

ALASKA LEGISLATURE COMMITTEE FILES, 1989-1990 8672
6005 HOUSE RESOURCES

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18 AAC 80.010 ENVIRONMENTAL CONSERVATION 18 AAC 80.010

life, and any substance intended for use as a plant regulator, defoliant or desiccant, including but not limited to insecticides, fungicides, rodenticides, herbicides, nematocides and biocides;

(11) "sheen" means an iridescent appearance of the surface of the water;

(12) "sludge" means a combination of solids and liquids, including but not limited to an aggregate of oil or oil and matter of any other kind having a combined specific gravity equivalent to or greater than that of water; and

(13) "water" includes lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, straits, passages, canals, the Pacific Ocean, Gulf of Alaska, Bering Sea, and Arctic Ocean, in the territorial limits of the state, and all other bodies of surface or underground water, natural or artificial, public or private, inland or coastal, fresh or salt, which are wholly or partially in or bordering the state or under the jurisdiction of the state. (Eff. 4/23/77, Register 62)

Authority: AS 46.03.020(10)
AS 46.03.755
AS 46.03.900

CHAPTER 80. DRINKING WATER

Section	Section
10. Alaska drinking water standards	70. Examination of water
20. Source protection	80. Reporting requirements
30. Cross-connections prohibited	90. Public notice of noncompliance
40. Water disinfection	100. Plan review
50. Maximum contaminant concentrations	110. Variance
60. Sampling and analysis	900. Definitions and abbreviations

18 AAC 80.010. ALASKA DRINKING WATER STANDARDS.

(a) Public water systems must comply with the requirements of this chapter.

(b) Subject to 18 AAC 80.110, no person may cause or allow the use of any water from a public water system owned or operated by that person which contains, or has a significant potential for containing

(1) any contaminant in noncompliance with the primary maximum contaminant concentrations set by 18 AAC 80.050; or

(2) any other contaminant in sufficient amount to make water unfit for human consumption. (Eff. 12/31/77, Register 64; am 9/1/82, Register 83)

Authority: AS 46.03.020(10)
AS 46.03.050
AS 46.03.070

State officials ask Exxon to pay minimum fine now

By CHEILA TOOMEY
Daily News reporter

State officials have asked Exxon to ante up a \$14 million down payment on civil penalties the attorney general says will likely be imposed on the company because of the Valdez oil spill.

In a letter dated April 25, Attorney General Doug Baily said paying the minimum fine now will signal that Exxon is serious about accepting responsibility for the spill, and will save them some interest costs down the road.

Baily said Wednesday the pollution fines are "totally separate" from possible civil damages or criminal charges that might be filed.

An Alaska statute, usually called the dollars-for-gallons law, calls for fines ranging from \$1 to \$10 per gallon of spilled oil. Spillers can get credit for oil recovered.

Preliminary calculations included in Baily's letter use a \$2.50 a gallon rate for pollution of estuarial, intertidal and confined saltwater environments. It assumes a 10 million-gallon spill with no recovery by Exxon.

The assessment is based on findings by the Department of Environmental Conservation and "the best information available at this time," Baily said.

Steve Muldur, an attorney for Bogle and Gates, the Anchorage law firm representing Exxon, said he could not comment on the state's request because the letter had not yet been received.

A recent study by the Daily News of tanker spills in Valdez indicated few spillers pay even minimal fines. Of about 160 mostly small spills since 1984, only once did the state demand money.

HB

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FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Office of the Governor
 Title: An Act relating to the Prince William Sound Recovery Authority; ... BRU: Commissions and Special Offices
 Sponsor: Resources Committee Components: _____
 Requestor: House Resource Committee

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS		5,000.0	5,000.0	5,000.0	5,000.0	500.0
TOTAL OPERATING		5,000.0	5,000.0	5,000.0	5,000.0	500.0

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND		5,000.0	5,000.0	5,000.0	5,000.0	500.0
FEDERAL FUNDS						
OTHER						
TOTAL		5,000.0	5,000.0	5,000.0	5,000.0	500.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

See attached analysis

Prepared by: Michael A. Nizich, Director *M. Nizich* Phone: 465-3616
 Division: Division of Administrative Services Date: 5/1/89

Approved by Commissioner: Garrey M. Peska *G. Peska* Date: 5/1/89
 Agency: Chief of Staff

Distribution (by preparer):

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

HB 296 Fiscal Analysis:

Due to the complexity of this proposed legislation, it is not possible to accurately assess the cost of the Prince William Sound Recovery Authority. The legislation specifies that the powers and duties of the authority are to be liberally construed to accomplish its purposes.

The Board of Directors consists of the commissioners, or their designees, of Environmental Conservation, Fish and Game, Community and Regional Affairs, Natural Resources, and three public members. In addition to travel and per diem set out in AS 39.20.180, the public members are to receive an honorarium of \$200 per day for each day spent at a meeting of the board, a meeting of a subcommittee, or as a board representative at a public meeting. The authority may establish advisory committees with respect to any facet of its work, to involve the people of the region in policy decisions. The number of days, locations of meetings, and honorarium costs for board member involvement is impossible to predict.

In addition to an Executive Director appointed by the Governor, the authority may employ staff including hearing officers and professional staff. The broad scope of the authority's charge would necessitate a sizable professional staff with expertise in specific fields, varying levels of administrative support staff to prepare the statewide agencies' budgets with respect to the oil spill response, monitor grants awarded by the authority, and provide overall administrative and secretarial support to the professional staff. It is impossible to assess the number of positions that would be required and the appropriate pay ranges.

The authority may contract for evaluation studies of the oil spill consequences and future prevention studies; establish a volunteer system; enter into cooperative agreements with state, federal, and local governments for administration of its power or for approved projects; and enter into contracts to carry out its purposes. In addition, the authority may make grants to further the recovery of the region from direct/indirect results of the oil spill; make compensation awards for direct and indirect damage claims; and provide funds to the Limited Entry Commission for buy-back or rental of permits deemed in excess of the desirable number due to the effects of the oil spill. There is no scientific method to determine an estimated cost for these grants, compensation awards, nor the number/costs of permits

HB 296 Fiscal Analysis (continued):

subject to buy-back or rental. We have concluded that substantial cost will be involved particularly as "indirect damages" could be as far reaching as fishermen/outfitters in Washington and Oregon.

Because of the above mentioned items we are unable to specify what amounts would be allocated to personal services, travel, contractual services, supplies, equipment, etc. All funds are shown within the miscellaneous line.

The legislation provides for a sunset date of June 30, 1993. FY 94 reflects an estimated cost for the authority's wind-down year in personal services and contractual obligations.



Alaska State Legislature

HOUSE OF REPRESENTATIVES
COMMITTEE ON RESOURCES

POUCH V
JUNEAU, ALASKA 99811
(907) 485-3715

April 25, 1989

Governor Steve Cowper
P.O. Box A
Juneau, Alaska 99811

Re: State Coordination of Data Collection

Dear Governor:

We are extremely concerned about the lack of coordination between the State Departments of Law, Environmental Conservation, Fish & Game, the University of Alaska and other private organizations currently involved in the collection of biological and environmental data related to the Prince William Sound oil spill.

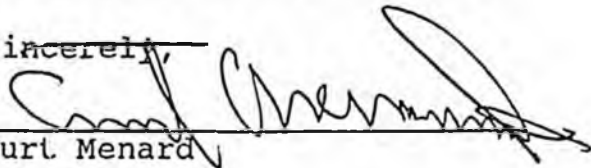
We feel that it is of the utmost importance that the State take immediate coordinated action to define the objectives of data collection efforts from a scientific and legal perspective, identify what information must be collected to meet these objectives, decide who is going to do what and finally facilitate the collection, compilation and dissemination of the data in a single state agency or organization.

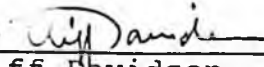
We want to work with you to understand how the direction you are taking on these issues relates to legislative funding, federal funding and receipt of funds from Exxon and other responsible parties.

Lastly, given that we have approximately two weeks left in this legislative session, it is essential that you identify any specific statutory authority which you will need to proceed with recovery and data collection efforts during the interim.

We are in the process of scheduling an executive session of the House Resources Committee to discuss the issue of data coordination with you or a representative from your office, the Commissioners of DEC, DNR and F & G and the Attorney General. We will keep your office informed regarding the scheduling of this session.

Sincerely,


Curt Menard
Co-Chairman


Cliff Davidson
Co-Chairman

cc: Commissioner Dennis Kelso
Commissioner Don Collingsworth
Commissioner Lenny Boston-Gorsuch
Denby Lloyd

6-1190H
Cramer
5/1/89

Original sponsor: Resources Committee

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 296 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Prince William Sound Recovery
7 Authority; imposing a fee on crude oil delivered for
8 marine transportation in Prince William Sound; au-
9 thorizing a rental program for reduction of the
10 number of limited entry permits outstanding in a
11 fishery affected by the oil spill disaster; relating
12 to establishing and maintaining oil spill cleanup
13 services and supplies; and providing for an effective
14 date."

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

16 * Section 1. AS 30 is amended by adding a new chapter to read:

17 CHAPTER 35. PRINCE WILLIAM SOUND RECOVERY AUTHORITY.

18 ARTICLE 1. CREATION AND ORGANIZATION.

19 Sec. 30.35.010. PRINCE WILLIAM SOUND RECOVERY AUTHORITY CREATED.

20 There is created within the Office of the Governor the Prince William
21 Sound Recovery Authority.

22 Sec. 30.35.020. STRUCTURE OF THE AUTHORITY. (a) The authority
23 shall be governed by a board of directors consisting of the commis-
24 sioners, or the delegates of the commissioners, of environmental
25 conservation, fish and game, community and regional affairs, and
26 natural resources, and three public members. The public members shall
27 be appointed by the governor and confirmed by the legislature for
28 staggered terms of two years. A public member, upon expiration of the
29 term, continues to hold office until a successor is appointed. A

1 vacancy shall be filled for the balance of the unexpired term. A
2 public member may not have a direct economic interest in the petroleum
3 industry or in the redevelopment of Prince William Sound. However,
4 one public member may have a limited economic interest in the redevel-
5 opment of the sound.

6 (b) Public members of the board receive an honorarium of \$200
7 for each day spent at a meeting of the board or at a meeting of a
8 subcommittee of the board or at a public meeting as a representative
9 of the board. Members of the board are entitled to per diem and
10 travel allowances as provided by law for members of state boards and
11 commissions.

12 (c) The governor shall appoint the executive director of the
13 authority. The authority may employ additional staff. The executive
14 director, hearing officers, and other professional staff of the au-
15 thority are in the partially exempt service under AS 39.25.120.

16 (d) The governor may remove members of the board for cause.

17 (e) Four members of the board constitute a quorum of the board.
18 Action may be taken by the board at a meeting by the affirmative vote
19 of a majority of the directors.

20 (f) The board shall elect a chair annually and may elect other
21 officers it considers necessary. The board shall meet at the call of
22 the chair or at the request of a majority of members.

23 Sec. 30.35.030. ATTORNEY GENERAL. The attorney general shall
24 act as legal counsel for the authority.

25 Sec. 30.35.040. ADMINISTRATIVE PROCEDURE ACT. The authority may
26 adopt regulations under the Administrative Procedure Act (AS 44.62) to
27 carry out the purposes of this chapter. Hearings held by the author-
28 ity are not subject to AS 44.62.

29 ARTICLE 2. PURPOSE, POWERS, AND DUTIES.

1 Sec. 30.35.100. PURPOSE. The purpose of the authority is to
2 provide an integrated, holistic response to the short-term and long-
3 term consequences, both direct and indirect, of the oil spill in
4 Prince William Sound, on March 24, 1989, to the people, vegetation,
5 fish, shellfish, animals, land, air, and water of the region.

6 Sec. 30.35.110. CONSTRUCTION OF POWERS AND DUTIES. The powers
7 and duties of the authority shall be liberally construed to further
8 the accomplish' ant of its purposes.

9 Sec. 30.35.120. IDENTIFICATION OF REGION. The authority shall,
10 by regulation, identify the region included within its jurisdiction.
11 The authority shall include within the boundaries the land and water
12 directly affected by the oil spill and may, to accomplish its pur-
13 poses, include land and water indirectly affected by the spill.

14 Sec. 30.35.130. DUTIES FOR RECOVERY OF THE REGION. (a) The
15 authority shall gather information relating to the environmental
16 safety of the region, the causes of the oil spill on March 24, 1989,
17 and of other risks to environmental quality. The authority shall make
18 recommendations to appropriate public and private bodies regarding
19 emergency planning and preventive measures.

