

ALASKA LEGISLATURE COMMITTEE FILES 1991-1992 8672
7649 SENATE RESOURCES

COMMERCIAL FISHERIES ENTRY COMMISSION
8800 GLACIER HIGHWAY #109, JUNEAU, ALASKA, 99801

April 10, 1992

Permits Issued and Fished, in 1991, by Age

Fishery	Age	Total Permits Issued	Total Permits Fished	Percent Permits Fished	Permits Not Fished	Percent Permits Not Fished
S01E PRINCE WILLIAM SOUND SALMON SEINE	Under 50	205	194	94.63%	11	5.37%
	50 - 59	39	38	97.44%	1	2.56%
	60 - 64	14	12	85.71%	2	14.29%
	65 and over	13	9	69.23%	4	30.77%
	Fishery Totals		271	253	93.36%	18
S03E PRINCE WILLIAM SD SALMON DRIFT GILL NET	Under 50	406	393	96.80%	13	3.20%
	50 - 59	92	86	93.48%	6	6.52%
	60 - 64	24	23	95.83%	1	4.17%
	65 and over	19	15	78.95%	4	21.05%
	Fishery Totals		541	517	95.56%	24
S04E PRINCE WILLIAM SD SALMON SET NET	Under 50	21	20	95.24%	1	4.76%
	50 - 59	5	5	100.00%	0	0.00%
	60 - 64	3	3	100.00%	0	0.00%
	65 and over	1	1	100.00%	0	0.00%
	Fishery Totals		30	29	96.67%	1
S01E PRINCE WILLIAM SD SAC ROE HERRING SEINE	Under 50	82	80	97.56%	2	2.44%
	50 - 59	16	15	93.75%	1	6.25%
	60 - 64	5	5	100.00%	0	0.00%
	65 and over	4	4	100.00%	0	0.00%
	Fishery Totals		107	104	97.20%	3

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April 10, 1992

Permits Issued and Fished, in 1991, by Age

Fishery	Age	Total Permits Issued	Total Permits Fished	Percent Permits Fished	Permits Not Fished	Percent Permits Not Fished
G34E PRINCE WILLIAM SD SAC ROE HERR GILL NET	Under 50	18	18	100.00%	0	0.00%
	50 - 59	4	4	100.00%	0	0.00%
	60 - 64	1	1	100.00%	0	0.00%
	65 and over	1	1	100.00%	0	0.00%
	Fishery Totals		24	24	100.00%	0
L21E PRINCE WILLIAM SD HERRING SPAWN POUND	Under 50	112	105	93.75%	7	6.25%
	50 - 59	13	11	84.62%	2	15.38%
	60 - 64	3	3	100.00%	0	0.00%
	Fishery Totals	128	119	92.97%	9	7.03%
S01E COOK INLET SALMON SEINE	Under 50	60	52	86.67%	8	13.33%
	50 - 59	11	8	72.73%	3	27.27%
	60 - 64	6	5	83.33%	1	16.67%
	65 and over	6	3	50.00%	3	50.00%
	Fishery Totals	83	68	81.93%	15	18.07%
S03E COOK INLET SALMON DRIFT GILL NET	Under 50	373	370	99.19%	3	0.81%
	50 - 59	122	121	99.18%	1	0.82%
	60 - 64	45	43	95.56%	2	4.44%
	65 and over	44	44	100.00%	0	0.00%
	Fishery Totals	584	578	98.97%	6	1.03%

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April 10, 1992

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Fishery	Age	Total Permits Issued	Total Permits Fished	Percent Permits Fished	Permits Not Fished	Percent Permits Not Fished	
S04B COOK INLET SALMON SET NET	Under 50	535	463	86.54%	72	13.46%	
	50 - 59	101	89	88.12%	12	11.88%	
	60 - 64	48	43	89.58%	5	10.42%	
	65 and over	61	53	86.89%	8	13.11%	
	Fishery Totals		745	648	86.98%	97	13.02%
S01B COOK INLET SAC ROE HERRING SEINE	Under 50	60	46	76.67%	14	23.33%	
	50 - 59	7	6	85.71%	1	14.29%	
	60 - 64	6	4	66.67%	2	33.33%	
	65 and over	3	2	66.67%	1	33.33%	
	Fishery Totals		76	58	76.32%	18	23.68%
S01K KODIAK SALMON SEINE	Under 50	299	276	92.31%	23	7.69%	
	50 - 59	53	44	83.02%	9	16.98%	
	60 - 64	21	19	90.48%	2	9.52%	
	65 and over	15	9	60.00%	6	40.00%	
	Fishery Totals		388	348	89.69%	40	10.31%
S02K KODIAK SALMON BEACH SEINE	Under 50	28	15	53.57%	13	46.43%	
	50 - 59	4	2	50.00%	2	50.00%	
	60 - 64	1	0	0.00%	1	100.00%	
	Fishery Totals		33	17	51.52%	16	48.48%

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April 10, 1992

Permits Issued and Fished, in 1991, by Age

Fishery	Age	Total Permits Issued	Total Permits Fished	Percent Permits Fished	Permits Not Fished	Percent Permits Not Fished
804K KODIAK SALMON SET NET	Under 50	143	142	99.30%	1	0.70%
	50 - 59	26	24	92.31%	2	7.69%
	60 - 64	8	7	87.50%	1	12.50%
	65 and over	12	12	100.00%	0	0.00%
	Fishery Totals		189	185	97.88%	4
G01K KODIAK SAC ROE HERRING SEINE	Under 50	59	28	47.46%	31	52.54%
	50 - 59	9	3	33.33%	6	66.67%
	60 - 64	2	1	50.00%	1	50.00%
	Fishery Totals	70	32	45.71%	38	54.29%
G34K KODIAK SAC ROE HERRING GILL NET	Under 50	85	55	64.71%	30	35.29%
	50 - 59	12	7	58.33%	5	41.67%
	60 - 64	3	2	66.67%	1	33.33%
	65 and over	2	0	0.00%	2	100.00%
	Fishery Totals	102	64	62.75%	38	37.25%
801L CHIGMIK SALMON SEINE	Under 50	66	66	100.00%	0	0.00%
	50 - 59	19	19	100.00%	0	0.00%
	60 - 64	8	8	100.00%	0	0.00%
	65 and over	8	8	100.00%	0	0.00%
	Fishery Totals	101	101	100.00%	0	0.00%

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April 10, 1992

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Fishery	Age	Total Permits Issued	Total Permits Fished	Percent Permits Fished	Permits Not Fished	Percent Permits Not Fished
801M PER/ALEUTIANS SALMON SEINE	Under 50	77	76	98.70%	1	1.30%
	50 - 59	28	27	96.43%	1	3.57%
	60 - 64	11	10	90.91%	1	9.09%
	65 and over	10	7	70.00%	3	30.00%
	Fishery Totals		126	120	95.24%	6
803M PER/ALEUTIANS SALMON DRIFT GILL NET	Under 50	135	134	99.26%	1	0.74%
	50 - 59	18	17	94.44%	1	5.56%
	60 - 64	4	4	100.00%	0	0.00%
	65 and over	7	7	100.00%	0	0.00%
	Fishery Totals		164	162	98.78%	2
804M PER/ALEUTIANS SALMON SET NET	Under 50	90	87	96.67%	3	3.33%
	50 - 59	9	8	88.89%	1	11.11%
	60 - 64	5	5	100.00%	0	0.00%
	65 and over	10	10	100.00%	0	0.00%
	Fishery Totals		114	110	96.49%	4
803T BRISTOL BAY SALMON DRIFT GILL NET	Under 50	1,210	1,210	100.00%	0	0.00%
	50 - 59	416	413	99.28%	3	0.72%
	60 - 64	123	123	100.00%	0	0.00%
	65 and over	132	127	96.21%	5	3.79%
	Fishery Totals		1,881	1,873	99.57%	8

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April 10, 1992

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Fishery	Age	Total Permits Issued	Total Permits Fished	Percent Permits Fished	Permits Not Fished	Percent Permits Not Fished
804T BRISTOL BAY SALMON SET NET	Under 50	791	743	93.93%	48	6.07%
	50 - 59	129	113	87.60%	16	12.40%
	60 - 64	37	34	91.89%	3	8.11%
	65 and over	68	60	88.24%	8	11.76%
	Fishery Totals		1,025	950	92.68%	75
L12T BRISTOL BAY HERRING SPAWN ON KELP	Under 50	369	200	54.20%	169	45.80%
	50 - 59	55	26	47.27%	29	52.73%
	60 - 64	14	9	64.29%	5	35.71%
	65 and over	10	6	60.00%	4	40.00%
	Fishery Totals		448	241	53.79%	207
804P UPPER YUKON SALMON GILL NET	Under 50	41	19	46.34%	22	53.66%
	50 - 59	10	6	60.00%	4	40.00%
	60 - 64	12	8	66.67%	4	33.33%
	65 and over	9	3	33.33%	6	66.67%
	Fishery Totals		72	36	50.00%	36
808P UPPER YUKON SALMON FISHWEEL	Under 50	91	60	65.93%	31	34.07%
	50 - 59	28	18	64.29%	10	35.71%
	60 - 64	16	15	93.75%	1	6.25%
	65 and over	20	17	85.00%	3	15.00%
	Fishery Totals		155	110	70.97%	45

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Fishery	Age	Total Permits Issued	Total Permits Fished	Percent Permits Fished	Permits Not Fished	Percent Permits Not Fished
S04W KUSKOKWIM SALMON GILL NET	Unknown	1	1	100.00%	0	0.00%
	Under 50	649	638	98.31%	11	1.69%
	50 - 59	121	115	95.04%	6	4.96%
	60 - 64	42	40	95.24%	2	4.76%
	65 and over	20	20	100.00%	0	0.00%
Fishery Totals		833	814	97.72%	19	2.28%
S04X KOTzebue SALMON GILL NET	Under 50	152	90	59.21%	62	40.79%
	50 - 59	40	29	72.50%	11	27.50%
	60 - 64	11	10	90.91%	1	9.09%
	65 and over	16	8	50.00%	8	50.00%
Fishery Totals		219	137	62.56%	82	37.44%
S04Y LOWER YUKON SALMON GILL NET	Under 50	550	530	96.36%	20	3.64%
	50 - 59	106	103	97.17%	3	2.83%
	60 - 64	32	31	96.88%	1	3.13%
	65 and over	20	16	80.00%	4	20.00%
Fishery Totals		708	680	96.05%	28	3.95%
S04Z BOSTON SOUND SALMON GILL NET	Under 50	141	95	67.38%	46	32.62%
	50 - 59	23	11	47.83%	12	52.17%
	60 - 64	12	5	41.67%	7	58.33%
	65 and over	25	14	56.00%	11	44.00%
Fishery Totals		201	125	62.19%	76	37.81%

COMMERCIAL FISHERIES ENTRY COMMISSION
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April 10, 1992

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Fishery	Age	Total Permits Issued	Total Permits Fished	Percent Permits Fished	Permits Not Fished	Percent Permits Not Fished
G34N NELSON ISLAND SAC ROE HERRING GILL NET	Under 50	110	0	0.00%	110	100.00%
	50 - 59	29	0	0.00%	29	100.00%
	60 - 64	8	0	0.00%	8	100.00%
	65 and over	2	0	0.00%	2	100.00%
	Fishery Totals		149	0	0.00%	149
G34N NUNIVAK ISLAND SAC ROE HERRING GILL NET	Under 50	34	12	35.29%	22	64.71%
	50 - 59	11	4	36.36%	7	63.64%
	60 - 64	4	1	25.00%	3	75.00%
	65 and over	1	0	0.00%	1	100.00%
	Fishery Totals		50	17	34.00%	33
G34Y LOWER YUKON SAC ROE HERRING GILL NET	Under 50	63	51	80.95%	12	19.05%
	50 - 59	20	14	70.00%	6	30.00%
	60 - 64	5	4	80.00%	1	20.00%
	65 and over	12	11	91.67%	1	8.33%
	Fishery Totals		100	80	80.00%	20
G02E NORTON SOUND SAC ROE HERRING BEACH SEINE	Under 50	9	6	66.67%	3	33.33%
	60 - 64	1	1	100.00%	0	0.00%
	65 and over	1	0	0.00%	1	100.00%
	Fishery Totals		11	7	63.64%	4

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Fishery	Age	Total Permits Issued	Total Permits Fished	Percent Permits Fished	Permits Not Fished	Percent Permits Not Fished
G34E MORTON SOUND SAC ROE HERRING GILL NET	Under 50	330	218	66.06%	112	33.94%
	50 - 59	46	33	71.74%	13	28.26%
	60 - 64	13	7	53.85%	6	46.15%
	65 and over	12	11	91.67%	1	8.33%
Fishery Totals		49	269	67.08%	132	32.92%



SENATOR FRED F. ZHAROFF

ALASKA STATE LEGISLATURE

P. O. BOX 405, KODIAK, ALASKA 99615 (907) 486-6259

DURING SESSION:

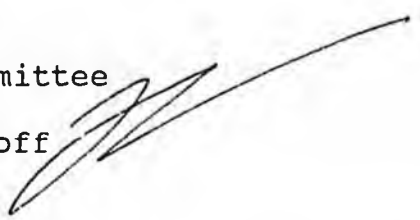
P. O. BOX V, JUNEAU, ALASKA 99811 • (907) 465-3473 • 465-3474

DISTRICT N

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

MEMORANDUM

TO: Senator Lloyd Jones
Chairman
Senate Resources Committee

FROM: Senator Fred F. Zharoff 

DATE: April 8, 1992

RE: Senate Bill No. 423 - "An Act relating to the temporary transfers of commercial fisheries entry permits."

BILL SUMMARY: SB 423 amends the emergency transfers section of the limited entry statutes. It requires the Commercial Fisheries Entry Commission to provide for the temporary emergency transfer of limited entry permits held by individuals age 65 or older who, for medical reasons, are unable to continue to participate in the fishery.

The amendment allows the commission to renew the transfer annually for multiple years. It limits the privilege to long time commercial fishermen, those who have participated in a specific fishery for at least 10 years.

PREVIOUS ACTION: Introduced on Feb. 18, 1992. Referred to the Senate Resources Committee and to the Senate Special Committee on International and Domestic Commercial Fisheries.

FISCAL NOTE: Zero fiscal note from the Commercial Fisheries Entry Commission.

BACKGROUND INFORMATION: Under current law, older commercial fishermen have few options open to them when they reach the age where, for medical reasons, they are unable to continue to participate in physically demanding commercial fisheries. At that time, they must either sell or transfer their permits, forever giving up their privilege to own and operate commercial fishing operations.

SB 423 would open up new options for commercial fishermen 65 years of age or older. They would be relieved of the pressure to permanently alter their lifestyles. They could temporarily transfer their permits to another individual or a younger family member, continue to earn income, and -- if their health returns -- resume commercial fishing. In the meantime,

younger individuals may have opportunities to gain experience in the fisheries and to earn incomes that they can put toward purchasing their own permits.

The bill is aimed at older fishermen who are nearing retirement. The age of 65 was chosen as the qualifying age because it conforms to precedent. The age of 65 is -- across the nation -- the standard age for retirement. It is the age in Alaska at which people qualify for the longevity bonus and a host of other programs.

The requirement that a person participate in the fishery for at least 10 years is an effort to discourage speculators who would buy a permit without the intention of fishing it themselves and instead just live off the income generated by the person to whom they have transferred it. Our intent is to limit the beneficiaries of this provision to bonafide commercial fishermen who have invested considerable time and money in participating in specific fisheries. The 10 year requirement is the best method we could devise for accomplishing this goal.

ATTACHED BACKUP INFORMATION:

1. Fiscal note from the Commercial Fisheries Entry Commission.
2. Letter of support from Roger and Randy Briggs of Ugashik, April 8, 1992.
3. Copy of the emergency transfers statute, AS 16.43.180.

COMMERCIAL FISHERIES ENTRY COMMISSION
8800 GLACIER HIGHWAY #109, JUNEAU, ALASKA, 99801

April 13, 1992

Permits Issued and Fished, in 1991, by Age

Fishery	Age	Total Permits Issued	Total Permits Fished	Percent Permits Fished	Total Permits Not Fished	Percent Permits Not Fished
ALL LIMITED ENTRY FISHERIES	Under 50	9,968	8,352	83.79%	1,616	16.21%
	50 - 59	2,487	1,982	79.69%	505	20.31%
	60 - 64	869	699	80.44%	170	19.56%
	65 and over	1,006	743	73.86%	263	26.14%
	----- Fishery Totals		14,330	11,776	82.18%	2,554

Note: All permits where the age of the permit holder is unknown are included in the "Under 50" category.

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. SB 423

Revision Date: _____ Department Affected: Fish and Game
 Title: Temporary transfer of commercial fisheries BRU: Commercial Fisheries (Limited) Entry Commission
entry permits Component: Limited Entry Program Administration
 Sponsor: Senator Zharoff
 Requestor: Senator Zharoff COMPONENT SERIAL NO

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EXPENDITURES/REVENUES:(Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE						
FUND SOURCE:						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
FUND SOURCE:						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Roger Kolden Phone: 789-6160
 Agency: Commercial Fisheries (Limited) Entry Commission Date: 4/6/92
 Approved by Commissioner: *Thomas M. Hansen*
 Agency: Commercial Fisheries (Limited) Entry Commission Date: 4/6/92

Distribution (by preparer): Leg.Fin., Legislative Counsel, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

Ugashik, Alaska 99613

April 8, 1992

Senator Fred Zharoff

P.O. Box V, Juneau, Alaska 99011

Dear Senator Zharoff:

Re: Amendment to Limited Entry Law 16.43-180

Add a new subsection c.

