "We had to do it in the mud and blowing sand and had to haul all the equipment. With this facility, we'll be able to store the equipment here."

The peace officers association also plans to arrange competition events with other associations around the state. Moore said the Snow Shoe range will be the best in the state "bar none," when completed.

Dan Hadden, president of the local gun club, said club members will be able to use the range when it's not being used by police forces.

"Depending on the enthusiasm," he said, the gun club may arrange National Rifle Association-sanctioned pistol shooting matches.

Moore said the range is standard police combat layout. The range is 50 yards long with five concrete walkways extending to the targets. A shooting station at the 50-yard mark will be covered and a concrete storage building will be constructed nearby.

The state grant was used to purchase gravel, concrete forms and cement. Hadden said Ma'n Equipment Rental and Ron's Rent all donated equipment.

NAME: Ketchikan Rod and Gun Club

LOCATION: Mile 10 1/2 North Tongass Highway  
Ketchikan, Alaska

OPERATED BY: Ketchikan Rod and Gun Club

CONTACT: Don Newman, Director  
Box 6391  
Ketchikan, Alaska 99901

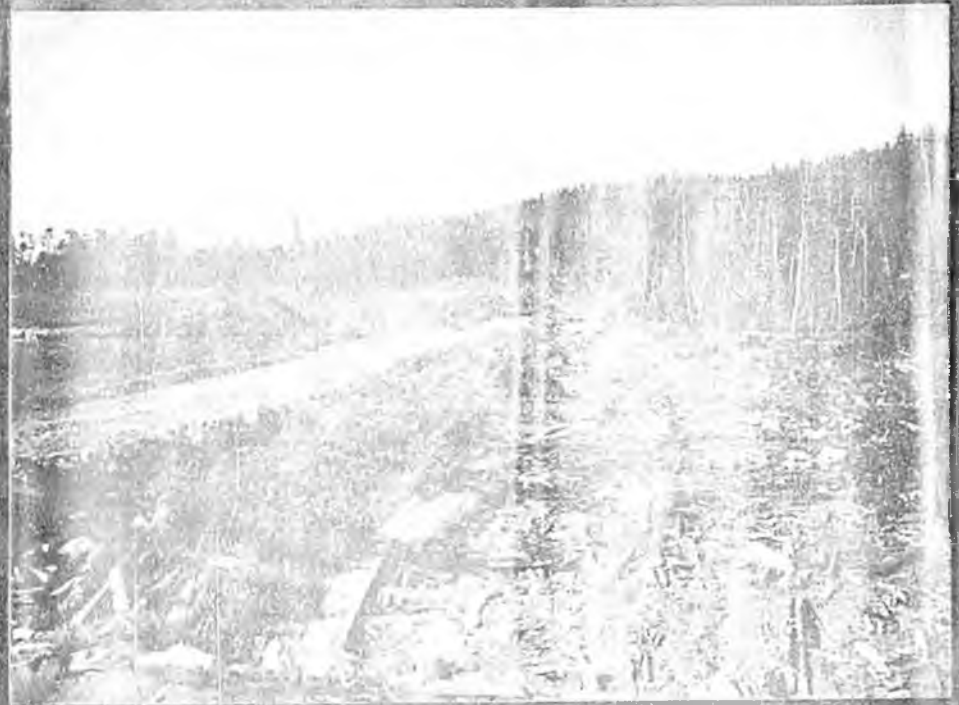
HOURS OF OPERATION: Rifle Range - 8:00 AM until Dark (Daily)  
Trap Fields - 6:00 PM until Dark, Wednesday  
10:00 AM until Dark, Sunday

FEES CHARGED: \$20.00/year club membership  
Non-members may use range at no cost other than fees for  
ammunition and targets

FACILITIES AVAILABLE: 100 Meter range with covered firing line  
4 trap fields  
Clubhouse/sanitary facilities

PROGRAMS CONDUCTED: A.T.A. Trapshooting Tournaments  
Hunter Safety Courses  
Boy Scout Merit Badge Qualification  
Instruction programs for rifle and  
trap shooting  
Black Powder and Silhouette Shooting  
programs now being organized





NAME: Kodiak Island Sportsman's Association Shooting Range

LOCATION: Adjacent to the V.F.W. Hall, Monashaka Bay, Kodiak, Alaska.  
Seven miles east of town.