20 (b) The authority shall prepare, adopt, and revise a long-term
21 optimum remedial plan for the recovery of the region from the effects
22 of the oil spill. The plan shall include methods to bring about the
23 recovery or replacement of the plant and animal life in the land, air,
24 and waters of the region affected by the oil spill and to assist the
25 people of the region to bring about an economic recovery and, if
26 needed, to maintain and recover physical and mental health. In
27 preparing and revising the plan, the authority shall assess the full
28 range of the consequences of the spill and may contract with others to
29 prepare studies. The authority shall report to the legislature on the

1 plan and revisions to the plan not later than the 10th day of each
2 legislative session.

3 (c) The authority shall implement the plan through an optimum
4 remedial program.

5 Sec. 30.35.140. POWERS. The authority may

6 (1) accept gifts, grants, or loans from, and enter into
7 contracts of other transactions regarding them, with any person;

8 (2) enter into contracts with the United States, another
9 state, or a person, and subject to the laws of the United States and
10 subject to the concurrence of the legislature, with a foreign country
11 or its agencies, to carry out its purposes;

12 (3) hold hearings and resolve claims for losses caused
13 directly or indirectly by the oil spill disaster;

14 (4) make grants to further the recovery of the region from
15 the direct and indirect results of the oil spill disaster;

16 (5) perform studies or contract with others to perform
17 studies monitoring and assessing the consequences of the oil spill
18 disaster, and concerning the causes, appropriate remedies for, methods
19 for assessing damages from, and future prevention of oil spill disas-
20 ters;

21 (6) make recommendations to federal, state, and local
22 governments concerning matters related to its purposes;

23 (7) sue and be sued.

24 Sec. 30.35.150. PUBLIC PARTICIPATION. The authority shall
25 involve the people of the region in the policy decisions respecting
26 its purposes. The authority shall establish a seven member advisory
27 committee composed of representatives of the subregions that were most
28 severely affected by the oil spill disaster. The authority may estab-
29 lish other advisory committees with respect to any facet of its work.

1 Membership on advisory committees may be drawn from individuals,
2 businesses or other groups, and representatives of local, state, and
3 federal agencies.

4 Sec. 30.35.160. STATE AND FEDERAL COORDINATION. (a) The au-
5 thority is the state agency responsible for all state activities
6 related to the oil spill disaster. Notwithstanding powers and duties
7 assigned to other state agencies, the authority shall direct the
8 state's response to the disaster and shall prepare the budget request
9 for the money needed by all departments involved in the recovery
10 effort.

11 (b) The authority may make recommendations to the legislature,
12 federal agencies, and to the Congress with respect to all matters
13 relative to its purposes.

14 (c) The authority may enter into a cooperative agreement with an
15 agency of the state, federal, or local government for the administra-
16 tion of its powers or for a project authorized by the authority.

17 Sec. 30.35.170. TRAINING AND EDUCATION PROGRAMS. The authority
18 may offer, coordinate, or sponsor educational and training programs,
19 counseling services, and technical assistance to people affected,
20 directly or indirectly, by the oil spill disaster to assist in allevi-
21 ating the effects of the oil spill disaster, to encourage recovery
22 from the disaster, and to ensure that the chance of ill effects from
23 future oil spills is reduced or eliminated.

24 Sec. 30.35.180. FISHERIES. If the authority finds that the
25 welfare of a fishery in the state is adversely affected by the oil
26 spill disaster, the authority may recommend to the Alaska Commercial
27 Fisheries Entry Commission that the number of permits issued for a
28 fishery be reduced. If the authority finds that the number of limited
29 entry permits in a fishery is greater than the desirable number of

1 permits because of the effects of the oil spill disaster on that
2 fishery, the authority may make funds available to the commission for
3 the buy-back program for the fishery under AS 16.43.320 or for the
4 rental program for the fishery under AS 16.43.325.

5 Sec. 30.35.190. VOLUNTEERS. The authority may establish a
6 system for the use of volunteers in its assessment, rehabilitation,
7 and cleanup efforts. A civil action for the negligent, reckless, or
8 intentional acts of a volunteer may not be maintained against the
9 authority or the state.

10 Sec. 30.35.200. CLAIMS FOR COMPENSATION. (a) A person who was
11 damaged directly or indirectly by the oil spill disaster may file a
12 written claim for compensation with the authority. The staff of the
13 authority shall investigate the claim and grant or deny compensation
14 for the damages. The claims staff may make a partial award of compen-
15 sation pending final determination of injury. The claimant may appeal
16 the staff decision to the board of directors. The board may delegate
17 its responsibility for appeals to a hearing officer.

18 (b) An appeal shall be conducted on the record under procedures
19 adopted by the board. Hearings are not subject to the Administrative
20 Procedure Act (AS 44.62). A decision of the board may be appealed to
21 the superior court.

22 (c) The authority shall award compensation for damages that were
23 caused directly or indirectly by the oil spill disaster. The state
24 shall be subrogated to a claim of a person awarded compensation under
25 this section to the extent the person is entitled to receive compensa-
26 tion for the same damages. The authority shall seek reimbursement
27 from the third party. A third party is entitled to receive credit, in
28 an amount equal to the amount the third party has paid to the Depart-
29 ment of Revenue for the transit fee under AS 43.59.010, against the

1 amount the third party owes the authority under this section.

2 Sec. 30.35.210. ENHANCEMENT OR RECOVERY PROJECTS. The authority
3 may award a grant to an applicant for an enhancement or recovery
4 project. The authority shall seek reimbursement for the cost of the
5 project from the persons responsible for the oil spill disaster.

6 ARTICLE 3. FINANCIAL MATTERS.

7 Sec. 30.35.300. PRINCE WILLIAM SOUND RECOVERY ACCOUNT. (a)
8 There is created in the general fund the Prince William Sound recovery
9 account.

10 (b) Notwithstanding any other provision of law, that part of the
11 state's recovery in damages, fines, and civil penalties from the oil
12 spill disaster that is not direct compensation to another state agency
13 for expenses incurred in responding to the oil spill disaster shall be
14 deposited in the account. The legislature may appropriate additional
15 money to the account, including an amount equal to the annual proceeds
16 of the transit fee under AS 43.59.010.

17 (c) The account shall be used to carry out the purposes of this
18 chapter. Money from an appropriation made to the fund remaining in
19 the fund at the end of a fiscal year remains available for expenditure
20 in successive fiscal years.

21 (d) Money recovered as a criminal penalty may not be used to
22 fund compensation or a project for which a person, including the
23 state, may recover actual damages.

24 ARTICLE 4. GENERAL PROVISIONS.

25 Sec. 30.35.990. DEFINITIONS. In this chapter,

26 (1) "authority" means the Prince William Sound Recovery
27 Authority;

28 (2) "board" means the board of directors of the authority;

29 (3) "oil spill disaster" means the disaster following the

1 discharge of oil from the oil tanker Exxon-Valdez in Prince William
2 Sound beginning on March 24, 1989;

3 (4) "region" means the region identified under AS 30.35.-
4 120.

5 * Sec. 2. AS 16.43 is amended by adding a new section to read:

6 Sec. 16.43.325. PERMIT RENTAL PROGRAM. (a) At the request of
7 the Prince William Sound Recovery Authority and if the commission
8 determines that the optimum number of entry permits is less than the
9 number of entry permits outstanding in a fishery because of the af-
10 fects of the oil spill disaster, the commission shall establish and
11 administer an entry permit rental program to reduce the entry permits
12 operating within the fishery. The commission may rent a permit from a
13 permit holder at a rate and for a length of time determined by the
14 commission.

15 (b) For each rental program, the commission shall adopt regula-
16 tions providing for the rental of the entry permits at fair market
17 value. The regulations must establish procedures for the commission
18 to use in determining the length of the rental period. The rental
19 program shall terminate when the number of entry permits is reduced to
20 the optimum.

21 (c) The rental program shall be financed by money made available
22 by the Prince William Sound Recovery Authority.

23 (d) In the section, "oil spill disaster" has the meaning given
24 in AS 30.35.990.

25 * Sec. 3. AS 39.25.120(c) is amended by adding a new paragraph to read:

26 (21) the executive director, hearing officers, and other
27 professional staff of the Prince William Sound Recovery Authority.

28 * Sec. 4. AS 39.50.200(b) is amended by adding a new paragraph to read:

29 (50) Prince William Sound Recovery Authority

1 (AS 30.35.010);

2 * Sec. 5. AS 43 is amended by adding a new chapter to read:

3 CHAPTER 59. FEE ON CRUDE OIL DELIVERED IN PRINCE
4 WILLIAM SOUND FOR MARINE TRANSPORTATION.

5 Sec. 43.59.010. FEE LEVIED. Every person who delivers crude oil
6 to a port for transportation by a vessel that transits the marine
7 waters of Prince William Sound shall pay a fee of \$.40 per barrel of
8 the crude oil delivered, less royalty oil the ownership or right to
9 which is exempt from taxation under this title.

10 Sec. 43.59.020. ADMINISTRATION OF THE FEE. (a) The fee on
11 crude oil shall be paid quarterly. The fee is due on the 20th day of
12 the month following the close of the calendar quarter on crude oil
13 delivered to the port during the preceding calendar quarter. If the
14 fee is not paid before the end of the month in which it becomes due,
15 the fee becomes delinquent.

16 (b) The fee shall be paid by the person delivering the crude oil
17 to the port for transportation.

18 (c) In making settlement with the royalty owner the person
19 paying the fee may deduct the amount of the fee paid on royalty oil,
20 or may at the time the fee becomes due deduct royalty oil equivalent
21 in value to the amount of the fee paid.

22 (d) The fee shall be paid to the department, and the person
23 required to pay the fee shall file with the department at the time the
24 fee is required to be paid a report, under oath, on forms prescribed
25 by or acceptable to the department, giving with other information
26 required, the following:

- 27 (1) the name of the person paying the fee;
28 (2) the total volume of the crude oil delivered for trans-
29 portation; and

1 (3) the name of the first purchaser and the price received
2 for the crude oil if sold in the state.

3 (e) Reports by or on behalf of the person required to report
4 under (d) of this section are delinquent the first day following the
5 day the fee is due. Each person required to report under (d) of this
6 section is subject to a penalty of \$1,000 a day for each day during
7 which the report is not filed. The penalty for failure to file a
8 report is in addition to the penalty for delinquent fees under (h) of
9 this section, and is a lien against the assets of the person required
10 to report under (d) of this section.

11 (f) The department may

12 (1) require a person who is obligated to pay the fee due
13 under this chapter, the agent or employee of the person, or the owner
14 or former owner of a royalty interest in crude oil, to furnish addi-
15 tional information that is considered by the department as necessary
16 to compute the amount of the fee;

17 (2) examine the books, records, and files of a person
18 identified in (1) of this subsection;

19 (3) conduct hearings and compel the attendance of witnesses
20 and the production of books, records, and papers of any person identi-
21 fied in (1) of this subsection; and

22 (4) make an investigation or hold an inquiry that is con-
23 sidered necessary to a disclosure of the facts as to the volume of
24 crude oil transported.

25 (g) The department may determine whether or not a report re-
26 quired under this chapter is correct. If a person makes an untrue or
27 incorrect report, or fails or refuses to make a report, the department
28 shall, under regulations prescribed by it, determine the correct
29 amount of crude oil on which the fee is payable and compute the fee.

1 (h) When the fee provided for in this chapter becomes delin-
2 quent, it bears interest at the rate prescribed in AS 43.05.225. If a
3 person fails to make a report required by this chapter within the time
4 prescribed by law for the report, the department shall examine the
5 books, records, and files of the person to determine the amount and
6 value of the crude oil delivered to compute the fee, and the depart-
7 ment shall add to the fee the cost of the examination, together with
8 any penalties accrued.

9 (i) In case of overpayment, duplicate payment, or payment made
10 in error, the department may issue a certificate stating the facts and
11 the amount of the refund to which the person required to pay the fee
12 is entitled. Upon presentation of the certificate to the Department
13 of Administration, the Department of Administration shall issue a
14 warrant for the refund.

15 Sec. 43.59.030. DISPOSITION OF PROCEEDS OF FEE. (a) The com-
16 missioner shall deposit the proceeds of the fee into the general fund.

17 (b) The commissioner of administration shall separately account
18 for all proceeds of the fee deposited into the general fund.

19 Sec. 43.59.040. USE OF REVENUE DERIVED FROM FEE. The legisla-
20 ture may appropriate the annual estimated balance of the account
21 established under AS 43.59.030 to the Prince William Sound recovery
22 account established by AS 30.35.300.

