

ALASKA LEGISLATURE COMMITTEE FILES 1991-1992 8672
7284 HOUSE STATE AFFAIRS



STATE OF ALASKA

OFFICE OF THE GOVERNOR

ALASKA WOMEN'S COMMISSION

3601 C STREET - SUITE 742

ANCHORAGE, ALASKA 99503

REPORT ON KEY CONCERNS: MID-LIFE AND OLDER WOMEN

On October 13, 1990, 155 women attended Women at the Crossroads, a conference for mid-life and older women. The steering committee for the conference identified economics and health as the two chief concerns to be addressed at the conference. The following workshops were given at the conference:

- Health Issues for Mid-life and Older women
- Long Term Care: Legal, Personal and Financial Concerns
- Employment Issues: Career Change, Discrimination, Re-entry into the Work Force
- Personal Finances and Retirement Planning
- Starting a Small or Home Business

The conference participants had two opportunities to talk about themselves and their lives. They talked about what was good and what was hard for them being a mid-life or older woman and what were their key concerns. It is our hope that this information will give legislators and administrators a better understanding of the special needs of older women in Alaska.

Key Concerns:

- lack of health insurance
- inadequate retirement income, fixed income and rising costs
- job discrimination
- lack of financial security
- poverty
- health problems, physical limitations
- dependency on spouse or government
- affordable housing (also need for congregate and intermediate housing and being able to live at home)
- loneliness, lack of support system, depression
- quality of life: living and dying with dignity
- caring for elderly parents, disabled spouse
- negative societal view of older women
- lack of understanding of finances
- fear of institutionalization
- need for job training, meaningful work

Pro-family?

What a serious agenda might include

Gov. Wally Hickel's housecleaning has reached the Alaska Women's Commission and the Commission on Children and Youth. He said he wants appointees who will "place a greater emphasis on the strength of the family."

That seems to imply that the old appointees were somehow lacking on that score. If that's the case, the governor isn't saying.

What did the previous commission do that the administration found objectionable? Hickel press aide Harry Gamble couldn't say.

Specifically what might the new commissioners do differently? Again, the press aide couldn't say.

Absent an explanation, you have to wonder. Gov. Hickel courted the conservative vote. Coming from him, "strengthening families" sounds like code for "Dad brings home the bacon; Mom stays home with the kids."

That family model is fine, but it's not the only one around. Nor is it necessarily ideal for every family.

It's legitimate to ask what the state can do to support the traditional family. But it's most certainly not legitimate to stop there.

Families in modern life take many shapes and forms. Strengthening families means supporting families the way they are. It doesn't mean forcing them to become something they aren't.

State policies that strengthen families would:

- Ensure that every parent who works can find and afford good day care.
- Give parents who work the right to take job-protected leave to care for their new children.
- Make sure all families can get the health care they need without risking bankruptcy — especially pregnant women and young children.
- Refuse to permit divorced or absent parents to escape paying adequate child support.
- Encourage teen-agers not to have children before they're ready for the responsibility of raising them.
- Try to prevent child abuse and speedily protecting children who are abused.

Many of these issues were on the agenda of the commissioners that Gov. Hickel sacked. If his new appointees are serious about strengthening the family, these issues will be on their agenda, too.

Alaska News March 2, 91

W
n-

Hickel made a mistake in firing commissioners

Dear Editor:

I read with dismay articles about the dismantling of the Alaska Women's Commission. Gov. (Walter J.) Hickel is making a mistake by firing a fine group of women who have been working to better the lives of thousands of Alaskan women.

Who are the women they advocate for? They are mothers who are the victims of failed or destructive marriages; they are the children of abusive or neglectful parents; they are the cream of the unfortunate crop who have been left behind by society or misfortune but who have enough strength of spirit to ask for assistance and try to make a come back.

They are you, Ermalee, and me, after an illness, a round of bad luck, or time spent with a hurtful or abusive person.

And almost every one of them without exception is given the strength and will to survive from the love and concern she has for her children.

(And what is) Hickel's reaction to the Alaska Women's Commission? He is asking each of the commissioners to resign because he supports family values.

My first reaction is how dare he question the family values of the women who seek help - for them-

selves and for their children - from the commission. Who is he to question the values of the women who serve on the commission which is devoted to promoting women's and children's interests?

After a reflective pause, I realize he is not a mean man, so the only explanation for his actions is ignorance. "Forgive them Lord, for they know not what they say."

I will forgive Hickel and I will pray for Hickel's enlightenment, for his ability to understand that everyone yearns for the security and success that he has found with his family. But that in a world of limited resources and free competition, a whole lot of people - mostly women, children and minorities - get left out in the cold.

To pretend they do not exist is not promoting family or Christian values.

Deborah R. Bonito
Juneau

Staff angered by Hickel's cuts to youth, women's agencies

By BRIAN S. AKRE

ASSOCIATED PRESS

JUNEAU — Gov. Walter J. Hickel completed a wholesale political housecleaning of two more state boards: the Alaska Women's Commission and the Governor's Interim Commission on Children and Youth.

"It is my feeling that the new appointees will more closely reflect the attitude of my administration and place a greater emphasis on the strength of the family," Hickel said in a news release Monday.

The Women's Commission has strug-

gled for survival in recent years. Critics charge its views do not accurately represent those of Alaska women, and that it champions primarily liberal and feminist causes.

Hickel's fiscal 1992 operating budget proposes an 85 percent cut in the commission's budget, which would eliminate its staff and leave only enough money for members to attend meetings.

The dismissed members issued a news release Monday criticizing Hickel.

"The governor's wholesale replacement of this commission indicates an attempt to create a public body that is

only reflective of the views of the current administration," the release said. "This process discourages debate."

The commission, created by the Legislature in 1978, is charged with researching the needs of the state's women and advocating for equal treatment and opportunities.

Linda Freed of Kodiak, the commission's chairwoman, said she was disappointed but not surprised by Hickel's move. She said members got word of their dismissal in brief letters last weekend.

"The commission as it was consti-

tuted represented a broad spectrum of interests in this state, and I think we were doing a good job," she said.

Harry Gamble, Hickel's acting press secretary, said the governor will ask the new women's and youth commissions to meet jointly to address family issues. Hickel campaigned on strengthening families, "and these two commissions are going to be a mechanism to help him focus on doing that."

Freed rejected Hickel's suggestion that the Women's Commission did not represent families.

"Most of the people on the commis-

sion had children," she said. "We are members of families. What is it that the commission has done that hasn't supported families?"

Freed said she requested a meeting with Hickel twice in the last month to discuss the budget cuts and what the administration had in mind for the commission, but she got no reply.

Commission member Kathleen Harrington, an Anchorage homemaker, said the former members will continue to advocate for women.

Harrington said she was offended at how Hickel handled the dismissals.

SUBJECT ELECTIONS

04:08 PM 03/15/91

BILL #	SHORT TITLE	STATUS	DATE
HB 40	FALSE INFORMATION IN ELECTION PAMPHLET	(H) STA	01/21/91
HB 74	SWORN STATEMENTS: ELECTION MATERIAL	(H) STA	01/24/91
HB 86	YEAR-END CAMPAIGN FINANCE REPORTS	(S) ETR	03/13/91
HB 167	ABSENTEE VOTING	(H) STA	02/25/91
HB 183	FAIR CAMPAIGN PRACTICES CODE	(H) STA	03/01/91
HB 195	CAMPAIGN FINANCE REFORM	(H) STA	03/06/91
HJR 2	LIMIT LEGISLATIVE SERVICE TO 12 YRS	(H) STA	01/21/91
HJR 3	CHANGE TERMS OF REPRESENTATIVES TO 4 YRS	(H) STA	01/21/91
HJR 9	VOTER APPROVAL FOR NEW TAXES	(H) STA	01/22/91
HJR 13	RUN-OFF ELECTION: GOV. & LT. GOV.	(H) STA	01/25/91
SB 13	ADVISORY VOTE ON CAPITAL PUNISHMENT	(S) FIN	03/13/91
SB 131	NOTICE OF ELECTIONS/MEETINGS/REGULATIONS	(S) FIN	03/07/91
SJR 5	CONST. AM. LIMIT LEGISLATIVE TERMS	(S) JUD	01/21/91
SJR 20	LIMIT TERMS OF LEGISLATORS	(S) JUD	02/25/91

Alaska State Legislature
Representative Niilo Koponen


Pouch V
Juneau, Alaska 99811
(907) 465-4992

House District 21

119 N. Cushman, Suite 207
Fairbanks, Alaska 99701
(907) 456-8172

M E M O R A N D U M

FEB 26 1991

To: Representative Kubina
From: Representative Niilo Koponen 
Re: HB 170 and HCR 11
Date: February 27, 1991

I would appreciate the House State Affairs Committee scheduling HB 170 and HCR 11 concerning the Women's Commission at your earliest convenience.

HB 170 places the Commission under the purview of the Legislature; HCR 11 creates a task force which would carry the same responsibilities as the Commission. This latter measure should preserve the function of the Commission should the other bill fail to receive the Governor's approval.

If you have any questions please feel free to give me a call or my aide, Shari Paul at 4992.

Thank you.



SENATOR FRED F. ZHAROFF

ALASKA STATE LEGISLATURE

P. O. BOX 405, KODIAK, ALASKA 99615 (907) 486-5259

DURING SESSION:


P. O. BOX V, JUNEAU, ALASKA 99811 • (907) 485-3473 • 485-3474

DISTRICT N

ALASKA PENINSULA • ALEUTIAN CHAIN • BRISTOL BAY • KODIAK ISLAND • LAKE CLARK/LAKE ILIAMNA • PRIBILOF ISLANDS • SHUMAGIN ISLANDS

MEMORANDUM

TO: All legislators

FROM: Senator Fred F. Zharoff 

DATE: February 26, 1991

RE: Constituent request

The attached letter -- by Ms. Linda Freed of Kodiak -- is a followup to a letter I distributed yesterday. Ms. Freed requested that I also provide copies of this letter to all the members of the legislature.

S.R. 3295 Woody Way
Kodiak, Alaska 99615
February 25, 1991

Governor Walter J. Hickel
State of Alaska
Office of the Governor
P.O. Box A
Juneau, Alaska 99811-0101

Dear Governor Hickel:

I have written you two letters, in as many months, requesting a meeting with you to discuss the role of the Alaska Women's Commission in your administration. I have never received a written response to either of these letters, yet today I received a "dismissal" letter from you, stating that my "service on this Board in no longer required.."

My only indication as to why I and other Commissioner members have been dismissed is based on comments by your spokesperson. As I understand it, you believe that the Commission did not represent "traditional family values."

Governor Hickel, I am a wife and the mother of two. My son Andrew is 3 1/2 years old and my daughter Maggie is 14 months old. My husband and I, like many Alaskan parents both work, in order to pay for things like groceries, utilities, and our mortgage. We also want to ensure that our children have the opportunity for a quality post-secondary education. My husband and I are lucky, we both enjoy our jobs and would choose to work even if we didn't feel it was an economic necessity, as it is for most working parents.

Governor Hickel, my family is a member of St. Mary's Catholic Parish in Kodiak. In addition, my husband and I have been involved in a number of community organizations over the years, including the St. Mary's Parish Council, the Kodiak Chamber of Commerce, the Kodiak Arts Council, the Kodiak Womens Resource and Crisis Center

and the Kodiak Public Broadcasting Corporation. We give both our time and money to these and other community organizations in order to enrich our community and to provide a positive role model for our children.

Tell me Governor Hickel, what is it about my lifestyle or attitudes, that you believe conflicts with the concept of "traditional family values". More to the point, perhaps you could define, for me and the residents of the State what you and your administration mean by the term "traditional family values". I happen to live in what is commonly defined as a traditional family unit, but many women in this State do not.

Does your administration's focus on "traditional family values" mean that these women will not be represented by "your Alaska Women's Commission"? How about the many children in this State that do not live in traditional family units, are they too going to be forgotten, by "your Children and Youth Commission", as it focuses on a type of family unit that is becoming a minority in this society.

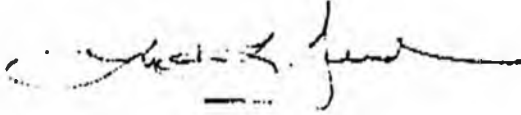
Perhaps, the truth Governor Hickel, is that I and other Alaska Women's Commission members were "dismissed" not because we don't embody "traditional family values", but because we believe in the equality of all individuals.

I am proud to consider myself a feminist, which I define as a person who believes that men and women are equal. As a feminist I have committed myself to working towards achieving equality for all people regardless of their sex, ethnic origin, or economic status. Governor Hickel, I want both of my children to have opportunities for a quality education and economic success, not just my son. I want both of my children to have the opportunity to use their unique talents as they mature, not just my son. I want all the children in this State to have these opportunities, not just my children.

I am disappointed and angry that the Governor of this State apparently equates "traditional family values" with the continued inequality of women, and that "traditional family values" are being used as an excuse to limit women's options and opportunities,

rather than to support and encourage women in this State and the people that matter to them, their families.

Sincerely,



Linda L. Freed
former Chair of the Alaska Women's Commission

c.c. former Alaska Women's Commission
Seventeenth Alaska State Legislature
Media



Alaska Women's Resource Center

111 W. 9th Ave., Suite 4 • Anchorage, Alaska 99501 • (907) 276-0528

TESTIMONY OF BARBARA BAKER ON HCR 11/0817
BEFORE HOUSE STATE AFFAIRS COMMITTEE
March 18, 1991

I have come in support of HCR 11, as a board member of the Alaska Women's Resource Center and as a concerned individual.

Recent events have shaken my belief that Alaska is a place where there is concern about equality of opportunity and a true interest in the betterment of Alaskans. Proposed cuts to essential social service programs and the redirection of the Alaska Women's Commission signals a return to "traditional ways" which silenced half of the state's population, ignored the problems of domestic violence and sexual assault and allowed women and their children to suffer in poverty following divorce.

HCR 11 responds to these concerns. It provides a continued voice in the political process and continues the vital research necessary to insure that government policy is founded on fact instead of belief. It recognizes that paid staff are essential to securing a statewide network for information. And, only through the development of an Alaska Women's Task Force can the public be assured that a fair and unbiased assessment be rendered as to the status of women and their families.

The Alaska Women's Resource Center is proud of its collaboration with the Alaska Women's Commission throughout its existence. Several projects were done in tandem and the Commission's research has been beneficial in directing the focus of the Women's Resource Center's programs. We offer this same support and collaboration to the proposed Alaska Women's Task Force.

Only through a continued focus on women can the state continue to achieve greater economic equality for Alaskans and a society that respects all citizens, not just the "traditional".



AMERICAN
ASSOCIATION OF
UNIVERSITY
WOMEN

Alaska
Division

TESTIMONY BEFORE HOUSE STATE AFFAIRS RE: HCR 11
MARCH 18, 1991

Mr Chairman, Committee members. Thank you for this opportunity to speak to the establishment of the Alaska Women's Task Force. My name is Jan Foster and I am speaking today on behalf of the 250 members of the Alaska Division of the American Association of University Women.

Since the 1970s when a Status of Women commission was only an idea, AAUW has been a strong supporter of the Alaska Women's Commission. Now we find ourselves unable to continue our support for the Commission in its current form.

Established in 1978 to improve the status of women in education, employment, health, homemaking and civil and legal rights, the Alaska Women's Commission has accomplished much. AAUW and the Commission have many mutual goals and have a long history of cooperation. Research, education and legislative advocacy are common objectives. AAUW and the Commission have co-sponsored many forums to provide opportunities to explore the many roles of women in Alaska and to provide opportunities for the education and advancement of women. AAUW and other organizations worked with the Commission to establish LAWS, a vehicle for the dissemination of important information regarding pending legislation and the legislative process. In light of the accomplishments of the Commission, it is with a heavy heart I now testify in favor of a different vehicle to achieve these goals.

The current budget proposed by the Governor includes only \$30,000 to cover travel expenses for Commissioners. There is no provision for staff funding although the current Director, Ms. Ralls, indicates an Executive Director and Assistant will perform certain duties on a part time basis and as volunteers if necessary. This might be admirable if it were not so appalling that during the first week of this arrangement, one of the duties performed was to prepare a mailing for the Governor's breakfast. It is not appropriate to sacrifice gains by the women of Alaska by reverting to social and economic patterns which belittle Alaska's women.

It is an essential need of government to have an unbiased source to provide professional research and a data base of information on issues of equity. The plight of Alaska's women is only marginally better than in the past:

- in 1980 women in Alaska earned 58 cents while a man earned a dollar; today that figure is 62 cents.
- in 1980 women held 11 seats in the state legislature, today women hold 14;
- in 1986, the Commission prepared seven bills addressing needs of women, today four are still pending;

In addition,

- the fastest growing segment of the population that lives below the poverty line are women and their children;
- Child sexual abuse and discrimination on the basis of gender and race are the major causal factors for young women dropping out of school (see AWC prepared Young Women of Alaska Speak Out about Dropping Out - Feb 90)
- Statistics indicate 43% of all homicides in Alaska are related to domestic violence and the rape rate is twice the national average.

The need for an advocate for Alaska's women is still strong. The problems experienced by women are magnified when support for vital human services is decreased by a state government looking for ways to reduce its budget. I commend your foresight in realizing that although the status of women in Alaska has improved in some areas, there is a continuing need for an official group to make recommendations regarding the opportunities, needs, problems and contributions of women in Alaska.

AAUW strongly urges you to establish the Alaska Women's Task Force with adequate funding to continue to improve the status of women in Alaska.

