

**ALASKA**

**LEGISLATURE**

**COMMITTEE FILES**

**1991-1992**

**8672**

**7545**

**SENATE**

**LABOR**

**&**

**COMMERCE**

March 19, 1991

Gerald Hawman  
905 Ballaine Road  
Fairbanks, Alaska 99709

Senator Dick Eliason  
Labor and Commerce Committee  
P.O. Box V (MS 3100)  
Juneau, Alaska 99811

Re: Committee Substitute for SB 95

Dear Senator Eliason:

I am writing to inform you of my opposition to Senate Bill 95 which is currently in the Senate Labor Committee. I feel very strongly that there is no need for such a bill, in fact I am quite concerned that it would even be introduced. I am a very strong believer in free and open competition and believe this bill would unduly restrict public agencies in their solicitations for construction work.

I believe that the SB 95 is an attempt to sell union hire as the only acceptable local hire alternative. This bill not only raises serious legal questions, but I believe that it will raise the cost of construction to the State while at the same time disenfranchising the many Alaskan contractors and their employees.

I would very much appreciate your careful consideration of the negative impact of this bill. I strongly urge you to not support Senate Bill 95.

Sincerely,



Gerald Hawman

cc: Senator Pearce  
Senator Collins  
Senator Halford  
Senator Kerttula

MAR 26 1991

March 19, 1991

Claude Hebert  
1211 Redwood Court  
Anchorage, Alaska 99508

Senator Dick Eliason  
Labor and Commerce Committee  
P.O. Box V (MS 3100)  
Juneau, Alaska 99811

Re: Committee Substitute for SB 95

Dear Senator Eliason:

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Sincerely,

Claude Hebert



cc: Senator Pearce  
Senator Collins  
Senator Halford  
Senator Kerttula

APR 10 1991

April 5, 1991

Dennard Hegma  
302 Antoinett  
Fairbanks, Alaska 99701

Senator Dick Eliason  
Labor and Commerce Committee  
P.O. Box V (MS 3100)  
Juneau, Alaska 99811

Re: Committee Substitute for SB 95


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Sincerely,

  
Dennard Hegma

cc: Senator Pearce  
Senator Collins  
Senator Halford  
Senator Kerttula

April 3, 1991

Senator Drue Pearce, Chairman  
Senate Labor & Commerce Committee  
Alaska State Legislature  
P. O. Box V (MS 3100)  
Juneau, Alaska 99811

RE: STATE BILL NO. 95

Dear Senator Pearce,

I feel that the above legislation allowing the State to enter into project labor agreements with labor organizations on public construction projects would be highly detrimental to everyone concerned, including labor, management and the public.

First, it seeks to equate union hire with local hire and thereby associates open shop contractors with non-local hire. This inference is simply not true and a great disservice to Alaskan open shop businesses. Second, it allows public employers to force employees into involuntary union membership. Finally, and most importantly, it could severely limit or eliminate competitive bidding on publicly funded construction projects. I believe strongly in the principle of free and open competition in bidding and obtaining public work. It provides the best quality services for the lowest costs, and to pretend otherwise is simply bad public policy.

I recognize the short and long term economic benefit of hiring Alaskans, but I cannot understand why Alaskan legislators would even consider placing non-union Alaskan workers in a position to be excluded from Alaskan public construction jobs.

I strongly urge you to consider the engative consequences of this ill advised and unnecessary legislation and ask that you do not support it in any way.

Sincerely,

*Jose Herman*

P.O. Box 971307

Wasilla AK. 99687

cc: Virginia Collins  
Dick Eliason  
Rick Halford  
Jay Kerttula

MAR 22 1991

March 19, 1991

Donn Huber  
542 Farmer's Loop Road  
Fairbanks, Alaska 99712

Senator Dick Eliason  
Labor and Commerce Committee  
P.O. Box V (MS 3100)  
Juneau, Alaska 99811

Re: Committee Substitute for SB 95

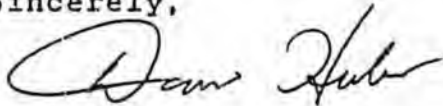
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Sincerely,



Donn Huber

cc: Senator Pearce  
Senator Collins  
Senator Halford  
Senator Kerttula

MAY 6 1991

P.O. Box 92623  
Anchorage, Alaska 99509  
May 1, 1991

Senator Drue Pearce  
P.O. Box V  
Juneau, Alaska 99811

Dear Senator Pearce:

I'm writing to ask your support on Senate Bill 95 (Project Labor Agreement).

As I see the Bill, it will allow the state and its agencies to enter into Project Labor Agreements which can provide state agencies another option to use in public construction projects.

The biggest advantage of this Bill is that it can enhance local hire of Alaskans by utilizing only hiring halls which require in-state residency.

I personally feel the Bill could use an amendment to ensure the hiring of local village residents by providing training for village native residents. I would think that there is nothing more frustrating than to live in the bush and not be able to work on a public construction project that is taking place in one's backyard.

I have worked on several construction jobs myself, whereby even the clerks and secretaries, let alone the trades people, have been brought from "Outside". It's sad to see our own residents not be able to get hired. I personally had to draw unemployment while in Valdez working on a construction job this past summer, after having lost my job to an "outside" person from Seattle, yet as a 22-year Alaska resident, I could do nothing about it.

I realize the non-union companies are seeing this as a "union" Bill, but if we look at the overall advantages of the Bill, I'm sure compromise language could be worked out to meet particular problems so that Alaskan residents can benefit.

Thank you for your consideration.

Sincerely,



Dixie Hudish  
349-2218

cc: All Senators

April 3, 1991

Senator Drue Pearce, Chairman  
Senate Labor & Commerce Committee  
Alaska State Legislature  
P. O. Box V (MS 3100)  
Juneau, Alaska 99811

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I strongly urge you to consider the negative consequences of this ill advised and unnecessary legislation and ask that you do not support it in any way.

Sincerely,

*John R. Hunter*  
\_\_\_\_\_  
1750 Westwood Dr  
\_\_\_\_\_  
Wasilla, AK 99687  
\_\_\_\_\_

cc: Virginia Collins  
Dick Eliason  
Rick Halford  
Jay Kerttula

April 3, 1991

Senator Drue Pearce, Chairman  
Senate Labor & Commerce Committee  
Alaska State Legislature  
P. O. Box V (MS 3100)  
Juneau, Alaska 99811

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Sincerely,

Richard K. Hunter

1500 Chattahoochee Ct.

Wasilla, AK 99687

cc: Virginia Collins  
Dick Eliason  
Rick Halford  
Jay Kerttula

April 3, 1991

Senator Drue Pearce, Chairman  
Senate Labor & Commerce Committee  
Alaska State Legislature  
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Sincerely,

*Joseph B. Hunter*

*1750 Westwood Dr*

*Wainia, Alaska 99689*

cc: Virginia Collins  
Dick Eliason  
Rick Halford  
Jay Kerttula

April 3, 1991

Senator Drue Pearce, Chairman  
Senate Labor & Commerce Committee  
Alaska State Legislature  
P. O. Box V (MS 3100)  
Juneau, Alaska 99811

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Sincerely,

John W. Simich  
PO Box 870455  
Wasilla AK 99687

cc: Virginia Collins  
Dick Eliason  
Rick Halford  
Jay Kerttula

April 3, 1991

Senator Drue Pearce, Chairman  
Senate Labor & Commerce Committee  
Alaska State Legislature  
P. O. Box V (MS 3100)  
Juneau, Alaska 99811

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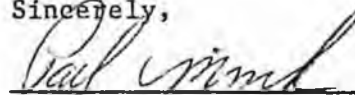
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Sincerely,



P.O. Box 874550

WASILLA AK. 99687

cc: Virginia Collins  
Dick Eliason  
Rick Halford  
Jay Kerttula

ROD

01 APR 91

Senator Drue Pearce, Chairman  
Labor and Commerce Committee  
POB V  
Juneau, Alaska 99811

SUBJECT: SB95 "Unfair Labor Practice Exemptions"

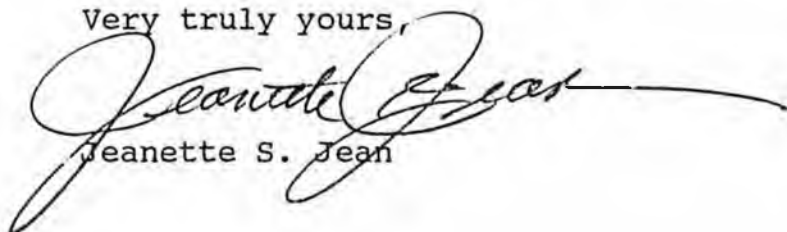
Dear Senator Pearce:

Does SB95 purport that state regulations governing licensing and/or certifying the "building, maintenance, and construction industry" are inferior? Does the left hand know what the right hand is doing?

Public funds for building, maintenance, and construction should indeed be structured for "optimal use of their construction resources." Optimal use would disallow limiting contract awards to any single group. Optimal use would award contacts based on doing the best job at the lowest cost.

As the leader of the Labor and Commerce Committee, I urge you to vote NO on SB95. The short title for SB95 says it all.

Very truly yours,



Jeanette S. Jean

jSB95dp

April 3, 1991

Senator Drue Pearce, Chairman  
Senate Labor & Commerce Committee  
Alaska State Legislature  
P. O. Box V (MS 3100)  
Juneau, Alaska 99811

RE: STATE BILL NO. 95

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I strongly urge you to consider the <sup>ne</sup>gative consequences of this ill advised and unnecessary legislation and ask that you do not support it in any way.

Sincerely,

BUSCH CONCRETE CONST. INT'L  
P.O. BOX 870854  
WASILLA, ALASKA 99677  
PHONE: 37C-2125

*Ray Tolsted Pres*

cc: Virginia Collins  
Dick Eliason  
Rick Halford  
Jay Kerttula

RPKLassen  
725 N Hart St  
Anchorage Alaska  
99508

Dear Senator Rodey:

It is with great pleasure that I extend this letter of support for SB-95, authorizing state agencies to enter into project labor agreements.

My company has been doing business in Alaska for over 15 years and has seen the benefits to such agreements on projects in Alaska. When we bid work on such projects, we are assured that a reliable skilled source of workers will be available to man the work. We also have seen cost savings included in such projects in the form of overtime, travel time, and grievance procedures. And on some projects seen no strike provisions negotiated, which is really important to maintaining a stable workforce.

One of the major factors to a project of any size, is the ability of the project to follow a critical path method (CPM) of construction. As with all projects, following a strict CPM can, and will, have an impact on project costs. Construction projects are not bid on an exact science basis, but when you can be assured of a reliable skilled source of labor and maintaining a construction cadence as a part of the project, your bids will reflect these cost savings. The bottom line being that construction delays cost money and on any given project these delays can amount to millions of dollars which can be minimized by a good project labor agreement.

It seems to me that the option of a project labor agreement on State projects makes as good a sense as it does on private funded projects.

This practice has been used in the private sector for years and for the same reasons being used by the public sector. It's about time the State started looking at their projects the same way the private sector does.

Sincerely,

Ralph P. Lassen

Rodi Electric  
6151 A Street  
Anchorage Alaska  
99518

MAR 21 1991

Gene Kulawik

3215 Westmar Circle  
Anchorage, Alaska 99508

March 19, 1991

Senator Drue Pearce  
Senate Labor & Commerce Committee  
P.O. Box V  
Juneau, Alaska 99811

RE: Senate Bill 95

Dear Senator Pearce:

I am seriously concerned about SB 95 which is currently under review by your committee. I believe that this bill is an attempt to sell union hire as the only acceptable local hire alternative. SB 95 permits public employees to negotiate with labor organizations without showing that the labor organization represents a majority of the public employer's employees.

I have participated in labor negotiations as a member of the Associated General Contractors of Alaska. It is my opinion that contractors should negotiate labor agreements with the appropriate unions involved in the work. I am of the firm opinion that utilizing State of Alaska employees in the negotiation of construction labor agreements would result in an unmitigated disaster. The current labor agreements between the State of Alaska and the State employees are certainly examples of poorly negotiated contracts.

You can do all Alaskans justice by voting down SB 95. SB 95 deserves to be forgotten and placed in the trash can.

Very truly yours,



Gene Kulawik

April 2, 1991

Senator Drue Pearce, Chairman  
Senate Labor & Commerce Committee  
Alaska State Legislature  
P.O. Box V (MS 3100)  
Juneau, AK 99811

RE: CS SB95

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As an Alaskan construction worker, I recognize the short and long term economic benefit of hiring Alaskans, but I cannot understand why Alaskan legislators would even consider placing non-union Alaskan workers in a position to be excluded from Alaskan public construction jobs.

I strongly urge you to consider the negative consequences of this ill advised and unnecessary legislation and ask that you do not support it in any way.

Sincerely,

DAVE LOFANO  
376 2924  
WASILLA ALASKA

cc: Virginia Collins  
Dick Eliason  
Rick Halford  
Jay Kerttula

99687

MAR 25 1991

March 22, 1991

Bruce Martin  
P.O. 81892  
Fairbanks, Alaska 99708

Senator Dick Eliason  
Labor and Commerce Committee  
P.O. Box V (MS 3100)  
Juneau, Alaska 99811

Re: Committee Substitute for SB 95

Dear Senator Eliason:

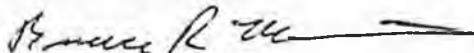
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I would very much appreciate your careful consideration of the negative impact of this bill. I strongly urge you to not support Senate Bill 95.