OPERATED BY: Kodiak Island Sportsman's Association

CONTACT: Joseph J. Koczur, Jr., President 907-487-2246 (H)  
P.O. Box 538 Base 907-486-3298 (W)  
Kodiak, Alaska 99619

HOURS OF OPERATION: Weekdays - 7:00 PM to 10:00 PM  
Weekends - 10:00 AM to 9:00 PM  
By Appointment at other hours

FEES CHARGED: \$2.00 per day for walk-ins  
\$50.00 per year for unlimited access memberships

FACILITIES AVAILABLE:

Indoor Range - 10 lane, 7 position, Detroit Bullet Trap range  
Outdoor - Anticipated 5 to 10 lane, 300 yard range  
Meeting/instructional area separate from the indoor range

PROGRAMS CONDUCTED:

Hunter Safety Courses (quarterly), Home Firearms Safety,  
NRA Junior Program, NRA Sanctioned Competitions, Recreational  
"Turkey" Shoots, League Competition Shooting (Police, Schools,  
Local Organizations, etc.)

NOTE: This range is currently under construction. All information is tentative pending completion and opening of the range. Completion is anticipated prior to June 30, 1983.

V.F.D. Sheet Protector NY-10

V.F.D. Sheet Protector NY-10

V.F.D. Sheet Protector NY-11



[Redacted area]

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2



NAME: Kotzebue Shooting Range

LOCATION: Kotzebue, Alaska

OPERATED BY: City of Kotzebue

CONTACT: Donald E. Buehler, Chief of Police      Phone: 907-4 -3351 (W)  
P.O. Box 46  
Kotzebue, Alaska 99752

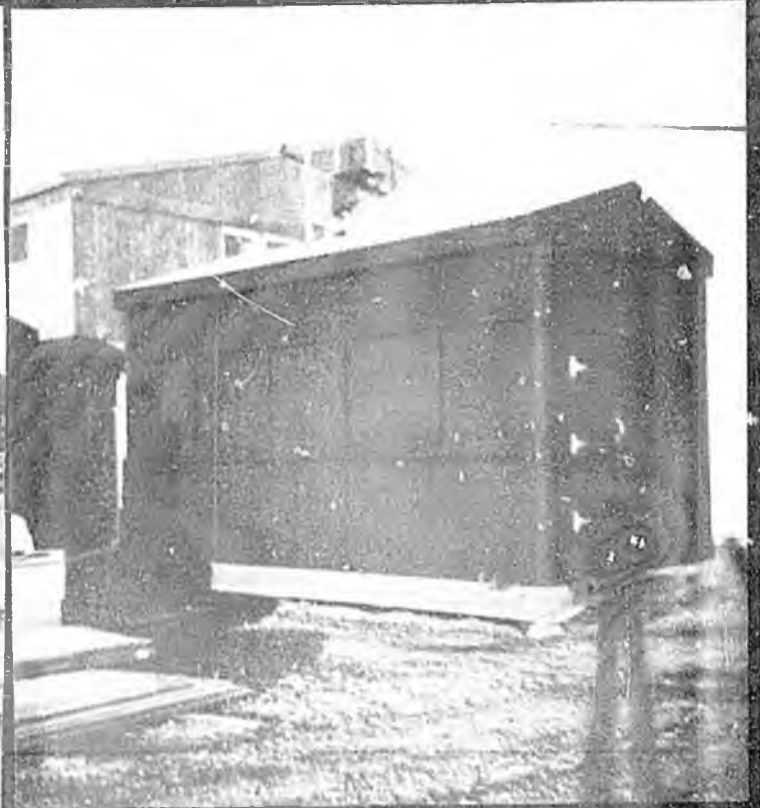
HOURS OF OPERATION: Not established as yet

FEES CHARGED: None

FACILITIES AVAILABLE: 2 heated 10' x 20' shooting sheds with 5 positions  
for rifle/pistol shooting (100 yard range), and  
2 positions for trap/skeet shooting

PROGRAMS CONDUCTED: Hunter Safety Courses  
Junior and adult shooting teams being organized  
Police and National Guard Qualification Programs  
Instruction in rifle, pistol and shotgun use

NOTE: The shooting sheds are a unique facility constructed to allow year around shooting in the Kotzebue area. The sheds will be moved to the range site in Spring 1983. They are on skids to allow for easy movement when snow removal is necessary during the winter.