Janice L. Foster
9621 Spring Hill Drive
Anchorage, AK 99507



Anchorage Daily News

Gerald E. Grilly
Publisher



Howard Weaver
Editor

Michael Carey, Editorial Page Editor
Patrick Dougherty, Managing Editor

Katherine Fanning, Editor and Publisher 1971 to 1989
Lawrence Fanning, Editor and Publisher 1967 to 1971

Founded in 1946 by Norman C. Brown

Pro-family?

What a serious agenda might include

Gov. Wally Hickel's housecleaning has reached the Alaska Women's Commission and the Commission on Children and Youth. He said he wants appointees who will "place a greater emphasis on the strength of the family."

That seems to imply that the old appointees were somehow lacking on that score. If that's the case, the governor isn't saying.

What did the previous commission do that the administration found objectionable? Hickel press aide Harry Gamble couldn't say.

Specifically what might the new commissioners do differently? Again, the press aide couldn't say.

Absent an explanation, you have to wonder. Gov. Hickel courted the conservative vote. Coming from him, "strengthening families" sounds like code for "Dad brings home the bacon; Mom stays home with the kids."

That family model is fine, but it's not the only one around. Nor is it necessarily ideal for every family.

It's legitimate to ask what the state can do to support the traditional family. But it's most certainly not legitimate to stop there.

Families in modern life take many shapes and forms. Strengthening families means supporting families the way they are. It doesn't mean forcing them to become something they aren't.

State policies that strengthen families would:

- Ensure that every parent who works can find and afford good day care.
- Give parents who work the right to take job-protected leave to care for their new children.
- Make sure all families can get the health care they need without risking bankruptcy — especially pregnant women and young children.
- Refuse to permit divorced or absent parents to escape paying adequate child support.
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- Try to prevent child abuse and speedily protecting children who are abused.

Many of these issues were on the agenda of the commissioners that Gov. Hickel sacked. If his new appointees are serious about strengthening the family, these issues will be on their agenda, too.



House State Affairs Committee

Representative Gene Kubina, Chair

DATE: Mar. 18, 1991

PLACE: Capitol, Room 102

SUBJECT OF MEETING:

- *HCR 11 - Relating to Alaska Women's Task Force
- *HB 170 - Relating to Move Women's Comm. to Legislative Branch
- *HCR 12 - Relating to Susitna Basin Motorized Use Restrictions

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
MARCIA MCKENZIE	AALW	Box 33977 Juneau	99803	789-2311		<input checked="" type="radio"/> Y <input type="radio"/> N	HCR 11
SHERRIE GOU	AK Women's Lobby	P.O. Box 22156 Juneau, AK	99802		463-6744	<input checked="" type="radio"/> Y <input type="radio"/> N	HCR 11
						<input type="radio"/> Y <input type="radio"/> N	
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PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE KUBINA

MAR 15 1981

NAME: LYNN AND DEE LASHBROOK
TITLE:
ADDRESS: 1293 VIEWPOINTE DRIVE
CITY: FAIRBANKS ZIP: 99709
PHONE: 479-0480
BILL NO: HCR 11
SUBJECT: ALASKA WOMEN'S TASK FORCE

MESSAGE: THE INEQUITIES, PROBLEMS AND PAIN FACING TOO MANY WOMEN AND CHILDREN WILL NOT SIMPLY DISAPPEAR W/A CHANGE IN THE ADMINISTRATION. TOO MANY FAMILIES ARE FLOUNDERING AND DESERVE HELP, TO BE HEALTHY AND PRODUCTIVE. SUPPORT HCR 11 AND WORK TO HELP SOLVE PROBLEMS, NOT PRETEND THEY DON'T EXIST. PLEASE RESPOND THANK YOU. EDM/CLS

POMID: 07110734
DATE: 91/03/14
TIME: 11:07:34
LIONAME: FAIRBANKS LIO

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B.DAVIS	C.DAVIS	ELIASON
DONLEY	ELLIS	FAHRENKAMP
FINKELSTEIN	FOSTER	FISCHER
GONZALES	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	HALFORD
HUDSON	IVAN	HOFFMAN
JACKO	KOPONEN	JONES
LARSON	LEMAN	KERTTULA
LINCOLN	MACKIE	MENARD
MACLEAN	MARTIN	PEARCE
M.A.MILLER	M.W.MILLER	POURCHOT
MOYER	NAVARRE	RODEY
PARNELL	G.PHILLIPS	SHULTZ
P.PHILLIPS	SHARP	STURGULEWSKI
TAYLOR	ULMER	UEHLING
ZAWACKI		ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE KUBINA

NAME: GINA M. TABACHKI
TITLE:
ADDRESS: P.O. BOX 75134
CITY: FAIRBANKS
PHONE: 479-2132
ZIP: 99707

BILL NO:
SUBJECT:
MESSAGE: I URGE YOU TO SUPPORT HCR 11 AND HB 170 TO CREATE AN ALASKA WOMEN'S TASK FORCE TO REPLACE THE CURRENT ALASKA WOMEN'S COMMISSION. ITS WORK IMPROVING WOMEN'S LEGAL, SOCIAL AND ECONOMIC STATUS IN ALASKA IS VITALLY IMPORTANT TO ALL ALASKANS.
EOM-FZ

PC MID: 07133730
DATE: 91/03/14
TIME: 13:37:30
LIONAME: FAIRBANKS LIO

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CHOQUETTE	DAVIDSON
B.DAVIS	C.DAVIS
DONLEY	ELLIS
FINKELSTEIN	FOSTER
GONZALES	GRUENBERG
GRUSSENDORF	HANLEY
HUDSON	IVAN
JACKO	KOPONEN
LARSON	LEMAN
LINCOLN	MACKIE
MACLEAN	MARTIN
M.A.MILLET	M.W.MILLER
MOYER	NAVARRE
PARNELL	G.PHILLIPS
R.PHILLIPS	SHARP
TAYLOR	ULMER
ZAWACKI	

LIFESTYLES

FRIDAY
SECTION E March 29, 1991

COMMISSIONERS

Mary McClinton,

Chair
Residence: Douglas
Age: 55
Marital Status: Married
Children: Five
(one stepchild)
Party: Democrat
Church: Mount Zion
Baptist Church
Occupation: Mental health worker
Professional experience: Youth counselor; correctional officer; job developer. Since 1973
Other activities: Juneau Women's Council
Education: Associate of Arts Degree
Interests: Make commission "less exclusive."
What qualifies me for women's commission role: "Fifty-five years should count for something."



Carol Mikos,

Vice Chair
Residence: Anchorage
Age: 38
Marital Status: Married
Children: Three
Party: Republican
Church: Christian
Occupation: Homemaker
Professional experience: Statistician. 1977-79; 1985
Other activities: Campaign volunteer. Public speech topics include: home management (Abbott Loop Christian Center) and influence of television on children
Education: High school graduate. Three years of college
Interests: Domestic violence; sexual harassment
What qualifies me for women's commission role:



WOMEN'S COMMISSION

— in — TRANSITION

*Membership of panel shifts
toward homemakers*

By ALYSON PYTTE
Daily News reporter



When the new members of the Alaska Women's Commission met last Saturday, their first task was to clean house. The eight commissioners, who were appointed in early February by Gov. Wally Hickel, voted to fire former Executive Director Ruth Lister and to accept the resignation of Evelyn Tucker, the commission's information officer.

The scene was tense: Commissioners ignored repeated warnings by Liz Vazquez, the attorney general's appointee to the commission, that they might violate open-meetings law by firing Lister without her present.

They also ignored requests by former Vice Chair Linda Freed that the commission delay its vote for 20 minutes until Lister arrived to respond to the list of complaints: failing to file paperwork for more than a year, refusing to put some women on the commission's mailing list and "open hostility" to the Hickei admin-

Faye Hilsinger,

Member at Large
Residence: Kodiak
Age: 36
Marital Status: Single mother
Children: Two
Party: Democrat
Church: Southern Baptist
Occupation: Bookkeeper
Professional experience: Secretary; office manager. since 1975
Other activities: Volunteer, Kodiak Emblem Club (Ladies' Elks Club)
Education: High school graduate. Courses in word processing, data entry
Interests: Child support enforcement; drug and sex education for children
What qualifies me for women's commission role: Single mother and formerly battered wife



Barbara Tyndall

Residence: North Pole (Fairbanks)
Age: 42
Marital Status: Married
Children: Five
Party: Republican
Church: North Pole Assembly of God
Occupation: Homemaker/Teacher
Professional experience: Language disabilities teacher. Since 1988
Other activities: Committee woman in Republican Party
Education: High school graduate. Now completing journalism degree



Karen Byron

Residence: Wasilla
 Age: 40
 Marital Status: Married
 Children: Three
 Party: Republican
 Church: Midvalley
 Christian Center
 (Husband Richard is pastor)
 Occupation: Homemaker
 Other activities: Teacher's aide
 Education: High school graduate
 Interests: Family values
 What qualifies me for women's commission role: Wife and mother; church activities



Karen McGahan

Residence: Nikiski
 (Kenai Peninsula)
 Age: 47
 Marital Status: Married
 Children: Four
 Party: Republican
 Church: Peninsula
 Bible Fellowship
 Occupation: Homemaker/Sales clerk
 Professional experience: Sales clerk Since 1989
 Other Activities: Nikiski Community Council; Kenai Peninsula Borough Assembly; Gov. Wally Hickel campaign volunteer. Sponsored legislation in Borough Assembly to ban abortions in hospitals on the Kenai Peninsula. Convicted of criminal trespass for blocking an abortion clinic
 Education: High school graduate. Some college courses
 Interests: Increase respect for homemakers
 What qualifies me for women's commission role: Political experience



istration.

When the meeting was finally over, Vazquez rolled her eyes and muttered under her breath: "We're going to get sued."

But Vice Chair Carol Mikos, who argued aggressively for Lister's immediate dismissal, brushed aside the legal issues — she had consulted three lawyers on her own — and said the commission had done the "decent and prudent thing."

"I think they tried to intimidate us," she said of the former commissioners and staff who attended the meeting. "They had us stereotyped the moment we walked in the door."

Mikos, who volunteers full time as the Anchorage commissioner, said she knew there would be a confrontation because she "felt hostility" from former commissioners and staff "toward a certain segment ... a segment of housewives."

And if there is one thing the new commissioners made clear in the course of their full-day meeting, it is that they won't tolerate homemakers being treated like "just housewives" anymore.

Please see Page E-2. **WOMEN'S COMMISSION**

STAFF

Glennenne Ralls

Staff
 Residence: Anchorage
 Age: 41
 Marital Status: Married
 Children: Two
 Party: Republican
 Church: Abbott Loop
 Christian Center,
 Anchorage Christian Center and Mid-town Christian Center
 Occupation: Homemaker
 Professional experience: Sign language interpreter, home school teacher
 Other activities: Leader and Prayer/Action Chapter Leader for Concerned Women for America; pro-life activist. Statewide coordinator of volunteers for Gov. Wally Hickel's campaign. Sunday school teacher
 Education: High school graduate
 Interests: Restricting pornography
 What qualifies me for women's commission role: Volunteer experience



Interests: Educational standards; financial survival for single mothers
 What qualifies me for women's commission role: Raising a large family

Liz Vazquez, attorney

general's appointee
 Residence: Anchorage
 Age: 39
 Marital Status: Married
 Children: None
 Party: Republican
 Church: Episcopalian
 Occupation: Lawyer
 Professional experience: Attorney general's office; private practice; Treasury Department. Since 1977
 Other Activities: Equal Rights Commission; School Budget Advisory Commission
 Education: Law degree; college degree
 Interests: Legal issues; education; welfare reform
 What qualifies me for women's commission role: Legal background



Carol Sturgulewski

Residence: Unalaska
 Age: 34
 Marital Status: Married
 Children: One
 Party: Nonpartisan
 Church: St. Christopher
 by the Sea (Catholic)
 Occupation: Free-lance writer
 Recent professional experience: Writer and editor Since 1977.
 Other activities: President, Unalaska Senior Citizens; former Alaska Press Club president
 Education: College graduate
 Interests: Housing; health care; open meeting issues
 What qualifies me for women's commission role: Feature writing



Americans preoccupied with finding the flaws of the famous

By ANNE C. ROARK
Los Angeles Times

LOS ANGELES — When Rudolph Ekstein learned last month that his late friend Bruno Bettelheim had been accused of plagiarism, Ekstein was heartsick but not surprised.

Not that he ever doubted the integrity of the legendary child psychologist. What

struck the 78-year-old Viennese-born psychoanalyst was the seemingly inexorable need of Americans to diminish the great thinkers and leaders of their society.

"For some reason in this country, we have the need to tear down idols and heroes," Ekstein said in his office here. "In Europe, we build monuments to great men

when they die. Here, we try so very hard to find out what they did wrong while they were alive."

Countless Americans who approached hero status in life have fallen prey to excruciating examination after their deaths: Thomas Jefferson, Franklin D. Roosevelt, John F. Kennedy, Sinclair Lewis, K.L. Mencken, Elvis

Presley, Dr. Martin Luther King Jr.

Fueled by incessant probing from scholars, an almost prurient curiosity within the media and a growing public cynicism, the nation seems preoccupied with the flaws of the famous.

Has hero bashing become a national pastime?

"It does seem to be (or,

the rise)," said Studs Terkel, author of "American Dreams: Lost and Found," "Hard Times" and other books on the American character.

"The problem is we (Americans) don't know who our heroes are," Terkel said. With some exceptions

Please see Page E-3, FL

WOMEN'S COMMISSION: Wants to strengthen voice of homemakers

Continued from Page E-1

Commissioner Karen McGahan described how a lawyer had pressed her to identify herself in court as a member of the Kenai Peninsula Borough Assembly, instead of as a homemaker. He thought it gave her more credibility as a character witness.

"It takes more intelligence to be the latter," she quipped.

Mikos spoke of the "disrespect" she felt from feminists when she chose to stay home and take care of her children. "My philosophy is that women should be free to be whatever they want to be," she said.

Clearly the new commission is eager to strengthen the voice of women who choose traditional lifestyles. Most of the commissioners introduced themselves first as mothers, listing the names and ages of their children.

But the large number of homemakers on the commission, and the strongly conservative views of some, has left a number of legislators and former commissioners questioning whether the commission can serve the full array of women's interests in the state.

"This is a women's com-

mission, this is not a family commission," said Freed.

Only about 18 percent of women in Alaska are in "traditional" families in which the husband works and the wife stays at home with children, according to 1980 census figures, the latest available. Nationwide, less than 10 percent of women live in traditional families, according to 9 to 5, National Association of Working Women.

Ex-information officer Tucker said the new commissioners have no history of activism on causes advancing the status of women.

"On the whole, the women who were selected for the commission were women who had no connection at all with the women's movement, or women who were openly hostile and critical of the women's movement in the past," Tucker said.

State Rep. Niilo Koponen, D-Fairbanks, is concerned enough about the governor's selections that he introduced legislation calling for a separate task force to advise the legislature on women's needs.

He said he hopes the House and Senate will act on the bill before the close of this legislative session.

"These people may have felt underrepresented in the

If there is one thing the new commissioners made clear in the course of their full-day meeting, it is that they won't tolerate homemakers being treated like "just housewives" anymore.

past," Koponen said. "But to have such a total shake-up and such a narrow base — I'm not sure the governor is going to get the input he needs to find out what the general public wants."

Mary McClinton, the new chairwoman, for years had the same complaint about the former women's commission. She testified in favor of dissolving the group before the Senate Health, Education and Social Services Committee in 1988 because of what she saw as its bias against women with conservative views.

The next year, McClinton lobbied for legislation, which subsequently passed, requiring the women's commission to include at least one homemaker.

Former members and staff of the commission said there was never any prejudice against women who stay at home. Gov. Steve Cowper chose commissioners to represent women in the different circumstances they live in — single, married, divorced, working and non-working.

The former women's commission had two members who identified themselves as homemakers: Florence Esmaikka, a married Native from Ruby who has her own

as well as adopted and foster children, and Kathleen Harrington from Anchorage, who is married and has four children.

The earlier commission had two other Native members as well — one single and one unmarried with children. Other commissioners included a Filipino woman who is single but takes care of her brother's children, a man, several married mothers who work, and a single professional woman.

Now, four of the eight commissioners are homemakers or were primarily homemakers and have just recently joined the work force. All but two of the eight commissioners are married mothers.

The exceptions are Faye Hilsinger, a single working mother, and Vazquez, the attorney general's appointee, who is married and has no children.

Two natives were appointed to the new 10-member commission: Pat Weimer of Ketchikan, who was not at the first meeting and said she intends to resign, and Brenda Itta-Lee of Barrow, who has already resigned.

What the changes in the commission's membership will mean for commission policy is unclear. So far, the new commissioners have on-

ly praised the former commission's activities, and they decided Saturday to go ahead with virtually all of the same projects.

Among them is a report on teen-age pregnancy that is scheduled to go to print in April. The commission also plans to continue work on a leadership and sobriety conference to be held in Bethel on April 24 and 25.

Commissioner Barbara Tyndall of North Pole, however, said later that the new commissioners were meeting for the first time and had little to base their decisions on other than the former commission's proposals. "We have not really made any decisions about what direction we will go in," she said.

Because of limited funding, Vice Chairwoman Carol Mikos said, the commission will continue to focus resources on "survival" issues, such as sobriety and domestic violence.

The key difference, Mikos said, is that the new commission will reach out to a "broader spectrum" of women's groups. The group that came to mind, Mikos said, was Concerned Women for America.