23 Sec. 43.59.050. SUSPENSION AND REIMPOSITION OF THE FEE. (a)
24 Not later than 30 days after the end of each calendar quarter, the
25 commissioner of administration shall determine the cumulative total of
26 money

27 (1) that has been deposited through that calendar quarter
28 into the general fund under AS 43.59.030;

29 (2) expended through that calendar quarter from the Prince

1 William Sound recovery account established in AS 30.35.300.

2 (b) Within 15 days after making the determinations required by
3 (a) of this section, the commissioner of administration shall report
4 to the commissioner the difference between the amount determined under
5 (a)(1) of this section and amount determined under (a)(2) of this
6 section.

7 (c) If the commissioner of administration reports that the
8 difference determined under (b) of this section equals or exceeds
9 \$100,000,000, the commissioner of revenue shall suspend imposition and
10 collection of the fee levied and collected under AS 43.59.010. Sus-
11 pension of the imposition and collection of the fee begins on the
12 first day of the calendar quarter next following the commissioner's
13 receipt of the commissioner of administration's report under (b) of
14 this section. Before the first day of a suspension authorized by this
15 subsection, the commissioner shall make a reasonable effort to notify
16 all persons who are known to the department to be paying the fee under
17 this chapter that the fee will be suspended.

18 (d) Except as provided in AS 43.59.060, if the commissioner of
19 administration reports that the difference determined under (b) of
20 this section is less than \$100,000,000, the commissioner of revenue
21 shall require imposition and collection of the fee authorized under
22 AS 43.59.010. Reimposition of the fee begins on the first day of the
23 calendar quarter next following the commissioner's receipt of the
24 commissioner of administration's report under (b) of this section.
25 Before the first day of reimposition of the fee authorized by this
26 subsection, the commissioner shall make a reasonable effort to notify
27 all persons who are known to the department to be required to pay the
28 fee under this chapter that the fee will be reimposed.

29 Sec. 43.59.060. FEE NOT IMPOSED. The fee authorized by this

1 chapter is not levied during any fiscal year for which the estimated
2 revenue from the fee would be sufficient to restore the balance of the
3 oil spill emergency containment fund on the first day of the fiscal
4 year to at least \$100,000,000, and the legislature does not, during
5 the regular legislative session preceding the first day of the fiscal
6 year, appropriate money from the general fund to the Prince William
7 Sound recovery account sufficient to restore the balance of the oil
8 spill emergency containment fund on the first day of the fiscal year
9 to at least \$100,000,000.

10 Sec. 43.59.100. DEFINITIONS. In this chapter

11 (1) "barrel of oil" has the meaning given in AS 43.55.140;

12 (2) "fee" means the fee levied by AS 43.59.010;

13 (3) "marine waters of Prince William Sound" includes con-
14 tiguous waters of the bays, sounds, estuaries, marshes, inlets,
15 straits, passages, canals of Prince William Sound, the Pacific Ocean
16 and the Gulf of Alaska to the north of a line from Icy Cape to Gore
17 Point and within the territorial limits of the state;

18 (4) "oil" has the meaning given in AS 43.55.140;

19 (5) "ownership or right to which is exempt from taxation"
20 has the meaning given in AS 43.55.140;

21 (6) "vessel" has the meaning given in AS 46.04.120.

22 * Sec. 6. AS 44.66.010(a) is amended by adding a new paragraph to read:

23 (17) Prince William Sound Recovery Authority (AS 30.35.010)

24 -- June 30, 1993.

25 * Sec. 7. AS 46.03.770 is amended to read:

26 Sec. 46.03.770. DETENTION OF VESSEL WITHOUT WARRANT AS SECURITY
27 FOR DAMAGES. A vessel that is used in or in aid of a violation of
28 AS 46.03.740 - 46.03.750 may be detained after a valid search by the
29 department, an agent of the department, a peace officer of the state,

1 or an authorized protection officer of the Department of Fish and
2 Game. Upon judgment of the court having jurisdiction that the vessel
3 was used in, or was the cause of, a violation of AS 46.03.740 - 46.-
4 03.750 with knowledge of its owner or under circumstances indicating
5 that the owner should reasonably have had this knowledge, the vessel
6 may be held as security for payment to the state of the amount of
7 damages assessed by the court under AS 46.03.758, 46.03.760, and
8 46.03.822. If the damages assessed are not paid within 30 days after
9 judgment or final determination of an appeal, the vessel shall be sold
10 at public auction, or as otherwise directed by the court, and the
11 damages paid from the proceeds. The balance, if any, shall be paid by
12 the court to the owner of the vessel. The court shall permit the
13 release of the vessel upon posting of a bond set by the court in an
14 amount not to exceed the maximum amount of damages available under
15 AS 46.03.758, 46.03.760, and 46.03.822. Except as provided in AS 30.-
16 35.300, the [THE] damages received under this section shall be trans-
17 mitted to the proper state officer for deposit in the general fund. A
18 vessel seized under this section shall be returned or the bond exon-
19 erated if no damages are assessed under AS 46.03.758, 46.03.760, or
20 46.03.822.

21 * Sec. 8. AS 46.04.010 is amended to read:

22 Sec. 46.04.010. REIMBURSEMENT FOR CLEANUP EXPENSES. Except as
23 provided in AS 30.35, the [THE] department shall promptly seek reim-
24 bursement under AS 46.03.760(e), AS 46.08.070, or from an applicable
25 federal fund, for the expenses it incurs in cleaning up or containing
26 a discharge of oil. If the department obtains reimbursement for a
27 portion of its expenses from a federal fund, the remainder of the
28 expenses incurred may be recovered under AS 46.03.760(e) or AS 46.08.-
29 070. Except as provided in AS 30.35.300, money [MONEY] received by

1 the department under this section shall be deposited in the general
2 fund and credited to a special account called the "oil and hazardous
3 substance release mitigation account".

4 * Sec. 9. AS 46.04.090(a) is amended to read:

5 (a) The department, when feasible, shall enter into contracts
6 with persons or private organizations to provide the personnel, equip-
7 ment, or other services or supplies that [WHICH] may be required to
8 carry out this chapter. Contracts under this section are governed by
9 AS 36.30 (State Procurement Code). When private contracting is not
10 feasible, the department shall [MAY] establish and maintain at ports,
11 harbors, or other locations in the state from which crude oil is
12 regularly transported by vessel and may establish at other locations
13 [,] the cleanup personnel, equipment, and supplies that [WHICH], in
14 its judgment, are necessary to carry out this chapter.

15 * Sec. 10. AS 46.04.090 is amended by adding a new subsection to read:

16 (c) For the marine waters of Prince William Sound, as defined in
17 AS 43.59.100, the department shall contract with the Prince William
18 Sound Recovery Authority for the personnel, equipment, and other
19 services and supplies under this section. The contract is not subject
20 to AS 36.30 (State Procurement Code). The authority may use funds
21 appropriated to the Prince William Sound recovery account under
22 AS 30.35.300 and allocated for this purpose in addition to money made
23 available under this chapter for the recovery of Prince William Sound.

24 * Sec. 11. AS 46.08.020(b) is amended to read:

25 (b) Except as provided in AS 30.35.300, money [MONEY] received
26 by the state under (a)(2) and (a)(3) of this section shall be deposit-
27 ed in the general fund and credited to the special account called the
28 "oil and hazardous substance release mitigation account." The legis-
29 lature may annually appropriate to the fund from this account a sum

1 equal to the amount received under (a)(2) and (a)(3) of this section,
2 other than the amount deposited in the Prince William Sound recovery
3 account, during the calendar year preceding the legislative session in
4 which the appropriations are to be made.

5 * Sec. 12. Notwithstanding AS 30.35.020(a), enacted by sec. 1 of this
6 Act, one of the initial public members of the Prince William Sound Recovery
7 Authority shall be appointed for a term of one year.

8 * Sec. 13. This Act takes effect July 1, 1989.
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IT'S TIME TO GET ORGANIZED

by John Havelock

The time is already long overdue for Alaskans to take charge of the recovery effort in Prince William Sound. The existing departments of state government are not suited to this task. Each was designed to manage some aspect of the ordinary business of government; this is an extraordinary business. The Department of Environmental Conservation, for example, is primarily a regulatory agency, not an operations agency.

Departments are set up to cover a single aspect of government. The disaster calls for an holistic, multidisciplinary effort, encompassing expertise found in many departments and outside government. The Prince William sound disaster is of a magnitude surpassing the reach of government as usual. A new instrumentality of the state, a Prince William Sound Recovery Authority, is required to manage the recovery in all its aspects over the long term.

The restoration of Prince William Sound and related areas of Southcentral Alaska is a long term responsibility and resources and personnel committed exclusively to the disaster as a program are necessary. These costs should not be borne by the regular budget of the state or departments and should have a scope determined only by the scope of the disaster. Already there are signs that other areas of the state are exposed to risk and loss of service because of the draw of this disaster.

We cannot continue to have Exxon and its contractors substituted for the state in taking responsibility for the recovery. A person run over by a drunken driver does not hand over to that driver the primary responsibility for determining the type of medical treatment, the hiring of the doctor and the determination of therapy.

Exxon is there to pay the bills as presented by the state, not to decide on the recovery program. The corporation's conflict of interest is monumental. Exxon's primary concern, as it always was, is to husband the shareholder's resources. This is not to discourage or disparage any effort Exxon may make in mitigation, but it is for the state to decide on the overall assessment of damage and the course of the recovery program. This is our state, not Exxon's, it is our fish, our waters, our plant life, our marine mammals and our people that have been hurt. It is our job to prescribe and carry out the cure.

By the same token this is not a federal task. We are retreating to the old colonial attitude in saying, "let the federal government, or the Coast Guard, or the army, or the Interior Department do it". Further, without sounding too cynical, who do you think has more influence with the federal government, Exxon or the citizens of Alaska?

Least of all should we be worrying about spending a little or a lot of money. The existing state statutes require that Exxon must pay all state costs including environmental restoration, the replenishment of degraded resources, loss of income for individuals and institutions, loss of means of producing income, the loss of economic benefit including the cost of replacement foods for subsistence persons and the state government's administrative costs, without limitation. The hundred million dollar lid is only on the civil fine.

We do what needs to be done and if Exxon balks at paying the bill without litigation, we the people are a state and these are necessary expenditures. We can tax the oil moving through the Sound to pay all our bills until the money is recovered from Exxon.

The State Authority should gear up, using contractual methods wherever feasible to avoid oversizing, to perform three main tasks. First we must take charge of the biosphere recovery effort. Secondly, we need to deal with people needs and the economy. Thirdly, we need to set up our own oil spill security force.

The biosphere recovery effort should be implemented through two functional divisions. We should acquire a staff of biological and oil spill experts, the best from around the world and from our own people for developing damage assessment programs and restoration and recovery programs. Field administration is the second function, implemented by identifying a person with state authority responsible for action on each sector of the battlefield. As the cleanup activity stabilizes, plans should be drawn up for the restoration or replacement of resources and economic rehabilitation. In this function the biologists must be joined by economists and professionals in business administration.

The State Authority should include an administrative system for the quick disposition of preliminary claims. The function of this claim disposition should be not so much to hand out money for loss, though something like first class unemployment insurance should be available to anyone put out of a job by the disaster who is not employed in the recovery. But the larger role should be to recapitalize the persons effected, in much the same way that the SBA did after the Alaska Earthquake. In this case, grants for capitalization make more sense than loans because the spill was not an act of God. Exxon is legally obliged to provide the funds for capital replacement.

Though Exxon's interest is different, it is in the best interest of the state to channel the money into recovery and redevelopment projects rather than liquidated damages which often escape the region. The Authority will be in a position to provide grant and claim disposition or mitigation moneys which may be part of a package with federal loan monies, etc. to provide an enhancement of

environmental or economic benefit in implementation of a long term recovery program.

A collective response is necessary to many injuries, at least for part of the claim, rather than individualized treatment. Interposition is also necessary. Claimants should not be differentially treated because of their superior access to legal or other resources, their interrelationships with the oil industry, etc.. The State should move to head off a lawyer feeding frenzy.

Lastly it is the state that should set up its own spill security force to prevent this from ever happening again. Don't contract out the fire department. Exxon and Alyeska have shown that giving them the sole responsibility is asking the foxes to guard the hen house. Our own regulatory oversight has shown itself as too exposed to industry avoidance or subversion and underfunding. The Coast Guard's efforts show the same weaknesses in spades. Notwithstanding warnings, Administration mandated budget cuts set the Coast Guard's service up for failure. It can happen again.

It is important to get this underway immediately to test the bona fides of Exxon and Alyeska, while they are still in the public limelight. A standby oil tax structure should be put in place.