Sincerely,

Bruce Martin



cc. Senator Pearce  
Senator Collins  
Senator Halford  
Senator Kerttula

APR 2 1991

March 27, 1991

Kenny Maywood  
P.O. Box 73138  
Fairbanks, Alaska 99707

Senator Dick Eliason  
Labor and Commerce Committee  
P.O. Box V (MS 3100)  
Juneau, Alaska 99811

Re: Committee Substitute for SB 95

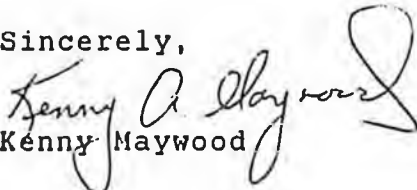
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Sincerely,

  
Kenny Maywood

cc: Senator Pearce  
Senator Collins  
Senator Halford  
Senator Kerttula

April 3, 1991

Senator Drue Pearce, Chairman  
Senate Labor & Commerce Committee  
Alaska State Legislature  
P. O. Box V (MS 3100)  
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RE: STATE BILL NO. 95

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Sincerely,

William M. Munnich  
Box 870211 White Center  
99687

cc: Virginia Collins  
Dick Eliason  
Rick Halford  
Jay Kerttula

April 3, 1991

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Alaska State Legislature  
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Sincerely,

*Bernard N. Nelmann*

P. O. Box 355

Palmer, Alaska 99645

cc: Virginia Collins  
Dick Eliason  
Rick Halford  
Jay Kerttula

APR 9 1991

April 4, 1991

Darrell Paine  
815 McGrath Road  
Lot 8E  
Fairbanks, Alaska 99712

Senator Dick Eliason  
Labor and Commerce Committee  
P.O. Box V (MS 3100)  
Juneau, Alaska 99811

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Sincerely,

Darrell Paine



cc: Senator Pearce  
Senator Collins  
Senator Halford  
Senator Kerttula

MAY 3 1991

ROD

April 3, 1991

Senator Drue Pearce, Chairman  
Senate Labor & Commerce Committee  
Alaska State Legislature  
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Sincerely,

C. K. Playle

HC01 Box 6219A

Palmer, Ak 99645

cc: Virginia Collins  
Dick Eliason  
Rick Halford  
Jay Kerttula

April 3, 1991

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Alaska State Legislature  
P. O. Box V (MS 3100)  
Juneau, Alaska 99811

RE: STATE BILL NO. 95

Dear Senator Pearce,

I feel that the above legislation allowing the State to enter into project labor agreements with labor organizations on public construction projects would be highly detrimental to everyone concerned, including labor, management and the public.

First, it seeks to equate union hire with local hire and thereby associates open shop contractors with non-local hire. This inference is simply not true and a great disservice to Alaskan open shop businesses. Second, it allows public employers to force employees into involuntary union membership. Finally, and most importantly, it could severely limit or eliminate competitive bidding on publicly funded construction projects. I believe strongly in the principle of free and open competition in bidding and obtaining public work. It provides the best quality services for the lowest costs, and to pretend otherwise is simply bad public policy.

I recognize the short and long term economic benefit of hiring Alaskans, but I cannot understand why Alaskan legislators would even consider placing non-union Alaskan workers in a position to be excluded from Alaskan public construction jobs.

I strongly urge you to consider the engative consequences of this ill advised and unnecessary legislation and ask that you do not support it in any way.

Sincerely,

Bob Robinson  
P. O. Box 871355  
Wasilla Alaska

cc: Virginia Collins  
Dick Eliason  
Rick Halford  
Jay Kerttula

April 3, 1991

Senator Drue Pearce, Chairman  
Senate Labor & Commerce Committee  
Alaska State Legislature  
P. O. Box V (MS 3100)  
Juneau, Alaska 99811

RE: STATE BILL NO. 95

Dear Senator Pearce,

I feel that the above legislation allowing the State to enter into project labor agreements with labor organizations on public construction projects would be highly detrimental to everyone concerned, including labor, management and the public.

First, it seeks to equate union hire with local hire and thereby associates open shop contractors with non-local hire. This inference is simply not true and a great disservice to Alaskan open shop businesses. Second, it allows public employers to force employees into involuntary union membership. Finally, and most importantly, it could severely limit or eliminate competitive bidding on publicly funded construction projects. I believe strongly in the principle of free and open competition in bidding and obtaining public work. It provides the best quality services for the lowest costs, and to pretend otherwise is simply bad public policy.

I recognize the short and long term economic benefit of hiring Alaskans, but I cannot understand why Alaskan legislators would even consider placing non-union Alaskan workers in a position to be excluded from Alaskan public construction jobs.

I strongly urge you to consider the <sup>ne</sup>gative consequences of this ill advised and unnecessary legislation and ask that you do not support it in any way.

Sincerely,

*James Rugh*  
\_\_\_\_\_  
H.C. 33 Box 2866  
\_\_\_\_\_  
Wasilla, AK 99687

cc: Virginia Collins  
Dick Eliason  
Rick Halford  
Jay Kerttula

MAR 22 1991

March 19, 1991

Russell Henry Schwartz  
288 Shannon Drive  
Fairbanks, Alaska 99701

Senator Dick Eliason  
Labor and Commerce Committee  
P.O. Box V (MS 3100)  
Juneau, Alaska 99811

Re: Committee Substitute for SB 95

Dear Senator Eliason:

I am writing to inform you of my opposition to Senate Bill 95 which is currently in the Senate Labor Committee. I feel very strongly that there is no need for such a bill, in fact I am quite concerned that it would even be introduced. I am a very strong believer in free and open competition and believe this bill would unduly restrict public agencies in their solicitations for construction work.

I believe that the SB 95 is an attempt to sell union hire as the only acceptable local hire alternative. This bill not only raises serious legal questions, but I believe that it will raise the cost of construction to the State while at the same time disenfranchising the many Alaskan contractors and their employees.

I would very much appreciate your careful consideration of the negative impact of this bill. I strongly urge you to not support Senate Bill 95.

Sincerely,



Russell Henry Schwartz

cc: Senator Pearce  
Senator Collins  
Senator Halford  
Senator Kerttula

MAR 22 1991

March 19, 1991

Linda D. Schwartz  
288 Shannon Drive  
Fairbanks, Alaska 99701

Senator Dick Eliason  
Labor and Commerce Committee  
P.O. Box V (MS 3100)  
Juneau, Alaska 99811

Re: Committee Substitute for SB 95

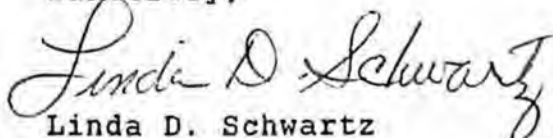
Dear Senator Eliason:

I am writing to inform you of my opposition to Senate Bill 95 which is currently in the Senate Labor Committee. I feel very strongly that there is no need for such a bill, in fact I am quite concerned that it would even be introduced. I am a very strong believer in free and open competition and believe this bill would unduly restrict public agencies in their solicitations for construction work.

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I would very much appreciate your careful consideration of the negative impact of this bill. I strongly urge you to not support Senate Bill 95.

Sincerely,

  
Linda D. Schwartz

cc: Senator Pearce  
Senator Collins  
Senator Halford  
Senator Kerttula

MAR 27 1991

March 22, 1991

Jim Slater  
415 Wedgewood Drive M-19  
Fairbanks, Alaska 99701

Senator Dick Eliason  
Labor and Commerce Committee  
P.O. Box V (MS 3100)  
Juneau, Alaska 99811

Re: Committee Substitute for SB 95

Dear Senator Eliason:

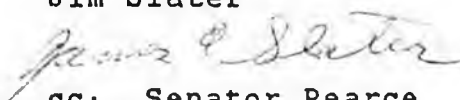
I am writing to inform you of my opposition to Senate Bill 95 which is currently in the Senate Labor Committee. I feel very strongly that there is no need for such a bill, in fact I am quite concerned that it would even be introduced. I am a very strong believer in free and open competition and believe this bill would unduly restrict public agencies in their solicitations for construction work.

I believe that the SB 95 is an attempt to sell union hire as the only acceptable local hire alternative. This bill not only raises serious legal questions, but I believe that it will raise the cost of construction to the State while at the same time disenfranchising the many non-union Alaskan contractors and their employees.

I would very much appreciate your careful consideration of the negative impact of this bill. I strongly urge you to not support Senate Bill 95.

Sincerely,

Jim Slater

  
cc: Senator Pearce  
Senator Collins  
Senator Halford  
Senator Kerttula

March 27, 1991

Leslie Smallwood  
P.O. Box 83974  
Fairbanks, Alaska 99708

Senator Dick Eliason  
Labor and Commerce Committee  
P.O. Box V (MS 3100)  
Juneau, Alaska 99811

Re: Committee Substitute for SB 95

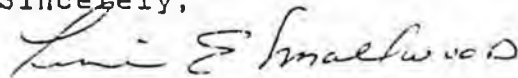
Dear Senator Eliason:

I am writing to inform you of my opposition to Senate Bill 95 which is currently in the Senate Labor Committee. I feel very strongly that there is no need for such a bill, in fact I am quite concerned that it would even be introduced. I am a very strong believer in free and open competition and believe this bill would unduly restrict public agencies in their solicitations for construction work.

I believe that the SB 95 is an attempt to sell union hire as the only acceptable local hire alternative. This bill not only raises serious legal questions, but I believe that it will raise the cost of construction to the State while at the same time disenfranchising the many non-union Alaskan contractors and their employees.

I would very much appreciate your careful consideration of the negative impact of this bill. I strongly urge you to not support Senate Bill 95.

Sincerely,



Leslie Smallwood

cc: Senator Pearce  
Senator Collins  
Senator Halford  
Senator Kerttula

APR 15 1991

April 2, 1991

Senator Drue Pearce, Chairman  
Senate Labor & Commerce Committee  
Alaska State Legislature  
P.O. Box V (MS 3100)  
Juneau, AK 99811

RE: CS SB95

Dear Senator Pearce:

I feel that the above legislation allowing the State to enter into project labor agreements with labor organizations on public construction projects would be highly detrimental to everyone concerned, including labor, management and the public.

First, it seeks to equate union hire with local hire and thereby associates open shop contractors with non-local hire. This inference is simply not true and a great disservice to Alaskan open shop businesses. Second, it allows public employers to force employees into involuntary union membership. Finally, and most importantly, it could severely limit or eliminate competitive bidding on publicly funded construction projects. I believe strongly in the principle of free and open competition in bidding and obtaining public work. It provides the best quality services for the lowest costs, and to pretend otherwise is simply bad public policy.

As an Alaskan construction worker, I recognize the short and long term economic benefit of hiring Alaskans, but I cannot understand why Alaskan legislators would even consider placing non-union Alaskan workers in a position to be excluded from Alaskan public construction jobs.

I strongly urge you to consider the negative consequences of this ill advised and unnecessary legislation and ask that you do not support it in any way.

Sincerely,

*Joseph H Span*

J H SPAN

14603 1568 8162-E

Palmer AK 99645

cc: Virginia Collins  
Dick Eliason  
Rick Halford  
Jay Kerttula

MAR 22 1991

March 19, 1991

Steve Titus  
384 Paystreak Drive  
Fairbanks, Alaska 99712

Senator Dick Eliason  
Labor and Commerce Committee  
P.O. Box V (MS 3100)  
Juneau, Alaska 99811

Re: Committee Substitute for SB 95

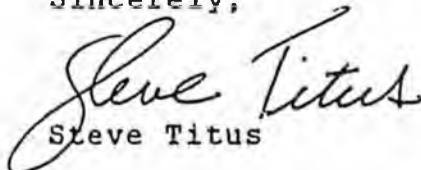
Dear Senator Eliason:

I am writing to inform you of my opposition to Senate Bill 95 which is currently in the Senate Labor Committee. I feel very strongly that there is no need for such a bill, in fact I am quite concerned that it would even be introduced. I am a very strong believer in free and open competition and believe this bill would unduly restrict public agencies in their solicitations for construction work.

I believe that the SB 95 is an attempt to sell union hire as the only acceptable local hire alternative. This bill not only raises serious legal questions, but I believe that it will raise the cost of construction to the State while at the same time disenfranchising the many Alaskan contractors and their employees.

I would very much appreciate your careful consideration of the negative impact of this bill. I strongly urge you to not support Senate Bill 95.

Sincerely,

  
Steve Titus

cc: Senator Pearce  
Senator Collins  
Senator Halford  
Senator Kerttula

April 3, 1991

Senator Drue Pearce, Chairman  
Senate Labor & Commerce Committee  
Alaska State Legislature  
P. O. Box V (MS 3100)  
Juneau, Alaska 99811

RE: STATE BILL NO. 95

Dear Senator Pearce,

I feel that the above legislation allowing the State to enter into project labor agreements with labor organizations on public construction projects would be highly detrimental to everyone concerned, including labor, management and the public.

First, it seeks to equate union hire with local hire and thereby associates open shop contractors with non-local hire. This inference is simply not true and a great disservice to Alaskan open shop businesses. Second, it allows public employers to force employees into involuntary union membership. Finally, and most importantly, it could severely limit or eliminate competitive bidding on publicly funded construction projects. I believe strongly in the principle of free and open competition in bidding and obtaining public work. It provides the best quality services for the lowest costs, and to pretend otherwise is simply bad public policy.

I recognize the short and long term economic benefit of hiring Alaskans, but I cannot understand why Alaskan legislators would even consider placing non-union Alaskan workers in a position to be excluded from Alaskan public construction jobs.

I strongly urge you to consider the negative consequences of this ill advised and unnecessary legislation and ask that you do not support it in any way.

Sincerely,

*Toni Utt*

---

TONI UTT

---

HC30 Box 5446

---

Wasilla, AK 99687

cc: Virginia Collins  
Dick Eliason  
Rick Halford  
Jay Kerttula

APR 2 1991

March 27, 1991

Al Van Vliet  
P.O. Box 56730  
Fairbanks, Alaska 99705

Senator Dick Eliason  
Labor and Commerce Committee  
P.O. Box V (MS 3100)  
Juneau, Alaska 99811

Re: Committee Substitute for SB 95

Dear Senator Eliason:

I am writing to inform you of my opposition to Senate Bill 95 which is currently in the Senate Labor Committee. I feel very strongly that there is no need for such a bill, in fact I am quite concerned that it would even be introduced. I am a very strong believer in free and open competition and believe this bill would unduly restrict public agencies in their solicitations for construction work.

I believe that the SB 95 is an attempt to sell union hire as the only acceptable local hire alternative. This bill not only raises serious legal questions, but I believe that it will raise the cost of construction to the State while at the same time disenfranchising the many non-union Alaskan contractors and their employees.

I would very much appreciate your careful consideration of the negative impact of this bill. I strongly urge you to not support Senate Bill 95.

Sincerely,

Al Van Vliet



cc: Senator Pearce  
Senator Collins  
Senator Halford  
Senator Kerttula

93130  
XXX

March 18, 1991  
AHQ-1-52

Senator Drue Pearce  
P. O. Box V  
Juneau, AK. 99811

Dear Senator Pearce:

In my some 42 years in the State of Alaska, I have yet to see what I consider a worse piece of legislation than CS SB 95.