"The Commission shall adopt regulations providing for the temporary transfer from year to year of an entry permit if the permit holder is at least 65 years of age, has participated in the fishery for which the permit is issued for at least 10 years and is unable to participate in the fishery for medical reasons."

We support this bill for the following reasons:

1. No provision was made in the original Limited Entry Law or subsequent regulations for multiple year transfers for senior fishermen with continuing medical problems.
2. As of 1989 according to a Limited Entry Commission report requested by Senator Zharoff, 3222 fishermen in the state were between 60 and 70 years of age, while an additional 1364 were over 69 years of age.
3. This amendment is not a new concept because in two other circumstances multiple year transfers are permitted by the Commission.
 - a. An estate may emergency transfer a permit year after year until the estate is settled.
 - b. A permit inherited by a minor may be transferred year after year until the minor reaches the age of presumptive ability to participate.
4. This amendment would provide a fisherman 65 years of age or older an option to continue to participate in the fishery but in a less strenuous manner, thereby imparting the knowledge gained thru many years of experience to a younger fisherman.

Respectfully submitted,

Roger and Randy Briggs

Roger and Randy Briggs

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PRODUCERS AND WHOLESALERS



E. C. PHILLIPS AND SON, INC.

Fresh-Frozen and Smoked Alaska Fish

PO BOX 8235 • KETCHIKAN, ALASKA 99901 • 907 225 1121 • FAX 907 225-7249

January 31, 1991

Members of the House Resources Committee
House of Representatives
Alaska State Legislature
Box V
Juneau, Alaska 99811

SUBJECT: EXCHANGE OF RAW SPORT, AND PERSONAL USE
CAUGHT FISH FOR PROCESSED PRODUCTS AS AN ALTERNATIVE TO
CUSTOM PROCESSING

Dear Members:

We have requested that House Bill No. 60, entitled "An Act relating to the exchange of certain fish for seafood products" be introduced for your consideration.

We believe that the bill will provide a valuable service to the ever increasing number of sport fishermen visiting Alaska. We believe it will also provide many benefits to the state of Alaska, including:

Retention of additional visitor dollars in Alaska.

Additional jobs for Alaskans.

Retention of existing jobs which will be lost if legislation is not passed which will allow this practice to continue in those portions of Alaska where it has been ongoing since the early 1970's.

Growth for the Alaskan added value seafood processing industry.

Exposure of large numbers of additional visitors to Alaskan added value fishery products, enhancing opportunities to develop expanded markets for these products.

Currently, many sport fishermen in southeast Alaska have a problem even getting their fish frozen, or properly packed for transport home. If they want their product preserved, or processed in any manner, custom processing is their only option.

Custom processing requires that each individuals fish be processed as a separate batch of product. The identity of the owner must be maintained throughout the process, resulting in literally hundreds of small, segregated batches of product. This results in excessive labor requirements, increased space requirements, and a significant administrative burden in comparison to an exchange as proposed in House Bill No. 60.

Custom processing is not practical for many visitors due (1) to the time required, (2) the minimum quantity required to make custom processing practical for the processor, (3) limits placed on production capacity by the complexity of custom processing, and (4) the excessively high cost of shipping finished goods to the fisherman after he/she has returned home.

House Bill No. 60 provides AN EFFICIENT ALTERNATIVE TO CUSTOM PROCESSING. That alternative is an EXCHANGE PROGRAM as defined in House Bill No. 60.

Existing Alaska statutes which prohibit the sale or barter of sport caught fish are construed as prohibiting this type of exchange process.

In spite of this statutory prohibition, some processors in southcentral have been conducting sport fish exchange programs since the early 1970's. These same practices have been prohibited in southeastern Alaska.

On October 23, 1989 a request for an Attorney General's opinion was submitted by the Dept. of Public Safety, Fish & Wildlife Protection, Statewide Investigations concerning the exchange of sport caught or personal caught fish for processed fish products. An opinion was drafted by the AG's office which we believe states that the practice violates current Alaska Statutes and regulations (AS 16.10.265, AS 16.05.940, & 5 AAC 75.015 SALE OF SPORT CAUGHT FISH). Formal announcement and action concerning the opinion were withheld under the Cowper administration to avoid the impact of the opinion during the 1990 summer season. This has not resolved the problem of inconsistency in enforcement. It also does not provide any benefit to the state of Alaska.

It is our opinion that the statutes and regulations which prohibit sale or barter were intended to prevent sport or personal use fisherman from selling or bartering their catch for personal gain, or in a manner which establishes a value in the market place for their catch. The exchange process does not result in a personal gain to the sport, or personal use fisherman, or establish a value for their catch. The fisherman is receiving the same product he would receive through much more complex and impractical (but legally acceptable) custom processing, and is paying only for the service. House Bill No. 60 will not compromise the purpose of existing statutes.

House Bill No. 60 would not require any significant increase in regulatory work load, or require additional administrative regulations for enforcement.

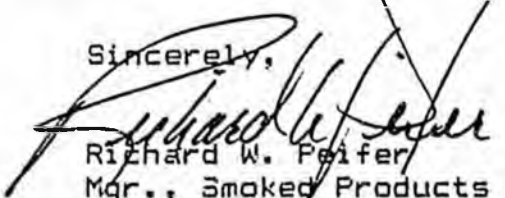
The Alaska Department of Environmental Conservation (ADEC), Division of Environmental Health, is the state agency responsible for public health regulation of the Alaska seafood industry. Current ADEC FISH INSPECTION REGULATIONS, 18 AAC 34.090 HANDLING OF FISHERIES PRODUCTS, FOOD INGREDIENTS, FOOD ADDITIVES, PACKAGING MATERIALS, AND CHEMICALS, paragraph (b) requires segregation of sport, or personal use fish from commercial fish, maintenance of records to maintain the identity of all non-commercial fish processed throughout all aspects of processing, and 18 AAC 34.170 LABELING REQUIREMENTS requiring labeling of all non-commercial fish and fishery products with the words "NOT FOR SALE".

The Director of the Division of Environmental Health, ADEC, has stated that ADEC would be willing to verify that the yields or recoveries used for the exchange process are an accurate representation of the processing recoveries or yields.

We believe that enforcement of these existing regulations and the requirements of House Bill No. 60 can be accomplished by ADEC in cooperation with the Department of Public Safety during the course of their normal inspection activities with no increase in staff or funding.

We respectfully request that you give this bill favorable consideration, and act to ensure that it is passed and in effect for the 1991 sport fishing season.

Sincerely,


Richard W. Peifer
Mgr., Smoked Products Div.

January 31, 1991

Resources Committee
House of Representatives
Alaska State Legislature
Box V
Juneau, Alaska 99811

Dear Members:

We are writing to express our support for House Bill No. 60, entitled "An Act relating to the exchange of certain fish for seafood products."

Sport fishing is the number one leisure activity in the United States today. Alaska provides an opportunity for one of the finest sport fishing experiences available. An ever increasing number of visitors are coming to Alaska specifically for the sport fishing, or including sport fishing as a major experience during their visit.

House Bill No. 60 will provide a much needed service. This service is part of the infrastructure necessary to support the growth of this important part of our visitor industry. We believe the bill will also:

Retain additional visitor dollars in Alaska.

Provide new jobs for Alaskans.

Retain existing jobs which will be lost if legislation is not passed which will allow this practice to continue in those portions of Alaska where it has been ongoing since the early 1970's.

Support the continued growth of the Alaskan added value seafood processing industry.

Expose large numbers of additional visitors to Alaskan added value fishery products, developing and enhancing opportunities for expanded markets for these products.

We urge you to vote for the passage of this bill in a timely fashion to allow this important service to be offered to sport fishermen beginning with the 1991 fishing season.

Thank you for your consideration.

Sincerely,

KECHIKAN SPORTFISHING

SEE ATTACHED FOR SKIPPER SIGNATURES

We the undersigned support HOUSE BILL NO.60

Regarding exchange of sport caught fish for processed seafood products.

Sport caught fish will be labeled "NOT FOR SALE", and used for exchange only.

NAME	OCCUPATION	CO.
<i>Carol Ann Hanger</i>	Coordinator	Ketchikan Sportfishing
<i>Margaret & Alie Hanger</i>	Owner - Operator	Ketchikan Sportfishing
<i>Mike Dooley</i>	Reservations Manager	Waterfall Resort
<i>[Signature]</i>	RESIDENT GRUNT	" "
<i>Pat Leary</i>	Controller	Waterfall Resort
<i>F. Wheeler Hanger</i>	Gen. Manager	Waterfall Resort
<i>[Signature]</i>		
<i>M. C. Munkit</i>	Another Resident Grunt	Waterfall Resort
<i>[Signature]</i>	Accounting	Waterfall Resort
<i>Judy Wharton</i>	ASST. Manager	Charley's Waterfall Ltd.
<i>Robert S. Young</i>	Manager	Ingersoll Hotel
<i>[Signature]</i>	GENERAL MANAGER	WESTMARK HOTEL
<i>[Signature]</i>	Sales Manager - KTN	Holland America Line

We the undersigned support "HOUSE BILL NO.60
Charter boat skippers-owners

DAVID R. MAYNARD - David R. Maynard 3772 ALASKA AVE., KTN. AK 99501
MIKE WILLIAMS Mike Williams 7390 ST. G. KETCHIKAN AK 99901
DICK CAVENTINE Dick Caventine 5640 S. TOWNSEND - KTN 99501
Dennis Collins Dennis Collins 1414 Townsend Ave Ktn 99501
Dewie Hamilton Dewie Hamilton P.O. Box 9551 KTN AK 99901
Lawrence H. Smith Lawrence H. Smith P.O. 5737 KTN-AK 99901
CARL H PORTER III Carl Porter III P.O. Box 7844 Ktn. AK 99501
MALCOLM DIXON Malcolm Dixon P.O. Box 725 WARD CO. AK 99902
Kenneth P. Teune Kenneth P. Teune P.O. Box 793 WARD CO. AK 99902
Anthony R. Chum Tony Azure P.O. BOX 7724 KETCHIKAN, AK 99901
Steve Lemire Steve Lemire P.O. Box 9515 KTN, AK 99901
WILLIAM HUNTINGTON William Huntington Box 9637 KTN, AK 99901
EDWARD H. PEUS Edward H. Peus 11003 VICTORSON ST N. KTN, AK 99901
GARY RUMB Gary Rumb 441 HILLCREST KTN, AK 99901
Rob Miller Rob Miller P.O. Box 7982 KTN, AK 99901
Vic Utterback Vic Utterback P.O. Box 9345 Ktn AK 99901
John Luhrs John Luhrs 898 Monroe KTN, AK 99901

1990 ADF&B REGISTERED CHARTER VESSELS

OWNERS NAME	OWNERS ADDRESS	VESSEL NAME	C. G. LIC	BUSLIC	ADF&B	VESSEL PORT
SMITH	LAWRENCE BOX 5737	KETCHIKAN AK 99901 SHANNON	231661	104085	54243	KETCHIKAN
CAMPBELL	BRUCE BOX 19236	THORNE BAY AK 99919 REBECCA MARIE	278087	107433	58906	THORNE BAY
GICKER	GEORGE 626 MAIN STREET	KETCHIKAN AK 99901 MYTIME	268170	048773	22533	KETCHIKAN
BURNETT	RALPH BOX 443	THORNE BAY AK 99919 FAIR-SEA	268116	016867	44877	JUNEAU
ERWIN	TROY BOX 7236	KETCHIKAN AK 99901 BRAY SEA	614180	046932	51519	KETCHIKAN
DOIRON	MALCOLM BOX 725	WARD COVE AK 99928 BEA MIST	278100	051177	51473	KETCHIKAN
MILLER, III	ROBERT BOX 7902	KETCHIKAN AK 99901 LADY D	231721	032267	49158	KETCHIKAN
HASSELL	JOE 2949 S. TONGASS HWY.	KETCHIKAN AK 99901 KING FISHER	167416	020584	10368	KETCHIKAN
CAMPBELL, III	CLYDE BOX 8889	KETCHIKAN AK 99901 BETTY D	0526L	110332	58862	KETCHIKAN
HAUGHTON	LONNIE BOX 3006	KETCHIKAN AK 99901 CHINA COVE	508440	024469	43450	KETCHIKAN
ANDERSON	CURTIS BOX 7118	KETCHIKAN AK 99901 LOVELY LADY	530062	059544	52896	KETCHIKAN
HAYIDA CHARTER	BOX 3034	KETCHIKAN AK 99901 BEA BREE	614364	067793	51054	KETCHIKAN
MCCOY	GARY 6A48 ZENOBIA BT. #9	WEBSTER CO 80030 WANDERIN' STAR	216374	107404	58022	KETCHIKAN
HILLEY	LAWRENCE BOX 7483	KETCHIKAN AK 99901 AK 0426 K	508500	065483	52100	KETCHIKAN
KOWALSKI	DARYL 520 JACKSON #3	KETCHIKAN AK 99901 LOIS ANN	4295H	113346	40636	KETCHIKAN
SANGER	WAYNE 1122 NELSON	SEDRO WOLLEY WA 98284 WAVE DANCER	248122	020818	55212	CRAIG
SANGER	WAYNE 1122 NELSON	SEDRO WOLLEY WA 98284 JUSTIN CASE	248122	020818	58599	CRAIG
THOMAS	KIRK RI. 2 BOX 1312	KETCHIKAN AK 99901 FLYING HIGH	231890	026711	57257	KETCHIKAN
RAMISKEY	TOM 428 TOWER	KETCHIKAN AK 99901 PHAEDRA MAE	627327	066603	34736	KETCHIKAN
HOUVART	DUANE BOX 84	CRAIG AK 99921 DUCHESS	278030	104240	53727	CRAIG
NEVILLS	BILL BOX 6123	KETCHIKAN AK 99901 SLO BELL	231883	060930	59541	KETCHIKAN
COLLENTINE	RICHARD	KETCHIKAN AK 99901 SILVER QUEEN	268083	030105	59559	KETCHIKAN
HUNTINGTON	GEORGE BOX 9637	KETCHIKAN AK 99901 SHAKER	269091	110854	58881	KETCHIKAN
PERCE	WILLIAM 110 BAYVIEW DRIVE	COFFMAN COVE AK 99950 SQUARE DANCER	268190	043537	56793	COVE
TEUNE	KENNETH BOX 793	WARD COVE AK 99928 ALASKA	268157	081646	55517	KETCHIKAN
HANSEN	ERNEST 1027 MILLAR STREET	KETCHIKAN AK 99901 NIMBUS	231736	000871	33808	KETCHIKAN
BREER	JAMES 1033 MILLAR STREET	KETCHIKAN AK 99901 SEABREEZE	268160	072233	54264	KETCHIKAN
DENNIS	AL BOX 9009	KETCHIKAN AK 99901 SALTARY "C"	268179	070849	55758	KETCHIKAN
HALL	MURTHUR BOX 1479	MINDEN NV 89423 SUMDUM		107876	53740	KETCHIKAN
CHARTERS, LTD	BRINDALL BOX 1058	WARD COVE AK 99928 BARBARA K	195378	015757	55632	WARD COVE
FATTISON	WILLIAM 735 S. PT. HIGGINS NT	KETCHIKAN AK 99901 DEALER'S CHOICE	268180	083816	48692	KETCHIKAN
PIERCE	WILLIAM 110 BAYVIEW DRIVE	COFFMAN COVE AK 99950 MILLER TIME	268190	043537	59419	COFFMAN COVE
GRIFFIN	FRANK BOX 6081	KETCHIKAN AK 99901 GRAFIN	268057	016498	32322	KETCHIKAN
MCFARLAND	JAMES BOX 159	THORNE BAY AK 99919 JEANNIE M	231838	016692	52260	THORNE BAY
PLEIN	KENNETH BOX 19329	THORNE BAY AK 99919 BIGENUFF II	278023	039285	50457	THORNE BAY
HUNTINGTON	WILLIAM BOX 9637	KETCHIKAN AK 99901 SNAKER SEEKER	231737	002529	53758	KETCHIKAN
LUNDAMO	RONALD 657 N. PT. HIGGINS RD	KETCHIKAN AK 99901 SILVERTIP	231799	019183	56127	KETCHIKAN
TURNER	ALBERT BOX 904	WARD COVE AK 99928 SILVER LADY	278054	059779	51254	KETCHIKAN
MCCOY	DAN R.R. 2 #280J	KETCHIKAN AK 99901 SALMON BUSTER	231810	045578	58482	KETCHIKAN
MANNING	RICHARD GENERAL DELIVERY	CRAIG AK 99921 -----	268666	100091	58166	CRAIG
RIPP	FAUL GENERAL DELIVERY	CRAIG AK 99921 -----	165397	100091	58167	CRAIG
HUNTINGTON	GEORGE P.O. BOX 9637	KETCHIKAN AK 99901 GEORGE'S CHARTER	269091	110854	59832	KETCHIKAN
STANL	ED 651 DEARBERRY CT. NTB	KETCHIKAN AK 99901 NIKKI MARIE	231767	017286	57984	KNUDSON COVE
ENGELMAN	GERALD BOX 774	WARD COVE AK 99928 KINGFISHER II	195400	059777	49780	KETCHIKAN
LOITZ	DAN 2306 4TH AVE.	KETCHIKAN AK 99901 TRISHALYN	231849	041455	54925	KNUDSON COVE
OKSMITH III	STANLEY BOX 8944	KETCHIKAN AK 99901 SALTY DAME	195414	070285	35429	KETCHIKAN