It is amazing what individual Alaskans have accomplished through their own efforts and out of their own pockets, but they are like workers from the fields rising to the defense of their country with pitchforks and hoes. We are already late to recognize that this is like a war, requiring the mobilization of professionalized forces on a broad scale and for the long pull. A Recovery Authority should be put in place and a funding mechanism set up before the legislature adjourns. It is not too late to show that we Alaskans are in charge of our own destiny.

(The author was Attorney General of Alaska at the time the pipeline project, limited entry and the Native Claims Act were put together.)

HB

299

FISCAL NOTE

REQUEST: _____

Revision Date: _____
Title: Alaska Net Income Tax Disallowing
Certain Oil Discharge Expenditures
Sponsor: Brown et al.
Requestor: Resources and Finance

Agency Affected: Revenue
BRU: Income & Excise Audit
Components: Operating

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 90	FY 91	FY 92	FY 93	FY 94	FY 95
OPERATING						
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	10.0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LANDS & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	10.0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS: See Attached:

Prepared By: Steven E. Kettel *Steven E. Kettel* Phone: (907) 465-2320
Division: Income and Excise Audit Date: April 27, 1989

Approved by Commissioner: Hugh Malone *Hugh Malone* Date: April 27, 1989
Agency: Department of Revenue

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

HB 299
Prepared by:
Steven E. Kettel
Income and Excise Audit Division
Department of Revenue
April 27, 1989

Bill Analysis

Section 1 would disallow, for Alaska Corporate Net Income Tax purposes a deduction for expenses incurred in containment, clean-up and the mitigating effects of a catastrophic oil spill.

This bill in effect would ensure that the general fund is not negatively impacted by a taxpayer deducting otherwise deductible oil spill clean-up expenses. Departmental concerns are expressed below:

- 1) line 14 should probably delete [162] and add secs. 1 -1399. This broadens the expense exclusion so that other expenses, such as interest, taxes, and penalties which are not covered in section 162 of the Internal Revenue Code cannot be deducted under the authority of another Code section.
- 2) The term taxpayer, as used on line 14 may be broadly interpreted to mean that any corporation engaged in the clean-up effort cannot deduct their expenses even though they shared no responsibility for the spill occurrence. We do not have language to recommend which would fix this defect.
- 3) Line 16 and 17 limit the entire provision to expenses incurred in cleaning up an Alaskan oil spill. This presents geographic inconsistencies into the statute and may cause the proposal to be unconstitutional.

(As a side note, we have had direct communication with EXXON tax personnel and understand that EXXON may have insurance coverage up to \$400 million. For tax purposes EXXON would only be able to deduct expenses not covered by insurance reimbursement.)

A rough estimate of the fiscal impact of the Bill (the amount of revenue protected) can be made using the following rule of thumb. Each \$100 million in additional deductions EXXON takes as a result of unreimbursed oil spill costs reduces State revenue by an amount greater than \$0 and less than \$1 million.

Fiscal Cost

The Department would have to conduct an extensive audit of all taxpayer expenditures to ensure that those costs directly related to oil clean-up were not deducted. To do so will take extensive per diem and travel resources.

Н В

303

HOUSE COMMITTEE REPORT

(9)

Date Referred: April 19, 1989

FURTHER REFERRALS: FINANCE

Date of Committee Action: 2/13/90

The RESOURCES Committee considered:

HB 303

HOUSE BILL NO. 303 [ESTABLISHING GOLDSTREAM PUBLIC USE AREA]
"An Act establishing the Goldstream Public Use Area."

RECOMMENDATIONS:

- be replaced with CS HB 303 the same title
 have attached amendment(s) a new title
 do pass
 do not pass
 no recommendation
 individual recommendations
 additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):
(Dept)

APPROVES PREVIOUS: (Date/Dept)

- fiscal impact _____
 zero fiscal note DNR
 zero with analysis _____

- fiscal note(s) _____
 zero fiscal note(s) _____
 zero fn/analysis _____

SIGNING DO PASS:

SIGNING:
(Check appropr. column)

Do Not Pass No Rec Amend

Cliff Davidson
Sam Williams
Mike Davis
Mike Favone

	Do Not Pass	No Rec	Amend
<u>Cliff Davidson</u>		<input checked="" type="checkbox"/>	
<u>Sam Williams</u>		<input checked="" type="checkbox"/>	
<u>Mike Davis</u>		<input checked="" type="checkbox"/>	
<u>Mike Favone</u>			

Cliff Davidson

Chairman's Signature

STATE OF ALASKA
1990 LEGISLATIVE SESSION

BILL VERSION : HB 303
PUBLISH DATE : _____

FISCAL NOTE

REQUEST:

Revision Date: 13-Feb-90 Agency Affected: Natural Resources
Title: An Act establishing the Goldstream BRU: Land & Water Management
Public Use Area: _____
Sponsor: Davis Components: Land & Water Mgmt
Requestor: House Resources

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND&STRUCTURES						
GRANTS,CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Larry Ostrovsky Phone: 465-2400
Division: Commissioner's Office Date: 13-Feb-90
Approved by Commissioner: [Signature] Lennie Gorsuch Date: 13-Feb-90
Agency: Department of Natural Resources

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

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

400 WILLOUGHBY AVE.
JUNEAU, ALASKA 99801-1796
PHONE: (907) 465-2400

February 13, 1990

The Honorable Curt Menard
The Honorable Cliff Davidson
Co-Chairmen
House Resources Committee
P.O. Box V
Juneau, AK 99811

Dear Representatives Menard and Davidson:

Subject: HB 303, An Act Establishing the Goldstream Public Use Area.

Position: The department supports this bill.

Background: All the land described by this bill is within the department's Tanana Basin Area Plan (TBAP), Subunit 1H2. The primary surface uses for this subunit are recreation and habitat, with most of the land classified Public Recreation/Wildlife Habitat. Prohibited surface uses within Subunit 1H2 are land sales, remote cabins, and improved pasture grazing. This subunit is open to locatable and leasable minerals.

The TBAP recognizes the high recreation and wildlife values within Subunit 1H2, and recommends that this subunit be administratively designated as a public reserve. The public reserve designation was intended to be a multiple use designation which would give more assurance of long-term public-retention than the existing classification. However, the state has never established public reserves and has yet to adopt regulations for this purpose. As part of its five year update of the Tanana Basin Area Plan, the department is in the process of evaluating all proposed public reserves within the plan.

The department has carefully examined HB 303 and concludes its purpose is consistent with the TBAP management intent for this subunit. The proposed legislative designation would result in

the same primary and prohibited uses envisioned by the plan. A title analysis of the bill identified the following parcels as Mental Health Trust Land within the proposed Public Use Area:

Township 1 North, Range 1 West, Fairbanks Meridian:

Section 7: Lot 4 (40 acres)

Township 1 North, Range 2 West, Fairbanks Meridian:

Section 23: NE1/4SW1/4, NW1/4SE1/4, N1/2SW1/4SE1/4, NW1/4SE1/4SE1/4, W1/2NE1/4SE1/4SE1/4 (110 acres)

We also identified what we believe to be a technical error, as follows.

Township 1 North, Range 2 West, Fairbanks Meridian:

Section 26: W1/2W1/2NW1/4 - Most of this parcel is not state land. The only state-owned land within this Section 26 is W1/2W1/2NW1/4NW1/4 (10 acres).

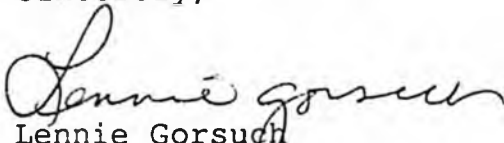
Finally, the following parcels are state-owned lands within Subunit 1H2 of TBAP, but are not included within the proposed Public Use Area. These parcels will be reviewed by the TBAP Update Planning Team for future designation.

Township 1 North, Range 1 West, Fairbanks Meridian:

Section 18: S1/2SE1/4
Section 2: lot 11
Section 11: lots 1 - 5
Section 12: lot 3

Please don't hesitate to contact either me or Director Gustafson if you should need additional information.

Sincerely,


Lennie Gorsuch
Commissioner

cc: Committee Members
Bill Sponsor
Bob Evans, Legislative Liaison
Office of the Governor
Denby Lloyd, Special Staff Assistant
Office of the Governor
Gary Gustafson, Director
Division of Land and Water Management
Dean Brown, Division of Land and Water Management
Anna Plager, Division of Land and Water Management



Alaska State Legislature

Representative Mike Davis

District 19

P.O. Box V
Juneau, Alaska 99811
(907) 465-4930

Interim Office:
P.O. Box 81435
Fairbanks, Alaska 99708
(907) 456-8161

TO: All members
House Resources Committee

FROM: Rep. Mike Davis

DATE: February 13, 1990

RE: HB 303

HB 303 would establish the Goldstream Public Use Area. The land delineated in the bill is an area that Fairbanksans have come to rely on in a multitude of ways. Mushing, snowmobiling, hiking, bicycling, hunting, trapping and prospecting all take place in the area that stretches from the Sheep Creek to Fox (see attached map).

HB 303 is designed to preserve these existing uses and guarantee their access by the public. While maintaining the substantial recreation, sporting and wildlife values of the area, HB 303 would not preclude activities such as mineral entry and mining on existing claims. Habitat enhancement and use of All Terrain Vehicles would also continue. However, HB 303 would protect the area from future land disposal.

Sporting groups and conservation organizations have already expressed their support for the bill. The Division of Land and Water Management endorses the measure, pointing out that HB 303 follows the intent of the Tanana Basin Area Plan. The TBAP delineated the area for designation as a public reserve under the Department of Natural Resources. But to date, no regulations have been promulgated and no such designation has been implemented anywhere in the state (see attachment).

Thank you for your consideration.

MEMORANDUM

State of Alaska ^B

DEPARTMENT OF NATURAL RESOURCES-DIVISION OF LAND AND WATER MANAGEMENT
LAND AND RESOURCES SECTION - 3700 AIRPORT WAY, FAIRBANKS, ALASKA 99709

TO: Larry Ostrovsky
Special Assistant
Commissioner's Office

DATE: January 19, 1990

FILE NO:

RECEIVED
JAN 29 1990

THRU: Ron Swanson
Chief, Land and Resources Section

TELEPHONE NO: 451-2741

FROM: Ed Fogels
Assistant Project Manager
Tanana Basin Area Plan Update

SUBJECT: Goldstream Public Use Area

I have reviewed House Bill 303, entitled "An Act Establishing the Goldstream Public Use Area." All the lands described by this bill are within Tanana Basin Area Plan (TBAP) Subunit 1H2. The primary surface uses for this subunit are recreation and habitat, and most of the land has been classified accordingly with the joint classification of Public Recreation/Wildlife Habitat. Prohibited surface uses within Subunit 1H2 are land sales, remote cabins, and improved pasture grazing. This subunit is open to locatable and leasable minerals.

The Tanana Basin Area Plan recommends that Subunit 1H2 be administratively designated as a Public Reserve (page 3-24):

"The Goldstream Creek riparian zone is special value habitat for black bear, most furbearers, small game, and moose (B-1 habitat). Sport hunting and trapping are very important uses of this unit. Care should be taken to preserve opportunities for hunting, trapping, wildlife viewing and trail use in this area since open space in close proximity to Fairbanks will become increasingly important for these uses as population expands. It is recommended that unit 1H2 be established as a Public Reserve".

The Public Reserve designation was intended to be a multiple use designation which would give more assurance of long term public-retention than classification, yet would allow more flexible management than legislative designations. However, the state has never established public reserves nor has written regulations to implement the category. The TBAP update planning team is currently evaluating TBAP's Public Reserve recommendations, and will also review HB 303 to see if this legislation can offer the needed management for this area.

Except for the administrative designation, HB 303 generally is consistent with TBAP's management intent. Some comments on specific parcels described by HB 303 follow.

Township 1 North, Range 1 West, Fairbanks Meridian:

Section 7: Lot 4 - This parcel (40 acres) is mental health land, and is classified Resource Management.

Township 1 North, Range 2 West, Fairbanks Meridian:

Section 23: NE1/4SW1/4, NW1/4SE1/4, N1/2SW1/4SE1/4, NW1/4SE1/4SE1/4
This parcel (110 acres) is mental health land, and is classified Resource Management.

Section 26: W1/2W1/2NW1/4 - Most of this parcel is not state land. The only state-owned land within this parcel is W1/2W1/2NW1/4NW1/4 (10 acres).