The bill is designed for the sole benefit of organized labor whose contribution to the State throughout the years has been questionable. Organized labor would gain a virtual monopoly on all labor pertaining to State contracts. Once in control of the employer's option to hire his personnel, they would be in a position to dictate the terms of who worked and who would remain unemployed. They would be in a position, in accord with Section 2 Subparagraph (b)(3), to require the State to cease or refrain or agree to cease or refrain from handling, using, selling, transporting, or doing business with a contractor, subcontractor or other person. This is extremely strong language and would no doubt lead to many court battles, leading to award of damages and the eventual declaration of the bill being unconstitutional.

Organized labor, with the power that they would gain from such legislation, would most likely be joined by organized crime and would soon control the State.

Protect the free enterprise system. Respect the employer's rights of management and get rid of this bad legislation serving the self interest of organized labor.

Very truly yours,

WALSH & CO., INC.

LAW:pb

Leo A. Walsh  
President

cc: read, file

MAY 10 1991

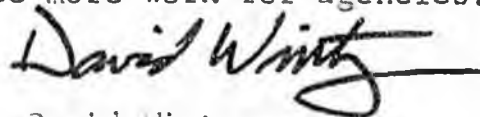
David Wintz  
Wintz Construction  
Box 3046  
Palmer Alaska 99645

Senator Pearce, Chairman  
Senate Labor and Commerce Committee

Dear Senator Pearce,

I am a small contractor attempting to battle the blizzard of paperwork that already exists in this business, and I don't think adding additional regulations and bureaucracy will help. I would prefer not to see CS SB95 even considered. This is a waste of taxpayer's money to even write up more proposed red tape like this. Every time the government gets involved in private enterprise it turns into disaster, and you think officials would wise up by now. If the government will not cease to be self-serving, then it's time to clean house and kick out all the parasites that are furthering this monster that government has become. Everyone in private enterprise has to be responsible for his actions, or pay the price, and it ought to be the same in public service. Government continues to strangle the private sector that is supporting it. We are nearing the point that Britain was in a while back, in that everyone wants something for nothing. I realize there are a lot of generalities I have mentioned, but I don't have the time here to address them fully. I need every waking moment to make a living. That's how it is for the little guys. Remember that you are supposed to be working for us, not running a country club that seeks to expand its operations at every chance. The people of Alaska are sick and tired of regulations designed to create more work for agencies.

Sincerely,



David Wintz  
(907) 745-7451

PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: CARL BUSHRE  
TITLE:  
ADDRESS: 8301 WISTERIA  
CITY: ANCHORAGE ZIP: 99502  
PHONE: 248-7981  
BILL NO: SB 95  
SUBJECT: PROJECT LABOR AGREEMENTS  
MESSAGE: HB 223: I SUPPORT BOTH OF THE BILLS FOR ALASKAN HIRE. /BN

POHID: 03113718  
DATE: 91/04/29  
TIME: 11:37:18  
LIONAME: ANCHORAGE LIO

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G.PHILLIPS	R.PHILLIPS	UEHLING
SHARP	TAYLOR	ZHAROFF
ULMER	ZAWACKI	

PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: WENDY EMERY  
TITLE:  
ADDRESS: 6917 WARFIELD  
CITY: ANC ZIP: 99502  
PHONE: 276-3533  
BILL NO:  
SUBJECT: SB95/HB223-PROJECT LABOR  
MESSAGE: PLEASE VOTE FOR THE WORKERS OF ALASKA AND HELP BRING CONSTRUCTION BACK  
TO ALASKA CONTRACTORS. SUPPORT FOR THESE BILLS WILL SEND A MESSAGE TO THE CUT  
OF STATE CONTRACTORS AND WORKERS. PLEASE SUPPORT LOCAL HIRE, VOTE YES. /LD

POMID: 03142221  
DATE: 91/04/18  
TIME: 14:22:21  
LIONAME: ANCHORAGE LIO

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GRUSSENDORF	HANLEY	HALFORD
HUDSON	IVAN	HOFFMAN
JACKO	KOPONEN	JONES
KUBINA	LARSON	KERTTULA
LEMAN	LINCOLN	MENARD
MACKIE	MACLEAN	POURCHOT
MARTIN	M.A.MILLER	RODEY
H.W.MILLER	MOYER	SHULTZ
NAVARRE	PARNELL	STURGULEWSKI
G.PHILLIPS	R.PHILLIPS	UEHLING
SHARP	TAYLOR	ZHAROFF
ULMER	ZANACKI	

PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: CAROL PRENTICE

TITLE:

ADDRESS: 7441 GLADE PLACE, APT 1

CITY: ANCHORAGE

ZIP: 99518

PHONE: 279-3556

BILL NO: SB 95

SUBJECT: PROJECT LABOR AGREEMENTS

MESSAGE: HB 223: I AM TIRED OF LEGISLATORS SAYING THERE ISN'T ANYTHING WE CAN DO ABOUT LOCAL HIRE. THE PROJECT LABOR AGREEMENT LEGISLATION WILL ASSURE ALASKANS ARE GIVEN A CHANCE TO WORK. THE U.S. SUPREME COURT SUPPORTS THIS FORM OF LOCAL HIRE SO WHY CAN'T YOU? /JSM

POMID: 03163355

DATE: 91/04/18

TIME: 16:33:55

LIONAME: ANCHORAGE LIO

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GONZALES	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	HALFORD
HUDSON	IVAN	HOFFMAN
JACKO	KOPONEN	JONES
KUBINA	LARSON	KERTTULA
LEMAN	LINCOLN	MENARD
HACKIE	MACLEAN	POURCHOT
MARTIN	M.A.MILLER	RODEY
H.W.MILLER	MOYER	SHULTZ
NAVARRE	PARNELL	STURGULEWSKI
G.PHILLIPS	R.PHILLIPS	UEHLING
SHARP	TAYLOR	ZHAROFF
ULMER	ZAWACKI	

PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: RICHARD KRAUS

TITLE:

ADDRESS: PO BOX 672282

CITY: CHUGIAK

PHONE: 272-4311

BILL NO: SB 95

SUBJECT: PROJECT LABOR AGREEMENTS

ZIP: 99567

MESSAGE: HB 223: PROJECT LABOR AGREEMENTS WILL PUT ALASKANS BACK TO WORK. I HAVE BEEN A LONG TIME RESIDENT OF ALASKA AND BELIEVE WE NEED LOCAL HIRE. PLEASE SUPPORT THESE BILLS. ALASKANS NEED THE JOBS NOT WORKERS BROUGHT IN FROM OUTSIDE. THANK YOU. /JSM

PGMID: 03170550

DATE: 91/04/18

TIME: 17:05:50

LIONAME: ANCHORAGE LIO

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GONZALES	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	HALFORD
HUDSON	IVAN	HOFFMAN
JACKO	KOFONEH	JONES
KUBINA	LARSON	KERTTULA
LEHAN	LINCOLN	MENARD
MACKIE	MACLEAN	POURCHOT
MARTIN	H. A. MILLER	PODEY
M. W. MILLER	MOYER	SHULTZ
NAVARRE	PARNELL	STURGULENSKI
G. PHILLIPS	R. PHILLIPS	UEHLING
SHARP	TAYLOR	ZHAROFF
ULMER	ZAWACKI	

PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: WENDY HENDERSON

TITLE:

ADDRESS: 2400 BARROW, #306

CITY: ANCHORAGE

ZIP: 99503

PHONE: 274-6789

BILL NO: SB 95

SUBJECT:

MESSAGE: PLEASE VOTE FOR ALASKA HIRE AND THE PROJECT LABOR AGREEMENTS BILLS.  
IT'S THE ONLY WAY WE WILL GET LOCAL HIRE. I AM TIRED OF OUTSIDERS DOING THE  
CONSTRUCTION WORK IN ALASKA WHICH BY ALL RIGHTS SHOULD BE DONE BY ALASKANS. /CMR

FONID: 03151524

DATE: 91/04/18

TIME: 15:15:24

LIONAME: ANCHORAGE LIO

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DONLEY	ELLIS	FAHRENKAMP
FINKELSTEIN	FOSTER	FISCHER
GONZALES	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	HALFORD
HUDSON	IVAN	HOFFMAN
JACKO	KOPONEN	JONES
KUBINA	LARSON	KERTTULA
LEMAN	LINCOLN	MENARD
MACKIE	MACLEAN	POURCHOT
MARTIN	H.A.MILLER	RODEY
M.H.MILLER	MOYER	SHULTZ
NAVARRE	PARNELL	STURGULEWSKI
G.PHILLIPS	R.PHILLIPS	UFHLING
SHARP	TAYLOR	ZHAROFF
ULMER	ZAWACKI	

PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: PAMELA MIDDGAUGH  
TITLE:  
ADDRESS: 8724 BLACKBERRY  
CITY: ANCHORAGE ZIP: 99502  
PHONE: 248-7071  
BILL NO: SB 95  
SUBJECT: PROJECT LABOR AGREEMENTS  
MESSAGE: I WANT YOU TO KNOW I SUPPORT SB 95 AND HB 223. KEEP ALASKANS WORKING  
/CMR

FOMID: 03152739  
DATE: 91/05/01  
TIME: 15:27:39  
LIONAME: ANCHORAGE LIO

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GRUSSENDORF	HANLEY	HALFORD
HUDSON	IVAN	HOFFMAN
JACKO	KOFCNEN	JONES
KUBINA	LARSON	KERTTULA
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NAVARRE	PARNELL	STURGULEWSKI
G.PHILLIPS	R.PHILLIPS	UEHLING
SHARP	TAYLOR	ZHAROFF
ULMER	ZAWACKI	

PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: LARRY GALLAGHER  
TITLE:  
ADDRESS: 448 AURORA DRIVE  
CITY: ANCHORAGE ZIP: 99503  
PHONE: 277-5035  
BILL NO: SB 95  
SUBJECT: PROJECT LABOR AGREEMENTS  
MESSAGE: I SUPPORT SB 95 AND LIKEWISE ENCOURAGE YOUR SUPPORT FOR PROJECT LABOR  
AGREEMENTS IN ALASKA. /CMR

PONIO: 03150212  
DATE: 91/04/30  
TIME: 15:02:12  
LIONAME: ANCHORAGE LIO

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JONES  
KERTTULA  
MENARD  
POURCHOT  
RODEY  
SHULTZ  
STURGULEWSKI  
UEHLING  
ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: DANIEL MIDDGAUGH  
TITLE:  
ADDRESS: 8724 BLACKBERRY  
CITY: ANCHORAGE ZIP: 99502  
PHONE: 248-7071  
BILL NO: SB 95  
SUBJECT: PROJECT LABOR AGREEMENTS  
MESSAGE: HB 223: I WANT TO GIVE MY TOTAL SUPPORT TO SB 95 AND HB 223. PLEASE  
TAKE THESE 2 BILLS INTO TOTAL CONSIDERATION FOR THE BENEFIT OF THE WORKING  
PEOPLE IN ALASKA. THANK YOU. /BN

POMID: 03141015  
DATE: 91/04/30  
TIME: 14:10:15  
LIONAME: ANCHORAGE LJO

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B.DAVIS	C.DAVIS	ELIASON
DONLEY	ELLIS	FAHRENKAMP
FINDELSTEIN	FOSTER	FISCHER
GONZALES	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	HALFORD
HUDSON	IVAN	HOFFMAN
JACKO	KOPONEN	JONES
KUBIHA	LARSON	KERTTULA
LEMAN	LINCOLN	MENARD
HACKIE	MACLEAN	POURCHOT
MARTIN	M.A.MILLER	RODEY
M.H.MILLER	MOYER	SHULTZ
NAVARRE	PARNELL	STURGULEWSKI
G.PHILLIPS	R.PHILLIPS	UEHLING
SHARP	TAYLOR	ZHAROFF
ULNER	ZAWACKI	

## PUBLIC OPINION MESSAGE

## PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

DEAR: SENATOR PEARCE

NAME: ROGER KOKOTAN  
 TITLE:  
 ADDRESS: 410 W. 42ND AVENUE  
 CITY: ANCHORAGE ZIP: 99503  
 PHONE: 561-8895  
 BILL NO: SB 95  
 SUBJECT: PROJECT LABOR AGREEMENTS  
 MESSAGE: PLEASE VOTE FOR THE WORKERS OF ALASKA AND HELP BRING CONSTRUCTION BACK TO ALASKA CONTRACTORS. SUPPORT FOR SB 95 AND HB 223 WILL SEND A MESSAGE TO OUT OF STATE CONTRACTORS AND WORKERS. PLEASE SUPPORT LOCAL HIRE. VOTE YES. /CMR

NAME: CHARLES MILLER  
 TITLE:  
 ADDRESS: 7370A J ST.  
 CITY: EAFB ZIP: 99506  
 PHONE: 753-3422  
 BILL NO: HB 268  
 SUBJECT: REPRODUCTIVE PRIVACY ACT  
 MESSAGE: PLEASE DO NOT SUPPORT HB 268 AND SB 249./ LW

PONID: 03164422  
 DATE: 91/04/22  
 TIME: 16:44:22  
 LIONAME: ANCHORAGE LIO

PONID: 03164121  
 DATE: 91/04/22  
 TIME: 16:41:21  
 LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BAKER	BARNES	ADAMS
BOYER	BROWN	COLLINS
BRUCKMAN	CARNEY	COTTEN
CHOQUETTE	DAVIDSON	DUNCAN
B.DAVIS	C.DAVIS	ELIASON
DOHLEY	ELLIS	FAHRENKAMP
FINKELSTEIN	FOSTER	FISCHER
GONZALES	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	HALFORD
HUDSON	IVAN	HOFFMAN
JACKO	KOPONEN	JONES
KUBINA	LARSON	KERTTULA
LEMAN	LINCOLN	MEHARD
MACKIE	MACLEAN	POURCHOT
MARTIN	M.A.MILLER	RODEY
M.W.MILLER	MOYER	SHULTZ
NAVARRE	PARHELL	STURGULEWSKI
G.PHILLIPS	R.PHILLIPS	UEHLING
SHARP	TAYLOR	ZHAROFF
ULMER	ZAWACKI	