NAME: Petersburg Range

LOCATION: Mile 13, Mitkof Highway, Petersburg, Alaska

OPERATED BY: Petersburg Rod & Gun Club

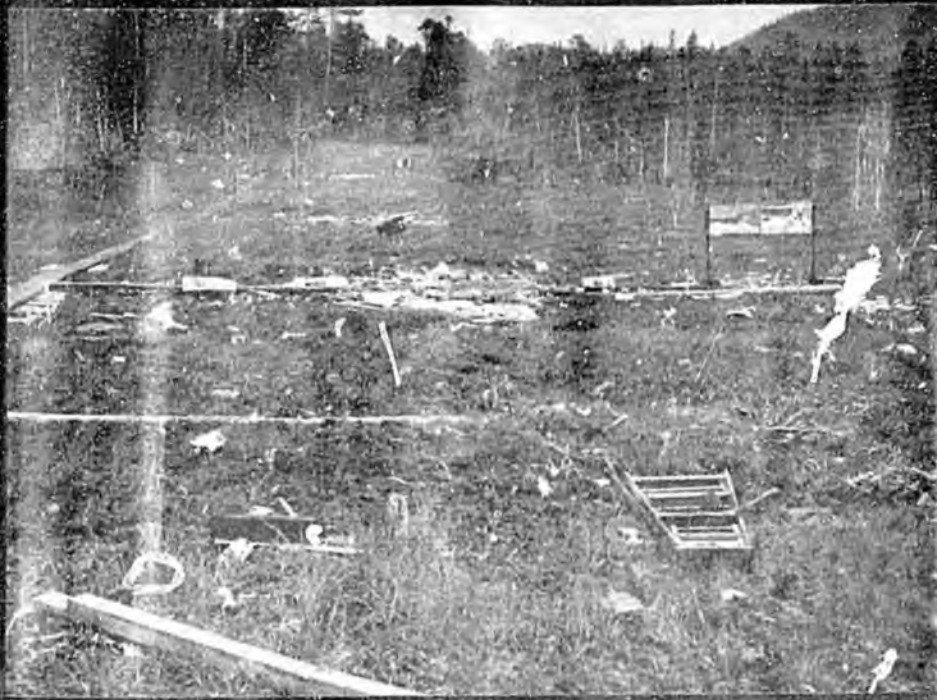
CONTACT: Ken Herrick, President 907-772-4447 (H)  
Box 193 907-772-3797 (W)  
Petersburg, Alaska 99833