6 14

NOV 17 1989



Alaska Dog Musher's Association, Inc.
P.O. Box 662
Fairbanks, Alaska 99707
(907) 457-6874

11 November 1989 NOV 17 1989

Representative Mike Davis
119 N Cushman Street Suite 205
Fairbanks, Alaska 99707

Dear Mike:

On behalf of the Alaska Dog Musher's Association I am writing to urge you to support House Bill No 303, an Act establishing the Goldstream Public Use Area. Fairbanks has grown markedly in the last decade and as it has, undeveloped land once valuable as wildlife habitat and as recreational land for Fairbanks residents has increasingly been converted to private or commercial property. While planned development is certainly part of a healthy community, so too is maintaining undeveloped land to foster the lifestyles that made Fairbanksans choose this area as their home.

House Bill 303 has been carefully written to allow multiple uses of the Goldstream area, while still maintaining it as public land. This land is generally low, boggy and poorly suited to human habitation, but is excellent waterfowl and wildlife habitat. It boasts one of the best intact trail systems in the Fairbanks area, and is used by dog mushers, skijorers, skiers and snow machiners. There are several hundred dog mushers in Goldstream Valley that use these trails on a regular basis. In the summer it is prime country for bird watching, berry picking, canoe trips and other outdoors activities.

I think the Creamers Refuge near downtown Fairbanks has been an invaluable resource to Fairbanksans and to Alaskan wildlife. The Goldstream Public Use Area offers a similar opportunity to reserve another highly suitable area for future use by all Alaskans. The Alaska Dog Musher's Association encourages you to support it.

Sincerely,

Kathryn J. Frost
President



STATE OF ALASKA
OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Habitat	BILL NUMBER HB 303	SPONSOR Davis
SHORT TITLE OF BILL An act establishing the Goldstream Public Use Area			
DEPARTMENT POSITION Support			
PREPARED BY <i>Frank R.</i>	DATE 2.2.90	COMMISSIONER'S SIGNATURE <i>Armen W. Wiley</i>	DATE 2/4/90

SUMMARY

OTHER AGENCIES AFFECTED BY BILL Department of Natural Resources	CONSTITUENT GROUP(S) AFFECTED BY BILL All Users of State Land
ORGANIZATIONAL SUPPORT FOR BILL Local residents	ORGANIZATIONAL OPPOSITION TO BILL None known

FISCAL IMPACT NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

This bill designates nearly all vacant and unappropriated state-owned land within the upper Goldstream Valley as a Public Use Area to be managed by the Department of Natural Resources (DNR). The Public Use Area is established to protect and maintain (1) fish and wildlife habitat and use opportunities and (2) general public recreation in a quality environment.

ANALYSIS OF BILL PROGRAM EFFECTS

This measure requires the DNR to develop a management plan, in consultation with the Department of Fish and Game, to regulate public uses of the area consistent with the protection of fish and wildlife habitat, harvest opportunities and general public recreation. Management of this area may not restrict lawful subsistence and sport hunting, fishing, or trapping authorized by the Boards of Fisheries or Game. Rehabilitation, enhancement and development of fish and wildlife habitat is specifically authorized. Traditional access to private inholding or for hunting, fishing, trapping or recreational purposes is allowed consistent with the purposes for establishment of the area.

AMENDMENTS PROPOSED

None at this time

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS

FISCAL NOTE

REQUEST:

Revision Date: 1/24/90
 Title: An act establishing
Goldstream Public Use Area
 Sponsor: Davis
 Requestor: _____

Agency Affected: Fish and Game
 BRU: _____
 Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	0	0	0			
TRAVEL	0	0	0			
CONTRACTUAL	0	0	0			
SUPPLIES	0	0	0			
EQUIPMENT	0	0	0			
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0			

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

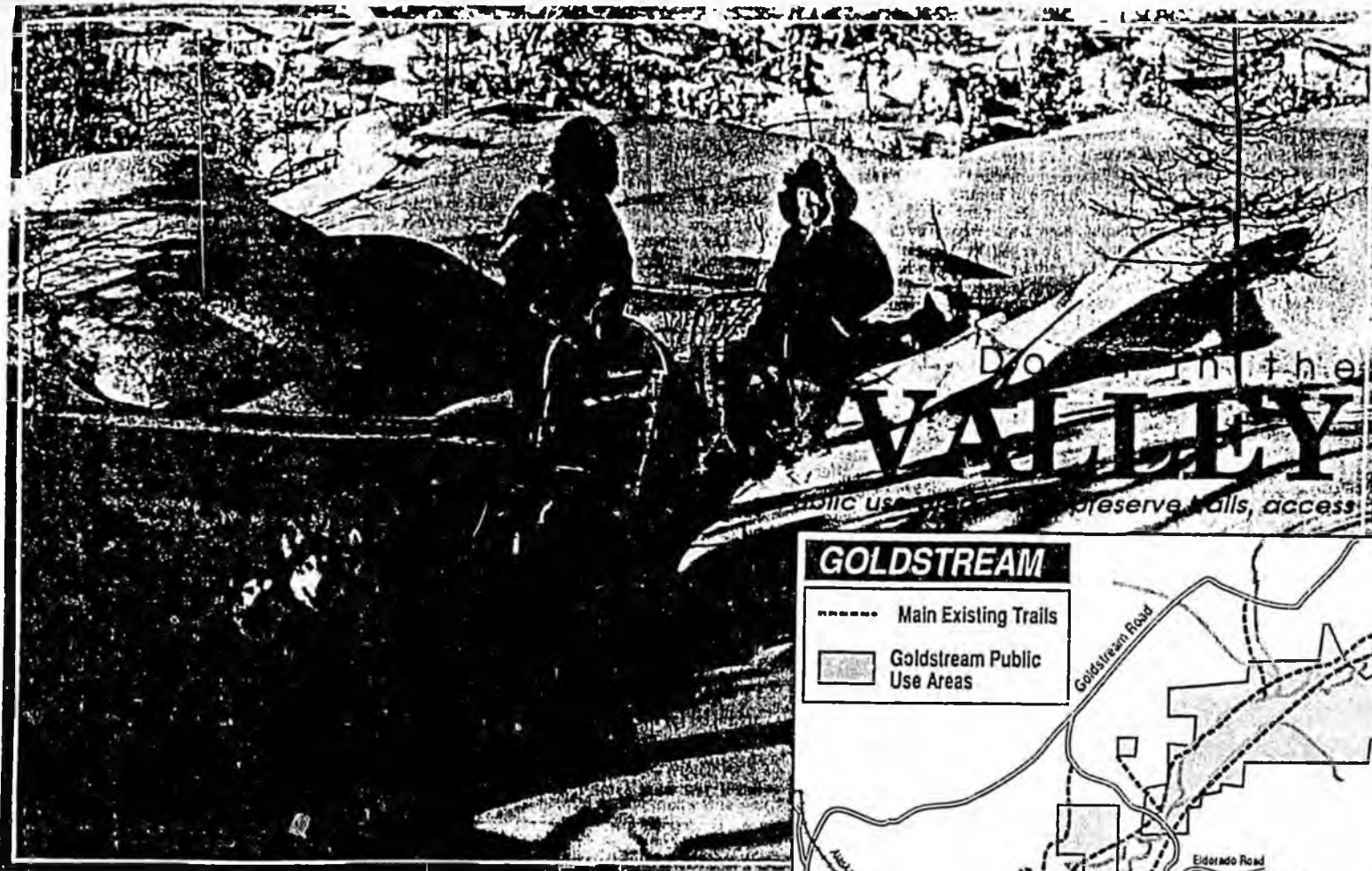
ANALYSIS : (Attach a separate page if necessary)

No FY 90 impact.

Prepared by: _____ Phone: _____
 Division: _____ Date: _____

Approved by Commissioner: *David S. Wiley* Date: 2/6/90
 Agency: _____

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



Aliko Mathers/News-Miner

Local mushers Mary Shields, left and Jeff Erwin, both residents of Goldstream Valley, stop for a quick chat after mushing in a Goldstream area proposed for public use.

By KELLY BOSTIAN
Staff Writer

When Mary Shields runs her dog team in Goldstream Valley, she sees other mushers, skiers, snowmachiners, horseback riders, wildlife—and trails that are a lot shorter than they used to be.

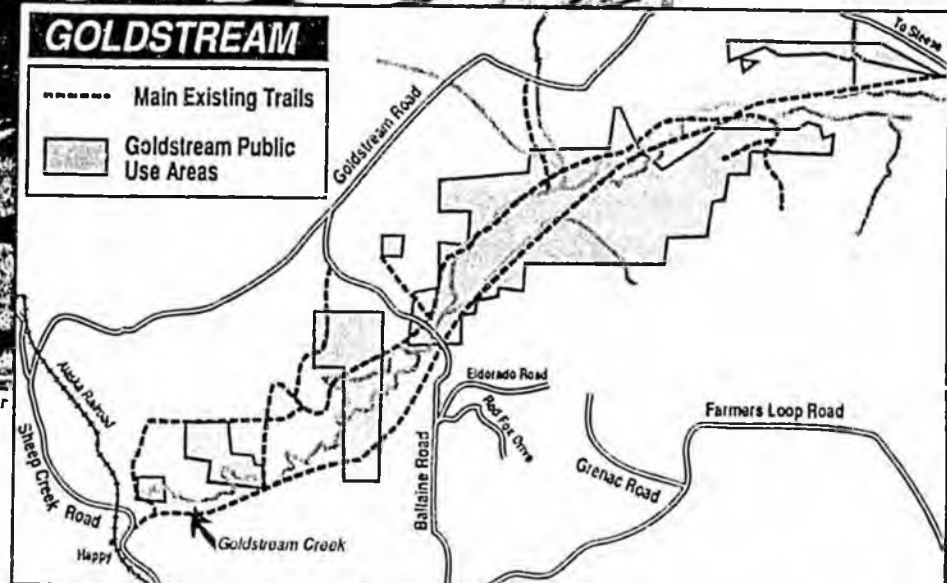
"The trails are chopped, there are more driveways, road crossings, and those are potential dangers for a dog team," she says. Shields, who has lived in the area since 1974, and others who enjoy the valley would like to see some guarantee that what's left of what used to be a wild area will remain for future generations.

Dick Bishop, a Goldstream resident and former regional supervisor with the

Alaska Department of Fish and Game, authored HB 303, a bill that would create the Goldstream Public Use Area.

Bishop recognizes the area as a valuable recreation spot that is close to town and is used for several interests, including mushing, skiing, snowmachining, trapping, hunting, bird watching, berry picking and others. His bill is aimed at assuring public access to the area and making sure it won't be put on the private sales block.

The bill includes an allowance for mineral entry, but miners are watching progress of the bill with a wary eye. The designated area includes some mining claims that have not been developed.



Carl Hines/News-Miner

Bill supported

Introduced by Rep. Mike Davis, D-Fairbanks, the bill is scheduled to be read next week before the house resources committee. It has strong backing, and Davis believes it will become law by the end of this year's session. "Let's say I'm optimistic," he said.

The bill will get support from the Department of Natural Resources at next week's hearing. "We will be stating support of that bill as being clearly com-

patible with the intents and purposes of the Tanana Basin Area Plan," said Dean Brown, DNR northern regional manager.

The designated area, which actually is made up of seven small parcels separated mostly by private holdings, is scattered through the valley between Fox and Sheep Creek Road.

A Goldstream designation of some sort has been on Bishop's back burner for (See GOLDSTREAM, Page 18)

Discover Peterbur rat can

It was one of those autumn days that makes you want the sunshine, the blue sky, and the warm, frost-damp leaves.

With my back to a driftwood tangle, I had kidded myself into believing that I was a moose hunter when I was on the river.

Low on the water, I was watching a rhythmic dance as I watched a canoe materialize. The native hunter, with his paddle, he poled with two short strokes.



and, from a sit on the boat's bottom.

I suspect that he spotted me even before I spotted him, but he made no sound. I stood and waved him ashore.

I shared my thoughts with a thin, brown-skinned man, though I didn't know his name at the time, he and I were close friends for years.

I admired his canoe, about 18 feet long, it was green painted and seemed to weigh about 100 pounds. He rolled down his boots, seated himself on the driftwood pile, and explained how he had made it.

He told me that the canoes made and used in the area—a two-man canoe, some called a "two-man" the one-man canoe, commonly referred to as a canoe, due to its use for hunting in the spring. A Peterbur canoe is about 18 feet long, about 12 or 14 inches wide.

I quickly discovered that the making of these canoes is a craft. First, a crib, or framework, is constructed. This framework is what the canoe is built on.