COPIES: REPRESENTATIVES SENATORS

BAKER	COLLINS
BARNES	COTTEN
BROWN	HALFORD
BRUCKMAN	KERTTULA
CHOQUETTE	MEHARD
B.DAVIS	POURCHOT
DONLEY	RODEY
ELLIS	STURGULEWSKI
FINKELSTEIN	UEHLING
GRUENBERG	
HANLEY	
LEMAN	
MARTIN	
M.A.MILLER	
PARHELL	
R.PHILLIPS	
ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: ROBERT M. LIBBEY  
 TITLE:  
 ADDRESS: 14901 WILDIEH DRIVE  
 CITY: ANCHORAGE  
 PHONE: 345-3083  
 BILL NO: HB 18  
 SUBJECT: MARRIAGE & FAMILY THERAPISTS  
 MESSAGE: I URGE YOUR SUPPORT FOR HB 18 OR SB 40 LICENSING MARRIAGE AND FAMILY THERAPIST. I BELIEVE THAT THIS REGULATION IS NECESSARY TO PROTECT THE PEOPLE OF ALASKA. THANK YOU. /CHR

ZIP: 99516

POMID: 03104251  
 DATE: 91/05/07  
 TIME: 10:42:51  
 LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BAKER	BARNES	ADAMS
BOYER	BROWN	COLLINS
BRUCKMAN	CARNEY	COTTEN
CHOQUETTE	DAVIDSON	DUNCAN
B.DAVIS	C.DAVIS	ELIASON
DONLEY	ELLIS	FAHRENKAMP
FINKELSTEIN	FOSTER	FISCHER
GONZALES	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	HALFORD
HUDSON	IVAN	HOFFMAN
JACKO	KOPONEN	JONES
KUBINA	LARSON	KERTTULA
LEMAN	LINCOLN	MENARD
MACKIE	MACLEAN	POURCHOT
MARTIN	M.A.MILLER	RODEY
M.W.MILLER	MOYER	SHULTZ
NAVARRE	PARNELL	STURGULEWSKI
G.PHILLIPS	R.PHILLIPS	UEHLING
SHARP	TAYLOR	ZHAROFF
ULMER	ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: AL TEGTMEIER  
 TITLE:  
 ADDRESS: 2101 HILLCREST PLACE  
 CITY: ANCHORAGE  
 PHONE: 272-4753  
 BILL NO:  
 SUBJECT: LOCAL UNION HIRE  
 MESSAGE: I WOULD LIKE TO SEE THAT LOCAL HIRE BE CONTINUED OR BE ENFORCED. /CHR

ZIP: 99503

POMID: 03104531  
 DATE: 91/05/07  
 TIME: 10:45:31  
 LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BAKER	BARNES	ADAMS
BOYER	BROWN	COLLINS
BRUCKMAN	CARNEY	COTTEN
CHOQUETTE	DAVIDSON	DUNCAN
B.DAVIS	C.DAVIS	ELIASON
DONLEY	ELLIS	FAHRENKAMP
FINKELSTEIN	FOSTER	FISCHER
GONZALES	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	HALFORD
HUDSON	IVAN	HOFFMAN
JACKO	KOPONEN	JONES
KUBINA	LARSON	KERTTULA
LEMAN	LINCOLN	MENARD
MACKIE	MACLEAN	POURCHOT
MARTIN	M.A.MILLER	RODEY
M.W.MILLER	MOYER	SHULTZ
NAVARRE	PARNELL	STURGULEWSKI
G.PHILLIPS	R.PHILLIPS	UEHLING
SHARP	TAYLOR	ZHAROFF
ULNER	ZAWACKI	

PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: DONALD STEIN/CMTE MEMBER  
TITLE: ALASKA LEGISLATIVE AFFAIRS WATCH  
ADDRESS: PO BOX 10904  
CITY: FAIRBANKS ZIP: 99710  
PHONE: 455-6208  
BILL NO: SB 4  
SUBJECT: ESTABLISH ALASKA GAMING COMMISSION  
MESSAGE: ALASKA LEGISLATIVE AFFAIRS WATCH OPPOSES SB 4. THANK YOU. EOM/CLS.

POMID: 07142221  
DATE: 91/03/29  
TIME: 14:22:21  
LIONAME: FAIRBANKS LIO

COPIES: REPRESENTATIVES SENATORS

BOYER	FAHRENKAMP
KOPONEN	FRANK
M.W.MILLER	SHULTZ
MOYER	KERTTULA
SHARP	POURCHOT
	DUNCAN
	ADAMS
	UEHLING
	HOFFMAN
	HALFORD
	RODEY
	COLLINS
	ELIASON

PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: PHIL REYNOLDS  
TITLE: ALCHEM INC.  
ADDRESS: 3617 STRAWBERRY ROAD  
CITY: ANCHORAGE ZIP: 99502  
PHONE: 243-2177  
BILL NO: SB 95  
SUBJECT: UNFAIR LABOR PRACTICE EXEMPTIONS  
MESSAGE: AS A LICENSED GENERAL CONTRACTOR IN THE STATE OF ALASKA, WE ARE OPPOSED TO THE INTENT OF SB 95. THANK YOU FOR YOUR SUPPORT. /JSM

POMID: 03154357  
DATE: 91/03/29  
TIME: 15:43:57  
LIONAME: ANCHORAGE LIO

COPIES: SENATORS

COLLINS  
HALFORD  
ELIASON  
KERTTULA

*Rod*

PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: JOHN C STEIN, MAYOR  
TITLE: CITY OF WASSILLA  
ADDRESS: 290 E HERNING  
CITY: WASSILLA  
PHONE: 576-0500

ZIP: 99687

BILL NO:  
SUBJECT:

MESSAGE: WASSILLA'S CITY ADMINISTRATION IS FLATLY OPPOSED TO CSSB95. THE BILL APPEARS TO FACILITATE RESTRAINT OF TRADE & LIMIT COMPETITION. IT HAS THE POTENTIAL TO INCREASE COSTS OF LOCAL GOVERNMENT CONSTRUCTION ALREADY BURDENED WITH UNREALISTIC DAVIS-BACON WAGE RATES. THANK YOU FOR YOUR ATTENTION

*Red*

POHID: 14175154  
DATE: 91/03/22  
TIME: 17:51:54  
LIONAME: MAT-SU LIO

COPIES: REPRESENTATIVES SENATORS

CARNEY  
LARSON

KERTTULA  
MENARD  
COLLINS  
HALFORD  
ELIASON

PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: MR. PERHIE R. SMITH  
TITLE:  
ADDRESS: P.O. BOX 870113  
CITY: WASILLA ZIP: 99587  
PHONE: 376-1341  
BILL NO: SB 95  
SUBJECT: UNFAIR LABOR PRACTICE EXEMPTIONS  
MESSAGE: AS CHAIRMAN OF THE LABOR & COMMERCE COMMITTEE, PLEASE TAKE A HARD LOOK AT SB95. IT WILL NOT SUPPORT THE FREE ENTERPRISE SYSTEM SO MANY COUNTRIES ENVY. THIS BILL ALLOWS STATE MONEY TO BE SET ASIDE FOR A SELECT FEW, NOT ALL ALASKANS.

*Red*

POMID: 14124248  
DATE: 91/03/22  
TIME: 12:42:48  
LIONAME: MAT-SU LIO

COPIES: SENATORS

COLLINS  
HALFORD  
ELIASON  
KERTTULA

PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: KRISTI JEFFRYES  
TITLE:  
ADDRESS: 13673 SUNSET VIEW  
CITY: ANCHORAGE ZIP: 99515  
PHONE: 272-7506  
BILL NO: SB 130  
SUBJECT: TEACHER TENURE RIGHTS  
MESSAGE: I FEEL CHANGING THE PROBATIONARY PERIOD FROM TWO TO FIVE YEARS WOULD CREATE MORE DAMAGE THAN GOOD BECAUSE OF ADMINISTRATIVE DECISIONS. /JSM

POMID: 03124626  
DATE: 91/03/22  
TIME: 12:46:26  
LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BAKER	BARNES	ADAMS
BOYER	BROWN	COLLINS
BRUCKMAN	CARNEY	COTTEN
CHOQUETTE	DAVIDSON	DUNCAN
D.DAVIS	C.DAVIS	ELIASON
DONLEY	ELLIS	FAHRENKAMP
FINKELSTEIN	FOSTER	FISCHER
GONZALES	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	HALFORD
HUDSON	IVAN	HOFFMAN
JACKO	KOPONEN	JONES
KUBINA	LARSON	KERTTULA
LEMAN	LINCOLN	MEHARD
MACKIE	MACLEAN	POURCHOT
MARTIN	M.A.MILLER	RODEY
M.W.MILLER	MOYER	SHULTZ
HAVARPE	PARHELL	STURGULEWSKI
G.PHILLIPS	R.PHILLIPS	UEHLING
SHARP	TAYLOR	ZHAROFF
ULMER	ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: ERIK NIELSEN  
 TITLE:  
 ADDRESS: 3103 W. 29TH AVENUE  
 CITY: ANCHORAGE ZIP: 99517  
 PHONE: 248-2672  
 BILL NO: HB 223  
 SUBJECT: PROJECT LABOR AGREEMENTS  
 MESSAGE: PLEASE VOTE FOR THE ALASKA HIRE BILLS HB 223 AND SD 95. I AM OUT OF  
 WORK AND TIRED OF OUTSIDERS TAKING OUR JOBS THROUGH OUT ALASKA. /CHR

POMID: 03161446  
 DATE: 91/05/06  
 TIME: 16:14:46  
 LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BAKER	BARNES	ADAMS
BOYER	BRONN	COLLINS
BRUCKMAN	CARNEY	COTTEN
CHOQUETTE	DAVIDSON	DUNCAN
B.DAVIS	C.DAVIS	ELIASON
DONLEY	ELLIS	FAHRENKAMP
FINKELSTEIN	FOSTER	FISCHER
GONZALES	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	HALFORD
HUDSON	IVAN	HOFFMAN
JACKO	KOPONEN	JONES
KUBINA	LARSON	KERTTULA
LEMAN	LINCOLN	MENARD
MACKIE	MACLEAN	POURCHOT
MARTIN	M.A.MILLER	RODEY
M.W.MILLER	MOYER	SHULTZ
NAVARRRE	PARNELL	STURGULEWSKI
G.PHILLIPS	R.PHILLIPS	UEHLING
SHARP	TAYLOR	ZHAROFF
ULMER	ZAHACKI	

## PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: STAN RYBACHEK  
 TITLE:  
 ADDRESS: PO BOX 10904  
 CITY: FAIRDANKS ZIP: 99710  
 PHONE: 408-6453  
 BILL NO:  
 SUBJECT: CONFIRMATION  
 MESSAGE: I URGE YOU TO SUPPORT THE CONFIRMATION OF COMMISSIONER JOHN SANDOR AND  
 COMMISSIONER HAROLD HEINZE. EOM/HJO

POMID: 07161127  
 DATE: 91/05/06  
 TIME: 16:11:27  
 LIONAME: FAIRDANKS LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BAKER	BARNES	ADAMS
BOYER	BRONN	COLLINS
BRUCKMAN	CARNEY	COTTEN
CHOQUETTE	DAVIDSON	DUNCAN
B.DAVIS	C.DAVIS	ELIASON
DONLEY	ELLIS	FAHRENKAMP
FINKELSTEIN	FOSTER	FISCHER
GONZALES	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	HALFORD
HUDSON	IVAN	HOFFMAN
JACKO	KOPONEN	JONES
KUBINA	LARSON	KERTTULA
LEMAN	LINCOLN	MENARD
MACKIE	MACLEAN	POURCHOT
MARTIN	M.A.MILLER	RODEY
M.W.MILLER	MOYER	SHULTZ
NAVARRRE	PARNELL	STURGULEWSKI
G.PHILLIPS	R.PHILLIPS	UEHLING
SHARP	TAYLOR	ZHAROFF
ULMER	ZAHACKI	

## PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: HAROLD DAVIS

TITLE:

ADDRESS: 18915 A DARBY ROAD

CITY: EAGLE RIVER

PHONE: 696-0608

BILL NO:

SUBJECT: BUDGET FOR INSTRUCTIONAL UNIT

ZIP: 99577

MESSAGE: WE NEED TO INCREASE THE INSTRUCTIONAL UNIT AMOUNT OF MONEY FROM \$60,000.00 TO \$63,000.00. /CMR

POMID: 03155712

DATE: 91/04/18

TIME: 15:57:12

LOCATION: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BAKER	BARNES	ADAMS
BOYER	BROWN	COLLINS
BRUCKMAN	CARNEY	COTTEN
CHOQUETTE	DAVIDSON	DUNCAN
B.DAVIS	C.DAVIS	ELIASON
DONLEY	ELLIS	FAHRENKAMP
FINKELSTEIN	FOSTER	FISCHER
GONZALES	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	HALFORD
HUDSON	IVAN	HOFFMAN
JACKO	KOPONEN	JONES
KUBINA	LARSON	KERTTULA
LEMAN	LINCOLN	MENARD
MACKIE	MACLEAN	POURCHOT
MARTIN	M.A.MILLER	RODEY
M.W.MILLER	MOYER	SHULTZ
NAVARRE	PARNELL	STURGULEWSKI
G.PHILLIPS	R.PHILLIPS	UEHLING
SHARP	TAYLOR	ZHAROFF
ULMER	ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: RANDY PYSHER

TITLE:

ADDRESS: 1818 WEST NORTHERN LIGHTS BLVD NO 101

CITY: ANCHORAGE

PHONE: 276-1222

BILL NO: SB 95

SUBJECT: PROJECT LABOR AGREEMENTS

ZIP: 99517

MESSAGE: HB 223: I WAS JUST CURIOUS? WHO PAID FOR THOSE TV ADS THAT SAID "HIRE ALASKANS, IT'S GOOD FOR BUSINESS." PLEASE SUPPORT SB 95 AND HB 223. /JS:1

POMID: 03160250

DATE: 91/04/18

TIME: 16:02:50

LOCATION: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BAKER	BARNES	ADAMS
BOYER	BROWN	COLLINS
BRUCKMAN	CARNEY	COTTEN
CHOQUETTE	DAVIDSON	DUNCAN
B.DAVIS	C.DAVIS	ELIASON
DONLEY	ELLIS	FAHRENKAMP
FINKELSTEIN	FOSTER	FISCHER
GONZALES	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	HALFORD
HUDSON	IVAN	HOFFMAN
JACKO	KOPONEN	JONES
KUBINA	LARSON	KERTTULA
LEMAN	LINCOLN	MENARD
MACKIE	MACLEAN	POURCHOT
MARTIN	M.A.MILLER	RODEY
M.W.MILLER	MOYER	SHULTZ
NAVARRE	PARNELL	STURGULEWSKI
G.PHILLIPS	R.PHILLIPS	UEHLING
SHARP	TAYLOR	ZHAROFF
ULMER	ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: ROBERT P. CLARK, JR.  
 TITLE:  
 ADDRESS: 200 WEST 34TH AVENUE, NO 344  
 CITY: ANCHORAGE ZIP: 99503  
 PHONE: 276-1088  
 BILL NO: SB 95  
 SUBJECT: PROJECT LABOR AGREEMENTS

MESSAGE: HB 223: I HAVE LIVED IN ALASKA 40 YEARS AND MANY TIMES HAVE SEEN ALASKAN CONTRACTORS AND ALASKAN WORKERS WITHOUT JOBS WHILE OUTSIDE CONTRACTORS, SOMETIMES FOREIGN, AND OUTSIDE WORKERS HAD THE WORK. IF YOU ARE A SINCERE ALASKAN LEGISLATOR YOU WILL SUPPORT SB 95 AND HB 223 AND PROJECT LABOR AGREEMENTS.