1990 ADF&G REGISTERED CHARTER VESSELS

OWNERS NAME	OWNERS ADDRESS	VESSEL NAME	C. G. LIC	BUSLIC	ADF&G	VESSEL PORT
MILMEISTER DALE	82 SHOUP ST.	KETCHIKAN	AK 99901 SARAH H	278092	113045	50889 KETCHIKAN
MERMAN WILLIAM	P.O. BOX 265	THORNE BAY	AK 99919 VINDICATOR		054853	28393 JUNEAU
MARDNER CLIFFORD	BOX 6141	KETCHIKAN	AK 99901 AMANTE	223374	054975	50116 KETCHIKAN
MESLY DAVID	P.O. BOX 9037	KETCHIKAN	AK 99901 HEMMING BAY	544965	062221	48426 KETCHIKAN
MESLY DAVID	P.O. BOX 9037	KETCHIKAN	AK 99901 REEL FUN		062221	54265 KETCHIKAN
MENOR FORREST	2544 THIRD AVE.	KETCHIKAN	AK 99901 CHERI	231744	045990	41765 KETCHIKAN
MENOR FORREST	2544 THIRD AVE.	KETCHIKAN	AK 99901 EL SOL	231744	045990	20639 KETCHIKAN
MILLOTSON LARRY	P.O. BOX 585	WARD COVE	AK 99928 CATHERINE MARIE	231887	012351	43991 KETCHIKAN
MILLIM RUBY	P.O. BOX 1156	WARD COVE	AK 99928 Z	235701	034625	20545 KETCHIKAN
MIMM LEWIS	P.O. BOX 672	KETCHIKAN	AK 99901 LUCKY STRIKE	278046	002608	51303 KETCHIKAN
MICK ROLF	Box 7311 Ketchikan, AK	KETCHIKAN	AK 99901 MY FAIR LADY	627399	126194	20357 KETCHIKAN
MICK DAN	511 TOWER RD KETCHIKA	KETCHIKAN	AK 99901 NO NAME	231772	121955	59762 KETCHIKAN
MERR DAVID	8404 35TH ST. W-TACOMA	TACOMA	WA 98466 EXODUS	247901	121217	59615 TACOMA, WA
MULLOCK, JR. JAMES	BOX 1197 WARD COVE, AK	WARD COVE	AK 99928 TCHAIKA	231741	238857	58380 WARD COVE, AK
METTJE LARRY	BOX 5182 KETCHIKAN AK	KETCHIKAN	AK 99901 MISTY LADY	278082	111470	49138 KETCHIKAN AK
MOLPH NETTIE	148 THOMAS ST.	KETCHIKAN	AK 99901 DA'HOD	0786K	061820	50439 KETCHIKAN AK
MUMBY GARY	441 HILLCREST	KETCHIKAN	AK 99901 VERA CRUZ	278081		55389 KETCHIKAN
MAYNARD DAVID	3772 ALASKA AVENUE	KETCHIKAN	AK 99901 ISLANDER	268127	009498	51487 KETCHIKAN
MORTER, SR. CARL	BOX 7844	KETCHIKAN	AK 99901 AK-7992-L	235838	121038	60105 KETCHIKAN AK
MOFFINET DON	BOX 5874	KETCHIKAN	AK 99901 AMY JO	231775	054798	51374 KETCHIKAN AK
MORSE CLASSICALASKA CHARTERS	P. O. BOX 6117	KETCHIKAN	AK 99901 BATTERY "C"		078849	55758 KETCHIKAN, A K
MULLINS DENNIS	BOX 8712	KETCHIKAN	AK 99901 CHIANE II	231702	043216	26132 KETCHIKAN AK
MURPHY THOMAS	BOX 9051	KETCHIKAN	AK 99901 WHITE BEAR	627395	125432	60535 KETCHIKAN AK
MURPHY, JR. FRANK	2802 THIRD AVENUE	KETCHIKAN	AK 99901 AMBER GIRL	627409	125335	29048 KETCHIKAN AK
MURPHY ANTHONY	BOX 7724	KETCHIKAN	AK 99901 FISH N FUN	231824	066897	58402 KETCHIKAN AK
MURPHY MIKE	7390 TONGASS HIGHWAY	KETCHIKAN	AK 99901 MELODY JEAN	627403	125721	48320 KETCHIKAN AK
MURPHY DUANE	BOX 84	CRAIG	AK 99921 DUCHESS	278030	003070	53727 CRAIG AK
MURPHY RICHARD	BOX 133	KLAWOCK	AK 99925 SCOTTY II	278016	108480	54801 CRAIG AK
MURPHY GARRY	BOX 9290	KETCHIKAN	AK 99901 DOMINO	195349	009551	4589J KETCHIKAN AK
MURPHY EDWARD	BOX 166	KLAWOCK	AK 99925 MISS RIANNON	278107	100308	54324 KLAWOCK AK
MURPHY ASSOCIATES REBORT	BOX 6440	KETCHIKAN	AK 99901 WATERFALL #1		068373	52838 KETCHIKAN AK
MURPHY ASSOCIATES RESORT	BOX 6440	KETCHIKAN	AK 99901 WATERFALL #2		068373	48922 KETCHIKAN AK
MURPHY ASSOCIATES RESORT	BOX 6440	KETCHIKAN	AK 99901 WATERFALL #3		068373	48923 KETCHIKAN AK
MURPHY ASSOCIATES RESORT	BOX 6440	KETCHIKAN	AK 99901 WATERFALL #4		068373	48924 KETCHIKAN AK

1990 ADF&G REGISTERED CHARTER VESSELS

OWNERS NAME	OWNERS ADDRESS	VESSEL NAME	C. G. LIC	PUBLIC ADF&G	VESSEL NUM
ASSOCIATES RESORT	BOX 6440	KETCHIKAN AK 99901 WATERFALL #5	068373	48925	KETCHIKAN AK
ASSOCIATES RESORT	BOX 6440	KETCHIKAN AK 99901 WATERFALL #6	068373	48926	KETCHIKAN AK
ASSOCIATES RESORT	BOX 6440	KETCHIKAN AK 99901 WATERFALL #7	068373	48927	KETCHIKAN AK
ASSOCIATES RESORT	BOX 6440	KETCHIKAN AK 99901 WATERFALL #8	068373	48928	KETCHIKAN AK
ASSOCIATES RESORT	BOX 6440	KETCHIKAN AK 99901 WATERFALL #9	068373	48929	KETCHIKAN AK
ASSOCIATES RESORT	BOX 6440	KETCHIKAN AK 99901 WATERFALL #10	068373	48930	KETCHIKAN AK
ASSOCIATES RESORT	BOX 6440	KETCHIKAN AK 99901 WATERFALL #11	068373	48931	KETCHIKAN AK
ASSOCIATES RESORT	BOX 6440	KETCHIKAN AK 99901 WATERFALL #12	068373	48932	KETCHIKAN AK
ASSOCIATES RESORT	BOX 6440	KETCHIKAN AK 99901 WATERFALL #14	068373	48933	KETCHIKAN AK
ASSOCIATES RESORT	BOX 6440	KETCHIKAN AK 99901 WATERFALL #15	068373	50315	KETCHIKAN AK
ASSOCIATES RESORT	BOX 6440	KETCHIKAN AK 99901 WATERFALL #16	068373	59327	KETCHIKAN AK
ASSOCIATES RESORT	BOX 6440	KETCHIKAN AK 99901 WATERFALL #17	068373	50317	KETCHIKAN AK
ASSOCIATES RESORT	BOX 6440	KETCHIKAN AK 99901 WATERFALL #18	068373	52450	KETCHIKAN AK
ASSOCIATES RESORT	BOX 6440	KETCHIKAN AK 99901 WATERFALL #19	068373	59328	KETCHIKAN AK
ASSOCIATES RESORT	BOX 6440	KETCHIKAN AK 99901 WATERFALL #21	068373	53829	KETCHIKAN AK
ASSOCIATES RESORT	BOX 6440	KETCHIKAN AK 99901 WATERFALL #22	068373	55322	KETCHIKAN AK
ASSOCIATES RESORT	BOX 6440	KETCHIKAN AK 99901 WATERFALL #23	068373	55323	KETCHIKAN AK
ASSOCIATES RESORT	BOX 6440	KETCHIKAN AK 99901 WATERFALL #24	068373	54463	KETCHIKAN AK
ASSOCIATES RESORT	BOX 6440	KETCHIKAN AK 99901 WATERFALL #25	068373	56939	KETCHIKAN AK
LIHRA JOHN	3816 ALASKA AVENUE	KETCHIKAN AK 99901 KAYJAY	278177	125132	60752 KETCHIKAN AK
FRUIT WRIGHT TED DON	BOX 9419 BOX 5953	KETCHIKAN AK 99901 MIDNIGHT BUN KETCHIKAN AK 99901 MAR-DON	684887 627341	003411 016817	51577 JUNEAU AK 51488 KETCHIKAN AK
COOK HAMILTON SIDNEY DEWIE	BOX 121 BOX 9551	THORNE BAY KETCHIKAN AK 99919 BOARDWALK AK 99901	290738 278279	110904 111166	60170 THORNE BAY 60573 KETCHIKAN AK
MILLER, III ROBERT	P. J. BOX 7982	KETCHIKAN AK 99901 LADY D	231721	032267	49158 KETCHIKAN AK
STENFORD LEIF	431 DOCK STREET	KETCHIKAN AK 99901 MAJESTIC DAWN	659393	125443	60559 KETCHIKAN AK

1990 ADF&G REGISTERED CHARTER VESSELS

OWNERS NAME	OWNERS ADDRESS	VESSEL NAME	C. G. LIC	BUSLIC	ADF&G	VESSEL PUR
PATTISON	WILLIAM P. O. BOX 878	KETCHIKAN AK 99901 KATRINA LYNN	195377	028479	51341	KETCHIKAN, AK
WESTLUND	DONALD P.O. BOX 7883	KETCHIKAN AK 99901 SILVER KING	231773	040495	51428	KETCHIKAN, AK
JOYNER	JOHN P.O. BOX 5451	KETCHIKAN AK 99901 STARFISH	268171	080981	56463	KETCHIKAN, AK
ASHCRAFT	JOE BOX 122	METLAKATLA AK 99926 TALOFA TEINE	278174	126336	60591	METLAKATLA
PATTISON	WILLIAM P.O. BOX 878	WARD COVE AK 99928 KATRINA LYNN	195377	028479	51341	KETCHIKAN
STENFORD	LEIF 431 DOCK STREET	KETCHIKAN AK 99901 MAJESTIC DAWN	659393	125443	60559	KETCHIKAN, AK
CLASSIC AK	CHARTERS P.O. BOX 6117	KETCHIKAN AK 99901 SALTERY "C"		126621	55758	KETCHIKAN, AK
MANNING	RICHARD GENERAL DELIVERY	CRAIG AK 99921 AK 8401 L	268666	108091	60433	CRAIG, AK
MANNING	RICHARD PO BOX 480	CRAIG AK 99921 AK 8401 L	268666	108091	60433	CRAIG, AK
McFARLAND	JAMES P.O. BOX 153	THORNE BAY AK 99919 FISH MAGNET	231838	016692	60794	THORNE BAY
RUSMAN	DAVID PO BOX 9629	KETCHIKAN AK 99901 BOLLASHDANCE	231764	063862	58882	KETCHIKAN, AK
RUSMAN	DAVID PO BOX 9629	KETCHIKAN AK 99901 WHIFFERSNAPPER	231764	063862	51721	KETCHIKAN, AK
KELLER	GLENN PO BOX 6812	KETCHIKAN AK 99901 SHAMROCK	231841	031013	50960	KETCHIKAN, AK
ORNI	B PO BOX 7552	KETCHIKAN AK 99901 AK 0931 H		031013	53552	KETCHIKAN, AK
KNOTNAS	WILLIAM 1010 POND REEF ROAD	KETCHIKAN AK 99901 MAGNUM II	231821	040861	55669	KNUDSON COVE
RESORT	ASSOCIATES PO BOX 6440	KETCHIKAN AK 99901 WATERFALL #20		060373	60661	KETCHIKAN, AK
PHILLIPS	LIFE WATERFALL RESORT	WATERFALL AK 99950 RED STORM	268785	060373	60754	KETCHIKAN, AK
QUERTINE, JR	THOMAS PO BOX 7414	KETCHIKAN AK 99901 HUNTER K	231796	121920	60258	KETCHIKAN, AK
HAMILTON	DON BOX 153	CRAIG AK 99921	268685	126737	04414	CRAIG, AK

A W BRINDLE
H. A. BRINDLE

JAN 22 1991

PROCESSORS OF
CHOICE ALASKA SEAFO
SINCE 1912

Wards Cove Packing Company

PHONE (206) 323-3200
TELEX 328759

88 E. HAMLIN STREET
P.O. BOX C-5030
SEATTLE, WA 98105-0030

Day Fax (206) 323-3200 Ext 25
Night Fax (206) 323-3204

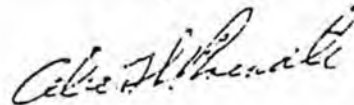
January 17, 1991

Mr. Joe Ambrose
House of Representatives
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

Dear Mr. Ambrose:

I have reviewed the draft bill you sent me with regard to the exchange of sport or subsistence fish for processed seafood products and I have no problems with either the concept or with the bill as drafted. It seems to me it should accomplish the objective but I hope that people from the industry would have an opportunity to meet with the appropriate people in DEC to make sure that the implementing regulations, such as they may be, will be workable. We would of course be happy to participate in any meetings to further that objective. Please let me know if we can be of any help in pushing this legislation along.

Sincerely,



Alec W. Brindle

AWB:knh
cc: Cliff Phillips

Overall Economic Development Program

7th & Madison, Ketchikan, AK 99901

(907) 225-6171

Fax (907) 225-3895

February 1, 1991

Representative Cliff Davidson, Chair
Resources Committee, Alaska House of Representatives
PO Box V (MS 3100)
Juneau, Alaska 99811


RE: HB 60, RAW FISH EXCHANGE PROGRAM

Dear Representative Davidson:

We urge your support of House Bill 60. As you well know, the industries of tourism and of fishing make significant contributions to the local economies of Southeast Alaska. Your support of HB 60 will go a long way toward enriching the tourist experience of Southeast, while providing a valuable and perhaps lifelong link to the premier fish products of Southeast Alaska.

Thank you for your efforts on the behalf of all Alaskans.

Yours truly,



John Clifton, Chair
Overall Economic Development Program

cc: Members of the Resource Committee,
Alaska House of Representatives

Senator Lloyd Jones

Representative Robin Taylor
Representative Cheri Davis



ALASKA VISITORS ASSOCIATION

501 West Northern Lights, Suite 201 • Anchorage, Alaska 99503

Tel: (907) 276-6663 • Fax: (907) 258-4036

1990-91

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Ray Pedersen

Princess Tours

Seattle, Washington

1st Vice-President

Bob Berto

Southeast Seaside Inn

Ketchikan, Alaska

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Alaska Airlines

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Phillips Cruises & Tours

Terry Underwood

HAL-Westours Inc.

Richard West

Alaska Sightseeing Tours

Tim Worthen

Kennerly Cruises

Karen Cowart

Executive Director

#91-02

A RESOLUTION

RELATING TO THE EXCHANGE OF RAW SPORT AND PERSONAL
USE CAUGHT FISH FOR PROCESSED PRODUCTS AS AN
ALTERNATIVE TO CUSTOM PROCESSING.

WHEREAS, the number of tourists visiting Alaska to enjoy our sport fishery is growing rapidly; and

WHEREAS, the number of non-resident sport fishing licenses issued in 1990 increased by 34 percent to 176,433; and

WHEREAS, a growing percentage of these sport fishermen arrive via cruise ships with limited time in port; and

WHEREAS, fishermen visiting in this manner have a problem dealing with any fish they catch; and

WHEREAS, while some communities have custom processing available, the service is often limited and time consuming; and

WHEREAS, Representative Robin Taylor has introduced HB60 to allow for the exchange of raw sport caught fish for processed fish of the same species; and

WHEREAS, this measure will not only enhance the attraction of visitors to Alaska, but will also lead to an increase in value-added processing, bringing with it increased employment for Alaska residents;

NOW THEREFORE BE IT RESOLVED THAT THE ALASKA Visitors Association Board of Directors fully supports the goals and objectives of HB60 and urges passage of this measure.

Adopted by the Board of Directors on February 7, 1991.

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: KEN TEUNE, OWNER/OPERATOR
TITLE: NORTHERN LIGHTS CHARTERS
ADDRESS: P.O. BOX 793
CITY: WARD COVE, AK ZIP: 99928
PHONE: 247-8488

BILL NO: HB 60
SUBJECT: EXCHANGE OF RAW FISH FOR SEAFOOD PRODUCT
MESSAGE: PLEASE MAKE MAXIMUM EFFORT TO PASS HB 60 FOR THIS SEASON. EARLY AL
SPORT FISHERMAN AND MANY PROCESSORS ARE IN FAVOR. OTHER STATES HAV: SIMILAR
LAWS IN EFFECT WITH EXCEPTIONAL BENEFIT TO THE TOURISM INDUSTRY AND NO ADVERSE
EFFECTS ON THE COMMERCIAL INDUSTRY.