GOLDSTREAM: Miners say legislative action not needed

(Continued from Page 17)

years. It was recognized as an important moose wintering area while he was at Fish and Game. Biologists talked about doing some range management, but Goldstream wasn't as critical or major a moose range as other areas. "Some habitat studies were done, but in the end, there were bigger fish to fry," he said.

Wildlife habitat

Matt Robus, a habitat biologist with the department, said the area still is recognized as important moose wintering habitat. It also supports small game, song birds, trumpeter swans and furbearers. A portion of the area north of Goldstream Creek is open to rifle hunting for moose. South of the creek, bowhunters may stalk the ungulates.

The land mostly is creekbottom marsh, muskeg and permafrost underlain boreal forest. Most areas suitable for homes have been sold and subdivided, Bishop said. What remains is hardly suitable for development but perfect wildlife habitat, he said.

Bud Wiese remembers trapping in the area in the early 1950s. He used to walk from the Fairbanks

Golf and Country Club and follow a survey trail that traced the same route now covered by Ballaine Road. He caught beaver, mink, muskrat, lynx and fox. A fellow trapper caught some wolves.

The old narrow-gauge railroad grade, left from a train that serviced the mining communities of Fox, Olnes, and Chatanika in the 1920s, was a walking route for Wiese and remains a major thoroughfare for recreational users.

"The country then really was a lot like it is now," he said. "There's still a bit of fur out there."

Wiese said he would like to see the areas threaded together from one end to the other to allow cross-country travel between the parcels. "If land becomes available at a later date, perhaps we could get a corridor established," he said.

Shields voiced a similar concern. "If you can only go five miles and have to turn around, that hurts training," she said. "The dogs get real bored the second time you make the same loop."

Bishop said the designation probably will make little visible difference in the near future. "In the long term it does, because it will insure that it remains in public ownership

and that the trails will remain open," he said.

Mining concerns

Although there is a provision for mining written into the bill, miners worry that open trails and free public access may eventually conflict with mining development, according to Susan Knapman, president of the Fairbanks District of the Alaska Miners Association.

Knapman said that miners have no beef with establishing a multiple-use area but feel it is being addressed in the wrong forum.

Knapman said the idea should be addressed through the Tanana Basin Area Plan and developed through the Department of Natural Resources, which she said would provide the same controls as the legislative action, but with more public comment.

"Miners have been burned before. We know what follows after," she said. "The bill says mining is included, but if access is controlled then it's tough to run a mining operation," she said.

Ed Fogels, a natural resources officer and assistant project manager for this spring's Tanana Basin

Area Plan update, said he has little hope for a Goldstream public use area without legislation.

The 5-year-old basin plan recommends designation of the Goldstream area as a "public reserve," Fogels said. "But that was never really implemented and the regulations never written for it, so it really doesn't exist. We're in the process right now of evaluating whether this sort of designation would even work," he said.

Of 14 areas in the basin that were recommended for public reserves, only one, Minto Flats, has seen special treatment. It was named a State Game Refuge by the Legislature in 1987, Fogels said. "Since the reserve designation hasn't come about yet, the general feeling is it probably won't," he said.

If HB 303 passes, then it will be up to DNR to create a management plan for the area. "It will go through a standard public comment and management plan process," he said. That would include a round of three public comment periods, one to gather information and assess issues, another to offer solutions and a third to assess the final plan, he said.

In the field -

Beaver permits a

The Alaska Department will distribute six beaver trap first-come, first-serve basis 16, according to Robin Beasley biologist.

Each permit recipient will have six areas on the lower Chena River in Fairbanks and Badger Slough. They have their choice of area for arrival.

The permits are designed to meet densities in the area to meet natives, Beasley said. The area is the subject of complaints by homeowners.

The season will be open for more information contact 5156.

Valdez ice climbi

As many as 100 ice climbing teams from the country are expected to arrive next week for the Eighth Annual Ice Climbing Festival.

The event is scheduled for Feb. 19.

"Originally, it was just a weekend for members of the American Alpine Club," said Andrew Embick. "But the ice climbing has spread and the festival is now nationwide, even worldwide."

The festival includes a speed-climbing contest on the Keystone Greensteps, an ice climbing pyramid.

A day of helicopter skiing is arranged for climbers who bring their own ski gear, Embick said.

"There is no requirement for

SEA LIFE: Whales absent

(Continued from Page 17)

Drop confirmed

Dionys Deleeuw, a fisheries biologist who monitors the massive Skeena drainage and Queen Charlotte Islands, confirmed northern steelhead runs are down.

"The steelhead is a rare fish . . .

said a census of cormorants on the west coast of Vancouver Island during last year's nesting season found a decline of 70 percent.

"We think it may be food-related," Kees Vermeer said of the disappearance of so many cormorants.

FIN-N-FUR 
SPORTING GOODS GAVORA MALL
Ice Decoys are here!
 COME CHECK OUR IN-STORE SPECIALS

PUBLIC OPINION MESSAGE

B
lets
talk
about
this

DEAR: REPRESENTATIVE DAVIS, M.

NAME: DEAN WILSON
TITLE: ALASKA TRAPPERS ASSOC
ADDRESS: P.O BOX 60729
CITY: FAIRBANKS
PHONE: 479-4369
BILL NO: HB 303
SUBJECT: ESTABLISHING GOLDSTREAM PUBLIC USE AREA
MESSAGE: WE URGE YOUR SUPPORT OF THE GOLDSTREAM PUBLIC USE AREA BILL, HB 303.
THIS BILL IS IN THE BEST INTEREST OF ALL INTERIOR ALASKANS.
EOM-FZ

ZIP: 99707

POMID: 07081817
DATE: 02/05/90
TIME: 08:18:17
LIONAME: FAIRBANKS LIO

COPIES: REPRESENTATIVES

MENARD
DAVIDSON
JACKO
FOSTER
NAVARRE
FURNACE
SHARP
HUDSON

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1
1

H B

306

Alaska State Legislature



WHILE IN SESSION
PO BOX 160
JUNEAU ALASKA 99801
(907) 486-0173
HOUSE MAIL STOP 124001

HOME ADDRESS
PO BOX 160
JUNEAU ALASKA 99801
(907) 486-0338
DISTRICT 9

Representative Mike Navarre

March 26, 1990

MEMORANDUM

TO: Rep. Cliff Davidson, Co-Chair
Rep. Curt Menard, Co-Chair
All members, House Resources Committee

FROM: Rep. Mike Navarre *Mike*

SUBJECT: HB 306, relating to increases in fisheries business license fees.

Attached is some back-up information on HB 306. As stated in the material, the license fees for processors have not been increased in over 40 years.

While providing a method for a reasonable increase of these fees, the bill also allows for use of the funds produced by that increase to bolster the state's seafood inspection program, something that will benefit the industry as well as the consumer.

I respectfully request the committee's favorable consideration of HB 306.

Summary - House Bill 306

Proposed Fisheries Business License Fee Increase

This bill would increase the fees charged by the Department of Revenue for a fisheries business license, and also establish a civil penalty of \$500 per day for operating without a license. All processors requiring an inspection by the Department of Environmental Conservation (DEC) would be licensed.

The current license fee of \$25 was established in 1949, and has not been modified since. The proposed increase is based on the estimated value of the fisheries resource processed. As you can see from the table below, the license fee for a shore-based processor with an estimated annual value of fisheries resources of \$50,000 or less would remain unchanged:

Proposed License Fees

Estimated total resource value	Floating Processor	Shore-Based Processor
\$ 0 - 50,000	\$50.00	\$25.00
\$ 50,001 - 250,000	\$500.00	\$250.00
\$ 250,001 - over	\$1,000.00	\$500.00

The bill also provides for a separate accounting of the license fees, allowing them to be appropriated to the DEC for its seafood inspection program.

The frequency of inspection by the Division of Environmental Quality's Seafood Section is determined by public health significance and past performance. Inspection time varies, depending on the location and complexity of the operation.

The reason license fees for floating processors are higher than shore-based processors is that floating processors, the fastest growing segment of the seafood processing industry, are routinely more expensive to inspect than their land-based counterparts. Quite often, processing vessels work in remote locations, and can only be reached by expensive travel means - charter aircraft, helicopters, boats /skiffs, or a combination of these. Boarding or transferring to and from these vessels is frequently difficult or impossible, due to poor weather conditions and/or a lack of transportation. This can cause delays in inspection activities, and often increases personnel costs due to required additional per diem.

By making the increased license fees available for funding the seafood inspection program, HB 306 will better enable the DEC to perform this vital function. It will ensure inspection program consistency, thus helping to assure a quality product, which can only be beneficial to processors as well as consumers.

STATE OF ALASKA
1990 LEGISLATIVE SESSION

BILL VERSION: HB 306

PUBLISH DATE: _____

FISCAL NOTE

REQUEST: _____

Revision Date: _____
Title: An act imposing penalties and amending fisheries license fees
Sponsor: Navarre
Requestor: _____

Agency Affected: Revenue
BRU: Income & Excise Audit
Components: Operating

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
OPERATING						
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	1.0	1.0	1.0	1.0	1.0	1.0
CONTRACTUAL	2.0	2.0	2.0	2.0	2.0	2.0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LANDS & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	3.0	3.0	3.0	3.0	3.0	3.0
CAPITAL	0	0	0	0	0	0
REVENUE	100.0	100.0	100.0	100.0	100.0	100.0

FUNDING: (Thousands of Dollars)

GENERAL FUND	3.0	3.0	3.0	3.0	3.0	3.0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	3.0	3.0	3.0	3.0	3.0	3.0

POSITIONS:

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

ANALYSIS: See attached page

Prepared By: Steven E. Kettel
Division: Income and Excise Audit

Phone: (907) 465-2320
Date: _____

Approved by Commissioner: Hugh Malone
Agency: Department of Revenue

Date: 3/28/90

Distribution (by preparer):

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

Fiscal Note
HB 306
March 26, 1990

BILL ANALYSIS

This bill imposes a penalty for engaging in a fisheries business without a license and amends the license fee payable for obtaining a fisheries business license.

This bill amends the fisheries business license fee to provide for a graduated fee based on the estimated value of fisheries resources to be processed during the respective calendar year.

DEPARTMENT'S POSITION

The department supports the intentions of this bill.

Recommendation No. 1 The department would prefer that the license fee be based on actual fair market value of fisheries resources processed from the preceding year. License fees based on actual amounts will avoid additional efforts which would be required to analyze the reasonableness of the estimates and in some cases obtaining affidavits under oath by taxpayers as provided by this bill.

Recommendation No. 2 The department prefers the language regarding civil penalties as provided in House Bill 400, Section 2. This section provides for a civil penalty of \$5,000 for each citation for processing without a fisheries business license up to a maximum of \$25,000.

0369K

Original sponsor(s): REP. NAVARRE

1 IN THE HOUSE

2 CS FOR HOUSE BILL NO. 306 ()

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the fisheries business tax and to
7 the license fee payable for a fisheries business
8 license; and providing for an effective date."

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

10 * Section 1. AS 43.75.020 is amended to read:

11 Sec. 43.75.020. APPLICATION FOR LICENSE. (a) Application for a
12 license shall be filed with the department and accompanied by a [AN
13 INITIAL] fee [OF \$25]. A separate [INITIAL] fee is required for each
14 cannery, cold storage, freezer ship, processing plant, or other facil-
15 ity [PLANT] specified in the application covered by the license. The
16 application must [SHALL] contain the name of the applicant, the line
17 of business to be licensed, place of business, and other information
18 that [FACTS WHICH] the department prescribes. The applicant shall
19 state that the applicant agrees to pay the [LICENSE] tax, and that the
20 applicant will make a return and pay the tax at the time provided by
21 law.

22 (b) Upon receipt of the application in proper form accompanied
23 by the [INITIAL] fee the department shall issue the license.

24 * Sec. 2. AS 43.75.020 is amended by adding new subsections to read:

25 (c) The fee payable by a floating fisheries business is

26 (1) \$200 for a facility that did not operate in the state
27 during the previous license year;

28 (2) \$200 if the value of the fishery resource processed in
29 the facility during the previous license year was \$100,000 or less;

1 (3) \$400 if the value of the fishery resource processed in
2 the facility during the previous license year was more than \$100,000
3 but not more than \$200,000;

4 (4) \$600 if the value of the fishery resource processed in
5 the facility during the previous license year was more than \$200,000
6 but not more than \$300,000;

7 (5) \$800 if the value of the fishery resource processed in
8 the facility during the previous license year was more than \$300,000
9 but not more than \$400,000; and

10 (6) \$1,000 if the value of the fishery resource processed
11 in the facility during the previous license year was more than
12 \$400,000.