Concerned Women for America is a fundamentalist group that describes itself as designed "to preserve, protect and promote traditional and Judeo-Christian values." Among other things, the organization opposes abortion and the teaching of evolution and other "secular humanist" beliefs in schools.

Glennene Ralls, who has been hired to run the commission office, at least until she or another candidate is

that organization. Ralls was also statewide coordinator of volunteers for Hickel's gubernatorial campaign.

Mikos said the new commission does not want to "alienate" feminists. "We can use this as an opportunity to work together," she said.

But former commissioners say the new commission has gotten off to a bad start in that regard. Harrington, Lister's lawyer, stood up near the close of the meeting Saturday and urged commissioners to "consider resigning from a commission for women that would treat women this way."

Harrington cited the commission's decision to fire Lister while she was not present. Lister has not decided whether to take legal action, but Harrington said she expects to continue receiving her \$50,000-a-year salary until the commission gets around to firing her according to proper procedures.

Attorney General Charles Cole did not return repeated calls for comment on the legality of the commission's action. Ralls said the commission planned a teleconference to resolve the issue.

Harrington also said the commission's two secretaries, Sue Peterson and Wilma "Billy" Harvey, had been asked by Ralls to clear out their desks the same day Ralls sent them flowers in honor of "Hire Older Alaskans Week."

The commission has offered to reinstate both women. Harvey said she has not decided what to do. Peterson said she no longer wants to work for the commission.

Peterson, who is 56 and was employed under a federally funded program for older workers, said she talked to Ralls after she was fired and said she was worried she would not be able to find another job because of her age. Peterson said Ralls responded: "Well, you know dear, you should dye your hair."

"I was not being nasty," Ralls said later of the ex-

DATEBOOK

Alaskan of the Year banquet

The 1991 Alaskan of the Year will be announced at the annual banquet Saturday at the Sheraton Anchorage Hotel. The selection was made by a statewide electorate of more than 60 former winners and members of the Alaskan of the Year Committee.

Former winners include Bob Atwood, Bob Bartlett, Gov. Wally Hickel, Ernest Gruening, Bill Egan, Bob Reeve, Nick Begich, Ted Stevens, Howard Rock, Noel Wien, Elmer Rasmuson, Fred Machetanz, Al Bramstedt, Edith Bullock, John Butrovich, Evangeline Atwood, George Sullivan, Joe Usibelli, Larry Carr, Bill Wood, Irene Ryan, Bill Snedden, Bill Tobin, Carl Brady Sr. and Frank Reed Sr.

For more information, contact Elaine Atwood at 274-4900.

Films and fun Saturday

A host of films will be offered Saturday as part of the Chugiak-Eagle River Library and the Z.J. Loussac Library film series.

"The Remarkable Riderless Tricycle" will be shown at 2 p.m. at the Chugiak-Eagle River Library.

NAMES & FACES

Academy nominations

Sen. Frank Murkowski has announced his nominations to the United States Service Academies, including West Point Military Academy, the United States Naval Academy, the United States Air Force Academy and the United States Merchant Marine Academy.

annual Easter party will include crafts for children of all ages.

"Myra" and "The Glitterball" will be offered from 2 to 3 p.m. at the Loussac Library.

The Muldoon Library will host a Spring Craft Fair beginning at 2 p.m. School-age children are invited to join in making a variety of colorful spring crafts.

In brief

• The Alaskan Rabbit Breeders Club will host a show Saturday at the Cottonwood Creek Mall in Wasilla. Entry time is 8 a.m.; judging will be from 9 a.m. to 6:30 p.m. There will be two shows, A and B. Cost per rabbit for show A is \$3, for both shows, \$4.50. Rabbits must be purebred. Information: Lori Schroppe at 345-7390.

• The Pioneers of Alaska, Igloo No. 15 and Auxiliary No. 4 will host a Spring Break-up Ball, 8 p.m. Saturday at the Pioneer Hall. Tickets, \$5 per person, are available at the door. Members of Auxiliary No. 4 are asked to bring hors d'oeuvres. Information: Marguerite Grau at 563-7216.

• An Easter Arts and Crafts Bazaar will be from 10 a.m. to 4 p.m. Saturday at Chugiak Elementary School. An Easter egg hunt for children ages 12 and younger will be at 11 a.m. Saturday on the school playground. Information: Daryl at 688-3484 or Kay at 688-2677.

Academy.

Anchorage area nominations include: Eugene Akers, D. Victor Alexander, A. Dana Kelley, Jeremiah Stephen and Robert Schmidt to Air Force; Jeff Fondy, Richard Green, Kurt Krueger, Len Warner, Todd Byerly and Eyrn Richards to Navy; Donald Kallio Jr., Jeff Lentler and Lawrence Long to Army; Jason Graham, Kurt Krueger, Jennifer Spencer and Len Warner to Merchant Marine.

The respective academies will designate finalists for each appointment by summer.



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The Anchorage Kiwanis Club and the Anchorage Daily News are sponsoring this Easter Egg Hunt as a service to all kids, 12 and under.

There will be teddy bears, bicycles, and lots of other prizes, plus thousands of Easter Eggs! Get there in time - before 2 pm - day, March 31st. For more information call 257-4243.

Kiwanis - Anchorage Daily News
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Egg Decorating Contest

Kids! Bring your specially decorated, hard-cooked egg to the Daily News tables to be eligible to win great prizes!

Enclose the egg and this entry form in a plastic bag (or an orange Daily News sleeve) and bring to the tables marked "Decorating Contest" by 1:30 pm on March 31st.

- Limited to one entry per child -

Name: _____
Address: _____
Phone: _____ Age: _____

Prizes will be awarded in each of the four age groups - 1 to 3, 4 & 5, 6 to 8 and 9 to 12.

Judges' decisions will be made by 2:30 pm, and their decisions will be final.

HCR

12

Alaska State Legislature
House of Representatives

INTERIM

3111 C Street
Anchorage, Alaska 99503
(907) 561-2032



SESSION

P.O. Box V
Juneau, Alaska 99811
(907) 465-2995

Representative Dabe Choquette



Commissioner Harold Heinze
Department of Natural Resources
400 Willoughby Ave.
Juneau, AK 99801

April 5, 1991

Dear Commissioner Heinze,

Attached please find a summary of the results of hearings held in Anchorage and Wasilla last Saturday on the non-motorized portion of the Susitna Basin Rivers Recreation Management Plan. Given the breakdown of percentages of the testimony received, I call your attention to the final paragraph which states that, "based upon the testimony provided at these public hearings, it is evident that motorized restrictions would be against the best interest of the public in the Matanuska-Susitna Valley and in Anchorage. HCR 12 is an effective means of maintaining the Alaskan experience and necessary access for power boaters as well as floaters, while still supporting the essentials of the Susitna Basin Recreation Rivers Management Plan."

Of further concern is that the Recreation Rivers Act was not satisfied as relating to the non-motorized restrictions found in the Plan that was developed. AS 41.23.420 (c), which addresses general management of the recreational rivers and corridors, states, "The commissioner may regulate boating, if necessary, under the Management Plan adopted under AS 41.23.440" (emphasis added). AS 41.23.440 (a)(1) addresses the Management Plan and instructs the commissioner to "establish guidelines and restrictions, if necessary, for an activity occurring under AS 41.23.410" (emphasis added). AS 41.23.410 addresses compatible activities.

Any 'necessity' to ban completely all motorized recreational rivercraft during key months has not been established concerning the rivers listed in HCR 12. The subcommittee therefore requests that you reconsider that portion of the Management Plan and allow reasonable motorized recreational rivercraft unless and until the department makes specific factual findings that restrictions are, in fact, necessary as required under both statutes.



Kindest personal regards,

Dave Choquette
Chairman, State Affairs Subcommittee

.cc Governor Walter J. Hickel
Lieutenant Governor Jack Coghill

INTRODUCTION

On Saturday, March 30, 1991, public hearings were held on HCR 12 at the Mat-Su Resort in Wasilla from 9:00 to 11:00 a.m., and at the Anchorage Assembly Chambers in Anchorage from 2:00 until 5:00 p.m.

Members present at the Mat-Su Resort were Representatives Dave Choquette, Larry Baker and Pat Carney, and Tom Anderson, Legislative Aide to Representative Mary Miller.

At the Anchorage hearing Representatives Baker and Choquette were joined by Commissioner Harold Heinze and Representatives Betty Davis, Betty Bruckman, and Max Gruenberg.

The purpose of the hearing was to obtain public comment on the non-motorized portion of the Susitna Recreation Rivers Management Plan and HCR 12 - Susitna Basin Motorized Use Restrictions resolution sponsored by Representative Dave Choquette and co-sponsored by Representative Larry Baker.

OVERVIEW

HCR 12 would alter the Susitna Management Plan by preventing the restriction of motorized craft on rivers within the scope of the plan, excluding the Little Susitna River.

There were 79 individuals who signed the attendance roster at both public hearings. Of the 79 present, 59 (75%) signed up to testify. Of the 59 who testified, 26 (44%) testified at the Mat-Su hearing (2 testified twice) and 33 (56%) testified at the Anchorage hearing.

Of those who testified, 61% were in favor of HCR 12, 12% were opposed to HCR 12, 15% spoke in favor of the Management Plan, and 12% expressed no opinion either way towards the resolution or the Plan.

ANALYSIS

As evidenced by the numbers above, the majority of testimonials were in favor of HCR 12. During testimony, 61% indicated that any motorized restrictions would be an encroachment of Alaskan experience and public

enjoyment, as well as subsistence and livelihood. Further, many felt that these restrictions would further increase congestion on the remaining portion of the unrestricted areas. 7% of those in favor of HCR 12 were guides who felt that if motorized restrictions were imposed, they would be put out of business or would suffer substantial financial hardship. An additional 7% expressed the need for education and safety courses for handling boats on the rivers. Some concern was also expressed that there was insufficient reason for the commissioner of the Department of Natural Resources to proscribe such restrictions, based upon the statutory standard of 'necessity' required to do so.

Of the 12% who spoke against HCR 12, only 8% opposed the removal of non-motorized restrictions. The remaining 4% expressed as their primary concern the fact that HCR 12 did not include the Little Susitna River. These people felt that if the Little Su were included, then support would be given to this resolution. This would mean that 65% of those who testified would be in support of HCR 12 if it included the Little Susitna River. (See Charts 1 and 2)

Those 15% who testified in favor of the Susitna Management Plan simply expressed satisfaction with the work and effort that went into putting it together. It is of significance that 5% of those who spoke in favor of the Plan were on the Advisory Committee that worked with the planning team.

COMMENTS

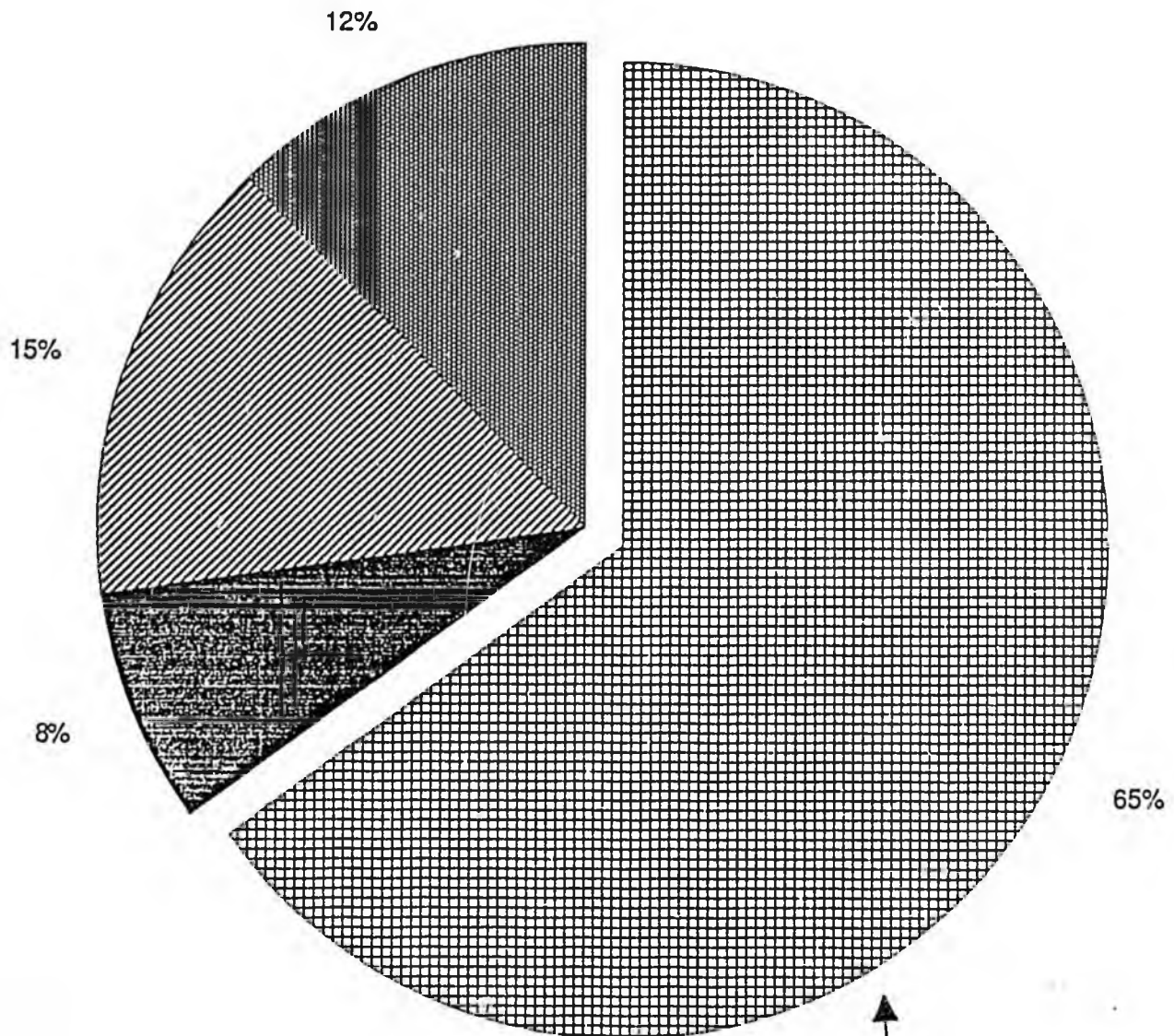
Some of the comments expressed by participants are as follows:

- "Can't support yet. Must include Little Su."
- "Against restrictions. Boating is my wilderness experience."
- "Keep area open to all, not just special interests."
- "Spend money on enforcement rather than restricting access."
- "Never fished where I can't walk. Management Plan violates constitution based on sustained yield."
- "Restrictions unduly impair power boating public. There is no shallow water boating safety class in U.S."
- "Opposed to restrictions. Safety program and proper equipment are what's needed."
- "I support management plan."
- "Support restrictions. Compromises need to be made."
- "Plan should not be implemented."

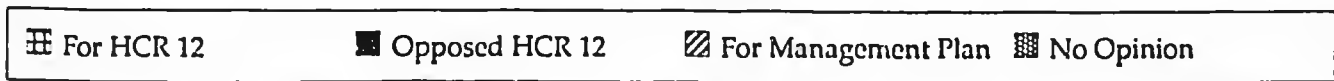
CONCLUSIONS

Based upon the testimony provided at these public hearings, it is evident that motorized restrictions would be against the best interests of the public in the Matanuska-Susitna valley and in Anchorage. HCR 12 is an effective means of maintaining the Alaskan experience and necessary access for power boaters as well as floaters, while still supporting the essentials of the Susitna Basin Recreation Rivers Management Plan.

