

ALASKA LEGISLATURE COMMITTEE FILES 1993-1994 8672

8133 HOUSE STATE AFFAIRS

38



*Department of Transportation
and Public Facilities*

POSITION PAPER

BILL NO: HB 228

APPROVED:

A handwritten signature in black ink, appearing to read "J. B. ...".

TITLE: State Procurements

DATE: March 19, 1993

Overall the department is very supportive and encourages the use of Alaska bidders, consultants and vendors. This is evident by the high percentage (estimated at over 90 % in 1991) of procurement which already go to Alaska businesses. The procurement code, presently, has preferential clauses which provide advantages to the Alaska business community. Certain sections of the proposed legislation (sections 4, 5, 7, 8 and 9) add additional requirements into the procurement process which may increase procurements from Alaska vendors. But for a potentially small increase, the department will incur increased costs, delays in procuring certain goods and services, subjective bureaucratic review and paperwork subject to protests and appeals. The new requirements come during a time when there are less employees to do the work and budgets are being substantially reduced.

For Further Information contact Katy McHugh at 465-3900.

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HB 228

Revision Date:
Title: "An Act relating to publications produced by state agencies and to the procurement of property..."
Sponsor: House Rules Committee
Requestor: Rep. MacLean

Department Affected: University of Alaska
BRU: ALL
Component: ALL

COMPONENT SERIAL NO. ALL

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
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						
---------	--	--	--	--	--	--

REVENUE FD SOURCE						
-------------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)	FY94	FY95	FY96	FY97	FY98	FY99
GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL FUNDING	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:	FY94	FY95	FY96	FY97	FY98	FY99
FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

Prepared by: Marsha Hubbard, Director
Division: Statewide Budget Office

Phone: 474-7593
Date: 3/22/93

Approved by: Brian Rogers, Vice President for Finance
Agency: University of Alaska

Date: 3/22/93

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

House Economic Task Force



Chair:
Rep. Eileen Panigeo MacLean
Vice-Chair:
Rep. Jeannette James

State Capitol, Room 507
Juneau, AK 99801
Phone: (907) 465-4833
Fax: (907) 465-2278

Members:
Rep. Bettye Davis
Rep. Joe Green

Rep. Bill Hudson
Rep. Jerry Mackie

Rep. Cari Moses
Rep. Al Vezey
Rep. Bill Williams

MEMORANDUM

TO: Rep. Al Vezey
Chair, State Affairs Committee

FROM: Rep. Eileen P. MacLean *EM*
Chair, House Economic Task Force

DATE: March 17, 1993

SUBJ: HB 228 hearing schedule

Thank you for scheduling the Task Force bills (HB 228 and HCR 16) so quickly. Unfortunately, I will be out of town on Saturday. Since HB 228 is likely to require a lot of discussion, I would ask that you hold that bill until next week so that I may be present for the hearing.

HCR 16 is likely to be less controversial, so I see no reason to hold that one up. My staff will be present at the Saturday hearing.

Thank you for your consideration of this request.

FISCAL NOTE

Revision Date:
Title: State Procurements

Department Affected: DOT&PF
BRU: D&C, Supply

Sponsor: House Economic Task Force
Requestor:

Component:
Component Serial Number:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING:	0	0	0	0	0	0

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

REVENUE FUND SOURCE	0	0	0	0	0	0
---------------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

1002 FEDERAL RECEIPTS	0	0	0	0	0	0
1003 GF MATCH	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/PROGRAM RECEIPTS	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL FUNDING:	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 (FY93) impact: \$0

ANALYSIS: (Attach a separate page if necessary)

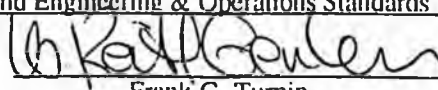
The increased cost to DOT&PF of general merchandise procurement is included in the Department of Administration's Fiscal Note on HB 228. These amendments to the procurement code will increase administrative work loads, thus decreasing productivity. DOT&PF has not attempted to value the cost of the lost productivity.