POMID: 08133605
DATE: 91/02/18
TIME: 13:36:05
LIONAME: KETCHIKAN LIO

COPIES: REPRESENTATIVES

LINCOLN
IVAN
MOYER
FINKELSTEIN
CARNEY
HUDSON
LEMAN
ZAHACKI

FEB 11 1991

REPRESENTATIVE LOREN LEMAN

District 9 - West Anchorage

2699 Nathaniel Court • Anchorage, Alaska 99517

243-2000

February 8, 1991

John Clifton, Chairman
Overall Economic Development Program
7th & Madison
Ketchikan, AK 99901

Dear Mr. Clifton:

Thank you for your letter regarding House Bill 60, regarding a Raw Fish Exchange Program.

Rep. Taylor has been successful in having the legislation brought up for hearings before the House Resources Committee, on which I serve. Yesterday the bill was before the committee for the first time. We were presented with a good deal of positive testimony. However, the Committee chairman, Rep. Cliff Davidson, is holding the bill over for further review.

I am pleased that Rep. Taylor proposed this legislation. It appears to be both needed and beneficial.

Sincerely,

Loren Leman
Representative

nc020801

cc. Rep. Robin Taylor

January 31, 1991

Resources Committee
House of Representatives
Alaska State Legislature
Box V
Juneau, Alaska 99811

Dear Members:

We are writing to express our support for House Bill No. 60, entitled "An Act relating to the exchange of certain fish for seafood products."

Sport fishing is the number one leisure activity in the United States today. Alaska provides an opportunity for one of the finest sport fishing experiences available. An ever increasing number of visitors are coming to Alaska specifically for the sport fishing, or including sport fishing as a major experience during their visit.

Ketchikan Sportfishing and our associated charter boat operators provided fishing charters to approximately 5600 clients in 1989, and over 7000 clients in 1990. We look forward to similar growth for 1991. In both 1989 and 1990, over 90 percent of our clients were visiting Ketchikan by tour ship. Their time in port is very short, and the fish they catch are a problem for many of the fishermen and the tour ships. In 1990, our clients had 12,427 lbs. of fish custom processed. These clients are in the minority. Many of our clients were unable to take advantage of custom processing because they did not have sufficient fish to meet the custom processors minimum requirement of 20 lbs.. These clients were forced to either carry their fish on board ship to be dealt with by the tour ship crew, or give their fish away. We believe that the exchange program as outlined in House Bill No. 60 will meet a very critical need. We estimate that the amount of fish processed would increase at least three fold, and that this service would make the fishing experience more attractive to visitors, increasing the number of clients requiring charter services.

House Bill No. 60 will provide a much needed service. This service is part of the infrastructure necessary to support the growth of this important part of our visitor industry. We believe the bill will also:

Retain additional visitor dollars in Alaska.

Provide new jobs for Alaskans.

Retain existing jobs which will be lost if legislation is not passed which will allow this practice to continue in those portions of Alaska where it has been ongoing since the early 1970's.

Support the continued growth of the Alaskan added value seafood processing industry.

Expose large numbers of additional visitors to Alaskan added value fishery products, developing and enhancing opportunities for expanded markets for these products.

We urge you to vote for the passage of this bill in a timely fashion to allow this important service to be offered to sport fishermen beginning with the 1991 fishing season.

Thank you for your consideration.

Sincerely,

Margaret S. Hansen
+
Ollie Hansen



KETCHIKAN
VISITORS BUREAU

MAR 15 1991

A RESOLUTION

Relating to the exchange of raw sport and personal use caught fish for processed products as an alternative to custom processing.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE
KETCHIKAN VISITORS BUREAU:

WHEREAS the number of tourists visiting Alaska to enjoy our sport fishery is growing rapidly; and

WHEREAS the number of nonresident sport fishing licenses issued in 1990 increased by 34 percent to 176,433; and

WHEREAS a growing percentage of these sport fishermen arrive via cruise ships with limited time in port; and

WHEREAS fishermen visiting in this manner have a problem dealing with any fish they catch; and

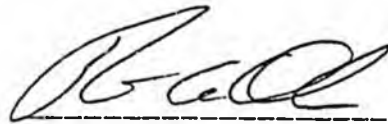
WHEREAS while some communities have custom processing available, the service is often limited and time-consuming; and

WHEREAS Rep. Robin Taylor has introduced HB60 to allow for the exchange of raw sport caught fish for processed fish of the same species; and

WHEREAS this measure will not only enhance the attraction of visitors to Alaska, but will also lead to an increase in value added processing, bringing with it increased employment for Alaska residents;

BE IT RESOLVED BY THE BOARD OF
DIRECTORS OF THE KETCHIKAN VISITORS BUREAU that the
Ketchikan Visitors Bureau fully supports the goals and objectives of HB60
and urges passage of this measure.

ADOPTED THIS 19TH DAY OF FEBRUARY,
1991.

A handwritten signature in cursive script, appearing to read "Ken Dole", is written above a horizontal dashed line.

Ken Dole, Chairman

Alaska State Legislature

COMMITTEES:

MEMBER

RULES

INTERNATIONAL TRADES & TOURISM

LABOR & COMMERCE

ETHICS

WESTERN STATES LEGISLATIVE
FORESTRY TASK FORCE



P.O. BOX 1441
WRANGELL, ALASKA 99929
(907) 874-2316

Written in Juneau
P.O. BOX V
JUNEAU, ALASKA 99811
(907) 465-4905

House of Representatives

ROBIN L. TAYLOR
MINORITY LEADER

MEMORANDUM

TO: Robin

FROM: Joe

DATE: 4/11/91

REF: HB 60

HB 60 has the endorsement of the OEDP Committee, the Ketchikan Visitors Bureau and the Alaska Visitors Assn., along with the personal endorsement of Alec Brindle and Cliff Phillips. The charter boat operators and resort operators also support the bill.

The CS was developed in response to specific concerns raised by Cliff Davidson regarding the apparent misuse of the resource by the Moonies. Other language changes were made at the suggestion of the subcommittee.

IF the commercial fishing industry is concerned, and we have had no such input from District 1, this bill should actually be viewed as an asset. The bill provides a written, dated record of how much fish is exchanged and therefore a record that can be used by Fish and Wildlife Protection as an enforcement tool.

The only testimony against the bill was a concern over how sport fishermen would "view" their catch. The point was, instead of a mess of fish in the bottom of a boat, the fisherman would "see" processed seafood. This would encourage a greater incursion into the "limited" resource.

October 9, 1990

SUBJECT: EXCHANGE OF RAW SPORT, PERSONAL USE, AND
SUBSISTENCE CAUGHT FISH FOR PROCESSED PRODUCTS AS
AN ALTERNATIVE TO CUSTOM PROCESSING

In southeast Alaska, as well as many other areas of the state, the number of tourists visiting Alaska to enjoy our sport fishery is growing rapidly. In the greater Ketchikan area, there were 105 charter boat operations permitted during 1990. This does not include the many small boats available for rent by sport fishermen who do not use the more expensive charter services. In 1987 there were 132,008 nonresident sport fishing licenses issued in Alaska. In 1990 that number increased to 176,433. That is a 34 percent increase (44,425 additional nonresident licenses).

One charter group reported that during 1989, they provided fishing charters to approximately 5600 persons, 5200 of which were visiting Ketchikan by tour ship. Since tour ships are only in port for an average of 24 hours, it is apparent that fishermen visiting in that manner have a problem in dealing with any fish they may catch.

It is estimated by the Alaska Department of Fish & Game that sport fishermen are taking in excess of 630,000 lbs. of fish in the Ketchikan area during a 120 day summer season.

What happens to all of that fish? In some cases, the fishing lodges offer filleting and freezing services, but in most cases, the fish are boxed and taken home by the fisherman as excess baggage, to be dealt with as best possible when he/she gets home. One processor in Ketchikan offers custom processing such as smoking and canning, but most people cannot take advantage of the service due (1) to the time required, (2) the minimum quantity required by the processor to make custom processing practical, (3) the limited capacity of the processor, and (4) the excessively high shipping costs for the finished goods (most often in excess of \$1.50 per lb.). Since a fishing trip to Alaska is often a very expensive, once in a lifetime experience for most visitors, they want to spend their time fishing and enjoying the Alaskan experience. It is not practical to wait the 7 to 10 days or longer for their fish to be properly custom processed. Very often they cannot even get their fish frozen or properly packed for transport home.

Added value processing of the 630,000 lbs. of sport caught fish could add in excess of \$1,000,000.00, as well as many jobs to the Ketchikan economy annually, and many times more than that to other areas of the state. This contribution is severely limited by the cumbersome and costly nature of custom processing.

There is an efficient alternative to custom processing, that is successfully practiced in other states, and was employed by several processors in southcentral Alaska from the early 1970's through 1990. That alternative is an EXCHANGE PROGRAM.

The EXCHANGE PROGRAM allows a fisherman to exchange sport, personal use, or subsistence caught fish for processed fish, i.e., canned, smoked, etc., of the same species. The fish are exchanged on ratios consistent with average yields for processing the fish into the desired finished product. For example: If the normal yield for a kippered (hot smoked) salmon were 60 percent, the fisherman would receive 6 lbs. of kippered salmon for each 10 lbs. of headed and gutted fish delivered for exchange. The fisherman would receive his/her product immediately and pay a fee similar to that paid for custom processing. The fish received by the processor are then processed into more finished goods for exchange. The exchange concept also allows a processor to efficiently process large production lots of products FOR EXCHANGE ONLY. In a properly conducted exchange program, separate inventories of sport caught fish, and finished goods for exchange are maintained, ensuring that sport caught fish do not enter commercial channels.

Custom processing requires that each individual's fish be processed as a separate batch of product. The identity of the owner must be maintained throughout the process, resulting in literally hundreds of small, segregated batches of product.

This results in excessive labor requirements, increased space requirements, and a significant administrative burden in comparison to an exchange type program.

On October 23, 1989 a request for an Attorney General's opinion was submitted by the Dept. of Public Safety, Fish & Wildlife Protection, Statewide Investigations concerning a sport or personal-use exchange process, where a fisherman can exchange his sport or personal caught fish for processed fish products. An opinion was issued by the AG's office stating that the practice was in conflict with current Alaska Statutes and regulations (AS 16.10.265, AS 16.05.940, & 5 AAC 75.013 SALE OF SPORT CAUGHT FISH). Formal announcement and action concerning the opinion were withheld until the fall of 1990 to avoid the impact of the opinion without giving those companies involved adequate time to react to the required changes.

The exchange system is a very valuable service for the Alaskan visitor and the state of Alaska. The statutes and regulations which prohibit sale or barter were intended to prevent sport or personal use fisherman from selling or bartering their catch for personal gain, or in a manner which establishes a value in the market place for their catch. The exchange process does not result in a personal gain to the sport, personal use, or subsistence fisherman, or establish a value for their catch. The fisherman is receiving the same product he would receive through much more complex and impractical (but legally acceptable) custom processing, and is paying only for the service.

We believe that the service which can be provided through a properly structured EXCHANGE program would be valuable to Alaskans and particularly to Alaskan visitors. We also believe this service can make a significant contribution to the state in additional tourism dollars.

We are requesting your support in establishing Alaska state statutes which would permit the exchange of sport, personal use, or subsistence caught fish for processed fish of the same species. The program would also require that the sport caught fish received in exchange for the finished goods be processed and used only for future sport caught exchange.

Statutes providing for a sport, personal use, subsistence exchange program, if worded properly, would not require any significant increase in regulatory work load, or require additional administrative regulations for enforcement.

The Alaska Department of Environmental Conservation (ADEC), Division of Environmental Health, is the state agency responsible for public health regulation of the Alaska seafood industry. Current ADEC FISH INSPECTION REGULATIONS, 18 AAC 34.090 HANDLING OF FISHERIES PRODUCTS, FOOD INGREDIENTS, FOOD ADDITIVES, PACKAGING MATERIALS, AND CHEMICALS, paragraph (b) requires segregation of sport, personal use, or subsistence fish from commercial fish, maintenance of records to maintain the identity of all non-commercial fish processed throughout all

aspects of processing, and 18 AAC 34.170 LABELING REQUIREMENTS requiring labeling of all non-commercial fish and fishery products with the words "NOT FOR SALE".

The Director of the Division of Environmental Health, ADEC, has stated that ADEC would be willing to verify that the yields or recoveries used for the exchange process are an accurate representation of the processing recoveries or yields.

Enforcement of these existing regulations by ADEC, and cooperation with the Alaska Departments of Fish & Game and Public Safety through a memorandum of understanding (much the same as the current MOU for the National Shellfish Sanitation Program), coupled with ADEC verification of exchange recoveries or yields, should satisfy the general regulatory requirements for an exchange program.

A statute to permit a SPORT, PERSONAL USE, OR SUBSISTENCE EXCHANGE PROCESS should provide for the following requirements:

Notwithstanding any other provisions of law, exchange of sport caught, subsistence, or personal use fish in accordance with the following requirements is permitted, and shall not be construed as barter or sale as defined by AS 16.05.940.

1. All establishments or persons custom processing, or processing sport sport caught, subsistence, or personal use fish or fishery products for exchange, must as deemed necessary by the Commissioner of Environmental Conservation, comply with all requirements of the ALASKA FISH INSPECTION REGULATIONS, CHAPTER 34, TITLE 18 of the Alaska Administrative Code, and all subsequent revisions.

2. Commercial fish or fishery products prominently labeled "NOT FOR SALE" may be used in exchange for sport caught, personal use, or subsistence fish to establish the initial inventories of finished goods required for exchange purposes.

3. Sport caught, personal use, or subsistence fish or fishery products produced from sport caught, personal use, or subsistence fish may not be sold or bartered, and are prohibited from entering commerce at any time.

4. In the case that a processor discontinues operations, remaining inventories of sport caught, personal use, or subsistence fish or fishery products produced from sport caught, personal use, or subsistence fish must be disposed of in a manner approved by the Commissioner of ADEC, but may not in any case be sold, bartered, or in any manner be disposed of in commerce. The Commissioner may approved the donation of these materials to a non-profit organization for subsistence use.

5. All sport caught, personal use, or subsistence fish or fishery products produced from sport caught, personal use, or subsistence fish must be maintained in separate, segregated, clearly identified inventories.

6. All sport caught, personal use, or subsistence fish must be inspected upon receipt, and only wholesome fish in good sound condition will be accepted for exchange purposes.

7. Processed products must be exchanged for sport caught, personal use, or subsistence fish at a ratio equal to the actual average yield achieved in the processing of the product from the form received in exchange.

8. Exchange of sport caught, personal use, or subsistence fish or fishery products is limited to the species submitted for exchange. Exchange of sport caught, personal use, or subsistence fish for fish or fishery products of a different species is prohibited.

9. Each individual operating a business which engages in exchange of sport caught, personal use, or subsistence fish for processed fish or fishery products must maintain on the premises for a minimum of 2 years, auditable records of the quantities of sport or personal-use fish products received, processed, and exchanged.

10. All containers and/or packaging containing sport caught, personal-use, or subsistence fish, or fishery products manufactured from sport caught, personal-use, or subsistence fish, or commercial fish or fishery products offered in exchange for sport caught, personal use, or subsistence fish must be labeled "NOT FOR SALE".

PENALTY FOR VIOLATIONS. A person who violates this statute or a regulation adopted under this statute is guilty of a class A misdemeanor.

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. SB 428

Revision Date: _____ Department Affected: Environmental Conservation
 Title: "An Act relating to the exchange of certain fish for seafood products." BRU: Environmental Health
 Sponsor: Lloyd Jones Component: Seafood Industry
 Requestor: _____ COMPONENT SERIAL NO.

6	4	9
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE						
FUND SOURCE:						

FUNDING: (Thousands of Dollars)

GENERAL FUND	0.0	0.0	0.0	0.0	0.0	0.0
FEDERAL FUNDS						
OTHER						
FUND SOURCE:						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

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

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)
ATTACHED

Prepared By: Kit Ballantine, Acting Director Phone: 465-5280
 Division: Environmental Conservation Date: 3-17-92
 Approved by Commissioner: [Signature]
 Agency: Environmental Conservation Date: 3/20/92

S B

4 3 4

S JATE COMMITTEE REPORT
FIRST COMMITTEE OF REFERRAL

DATE: 2/18/92

FURTHER:

Date of 5-Day Notice: April 16, 1992
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: May 2, 1992

Resources Committee considered SB 434

"An Act relating to raw milk and goat milk."

and recommends:

replace with _____ CS _____ (_____)

attaches amendment(s)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

same title
 new title
 technical title change
(HB only)

NEW FISCAL NOTES: Dept/Date

zero fiscal notes _____

fiscal notes _____

appropriation--no fiscal note

PREVIOUS FISCAL NOTES: Dept/Date

Governor's bill with fiscal notes:
zero fiscal notes _____

fiscal notes DEC. 4/17/92

DO PASS:

Sen Cost
[Signature]
[Signature]
[Signature]

OTHER RECOMMENDATIONS:

Publication no rec.
Order needs smaller fiscal note

[Signature]
Chair: Signature and Recommendation

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. SB 434

Revision Date: _____ Department Affected: Environmental Conservation
 Title: "An Act relating to raw milk and goat milk." BRU: Environmental Health
 Component: Animal Health and Palmer Laboratory
 Sponsor: Patrick Rodey
 Requestor: _____ COMPONENT SERIAL NO.