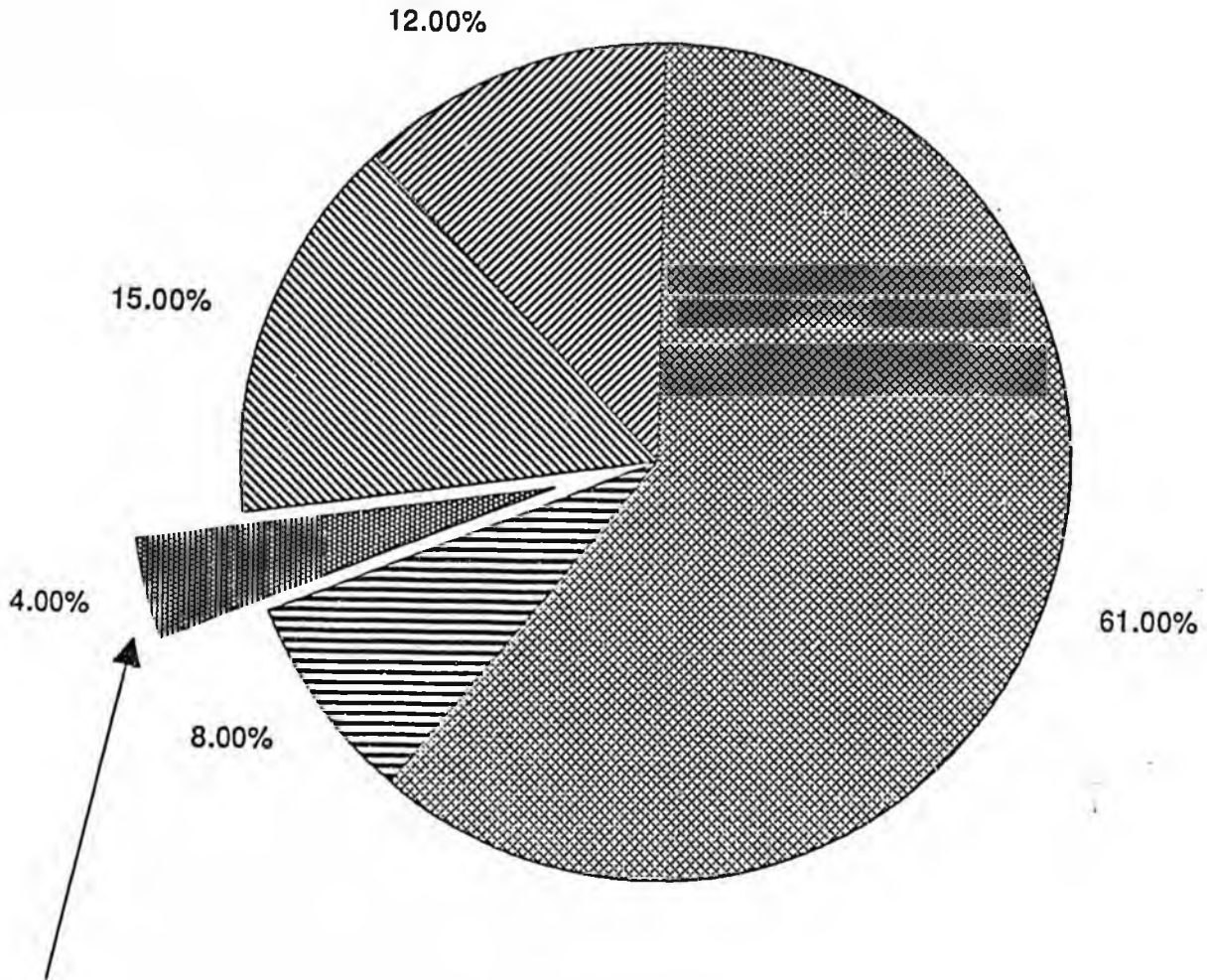
HCR 12 - Susitna Basin Recreation Rivers Management Plan Hearing Results With Little Susitna



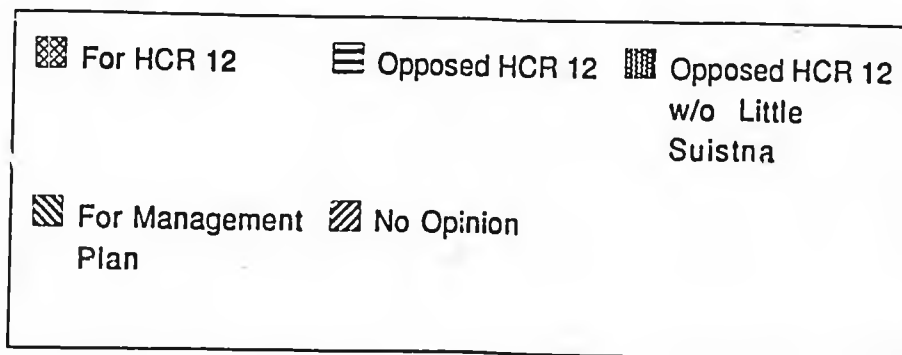
In Favor if Little Susitna Included in HCR 12



HCR 12 - Susitna Basin Recreation Rivers Management Plan Hearing Results Without Little Susitna



Opposed HCR 12 Without Little Susitna Included



APPENDIX B

Recreation Rivers Act

Section	Section
400. Purposes	460. Acquisition of additional land
410. Compatible activities	470. Application of public land laws
420. General management of recreation rivers and corridors	480. Cooperative management agreements
430. Advisory board	490. Limitation on establishment
440. Management plan	500. Establishment of recreation rivers and recreation corridors
450. Management of municipal land	510. Definition

Sec. 41.23.400. Purposes. (a) The purpose of AS 41.23.400 - 41.23.510 is to establish as recreation rivers the land and water now owned by the state and the land and water acquired in the future by the state that lies within the recreation rivers and the river corridors described in AS 41.23.500.

(b) The primary purpose for the establishment of the six recreation rivers is the maintenance and enhancement of the land and water described in AS 41.23.500 for recreation.

(c) The primary purpose for the management of the six recreation rivers are:

- (1) the management, protection, and maintenance of the fish and wildlife populations and habitat on a sustained-yield basis;
- (2) continued recreation and economic use, including the uses described in (3) and (4) of this subsection, and enjoyment by the public and individuals of recreational activities that include hunting, fishing, trapping, camping, boating, hiking, snowmachining, skiing, dog mushing, and wildlife viewing, while ensuring the scenic and natural integrity of the recreation river;
- (3) multiple use management of upland activities within the recreation river corridor to ensure that mitigation measures to alleviate potential adverse effects on water quality and stream flow will take place; and
- (4) accommodation of access for resource uses, including recreation and tourism, within or adjacent to the river corridor. (§ 2 ch 122 SLA 1988)

Sec. 41.23.410. Compatible activities. The commissioner shall allow the following activities on a recreation river or within a recreation corridor when they are compatible with AS 41.23.400 and consistent with a management plan adopted under AS 41.23.440;

- (1) the use of aircraft, powerboats, snowmachines, all-terrain vehicles, motorized transportation, and transportation by animal;
- (2) the sale and harvest of wood products under AS 41.23.470(b);
- (3) sand and gravel extraction under AS 41.23.470(b);
- (4) the construction and operation of recreation facilities; and
- (5) other uses permitted in the management plan required by AS 41.23.440.

including mining and mineral development. (§ 2 ch 122 SLA 1988).

Sec. 41.23.420. General management of recreation rivers and corridors. (a) The state-owned land and water within the area established as a recreation river under AS 41.23.500, including the recreation river corridor, is assigned to the commissioner for management consistent with the purposes of AS 41.23.400.

- (b) The commissioner shall reserve to the state under AS 46.15.145 an instream flow or level for the water in the rivers described in AS 41.23.500 that is adequate to achieve the purposes of AS 41.23.400.
- (c) The commissioner may regulate boating, if necessary, under the management plan adopted under AS 41.23.440.
- (d) The provisions of AS 41.23.400 - 41.23.510 do not affect the authority of:
 - (1) the Department of Fish and Game, the Board of Fisheries, the Board of Game, or the Guide Licensing and Control Board under AS 08.54, AS 16, or AS 41.99.010;
 - (2) the Department of Environmental Conservation under AS 46.03; or
 - (3) state agencies and municipalities under AS 44.19.145(a)(11) and AS 46.40.100.
- (e) The commissioner may not restrict the use of weapons, including firearms, within a recreation river and a recreation river corridor except in sites of high public use such as picnic areas, boat ramps, camping grounds, and parking areas when the commissioner determines that the use of weapons constitutes a threat to public safety. Except as provided in this subsection, the commissioner may not restrict fishing, hunting, or trapping with a recreation river and its recreation river corridor.
- (f) The authority of the commissioner under AS 41.23.400 - 41.23.510 ceases where the land and water established as a recreation river under AS 41.23.400 - 41.23.510 meets land and water that is not established as a recreation river. (§ 2 ch 122 SLA 1988)

Sec. 41.23.430. Advisory Board¹. (a) A thirteen-member Recreation Rivers Advisory Board is established and shall be appointed by the governor. Board members serve without compensation and are not entitled to per diem and travel expenses authorized by law for boards and commissions under AS 39.20.180. The governor shall appoint members representing:

- (1) commercial fishing;
- (2) sport fishing;
- (3) sport hunting;
- (4) conservation;
- (5) subsistence;
- (6) forest products;
- (7) mining;
- (8) powerboat users;
- (9) recreationally-oriented commercial users;
- (10) other recreational users; and
- (11) private property owners within the recreation river corridors;

¹ When AS 41.23.230 was codified as AS 41.23, the changes made as a result of HB 30, which expanded the advisory board to 13 members, were inadvertently omitted. Legislative Affairs has been notified and the correct version of AS 41.23.430 is shown here.

- (12) the Matanuska-Susitna Borough Planning Commission from the membership of the planning commission; and
 - (13) the mayor of the Matanuska-Susitna Borough or the designee of the mayor.
- (b) The commissioner shall consult with the advisory board in preparing, adopting, and revising the recreation river management plan and regulations affecting use and management of the recreation rivers. (§ 2 ch 122 SLA 1988)

Sec. 41.23.440. Management Plan. (a) The commissioner, in consultation with representatives of affected municipalities, shall prepare and adopt and may revise a management plan for each of the six recreation rivers and their recreation river corridors. In preparing or revising the plan, the commissioner and each affected municipality shall consult with the public and state agencies, including the commissioner of fish and game and the advisory board established under AS 41.23.430. In preparation or revision of the plan, the commissioner shall comply with the notice requirements of AS 38.05.945 and provide written notice by first-class mail to private property owners in the recreation river corridors and shall hold at least two public hearings in municipalities and communities near the recreation river and the recreation river corridor. The management plan shall establish long-range guidelines and management practices consistent with AS 41.23.400 to:

- (1) establish guidelines and restrictions, if necessary, for an activity occurring under AS 41.23.410 to implement the purposes of AS 41.23.400;
 - (2) protect, maintain, or enhance the fish and wildlife habitat and the free-flowing nature of the river;
 - (3) identify special recreation values and manage the level of intensity and types of recreation uses;
 - (4) designate management guidelines for development activities;
 - (5) designate management guidelines for commercial recreation activities or development, including recreation services;
 - (6) provide for necessary public services, such as transportation and utility corridors, crossing or fording corridors, public safety, and law enforcement;
 - (7) allow reasonable access to public land and private inholdings, including municipal land that is offered for sale or lease, and to land beyond or adjacent to the recreation river and the recreation river corridor;
 - (8) establish criteria and expedient timelines to review future proposed uses for compatibility with AS 41.23.400.
- (b) The commissioner shall adopt regulations necessary to implement the management plan. The commissioner may not adopt regulations before a management plan takes effect. The commissioner may designate employees of the department as peace officers to enforce the provisions of AS 41.23.400 - 41.23.510.
- (c) A management plan proposed by the commissioner under (a) of this section shall be submitted to the legislature for review within the first 10 days of the first regular session of the legislature to convene after completion of the plan by the commissioner. The plan takes effect 100 days after submission of the plan to the legislature unless rejected by an act of the legislature. (§ 2 ch 122 SLA 1988)

Sec. 41.23.450. Management of municipal land. If a municipality commits land for

inclusion in a recreation river corridor described in AS 41.23.500, the commissioner shall obtain the concurrence of the municipality to the management plan proposed under AS 41.23.440 as it applies to municipal land. The commissioner shall cooperate, at the request of a municipality, in planning for municipal land adjacent to a recreation river corridor. Municipal land not committed by a municipality for inclusion in a recreation river corridor is excluded from the operation of the management plan. (§ 2 ch 122 SLA 1988)

Sec. 41.23.460. Acquisition of additional land. (a) The commissioner may acquire in the name of the state land that is adjacent to or located within the land described in AS 41.23.500 by purchase, lease, gift, or exchange for inclusion within a recreation river corridor.

(b) The commissioner may not acquire land for inclusion in a recreation river corridor by eminent domain. (§ 2 ch 122 SLA 1988)

Sec. 41.23.470. Application of public land laws. (a) The provisions of AS 38.04, AS 38.05, AS 38.35 and AS 38.95 apply to land described in AS 41.23.500 except to the extent that a provision of AS 41.23.400 - 41.23.510 is inconsistent.

(b) The commissioner may conduct only a negotiated timber or material sale under AS 38.05.115 to provide for personal use, including house logs and firewood, or for a use incidental to the construction of access, or for habitat enhancement.

(c) The commissioner may permit mining leasing under AS 38.05.205 on upland within a recreation river corridor if leasing is allowed under a management plan that has been adopted by the commissioner. The commissioner shall establish appropriate conditions for permits, operating plans, and leases to mitigate the effects of mineral development activities on the environment and to prevent to the extent practicable degradation of the recreation uses of the river.

(d) To enhance public use and enjoyment of a recreation river corridor under a management plan adopted under AS 41.23.440, the commissioner may provide for the construction and operation of commercial facilities such as lodges, campgrounds, and boat launches by:

(1) leasing land under AS 38.05.070, including competitive leasing to a prequalified bidder; and

(2) contracting for the construction and operation of a facility under AS 36.30 so long as the facility is not in competition with a private facility or enterprise.

(e) The commissioner of administration shall separately account for funds collected under this section and deposited in the general fund. The annual estimated balance in the account may be appropriated by the legislature to the department to carry out the purposes of AS 41.23.400 - 41.23.510. (§ 2 ch 122 SLA 1988)

Sec. 41.23.480. Cooperative management agreements. (a) The commissioner may enter into a cooperative management agreement for the management of land and water described in AS 41.23.500 or of other adjacent land and water with a federal agency, a municipality, another agency of the state, or a private landowner.

(b) The commissioner may transfer the management of a specific site within a recreation river corridor described in AS 41.23.500 to a state agency, a municipality, or a private entity to carry out a program authorized by law or to enhance the objectives of the management plan adopted under AS 41.23.440.

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. HCR 12

Revision Date: April 15, 1991 Department Affected: Dept. of Natural Resources

Title: Susitna Basin Motorized Use BRU: _____

Restrictions Component: _____

Sponsor: Rep. Choquette

Requestor: House State Affairs Committee COMPONENT/ SERIAL NO.

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
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	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS: N/A

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: House State Affairs Committee Phone: 465-4859

Division: _____ Date: April 15, 1991

Approved by Commissioner: Representative Gene Kubina, Chair *Gene Kubina*

Agency: House State Affairs Committee Date: April 15, 1991

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).



Alaska Boating Association

P.O. Box 210430
Anchorage, Alaska 99521

Don Sherwood, President
(907) 333-6268

The Susitna Basin Recreation Rivers Management Plan has been transmitted to the Alaska Legislature by the Commissioner of the Department of Natural Resources as required by the Recreation Rivers Act (AS 41.23.440).

The Alaska Boating Association, representing the largest user group of the Recreation Rivers, respectfully requests that the Alaska Legislature modify the submitted plan to eliminate all reference to "non-motorized" areas, or reject the plan entirely.

The single largest user group of these rivers are those individuals seeking recreation opportunities utilizing motorized craft, primarily powerboats, but also including aircraft, off-road and all-terrain vehicles.

According to documents prepared by the National Park Service, in 1989, "... 621 floaters and 2,733 [powerboaters] users per year", were counted on a representative river section (Little Susitna).

The overwhelming testimony and comments in response to the "Public Review Draft, September 1990" were opposed to the "non-motorized" provisions.

The "Summary of Comments on Boating, November 14, 1990" prepared by DNR stated, "At these three meetings [Anchorage, Wasilla, and Willow], most (over 90%) of the people who spoke opposed non-motorized areas."

In, "Public Comments on the Draft Plan, November 1990, and January 1991", letters regarding "non-motorized" areas received from the Planning Team, Advisory Board, Organizations, Companies, and the Public numbered approximately 260 and divided almost evenly "for non-motorized" and "opposed to non-motorized" areas.

However, "Form Letters and Petitions" totalled 4,129 individuals, "opposed to non-motorized" areas. None were received in favor.

The proposed Recreation Rivers Management Plan excludes the single largest user group from the prime of the recreational river systems.

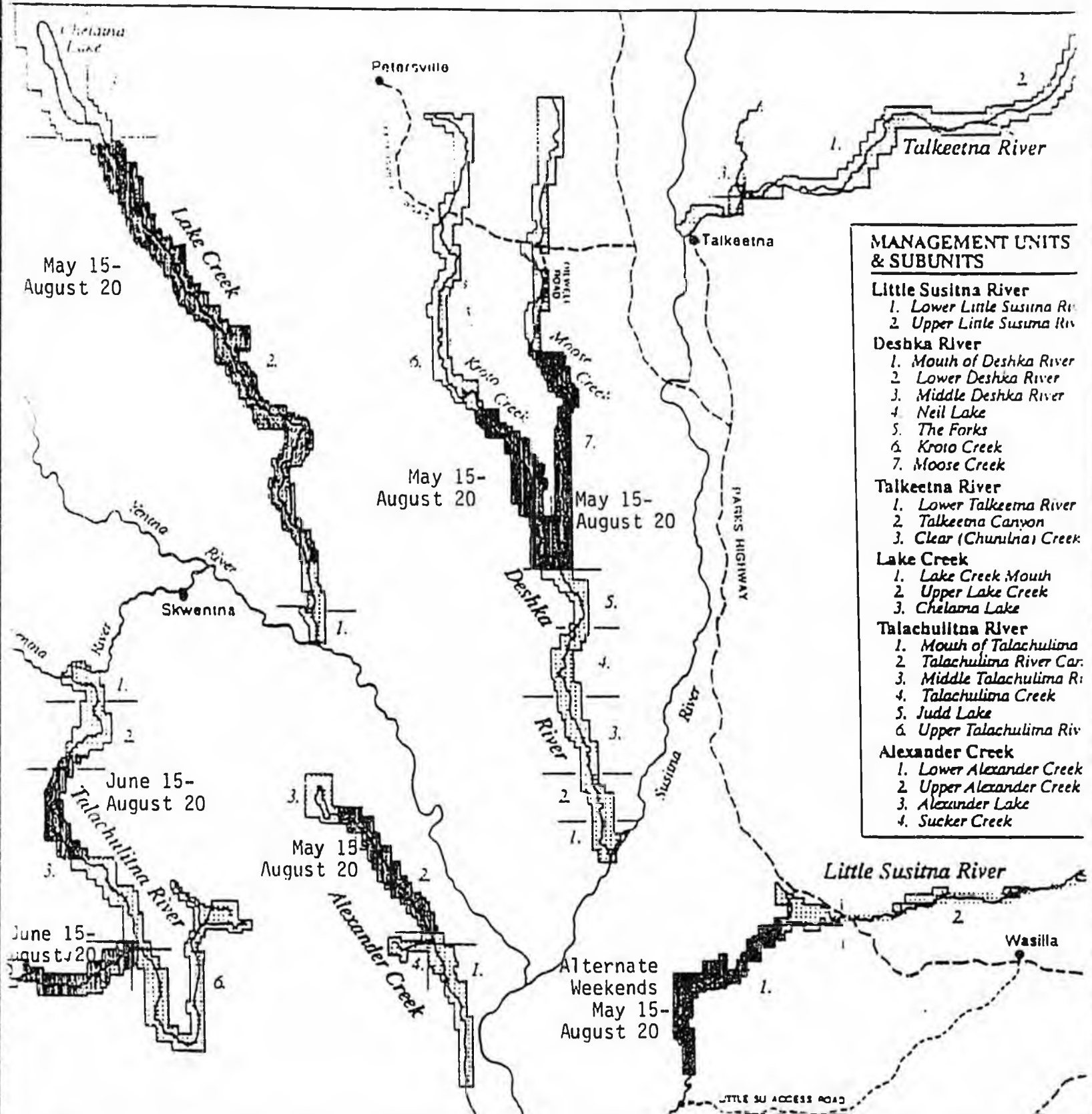
The proposed Recreational Rivers Plan ignores the overwhelming response to the proposed "non-motorized" areas.