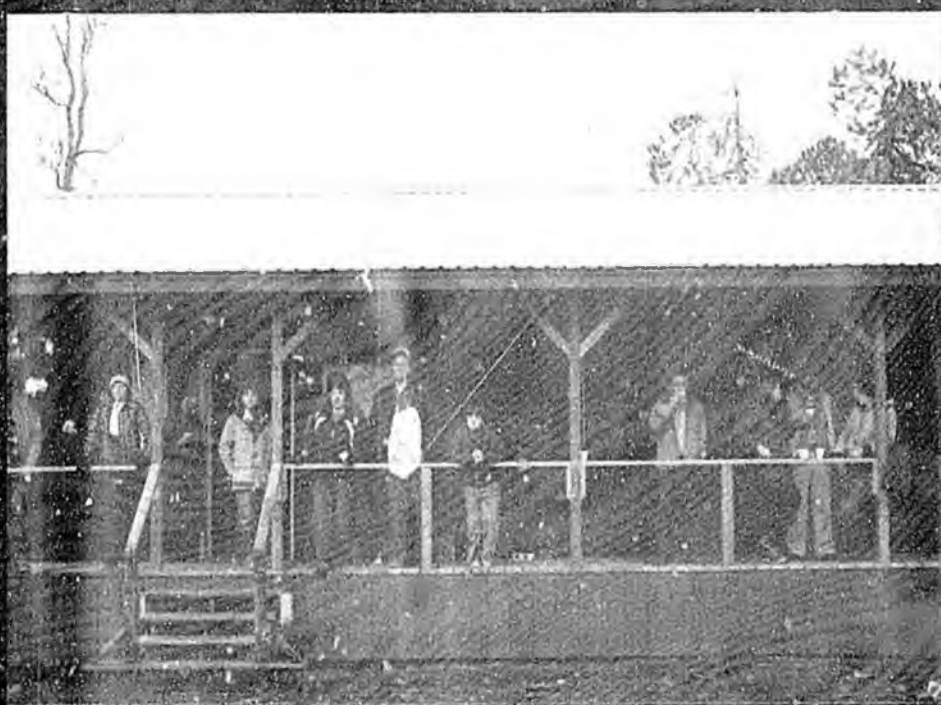
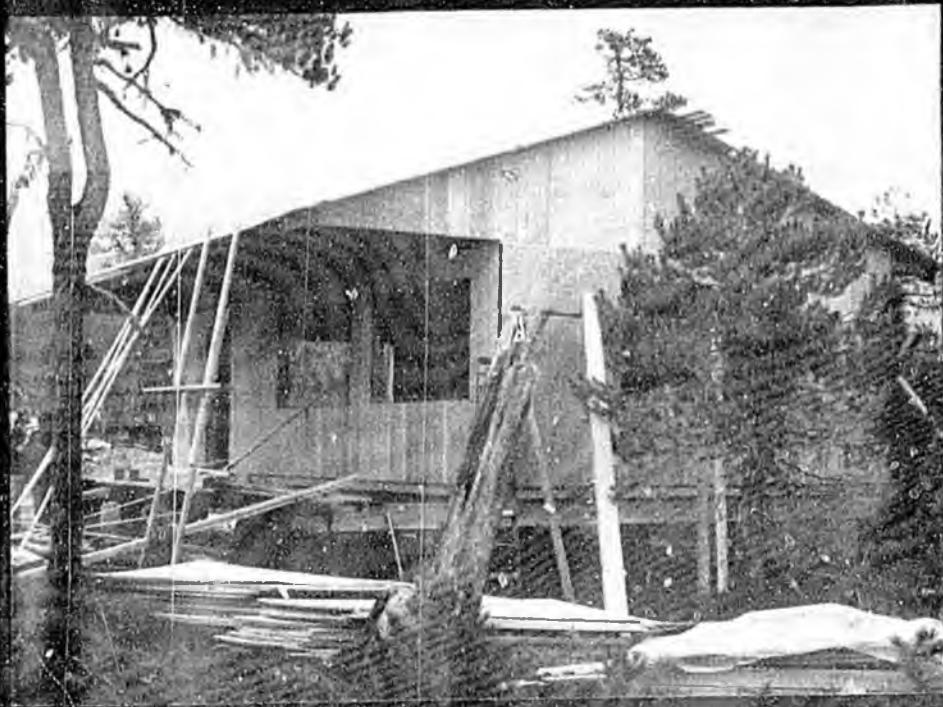
HOURS OF OPERATION: Open to public during daylight hours all days  
Regular club sponsored activities on Sunday

FEES CHARGED: Trap - \$2:00 per round  
Running deer and silhouettes - \$.25  
Cost of targets if purchased from club

FACILITIES AVAILABI regulation trap fields; Police combat course;  
rifle range - 25, 50, 100, 200 yards  
Running deer target - 100 yards--high power rifle  
Metal Silhouettes 1/5 scale - 22 rimfire rifle or pistol  
Warming house open on club supervised days; restroom facilities

PROGRAMS CONDUCTED: Hunter Safety Courses  
DCM Jr. Rifle Program (begins Spring 1983)  
Police Officer Qualification  
Coast Guard Boarding Party Qualification  
U.S. Forest Service 375 H&H Handling & Safety Course









## Renovated shooting range opens

By Sharon Kale

Gone are the scattered pallets that used to mark the shooting range. When the renovated Petersburg Shooting Range was opened to the public Oct. 31, it was crisscrossed with boardwalks and sported a shed, an announcer's booth and a shelter at the rifle range.