Prepared by: Bob Barthelme & Loren Rasmussen

Phone: 465-3900

Division: Administration and Engineering & Operations Standards

Date: March 25, 1993

Approved by Commissioner: 
Frank G. Turpin

Phone: 465-3900

Agency: Department of Transportation and Public Facilities

Date: March 25, 1993

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE
For further distribution information call the Governor's Legislative Office

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HB 228

Revision Date: _____

Department Affected: Administration

Title: *An Act relating to publications and procurements.

BRU: Personnel/OEEO

Component: Personnel/OEEO

Sponsor: House Rules (for House Economic Task Force)

Requestor: House State Affairs

COMPONENT SERIAL NO. 56

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

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

REVENUE FUND SOURCE:	0	0	0	0	0	0
-----------------------------	---	---	---	---	---	---

FUNDING:

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

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

Estimate of current year (FY93) impact: 0

ANALYSIS: (Attach a separate page if necessary.)

Passage of this bill will not require an appropriation to this division for implementation.

Prepared by: Kevin Ritchie, Director
 Division: Personnel/OEEO

Phone: 465-4429
 Date: _____

Approved by Commissioner: Nancy Bear Usera
 Agency: Administration

Date: 3/26/93

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE
 For further distribution information call the Governor's Legislative Office

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HB 60

Revision Date: _____ Dept. Affected: Administration
 Title: An Act relating to publications produced by BRU: General Services
State agencies... Component: Purchasing
 Sponsor: House Rules Committee
 Requestor: State Affairs COMPONENT SERIAL NO. 60

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

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

REVENUE FUND SOURCE:	0	0	0	0	0	0
----------------------	---	---	---	---	---	---

FUNDING:

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF / Program Receipts	0	0	0	0	0	0
1006 GF / M-FITA	0	0	0	0	0	0
Other	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS

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

Estimate of current year (FY93) impact: \$ -0-

ANALYSIS: (attach a separate page if necessary.)

Section 4 of the bill changes advertising for Invitations to Bid and Requests for Proposals (RFP) to limit notice to only vendors located in the state. Out-of-state vendors will be sent notices only if they ask for them specifically. This bill will reduce the number of out-of-state bidders because they will not know to ask for a copy of a bid or RFP.

Continued on attached page.

Prepared By: Dugan Pett, Director Phone: 465-2250
 Division: General Services Date: _____

Approved by Commissioner: Nancy Bear Usura Date: 3/19/93
 Agency: Department of Administration

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE
 For further distribution information call the Governor's Legislative Office

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HB 228

ANALYSIS - Continued

During the past three fiscal years an average of 28 bids per year were issued by the Division for agencies that were awarded to bidders located out-of-state because they offered the lowest bid after application of the Alaska bidders preference. If out-of-state bidders had not received bids, award would have gone to the next lowest Alaska bidder. During that period awards to the lowest Alaska bidder would have resulted in an annual average of \$721,000 in additional costs to State agencies. So far during FY93, 23 bids have been awarded to out-of-state bidders that would result in \$296,000 additional costs to State agencies if awarded to the lowest Alaska bidder.

This bill will reduce out-of-state competition and, based on the past three years history and FY93 purchases, could result in cost increases to State agencies that will benefit Alaska businesses. The bill has minimal fiscal impact on the operations of the Division.

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HB 228

Revision Date: _____

Title: An Act relating to publications and procurements.

Sponsor: House Rules (for House Economic Task Force)

Requestor: House State Affairs

Department Affected: Administration

BRU: Personnel/OEEO

Component: Personnel/OEEO

COMPONENT SERIAL NO. 56

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

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

REVENUE FUND SOURCE:	0	0	0	0	0	0
----------------------	---	---	---	---	---	---

FUNDING:

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

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

Estimate of current year (FY93) impact: 0

ANALYSIS: (Attach a separate page if necessary.)

Passage of this bill will not require an appropriation to this division for implementation.