The "Susitna Basin Recreation Rivers Management Plan, January 1991" should be modified to remove the "non-motorized" areas, or should be rejected by the Alaska Legislature for failing to accommodate the needs of the largest user groups and for ignoring the overwhelming response to the plan.

February 4, 1991

See map on reverse

SUSITNA BASIN RECREATION RIVERS MANAGEMENT PLAN



MANAGEMENT UNITS & SUBUNITS

- Little Susitna River**
 - 1. Lower Little Susitna Ri
 - 2. Upper Little Susitna Riv
- Deshka River**
 - 1. Mouth of Deshka River
 - 2. Lower Deshka River
 - 3. Middle Deshka River
 - 4. Neil Lake
 - 5. The Forks
 - 6. Kroto Creek
 - 7. Moose Creek
- Talkeetna River**
 - 1. Lower Talkeetna River
 - 2. Talkeetna Canyon
 - 3. Clear (Chunulima) Creek
- Lake Creek**
 - 1. Lake Creek Mouth
 - 2. Upper Lake Creek
 - 3. Chelama Lake
- Talachulima River**
 - 1. Mouth of Talachulima
 - 2. Talachulima River Can.
 - 3. Middle Talachulima Ri
 - 4. Talachulima Creek
 - 5. Judd Lake
 - 6. Upper Talachulima Riv
- Alexander Creek**
 - 1. Lower Alexander Creek
 - 2. Upper Alexander Creek
 - 3. Alexander Lake
 - 4. Sucker Creek

 NON-MOTORIZED AREA

To: *Rep Gene Kubina*

MAR 1 1991

RE: SUSITNA BASIN RECREATIONAL/RIVERS MANAGEMENT PLAN

After talking to the commissioner, Harold Heinze, on February 27, 1991 about the Six Rivers Management Plan, I feel it is important for you to help us stop the unnecessary non-motorized zones on the Deshka, Alexander, Talachulitna, and Lake Creek. He told me that what he meant when he said "you may wish to consider the policy issue at the threshold of use at which certain recreational activities are prohibited" is that if we are at the states threshold for imposing restrictions on boating and airplane landings on these rivers, then there are at least 25 other rivers in Alaska that are suseptable to the same policy. So you might take a look at the rivers in your district and if there are power boats or airplanes using them, someone could be looking at restricting their movement. There are no safety concerns or environmental impact or detriment to the resource reported or implied on the Deshka, Alexander, Talachulitna, or Lake Creek. There isn't even a conflict between the user groups beyond the normal competition for fishing holes and camp sites. The Deshka is a beautiful area and has been shared by all Alaskans for more than 30 years and for the past 18 years I've been going up that river. I've not seen one argument or fight between a boater and a floater. The Alexander, Lake Creek and Talachulitna have natural barriers that limit boat travel for most of the summer but on a good week end and favorable water levels you can travel up the river beyond the normal natural restriction. There shouldn't be a law against that.

The rivers in Alaska are the highways of the outdoorsmen and are used to access our fishing spots, camp sites, and hunting grounds. Our pwerboats and airplanes are the vehicles needed to transport our families around this large state. Please support the efforts of other legislators to recommend these restrictions be removed from the Susitna Basin Recreational Rivers Management Plan. This plan is reviewed every year and updated every 5 years and can be ammended any time the commissioner deem it necessary. So, for purposes of habitat protection or safety the commissioner has the authority to impose restrictions if its ever necessary.

Sincerely,



George M. Piaskowski
2101 Paxson #4
Anchorage, Alaska 99504

HM 338-0602
WK 274-1322

PLACES TO FLOATBOAT IN SOUTHCENTRAL ALASKA

Selected from: Alaska Paddling Guide
Moss and Dapkus
1986

Available from: National Park Service
Alaska Public Public Lands Information Center
605 West Fourth Avenue Suite 105
Anchorage, AK

This listing provides the names, and access mode, for available locations for floatboating in Southcentral Alaska. This list does not include the Susitna Basin Recreational Rivers, but is provided to demonstrate the availability of alternative float areas, most of which are not available and/or conducive to motorized boats. The trips on these waters range from 4 hour trips to trips of up to a week.

<u>River or Creek</u>	<u>Access</u>
Chickaloon	drive
Chitna <i>17-</i>	drive
Chulitna	drive or rail.
Copper <i>OK</i>	drive or fly
Delta <i>17C</i>	drive
East Fork-Six Mile Creeks	drive
Fish Creek (Mat-Su)	drive
Glacier Creek	drive
Granite Creek	drive
Gulkana River <i>OK</i>	drive
Gulkana-Middle Fork <i>OK</i>	drive
Kenai River <i>not in this region</i>	drive
Klutina River	drive or fly
Knik <i>OK - all boats mostly</i>	drive
Matanuska	drive
Meadow Creek	drive
Mendeltna Creek	drive
Nancy Lakes <i>OK</i>	drive
Nelchina-Tazlina Rivers	drive
Nenana <i>OK</i>	drive
Portage Creek <i>OK</i>	drive
Quartz Creek	drive
Six Mile	drive
Swan Lakes	drive
Swanson Lakes	drive
Swanson River	drive
Tonsina	drive
Trappers Creek	drive

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

WALTER J. HICKEL, GOVERNOR

MAR 15 1991

400 WILLOUGHBY AVENUE
JUNEAU, ALASKA 99801-1796
PHONE: (907) 465-2400
FACSIMILE: (907) 586-2754

March 15, 1991

The Honorable Gene Kubina, Chair
House State Affairs Committee
P.O. Box V
Juneau, AK 99811

Dear Representative Kubina:

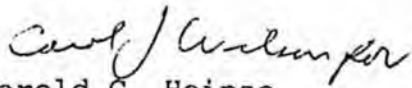
Subject: HCR 12, which relates to the Susitna Basin Recreation Rivers Management Plan.

Position: On February 1, 1991, as required by the Recreation Rivers Act (AS 41.23.440), the Department of Natural Resources transmitted copies of the Susitna Basin Recreation Rivers Management Plan to the Legislature for its consideration. We welcome the opportunity to learn your concerns about the plan.

Background: The Susitna Basin Recreation Rivers Management Plan is the result of several years of work by an interagency planning team and advisory board. The planning team included representatives from the departments of Natural Resources, Fish and Game, Transportation and Public Facilities, and Environmental Conservation, as well as the Matanuska-Susitna Borough. The advisory board included representatives of eleven varied user groups appointed by the Governor, and two Matanuska-Susitna Borough representatives appointed by the borough mayor. The public was actively involved in the planning process. Numerous people attended the 23 public meetings held on the plan.

Enclosed with this letter is information about the plan's motorized use restrictions. Please let me know if you or members of your committee would like an in-depth briefing on the recreation rivers plan.

Sincerely,


Harold C. Heinze
Commissioner

enclosure

cc: Representative Choquette
Representative B. Davis
Committee Members
Bruce Kendall, Legislative Liaison, Office of the Governor

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. HCR 12

Revision Date: 15-Mar-91 Department Affected: Natural Resources
 Title: Susitna Recreational Rivers BRU: Land and Water Management
 Components: Land and Water Management
 Sponsor: Representative Choquette
 Requestor: House State Affairs COMPONENT SERIAL NO. 431

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
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						

Estimate of Current year impact: None

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Ron Swanson Phone: 762-2680
 Division: Land & Water Management Date: 15-Mar-91
 Approved by Commissioner: Harold Heinze *awf* Date: 15-Mar-91
 Agency: Department of Natural Resources

Distribution (by preparer) : Legislative Finance, legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).



Susitna Basin Recreation Rivers Management Plan

Alaska Department of Natural Resources
Division of Land & Water Management
Land & Resource Section

SUSITNA BASIN RECREATION RIVERS DRAFT PLAN

What is the Purpose of the Plan?

To decide how to manage the state land and water in the corridors along six Recreation Rivers including: Little Susitna River, Deshka River (including Kroto and Moose creeks), Talkeetna River, Lake Creek, Talachulitna River, and Alexander Creek.

How was the Plan Developed?¹

Recreation Rivers Act signed	June	1988
<i>Public meetings to identify issues</i>	December	1988
Gather resource and use information	January	1989 - present
Alternatives developed	Fall	1989
<i>Public meetings to review alternatives</i>	December	1989
Develop agency then public review draft plans	March-Sept.	1989
<i>Public meetings to review draft plan</i>	October	1990
Develop draft plan for legislative review	November	1990
<i>30-day public comment period before legislative review</i>	December	1990
Plan T. and Advisory B. review com., make changes	January	1991
<i>Legislature reviews draft plan</i>	January-May	1991
Begin plan implementation	May	1991

Who Develops the Plan?

Planning team - 12 members including representatives from state agencies, the Matanuska-Susitna Borough, and the City of Houston
 Advisory Board - 13-member advisory board established by the legislature and appointed by the governor and the Matanuska-Susitna Borough
 Municipal and Community Advisors - Eight representatives from the community councils and the cities in the planning area
 Staff - Staff from the DNR Division of Land and Water
 Technical Advisors - Advisors funded by the National Rivers and Trails Conservation Planning Assistance Program

¹*Italics* indicate plan phases that provide opportunities for public involvement.

RR11/March 14, 1991/briefing

What does the plan do?

Sets general areawide goals based on the legislation

Sets management intent for each subunit and issue

Establishes public uses sites

Establishes habitat management areas

Recommends additions to the corridors

Sets guidelines for:

- Shoreline and upland development

- Recreation

- Commercial use

- Access

 - Intent

 - Boating

 - Off-road vehicles

 - Air access

- Water and solid waste management

- Education

- Enforcement

- Mining and Forestry

How will the plan be Implemented?

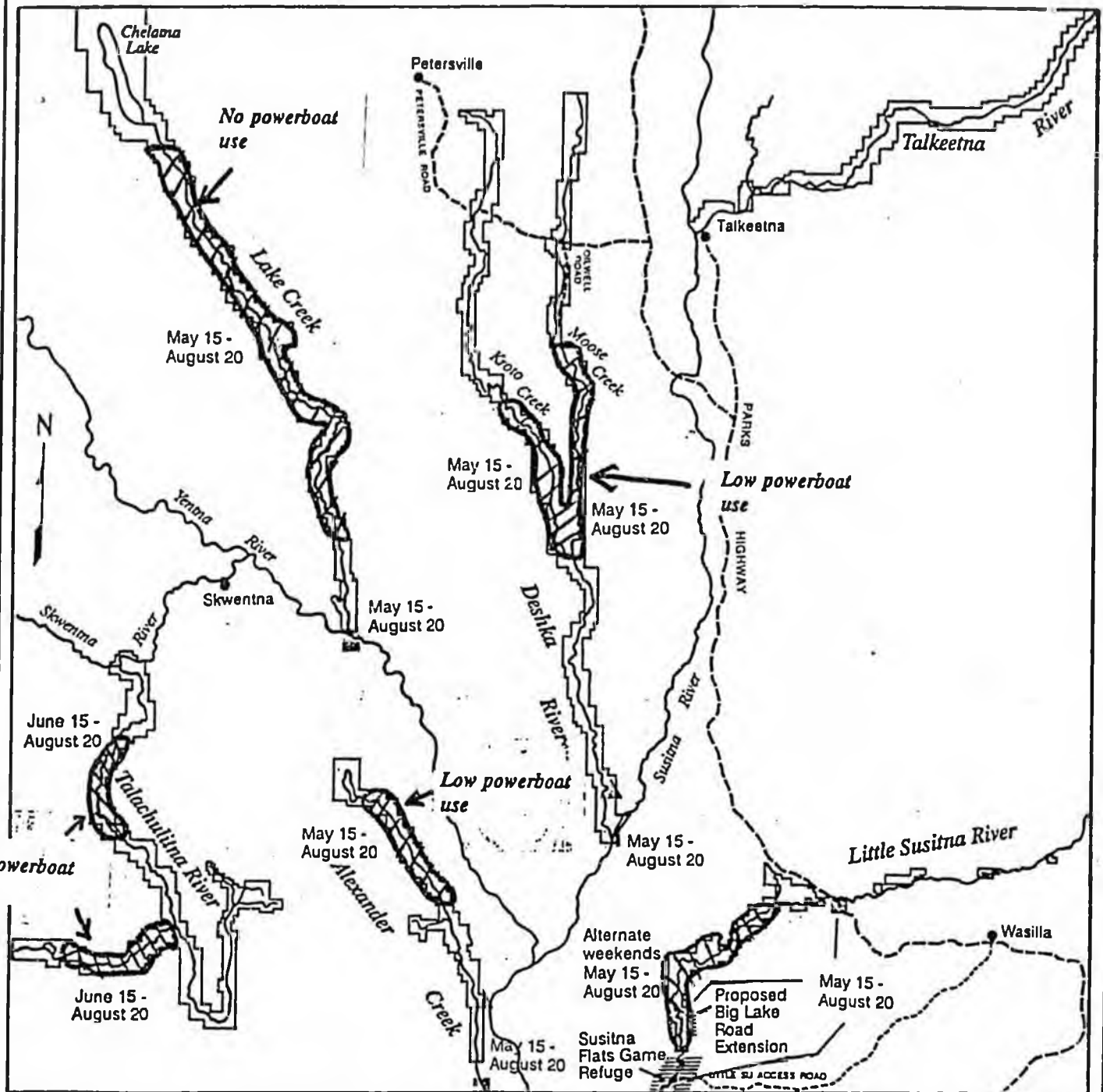
Implementation is dependent on funding, staffing, and promulgation of regulations

Plan implementation will be phased





Important components of field presence include: field staff, litter patrols, enforcement, signage, public information, and developing and maintaining primitive public facilities

SUSITNA BASIN RECREATION RIVERS MANAGEMENT PLAN

BOATING REGULATIONS



TYPES OF SEASONAL REGULATIONS

-  Non-motorized Area
-  Voluntary No-wake Area
-  Place Warning Sign
-  Proposal or Recommendations

 Recreation River Corridors

**BOATING REGULATIONS, NON-MOTORIZED AREAS, VOLUNTARY
NO-WAKE AREAS, AND SAFETY SIGNS**

RIVER	SEGMENT	RIVER MILES	REGULATION OR SIGN	DATES
Little Susitna River	Parks Highway	67.5 - 69.6	No-Wake, Voluntary, One-Year Trial Basis	May 15 - August 20
Little Susitna River	Nancy Lake Creek to Game Refuge Boundary	33.2 - 60.5	Non-motorized	Alternating weekends May 15 - August 20
Deshka River	Mouth	0.0 - Island	No-wake, Voluntary	May 15 - August 20
Deshka River	Silver Hole	3.8 - 4.9	Place sign: "Reduce speed to 5 MPH when anglers present"	May 15 - August 20
Deshka River	Forks to 2 mi. below Amber Lake Creek and Forks to 3 mi. below Oilwell Road	0.0 - 19.1 (Kroto Creek) 29.7 - 54.2 (Moose Creek)	Non-motorized, Recommendation to Board of Fish to open lower Moose Creek to king salmon fishing	May 15 - August 20
Lake Creek	Whitewater	8.1 - 51.2	Non-motorized	May 15 - August 20
Lake Creek	Mouth	0.0	Establish voluntary no-wake area at the mouth on a one-year trial basis	May 15 - August 20
Talachulitna Creek	Lower	0.0 - 17.0	Non-motorized	June 15 - August 20
Talachulitna River	Canyon	9.0 - 18.2	Non-motorized	June 15 - August 20
Alexander Creek	Upper	23.0 - 38.3	Non-motorized	May 15 - August 20
Alexander Creek	Pierce Creek Confluence	7.4	Place sign that cautions large boats above this point	May 15 - August 20

GENERAL ACCESS

Goals

See *Boating, Upland Access, Air Access, and Special Management Areas* in this chapter.