6	4	7
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	73.8	73.8	73.8	73.8	73.8	73.8
TRAVEL	5.0	5.0	5.0	5.0	5.0	5.0
CONTRACTUAL	2.5	2.5	2.5	2.5	2.5	2.5
SUPPLIES	5.0	5.0	5.0	5.0	5.0	5.0
EQUIPMENT	24.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	110.3	86.3	86.3	86.3	86.3	86.3

CAPITAL						
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REVENUE						
FUND SOURCE:						

FUNDING: (Thousands of Dollars)

GENERAL FUND	110.3	86.3	86.3	86.3	86.3	86.3
FEDERAL FUNDS						
OTHER FUND SOURCE:						
TOTAL	110.3	86.3	86.3	86.3	86.3	86.3

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	3	3	3	3	3	3
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Kit Ballentine, Acting Director Phone: 465-5280
 Division: Environmental Health Date: March 17, 1992
 Approved by Commissioner: _____
 Agency: _____ Date: _____

Senate

SPONSOR SUMMARY

Senate Bill 434 - Sale of Raw Milk

Senate Bill 434 proposes to allow for the sale of raw cow milk and raw goat milk in Alaska. There is a growing market for these products among health food advocates, and parents who want to provide their children with unprocessed milk products.

The bill provides for the sale of these products, and identifies the commissioner of the Department of Environmental Conservation as the regulatory authority. The department will establish regulations pertaining to operational activities, including storage and transportation of raw milk.

Currently, virtually all milk sold in Alaska comes from the state of Washington, a state which allows the sale of raw milk. Local production and distribution of raw milk products, while a modest portion of the market, will support in-state businesses.

CHAPTER 15.36

FLUID MILK

Sections

- 15.36.010 Definitions—"Milk" and certain milk products.
- 15.36.011 Definitions and standards, establishment and amendment by rule—Milk and milk products—Products made to resemble or imitate dairy products—Labels.
- 15.36.020 —"Pasteurization."
- 15.36.030 —"Adulterated and misbranded milk," etc.
- 15.36.040 —"Milk producer"—"Distributor" — "Dairy" — "Milk plant."
- 15.36.050 —"Average" counts, time, temperature.
- 15.36.060 —"Person" — "Director" "Health officer"—"And/or."
- 15.36.070 Sale of adulterated, misbranded, or ungraded milk or milk products prohibited.
- 15.36.075 Milk not deemed adulterated if added ingredient is approved by rule or regulation.
- 15.36.080 Permits.
- 15.36.090 Labeling.
- 15.36.100 Inspection of dairy farms and milk plants.
- 15.36.110 Examination of milk and milk products.
- 15.36.120 Grading of milk and milk products—In general.
- 15.36.130 Certified milk-raw—Standards.
- 15.36.140 Grade A raw milk—Standards in general.
- 15.36.150 —Cows, tuberculosis and other diseases.
- 15.36.155 —Dairy barn, lighting.
- 15.36.160 —Dairy barn, air space, ventilation.
- 15.36.165 Milking stable, floors, animals.
- 15.36.170 —Milking stable, walls and ceiling.
- 15.36.175 —Cow yard.
- 15.36.180 —Manure disposal.
- 15.36.185 —Milk house or room, construction.
- 15.36.190 —Milk house or room, cleanliness, flies.
- 15.36.195 —Toilet.
- 15.36.200 —Water supply.
- 15.36.205 —Utensils, construction.
- 15.36.210 —Utensils, cleaning.
- 15.36.215 —Utensils, bactericidal treatment.
- 15.36.220 —Utensils, storage.
- 15.36.225 —Utensils, handling.
- 15.36.230 —Milking, udders and teats, abnormal milk.
- 15.36.235 —Milking, flanks.
- 15.36.240 —Milkers' hands.
- 15.36.245 —Clean clothing.
- 15.36.250 —Milk stools.
- 15.36.255 —Removal of milk.
- 15.36.260 —Cooling.
- 15.36.265 —Bottling and capping.
- 15.36.270 —Personnel, health.
- 15.36.280 —Vehicles and surroundings.
- 15.36.290 Grade B raw milk—Standards.
- 15.36.300 Grade C raw milk—Standards.
- 15.36.310 Certified milk-pasteurized —Standards.
- 15.36.320 Grade A pasteurized milk—Standards.
- 15.36.325 —Floors.
- 15.36.330 —Walls and ceiling.
- 15.36.335 —Doors and windows.
- 15.36.340 —Lighting and ventilation.
- 15.36.345 —Miscellaneous, protection from contamination.
- 15.36.350 —Toilet facilities.
- 15.36.355 —Water supply.
- 15.36.360 —Hand-washing facilities.
- 15.36.365 —Sanitary piping.
- 15.36.370 —Construction and repair of containers and equipment.
- 15.36.375 —Plumbing and disposal of wastes.
- 15.36.380 —Cleaning and bactericidal treatment of containers and equipment.
- 15.36.385 —Storage of containers and equipment.
- 15.36.390 —Handling of containers and equipment.
- 15.36.395 —Storage of caps, parchment, paper, and single service containers.
- 15.36.400 —Pasteurization.
- 15.36.405 —Cooling.
- 15.36.410 —Bottling.
- 15.36.415 —Overflow milk.
- 15.36.420 —Capping.
- 15.36.425 —Personnel, health.
- 15.36.430 —Personnel, cleanliness.
- 15.36.440 —Vehicles.
- 15.36.450 Grade B pasteurized milk—Standards.
- 15.36.460 Grade C pasteurized milk—Standards.
- 15.36.470 Grades of milk and milk products which may be sold.
- 15.36.480 Reinstatement of permit—Supplementary regrading.
- 15.36.490 Transferring or dipping milk—Delivery containers—Cooling—Quarantined residences.
- 15.36.500 Sale of out-of-state milk and milk products.
- 15.36.510 Future dairies and milk plants.
- 15.36.520 Notification of disease.
- 15.36.530 Procedure when infection suspected.
- 15.36.540 Federal milk code interpretation to govern.
- 15.36.550 Rules and regulations—Standards.

- 15.36.560 Local milk inspection service units.
- 15.36.570 Designation of additional inspection units.
- 15.36.530 Hearing of protests—Findings and order—Appeal.

- 15.36.590 Penalty.
- 15.36.600 Violations may be enjoined.
- 15.36.900 Chapter to be construed as cumulative.

15.36.010 Definitions—"Milk" and certain milk products. [1961 c 11 § 15.36.010. Prior: 1955 c 238 § 2; prior: 1949 c 168 § 1, part; Rem. Supp. 1949 § 6266-30, part.] Repealed by 1969 1st ex.s. c 102 § 7.

15.36.011 Definitions and standards, establishment and amendment by rule—Milk and milk products—Products made to resemble or imitate dairy products—Labels. The director of agriculture, by rule, may establish and/or amend definitions and standards for milk and milk products. Such definitions and standards established by the director shall conform, insofar as practicable, with the definitions and standards for milk and milk products promulgated by the secretary of the United States department of health, education and welfare. The director of agriculture, by rule, may likewise establish and/or amend definitions and standards for products whether fluid, powdered or frozen, compounded or manufactured to resemble or in semblance or imitation of genuine dairy products as defined under the provisions of RCW 15.32.120, 15.36.011, 15.36.075, 15.36.540 and 15.36.600 or chapter 15.32 RCW as enacted or hereafter amended. Such products made to resemble or in semblance or imitation of genuine dairy products shall conform with all the provisions of chapter 15.38 RCW and be made wholly of nondairy products.

All such products compounded or manufactured to resemble or in semblance or imitation of a genuine dairy product shall set forth on the container or labels the specific generic name of each ingredient used.

In the event any product compounded or manufactured to resemble or in semblance or imitation of a genuine dairy product contains vegetable fat or oil, the generic name of such fat or oil shall be set forth on the label. If a blend or variety of oils is used, the ingredient statement shall contain the term "vegetable oil" in the appropriate place in the ingredient statement, with the qualifying phrase following the ingredient statement, such as "vegetable oils are soybean, cottonseed and coconut oils" or "vegetable oil, may be cottonseed, coconut or soybean oil."

The labels or containers of such products compounded or manufactured to resemble or in semblance or imitation of genuine dairy products shall not use dairy terms or words or designs commonly associated with dairying or genuine dairy products, except as to the extent that such words or terms are nec-

essary to meet legal requirements for labeling: *Provided*, That the term "nondairy" may be used as an informative statement.

The director may adopt any other rules necessary to carry out the purposes of chapters 15.36 and 15.38 RCW: *Provided*, That these rules shall not restrict the display or promotion of products covered under this section. The adoption of all rules provided for in this section shall be subject to the provisions of chapter 34.04 RCW as enacted or hereafter amended concerning the adoption of rules. [1969 1st ex.s. c 102 § 1.]

Repealed definitions constitute rules: "The definitions constituting section 15.36.010, chapter 11, Laws of 1961 and RCW 15.36.010 as hereinafter in section 7 of this 1969 amendatory act repealed are hereby constituted and declared to be operative and to remain in force as the rules of the department of agriculture until such time as amended, modified, or revoked by the director of agriculture." [1969 1st ex.s. c 102 § 2.]

15.36.020 Definitions — "Pasteurization." "Pasteurization," "pasteurize" and similar terms, refer to the process of heating every particle of milk or milk products to at least one hundred forty-three degrees Fahrenheit, and holding at such temperature for at least thirty minutes, or to at least one hundred sixty-one degrees Fahrenheit, and holding at such temperature for at least fifteen seconds in approved and properly operated equipment under the provisions of this chapter: *Provided*, That nothing contained in this definition shall be construed as disbaring any other process which has been demonstrated to be equally efficient and which is approved by the director. [1955 c 238 § 3. Prior: 1949 c 168 § 1(m); Rem. Supp. 1949 § 6266-30(m).]

15.36.030 Definitions—"Adulterated and misbranded milk," etc. "Adulterated and misbranded milk and milk products." Any milk to which water has been added, or any milk or milk product which contains any unwholesome substance, or which if defined in this chapter does not conform with its definition, shall be deemed adulterated. Any milk or milk products which carries a grade label unless such grade label has been awarded by the director and not revoked, or which fails to conform in any other respect with the statements on the label, shall be deemed to be misbranded. [1955 c 238 § 4. Prior: 1949 c 168 § 1(n); Rem. Supp. 1949 § 6266-30(n).]

15.36.040 Definitions — "Milk producer" — "Milk distributor" — "Dairy" — "Milk hauler" — "Milk plant." A "milk producer" is any person or organization who owns or controls one or more cows a part or all of the milk or milk products from which is sold or offered for sale.

A "milk distributor" is any person who offers for sale or sells to another any milk or milk products for human consumption as such and shall include a milk producer selling or offering for sale milk or milk products at the dairy farm.

A "dairy" or "dairy farm" is any place or premises where one or more cows are kept, a part or all of the milk or milk products from which is sold or offered for sale.

A "milk hauler" is any person, other than a milk producer or a milk plant employee, who transports milk or milk products to or from a milk plant or a collecting point.

A "milk plant" is any place, premises or establishment where milk or milk products are collected, handled, processed, stored, bottled, pasteurized, or prepared for distribution, except an establishment where milk or milk products are sold at retail only. [1955 c 238 § 5. Prior: 1949 c 168 § 1(o), (p), (q), and (r). Rem. Supp. 1949 § 6266-30 (o), (p), (q), and (r).]

15.36.050 Definitions—"Average" counts, time, temperature. "Average bacterial plate count," and the "average direct microscopic count," mean the logarithmic average, and "average reduction time" and "average cooling temperature," mean the arithmetic average of the respective results of the last four consecutive samples, taken upon separate days. [1955 c 238 § 6. Prior: 1949 c 168 § 1(t); Rem. Supp. 1949 § 6266-30(t).]

15.36.060 Definitions — "Person" — "Director" — "Health officer" — "And/or." The word "person" means any individual, partnership, firm, corporation, company, trustee, or association.

"Director" means the director of agriculture of the state of Washington or his duly authorized representative.

"Health officer" means the county or city health officer as defined in Title 70, or his authorized representatives.

Where the term "and/or" is used "and" shall apply where possible, otherwise "or" shall apply. [1955 c 238 § 7. Prior: 1949 c 168 § 1(s), (u), (v), and (w); Rem. Supp. 1949 § 6266-30(s), (u), (v), and (w).]

15.36.070 Sale of adulterated, misbranded, or ungraded milk or milk products prohibited. No person shall produce, sell, offer, or expose for sale, or have in possession with intent to sell, in the fluid state for direct consumption as such, any milk or milk product which is adulterated, misbranded, or un-

graded. It shall be unlawful for any person, elsewhere than in a private home, to have in possession any adulterated, misbranded, or ungraded milk or milk products: *Provided*, That in an emergency the sale of ungraded milk or milk products may be authorized by the director, in which case they shall be labeled "ungraded."

Adulterated, misbranded, and/or ungraded milk or milk products may be impounded and disposed of by the director. [1949 c 168 § 2; Rem. Supp. 1949 § 6266-31.]

15.36.075 Milk not deemed adulterated if added ingredient is approved by rule or regulation. For the purpose of this chapter, no fluid milk or fluid milk product shall be deemed to be adulterated if such fluid milk or fluid milk product contains an added ingredient or substance in the amount and kind prescribed or allowed by a rule or regulation promulgated by the director subsequent to a public hearing pursuant to the provisions of chapter 34.04 RCW (Administrative Procedure Act) as enacted or hereafter amended. [1969 1st ex.s. c 102 § 3.]

15.36.080 Permits. It shall be unlawful for any person to transport, or to sell, or offer for sale, or to have in storage where milk or milk products are sold or served, any milk or milk products defined in this chapter, who does not possess an appropriate permit from the director or an authorized inspection service as defined in this chapter.

Every milk producer, milk distributor, milk hauler, and operator of a milk plant shall secure a permit to conduct such operation as defined in this chapter. Only a person who complies with the requirements of this chapter shall be entitled to receive and retain such a permit. Permits shall not be transferable with respect to persons and/or locations.

Such a permit may be temporarily suspended by the director or health officer of a milk inspection unit upon violation by the holder of any of the terms of this chapter, or for interference with the director or health officer of a milk inspection unit in the performance of his duties, or revoked after an opportunity for a hearing by the director upon serious or repeated violations. [1955 c 238 § 8; 1949 c 168 § 3; Rem. Supp. 1949 § 6266-32.]

15.36.090 Labeling. All bottles, cans, packages, and other containers, enclosing milk or any milk product defined in this chapter shall be plainly labeled or marked with (1) the name of the contents as given in the definitions of this chapter; (2) the grade of the contents; (3) the word "pasteurized" only if the contents have been pasteurized; (4) the word "raw" only if the contents are raw; (5) the name of the pro-

ducer if the contents are raw, and the identity of the plant at which the contents were pasteurized if the contents are pasteurized; (6) the phrase "for pasteurization" if the contents are to be pasteurized; (7) in the case of vitamin D milk the designation "vitamin D milk," the source of the vitamin D and the number of units per quart; (8) the word "reconstituted" or "recombined" if included in the name of the product as defined in this chapter; (9) in the case of concentrated milk or milk products the volume or proportion of water to be added for recombining; (10) the words "skim milk solids added," and the percentage added if such solids have been added, except that this requirement shall not apply to reconstituted or recombined milk or milk products: *Provided*, That only the identity of the producer shall be required on cans delivered to a milk plant which receives only raw milk for pasteurization and which immediately dumps, washes, and returns the cans to the producer.

The label or mark shall be in letters of a size, kind, and color approved by the director and shall contain no marks or words which are misleading. [1955 c 238 § 9; 1949 c 168 § 4; Rem. Supp. 1949 § 6266-33.]

15.36.100 Inspection of dairy farms and milk plants. Prior to the issuance of a permit and at least once every six months the director shall inspect all dairy farms and all milk plants: *Provided*, That the director may accept the results of periodic industry inspections of producer dairies if such inspections have been officially checked periodically and found satisfactory. In case the director discovers the violation of any item of sanitation, he shall make a second inspection after a lapse of such time as he deems necessary for the defect to be remedied, but not before the lapse of three days, and the second inspection shall be used in determining compliance with the grade requirements of this chapter. Any violation of the same requirement of this chapter on such reinspection shall call for immediate degrading or suspension of permit.

One copy of the inspection report shall be posted by the director in a conspicuous place upon an inside wall of one of the dairy farm or milk plant buildings, and said inspection report shall not be defaced or removed by any person except the director. Another copy of the inspection report shall be filed with the records of the director.

Every milk producer and distributor shall upon the request of the director permit him access to all parts of the establishment, and every distributor shall furnish the director, upon his request, for official use only, samples of any milk product for laboratory analysis, a true statement of the actual quantities of

milk and milk products of each grade purchased and sold, together with a list of all sources, records of inspections and tests, and recording thermometer charts. [1949 c 168 § 5; Rem. Supp. 1949 § 6266-34.]