The improvements were made with a \$100,000 grant administered through the Department of Fish and Game, and will allow the Petersburg Rod and Gun Club to hold registered shoots. Hunter safety courses will also use the new facility.

The new trap shooting range includes a wooden boardwalk leading to the shooting area, two electric trap releases and concrete trap houses. "A police shooting range, next to the trap area, will permit more regimented practice for officers. Previously policemen were practicing in a gravel pit."

A shelter at the rifle range has space for five persons to shoot at the same time. Because it is raised off the ground, the range will also be usable when there is snow on the ground.

The new range was financed through a \$3.2 million appropriation from the 1980 legislature. The money was distributed by the Alaska Department of Fish and Game for development of community shooting ranges so hunting and firearm safety courses could be held. Petersburg was one of the last Southeast communities to receive a grant, following construction of ranges at Haines, Juneau, Ketchikan, Sitka and Wrangell.

A shooting course offered through the Youth Center will have an end-of-the-class competition at the range this weekend. Chief of Police Bob Oszman said a hunting safety course sponsored by the Police Department and the Rod and Gun Club will be held in January.

But youngsters won't be the only ones using the range. The Rod and Gun Club is planning to hold competitive shoots with Wrangell

and Juneau, although the matches may have to be via the U.S. mail to cut costs. The trap releases are owned by the club and will only be available when the club is shooting, but all other ranges at the new facility will be open everyday.

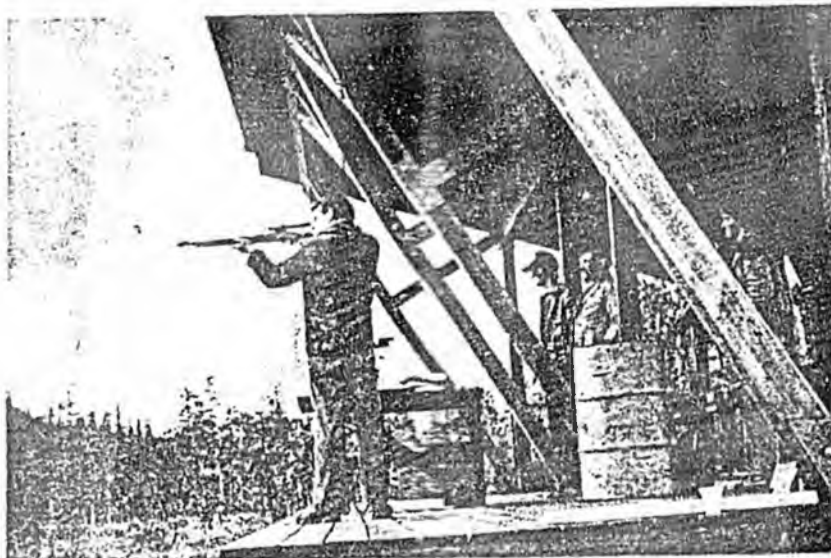
A large shelter provides a dry place for observers or firing shooters.

"We're really pleased" with the new facility, said Rod and Gun Club President Ken Herrick. "Before we

were really just scrounging.

Diana Bennet, administrative assistant for the ADFG Division of Game, said the improvements at the Petersburg range were well planned and constructed.

"When they first started working on it, \$100,000 sounded like a lot of money, but I think this will make up the whole amount," Ms. Bennet said. Construction cost about \$85,000 and she expects the rest will go toward design costs.



Petersburg's renovated shooting range is now open to the public. Sharon Kale Photos

NAME: Tony Harbor Memorial Range

LOCATION: Sitka

OPERATED BY: City & Borough of Sitka and Baranof Pistol & Rifle Club

CONTACT: Mike Schmidt, Planning Director, City & Borough of Sitka  
Box 79, Sitka, Alaska

HOURS OF OPERATION: Daylight all year

FEES CHARGED: None

FACILITIES AVAILABLE: 200 meter 8 point rifle range - covered barracks  
100 meter 5 point rifle range - covered barracks  
25 meter pistol range - covered shooting area

PROGRAMS CONDUCTED: Open to general public