Management Guidelines

Permits for Access to Private Land and Mining Claims. The department should promulgate a regulation requiring a permit for all motorized access to private land or active mine operations that crosses state land or water closed to motorized use³. Permits for motorized access may be issued across closed areas, to private lands or mine operations when the use provides a need for which there is no feasible and prudent alternative. The cost of these permits should be minimal. Fees may be waived in cases where they would constitute an undue hardship on the permittee or act to discourage compliance with the permit requirement. Filing fees may not be waived. Also see *Upland Access, Access to Private Land and Mining Camps*.

Government Use of Motorized Transportation. The department should promulgate regulations that allow the operation of motorized vehicles including boats, aircraft, helicopters, and ground vehicles in non-motorized areas by governmental agency for the purposes of law enforcement, emergency search and rescue, medical evacuations, fire suppression; or for fish, game, recreation, or natural resource management.

³ "Motor Use" refers to motors associated with vessels, aircraft, and vehicles used for transportation, not use of motors such as chainsaws and generators.

BOAT ACCESS

Goals

Spectrum of Boating Opportunities. Provide for a spectrum of boating opportunities on the six Recreation Rivers.

Specific Opportunities on River Segments. Provide specific motorized and non-motorized boating opportunities on individual river segments.

Public Safety and Property. Protect public safety and property through the established of no-wake areas and float-plane landing areas.

Minimize Conflicts. Minimize conflicts between user groups while providing opportunities for boaters on all rivers.

Public Use Doctrine. Maintain consistency with the Public Trust Doctrine in the Alaska Constitution.

Management Guidelines

Overall Management Intent. Specific restrictions on boating have been developed to achieve two different goals. The primary goal is to provide for a range of recreation opportunities on the six rivers. This includes providing for motorized and non-motorized recreation experiences. The second goal concerns boating safety. Boating guidelines were not based on the protection of river banks and fish habitat from powerboat-caused erosion. Although these effects may be occurring, relationship between powerboats and these impacts has not been conclusively shown at any site in the Recreation Rivers at this time.

References to powerboats includes all water-dependent vessels propelled by a motor, include jetboats, prop-driven boats, hovercraft, airboats, and hydroplanes. Personal water craft and floatplanes are exceptions. Personal watercraft are discussed later in this section. Floatplanes are covered under *Air Access* in this chapter.

The following section describes the relationships between boating guidelines and these goals, outlines the factors that were considered in developing guidelines, and identifies which river segments are affected.

Recreation Experience. Information from the user survey, alternatives workbook, and public meetings shows that a significant number of floaters and bank anglers believe their recreation experiences are compromised by the use of motorized boats. Specific concerns include: noise impacts, boat speeds, and wake sizes. Many floaters and bank anglers define high quality experience in terms of the absence of motorized use. However, powerboaters have expressed concern that opportunities for powerboat access should be maintained. To balance the concerns of these competing interests, provide quality floating and bank fishing and provide for both powerboat and floatboat use, some river segments have been seasonally designated as "non-motorized," "powerboats only," or have been left unrestricted.

1 Safety. Boating safety is a prime concern on the Recreation Rivers. Although few boating
2 fatalities or serious accidents have been documented, users have identified safety problems,
3 particularly in congested areas. To address these problems, some river segments have been
4 designated as "voluntary no-wake areas."

5 Erosion and Other Environmental Impacts. There is concern that erosion and damage to fish
6 habitat may be increasing as a result of extensive powerboat use on some river segments.
7 However, there is no conclusive quantitative evidence of a casual relationship. The US
8 Department of the Interior, University of Alaska and DFG are working on a cooperative
9 research project to study the effects of jetboats on fish. In addition, the Division of Geological
10 and Geophysical Surveys will examine the effects of powerboat use and its relationship to
11 erosion on the Little Susitna River. The results of these studies will be used when updating or
12 amending this plan.

13
14 Other Factors. In addition to the recreation experience and safety goals, other variables that
15 were considered include:

- 16 1. *Accommodating access to private land.* Non-motorized areas were not established
17 in areas where property owners commonly reach their land by powerboat. If
18 powerboats offer the only practical access to private property in or adjacent to
19 the river corridors, landowners may be issued a permit to use powerboats in the
20 non-motorized area to reach their land. See *General Access, Permits for Access to*
21 *Private Land and Mine Claims* in this chapter.
- 22 2. *Minimizing restrictions.* Non-motorized areas are only designated for segments
23 where the current demand for non-motorized opportunities is considered
24 significant. Similarly, no-wake areas are only proposed for areas where
25 congestion is significant and safety risks are high.
- 26 3. *Accommodating use.* Non-motorized areas are generally designated in areas that
27 receive relatively little or no powerboat use. These areas typically include the
28 upper segments of rivers where there is considerable whitewater or other
29 impediments to safe powerboat use. Conversely, frequent powerboat-use areas
30 are not restricted to powerboat use. Exceptions include segments of the Little
31 Susitna where there is demand for both motorized and non-motorized use. In
32 this area, the plan prescribes alternating non-motorized and powerboat-only
33 weekends during the fishing season.
- 34 4. *Physical characteristics of the rivers.* Non-motorized areas generally begin and
35 end at landmarks identified as common limits of most current powerboat travel.
36 No-wake areas begin and end at landmarks identified as common limits of boat
37 and bank angler congestion.
- 38 5. *Seasons.* Non-motorized and powerboat-only periods generally apply to fishing
39 seasons when conflicts between users occur most often.
- 40 6. *Future technologies and potential conflicts.* Non-motorized areas on the
41 Talachulitna River and Lake Creek are established on segments that do not
42 currently receive powerboat use. This limitation on use is based on the concern
43 that future technologies will allow powerboats access to traditionally non-

1 motorized areas. Defining these areas before motorized access is possible will
2 prevent future conflicts and preserve traditional use patterns.

3 **Regulations.** Under Section 41.23.420(c), the commissioner may, if necessary, regulate boating
4 under the management plan. Non-motorized and powerboat-only areas will be established by
5 regulation. No-wake areas are all voluntary and do not require regulations. Both voluntary
6 and regulatory areas shall be marked by signs at their upper and lower limits. River segments,
7 seasons, and justifications are described under *Management Guidelines* for each management
8 unit in Chapter 3. Recommended boating regulations for areas not in the Recreation Rivers
9 or proposed to be added to the Recreation Rivers are described in Chapter 4. The following
10 figure and tables summarize the regulations.

11 **Non-motorized Areas.** The operation of a powerboat is prohibited on designated river segments
12 during designated non-motorized periods. Motors in or attached to boats are allowed as long
13 as they are not operated in the non-motorized area.

14 **Powerboat-only Areas.** Boats that are not powered by motors are prohibited on the designated
15 segment of the Little Susitna River on the second and fourth weekends of each month between
16 May 15 and August 20.

17 **Voluntary No-wake Areas.** In these areas signs are placed to encourage boaters to operate at
18 speeds less than five-miles per hour. Compliance is voluntary and these areas are not
19 established by regulations.

20 **Personal Watercraft.** With the exceptions of the Susitna, Skwentna, and Yentna rivers where
21 they overlap with the Recreation Rivers personal watercraft are prohibited in the planning
22 area because of concerns for safety, recreation experience, and shore-nesting birds. This
23 restriction should be established by regulation. Also see *Appendix A, Personal Watercraft* for
24 a definition of personal watercraft.

25 **Registering Commercial Boats.** See *Commercial, Standards* in this chapter.

26 **Access to Private Lands.** See *General Access, Permits for Access to Private Land and Mining*
27 *Claims* in this chapter.

28 **Public Trust Doctrine.** Under the Alaska Constitution the state has special duties and
29 management constraints with respect to state-owned land underlying navigable waters. The
30 Alaska Constitution contains principles commonly known as the public trust doctrine. This
31 doctrine requires the state to exercise authority to ensure that the right of the public to use
32 navigable waters for navigation, commerce, recreation, and related purposes is not substantially
33 impaired.

34 The Alaska Constitution (Article VIII, sections 3, 13, and 14) and Alaska Statutes (38.05.127 and
35 38.05.128) are the legal basis for applying the public trust doctrine in Alaska. This doctrine
36 guarantees the public right to engage in such things as commerce, navigation, fishing, hunting,
37 swimming, and protection of areas for ecological study.

38 The Constitution provides that "free access to the navigable or public waters of the state, as
39 defined by the legislature, shall not be denied any citizen of the United States or resident of
40 the state, except that the legislature may by general law regulate and limit such access for other

1 beneficial uses or public purposes." Eliminating private upland owners' reasonable access to
2 navigable waters may result in compensation.

3 Both federal and state laws providing for the transfer of land to private parties also provide
4 for public access to navigable waters. Implementing the state constitutional guarantee of access
5 to navigable waters under Article VIII, Section 14, AS 38.05.127 requires that the state
6 commissioner of natural resources must "provide for the specific easements or rights-of-way
7 necessary to ensure free access to and along the body of water, unless the commissioner finds
8 that regulating or eliminating access is necessary for other beneficial uses or public purposes."

9 It has never been held that any lands normally subject to the public trust doctrine in Alaska
10 are exempt from it, including land occupied and developed.

11 These statutes and concepts are considered and used throughout this plan. Any management
12 actions will be consistent with the public trust doctrine as defined by the Alaska Constitution,
13 statutes, court decisions, and public involvement.

MEMORANDUM

State of Alaska

Department of Law

TO: Gary Gustafson
Director, Division of Land
and Water Management, DNR

DATE: December 17, 1990

FILE NO:

276-3550

TEL NO:

SUBJECT: Recreation Rivers'

management plan - power
boat restrictions

FROM:

KCP
Kenneth C. Powers
Assistant Attorney General
Natural Resources - Anchorage

This memorandum follows up recent informal conversations our office has had with members of the Susitna Basin Recreation Rivers Management Planning Team concerning DNR's statutory and constitutional authority to regulate powerboat use on the recreation rivers. This memorandum expresses our rough thoughts only, and should not be treated as either a formal or an informal legal opinion.

Under AS 41.23.410, the DNR commissioner is required to allow the use of powerboats within a recreation river corridor "when they are compatible with AS 41.23.400 and consistent with a management plan adopted under AS 41.23.440." AS 41.23.410. The purposes of the recreation rivers' creation set out in AS 41.23.400 include recreation. The commissioner is given specific power in AS 41.23.420(c) to "regulate boating, if necessary, under the management plan adopted under AS 41.23.440." In AS 41.23.440(b), the commissioner is given authority to adopt regulations necessary to implement the management plan, but not before the management plan takes effect.

As we understand it, the proposed plan suggests the adoption of regulations which will have the effect in certain areas and at certain times of regulating boats and boat traffic. Such potential restrictions include the establishment of no wake zones and non-motorized zones where powerboat use would be prohibited.

Similar boating restrictions are now quite common throughout the United States. They are also in use on a number of Alaska's streams and lakes. For example, the Susitna Flats State Game Refuge regulations prohibit the use of motor boats from May 15 to August 31 on the Theodore River upstream from a designated private parcel. See 5 AAC 95.515. In the Palmer Hay Flats State Game Refuge, Rabbit Slough is closed to motor boat use on weekends from July 15 through August 15. Except for the Knik River and Rabbit Slough, use of a motor boat on all other refuge water is restricted such that from August 16 through March 31 only a motor boat with an outboard motor of 20 horsepower or less may be used. 5 AAC 95.505.

Gary Gustafson
Director, Division of Land
and Water Management

December 17, 1990

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DNR Division of Parks and Outdoor Recreation regulations prohibit the use of motors on many lakes within the state park system, including Byers Lake in Denali State Park, and Kepler, Bradley, Matanuska, Long, Irene, and Canoe Lake and the South Rolly Lake in Nancy Lake Recreation area. Also, on Rocky Lake, jet skis, air boats and jet boats are prohibited. See the park regulations at 11 AAC 20 et seq.

In addition to certain non-motorized zones and no wake zones, regulations governing the Kenai River Special Management Area limit the maximum boat horsepower size to 35 horsepower. See 11 AAC 20.860 (KRSMA boat motor horsepower regulation); 11 AAC 20.865 (KRSMA non-motorized areas); and 11 AAC 20.870 (KRSMA no wake zone). The horsepower regulation was upheld by the Alaska Supreme Court. Citizens For The Preservation Of The Kenai River, Inc. v. Sheffield, 758 P.2d 624. (Alaska 1988)

Locally, the Municipality of Anchorage has prohibited the use of boat motors on a number of area lakes, including some lakes with private residences located along the lakeshore, as apparently also has the City of Wasilla for certain lakes within its jurisdictional boundaries.

Boating restrictions when duly promulgated by an authorized agency of the State of Alaska will ordinarily stand on quite firm constitutional ground. The Alaska Constitution, article VII, section 14 expressly authorizes the Legislature to "by general law regulate and limit such access (to the navigable or public waters of the State) for other beneficial uses or public purposes."

We understand that the question has been raised whether, under the Alaska Supreme Court decision in Wernberg v. State, 516 P.2d 1191 (Alaska 1973), reh. denied, 519 P.2d 801 (1974), the state is required to compensate riparian land owners if their use of power boats is regulated or restricted. The answer is no.

In Wernberg, the court held that the state's construction of the Minnesota By-pass, which destroyed the navigability of Chester Creek and completely blocked plaintiff's access from his property across the abutting tidelands to Cook Inlet, entitled the plaintiff to compensation for a taking of his private littoral right of access to navigable waters. For more than 20 years, the plaintiff in that case had used Chester Creek and the adjoining tidewaters to navigate his fishing boats between his property and the deep waters of Cook Inlet for commercial fishing.

The decision in Wernberg was not intended to be a general statement of the law governing compensation for takings of riparian rights. To the contrary, the court specifically emphasized that its holding was limited to the particular facts of that case. Id.

Gary Gustafson
Director, Division of Land
and Water Management

December 17, 1990
Page 3

at 1201. Based upon those unique facts, Wernberg is best understood as a highway access case, in which compensation is required when existing road access to a parcel of land abutting a public highway is eliminated or damaged.

The Alaska Supreme Court has consistently treated Wernberg as a highway access case. See, e.g., Triangle, Inc. v. State, 632 P.2d 965 (Alaska 1981); B & G Meats, Inc., 601 P.2d 252, 254 n.3 (Alaska 1979). The court has also clarified that the discussion in Wernberg concerning riparian water rights is dicta that need not be considered established law. In Classen v. State, Dept. of Highways, 621 P.2d 15, 17 n.4 (Alaska 1980), the Alaska Supreme Court specifically noted that "[o]ur decision in Wernberg implied that the 'use of water' language of art. VIII, sec. 16 [of the Alaska Constitution] is coterminous with riparian rights". (emphasis to "implied" added). Thus, although Wernberg implied that a riparian right is a use of water for which compensation may be required under art. VIII, sec. 16, that issue was not decided. The note also strongly suggests that the issue is subject to reconsideration.

In our view, and we expect that the Alaska Supreme Court will someday clarify the issue, the prohibition on uncompensated takings of a person's "right to the use of waters" in art. VIII, sec. 16 of the Alaska Constitution, is properly understood to refer to the right "to use the water of a natural stream, or water furnished through a ditch or canal, for general or specific purposes, such as irrigation, mining, power or domestic use." See definition of "water rights" in Black's Law Dictionary 1427 (5th ed. 1979). In Alaska, these water rights are not riparian rights, but are acquired by appropriation under the Alaska Water Use Act, AS 46.15.010 - 46.15.270.

In summary, the state has the statutory and constitutional authority to regulate powerboat use. That authority has been delegated to DNR in AS 41.23.400 - 41.23.510 (Recreational Rivers). Moreover, there is nothing in the Alaska Constitution or the Alaska Supreme Court decision in Wernberg that requires the state to compensate riparian landowners for regulations that restrict or prohibit the general use of power boats.

¹ A regulation which effectively foreclosed a person from gaining all waterbody access from a shoreline private parcel might be subject to constitutional attack. However, it is doubtful such a restrictive regulation would ever be finally promulgated, since it would first have to survive the Department of Law review mandated under the Alaska Administrative Procedures Act. See AS 44.62.067(060).

Gary Gustafson
Director, Division of Land
and Water Management

December 17, 1990

Page 4

We hope the foregoing provides at least a rough outline of the applicable law in this area. If the planning team has any further questions, we will be happy to help.

The Alaska Constitution provides that the State shall have and exercise the right of eminent domain for public use, subject to the provisions of Article X, Section 1. The Alaska Supreme Court has held that the State's right of eminent domain is not limited to public use, but extends to any use that is for the benefit of the State. The Alaska Supreme Court has also held that the State's right of eminent domain is not limited to the State's own use, but extends to the use of the State's property for the benefit of the State's citizens. The Alaska Supreme Court has also held that the State's right of eminent domain is not limited to the State's own use, but extends to the use of the State's property for the benefit of the State's citizens.

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A regulation which effectively forbids a person from gaining all waterbody access from a particular parcel is subject to constitutional challenge. However, if the regulation is a restriction on the use of the waterbody, it would not be subject to constitutional challenge. The Alaska Supreme Court has held that a regulation which effectively forbids a person from gaining all waterbody access from a particular parcel is subject to constitutional challenge. However, if the regulation is a restriction on the use of the waterbody, it would not be subject to constitutional challenge.

Alaska State Legislature

Chairman
State Affairs
Committee

Legislative Council

Transportation
Committee



Representative Eugene Kubina

During Session:
State Capitol
P.O. Box V
Juneau, Alaska 99811
(907) 465-4859

During Interim:
P.O. Box 2463
Valdez, Alaska 99686
(907) 835-2111

April 28, 1991

Mr. Wilbur O'Brien, President
Era Aviation
6160 South Airpark Drive
Anchorage, AK 99502

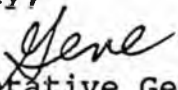
Dear Mr. O'Brien,

Thank you for your recent letter regarding the Susitna Basin Recreational Rivers Management Plan. The bill in the House State Affairs Committee which addressed this issue was HCR 12. HCR 12 was heard and placed in a subcommittee for further study. After the subcommittee reviewed the legislation, HCR 12 was passed out of the committee on April 12, 1991 and is currently in the House Resources Committee awaiting future scheduling.