POMID: 03170804  
 DATE: 91/04/18  
 TIME: 17:08:04  
 LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BAKER	BARNES	ADAMS
BOYER	BROWN	COLLINS
BRUCKMAN	CARNEY	COTTEN
CHOQUETTE	DAVIDSON	DUNCAN
B.DAVIS	C.DAVIS	ELIASON
DONLEY	ELLIS	FAHRENKAMP
FINKELSTEIN	FOSTER	FISCHER
GONZALES	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	HALFORD
HUDSON	IVAN	HOFFMAN
JACKO	KOPONEN	JONES
KUBINA	LARSON	KERTTULA
LEMAN	LINCOLN	MEHARD
MACKIE	MACLEAN	POURCHOT
MARTIN	M.A.MILLER	RODEY
M.W.MILLER	MOYER	SHULTZ
NAVARRE	PARNELL	STURGULEWSKI
G.PHILLIPS	R.PHILLIPS	UEHLING
SHARP	TAYLOR	ZHAROFF
ULMER	ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: KEITH ANN SMITH (MRS)  
 TITLE:  
 ADDRESS: 8147 LLOYD DRIVE  
 CITY: ANCHORAGE ZIP: 99502  
 PHONE: 563-4747  
 BILL NO: SB 95  
 SUBJECT: PROJECT LABOR AGREEMENTS

MESSAGE: HB 223: PLEASE VOTE FOR ALASKA HIRE AND THE PROJECT LABOR AGREEMENTS BILL. IT IS THE ONLY WAY WE WILL GET LOCAL HIRE. PLEASE DO NOT LET ALASKANS DOWN. OTHER STATES HAVE LOCAL HIRE, I DON'T UNDERSTAND WHY WE CAN'T. /JSM

POMID: 03171210  
 DATE: 91/04/18  
 TIME: 17:12:10  
 LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BAKER	BARNES	ADAMS
BOYER	BROWN	COLLINS
BRUCKMAN	CARNEY	COTTEN
CHOQUETTE	DAVIDSON	DUNCAN
B.DAVIS	C.DAVIS	ELIASON
DONLEY	ELLIS	FAHRENKAMP
FINKELSTEIN	FOSTER	FISCHER
GONZALES	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	HALFORD
HUDSON	IVAN	HOFFMAN
JACKO	KOPONEN	JONES
KUBINA	LARSON	KERTTULA
LEMAN	LINCOLN	MENARD
MACKIE	MACLEAN	POURCHOT
MARTIN	M.A.MILLER	RODEY
M.W.MILLER	MOYER	SHULTZ
NAVARRE	PARNELL	STURGULEWSKI
G.PHILLIPS	R.PHILLIPS	UEHLING
SHARP	TAYLOR	ZHAROFF
ULMER	ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: CHRIS LYNCH  
 TITLE:  
 ADDRESS: 3301 EAST HUFFMAN  
 CITY: ANCHORAGE ZIP: 99516  
 PHONE: 345-6385  
 BILL NO: SB 95  
 SUBJECT: PROJECT LABOR AGREEMENTS  
 MESSAGE: HB 223: PLEASE VOTE FOR ALASKA HIRE AND THE PROJECT LABOR AGREEMENT  
 BILLS. IT IS THE ONLY WAY WE WILL GET LOCAL HIRE. I AM SEASONALLY EMPLOYED AND  
 I AM TIRED OF OUTSIDERS COMING UP AND GETTING IN ON THE CONSTRUCTION PROJECTS  
 IN ALASKA. /JSM

POMID: 03154748  
 DATE: 91/04/18  
 TIME: 15:47:48  
 LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BAKER	BARNES	ADAMS
BOYER	BROWN	COLLINS
BRUCKMAN	CARNEY	COTTEN
CHOQUETTE	DAVIDSON	DUNCAN
B.DAVIS	C.DAVIS	ELIASON
DONLEY	ELLIS	FAHRENKAMP
FINKELSTEIN	FOSTER	FISCHER
GONZALES	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	HALFORD
HUDSON	IVAN	HOFFMAN
JACKO	KOPONEN	JONES
KUBINA	LARSON	KERTTULA
LEMAN	LINCOLN	MEHARD
MACKIE	MACLEAN	POURCHOT
MARTIN	M.A.MILLER	RODEY
M.W.MILLER	HOYER	SHULTZ
NAVARRÉ	PARNELL	STURGULEWSKI
G.PHILLIPS	R.PHILLIPS	UEHLING
SHARP	TAYLOR	ZHAROFF
ULMER	ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: PEGGY ROWE  
 TITLE:  
 ADDRESS: 2801 WILEY POST AVENUE  
 CITY: ANCHORAGE ZIP: 99517  
 PHONE: 248-7966  
 BILL NO: SB 95  
 SUBJECT: PROJECT LABOR AGREEMENTS  
 MESSAGE: HD 223: I HAVE WORKED IN ALASKA MOST OF MY LIFE AND BELIEVE ALASKANS  
 NEED THE CONSTRUCTION JOBS. IF PROJECT LABOR AGREEMENTS CAN BRING LOCAL HIRE  
 THEN YOU SHOULD SUPPORT THIS LEGISLATION. /JSM

POMID: 03155127  
 DATE: 91/04/18  
 TIME: 15:51:27  
 LIONAME: ANCHORAGE LIO

COPIES: PEPRESENTATIVES REPRESENTATIVES SENATORS

BAKER	BARNES	ADAMS
BOYER	BROWN	COLLINS
BRUCKMAN	CARNEY	COTTEN
CHOQUETTE	DAVIDSON	DUNCAN
B.DAVIS	C.DAVIS	ELIASON
DONLEY	ELLIS	FAHRENKAMP
FINKELSTEIN	FOSTER	FISCHER
GONZALES	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	HALFORD
HUDSON	IVAN	HOFFMAN
JACKO	KOPONEN	JONES
KUBINA	LARSON	KERTTULA
LEMAN	LINCOLN	MEHARD
MACKIE	MACLEAN	POURCHOT
MARTIN	M.A.MILLER	RODEY
M.W.MILLER	HOYER	SHULTZ
NAVARRÉ	PARNELL	STURGULEWSKI
G.PHILLIPS	R.PHILLIPS	UEHLING
SHARP	TAYLOR	ZHAROFF
ULMER	ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: DENNIS H. RANDA  
 TITLE:  
 ADDRESS: BOX 3055  
 CITY: SOLDOTNA, ALASKA  
 PHONE: 262-9494  
 ZIP: 99669

BILL NO:  
 SUBJECT: COMMISSIONER ROSIER  
 MESSAGE: I SUPPORT CARL ROSIER AS COMMISSIONER OF ADF&G, AND WOULD URGE HIS CONFIRMATION. HIS YEARS OF VARIED EXPERIENCE IN BOTH SPORT AND COMMERCIAL FISHERIES BRING NEW VISION TO THE DEPARTMENT. HE WILL BE FAIR TO ALL USERS, INCLUDING SUBSISTENCE.

POMID: 13132132  
 DATE: 91/04/18  
 TIME: 13:21:32  
 LIONAME: SOLDOTNA LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BAKER	BARNES	ADAMS
BOYER	BROWN	COLLINS
BRUCKMAN	CARNEY	COTTEN
CHOQUETTE	DAVIDSON	DUNCAN
B.DAVIS	C.DAVIS	ELIASON
DONLEY	ELLIS	FAHRENKAMP
FINKELSTEIN	FOSTER	FISCHER
GONZALES	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	HALFORD
HUDSON	IVAN	HOFFMAN
JACKO	KOPONEN	JONES
KUBINA	LARSON	KERTTULA
LEMAN	LINCOLN	MENARD
MACKIE	MACLEAN	POURCHOT
MARTIN	M.A.MILLER	RODEY
M.W.MILLER	HOYER	SHULTZ
NAVARRÉ	PARNELL	STURGULEWSKI
G.PHILLIPS	R.PHILLIPS	UEHLING
SHARP	TAYLOR	ZHAROFF
ULMER	ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: VIRGINIA ENGLISH  
 TITLE:  
 ADDRESS: 3361 MT. VERNON CT.  
 CITY: ANC  
 PHONE: 561-2068  
 ZIP: 99503

BILL NO:  
 SUBJECT: SD95/HD223-LABOR AGREEMENTS  
 MESSAGE: WHEN ARE LEGISLATORS GOING TO STAND UP FOR THE WORKERS OF ALASKA AND NOT THE OUTSIDE CONSTRUCTION CONTRACTORS? WE CAN HAVE LOCAL HIRE THROUGH PROJECT LABOR AGREEMENTS AND WE CAN ALSO SEE LOCAL CONTRACTORS GIVEN WORK UNDER PROJECT LABOR AGREEMENTS. WE NEED SUPPORT, PLEASE VOTE YES. /LD

POMID: 03092815  
 DATE: 91/04/18  
 TIME: 09:28:15  
 LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BAKER	BARNES	ADAMS
BOYER	BROWN	COLLINS
BRUCKMAN	CARNEY	COTTEN
CHOQUETTE	DAVIDSON	DUNCAN
B.DAVIS	C.DAVIS	ELIASON
DONLEY	ELLIS	FAHRENKAMP
FINKELSTEIN	FOSTER	FISCHER
GONZALES	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	HALFORD
HUDSON	IVAN	HOFFMAN
JACKO	KOPONEN	JONES
KUBINA	LARSON	KERTTULA
LEMAN	LINCOLN	MENARD
MACKIE	MACLEAN	POURCHOT
MARTIN	M.A.MILLER	RODEY
M.W.MILLER	MOYER	SHULTZ
NAVARRÉ	PARNELL	STURGULEWSKI
G.PHILLIPS	R.PHILLIPS	UEHLING
SHARP	TAYLOR	ZHAROFF
ULMER	ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: MIKE BRUNER  
 TITLE:  
 ADDRESS: 1007 EAST 20TH, NO C  
 CITY: ANCHORAGE ZIP: 99501  
 PHONE: N/R-  
 BILL NO:  
 SUBJECT: EXXON OIL SPILL SETTLEMENT  
 MESSAGE: PLEASE USE EXXON TO SET AN EXAMPLE FOR GROSS NEGLIGENCE IN OIL SPILLS.  
 \$3-B BILLION IS DEFENSIBLE. GO FOR IT. THANKS. /JSM

POMID: 03124508  
 DATE: 91/04/18  
 TIME: 12:45:08  
 LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BAKER	BARNES	ADAMS
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BRUCKMAN	CARNEY	COTTEN
CHOQUETTE	DAVIDSON	DUNCAN
B.DAVIS	C.DAVIS	ELIASON
DONLEY	ELLIS	FAHRENKAMP
FINKELSTEIN	FOSTER	FISCHER
GONZALES	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	HALFORD
HUDSON	IVAN	HOFFMAN
JACKO	KOPONEN	JONES
KUBINA	LARSON	KERTTULA
LEMAN	LINCOLN	MEHARD
MACKIE	MACLEAN	POURCHOT
MARTIN	M.A.MILLER	RODEY
H.W.MILLER	MOYER	SHULTZ
NAVARRE	PARNELL	STURGULEWSKI
G.PHILLIPS	R.PHILLIPS	UEHLING
SHARP	TAYLOR	ZHAROFF
ULMER	ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: SENATOR PEARCE

NAME: WILLIAM MCKENZIE  
 TITLE:  
 ADDRESS: 4300 ARCTIC BLVD, NO 55  
 CITY: ANCHORAGE ZIP: 99503  
 PHONE: 561-0303  
 BILL NO: SB 95  
 SUBJECT: PROJECT LABOR AGREEMENTS  
 MESSAGE: HB 223: WE NEED ALASKAN JOBS IF WE ARE EVER GOING TO GET ALASKA OUT  
 OF THE RUT. I AM UNEMPLOYED AND TIRED OF OUTSIDERS DOING THE CONSTRUCTION WORK  
 IN ALASKA. PLEASE VOTE FOR ALASKA HIRE AND THE PROJECTS LABOR AGREEMENT BILLS.  
 IT IS THE ONLY WAY WE WILL GET LOCAL HIRE FOR ALASKA. /JSM

POMID: 03124907  
 DATE: 91/04/18  
 TIME: 12:49:07  
 LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BAKER	BARNES	ADAMS
BOYER	BROWN	COLLINS
BRUCKMAN	CARNEY	COTTEN
CHOQUETTE	DAVIDSON	DUNCAN
B.DAVIS	C.DAVIS	ELIASON
DONLEY	ELLIS	FAHRENKAMP
FINKELSTEIN	FOSTER	FISCHER
GONZALES	GRUENBERG	FRANK
GRUSSENDORF	HANLEY	HALFORD
HUDSON	IVAN	HOFFMAN
JACKO	KOPONEN	JONES
KUBINA	LARSON	KERTTULA
LEMAN	LINCOLN	MEHARD
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MARTIN	M.A.MILLER	RODEY
H.W.MILLER	MOYER	SHULTZ
NAVARRE	PARNELL	STURGULEWSKI
G.PHILLIPS	R.PHILLIPS	UEHLING
SHARP	TAYLOR	ZHAROFF
ULMER	ZAWACKI	

SB

102

# Alaska State Legislature

## Senate Committee on Oil and Gas

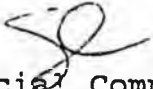
Senator Sam Cotten, Chairman  
Senator Drue Pearce, Vice-Chairman  
Senator Bettye Fahrenkamp  
Senator Lyman F. Hoffman  
Senator Dick Shultz



P. O. Box V, State Capital  
Juneau, AK 99811  
(907) 465-3711

March 25, 1991

To: Senator Menard  
Senator Pearce  
Senator Hoffman  
Senator Fahrenkamp  
Senator Shultz  
Senator Jones

From: Senator Cotten   
Chair, Senate Special Committee on Oil & Gas

RE: March 26 Committee Meeting Information

The March 26 committee package on Senate Bill 102, Pacific Ocean Resources Compact contains information on

- bill amendments proposed in Alaska and other Compact states,
- background information on the federal Oil Pollution Act of 1990, and
- a comparative survey of states' oil spill statutes.