Prepared by: Kevin Ritchie, Director
Division: Personnel/OEEO

Phone: 465-4429
Date: _____

Approved by Commissioner: Nancy Bear Usery
Agency: Administration

Date: 3/26/93

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE
For further distribution information call the Governor's Legislative Office

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO: HCR 11

Revision Date: _____
Title: Designating the month of March as
"Women's History Month."
Sponsor: Representative Bettye Davis
Requestor: Representative Bettye Davis

Department Affected: Legislative Affairs Agency
BRU: Legislative Council

Component: Session Expenses

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
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						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

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

REVENUE FUND SOURCE	0	0	0	0	0	0
---------------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary)

Zero fiscal impact.

Prepared By: Pamela A. Stoops, Director

Division: Administrative Services

Pamela A. Stoops

Phone: 465-3850

Date: 3/30/93

Approved By: Warren W. Endicott, Executive Director

Agency: Legislative Affairs Agency

Warren W. Endicott

Date: 3/30/93

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

FISCAL NOTE

**STATE OF ALASKA
1993 LEGISLATIVE SESSION**

Revision Date	<u>3/31/93</u>	BILL NO.	<u>CSHB65 (STA)</u>
Title:	<u>"An Act Relating to improvement of state finances through reduction of operating costs"</u>	Department Affected:	<u>Natural Resources</u>
Sponsor:	<u>House Rules Committee</u>	BRU:	<u>Park & Recreation Management</u>
Requestor:	<u>House State Affairs</u>	Components:	<u>Park Management</u>
		Component Serial No.	<u>452</u>

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
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						
---------	--	--	--	--	--	--

REVENUE fund source:	(50.0)	(50.0)	(50.0)	(50.0)	(50.0)	(50.0)
----------------------	--------	--------	--------	--------	--------	--------

FUNDING: (Thousands of Dollars)

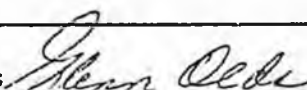
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME	0.0	0.0	0.0	0.0	0.0	0.0
TEMPORARY	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of current year (FY93) Impact: \$ No fiscal impact anticipated

ANALYSIS: (Attach a separate page if necessary)
 This committee substitute bill eliminates the new categories of park user fees contained in the original version of the bill. For park user fees already in statute (for example, camping), it sets the fee levels currently found in regulation into law. Because no new authorities are created, there will be no new costs to administer the fee program, nor will there be new fee revenues generated. In fact, fee revenues will decline due to restrictions on boat launching fees. This reduction is estimated to be \$50,000 annually.

Prepared by:	<u>Neil C. Johannsen</u>	Phone:	<u>762-2600</u>
Division:	<u>Parks & Outdoor Recreation</u>	Date:	<u>31-Mar-93</u>
Approved by Commissioner:	<u>Glenn A. Olds</u> 	Date:	<u>31-Mar-93</u>
Agency:	<u>Department of Natural Resources</u>		

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE
 For further distribution information call the Governor's Legislative Office



VETERANS OF FOREIGN WARS OF THE U.S.
DEPARTMENT OF ALASKA
P.O. Box 141988
Anchorage, Alaska 99514

March 23, 1993

TO: All State Senators and Representatives

The Veterans of Foreign Wars, Department of Alaska, is in full support of Sponsor Substitute for House Bill No. 196. Former prisoners of war and veterans have already paid a high price in service to our country. An act relating to the state employment preference for veterans and prisoners of war is justified.

The Veterans of Foreign Wars, Department of Alaska, appreciates your consideration and assistance in passing Sponsor Substitute for House Bill No. 196.

Sincerely,

Larry Patch
VFW State Commander

SS HB 196

Please place in
Bill Packet

HB

240

Department of Revenue
Position Paper

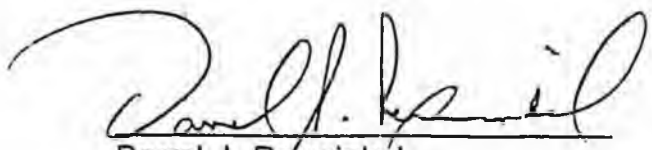
HB-240 "An Act allowing gaming devices on ferries."