15.36.110 Examination of milk and milk products. During each six months period at least four samples of milk and cream from each dairy farm and each milk plant shall be taken on separate days and examined by the director: *Provided*, That in the case of raw milk for pasteurization the director may accept the results of nonofficial laboratories which have been officially checked periodically and found satisfactory. Samples of other milk products may be taken and examined by the director as often as he deems necessary. Samples of milk and milk products from stores, cafes, soda fountains, restaurants, and other places where milk or milk products are sold shall be examined as often as the director may require. Bacterial plate counts, direct microscopic counts, reduction tests, coliform determinations, phosphatase tests and other laboratory tests shall conform to the procedures in the current edition of "Standard Methods For The Examination Of Dairy Products," recommended by the American public health association. Examinations may include such other chemical and physical determinations as the director may deem necessary for the detection of adulteration. Samples may be taken by the director at any time prior to the final delivery of the milk or milk products. All proprietors of cafes, stores, restaurants, soda fountains, and other similar places shall furnish the director, upon his request, with the name of all distributors from whom their milk and milk products are obtained. Bio-assays of the vitamin D content of vitamin D milk shall be made when required by the director in a laboratory approved by him for such examinations.

Whenever the average bacterial count, the average reduction time, or the average cooling temperature, falls beyond the limit for the grade then held, the director shall send written notice thereof to the person concerned and shall take an additional sample, but not before the lapse of three days, for determining a new average in accordance with RCW 15.36.050: *Provided*, That the three-out-of-four method, as specified in the following paragraphs, may be used in lieu of the averaging method provided in RCW 15.36.050 for determining compliance of bacterial plate counts, direct microscopic counts, or cooling temperatures. Violation of the grade requirement by the new average or the three-out-of-four method shall call for immediate degrading or suspension of the permit, unless the last individual result is within the grade limit.

the civil penalty assessed, if any. The order may be appealed to superior court in accordance with chapter 34.05 RCW. Tests performed for antibiotic, pesticide, or other drug residues by a state or certified industry laboratory of a milk sample drawn by a department official or a licensed dairy technician shall be admitted as prima facie evidence of the presence or absence of an antibiotic, pesticide, or other drug residue.

(3) Any penalty imposed under this section is due and payable upon the issuance of the final order by the department. The penalty shall be deducted by the violator's marketing organization from the violator's final payment for the month following the issuance of the final order. The department shall promptly notify the violator's marketing organization of any penalties contained in the final order.

(4) All penalties received or recovered from violations of this section shall be remitted monthly by the violator's marketing organization to the Washington state dairy products commission and deposited in a revolving fund to be used solely for the purposes of education and research. No appropriation is required for disbursements from this fund.

(5) In case of a violation of the antibiotic, pesticide, or other drug residue test requirements, an investigation shall be made to determine the cause of the residue which shall be corrected. Additional samples shall be taken as soon as possible and tested as soon as feasible for antibiotic, pesticide, or other drug residue by the department or a certified laboratory. After the notice has been received by the producer and the results of a test of such an additional sample indicate that residues are above the actionable level or levels referred to in subsection (1) of this section, the producer's milk may not be sold until a sample is shown to be below the actionable levels established for the residues. [1989 c 354 § 18; 1989 c 175 § 48; 1984 c 226 § 1.]

Reviser's note: This section was amended by 1989 c 175 § 48 and by 1987 c 354 § 18, each without reference to the other. Both amendments are incorporated in the publication of this section pursuant to RCW 1.12.023(2). For rule of construction, see RCW 1.12.023(1).

Severability—1989 c 354: See note following RCW 15.36.010.

Effective date—1989 c 175: See note following RCW 34.05.010.

RCW 15.36.120 Grading of milk and milk products—In general. Grades of milk and milk products as defined in this chapter shall be based on the respectively applicable standards contained in RCW 15.36.120 through 15.36.460, with the grading of milk products being identical with the grading of milk, except that bacterial standards are omitted in the case of cultured milk products. Vitamin D milk shall be only of grade A, certified pasteurized, or certified raw quality. The grade of a milk product shall be that of the lowest grade milk or milk product used in its preparation. [1984 c 226 § 3; 1981 c 297 § 2; 1961 c 11 § 15.36.120. Prior: 1955 c 238 § 12; prior: 1949 c 168 § 7, part; Rem. Supp. 1949 § 6266-36, part.]

Severability—1981 c 297: See note following RCW 15.36.110.

RCW 15.36.140 Grade A raw milk—Standards in general. Grade A raw milk is raw milk produced upon dairy farms conforming with all of the items of sanitation contained in RCW 15.36.150 through 15.36.280, and the bacterial plate count does not exceed twenty thousand per milliliter and the coliform count does not exceed ten per milliliter.

Grade A raw milk for pasteurization is raw milk produced upon dairy farms conforming with all of the same items of sanitation except RCW 15.36.265 (bottling and capping), 15.36.270 (personnel health), and portions of other items as indicated, and the bacterial plate count, as delivered from the farm, does not exceed eighty thousand per milliliter as determined in accordance with RCW 15.36.110. [1984 c 226 § 4; 1981 c 297 § 3; 1961 c 11 § 15.36.140. Prior: 1955 c 238 § 14; prior: 1949 c 168 § 7, part; Rem. Supp. 1949 § 6266-36, part.]

Severability—1981 c 297: See note following RCW 15.36.110.

RCW 15.36.150 Cows—Tuberculosis, brucellosis, other diseases. Except as provided hereinafter, tuberculin test of all herds and additions thereto shall be made before any milk therefrom is sold, and at least once every twelve months thereafter, by an accredited and licensed veterinarian approved by the state department of agriculture or veterinarian employed by the bureau of animal industry, United States department of agriculture. Said tests shall be made and the reactors disposed of in accordance with the requirements approved by the director for accredited herds. A certificate signed by the veterinarian or attested to by the director and filed with the director shall be evidence of the above test: *Provided*, That in modified accredited counties in which the modified accredited area plan is applied to the dairy herds, the modified accredited area system approved by the director shall be accepted in lieu of annual testing.

No fluid milk or cream designated or represented to be "grade A" fluid milk or cream shall be sold, offered or exposed for sale which has been produced from a herd of cows, one or more of which are infected with brucellosis at the time such milk is produced, or from animals in such herd which have not been blood tested for brucellosis at least once during the preceding calendar year, or milk ring tested for brucellosis at least semiannually during the preceding year. The results of a test for brucellosis by the state or federal laboratory of a blood sample drawn by an official veterinarian, shall be prima facie evidence of the infection or noninfection of the animal or herds: *Provided*, That in lieu thereof, two official negative milk ring tests for brucellosis not less than six months apart may be accepted as such evidence. All herds of cows, the fluid milk or cream from which is designated or represented to be "grade A" fluid milk or cream shall be blood tested for brucellosis annually or milk ring tested for brucellosis semiannually. Such herds showing any reaction to the milk ring test shall be blood tested and all reactors to the blood test removed from the herd and disposed of within fifteen days from the date they are tagged and branded. The remaining animals in the infected herd shall be retested at not less than thirty-day nor more than sixty-day intervals from

Whenever more than one of the last four consecutive coliform tests made to determine bacterial count of samples taken on separate days falls beyond the limit for the grade then held, the director shall send written notice thereof to the person concerned and shall take an additional sample but not before the lapse of three days. Immediate degrading or suspension of permit shall be called for if the grade requirements are violated by such additional sample, unless the last individual result is within the grade limit.

In case of violation of the phosphatase test requirement, the cause of underpasteurization shall be determined and removed before milk or milk products from this plant can again be sold as pasteurized milk or milk products. [1955 c 238 § 10; 1949 c 168 § 6; Rem. Supp. 1949 § 6266-35.]

15.36.120 Grading of milk and milk products—In general. Grade of milk and milk products as defined in this chapter shall be based on the respectively applicable standards contained in RCW 15.36.120 to 15.36.460, inclusive, the grading of milk products being identical with the grading of milk, except that the bacterial standards shall be doubled in the case of cream and omitted in the case of sour cream and buttermilk. Vitamin D milk shall be only of grade A, certified pasteurized, or certified raw quality. The grade of a milk product shall be that of the lowest grade milk or milk product used in its preparation. [1955 c 238 § 12. Prior: 1949 c 168 § 7, part; Rem. Supp. 1949 § 6266-36, part.]

15.36.130 Certified milk-raw—Standards. Certified milk-raw is raw milk which conforms with requirements of the American association of medical milk commissions in force at the time of production and is produced under the supervision of a medical milk commission reporting monthly to the director and the state department of health. [1955 c 238 § 13. Prior: 1949 c 168 § 7, part; Rem. Supp. 1949 § 6266-36, part.]

15.36.140 Grade A raw milk—Standards in general. Grade A raw milk is raw milk produced upon dairy farms conforming with all of the items of sanitation contained in RCW 15.36.150 to 15.36.280, inclusive, and the bacterial plate count or the direct microscopic clump count of which does not exceed twenty thousand per milliliter, or the methylene blue reduction time of which is not less than seven hours, as determined in accordance with RCW 15.36.110.

Grade A raw milk for pasteurization is raw milk produced upon dairy farms conforming with all of said items of sanitation except RCW 15.36.255 (bottling and capping), 15.36.270 (personnel health), and such por-

tions of other items as are indicated therein, and the bacterial plate count or the direct microscopic clump count of which, as delivered from the farm, does not exceed one hundred thousand per milliliter, or the resazurin reduction time of which to P seven-fourth is not less than three hours, as determined in accordance with RCW 15.36.110. [1955 c 238 § 14. Prior: 1949 c 168 § 7, part; Rem. Supp. 1949 § 6266-36, part.]

15.36.150 Cows—Tuberculosis, brucellosis, other diseases. Except as provided hereinafter, tuberculin test of all herds and additions thereto shall be made before any milk therefrom is sold, and at least once every twelve months thereafter, by an accredited and licensed veterinarian approved by the state department of agriculture or veterinarian employed by the bureau of animal industry, United States department of agriculture. Said tests shall be made and the reactors disposed of in accordance with the requirements approved by the director for accredited herds. A certificate signed by the veterinarian or attested to by the director and filed with the director shall be evidence of the above test: *Provided*, That in modified accredited counties in which the modified accredited area plan is applied to the dairy herds, the modified accredited area system approved by the director shall be accepted in lieu of annual testing.

No fluid milk or cream designated or represented to be "grade A" fluid milk or cream shall be sold, offered or exposed for sale which has been produced from a herd of cows, one or more of which are infected with brucellosis at the time such milk is produced, or from animals in such herds which have not been blood tested for brucellosis at least once during the preceding calendar year, or milk ring tested for brucellosis at least semiannually during the preceding year. The results of a test for brucellosis by the state or federal laboratory of a blood sample drawn by an official veterinarian, shall be prima facie evidence of the infection or noninfection of the animal or herds: *Provided*, That in lieu thereof, two official negative milk ring tests for brucellosis not less than six months apart may be accepted as such evidence. All herds of cows, the fluid milk or cream from which is designated or represented to be "grade A" fluid milk or cream shall be blood tested for brucellosis annually or milk ring tested for brucellosis semiannually. Such herds showing any reaction to the milk ring test shall be blood tested and all reactors to the blood test removed from the herd and disposed of within fifteen days from the date they are tagged and branded. The remaining animals in the infected herd shall be retested at not less than thirty-day nor more than sixty-day in-

tervals from the date of the first test. A series of retests, with removal and disposition of reacting animals, shall be continued until the herd shall have passed two successive tests in which no reactors are found. If upon a final test, not less than six months nor more than seven months from the date of the last negative test, no reactors are found in the herd, it shall be deemed a disease free herd. Results of official blood or milk ring tests shall be conspicuously displayed in the milk house.

All milk and milk products consumed raw shall be from herds or additions thereto which have been found free from brucellosis, as shown by blood serum tests or other approved tests for agglutinins against brucella organisms made in a laboratory approved by the director. All such herds shall be retested at least every twelve months and all reactors removed from the herd. If a herd is found to have one or more animals positive to the brucellosis test, all milk from that herd is to be pasteurized until the three consecutive brucellosis tests obtained at thirty-day intervals between each test are found to be negative. A certificate identifying each animal by number and signed by the laboratory making the test shall be evidence of the above test.

Cows which show an extensive or entire induration of one or more quarters of the udder upon physical examination, whether secreting abnormal milk or not, shall be permanently excluded from the milking herd. Cows giving bloody, or stringy, or otherwise abnormal milk, but with only slight induration of the udder shall be excluded from the herd until reexamination shows that the milk has become normal.

For other diseases such tests and examinations as the director may require after consultation with state livestock sanitary officials shall be made at intervals and by methods prescribed by him. [1955 c 238 § 15. Prior: 1949 c 168 § 7(1r); Rem. Supp. 1949 § 6266-36(1r).]

15.36.155 Grade A raw milk—Dairy barn, lighting. A milking barn or stable shall be provided. It shall be provided with adequate light, properly distributed, for day or night milking. [1955 c 238 § 16. Prior: 1949 c 168 § 7(2r); Rem. Supp. 1949 § 6266-36(2r).]

15.36.160 Grade A raw milk—Dairy barn, air space, ventilation. Such sections of all dairy barns where cows are kept or milked shall be well ventilated and shall be so arranged as to avoid overcrowding. [1955 c 238 § 17. Prior: 1949 c 168 § 7(3r); Rem. Supp. 1949 § 6266-36(3r).]

15.36.165 Grade A raw milk—Milking stable, floors, animals. The floors and gutters of that portion of the barn or stable in which cows are milked shall be constructed of con-

crete or other approved impervious and easily cleaned material: *Provided*, That if the milk is to be pasteurized, tight, two-inch tongue and groove wood, impregnated with water-proofing material and laid with a mastic joint at the gutter may be used under the cows. Floors and gutters shall be graded to drain properly and shall be kept clean and in good repair. No horses, swine, or fowl shall be permitted in the milking stable. If dry cows, calves, or bulls are stabled therein, they shall be confined in stalls, stanchions or pens. [1955 c 238 § 18. Prior: 1949 c 168 § 7(4r); Rem. Supp. 1949 § 6266-36(4r).]

15.36.170 Grade A raw milk—Milking stable, walls and ceiling. The interior walls and the ceilings of the milking barn or stable shall be smooth, shall be whitewashed or painted as often as may be necessary, or finished in an approved manner, and shall be kept clean and in good repair. In case there is a second story above the milking barn or stable the ceiling shall be tight. If hay, grain or other feed is stored in a feed room or feed storage space adjoining the milking space, it shall be separated therefrom by a dust tight partition and door. No feed shall be stored in the milking portion of the barn unless stored in dust tight containers. [1955 c 238 § 19. Prior: 1949 c 168 § 7(5r); Rem. Supp. 1949 § 6266-36(5r).]

15.36.175 Grade A raw milk—Cow yard. The cow yard shall be graded and drained as well as practicable and so kept that there are no standing pools of water nor accumulation of organic wastes. Swine shall be kept out. [1955 c 238 § 20. Prior: 1949 c 168 § 7(6r); Rem. Supp. 1949 § 6266-36(6r).]

15.36.180 Grade A raw milk—Manure disposal. All manure shall be removed and stored at least fifty feet from the milking barn or disposed of in such manner as best to prevent the breeding of flies therein and the access of cows to piles thereof: *Provided*, That in loafing or pen type stables manure droppings shall be removed or clean bedding added at sufficiently frequent intervals to prevent the accumulation of manure on cows' udders and flanks and the breeding of flies. [1955 c 238 § 21. Prior: 1949 c 168 § 7(7r); Rem. Supp. 1949 § 6266-36(7r).]

15.36.185 Grade A raw milk—Milk house or room, construction. There shall be provided a milk house or milk room in which the cooling, handling, and storing of milk and milk products and the washing, bactericidal treatment, and storing of milk containers and utensils shall be done. (1) The milk house or room shall be provided with a tight floor constructed of concrete or other impervious material, in good repair, and graded to provide proper drainage. (2) It shall have walls and ceilings of such construction as to

permit easy cleaning, and shall be well painted or finished in an approved manner. (3) It shall be well lighted and ventilated. (4) It shall have all openings effectively screened, including outward-opening, self-closing doors, unless other effective means are provided to prevent the entrance of flies. (5) It shall be used for no other purposes than those specified above, except as may be approved by the director. (6) It shall not open directly into a stable or into any room for domestic purposes. (7) It shall have water piped into it. (8) It shall be provided with adequate facilities for the heating of water for the cleaning of utensils. (9) It shall be equipped with two-compartment stationary wash and rinse vats, except that in the case of retail raw milk, if chemicals are employed as the principal bactericidal treatment, the three-compartment type must be used; (10) and shall, unless the milk is to be pasteurized, be partitioned to separate the handling of milk and the storage of cleaned utensils from the cleaning and other operations, which shall be so located and conducted as to prevent any contamination of the milk or of cleaned equipment. [1955 c 238 § 22. Prior: 1949 c 168 § 7(8r); Rem. Supp. 1949 § 6266-36(8r).]

15.36.190 Grade A raw milk—Milk house or room, cleanliness, flies. The floors, walls, ceilings, and equipment of the milk house or room shall be kept clean at all times. All means necessary for the elimination of flies shall be used. [1955 c 238 § 23. Prior: 1949 c 168 § 7(9r); Rem. Supp. 1949 § 6266-36(9r).]