The proposed compact bill amendments contained in Oregon Senate Bill 500 (enclosed) are based on public testimony and concerns raised in Alaska, California, Oregon, and Washington. Included with Oregon SB 500 are 1) a chart that outlines the effect of the proposed amendments and 2) comments by Professor Harry Bader, University of Alaska, on the amendments.

One of the changes to the Pacific Ocean Resources Compact, Article V, (c) relates to contingency planning requirements. This section, as currently proposed, would require that the compact's contingency planning requirements must be "at least as comprehensive as similar plans required by parties before adoption of this compact..." It is unclear whether this provision would require the compact to adopt California's contingency planning requirements. To help clarify this issue, a memorandum from Legal Services is enclosed.

In addition to proposed amendment information, background material on meetings leading to the development of the Pacific Ocean Resources Compact, the federal Oil Pollution Act of 1991, and state oil spill statutes are included.

# Alaska State Legislature

## Senate Committee on Oil and Gas


Senator Sam Cotten, Chairman  
Senator Drue Pearce, Vice-Chairman  
Senator Bettye Fahrenkamp  
Senator Lyman F. Hoffman  
Senator Dick Shultz



P. O. Box V, State Capital  
Juneau, AK 99811  
(907) 465-3711

February 21, 1991

TO: Senator Pearce  
Senator Hoffman  
Senator Fahrenkamp  
Senator Shultz

FROM: Senator Sam Cotten   
Chair, Senate Special Committee on Oil and Gas

RE: Joint Committee Meeting with Senate Transportation

On Tuesday, February 26 at 1:30 in the Beltz Room 211, there will be a joint meeting of the Senate Oil and Gas and Transportation Committees. The purpose of the meeting is to provide committee members information on Senate Bill 102 (attached), the Pacific Ocean Resources Compact. While the public is welcomed to attend, testimony will be limited to legislators and persons invited to testify.

Attachments

Prod -  
FBI  
sent to  
L3A.  
THANKS  
RDJ  
this for  
you to  
file



TELECOPY COVER SHEET

SENATOR DRUE PEARCE'S OFFICE

VOICE (907) 465-4993 FAX (907) 463-5352

To: SENATOR TED STEVENS OFFICE Fax: (202) 224-1044

Attn: LISA SUTHERLAND Phone: \_\_\_\_\_

Transmitted by: TALLY JOHNSON Date: 3/28/91

Re: Issues in Alaska

Comments: Lisa - I spoke w/ Drue regarding "burning  
issues". She echoed what we spoke about. She said Exxon  
Valdez settlement is definitely a burning issue. She also  
said trade stuff is a continue issue and international  
bilateral agreement. Drue said Ted needs to be up to  
snuff on the Pacific Ocean Resources Compact issue before he  
comes to Juneau. Drue has some concerns about it. Sen Sam  
Cotten and Rep Cliff Davidson are behind it. They will be  
attending a NSL Ocean Resources meeting next week to

Number of Pages: 15 Including Cover Sheet.





From the desk of:  
**Tally Johnson**

Senator Drue Pearce's Office  
P.O. Box V  
Juneau, AK 99811  
Capitol, Room 101  
(907) 465-4993

(continued)

discuss this issue. Done couldn't think of anyone to talk to that would present the other side of the coin.

if it us if we can be of further help.

Tally

P.S. I just thought of who you could talk to regarding the compact issue.

Harry Baker, UAF  
(907) 474-6521

# DIVISION OF LEGAL SERVICES

## LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

P.O. Box Y, Juneau, Alaska 99811  
(907) 465-3867 or 465-2450  
FAX (907) 465-2029


Deliveries to: 240 Main Street  
Court Plaza, Room 500  
Mail Stop 3101

### MEMORANDUM

March 19, 1991

**SUBJECT:** Vessel Contingency Plans  
(Work Order No. 7LS-1032)

**TO:** Senator Sam Cotten  
Attn: Ginny Fay

**FROM:** Terri Lauterbach   
Legislative Counsel

You have asked whether the laws of California are more comprehensive or more stringent than the laws of Alaska with respect to oil spill contingency plans for vessels.<sup>1/</sup>

In my opinion, the laws of California are both more comprehensive and more stringent than the laws of Alaska for vessel contingency plans. Contingency plan requirements for vessels in California cover at least one additional area compared to Alaska and have stricter requirements in some of the areas that are covered in both states' laws.

### CONTEXT OF DISCUSSION

The context in which you asked your question comes from the possibility of Alaska joining an interstate compact with other West Coast states that might contain language such as the following:

The compact shall work closely with officials of the [party states] to assure that the vessel contingency plans required under this compact are at least as comprehensive as similar plans required by the parties before adoption of this compact and to integrate, to the fullest extent possible, any requirements for vessel contingency plans in effect at the time the compact initiates its requirements under this subparagraph. (Emphasis added.) (Language obtained from you.)

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<sup>1/</sup> This memo is restricted to a discussion of the statutes of the two states. No attempt is made to compare the regulations of each state. Both sets of regulations are still being developed.

I interpret this language to mean that the vessel contingency plans of the compact states must not only address all relevant areas (comprehensiveness) but also contain "any requirements...in effect at the time" (be as stringent).<sup>2/</sup>

### COMPREHENSIVENESS

The main area covered by California laws that makes their contingency planning requirements for vessels more comprehensive than under Alaska's laws is in the area of prevention measures.

California requires that vessel contingency plans demonstrate that "all protection measures are being taken to reduce the possibility of an oil spill occurring as a result of the operation of the...vessel." Alaska has no such requirement to reduce the possibility of an oil spill.

Our laws call the plans "oil discharge prevention and contingency plans" but Alaska law only contains standards for response measures that must be taken after a spill occurs. DEC can make exceptions to the response planning standards for vessels that take prevention measures, but no vessel is required to take prevention measures under our law.

### STRINGENCY

California's vessel contingency plan laws are more stringent than Alaska's in several respects.

(1) Best available protection. California's laws require that contingency plans provide for "the best achievable protection of coastal and marine resources."<sup>3/</sup> In contrast, Alaska's laws set specific response planning standards in terms of size of vessel, size of discharge, and number of hours.

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<sup>2/</sup> Since the compact language you sent to me deals only with vessel contingency plans, that is the only subject addressed in this memo. This memo does not address master state plans or other aspects of state prevention or response to oil discharges, such as state research into technology, state deployment of equipment and personnel, or state marine safety regulations.

<sup>3/</sup> Govt. Code 8670.28(a). "Best achievable protection" is defined in Govt. Code 8670.3(c) as being  
the highest level of protection which can be achieved through both the use of the best achievable technology and those manpower levels, training procedures, and operational methods which provide the greatest degree of protection achievable...

"Best achievable technology" is further defined in Govt. Code 8670.3(d) to include processes "that are being developed, or could feasibly be developed anywhere in the world."

In my opinion, California's "best achievable protection" standard might well be a stricter standard than our 72-hour standard, particularly as technologies improve, and particularly for smaller spills which, in Alaska, are only subject to the same 72-hour standard as larger spills.

(2) Best available technology. In California, the state can require a contingency plan to be resubmitted when new response technologies become available.<sup>4/</sup> In Alaska, a plan only needs to contain the best technology available at the time of submission or renewal, with no modifications required for upgrading technology within the three-year approval period.<sup>5/</sup>

(3) Reasons for modification. In California, the state can require resubmission of a contingency plan for reasons not allowed in Alaska. Those reasons are availability of better technology than when the plan was first approved (discussed above), changes in regulations (not necessarily in response to a change in the underlying law), deficiencies determined in a statewide evaluation one year after the 1991 regulations are adopted, and increased need to protect endangered species habitat.<sup>6/</sup>

In Alaska, the only specified reasons for modifications within the three-year approval period are changes within the operation of the facility and discharge experience.<sup>7/</sup>

(4) Approval period. In California, a contingency plan is approved for only a two-year period. In Alaska, a plan is approved for three years.

(5) Conditional approval. It does not appear to me that California's law allows for approval of a plan subject to conditions, as is allowed under regulations of DEC in Alaska.<sup>8/</sup> California law specifically provides that "A plan is not deemed approved until all portions are approved."<sup>9/</sup> A nonapproved plan must be returned to the sender. Failure to gain approval after a second submission may be determined to be a violation in California.

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<sup>4/</sup> Govt. Code 8670.31(g).

<sup>5/</sup> AS 46.04.030(e).

<sup>6/</sup> Govt. Code 8670.31(g).

<sup>7/</sup> AS 46.04.030(e).

<sup>8/</sup> While this memo is primarily limited to statutory comparisons, I mention this particular Alaska regulation because it has been made noteworthy by developments in this state. I consider it highly unlikely that California might turn out to have a similar regulation when its regulations are adopted because of its more specific statutory language about plans not being approved in parts.

<sup>9/</sup> Govt. Code 8670.31(d).

Senator Sam Cotten  
March 19, 1991  
Page 4

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I hope you find the discussion in this memo helpful. Please let me know if I can answer further questions on this matter or be of other assistance.

TML:pl  
91-180.plm

## PACIFIC OCEAN RESOURCES COMPACT

### Multi-State Compacts

A compact is a multi-state agreement consented to by Congress, through which states form a governing body pertaining to issues of regional concern.<sup>1</sup> Multi-state compacts have been used to address problems such as air pollution, land use planning, and water allocation. The one consistent theme of all multi-state compacts is the presence of a regulatory problem which transcends state boundaries. In the case of the proposed Pacific Ocean Resources Compact, the states of Alaska, California, Hawaii, Oregon, and Washington (and potentially British Columbia as a non-voting member) would join in a multi-state compact for the purpose of the regulation of shipments of oil and hazardous substances which impact the region. The Compact does not address resource management or allocation, or the regulation of fisheries.

In structure, compacts are formal agreements enacted by statute in the legislatures of the separate states--the wording of each state's statute is essentially the same. Once ratified by each state and approved by Congress, the compact cannot be altered, repealed, revoked or ignored by a member state. Because it is approved by Congress, the compact is a federal rather than state law as it relates to legal, Constitutional objectives. As a result of Congressional approval which bestows federal authority, a multi-state compact, by definition, does not interfere with interstate commerce. Therefore, the multi-state compact agency can address resource problems with regulations that compact members could not do as individual states.<sup>2</sup>

The Pacific Ocean Resources Compact as currently proposed will have three members from each of the states of Alaska, California,

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<sup>1</sup>Much of the information contained in this overview summarizes, Harry Bader, "Potential Utility of and Interstate Compact as a Vehicle for Oil Spill Prevention and Response," and Alison Rieser, "Federal Pre-Emption Considerations for State Oil Spill Prevention and Response Arrangements," in Alaska Oil Spill Commission, SPILL, The Wreck of the Exxon Valdez, Appendix M, State of Alaska, February 1990.

<sup>2</sup>For example, many of the regulations Alaska enacted in 1976 concerning oil tanker safety standards, the coastal protection fund, and tanker searches that were prohibited in Chevron v. Hammond in 1979, or removed from statute after Rav v. Atlantic, could theoretically have been permitted had they been enacted by a compact to which Alaska was a member.

Hawaii, Oregon, and Washington. Fiscal support of the compact agency is in proportion to each state's portion of the total gross states' product with no state paying more than 50 percent or less than ten percent of the agency's annual budget. Selection and compensation of each state's members is the discretion of the states.

#### Benefits to Alaska of Joining the Pacific Ocean Resources Compact

Alaska can benefit in numerous ways from joining the Pacific compact. The primary benefit is enhanced state sovereignty over issues of critical importance to the state such as the prevention of oil and hazardous waste spills, transportation of oil and hazardous wastes, oil spill contingency planning, and environmental monitoring and research. By forming a multi-state compact approved by Congress, regulatory authority that was previously the exclusive domain of the federal government is transferred to the compact agency. Of particular relevance to the Pacific compact is the jurisdiction over the ocean waters from the state's three-mile limit to the 200-mile limit. Regional spill response and prevention contingency planning would be extended into this 200-mile zone. The compact agency will have the authority to regulate activities related to oil and hazardous substances within this zone.<sup>3</sup>

Of particular concern to Alaska is the compact's ability to influence or regulate aspects of oil tanker transportation such as tanker design, tug escorts, safety equipment, and crew size and training. Undoubtedly, the multi-state compact will have greater authority than the individual states currently have. To the extent that the compact regulates regional North Slope tanker traffic, the compact would not conflict with the federal Ports and Waterways Safety Act which sets tanker safety standards to avoid international conflicts. However, this regulatory authority would be contingent upon North Slope tanker traffic continuing to be confined to the compact region as a result of the export ban. Certain aspects of tanker standards such as double hulls, is likely to receive legal challenge as a result of questions remaining from Ray v. Atlantic Richfield Company and Chevron v. Hammond.