13 (d) The fee payable by a shore-based fisheries business is

14 (1) \$100 for a facility that did not operate in the state
15 during the previous license year;

16 (2) \$100 if the value of the fishery resource processed in
17 the facility during the previous license year was \$100,000 or less;

18 (3) \$200 if the value of the fishery resource processed in
19 the facility during the previous license year was more than \$100,000
20 but not more than \$200,000;

21 (4) \$300 if the value of the fishery resource processed in
22 the facility during the previous license year was more than \$200,000
23 but not more than \$300,000;

24 (5) \$400 if the value of the fishery resource processed in
25 the facility during the previous license year was more than \$300,000
26 but not more than \$400,000; and

27 (6) \$500 if the value of the fishery resource processed in
28 the facility during the previous license year was more than \$400,000.

29 (e) A license is valid for the duration of the calendar year for

1 which it is issued.

2 (f) The commissioner shall deposit the proceeds of the license
3 fee into the general fund.

4 (g) The commissioner of administration shall separately account
5 for all proceeds of the license fee deposited into the general fund.

6 (h) The legislature may appropriate the annual estimated balance
7 of the account established under (g) of this section to the Department
8 of Environmental Conservation to conduct inspections of fisheries
9 businesses under AS 03.05.020(a)(1) and 03.05.040.

10 * Sec. 3. AS 43.75.140 is amended by adding new paragraphs to read:

11 (12) "fee" means the fisheries business license fee under
12 AS 43.75.020;

13 (13) "tax" means the fisheries business tax levied by
14 AS 43.75.015.

15 * Sec. 4. This Act takes effect October 31, 1990.

H B

315

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

ce
2HB 315-

April 26, 1989

The Honorable Sam Cotten
Speaker of the House
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to criminal penalties for negligent operation of a tank vessel, for negligent oil discharges, for failure to comply with an oil discharge contingency plan, and for failure to adequately clean up an oil spill.

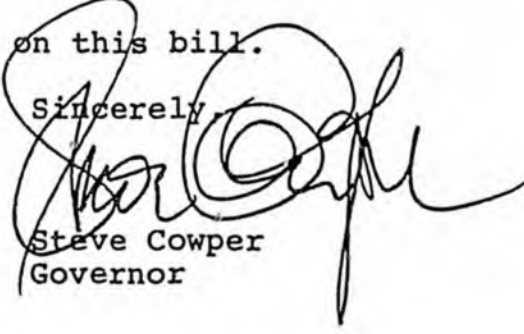
This bill increases the penalty for a negligent oil spill to a class A misdemeanor if the spill is less than 10,000 barrels, and to a class C felony if the spill is 10,000 barrels or more. In addition, the bill makes clear that criminal penalties will be imposed for failure to comply with an oil discharge contingency plan and for failure to adequately clean up an oil spill. Finally, the bill makes it a class C felony to actually endanger a person or property through negligently operating, navigating, or piloting a tank vessel. The need for this legislation arises from our review of criminal statutes in light of the Prince William Sound oil spill.

The class B misdemeanor penalty imposed under current law for negligent oil discharges, or for failure to comply with administrative regulations requiring adequate clean up of a discharge, does not accurately reflect the seriousness of the societal interests that are violated when a criminally negligent act causes extensive damage. Under the bill, felony penalties are imposed for negligent spills of 10,000 barrels or more (420,000 gallons), or for failure to respond appropriately to any spill of this magnitude.

The new crime of negligent operation of a tank vessel is similar in definition to the crime of negligent operation of a motor vehicle. However, given the extent of the possible damage from negligent operation of a tank vessel, the crime is designated a class C felony. The purpose of imposing felony penalties in this context is to provide a strong incentive for operators, navigators, and pilots of tank vessels to exercise an appropriate level of care to protect the lives and property of Alaskans.

I urge your favorable action on this bill.

Sincerely,



Steve Cowper
Governor

STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: HB 315
PUBLISH DATE: HOUSE 4/26/89

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: "An Act providing criminal penalties for negligent oil discharges..."
Sponsor: Rules/By Req. of the Governor
Requestor: Governor's Office/OMB

Agency Affected: Department of Law
BRU: Prosecution
Components: All

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Please see the attached analysis.

Prepared by: Richard I. Pegues, Director Phone: 465-3672
 Division: Administrative Services Date: April 24, 1989
 Approved by Commissioner: Douglas B. Bailey, Attorney General Date: April 24, 1989
 Agency: Department of Law

Distribution (by preparer):

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

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. _____

This bill amends AS 46.03.790 by adding a new subsection that provides criminal penalties for negligent oil discharges and for inadequate cleanup of oil discharges. The new subsection provides that a person who negligently discharges oil in violation of AS 46.03.740, or who fails to comply with the provisions of an oil discharge contingency plan required under AS 46.04.030, or who fails to adequately clean up a discharge of oil as defined by regulation, is guilty of a class C felony if the discharge is 10,000 barrels or more, or guilty of a class A misdemeanor if the discharge is less than 10,000 barrels. By establishing these crimes, the bill seeks to set appropriate criminal penalties for the negligent discharge of oil, failure to comply with the provisions of an oil discharge contingency plan, and failure to adequately clean up a discharge of oil. The actual number of offenses is expected to be small and, consequently, fiscal note costs are not being requested.

This bill also amends AS 46.03 by adding a new section that provides criminal penalties for negligent operation of a tank vessel, when a person with criminal negligence actually endangers another person or property through operating, navigating or piloting a tank vessel. Tank vessel means a vessel that is constructed or adapted to carry, or that carries, oil or hazardous material in bulk as cargo or cargo residue. Criminal negligence has the meaning given in AS 11.81.900. The bill establishes the penalty for negligent operation of a tank vessel as class C felony. By establishing this new crime, the bill seeks to set an appropriate penalty for negligent acts that can cause major damage to other persons and the environment. The actual number of such acts is expected to be small. Because of the small number of expected offenses, fiscal note costs are not being requested.

H B

320

HOUSE COMMITTEE REPORT

(9)

Date Referred: April 27, 1989

FURTHER REFERRALS:

Date of Committee Action: 5-3-89

The RESOURCES Committee considered:

HB 320

HOUSE BILL NO. 320

[PRINCE WILLIAM SOUND RESERVE]

"An Act relating to Prince William Sound Recovery Area; and providing for an effective date."

RECOMMENDATIONS:

- be replaced with CS HB 320 (Res) the same title
- have attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s):
(Dept)

APPROVES PREVIOUS:

(Date/Dept)

- fiscal impact _____
- zero fiscal note 7+B 5/3/89
- zero with analysis _____
- fiscal note(s) _____
- zero fiscal note(s) _____
- zero fn/analysis _____

SIGNING DO PASS:

Chip

SIGNING:

(Check approp. column)

	Do Not Pass	No Rec	Amend
_____ <i>Bill Hudson</i>		✓	
_____ <i>Best Shays</i>		✓	
_____ <i>W FURNACE</i>	X		
_____ <i>Mike Lawrence</i>		X	
_____ _____			

 Chairman's Signature

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Fish and Game
 Title: Prince William Sound
Recovery Area BRU: Habitat
 Sponsor: Resources Committee Components: _____
 Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Frank Rue, Director *Elmer F. J. for FR* Phone: 465-4105
 Division: Habitat Date: 5/3/89
 Approved by Commissioner: *William H. Miller* Date: 5/3/89
 Agency: Department of Fish and Game

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





Alaska State Legislature

HOUSE OF REPRESENTATIVES
COMMITTEE ON RESOURCES

POUCH V
JUNEAU, ALASKA 99811
(907) 485-2718

MEMORANDUM

TO: Senator Kerttula

FROM: Representative Cliff Davidson 
Representative Curt Menard 
Co-Chairmen, House Resources Committee

DATE: April 28, 1989

SUBJECT: HB 320, An Act relating to the Prince William Sound Recovery Area; and providing for an effective date.

House Bill 320, introduced by the Resources Committee on April 28, establishes a "recovery area" on all tidelands, submerged lands and waters between the Copper River delta and the outer tip of the Kenai Peninsula. The boundaries include the Prince William Sound ecosystem as well as lands along the outer Kenai Peninsula that have been damaged by oil. Within the PWS Recovery Area, the Department of Fish and Game, under Title 16, will be given additional authority to regulate all uses and activities.

Constitutionally and under state law, DNR manages state lands. With respect to HB 320, DNR has expressed concern that this legislation will eliminate their management authority over the PWS region. This is neither the intent nor the outcome of the language in HB 320. However, we do feel that the special problems surrounding the Prince William Sound disaster demand special management solutions.

There are two key reasons why good public policy dictates a greater allocation of authority to DF&G in the PWS region.

The central issue in returning Prince William Sound to normality rests on the return of the region's environmental health and biological productivity. The economy of PWS is primarily based upon the biological output of an enormously rich ecosystem. DF&G, as the principle biological agency in state government, should have and will have the central role in ensuring the expeditious restoration, rehabilitation and recovery of PWS. Thus, giving DF&G additional authority and responsibility to ensure that the rate of recovery is not hampered in any way makes good economic, biological and public policy sense. Rapid recovery of the beaches, the marshes and the waters of Prince William Sound should be our first priority.

The second key reason to support HB 320 hinges on implementation of the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). Under CERCLA, which is triggered by environmental disasters such as the Exxon Valdez oil spill, coordination of the recovery efforts, and research coordination rests with four "trustees" from the federal and state governments. In the case of PWS, there are three federal trustees representing three federal departments and one state trustee appointed by the Governor, the Commissioner of the Department of Fish and Game.

It is important to note that the state trustee is outnumbered on this CERCLA panel by three to one. In order to strengthen the state trustee's hand in working with these federal trustees, HB 320 gives DF&G additional and specific statutory authority over the uses and activities within the region. This will help ensure that coordination by the federal/state CERCLA trustees will be clearly and effectively translated and implemented at the state level.

In summary, HB 320 will help ensure that restoration of the Prince William Sound ecosystem will be the central focus of state efforts, and further, HB 320 will strengthen the state's position with respect to the federal government in coordinating the cleanup, and recovery of the Sound.

From discussions between our staff, we understand that you share our favorable opinion of the Prince William Sound Recovery Area concept. In order to facilitate an expeditious and through review of this legislation, we would like to suggest that you consider introducing this or a similar bill in the Senate.

We hope that this memorandum helps clarify our interest in and support for the Prince William Sound Recovery Area.

Amendment to Senate Bill 299

By Davidson

Page 2, Line 6

Delete "the first day of the month in which it takes effect"
and insert "March 1, 1989"

Page 2, Line 7

Delete "on or after that date", and insert "after February 28,
1989"

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: JIM JACKSON
TITLE: WILDLIFE FEDERATION OF ALASKA
ADDRESS: 15301 ELMORE
CITY: ANCHORAGE
PHONE: 345-1249
BILL NO: HB 320
SUBJECT: PRINCE WILLIAM SOUND RESERVE
MESSAGE: WILDLIFE FEDERATION OF ALASKA URGES PASSAGE OF HB 320. WFA IS AN ORGANIZATION OF APPROXIMATELY 500 ALASKAN OUTDOOR ENTUSIASTS AND IS THE STATE AFFILIATE OF THE NATIONAL WILDLIFE FEDERATION. PASSAGE OF HB 320 WILL AID RECOVERY OF PRINCE WILLIAM SOUND FROM THE OIL SPILL DISASTER.

ZIP: 99516

POMID: 03125327
DATE: 04/28/89
TIME: 12:53:27
LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES

MENARD
JACKO
FOSTER
NAVARRE
FURNACE
SHARP
HUDSON
DAVIS, M.

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: ROBERTA HIGHLAND
TITLE:
ADDRESS: BOX 15312 FCB
CITY: HOMER
PHONE: 235-8214
BILL NO: HB 320
SUBJECT: PRINCE WILLIAM SOUND RESERVE
MESSAGE: I WANT THE FISH & GAME TO ADMINISTER THE RECOVERY BECAUSE OF THEIR FAMILIARITY WITH THE HABITAT. I ALSO WANT INCLUDED THE SOUTHERN KENAI PENINSULA AND THE BARREN ISLANDS AND THE CHUGACH ISLANDS. NO RESPONSE NECESSARY.