Along with the passage of the bill, the House State Affairs Committee sent a letter to Commissioner Harold Heinze stating the conclusions of the subcommittee. I have enclosed a copy of this letter for your information.

Thank you for your interest in this matter. If you need more information on this or any matter, please feel free to contact me.

Sincerely,


Representative Gene Kubina, Chairman
House State Affairs Committee

— DISTRICT SIX —

• Chenega Bay • Chitina • Cooper Landing • Cordova • Hope • Moose Pass • Seward • Tatitlek • Valdez • Whittier •



Era Aviation, Inc.

April 11, 1991

The Honorable Representative Gene Kubina
House State Affairs Chairman
Post Office Box "V"
Juneau, Alaska 99811

Ref: Susitna Basin Recreational Rivers
Management Plan

Dear Representative Kubina,

Era opposes those portions of the Susitna Basin Recreational Rivers Management Plan (SBRRMP) that would restrict motorized access to portions of Lake Creek, Alexander Creek, Deshka River and Talachulitna River. We are particularly disturbed to see these restrictions applied to aircraft.

The inclusion of aircraft in these restrictions was purely gratuitous -- with no meaningful discussion and certainly no justification. There are no biological, habitat, or other environmental bases for such restrictions. And neither the Advisory Board (which opposed the motorized restrictions in any event), nor the Department of Natural Resources, sought or received any input from the aviation community.

These are among the best salmon fishing waters in the area. We and others have fished them for decades, primarily by helicopter. In addition, airplanes on floats and wheels have been another important and traditional means of access. We have fished these rivers with countless numbers of people: little tots to men and women in their eighties; poor people and rich people; handicapped people and people better able to get around; influential people and ordinary citizens.

These new restrictions would deny the public access to portions of these rivers by the most environmentally compatible mode of conveyance -- air travel. This would be completely unfair; and it is totally unnecessary.

Representative Kubina
April 11, 1991
Page 2

Re: Susitna Basin Recreational River Management Plan

Already, helicopter access to vast portions of our state is restricted to government employees and people on government business. Increasingly, airplane access is being limited. We are deeply concerned by what we perceive to be an ever increasing trend toward locking out Alaskans from reasonable access to our lands.

These most recent restrictions are poor land management, poor public policy, and poor service by the DNR. We support HCR 12, HB 201, and, if necessary, SB 166.

Thank you for considering our views on this matter.

Sincerely,



Wilbur O'Brien
President

cc: Governor Walter Hickel
Commissioner Harold Heinze
Representative Tom Moyer
Representative Larry Baker
Representative Betty Bruckman
Representative Dave Choquette
Representative Max Gruenberg
Representative Mark Hanley
Representative Mike Miller
Senator Drue Pearce



Era Aviation, Inc.

DATE 5.8.91

NUMBER OF PAGES 3
(Including Cover Sheet)

TO: REPRESENTATIVE GENE KUBINA

COMPANY: HOUSE OF REPRESENTATIVES 465-2444

FROM: JACK BIRMINGHAM

PLEASE CHECK TRANSMISSION AFTER THE LAST PAGE. IF YOU DO NOT RECEIVE THIS FAX CLEARLY, OR HAVE ANY PROBLEMS WITH THIS TRANSMISSION, PLEASE CALL US BACK AT (907) 248-4422,

EXTENSION 326

OUR FAX LINE NUMBER IS (907) 266-8350.

MESSAGE: _____

MAILING ORIGINALS YES NO REQUEST RESPONSE YES NO

8160 South Airpark Drive, Anchorage, Alaska 99502. (907) 248-4422. Telecopier: (907) 266-8350. Telex: 25324



Era Aviation, Inc.

May 8, 1991

Harold Heinze
Commissioner
State of Alaska
Department of Natural Resources
400 Willoughby
5th Floor
Juneau, Alaska 99801

Ref: Restriction on Aircraft Access;
Susitna Basin Recreational Rivers
Management Plan.

Dear Commissioner Heinze,

I was disappointed to receive Mr. Gustafson's letter dated February 19 (sic), 1991, in response to my letter to you of April 11, 1991. Based on our past dealings, I never expected a letter like this out of any department headed by you.

I may be naive, but I still expect public servants to serve the public -- to make rationale decisions based on objective analyses of accurate facts. On this issue we have met with hidden agendas, manufactured justifications, half truths and doublespeak.

Harold Heinze
Department of Natural Resources
May 8, 1991
Page 2

Now, Mr. Gustafson suggests that the appropriate solution is to look to the legislature to take time from its busy schedule to right the wrongs done by the DNR. The public would be far better served if the DNR would correct its own mistakes.

Sincerely,



Wilbur O'Brien
President

cc: Governor Walter Hickel
Commissioner Harold Heinze
Senator Dru Pearce
✓ Representative Gene Kubina
Representative Tom Moyer
Representative Larry Baker
Representative Betty Bruckman
Representative Dave Choquette
Representative Max Gruenberg
Representative Mark Hanley
Representative Mike Miller
Janet Burleson, SERO
Bruce Talbot, LRS

Alaska State Legislature
House of Representatives



MAR 20 1991

INTERIM

3111 C Street
Anchorage, Alaska 99503
(907) 561-2032

SESSION

P.O. Box V
Juneau, Alaska 99811
(907) 465-2995

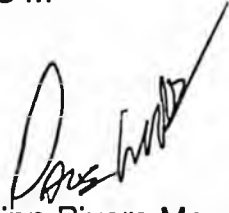
Representative Dave Choquette

M



MEMORANDUM

TO: All Legislators

FROM: Representative Dave Choquette 
Chairman, Susitna Basin Recreation Rivers Management Plan, State
Affairs Subcommittee

DATE: March 19, 1991

SUBJECT: Non-Motorized Restrictions in the Susitna Basin Recreation Rivers
Management Plan, HCR 12

Representatives Choquette and Baker are holding hearings on HCR 12 sponsored by Representative Choquette. This piece of legislation addresses the non-motorized restrictions in the Susitna Basin Recreation Rivers Management Plan.

The hearings will be held on Saturday, March 30 in the Matanuska-Susitna Valley in the upper conference room of the Mat-Su Resort from 9:00 AM to 11:00 AM, and in Anchorage from 2:00 PM to 5:00 PM in the Anchorage Assembly Chambers. Please contact your constituents who have concerns with the non-motorized portions of the Susitna Basin Recreation Rivers Management Plan.



Alaska State Legislature
House of Representatives

INTERIM

3111 C Street
Anchorage, Alaska 99503
(907) 561-2032




SESSION

P.O. Box V
Juneau, Alaska 99811
(907) 465-2995

Representative Dave Choquette



MEMORANDUM

TO: Representative Gerie Kubina
FROM: Representative Dave Choquette 
DATE: March 11, 1991
SUBJECT: HCR 12, a resolution requesting reconsideration of non-motorized zones in the Susitna Basin Recreation Rivers Management Plan

I am writing to ask that you schedule the committee hearing of HCR 12 at the earliest possible date. The Sustina Plan will go into effect 100 days after its submission to the Legislature.

Thank you.



HCR

16

7-LS0977M
Lauterbach
2/4/92

CS FOR HOUSE CONCURRENT RESOLUTION NO. 16 (STATE AFFAIRS)

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered:
Referred:

CHANGES
HIGHLIGHTED

Sponsor(s): REPRESENTATIVES BRUCKMAN, Gruenberg, B.Davis, Carney

A RESOLUTION

1 Designating April 19 - 25, 1992, as "Bone Marrow Donor Week"; and requesting the
2 governor to proclaim an annual "Bone Marrow Donor Week."

3 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **WHEREAS** many Alaskans and thousands of people throughout the world suffer from leukemia
5 and other blood-related diseases and cannot survive without a bone marrow transplant; and

6 **WHEREAS** recent advances in bone marrow transplants now give people dying of blood-related
7 diseases hope to be cured if a donor can be found whose bone marrow matches their own; and

8 **WHEREAS** 70 percent of the individuals needing a bone marrow transplant lack a qualified
9 donor within their own families and must find an unrelated donor whose bone marrow perfectly matches
10 their own to provide the life-saving marrow; and

11 **WHEREAS** the chances of finding a suitable unrelated bone marrow donor is between one in
12 20,000 and one in 1,000,000, depending on the patient's genetic make-up; and

13 **WHEREAS** there is a national bone marrow donor registry, established in 1987, to assist people
14 in finding a suitable donor from a pool of 470,000 "typed" volunteers ready and willing to donate their
15 life-giving marrow; and

16 **WHEREAS** there is an urgent, nationwide need to increase the pool to 1,000,000 available

1 marrow donors of all ethnic backgrounds to increase the chance of finding a suitable donor for the
2 10,000 people who are currently awaiting a bone marrow transplant throughout the United States and
3 who will die without a bone marrow transplant; and

4 **WHEREAS** thousands of people have already died for lack of a suitable marrow donor and this
5 same grim prospect faces many other patients and their families throughout Alaska; and

6 **WHEREAS** the procedure for initial compatibility testing is considered completely safe and
7 virtually painless, requiring only two tablespoons of blood; and

8 **WHEREAS** Alaska currently has over 4,100 potential donors in the National Registry; and

9 **WHEREAS** in 1991, despite the staggering odds, Alaskan donors provided six bone marrow
10 matches, and three were provided for Alaskans requiring the marrow transplant through reciprocal
11 nationwide efforts through the National Bone Marrow Donor Program; and

12 **WHEREAS** the Blood Bank of Alaska has conducted successful bone marrow drives in
13 Anchorage, Juneau, Eagle River, Wasilla, Palmer, Fairbanks, McGrath, Kenai, Soldotna, and Hoonah
14 with drives scheduled for Kodiak and Dutch Harbor; and

15 **WHEREAS**, coupled with the aid of a special appropriation for type testing, numerous service
16 organizations throughout the state, spearheaded by the Eagle River Lions and Lionesses, have provided
17 countless hours in raising necessary funds and volunteering thousands of hours to conduct the drives
18 throughout Alaska and the ongoing efforts in Anchorage and Eagle River; and

19 **WHEREAS** in 1991 over 3,500 additional Alaskans were enrolled in the National Bone Marrow
20 Registry as a result of these efforts; and

21 **WHEREAS** a special outreach also helped enroll 126 Alaska Natives who were seriously
22 underrepresented in the National Registry and, as a result, were unlikely to find a successful match; and

23 **WHEREAS** it is necessary to continue to promote a greater awareness of the need for healthy
24 bone marrow donors and to encourage more Alaskans to step forward to be typed and enrolled in the
25 National Bone Marrow Donor Registry so that the pool is as large and diverse as possible; and

26 **WHEREAS** with these initial efforts a minimum of one percent of Alaska's total population will
27 be enrolled in the Bone Marrow Donor Program;

28 **BE IT RESOLVED** that the Alaska State Legislature designates the week of April 19 - 25, 1992,
29 as "Bone Marrow Donor Week"; and be it

30 **FURTHER RESOLVED** that the legislature respectfully requests the governor to proclaim a
31 "Bone Marrow Donor Week" during an appropriate time period each year, setting the dates to correspond
32 with a nationally recognized week if there is one; and be it

1 **FURTHER RESOLVED** that the legislature encourages the commissioners of the state
2 departments, with the commissioner of health and social services taking the lead, to work in cooperation
3 with the Blood Bank of Alaska, Inc., to make continuing efforts to educate and inform state employees
4 and other Alaskans about the bone marrow donor program through newsletters, check stubs, and other
5 appropriate forms of communication.

WHILE IN SESSION
P.O. BOX V
JUNEAU, ALASKA 99811
(907) 465-4843



STATE AFFAIRS

REPRESENTATIVE BETTY BRUCKMAN

Sponsor Statement

HCR 16

'Designating April 14 - 20, 1992, as Bone Marrow Donor Week'

I have introduced HCR 16 to increase awareness and to educate the general public regarding bone marrow transplants as well increase enrollment in the National Marrow Donor Program.

HCR 16 designates the week of April 14 - 20, 1992 as Bone Marrow Donor Week. The resolution asks that efforts be made, in conjunction with the work being done by the Blood Bank of Alaska, to educate and inform Alaskans about the bone marrow donor program.

The Bone Marrow Donor Program of Alaska, thanks to the efforts of this Legislature, has been able to successfully match six Alaskan donors with patients suffering from cancer or other fatal blood disorders. The statistics for marrow compatibility range from one in one hundred to one in one million for Caucasians and matches for Alaskan Natives and other minority populations are unfortunately much, much rarer, due in part to the lack of registered donors, a crisis that is being remedied in part by the Alaska Blood Banks' donor drives in rural Alaska. As a direct result of the special appropriation passed last year, an additional 2200 potential donors have been typed and enrolled in the National Marrow Donor Program. There is still much that needs to be done to ensure that compatible donors are found for the estimated 1400 active searches being conducted nationally on any given day.





REPRESENTATIVE BETTY DRUCKMAN

Sponsor Statement

CS HCR 16

'Designating April 14 - 20, 1992, as Bone Marrow Donor Week'

I have introduced HCR 16 to increase awareness and to educate the general public regarding bone marrow transplants as well increase enrollment in the National Marrow Donor Program.

CS HCR 16 designates the week of April 14 - 20, 1992 as Bone Marrow Donor Week. The resolution asks that efforts be made, in conjunction with the work being done by the Blood Bank of Alaska, to educate and inform Alaskans about the bone marrow donor program. I would appreciate the committee's consideration of this CS, changing the date from April 12 - 18, 1992 to April 19 - 25, 1992, to conform with National Organ Procurement Week. Language has also been added to update the statistics as they relate to Alaskans enrolled in the National Marrow Registry.

The Bone Marrow Donor Program of Alaska, thanks to the efforts of this Legislature, has been able to successfully match six Alaskan donors with patients suffering from cancer or other fatal blood disorders. The statistics for marrow compatibility range from one in one hundred to one in one million for Caucasians and matches for Alaskan Natives and other minority populations are unfortunately much, much rarer, due in part to the lack of registered donors, a crisis that is being remedied in part by the Alaska Blood Banks' donor drives in rural Alaska. As a direct result of the special appropriation passed last year, an additional 2200 potential donors have been typed and enrolled in the National Marrow Donor Program. There is still much that needs to be done to ensure that compatible



donors are found for the estimated 1400 active searches being conducted nationally on any given day.

Although the bone marrow donor program is an ongoing effort, designating one week in April will help increase the level of public awareness and facilitate promotional activities.

STATE OF ALASKA
1992 LEGISLATIVE SESSION

No. 1
Bill Version: CSHCR 16 (HES)
(H) Publish Date: 1/24/92
LEGISLATURE

Revision Date: _____ Department Affected: _____
Title: DESIGNATING APRIL 12-18 BRU: _____
BONE MARROW DONOR WEEK Component: _____
Sponsor: BRUCKMAN
Requestor: _____ COMPONENT SERIAL NO.

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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-					
CAPITAL	-0-					
REVENUE	-0-					
FUND SOURCE:						

FUNDING: (Thousands of Dollars)

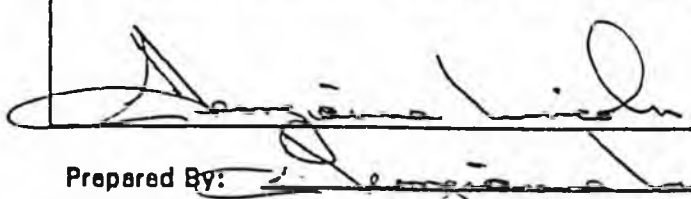
GENERAL FUND	-0-					
FEDERAL FUNDS	-0-					
OTHER						
FUND SOURCE:	-0-					
TOTAL	-0-					

POSITIONS:

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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

Prepared By:  Phone: 465-3732
Division: HOUSE HEALTH, EDUCATION & SOCIAL SERV. COMMITTEE Date: 1/21/92
Approved by Commissioner: _____
Agency: _____ Date: 1/21/92

HOUSE COMMITTEE REPORT

(7)

Date Referred: March 13, 1991

FURTHER REFERRALS:

State Affairs

Date of Committee Action: _____

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HCR 16

HOUSE CONCURRENT RESOLUTION NO. 16

BONE MARROW DONOR WEEK

Designating April 14 - 20, 1991, as "Bone Marrow Donor Week."

RECOMMENDATIONS: COMMITTEE [] the same title
 be replaced with SPONSOR SUBSTITUTE FOR [] a new title

HCR 16 (HES)

[] have attached amendments(s)

[] do pass

[] do not pass

[] no recommendations

[] individual recommendations

[] additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

[] fiscal impact _____

[] fiscal note(s) _____

[] zero fiscal note HOUSE HESS

[] zero fiscal note(s) _____

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>[Signature]</i>	✓				
<i>[Signature]</i>					
<i>Betty Kaurig</i>	✓				
<i>John C. [Signature]</i>					
<i>Cheri Davis</i>	✓				
<i>Mark [Signature]</i>	X				
<i>Mary Miller</i>	✓				

SIGNATURE



9/17/90

TEN COMMON QUESTIONS ABOUT THE NATIONAL MARROW DONOR PROGRAM

1. What is the National Marrow Donor Program (NMDP)?

The National Marrow Donor Program (NMDP) is a network of Transplant Centers (who care for patients), Donor Centers (who guard our volunteer donors' safety and confidentiality), Collection Centers (medical centers which meet our standards for marrow collection) and Recruitment Groups (which assist the NMDP in recruiting new volunteers for the national registry; many NMDP Donor Centers also are aggressive recruitment arms of the NMDP).