This bill would allow the Alaska Department of Transportation and Public Facilities, Alaska Marine Highway System to operate gaming devices on state ferries in locations that prohibit persons under the age of 21 years from entering. HB 240 defines a gaming device as a "coin operated mechanical, electromechanical, or electronic contrivance, component, or machine that by strict dependence on the element of chance may deliver or entitle the person playing or operating the device to receive free games, merchandise, credit, premiums, or tokens that may be exchanged for cash." These devices are currently illegal under AS 05.15.180(a) and 11.66.280(3).

The potential impact of this bill on other provisions of Alaska law is tremendous. AS 11.66.200 - 280 would have to be amended to legalize the possession of and participation in class III gaming. AS 05.15 would have to be amended to permit the possession and use of such devices and to create a licensing program adequate to ensure that such gaming is not infiltrated by criminal elements. AS 43.35's licensing fee structure would have to be amended to reflect 1994 costs. An entire tax structure might have to be created and codified in AS 43.35 in order to make the program self-sufficient. Effective compliance with AS 11.66.200 - 280, AS 05.15 and AS 43.35 would require the centralizing of enforcement authority in one agency.

Should this bill become law, the prohibition against cruise ship gambling within Alaska territorial waters may have to be lifted. Legalization of gambling in Alaska territorial waters could lead to an overall expansion of gambling in the state.

2/7/94
Date



Darrel J. Rexwinkel
Commissioner

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. HB 240

Revision Date: _____ Dept. Affected: Revenue
 Title: "An Act allowing gaming devices on ferries." BRU: Revenue Operations
 Component: Charitable Gaming Division
 Sponsor: Representatives MOSES, Bunde
 Requestor: House State Affairs Committee COMPONENT SERIAL NO. 1883

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY95	FY96	FY97	FY98	FY99	FY00
PERSONAL SERVICES	99.1	102.1	105.2	108.4	111.7	115.1
TRAVEL	9.0	9.0	9.0	9.0	9.0	9.0
CONTRACTUAL	175.5	165.8	170.8	175.9	181.2	186.7
SUPPLIES	3.0	3.0	3.0	3.0	3.0	3.0
EQUIPMENT	156.0					
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	442.6	279.9	288.0	296.3	304.9	313.8

CAPITAL						
----------------	--	--	--	--	--	--

REVENUE FUND SOURCE:						
-----------------------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	442.6	279.9	288.0	296.3	304.9	313.8
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME	2	2	2	2	2	2
PART-TIME						
TEMPORARY						

Estimate of current year (FY94) impact: \$ 0.0

ANALYSIS: (Attach a separate page if necessary.)
 See attached analysis

Prepared by: Don Stolworthy, Director Phone: 465-2279
 Division: Charitable Gaming Division Date: February 7, 1994
 Approved by Commissioner: Darrel J. Rexwinkel Date: February 7, 1994
 Agency: Department of Revenue

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE
 For further distribution information call the Governor's Legislative Office

Fiscal Note Attachment: "An Act allowing gaming devices on ferries."

House Bill No. 240
Fiscal Analysis

In its present form, HB 240 does not provide a revenue source for the Department of Revenue, Charitable Gaming Division to regulate these activities. Therefore, funding would come from other division General Fund/Program Receipts.