In addition to establishing uniform vessel safety standards, the compact will have the authority to coordinate the oil and hazardous substance spill response plans and programs of the states, federal agencies and private organizations. The compact also establishes requirements for the submission and approval of contingency plans

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<sup>3</sup>In the early 1980s, the Alaska Department of Fish and Game completed a study on the potential effectiveness of multi-state compacts and concluded that they offer little benefit. Since that time, however, the lawsuit Seattle Master Builders v. Pacific Northwest Power and Conservation Council 786 F.2d. 1359 (1986), explicitly established the authority of multi-state compacts.

for vessels transporting oil and hazardous substances in the compact zone. These requirements must be at least as stringent as those required under the federal Oil Spill Pollution Act of 1990.

Alaska's sphere of influence would also be significantly increased because Alaska would comprise one-fifth of the voting power within the compact agency with each party having one vote. In contrast, Alaska holds less than one half percent of voting power in Congress.

In general, industry has expressed support for the uniform set of standards that would result from the Compact. For example, only one vessel contingency plan would be required to operate in the region. Similar legislation has been introduced in the states of California, Hawaii, Oregon and Washington.

G. Fay  
2/1/91

OPA 1990

REGULATED FACILITIES/VESSELS:

Tank Vessels: any vessel constructed or adapted to carry oil or hazardous material in bulk as cargo

Offshore Facilities

Onshore Facilities: any facility capable of discharging into navigable waters, adjoining shorelines, or exclusive economic zone

MAJOR C-PLAN REQUIREMENTS/STANDARDS:

Tank Vessel and Facility Response Plan for responding, to the maximum extent practicable, to a worst case discharge, and to a substantial threat of discharge.

Response plan to identify private personnel and equipment needed to remove, to the maximum extent practicable, worst case discharge (including discharge due to fire or explosion), and to mitigate or prevent discharge.

Tank vessels to carry appropriate removal equipment employing best technology that is economically feasible and compatible with safe operation of vessel.

Response plan shall describe training, equipment testing, periodic unannounced drills and response actions.

Response plan shall be consistent with National Contingency Plan and Area Contingency Plan.

FINANCIAL RESPONSIBILITY LEVELS - PER INCIDENT:

Onshore Facility - \$350,000,000.

Offshore Facility - \$150,000,000.

Tank Vessel/Oil Barge over 3,000 tons - the greater of \$1,200 per ton or \$10,000,000

Tank Vessel/Oil Barge under 3,000 tons - the greater of \$1,200 per ton or \$2,000,000.

Any Vessel over 300 tons - the greater of \$600 per ton or \$500,000.

RESPONSE FUNDING:

Federal Oil Spill Liability Trust Fund - \$1,000,000,000 with \$25,000,000 available to Coast Guard, and \$30,000,000 through FY

ALASKA

REGULATED FACILITIES/VESSELS:

Oil Terminal Facilities (over 5,000 barrels crude, 10,000 barrels noncrude)  
Exploration/Production Facilities  
Oil Pipelines  
Tank Vessels/Oil Barges

MAJOR C-PLAN REQUIREMENTS/STANDARDS:

Sufficient oil discharge containment, storage, transfer, and cleanup equipment, personnel, and resources to meet the following time/volume standards:

Oil Terminal Facilities - discharge equal to capacity of largest tank or greater if high risk area; within 72 hours, or shortest possible time if spill is to an environment other than open water.

Oil Exploration/Production Facilities - discharge equal to "realistic maximum oil discharge" (RMOD); within 72 hours or shortest time if other than open water.

Oil Pipelines - discharge equal to "RMOD" within 72 hours, or shortest time if other than open water.

Tank Vessels/Oil Barges

- less than 500,000 barrels crude oil capacity shall maintain in region resources for 50,000 barrel discharge supplemented by resources outside region for "RMOD", within 72 hours or shortest time if other than open waters.
- more than 500,000 barrels crude oil capacity shall maintain in region resources for 300,000 barrel discharge supplemented by resources outside region for "RMOD", within 72 hours or shortest time if other than open waters.
- any noncrude cargo capacity shall have resources to contain or control the greater of 15 percent of maximum capacity or "RMOD", within 48 hours or shortest time if other than open waters, clean up within shortest possible time.

FINANCIAL RESPONSIBILITY LEVELS - PER INCIDENT:

Crude Oil Terminal Facilities - \$50,000,000.

Noncrude Oil Terminal Facilities - \$25 per barrel storage capacity or \$1,000,000; maximum of \$50,000,000.

OPA 1990

REGULATED FACILITIES/VESSELS:

Tank Vessels: any vessel constructed or adapted to carry oil or hazardous material in bulk as cargo

Offshore Facilities

Onshore Facilities: any facility capable of discharging into navigable waters, adjoining shorelines, or exclusive economic zone

MAJOR C-PLAN REQUIREMENTS/STANDARDS:

Tank Vessel and Facility Response Plan for responding, to the maximum extent practicable, to a worst case discharge, and to a substantial threat of discharge.

Response plan to identify private personnel and equipment needed to remove, to the maximum extent practicable, worst case discharge (including discharge due to fire or explosion), and to mitigate or prevent discharge.

Tank vessels to carry appropriate removal equipment employing best technology that is economically feasible and compatible with safe operation of vessel.

Response plan shall describe training, equipment testing, periodic unannounced drills and response actions.

Response plan shall be consistent with National Contingency Plan and Area Contingency Plan.

FINANCIAL RESPONSIBILITY LEVELS - PER INCIDENT:

Onshore Facility - \$350,000,000.

Offshore Facility - \$150,000,000.

Tank Vessel/Oil Barge over 3,000 tons - the greater of \$1,200 per ton or \$10,000,000

Tank Vessel/Oil Barge under 3,000 tons - the greater of \$1,200 per ton or \$2,000,000.

Any Vessel over 300 tons - the greater of \$600 per ton or \$500,000.

RESPONSE FUNDING:

Federal Oil Spill Liability Trust Fund - \$1,000,000,000 with \$25,000,000 available to Coast Guard, and \$30,000,000 through FY

92 available to establish National Spill Response System. Up to \$250,000 available on request of Governor to State for immediate removal or, pursuant to agreement, request by a designated state official.

**PREVENTION REQUIREMENTS:**

Review of driver's license, alcohol and drug testing; suspension of licenses, certificates or documents; removal of ship's master if under influence of alcohol or drugs.

Periodic gauging of vessel plate thickness.

Requirements defining provisions for tank vessel operation with auto pilot engaged or unattended engine room.

Watches on tank vessel cannot exceed 15 hours during any 24 hour period or 36 hours in any 72 hour period.

Double hull tank vessels required according to replacement schedule. Single hull tank vessels phased out by 2010, until then will require double tug escort while in sensitive waters such as Prince William Sound.

Pilotage in Prince William Sound by Alaska licensed pilot who is not a member of vessel's crew. Federal designation of pilotage waters in areas and approaches of Prince William Sound.

**INSPECTIONS/DRILLS:**

Periodic inspections of containment booms, skimmers, vessels and other major equipment used to remove discharges.

Periodic drills without prior notice of removal capability according to relevant facility and vessel response plans. Annual reports of these drills will be published, including assessments of the effectiveness of the plans and a list of amendments made to improve the plans.

**RESPONSE CONTRACTOR STANDARDS:**

OPA 1990 provides for an immunity from liability for persons other than responsible party who are providing clean up assistance or advice in an action consistent with the National Contingency Plan, except for personal injury, wrongful death, gross negligence or willful misconduct.

**ALASKA**

**REGULATED FACILITIES/VESSELS:**

Oil Terminal Facilities (over 5,000 barrels crude, 10,000 barrels noncrude)  
Exploration/Production Facilities  
Oil Pipelines  
Tank Vessels/Oil Barges

**MAJOR C-PLAN REQUIREMENTS/STANDARDS:**

Sufficient oil discharge containment, storage, transfer, and cleanup equipment, personnel, and resources to meet the following time/volume standards:

Oil Terminal Facilities - discharge equal to capacity of largest tank or greater if high risk area; within 72 hours, or shortest possible time if spill is to an environment other than open water.

Oil Exploration/Production Facilities - discharge equal to "realistic maximum oil discharge" (RMOD); within 72 hours or shortest time if other than open water.

Oil Pipelines - discharge equal to "RMOD" within 72 hours, or shortest time if other than open water.

Tank Vessels/Oil Barges

- less than 500,000 barrels crude oil capacity shall maintain in region resources for 50,000 barrel discharge supplemented by resources outside region for "RMOD", within 72 hours or shortest time if other than open waters.

- more than 500,000 barrels crude oil capacity shall maintain in region resources for 300,000 barrel discharge supplemented by resources outside region for "RMOD", within 72 hours or shortest time if other than open waters.

- any noncrude cargo capacity shall have resources to contain or control the greater of 15 percent of maximum capacity or "RMOD", within 48 hours or shortest time if other than open waters, clean up within shortest possible time.

**FINANCIAL RESPONSIBILITY LEVELS - PER INCIDENT:**

Crude Oil Terminal Facilities - \$50,000,000.

Noncrude Oil Terminal Facilities - \$25 per barrel storage capacity or \$1,000,000; maximum of \$50,000,000.

Offshore Exploration/Production Facility - \$50,000,000.  
Onshore Exploration Facility - \$5,000,000.

Onshore Production Facility - \$20,000,000.

Pipeline - \$50,000,000.

Crude Oil Tank Vessel/Oil Barge - \$300 per barrel storage capacity or \$100,000,000.

Noncrude Tank Vessel/Oil Barge - \$100 per barrel storage capacity or \$1,000,000; maximum of \$35,000,000.

All dollar amounts adjust according to Consumer Price Index.

**RESPONSE FUNDING:**

Surcharge of \$.05 per barrel of oil produced from property in the state; surcharge suspended when maximum fund balance exceeds \$50,000,000.

**PREVENTION REQUIREMENTS:**

Department may consider evidence of implementation of oil discharge prevention measures such as double hulls, containment systems, hydrostatic testing, vessel traffic systems and enhanced staffing levels to reduce time/volume standards for individual facility, pipeline, tank vessel or oil barge operation.

**INSPECTIONS/DRILLS:**

Department may require plan holder to demonstrate ability to meet standards, including exercises and verification of access to resources identified in C-Plan. Department may reasonably enter and inspect facilities, pipelines, tank vessels, or oil barges. Department may perform structural integrity inspections if determined necessary.

**RESPONSE CONTRACTOR STANDARDS:**

If other than spiller and according to C-Plan, or order of state or federal authority, then contractor not civilly liable unless negligent or grossly negligent according to generally accepted professional standards and practices, or intentional misconduct.

## **CALIFORNIA**

### **REGULATED FACILITIES/VESSELS:**

Vessels: Barges and tankers constructed or adopted to carry oil in bulk or in commercial quantities as cargo.

Facilities: Any facility located in marine waters or capable of discharging into marine waters.

### **MAJOR C-PLAN REQUIREMENTS/STANDARDS:**

State oil spill contingency plan due January 1, 1993; 3 year term

Vessel and marine facility plans due 90 days after the regulations go into effect which is to be on or before December 31, 1991; 2 year term.

May not conflict with the National Contingency Plan

Plans must demonstrate all necessary equipment and services for the response, containment, and cleanup of a "reasonable worst case oil spill" scenario. Equipment and services must be either in place or the planner must show it has the appropriate financial or contractual arrangements in place.

Must identify the types of equipment that can be used, its location and how long to deliver to the spill site.

Each marine facility must also identify the hazards associated with the operation of the facility, including the use of the facility by vessels, due to operating error, equipment failure and external events. It must identify measures to be taken to protect the recreational and environmentally sensitive areas that would be threatened by a "reasonable worst case oil spill."

Each plan must contain a list of contact to call during drills, threatened or actual discharges and a timetable for implementing the plan.

The regulations will set standards for determining a "reasonable worst case oil spill."

### **FINANCIAL RESPONSIBILITY LEVELS:**

Vessels: \$500 million; rises to \$750 million on July 1, 1995 and \$1,000 million on January 1, 2000. May be reduced for "small barges" based on quantity of oil and potential risk to marine waters.

Facilities: "Reasonable worst case oil spill" based on amount of oil, risk to marine waters, costs of cleanup, frequency of operations and potential damages.

**RESPONSE FUNDING:**

\$0.25 per barrel collected from refineries, terminals and pipelines with a \$100,000,000 cap. (Oil Spill Response Trust Fund)

If no money is in the Trust Fund, the Fish and Wildlife Pollution Cleanup and Abatement Account may be used for cleanup. It is funded through oil spill settlements and civil penalties.

**PREVENTION REQUIREMENTS:**

Report due to the Legislature by December 31, 1992 on the feasibility of requiring new technologies to aid prevention.

**INSPECTION/DRILLS:**

Regular inspections of facilities along with associated equipment.

Periodic announced and unannounced drills; drills may also be conducted prior to approving a contingency plan.

Proposed Contingency Plan Amendment

Page 8, line 11: Insert--after "paragraph;"

"if a contingency plan approved by one of the parties to this compact expires after the compact contingency plan regulations are adopted, a new contingency plan must be adopted under the compact regulations;"

REVISED DEFINITION OF VESSEL FOR THE PACIFIC OCEAN RESOURCES  
COMPACT

See Article II (8)

*Page 6*

These changes are designed to take advantage of the language contained in the 1990 Oil Pollution Control Act which protects small operators providing essential service in remote or rural areas. The need for exemptions are particularly important throughout much of Alaska.

**New Definition of Vessel**

Vessel means a watercraft or other artificial contrivance that is constructed or adapted to carry, or that carries oil or hazardous substances in bulk as cargo or cargo residue and that is greater than 5,000 gross weight tonnage.

7-LS047(ND)  
Dierdorff  
4/16/91

CS FOR SENATE BILL NO. 102 ( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY

Offered:  
Referred:

Sponsor(s): SENATORS COTTEN, Zharoff, Sturgulewski, Eliason, Menard

A BILL

FOR AN ACT ENTITLED

1 "An Act enacting and entering into the Pacific Ocean Resources Compact."