The NMDP Coordinating Center is located in St. Paul, MN and the computerized Registry is at the University of Minnesota. The Registry is the most sophisticated biometric program ever run by the U of M and is one of the most sophisticated in the world. NMDP has a contractual relationship with the federal government, through the National Heart, Lung, and Blood Institute, to run a national registry.

NMDP has only been in existence since 1987 and has experienced rapid growth, especially in the last six months. This has been made possible because of the generosity of hundreds of thousands of Americans, willing to be the stranger who offers the living gift of life. NMDP now is facilitating about 25 transplants a month. Admiral Zumwalt, NMDP Chairman of the Board has stated that the goal is 25 transplants a day.

We are also a research organization, studying the efficacy of marrow transplants and related treatments. NMDP has created a "bank" of cell line samples which has the potential for offering exciting insights into blood diseases and genetic disorders.

NMDP is funded, in part, by Congress through the National Heart, Lung and Blood Institute (part of the National Institutes of Health). The NMDP also solicits charitable contributions for assistance in typing volunteers and other recruitment efforts.

2. How many donors are on the Registry?

By the middle of September, 1990, over 200,000 people have volunteered and are included in the Registry. That number is doubled when you include volunteer donors from other countries, and it is expected to continue to grow nationally and internationally.

Volunteering to be a donor is not appropriate for everyone because of the commitment of time (about 40 hours in all, including counseling sessions, a complete physical and the approximately 24 hour hospital stay) and the need to use anesthesia when aspirating the marrow from the back of the pelvic bone. The discomfort felt after the donation has not been a major issue with

NMDP Common Questions

Page 2

donors (for a few days, there's a soreness described as similar to the feeling after falling on ice, on your derriere). However, because of the anesthesia factor, NMDP insists that all of its volunteer donors are between 18 and 55 and in excellent health. Many of NMDP's volunteer donors have become strong advocates for the Program.

Marrow completely regenerates itself in about 15-30 days. That's why this gift of a stranger is called the "living gift of life."

2A. How many donors do you need to match all the patients who request a marrow transplant?

We don't know. Yet.

Depending on how common a patient's Human Leukocyte Antigens (HLA) are, the chances of finding a match may range from one in 100 to one in a million. The odds of finding a match are better within a patient's own racial group.

NMDP set a preliminary goal of 100,000 donors for the United States and met that goal ahead of schedule. It became clear as we moved toward that goal that we would need more donors to match certain types of patients, especially those from American minority populations. It also has become clear that unrelated marrow transplants are a global hope. Because of computer technology, it is possible to have a worldwide registry of volunteers. Marrow can -- and has been -- exchanged between countries. NMDP has a goal of one million volunteer donors worldwide; 250,000 volunteers is NMDP's new U.S. goal. The U.S. goal includes expanding the ethnic diversity of this nation's registry to reflect the diversity of the country's population. Because of the efforts of people all around the world, NMDP believes that its goal can be reached by 1995.

While NMDP's goal continues to be to find a "miracle match" for everyone who needs a marrow transplant, medical science may prove this to be impossible. Even with a large pool of potential donors, patients who have a rare or unique "HLA typing" may never find a match, no matter how large the pool of volunteer donors.

3. How many transplants have been done?

By the end of July, 1990, NMDP will have facilitated over 400 transplants, half of them for people under the age of 25. Of the patients receiving transplants, 77% had some type of leukemia. Other transplant patients have had Myelodysplasia, Hodgkin's lymphoma, Non-Hodgkin's Lymphoma, Severe Aplastic Anemia (6.8%), Fanconi's Anemia, Osteopetrosis, Severe Combined Immunologic Deficiency, or other malignancies or non-malignant diseases.

Marrow transplants are being considered for patients with other types of cancer and other blood diseases. For example, research is being conducted to determine the efficacy of using marrow transplants to treat patients with Sickle Cell Anemia, AIDS and other genetic blood disorders. It is too early to speculate about the potential success or failure of these research efforts. NMDP officials continue to monitor these medical developments.

4. What's the Success Rate?

The standard answer is not a concise one. Early data indicate that the success rate is between 30 and 80 percent, depending on the disease of the patient being treated, stage of disease and age and condition of the patient.

Initially, many patients who chose transplantation made that choice after all other options had been exhausted. This resulted in less than physically ideal circumstances for the patient, who may have been weakened by many rounds of chemotherapy or the disease itself.

The rigorous pre-transplant conditioning can be fatal, as marrow transplantation has become a more common treatment, patients are being referred for transplant earlier. In general, early referral and a "quick match" assures a better outcome for the patient. Although the data is preliminary, it appears that unrelated donor transplants may have the same success rate as sibling transplants. With related donors, the chance of success can be as high as 90%, depending on the patient's disease and stage of disease at the time of transplant.

If the patient is alive and well three to five years after transplant, the probability of disease coming back is remote. There are patients currently alive and well nineteen years post transplant. Among patients receiving unrelated donor transplants, the longest living survivor is over seven years post transplant. NMDP's first transplant was done on December 15, 1987. It will be at least two to three years before NMDP can offer definitive numbers regarding success rate.

5. Does everyone who needs a transplant receive one and how much does it cost?

No, many patients are not referred for transplant, currently cannot find a matched donor or are too ill to undergo a transplant once a match is found. Other patients are not insured or underinsured and cannot afford or choose not to undertake the expensive and exhaustive process. Currently, NMDP is finding matches which result in transplant for 20% of the patients who search the NMDP Registry.

The average cost is approximately \$150,000. From initial studies, marrow transplantation is more cost efficient than maintenance or "palliative" procedures which must be undertaken numerous times. Also a marrow

transplant can cure if successful. For a leukemia patient or an aplastic anemia patient, other treatment usually only temporarily treats the symptoms of the disease.

Increasingly, health insurers are providing coverage/benefits for the cost of unrelated transplants as their experts review data on the successes achieved from this treatment. There is continuing concern over the hesitation by some payers to cover the donor search process and by some state governments to cover transplantation of any kind for medical assistance recipients.

Most of the cost of a transplant is the extended stay in isolation until it is determined there is sustained engraftment of the new marrow. About 10% of the overall expense is the cost of actually searching for an unrelated donor. The search includes extended tissue typing (HLA typing)/cultures/donor counseling and a thorough physical exam, marrow collection and transport. NMDP continues to work with health care insurers to educate them about the procedure and why this portion of the cost should also be paid by the company.

6. Does NMDP encourage the efforts by individual families to increase the size of the registry?

With the help of Congress, the NMDP was established. The Program is hailed as a model for transplantation coordination and has progressed rapidly, exceeding all of our preliminary goals and expectations. Because of this success, many American families who held no hope for a loved one have now placed their hope in finding a match for the special person in need.

To build a satisfactory donor pool, NMDP is in need of three basic elements:

- A. More Americans willing to offer the "living gift of life" by volunteering to become a part of our Program. Currently, there is an especially critical need for minorities to volunteer.
- B. The funds (private and/or public) to pay for the typing test. It costs approximately \$65-\$75 to do partial typing of new recruits. Of all the challenges confronting NMDP, HLA test funding has been the toughest to surmount.
- C. Time to allow other countries to establish their own registries. This worldwide effort offers the best hope for patients seeking a matched donor. NMDP is vigorously encouraging development of registries in other countries.

While NMDP continues to seek private source funding to cover the significant HLA typing costs and to expand the registry internationally to allow for more diversity of the donor pool, the organization is also sensitive to the urgency felt by patients waiting today. Many families have launched local recruitment efforts when a matched donor was not immediately available through the registry.

NMDP Common Questions

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NMDP encourages families to contact the NMDP Coordinating Center where staff members are available to advise families about where to call for help and how best to proceed. NMDP officials also maintain a strong sense of concern for both patient and donor. This concern is integrated in the counsel given to families.

Because of the efforts of some families for their own loved one, the registry's volunteer pool continues to grow and other lives continue to be saved. This wonderful registry would not be possible if not for many "determined moms and dads."

Volunteers recruited in patient-specific drives sign consent forms which make them available to any patient searching for a matched donor.

7. How are searches done with other countries?

International developments are one of the most exciting efforts underway at NMDP. Currently, The Netherlands is, and Israel will soon be, a part of NMDP's computer registry. Searches are "traded" (usually by facsimile) with the United Kingdom, Canada and France. NMDP anticipates that other European countries will become affiliated with the U.S. registry within the next six months. Japan and the Soviet Union are also considering creating a registry, and informal requests have come from many other nations offering opportunities for communications across political boundaries.

8. How long have you been doing searches?

Since September, 1987. The first transplant was done in December, 1987. The 100th transplant was done in February, 1989; the 200th in October, 1989; the 300th in March, 1990.

9. Why are you targeting minority communities for donor recruitment?

In the same way that you inherit your skin color or your hair color, you inherit your tissue type. This tissue typing must match between patient and donor to allow the best chance of success of the transplant.

For this reason, patients go first to their relatives when they are seeking a matched donor. About 25 percent of patients needing a transplant find a sibling match, the rest must turn their hope to NMDP.

Currently, 92 percent of the NMDP volunteer donors are Caucasian. It is of critical importance that NMDP reach members of minority communities and stress the urgent need for volunteer donors so the same hope can be offered to all Americans in need.

10. How do I become a donor?

The NMDP has set up a network of NMDP donor centers (local blood bank organizations). Coordinators at these centers counsel potential donors and work with NMDP when someone is identified as a potential match. Only the donor center knows the name of a donor, assuring protection and anonymity of the donor. However, these donor centers are facing challenges and limitations of time, space and funding for typing. NMDP continues to assist these centers in overcoming these limitations.

Those who are interested in volunteering may contact their local donor center or call NMDP. In many communities, local drives are held, spearheaded by an individual family or one of NMDP's grassroots groups such as Heart of America, NMDP's Donor Center Without Walls. Always, there is concern about raising the funds to pay for the HLA typing of those generous enough to volunteer as donors. Personal and corporate contributions and some funding from blood centers have been used in these efforts.

If a newspaper, television or radio station chooses to inform their audience about where to call for more information, NMDP's public toll-free number is 1-800/654-1247. For business-related calls to the NMDP, please call 800/526-7809.

C.W. BILL YOUNG
8TH DISTRICT, FLORIDA

MEMBER:
COMMITTEE ON
APPROPRIATIONS
SUBCOMMITTEE ON
NATIONAL DEFENSE

Congress of the United States
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Washington, DC 20515
August 2, 1991

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The Honorable Betty Bruckman
State Representative
House of Representatives
PO Box V
Juneau, Alaska 99811

Dear Representative Bruckman:

A miraculous life-saving movement is sweeping across our nation as more than 30,000 volunteers per month are becoming a part of the National Marrow Donor Program.

In the six short years since its inception, 370,000 Americans have taken the quick and simple blood test to join a registry of potential marrow donors for patients suffering from leukemia or any one of 60 otherwise fatal blood disorders. Through this national registry, 40 men, women, and children per month, who otherwise had no hope for life, are now finding matched donors who can provide a small amount of marrow that offers them the chance of a lifetime.

Although the program has been an unquestioned success, there is still much more that needs to be done if we are to find matched donors for the estimated 24 patients per day who are in need of a transplant. The keys to our success are people who are willing to volunteer to help us reach our goal of a national registry of 1 million potential donors. This is critical because with the odds of finding a matched donor anywhere from one in 100 to one in one million, the chances of finding a match grow as the pool of potential donors grows.

The United States Congress, and the House Appropriations Committee on which I serve, recognized the tremendous potential for this program as we established the national registry in 1987 and have appropriated more than \$85 million since then for its operations. In particular, we responded to the pleas of families and recruitment organizations around the country by providing federal funding to defray the \$75 lab costs for the blood test of each volunteer. Our Committee appropriated almost \$40 million for this purpose during a six month period last summer and fall. A major portion of these funds are being used to target minority populations which are seriously under-represented in the registry. Because your marrow type is based upon your genetic background,


which you inherit from your parents just like your eye, hair, and skin color, it is more than likely that a matched marrow donor will be someone with the same genetic or ethnic background.

While the federal government has played a major role in the establishment and funding of the National Marrow Donor Program, there is still much that can and must be done at the state and local level to increase awareness about the national registry, to encourage more Americans to volunteer, to enhance minority recruitment, and to ensure that when matched donors are found for patients, a transplant is not prevented from taking place because the donor is unable to take time off from work. A number of states have passed legislation which will be very helpful in supplementing the work of the national program. Minnesota and Oregon, in particular, have enacted comprehensive bills that establish state-wide programs to educate residents about the program, that authorize donor recruitment drives for state employees, and that require businesses to guarantee employees up to 40 hours of paid leave for the purpose of donating marrow. The Oregon bill also authorizes a tax credit of 25 percent to compensate businesses for the cost related to an employee's time off necessary to donate marrow. Enclosed is a summary of the Minnesota and Oregon legislation, as well as the actions taken by 12 other state legislatures, which I would encourage you to study and consider sponsoring in your own state.

In a related matter, you may be interested to know that during the National Conference of State Legislatures Annual Meeting August 11-16 in Orlando, Florida, the National Marrow Donor Program will sponsor a booth to provide you with more information about the program. A summary of activity by various state legislatures and copies of the Minnesota and Oregon laws will be available for you to pick up as well as a packet providing greater detail about the program. You also will have the opportunity to volunteer for the national registry by taking the quick and simple blood test right there at the booth.

The National Marrow Donor Program is a national and international treasure that is saving lives throughout the world. Being involved with this modern medical miracle has been one of the most rewarding experiences of my whole life and I look forward to working with you to further expand our efforts to save lives. Please do not hesitate to contact me if you would like copies of specific state legislation or if you would like more detailed information about the program or sponsoring donor recruitment programs in your district. Thank you for your interest, and with best wishes and personal regards, I am

Very truly yours,


C. W. Bill Young
Member of Congress

CWY:hg
Enclosure

THE WHITE HOUSE

Dear Friends,

It is a pleasure to send this message of gratitude and encouragement to all those who are responding to the need for more volunteer bone marrow donors throughout our country.

Today, because of the generous spirit of hundreds of thousands of Americans, many patients with fatal blood diseases have received the chance of a lifetime. This spirit has now traveled to many other countries as well, thus providing a larger pool of volunteer donors and a sense that this world is a little bit better because strangers are giving the living gift of marrow. But so many more people are still on waiting lists, hoping and praying that someone will donate marrow that matches their own. The National Marrow Donor Program is making it possible to build this worldwide network of hope and help.

I salute everyone who is participating in donor recruitment efforts. May your commitment bring each of you a sense of satisfaction that you are part of a global lifesaving effort.

Warmly,

Barbara Bush

BusinessWeek

OCTOBER 8, 1990

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Personal Business

Health

A CHANCE TO SAVE THE LIFE OF A STRANGER

A year ago, Danny Storey, an Air Force equipment specialist in Milwaukee, agreed to donate bone marrow to a leukemia victim he had never met. The transplant was successful. Says an ecstatic Storey: "You're not giving up anything from yourself, but you have saved somebody's life."

Storey is one of 200,000 people who've joined the three-year-old National Marrow Donor Program (NMDP), which matches victims of fatal blood diseases with unrelated donors. The odds of finding a match is remote—just 20,000 to 1, which is why only 430 such transplants have been made so far. Still, those odds improve as more donors sign up. Corporations are joining the effort. In July, General Mills and Searle an-

nounced employee programs: The companies will pay the \$75 cost of "typing."

Anyone from 18 to 55 and in good health can undergo this first step. An NMDP-affiliated blood bank or hospital will type your blood for basic human leukocyte antigens. The information is stored until you're given a preliminary match with a recipient, which could take years. There's a less than 20% chance you'll be called at all.

MANY TESTS. If you are, you undergo additional compatibility tests, a complete physical exam, and psychological counseling. "You know you're giving a specific person the only chance at life he has," says Tony Steele, coordinator of the NMDP at Belle Bonfils Memorial Blood Center in Denver. So far, over 50% of the recipients have survived.

If you feel you can't take it, this would be the time to back out. That's because the next irrevocable step is for the recipient to undergo rigorous chemotherapy aimed at destroying bone marrow so it can be replaced with yours.

Donating marrow is not

simple. You are placed under general anesthesia while the marrow is extracted from your pelvic bones. Expect an overnight hospital stay and to ache for about 10 days.

The marrow, meanwhile, is rushed to the recipient for

who died actually listed his donor among his survivors.

Because of the emotional impact, the NMDP (800 654-1247) initially limited people to one donation, but it's reconsidering. That's because of donors such as Maria Gaitan-



BONE MARROW RECIPIENT JAY GIBSON AND DONOR DANNY STOREY

transplant within 24 hours. You'll know only the patient's first name and age, but you'll be kept informed about his or her status. Once the procedure is completed, however, the two of you can exchange names and even meet. The family of one leukemia victim

Endres, a property manager in McLean, Va. She gave marrow to a 33-year-old West Coast leukemia victim in August. The outcome is still in doubt, but she found the experience so rewarding that "I'd give again in a heartbeat." Sandra Atchison

PHOTOGRAPH BY MICHAEL L. ABRAMSON

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