15.36.195 Grade A raw milk—Toilet. Every dairy farm shall be provided with one or more sanitary toilets conveniently located and properly constructed, operated and maintained so that the waste is inaccessible to flies and does not pollute the surface soil or contaminate any water supply. [1955 c 238 § 24. Prior: 1949 c 168 § 7(10r); Rem. Supp. 1949 § 6266-36(10r).]

15.36.200 Grade A raw milk—Water supply. The water supply for the milk room and dairy barn shall be properly located, constructed, and operated, and shall be easily accessible, adequate, and of a safe sanitary quality according to standards approved by the state board of health. [1955 c 238 § 25. Prior: 1949 c 168 § 7(11r); Rem. Supp. 1949 § 6266-36(11r).]

15.36.205 Grade A raw milk—Utensils, holding tanks, construction. All multi-use containers, equipment, or other utensils used in the handling, storage, or transportation of milk or milk products shall be made of smooth nonabsorbent material and of such construction as to be easily cleaned and shall be in good repair. Joints and seams shall be welded or soldered flush. Woven wire cloth

or multi-use cloth shall not be used for straining milk. If milk is strained, filter pads shall be used and not reused. All milk pails shall be of the seamless hooded type. All single-service containers, closures, and filter pads used shall have been manufactured, packaged, transported, and handled in a sanitary manner.

The design, construction, material and operation of all farm holding tanks shall be such as approved by the director. [1955 c 238 § 26. Prior: 1949 c 168 § 7(12r); Rem. Supp. 1949 § 6266-36(12r).]

15.36.210 Grade A raw milk—Utensils, cleaning. All multi-use containers, equipment, and other utensils used in the handling, storage, or transportation of milk or milk products must be thoroughly cleaned after each usage. [1955 c 238 § 27. Prior: 1949 c 168 § 7(13r); Rem. Supp. 1949 § 6266-36(13r).]

15.36.215 Grade A raw milk—Utensils, bactericidal treatment. All multi-use containers, equipment, and other utensils used in the handling, storage, or transportation of milk or milk products shall, before each usage, be effectively subjected to an approved bactericidal process with steam, hot water, chemicals, or hot air. [1955 c 238 § 28. Prior: 1949 c 168 § 7(14r); Rem. Supp. 1949 § 6266-36(14r).]

15.36.220 Grade A raw milk—Utensils, storage. All containers and other utensils used in the handling, storage, or transportation of milk or milk products shall, unless stored in bactericidal solutions, be so stored as to drain and dry and so as not to become contaminated before being used. [1955 c 238 § 29. Prior: 1949 c 168 § 7(15r); Rem. Supp. 1949 § 6266-36(15r).]

15.36.225 Grade A raw milk—Utensils, handling. After bactericidal treatment containers and other milk and milk product utensils shall be handled in such a manner as to prevent contamination of any surface with which milk or milk products come in contact. [1955 c 238 § 30. Prior: 1949 c 168 § 7(16r); Rem. Supp. 1949 § 6266-36(16r).]

15.36.230 Grade A raw milk—Milking, udders and teats, abnormal milk. Milking shall be done in the milking barn or stable. The udders and teats of all milking cows shall be clean and wiped with an approved bactericidal solution immediately preceding the time of milking. Abnormal milk shall be kept out of the milk supply and shall be so handled and disposed of as to preclude the infection of the cows and the contamination of milk utensils. [1955 c 238 § 31. Prior: 1949 c 168 § 7(17r); Rem. Supp. 1949 § 6266-36(17r).]

15.36.235 Grade A raw milk—Milking, flanks, etc. The flanks, bellies, and tails of

all milking cows shall be free from visible dirt at the time of milking. All brushing shall be completed before milking commences. [1955 c 238 § 32. Prior: 1949 c 168 § 7(18r); Rem. Supp. 1949 § 6266-36(18r).]

15.36.240 Grade A raw milk—Milkers' hands. Milkers' hands shall be clean, rinsed with bactericidal solution, and dried with a clean towel immediately before milking and following any interruption in the milking operation. Wet-hand milking is prohibited. Convenient facilities shall be provided for the washing of milkers' hands. [1955 c 238 § 33. Prior: 1949 c 168 § 7(19r); Rem. Supp. 1949 § 6266-36(19r).]

15.36.245 Grade A raw milk—Clean clothing. Milkers and milk handlers shall wear clean outer garments while milking or handling milk, milk products, containers, utensils, or equipment. [1955 c 238 § 34. Prior: 1949 c 168 § 7(20r); Rem. Supp. 1949 § 6266-36(20r).]

15.36.250 Grade A raw milk—Milk stools. Milk stools shall be kept clean. [1955 c 238 § 35. Prior: 1949 c 168 § 7(21r); Rem. Supp. 1949 § 6266-36(21r).]

15.36.255 Grade A raw milk—Removal of milk. Each pail or can of milk shall be removed immediately to the milk house or straining room. No milk shall be strained or poured in the barn unless it is protected from flies and other contamination. [1955 c 238 § 36. Prior: 1949 c 168 § 7(22r); Rem. Supp. 1949 § 6266-36(22r).]

15.36.260 Grade A raw milk—Cooling. Milk and milk products for consumption in the raw state shall be cooled within thirty minutes after completion of milking to fifty degrees Fahrenheit or less and maintained at that temperature until delivery, as determined in accordance with RCW 15.36.110. Milk delivered daily for pasteurization shall be cooled within thirty minutes after completion of milking to sixty degrees Fahrenheit or less and maintained at that temperature until delivered and dumped.

Milk delivered every other day for pasteurization shall be cooled to forty degrees Fahrenheit or lower at the place of production and shall not exceed forty-five degrees Fahrenheit at any time prior to pasteurization. [1955 c 238 § 37. Prior: 1949 c 168 § 7(23r); Rem. Supp. 1949 § 6266-36(23r).]

15.36.265 Grade A raw milk—Bottling and capping. Milk and milk products for consumption in the raw state shall be bottled on the farm where produced. Bottling and capping shall be done in a sanitary manner by means of approved equipment and these operations shall be integral in one machine. Caps or cap stock shall be purchased in sanitary containers and kept therein in a clean dry place until used. [1955 c 238

§ 38. Prior: 1949 c 168 § 7(24r); Rem. Supp. 1949 § 6266-36(24r).]

15.36.270 Grade A raw milk—Personnel, health. The health officer or a physician authorized by him shall examine and take a careful morbidity history of every person connected with a producer-distributor dairy, or about to be employed, whose work brings him in contact with the production, handling, storage, or transportation of milk, milk products, containers, or equipment. If such examination or history suggests that such person may be a carrier of or infected with the organisms of typhoid or para-typhoid fever or any other communicable diseases likely to be transmitted through milk, he shall secure appropriate specimens of body discharges and cause them to be examined in a laboratory approved by him or by the state health authorities for such examinations, and if the results justify such person shall be barred from such employment. [1955 c 238 § 39. Prior: 1949 c 168 § 7(25r); Rem. Supp. 1949 § 6266-36(25r).]

15.36.280 Grade A raw milk—Vehicles—Surroundings. All vehicles used for the transportation of milk or milk products shall be so constructed and operated as to protect their contents from the sun, from freezing, and from contamination. All vehicles used for the distribution of milk and milk products shall have the distributor's name prominently displayed. Deck boards must be used when more than one deck of cans are transported.

The immediate surroundings of the dairy shall be kept clean and free of health menaces. [1955 c 238 § 40. Prior: 1949 c 168 § 7(26r, part); Rem. Supp. 1949 § 6266-36(26r, part).]

15.36.290 Grade B raw milk—Standards. Grade B raw milk is raw milk which violates the bacterial standard requirement for grade A raw milk, but which conforms with all other requirements for grade A raw milk, and has an average bacterial plate count not exceeding one hundred thousand per milliliter, or an average direct microscopic count not exceeding one hundred thousand per cubic centimeter if clumps are counted or six hundred thousand per cubic centimeter if individual organisms are counted, or an average reduction time of not less than three and one-half hours, as determined under RCW 15.36.050 and 15.36.110. [1955 c 238 § 41. Prior: 1949 c 168 § 7, part; Rem. Supp. 1949 § 6266-36, part.]

15.36.300 Grade C raw milk—Standards. Grade C raw milk is raw milk of a producer-distributor which violates any of the requirements for grade B raw milk. [1955 c 238 § 42. Prior: 1949 c 168 § 7, part; Rem. Supp. 1949 § 6266-36, part.]

S B

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SENATE COMMITTEE REPORT
FIRST COMMITTEE OF REFERRAL

DATE: 2/18/92

FURTHER: JUDICIARY

Date of 5-Day Notice: March 26, 1992
(in accordance with Uniform Rule 23)

DATE TURNED
INTO OFFICE: March 31, 1992

Resources Committee considered SB 440

"An Act relating to the issuance of sport fishing, hunting, or trapping licenses, permits, or tags to a person whose sport fishing, hunting, or trapping license is suspended or revoked in another state."

and recommends:

replace with _____ CS SB 440 (RES) same title
 new title
 technical title change (HB only)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

NEW FISCAL NOTES: Dept/Date

zero fiscal notes _____

fiscal notes _____

appropriation --no fiscal note

PREVIOUS FISCAL NOTES: Dept/Date

Governor's bill with fiscal notes:

zero fiscal notes ADFEG

fiscal notes _____

DO PASS:

[Signatures]

OTHER RECOMMENDATIONS:

[Signature]
Chair: Signature and Recommendation

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. SB 440

Revision Date: 2/18/92

Department Affected: Fish and Game

Title: Issuance of Hunting and Fishing

BRU: Administration and Support

Licenses

Component: Administrative Services

Sponsor: Senator Frank

Requestor: Senate Resources
Expenditures/Revenues: (Thousands of Dollars)

COMPONENT SERIAL NO.

4	7	9
---	---	---

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

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

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

This fiscal note assumes that the Department of Fish and Game will not be expected to do any enforcement of this statute.

Prepared By: Geron Bruce Geron Bruce

Phone: 465-4100

Division: Commissioner's Office (Carl Z. Rosen)

Date: 3/30/92

Approved by Commissioner: (Carl Z. Rosen)

Agency: Department of Fish and Game

Date: 3/30/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. OSC., & Impacted Agency(ies).

Alaska State Legislature

STEVE FRANK

119 N. Cushman, Rm. 213
Fairbanks, Alaska 99701
(907) 452-3421



While in Juneau
P.O. Box V
Juneau, Alaska 99811
(907) 465-3709
Capitol Rm. 417

Senate

SPONSOR STATEMENT

SB440

Senate Bill 440 would prohibit an individual from obtaining a sport hunting, fishing or trapping license in Alaska if that person's license is suspended or revoked in another state. The law would also apply to special permits and tags.

In practicality, this provision would apply by having the Department of Fish and Game add a statement to the existing Alaska hunting/fishing/trapping license form requiring the applicant's signature verifying that his or her right to obtain a hunting, fishing or trapping license in another state has not been suspended or revoked. It would only apply during the period of revocation or suspension.

A person in violation of this law is guilty of a misdemeanor, punishable by a fine of up to \$1000 or up to six months in jail or both. The person is also subject to prosecution under 'unsworn falsification,' a Class A misdemeanor punishable by a fine of up to \$5000 or up to one year in jail, or both.

Clearly, our state law enforcement officials and the courts take fish and game violations seriously. I believe Alaskans take pride in holding in high regard the value of our fish and game resources and in respecting the laws that apply to fishing, hunting and trapping. Adoption of Senate Bill 440 will further demonstrate our commitment to protecting Alaska's fish and game resources for the benefit of all law-abiding consumptive and non-consumptive users.

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. SB 440

Revision Date: 2/18/92

Department Affected: Fish and Game

Title: Issuance of Hunting and Fishing

BRU: Administration and Support

Licenses

Component: Administrative Services

Sponsor: Senator Frank

Requestor: Senate Resources
Expenditures/Revenues: (Thousands of Dollars)

COMPONENT SERIAL NO.

4	7	9
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OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

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

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

This fiscal note assumes that the Department of Fish and Game will not be expected to do any enforcement of this statute.

Prepared By: Geron Bruce

Phone: 465-4100

Division: Commissioner's Office

Date: 3/30/92

Approved by Commissioner: Carl E. Rasmussen

Agency: Department of Fish and Game

Changes in CSSB440 (RES) have no fiscal impact. This fiscal note is appropriate.

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/D

Rev 10/7/91

3-31-92 date TCU Comte Aide (initial)

AS 16.05.04(25): "Resident" means a person who for the preceding 12 consecutive months has maintained a permanent place of abode in the state and who has continually maintained a voting residence in the state, and in the case of a partnership, association, joint stock company, trust, or corporation, "resident" means one that has its main office or headquarters in the state, however a member of the military service who has been stationed in the state for the preceding 12 consecutive months is a resident for the purposes of this paragraph, and the dependent of a resident member of the military service, who has been living in the state for the preceding year as a resident for the purposes of this paragraph, and a person who is an alien but who for one year has maintained a permanent place of abode in the state is a resident for the purposes of this paragraph.

CLASSES 6A, 6B and 6C ONLY. This license is valid for the 14/3/1 day period shown below:

BEGINNING DATE: 11-178 (8/91) MONTH DAY YEAR
 ENDING DATE: 14/3/1 MONTH DAY YEAR
 HOUR: 1992 AM PM

AA				SPORT FISHING, HUNTING TRAPPING LICENSE				NO LICENSE VALID IF PUNCHED MORE THAN ONCE				EXPIRES DECEMBER 31, 1992		
RES CLASS 1 \$10.00 Sport Fishing	RES CLASS 2 \$12.00 Hunting	RES CLASS 3A \$22.00 Hunting - Trapping	RES CLASS 3B \$10.00 Trapping	RES CLASS 4 \$12.00 Hunting - Trapping Sport Fishing	RES CLASS 5 \$12.00 Hunting - Trapping Sport Fishing							EXCEPT RESIDENT TRAPPING VALID THROUGH SEPTEMBER 30 OF THE YEAR FOLLOWING DATE OF PURCHASE, AND NONRESIDENT CLASSES 6A, 6B AND 6C VALID FOR THE SPECIFIED 1, 2 or 14 DAY PERIOD		
APPLICANT'S NAME (FIRST, MIDDLE INITIAL, LAST) PLEASE PRINT CLEARLY												057519		
MAILING ADDRESS														
CITY				STATE/PROVINCE				COUNTRY		ZIP CODE				
PHYSICAL LOCATION OF RESIDENCE						BIRTH DATE		U.S. CITIZEN		DRIVER'S LIC NO.				
SOCIAL SECURITY NO. (Optional)				WEIGHT (LBS)		EYE COLOR		HAIR COLOR		HEIGHT (IN)		SEX		
I HEREBY CERTIFY THAT ALL OF THE ABOVE INFORMATION IS TRUE AND CORRECT AND THAT I UNDERSTAND THIS INFORMATION IS SUBJECT TO PUBLIC DISCLOSURE. (NOTE: Providing false information is subject to a maximum penalty of either a \$1000 fine or 6 month imprisonment, or both, per AS 16.05.130)														
THIS APPLICATION IS EFFECTIVE AS A LICENSE UPON THE SIGNATURE OF THE DULY AUTHORIZED FISH AND GAME LICENSE VENDOR												VENDOR NUMBER		
License Vendor														
CLASS ISSUED				DATE ISSUED				FILL OUT ALL NECESSARY INFORMATION ON BACK OF LICENSE				BLIND RES CLASS 1A \$0.25 Sport Fishing		
NR CLASS 6A 14 Day \$30.00 Sport Fishing	NR CLASS 6B 3 Day \$15.00 Sport Fishing	NR CLASS 6C 1 Day \$10.00 Sport Fishing	NR CLASS 7 \$50.00 Sport Fishing	NR CLASS 8 \$85.00 Hunting	NR CLASS 8A \$20.00 Small Game Hunting	NR CLASS 9 \$135.00 Hunt - Sport Fishing	NR CLASS 10 \$250.00 Hunting - Trapping	NR CLASS 10 \$250.00 Hunting - Trapping	NR CLASS 10 \$250.00 Hunting - Trapping	NR CLASS 15 NR ALIEN \$300.00 Big Game Hunting				
AFFIDAVIT ON BACK OF THIS LICENSE MUST BE COMPLETED PRIOR TO ISSUANCE OF ANY LICENSES LISTED BELOW.														
RES CLASS 5A \$5.00 Hunting - Trapping Sport Fishing	RES CLASS 5B \$2.00 Duplicate	MILITARY CLASS 1a NONRESIDENT \$10.00 Sport Fishing	MILITARY CLASS 1b NONRESIDENT \$12.00 Small Game Hunting	NR MILITARY CLASS 1a \$22.00 Sport Fishing	NR MILITARY CLASS 1b \$22.00 Small Game Hunting	CLASS 1a \$5.00 Duplicate	INDICATE HERE THE CLASS OF ORIGINAL LICENSE ISSUED							

LICENSING SECTION
 PO BOX 25525
 JUNEAU AK 99802-5525
 LICENSEE
 STATE OF ALASKA
 DEPARTMENT OF FISH & GAME
 PRESS DOWN FOR CLEAR COPIES

Copy of a license form as they appear presently

S B

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SENATE COMMITTEE REPORT
FIRST COMMITTEE OF REFERRAL

DATE: 2/19/92

FURTHER: Special Comte on Fisheries
Finance

Date of 5-Day Notice: April 2, 1992
(in accordance with Uniform Rule 23)

DATE TURNED
INTO OFFICE: April 23, 1992

Resources Committee considered SB 442

Relating to the authority of the commissioner of the Dept. of Natural Resources to establish water use fees or provide for the sale of water resources; efd.

and recommends:

replace with _____ CS SB442 (Res)

attaches amendment(s)

same title
 new title
 technical
title change
(HB only)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

NEW FISCAL NOTES: Dept/Date

zero fiscal notes _____

fiscal notes DNR 1/14/92

appropriation--no fiscal note

DO PASS:

Sen. Costa
Sen. Blum
Rep. Halford

PREVIOUS FISCAL NOTES: Dept/Date

Governor's bill with fiscal notes:
zero fiscal notes ADF+G 2/13/92

fiscal notes DNR 1/14/92

OTHER RECOMMENDATIONS:

Sen. Blum NO R

Hay Jones (Do Pass)
Chair: Signature and Recommendation

7-GS2047J
Luckhaupt
4/22/92

CS FOR SENATE BILL NO. 442 (RESOURCES)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE RESOURCES COMMITTEE

Offered:
Referred:

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act authorizing the commissioner of natural resources to establish a water
2 conservation fee only for the use or sale of water in which the water is removed from
3 the hydrologic unit from which it was appropriated and is not returned to that hydrologic
4 unit; providing for the sale by the state of water appropriated to the state; relating to
5 the removal or appropriation for removal of water from one hydrologic unit to another;
6 and providing for an effective date."