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

3 \* Section 1. AS 46 is amended by adding a new chapter to read:

4 CHAPTER 47. PACIFIC OCEAN RESOURCES COMPACT.

5 Sec. 46.47.010. COMPACT ENACTED AND ENTERED INTO. (a) The Pacific Ocean  
6 Resources Compact as set out in AS 46.47.020 is enacted into law and entered into on behalf of  
7 the state. This compact shall take effect after one or more of the states of California, Hawaii,  
8 Oregon, or Washington ratify the compact in substantially the same form as set out in  
9 AS 46.47.020 and consent is granted by the Congress as required by section 10, Article I, of the  
10 Constitution of the United States.

11 (b) In addition to the states named in (a) of this section, the Province of British Columbia  
12 may become an associate party to the compact, without voting power. Upon request of the  
13 Province of British Columbia and approval of the Congress, the Province of British Columbia  
14 may become a full party to the compact with the same rights and powers as the party states.



1 (D) environmental monitoring and research; and

2 (E) ocean resource management;

3 (4) each party has jurisdiction over the submerged and submersible land within  
4 its territorial sea and responsibility for management of many marine resources and ocean uses;  
5 each party has unique natural resource, social, economic, and political conditions for which local  
6 management by the individual party is the most appropriate;

7 (5) the parties now do not have an effective means to address mutual concerns  
8 related to transport of oil and hazardous substances in waters within and beyond the party's  
9 jurisdiction that may jeopardize ocean resources and uses important to one or more coastal  
10 parties;

11 (6) the 1983 Presidential Proclamation of the 200-mile United States Exclusive  
12 Economic Zone has created the opportunity for all coastal states to more fully exercise and assert  
13 their responsibilities pertaining to the protection, conservation, and development of ocean  
14 resources under United States jurisdiction;

15 (7) citizens of the Pacific states and the Province of British Columbia are  
16 increasingly concerned with the environmental integrity of the ocean and protection of all ocean  
17 resources;

18 (8) recent studies conducted in the wake of major accidental releases of oil or  
19 hazardous substances have concluded that the existing system of response to spills could be  
20 improved in the following ways to provide better protection of ocean resources:

21 (A) enhanced personnel training and qualifications;

22 (B) improved vessel design and integrity;

23 (C) better mechanisms for cost recovery by the states or the province;

24 (D) improved coordination in regulatory oversight;

25 (E) enhanced traffic management; and

26 (F) an improved information base dealing with marine and coastal  
27 environments;

28 (9) a spill or discharge of oil or a hazardous substance from an ocean-going vessel  
29 has the potential of causing major regional effects.

30 (b) Therefore, the purpose of this compact is to

31 (1) assist in the promotion of interstate commerce by encouraging uniform

- 1 regulation of the transportation of oil or hazardous substances within the compact zone:
- 2 (2) provide a legal mechanism to regulate certain ocean activities within the
- 3 United States Exclusive Economic Zone;
- 4 (3) enhance regional coordination of issues of critical importance;
- 5 (4) work with federal agencies to advance the best interest of the region;
- 6 (5) foster regional cooperation and pooling of resources to reduce costs and
- 7 increase effective use of scarce resources;
- 8 (6) monitor activities of concern to the parties;
- 9 (7) address issues of mutual concern to the Pacific states and the Province of
- 10 British Columbia and enhance the parties' influence over activities of concern that are not now
- 11 addressed through existing compacts, including
- 12 (A) spill prevention;
- 13 (B) transportation of oil and other hazardous substances;
- 14 (C) spill response planning;
- 15 (D) environmental monitoring and research; and
- 16 (E) ocean resource management;
- 17 (8) foster cooperation and coordination among the parties in order to increase the
- 18 effectiveness of the individual party's ocean laws and programs;
- 19 (9) provide technical assistance to parties for ocean activities covered by this
- 20 compact;
- 21 (10) provide for formal participation by the Province of British Columbia with
- 22 the compact to more fully address issues of regional concern;
- 23 (11) ensure that the citizens of the region have opportunities to participate in
- 24 discussions and deliberations of regional ocean resources issues;
- 25 (12) establish an innovative system under which the parties can represent their
- 26 shared interests within the compact zone, including
- 27 (A) the maintenance and protection of common ocean resources; and
- 28 (B) vessel transportation of oil and other hazardous substances;
- 29 (13) recommend uniform safety standards for routes, crews, and equipment for
- 30 vessels transporting oil and hazardous substances within the compact zone and monitor the
- 31 implementation of these standards and regulations by federal agencies, states or provinces, and

1 private industry;

2 (14) promote more coordinated management of ocean resources that are of mutual  
3 concern:

4 (15) provide a forum for the regional coordination of the individual parties' plans  
5 for the management and protection of those areas of the Pacific Ocean and adjacent waters over  
6 which the compacting parties jointly or separately now have or may acquire jurisdiction.

## 7 ARTICLE II

### 8 DEFINITIONS

9 In this compact.

10 (1) "compact" means the representative body created by Article IV of this  
11 compact:

12 (2) "compact zone" means the portion of the oceans bordering the parties within  
13 the 200-mile exclusive economic zone:

14 (3) "hazardous substance" means an element or compound that, when it enters in  
15 or on the water, presents an imminent and substantial danger to the public health or welfare or  
16 the environment, including fish, animals, vegetation, or a part of the natural habitat in which they  
17 are found: "hazardous substance" includes a substance designated under 33 U.S.C. 1321(b)(2)(A),  
18 an element, compound, mixture, solution, or substance designated under 42 U.S.C. 9602, a  
19 hazardous waste having characteristics identified under or listed under 42 U.S.C. 6921, a toxic  
20 pollutant listed under 33 U.S.C. 1317(a), and an imminently hazardous chemical substance or  
21 mixture with respect to which the administrator of the United States Environmental Protection  
22 Agency has taken action under 15 U.S.C. 2606:

23 (4) "navigable waters" means the waters of the United States, including the  
24 territorial sea;

25 (5) "oil" means crude petroleum oil or any other hydrocarbon, regardless of  
26 gravity, that is produced at the well in liquid form by ordinary production methods, and any  
27 petroleum products or petrochemicals of any kind and in any form whether crude, refined, or a  
28 petroleum byproduct, including petroleum, fuel oil, gasoline, lubricating oils, oily sludge, oily  
29 refuse, or mixed with other wastes, liquefied natural gas, or propane:

30 (6) "party" means a state or province that ratifies this compact as provided in  
31 Article III of this compact:

1 (7) "representative" means an individual appointed as provided in Article IV of  
2 this compact to represent a party;

3 (8) "vessel" means a watercraft or other artificial contrivance that is constructed  
4 or adapted to carry, or that carries oil or hazardous substance in bulk as cargo or cargo residue,  
5 and that

6 (A) operates on the navigable waters of the compact zone; or

7 (B) transfers oil or hazardous substance in a place subject to the  
8 jurisdiction of the United States.

9 ARTICLE III

10 OPERATIVE DATES

11 (a) Except as provided in (b) of this article, this compact shall become effective when  
12 this state and one or more of the states of California, Hawaii, Oregon, or Washington ratify the  
13 compact and the consent of the Congress is or has been granted as required by section 10,  
14 Article I, of the Constitution of the United States.

15 (b) This agreement shall become operative as to the Province of British Columbia as a  
16 full party upon request of the Province of British Columbia and approval of the Congress.

17 ARTICLE IV

18 PACIFIC OCEAN RESOURCES COMPACT

19 (a) The Pacific Ocean Resources Compact is created and shall have its offices within the  
20 territorial limits of one of the parties, shall carry out its duties and functions in accordance with  
21 this compact, shall continue in force and effect in accordance with this compact, and, except as  
22 specifically provided in this compact, may not be considered an agency or instrumentality of the  
23 United States for the purpose of any federal law. Each party participating in this compact shall  
24 appoint two persons, subject to the applicable laws of the appointing party, to undertake the  
25 functions and duties of representatives of the compact. This compact shall be invested with the  
26 powers and duties set out in this compact.

27 (b) The term of each representative shall be four years. A representative shall hold office  
28 until a successor is appointed and qualified but the successor's term shall expire four years from  
29 the legal date of expiration of the term of the predecessor. Vacancies occurring in the office of  
30 a representative for any reason or cause shall be filled for the unexpired term by the party  
31 represented by the vacancy. A party may remove the representative for that party in accordance

1 with the statutes of the party concerned. Each representative may delegate to a deputy the power  
2 to be present and participate, including voting as the representative or substitute, at any meeting  
3 of or hearing by or other proceeding of the compact.

4 (c) The compact shall invite the Secretary of the United States Department of  
5 Transportation, the Administrator of the United States Environmental Protection Agency, and the  
6 Administrator of the National Oceanic and Atmospheric Administration or their designees to  
7 participate as nonvoting members of the compact.

#### 8 ARTICLE V

#### 9 PACIFIC OCEAN RESOURCES COMPACT AUTHORITY

10 (a) The Pacific Ocean Resources Compact is authorized to

11 (1) facilitate the prevention of oil and hazardous substance spills by

12 (A) serving as a West Coast Spill Prevention Advisory Committee to the  
13 United States Coast Guard; as such, the compact shall advise the United States Coast  
14 Guard on matters pertaining to spill prevention within the compact zone and also shall  
15 advise the United States Coast Guard on other matters within the compact's authority as  
16 set forth in this compact;

17 (B) participating as an interested person in any rulemaking proceeding by  
18 *new* the United States Coast Guard related to the establishment of safety standards for routes,  
19 crews, and equipment for vessels transporting oil and hazardous substances; the United  
20 States Coast Guard shall adopt the recommendations of the compact, unless the United  
21 States Coast Guard makes a finding, as part of the rulemaking process, that the adoption  
22 of a recommendation would not prevent oil and hazardous substance spills;

23 (C) as an interested person, requesting the United States Coast Guard to  
24 initiate rulemaking for the establishment or amendment of safety standards for routes,  
25 crews, and equipment for vessels transporting oil and hazardous substances; the United  
26 States Coast Guard shall initiate rulemaking as requested by the compact, unless the  
27 United States Coast Guard makes a finding that the initiation of the rulemaking would not  
28 further the prevention of oil and hazardous substance spills;

29 (D) making recommendations to other appropriate state, federal, and  
30 regional entities regarding uniform safety standards for routes, crews, and equipment for  
31 vessels transporting oil and hazardous substances in the compact zone;

1 (2) ensure a coordinated network of oil and hazardous substance spill response  
2 plans and programs of the parties, federal agencies, and private organizations;

3 (3) by regulation, establish the requirements for submission of and approval by  
4 the compact of a contingency plan by any vessel transporting oil or hazardous substance in the  
5 compact zone; the requirements must be consistent with as the requirements for response plans  
6 under sec. 4202 of the Oil Pollution Act of 1990 (P.L. 101-380); a plan developed in accordance  
7 with the regulations adopted by the compact and approved by the compact shall satisfy the  
8 requirements of sec. 4202 of the Oil Pollution Act and shall supersede any requirements of an  
9 individual party for submitting a vessel contingency or spill response plan; however, all plans  
10 approved by parties to this compact before the operative date of the compact shall remain in full  
11 force and effect until a contingency plan is approved by the compact under this paragraph; in  
12 establishing regulations under this paragraph, the compact shall work closely with officials of the  
13 parties to assure that the vessel contingency plans required under this compact include all subject  
14 areas included by the member parties in the standards for vessel contingency plans of the parties,  
15 in the aggregate, before the adoption of the compact;

16 (4) establish and maintain an informational clearinghouse related to spill response,  
17 including a directory of personnel, equipment, technical expertise, organizations, and other  
18 resources available to assist as part of a regional oil or hazardous substance spill response;

19 (5) provide a forum for discussion and recommendation to resolve conflicts  
20 among member parties or the federal government regarding various ocean resources programs  
21 that have been or may be established by each party;

22 (6) provide opportunities for public participation in compact activities by holding  
23 meetings of the compact in various locations within the territorial limits of the parties, providing  
24 opportunities for public comment at meetings and developing a public outreach program;

25 (7) designate state or provincial agency officials to act on behalf of the compact  
26 as liaisons with federal agencies;

27 (8) identify the regional data needs related to ocean resources and recommend a  
28 method for compiling the data in a format that can be shared by all parties;

29 (9) consult with and advise any pertinent party or federal agency with regard to  
30 problems connected with ocean resources management and recommend the adoption of any rules  
31 or regulations the compact considers advisable that are within the jurisdiction of the agency;

1 (10) establish sanctions and a schedule of civil penalties for violations of the rules  
2 or regulations of the compact and impose those sanctions or civil penalties in accordance with  
3 5 U.S.C. 551 - 559 and 701 - 706;

4 (11) request the United States Coast Guard to enforce or assist in the enforcement  
5 of any regulations adopted by the compact including regulations related to the submission of a  
6 contingency plan or financial assurance requirements in the compact zone;

7 (12) establish a schedule of reasonable fees to be assessed for the review of a  
8 contingency plan submitted under (3) of this subsection; the fees must be sufficient to recover  
9 the costs of reviewing the plans and conducting any related inspections; the fees may be assessed  
10 in increments up to the maximum amount.

11 (b) In addition to the authority granted under (a) of this article, the compact may

12 (1) accept grants and gifts:

13 (2) enter into contracts for whose performance the compact shall be solely  
14 responsible in order to support its operations;

15 (3) conduct and prepare, independently or in cooperation with others, studies,  
16 investigations, research, and programs relating to the purposes of this compact;

17 (4) conduct public hearings on matters pertaining to the purposes of this compact;

18 (5) establish a standardized cost recovery formula for damages to other resources  
19 based on the amount of oil or hazardous substance spilled;

20 (6) enter into an agreement with the United States Coast Guard under which the  
21 compact will administer compliance with the requirements for demonstrating financial  
22 responsibility under section 1016 of the Oil Pollution Act of 1990 in an amount established by  
23 the compact; proof of financial responsibility, if established by the compact under this paragraph,  
24 shall satisfy and supersede the requirement of any individual party for demonstrating financial  
25 responsibility; however, all financial responsibility requirements established by the parties to this  
26 compact before the compact establishes an amount under the paragraph shall remain in full force  
27 and effect until the compact establishes a requirement and enters into an agreement with the  
28 United States Coast Guard under this paragraph; in establishing the amount of financial  
29 responsibility under this paragraph, the compact shall work with officials of each party to assure  
30 that such requirements are sufficient to satisfy the requirements of the parties, in aggregate;

31 (7) in accordance with the provisions of 5 U.S.C. 551 - 559 and 701 - 706.