ZIP: 99603

POMIO: 18160624
DATE: 05/01/89
TIME: 16:06:24
LIONAME: HOMER INFORMATION OFFICE

COPIES: REPRESENTATIVES SENATOR

MENARD
JACKO
FOSTER
NAVARRE
FURNACE
SHARP
HUDSON
DAVIS, M. FISCHER

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: WENDY COYLE
 TITLE:
 ADDRESS: HC52, BOX 8701
 CITY: INDIAN ZIP: 99540
 PHONE: 653-7751
 BILL NO: HB 320
 SUBJECT: PRINCE WILLIAM SOUND RESERVE
 MESSAGE: DNR IS THE LAND MANAGER FOR THE STATE OF ALASKA. ALL STATE OWNED
 TIDE LANDS SHOULD BE MANAGED BY DNR. IT IS OBSERVED TO TURN MANAGEMENT OF
 TIDE LANDS IN PRINCE WILLIAM SOUND OVER TO FISH AND GAME. FISH AND GAME
 MANAGES WILDLIFE NCT LAND . VOTE NO ON HB 320.

POMID: 03094804
 DATE: 05/01/89
 TIME: 09:48:04
 LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BARNES	BOUCHER	ADAMS
BOYER	BROWN	BINKLEY
CATO	COLLINS	COGHILL
COTTEN	DAVIS, C.	DUNCAN
DAVIS, M.	DONLEY	ELIASON
ELLIS	FINKELSTEIN	FAHRENKAMP
FOSTER	FURNACE	FAIKS
GOLL	GRUENBERG	FISCHER
GRUSSENDORF	HANLEY	FRANK
HOFFMAN	HUDSON	HALFORD
JACKO	KOPONEN	JONES
LARSON	LEMAN	KELLY
MACLEAN	MARTIN	KERTTULA
MENARD	MILLER	PEARCE
NAVARRE	PETTYJOHN	POURCHOT
PHILLIPS	RIEGER	RODEY
SHARP	SHULTZ	STURGULEWSKI
SHACKHAMMER	TAYLOR	SZYMANSKI
ULMER	WALLIS	UEHLING
ZAWACKI		ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: LYNN BENNETT
 TITLE:
 ADDRESS: BOX 911
 CITY: HOMER ZIP: 99603
 PHONE: 235-8838
 BILL NO: HB 320
 SUBJECT: PRINCE WILLIAM SOUND RESERVE
 MESSAGE: AS REGARDS HB-320, ADMINISTRATION SHOULD BE DONE BY FISH & GAME
 FAMILIAR WITH HABITAT. NEEDS TO INCLUDE SOUTHERN KENAI PENINSULA AND BARREN
 ISLANDS.

POMID: 18160843
 DATE: 05/01/89
 TIME: 16:08:43
 LIONAME: HOMER INFORMATION OFFICE

COPIES: REPRESENTATIVES SENATOR

MENARD	FISCHER
JACKO	
FOSTER	
NAVARRE	
FURNACE	
SHARP	
HUDSON	
DAVIS, M.	

FINDING OF EMERGENCY

The Department of Natural Resources finds that an emergency exists and that this Finding of Emergency is necessary for the immediate preservation of public peace, health, safety, or general welfare. No other reasonable mechanism exists under existing law to immediately protect the state owned uplands and tide and submerged lands in Prince William Sound other than the Prince William Sound Area Plan.

On March 25, 1989, the Governor issued a Declaration of Disaster Emergency as a result of the largest oil spill in United States history caused by the grounding of the MV EXXON Valdez that occurred in northeasterly Prince William Sound on March 24, 1989. The Governor has declared the disaster emergency exists in the vicinity of Valdez and the area impacted by the spill.

This Finding of Emergency is necessary to protect the general welfare of the state and to protect the tide and submerged lands and natural resources in Prince William Sound and the outer Kora Peninsula that have been and currently are impacted by the oil spill.

Per Article VIII of the Alaska State Constitution, lands and interests therein, including submerged and tidal lands, owned or acquired by the state and not used or intended exclusively for governmental purposes, constitute the state public domain.

The Department of Natural Resources per statutory authorities described in AS 38, 41 and 46, is charged with the protection and management of all tidal and submerged lands as well as the management of all State owned uplands.

The Prince William Sound Area Plan, as adopted in 1988 by the Commissioners of Natural Resources and Fish and Game, in assistance with the U. S. Forest Service, prescribes how the Department of Natural Resources will manage state owned uplands and tide and submerged lands in Prince William Sound, including areas of critical habitat. In addition, the plan provides general guidance for managing units of the Alaska Marine Parks system that are in the planning area and provides guidelines for leases, sales, and permits proposed state land.

The state owns almost all of the 3.8 million acres of tide and submerged lands, and almost 1 million acres of uplands within the planning area, including lands beneath navigable lakes and streams.

Pursuant to the Public Trust Doctrine and the authority and duty of the Commissioner under applicable law to protect and manage state owned land and resources in the public interest, the department must act immediately to ensure that no new activities occur in impacted areas which may adversely affect clean-up, monitoring or rehabilitation efforts. Therefore, all such activities in the areas impacted by the EXXON Valdez oil spill are temporarily suspended for 120 days. Locatable mineral claims, located in open areas as specified within the Prince William Sound Area Plan, however, can not

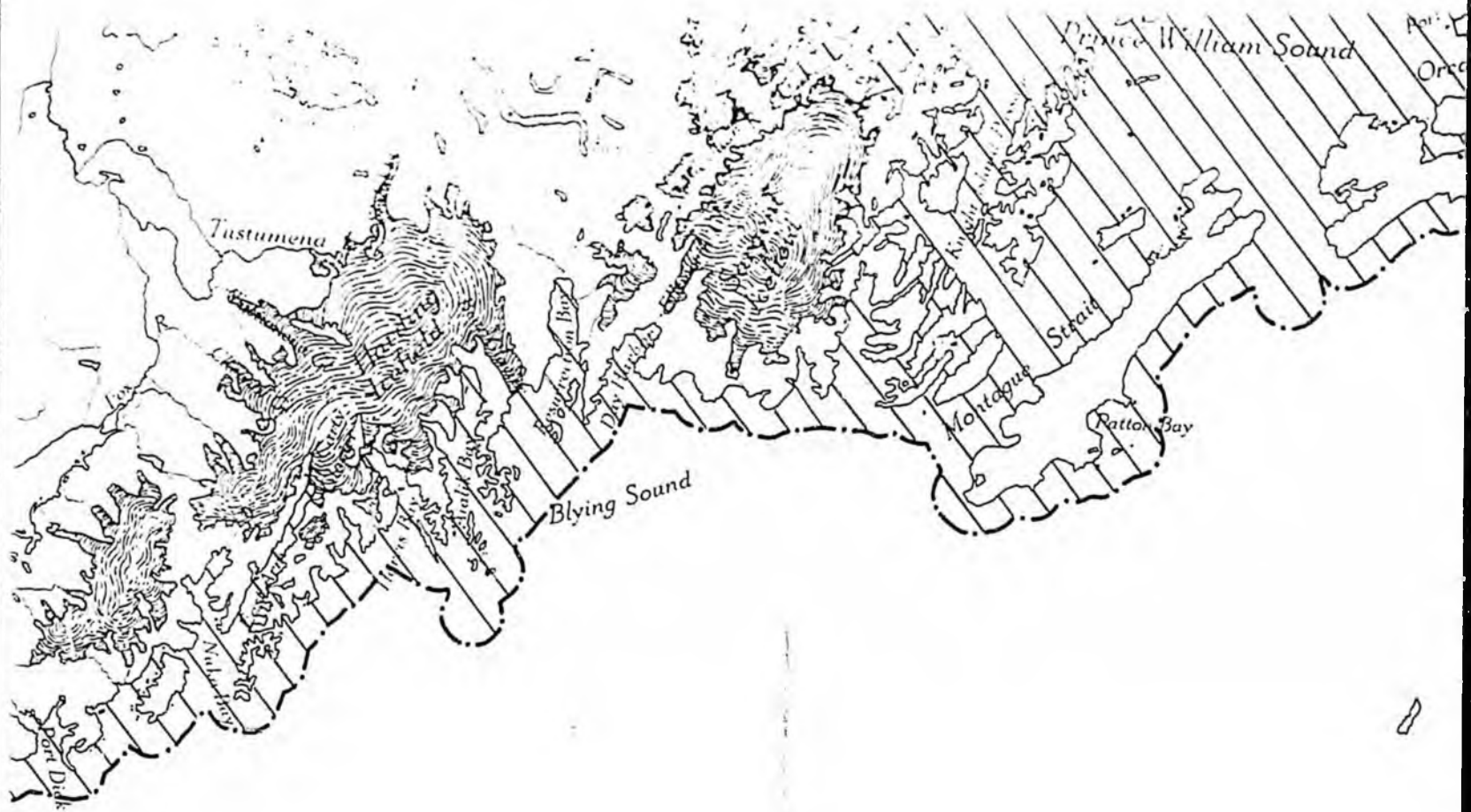
be prohibited without a mineral closing order. Such closing orders require 180 days to take effect, which is beyond the timeframe of this finding of Emergency.

I hereby find that an emergency exists affecting the general welfare of the people of the state, and adopt the provision that all departmental actions that would directly interfere with clean up activities in the areas impacted by the EXXON Valdez oil spill are temporarily suspended for 120 days.

Date: _____

Lennie Gorkuch
Commissioner
Department of Natural Resources

THE FOLLOWING DOCUMENT HAS
NOT BEEN FILMED BUT IS
AVAILABLE IN THE ORIGINAL
FILE



PRINCE WILLIAM SOUND RECOVERY AREA

H B

321

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An Act relating to oil discharge
contingency plans.
Sponsor: Resources Committee
Requestor: Resources Committee

Agency Affected: DEC
BRU: Environmental Quality
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS: None

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Amv D. Kvale Phone: 465/2600
Division: Commissioner's Office Date: _____

Approved by Commissioner: *A. D. Kvale* Date: 5/1/89
Agency: Department of Environmental Conservation

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

HOUSE COMMITTEE REPORT

(9)

Date Referred: April 27, 1989

FURTHER REFERRALS:

Date of Committee Action: 5-2-89

The RESOURCES Committee considered:

HB 321

HOUSE BILL NO. 321 [OIL DISCHARGE CONTINGENCY PLANS]
 "An Act relating to oil discharge contingency plans."

RECOMMENDATIONS:

- [] be replaced with _____ [] the same title
- [] have attached amendment(s) [] a new title
- [] do pass
- [] do not pass
- [] no recommendation
- [] individual recommendations
- [] additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s):
 (Dept)

APPROVES PREVIOUS: (Date/Dept)

- [] fiscal impact _____ [] fiscal note(s) _____
- [] zero fiscal note DEC [] zero fiscal note(s) _____
- [] zero with analysis _____ [] zero fn/analysis _____

SIGNING DO PASS:

Cliff Davison

Carl M...

Mike Savane

Gene J...

SIGNING:
 (Check approp. column)

	Do Not PASS	No Rec	Amend
<i>Bill Hudson</i>		<input checked="" type="checkbox"/>	
<i>Gene...</i>		<input checked="" type="checkbox"/>	

Cliff Davison

 Chairman's Signature

H B

322

HOUSE COMMITTEE REPORT

(9)

Date Referred: April 28, 1989

FURTHER REFERRALS: FINANCE

Date of Committee Action: 3/13/90

The RESOURCES Committee considered:

HB 322

HOUSE BILL NO. 322 [AUTHORIZE ANCHORAGE/KENAI POWER LINE]

"An Act authorizing the Anchorage to Kenai Peninsula power transmission line and approving the design and construction costs of the line; and providing for an effective date."

RECOMMENDATIONS:

- be replaced with CS HB 322 (RES) the same title
- have attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s):
(Dept)

APPROVES PREVIOUS:

(Date/Dept)

- fiscal impact _____
- zero fiscal note ^{COMMERCE + ECONOMIC DEV. - KASKA ENERGY AUTHORITY} _____
- zero with analysis _____
- fiscal note(s) _____
- zero fiscal note(s) _____
- zero fn/analysis _____

SIGNING DO PASS:

SIGNING:

(Check approp. column)

Do Not Pass
No Rec
Amend

<u>Sam Munnich</u> <u>Bob Sharp</u>	<u>[Signature]</u> <u>[Signature]</u>		✓	
<u>Walt Furnace</u> <u>Mike Yavane</u>			✓	

[Signature]
Chairman's Signature

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: COMMERCE + ECONOMIC DEV. ALASKA ENERGY AUTHORITY
 Title: An Act authorizing the Anch. BRU: _____
to Kenai Penin. power transmission line
 Sponsor: House Resources Committee Components: _____
 Requestor: House Resources Committee

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Prepared by: *[Signature]* Phone: 465-3578
 Division: Alaska Energy Authority Date: 3/15/90
 Approved by Commissioner: Larry Mercurieff, Commissioner Date: 3-15-90
 Agency: Dept. of Commerce & Economic Development

- Distribution (by preparer):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)