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

8 * Section 1. AS 46.15 is amended by adding new sections to read:

9 Sec. 46.15.035. APPROPRIATION OR REMOVAL OF WATER OUT OF
10 HYDROLOGIC UNITS TO OTHER HYDROLOGIC UNITS; WATER CONSERVATION FEE.

11 (a) Water may not be removed from the hydrologic unit from which it was appropriated to
12 another hydrologic unit, inside or outside the state, without being returned to the hydrologic unit
13 from which it was appropriated nor may water be appropriated for removal from the hydrologic

1 unit from which the appropriation is sought to another hydrologic unit, inside or outside the state,
 2 without the water being returned to the hydrologic unit from which it is to be appropriated, unless
 3 the commissioner

4 (1) finds that the water to be removed or appropriated for removal is surplus to
 5 needs within the hydrologic unit from which the water is to be removed or appropriated for
 6 removal;

7 (2) finds that the application for removal or appropriation for removal meets the
 8 requirements of AS 46.15.080; and

9 (3) assesses a water conservation fee under (b) of this section.

10 (b) The commissioner shall establish, by regulation, a water conservation fee for a use
 11 of water in which the water is removed from the hydrologic unit from which it was appropriated
 12 to another hydrologic unit inside or outside the state, without the water being returned to the
 13 hydrologic unit from which it was appropriated. The fee established under this subsection shall
 14 be graduated to encourage the conservation of water.

15 Sec. 46.15.037. SALE OF WATER BY THE STATE. (a) The commissioner may
 16 provide for the sale of water by the state if

17 (1) the water has first been appropriated to the state in accordance with the
 18 requirements of this chapter; and

19 (2) the commissioner determines that

20 (A) the water is surplus to needs within the hydrologic unit from which
 21 it was appropriated;

22 (B) the proposed sale of the water meets the requirements of
 23 AS 46.15.080; and

24 (C) the sale price of the water is based upon the fair market value of the
 25 water.

26 (b) A purchaser of water from the state under this section shall acquire only those
 27 contractual rights to the water set out in sale documents prepared by the commissioner except
 28 that a sale of water by the state does not constitute an appropriation of water under this chapter
 29 to the purchaser.

30 (c) If water to be sold by the state under (a) of this section, is to be removed from the
 31 hydrologic unit from which it was appropriated to another hydrologic unit, inside or outside the

1 state, without being returned to the hydrologic unit from which it was appropriated, the
2 commissioner shall, in addition to determining that the sale meets the requirements of (a)(2) of
3 this section, assess a water conservation fee under AS 46.15.035.

4 * Sec. 2. AS 46.15.260 is amended by adding a new paragraph to read:

5 (10) "hydrologic unit" means either a hydrologic unit or subunit established by
6 the United States Geologic Survey on current hydrologic unit maps of the state.

7 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF WATER

WALTER J. HICKEL, GOVERNOR

3601 C. Street
P.O. Box 107005
Anchorage, Alaska 99510-7005
Phone: (907) 762-2575

April 17, 1992

Senator Lloyd Jones, Chairman
Senate Natural Resources Committee
Alaska State Senate
Juneau, Alaska

Dear Senator Jones:

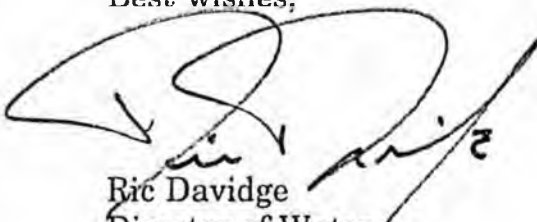
In response to our discussions and the questions and suggestions of the members of the Senate Natural Resources Committee, I have spent some time with your staff, my staff and Assistant Attorney General Rob Nauheim on Senate Bill 442. We have also reviewed and worked through the work draft provided by your legislative counsel Mr. Luckhaupt.

Enclosed for your consideration is a committee substitute that we believe meets the objectives we have agreed on. We have attempted to make the language of the bill as clear and precise as possible so that the intent of the committee is clear.

I hope you will find the product of our combined efforts acceptable and look forward to a successful hearing on Wednesday. I have forwarded copies of this letter and the attached alternative bill to the other members of the committee.

Thank you for your support and willingness to work with the administration as we attempt to deal with this complex issue.

Best wishes,



Ric Davidge
Director of Water

cc: Members of the Senate Natural Resources Committee

SENATE BILL NO. 442

HOUSE BILL NO. 550

APRIL 17, 1992

A BILL
FOR AN ACT ENTITLED

"An Act authorizing the commissioner of natural resources to establish a water conservation fee for the use or sale of water which is not returned to the hydrologic unit from which it was appropriated; providing for the sale of water by the state; relating to the appropriation of water from one hydrologic unit to another; and providing for an effective date."

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

*Section 1. AS 46.15.020(a) is amended to read:

(a) The commissioner shall exercise all those powers and do all those acts necessary to carry out the provisions and objectives of this chapter. The commissioner may

(1) subject to AS 36.30 (State Procurement Code), enter into contractual agreements necessary to carry out the provisions of this chapter including agreements with federal, state, and local agencies:

(2) apply for, accept, administer, and expend grants, gifts, and loans from the federal government and any other public or private sources for the purposes of this chapter, and adopt procedures and do acts not otherwise restricted by law that [WHICH] are necessary to qualify the state to receive grants, gifts, and loans;

(3) establish a division of water in the Department of Natural Resources and assign to that division the responsibility for carrying out the provisions of this chapter;

(4) establish by regulation a graduated water conservation fee for any use of water in which the water is not returned to the hydrologic unit from which it was appropriated;

(5) provide for the sale of water resources by the department; water offered for sale by the department must first be appropriated to the department in accordance with the

requirements of this chapter;

(a) any right to water obtained by a purchaser of water offered for sale pursuant to this section shall not constitute an appropriation of water to the purchaser. A purchaser shall acquire only those contractual rights to the water set forth in sale documents to be prepared by the commissioner or his designee.

* Sec. 2 AS 46.15 is amended by adding a new section to read:

Sec. 46.15.035. APPROPRIATION OF WATER OUT OF HYDROLOGIC UNITS; SALE OF WATER. (a) The commissioner shall not approve or permit the appropriation or sale of water that will result in such water not being returned to the hydrologic unit from which the water is sought to be appropriated unless the commissioner

(1) finds that the water is surplus to current and reasonably foreseeable future needs within the hydrologic unit from which the water would be appropriated;

(2) finds that the appropriation meets the requirements of AS 46.15.080; and

(3) assesses a water conservation fee under AS 46.15.020(a)(4).

(b) Water may not be sold by the department under AS 46.15.020(c)(5) unless the commissioner determines that

(1) the water is surplus to current and reasonably foreseeable future needs within the hydrologic unit from which it would be sold;

(2) the proposed sale of the water meets the requirements of AS 46.15.080; and

(3) the sale price of the water is based upon the fair market value of the water.

* Sec. 3. AS 46.15.260 is amended by adding a new paragraph to read:

(10) "hydrologic unit" means either a hydrologic unit or subunit established by the United States Geologic Survey on current hydrologic unit maps of the state.

* Sec. 4. This Act takes effect immediately under AS 01.10.070(c).

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSSB 442(RES)

Revision Date: 22-Apr-92

Department Affected: Natural Resources

Title: Water Use Fees and Sale

BRU: Water Management

Components: Water Management

Sponsor: Rules Committee for Governor

Requestor: Senate Resources

COMPONENT SERIAL NO. 916

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	147.3	148.3	148.3	148.3	148.3	148.3
TRAVEL	39.0	39.0	39.0	39.0	39.0	39.0
CONTRACTUAL	91.9	47.4	47.4	47.4	47.4	47.4
SUPPLIES	11.0	11.0	11.0	11.0	11.0	11.0
EQUIPMENT	35.0	15.0	15.0	15.0	15.0	15.0
LAND&STRUCTURES						
GRANTS,CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING *	324.2	260.7	260.7	260.7	260.7	260.7

CAPITAL						
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REVENUE GF/PR						
Fnd Source: 1005	350.0	15,000.0	30,000.0	200,000.0	200,000.0	200,000.0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER GF/PR						
Fnd Source: 1005	324.2	260.7	260.7	260.7	260.7	260.7
TOTAL	324.2	260.7	260.7	260.7	260.7	260.7

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of Current year impact:

ANALYSIS: (Attach a separate page if necessary)

* Funding needs changed per Senate Finance Committee Instructions.

Prepared by: David Orr Phone: 762-2572
 Division: Water Management Date: 22-Apr-92
 Approved by Commissioner: Harold C. Hein Date: 22-Apr-92
 Agency: Department of Natural Resources

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

Additional Information
Water Use Fees and Sale of Water Bill

Operations

- | | | |
|-----|-------------------------|---|
| 100 | Personal --
Services | One Hydrologist II, Range 16, Southeast (pft) Personal Services for Director, replaces GF reduction in House Finance. |
| 200 | Travel -- | For field work throughout Southeast on streams and other water bodies; to regional offices to update water files. Increase Director's Office Travel. |
| 300 | Contractual | Aircraft and boat charters, office space rent for new employee, newspaper advertising, water marketing services and analyses, etc. Director's Office Contractual. |
| 400 | Supplies -- | Misc. office supplies, small professional tools, survey supplies for field work. Director's Office Supplies. |
| 500 | Equipment -- | Computer terminals for position to support data collection and storage; professional hydro-survey equipment. |

Revenues:

1. Water Use Fees: Once water user records are updated, water fees from existing appropriations can be collected. New applications for 350,000 acre feet of water have been received, and we expect applications for an additional 500,000 acre feet by the end of FY 93 (for water export to California).
2. Water Sales: The sale of water for export could generate significant new revenues for the State of Alaska. Delivery and infrastructure costs are yet to be determined, but prices paid for water in California provide some indication of the potential size of water fees. The California water bank is buying water rights from agricultural sources at \$125 per acre foot. The cost of local water delivered to coastal communities of California is about \$500 per acre foot, and the price of reclaimed water is about \$1400 per acre foot. Current estimates for desalinated water are \$1800 to \$2000 per acre foot. Santa Barbara has authorized paying up to \$1960 per acre for desalinated water delivered to that county. The initial target volume for sales would be 1-2 million acre feet per year. Alaska's rivers discharge between 800 million and 1 billion acre feet into the ocean each year.

Funds collected from water fees and sales could be used to offset the cost of water management programs, increase the network of stream gages, augment the STORET water data base, and fund village safe water projects.

Position Title		Hydrologist II		No. of Positions	1	Range/Step	16A	Barg. Unit	GGU
Time Status	PFT	Staff Months	12	Location	AWA		Election District	4	
TYPE OF EXPENDITURE			Amount	Justification					
Salary		7.0	37.0	This position will inventory water resources in Southeast Alaska and collect data on water bodies, especially those that have been selected, or are highly likely to be selected, for large scale water appropriations and withdrawals.					
Benefits			14.6						
Premium Pay			-						
Other			-						
Total Personal Services			51.6						
Travel			8.0						
Contractual			20.0						
Commodities			6.0						
Equipment			35.0						
Other									
Total Cost			120.6						
FUNDING SOURCE FOR TOTAL COST									
Federal Receipts		1002							
G.F. Match		1003							
General Fund		1004	120.6						
I-A Receipts		1007							
CIP Receipts		1061							
Other									

**Request For
New Position**

FNPW01

AGENCY Natural Resources
BRU Water Management
COMPONENT Water Management

Page 1 of 3

Revised Date: _____

FY 93

ADJUDICATION PROCESS

- Pinpoint withdrawal location
- Determine current land ownership and right-of-ways
- Notice to public, agencies and prior water rights holders
- Respond to general questions concerning notices
- Respond to objections to issuance of water rights
- Request Hydro Survey assistance - effects on prior appropriators and on water source
- Request ADF&G assistance - effects on fish and wildlife
- Hold hearing at request of objectors to water rights
- Meet with public and agencies to decide on adequate protection - conditions and stipulations
- Adjudicate associated right-of-way for a water line
- Conduct coastal zone management project reviews

AMEND PERMIT/CERTIFICATE

- Address change
- Change of use
- Change of take
- Ownership of property change
- New or additional well log data
- Director's Preliminary Decisions
- Findings of Facts
- Conclusions of Law
- Final Determinations
- Revocations of Certificates

FILE UPDATE

- Address correction
- Meter records
- Change legal text due to resubdivisions
- Update well log information on computer records to AHS & USGS
- Clean up customer and legal description records on computer

PUBLIC ASSISTANCE

- General questions
- Specific questions, i.e. locating other water right holders
- Well log locations, copy
- Fill out water right applications
- Quantification of rights
- Respond to complaints
- Review projects that do not require a water permit

SENATE BILL NO. 442
HOUSE BILL NO. 550
ADMINISTRATION RECOMMENDATIONS
APRIL 8, 1992

A BILL
FOR AN ACT ENTITLED

"An Act relating to the authority of the commissioner of natural resources to establish water use fees or provide for the lease or sale of water resources; relating to the appropriation of water from one hydrologic unit to another; and providing for an effective date."

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

*** Section 1.** AS 46.15.020(a) is amended to read:

(a) The commissioner shall exercise all those powers and do all those acts necessary to carry out the provisions and objectives of this chapter. The commissioner may

(1) subject to AS 36.30 (State Procurement Code), enter into contractual agreements necessary to carry out the provisions of this chapter including agreements with federal, state, and local agencies;

(2) apply for, accept, administer, and expend grants, gifts, and loans from the federal government and any other public or private sources for the purposes of this chapter, and adopt procedures and do acts not otherwise restricted by law that [WHICH] are necessary to qualify the state to receive grants, gifts, and loans;

(3) establish a division of water in the Department of Natural Resources and assign to that division the responsibility for carrying out the provisions of this chapter;

(4) establish, by regulation, water use and water conservation fees, and provide for the sale or lease of water resources; regulations adopted under this paragraph must include a provision that

(A) a water use fee may not exceed \$1 per acre foot per year for appropriations of 50 acre feet or more per year, provided that the water is used in or returned to the hydrologic unit from which it has been appropriated; if the commissioner determines that water is returned to the hydrologic unit from which it was appropriated in a condition cleaner than when it was appropriated, the commissioner may provide a credit to that water user; credits available under this paragraph may not exceed the amount otherwise due for a particular appropriation;

(B) in addition to the water use fee, a water conservation fee may be assessed for a use of water in which the water is not returned to the hydrological unit from which it has been appropriated;

(C) water offered for sale or lease by the state must first be appropriated to the department in accordance with the requirements of this chapter; water rights appropriated to the state for the purpose of lease or sale are not transferable;

(D) a water use fee may not be charged to a state agency, nonprofit organization, municipally-owned or operated hydropower generation facility, or a user appropriating less than 50 acre feet of water per year, provided that non-profit organizations or municipally-owned or operated hydropower facilities do not engage in the sale or lease of water to another party.

* Sec. 2 AS 46.15 is amended by adding a new section to read:

Sec. 46.15.035. APPROPRIATION OF WATER OUT OF HYDROLOGIC UNITS.

(a) The commissioner may allow the removal of water from a hydrologic unit within the state to another unit, inside or outside the state, if the appropriation is for less than 50 acre feet per year or if the commissioner

(1) finds that the water for which the permit is sought is surplus to current and reasonably foreseeable future needs within the hydrologic unit from which the water is to be appropriated;

(2) finds that the application meets the requirements of AS 46.15.080; and

(3) assesses a water conservation fee under AS 46.15.020(c)(4) and, if the water is to be sold or leased by the department, assures that the sale or lease price is based on the fair market value of the water.

* **Sec. 3.** AS 46.15.260 is amended by adding a new paragraph to read:

(10) "hydrologic unit" means either a hydrologic unit or subunit established by the United States Geologic Survey on current hydrologic unit maps of the state.

* **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).

(This alternative prepared by the Division of Water, Department of Natural Resources, State of Alaska.)