Personal Services

Revenue Auditor IV 65.8
[Position needed to enforce program compliance]

Clerk Typist III 33.3
[Position needed for data entry and clerical functions associated with program expansion]

Total Personal Services **99.1**

Travel

[Costs associated with conducting on-site inspections and audits] 9.0

Total Travel **9.0**

Contractual

[RSA with Department of Law for additional litigation] 150.0

[Professional services office relocation costs] * 7.5

[Communications] 1.0

[Printing of forms, statute and regulation booklets] * 7.0

[Annual office lease] 10.0

Total Contractual **175.5**

<u>Supplies</u>	3.0
<u>Total Supplies</u>	<u>3.0</u>
<u>Equipment</u>	
[Two IBM PS II 486k 55 MHZ computers] *	8.0
[Two Meridian phones] *	.5
[Two 10-key calculators] *	.5
[Fuzzy wall construction to move 11 division employees] *	44.0
[Furniture] *	1.5
[File cabinets] *	1.5
[Gaming on-line technology computer hardware and software] *	100.0
<u>Total Equipment</u>	<u>156.0</u>
Total Operating Expenditures for FY 95:	442.6

* One time cost associated with program expansion.

FISCAL NOTE

Revision Date:
Title: Gambling Devices on State Ferries

Department Affected: DOT&PF
BRU: Marine Operations

Sponsor:
Requestor:

Component: SE Vessel Operations/Overhaul
Component Serial Number: #630

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY95	FY96	FY97	FY98	FY99	FY00
OPERATING						
PERSONAL SERVICES	9.0	36.0	36.0	36.0	36.0	36.0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	114.0	0	0	0	40.0	0
SUPPLIES	10.0	2.0	2.0	2.0	5.0	5.0
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:	133.0	38.0	38.0	38.0	81.0	41.0

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

REVENUE FUND SOURCE	*	*	*	*	*	*
---------------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

1002 FEDERAL RECEIPTS	0	0	0	0	0	0
1003 GF MATCH	0	0	0	0	0	0
1004 GF	133.0	38.0	38.0	38.0	81.0	41.0
1005 GF/PROGRAM RECEIPTS	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL FUNDING:	133.0	38.0	38.0	38.0	81.0	41.0

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 (FY94) impact: \$0

ANALYSIS: (Attach a separate page if necessary)

See Attached.

* We cannot determine revenues without further information and analysis of equipment envisioned.

Prepared by: Helvi Sandvik, Acting System Director

Phone: 465-3959

Division: Alaska Marine Highway System

Date: November 24, 1993

Approved by Commissioner: 
B.A. Campbell

Phone: 465-3901

Agency: Department of Transportation and Public Facilities

Date: November 24, 1993

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE
For further distribution information call the Governor's Legislative Office

ANALYSIS (cont. from page 1):

An effective date of July 1, 1994, is assumed. Six gaming devices would be installed on each of three mainline vessels of the Alaska Marine Highway System (AMHS) fleet in Southeast Alaska. Due to installation requirements, lead time on equipment identification, and soliciting proposals, it is estimated that shipboard modifications would take place during the winter of 1994-95, and full revenue capabilities not seen until the summer of 1995. In FY98, we would expect to place six machines on the new Ocean Class Vessel.

Expenditures:

Personnel Services - It would be difficult, if not impossible, to determine exact impact without further analysis and evaluation of equipment envisioned. At a minimum, overtime would be increased by \$12.0 on each of the three ships to allow for supervision and attendance of gaming devices.

Contractual Services:

An initial expenditure of \$61.0 (average \$3.4 per machine) will be required to upgrade electrical service, dismantle current furnishings and foundations, install new foundations, and partitioning. Additionally, a 1989 study recommended a contingency sum of \$25.0 to \$40.0 for the installation of the first six machines on each vessel to deal with asbestos containing materials which will likely be encountered when running wiring and securing machines.

Supplies:

Start-up supplies include sophisticated money counting equipment, gambling tokens and associated holding racks, collection equipment, and signage.

Capitol Costs:

Equipment costs would be borne by a private vendor solicited on a competitive basis for a partnership arrangement similar to the current arrangement for video games. A maximum of six games on each of three vessels will be installed to avoid excessive remodeling, structural reinforcement, air conditioning, and possible associated load restriction costs.

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. HB 240

Revision Date: _____ Dept. Affected: Revenue
 Title: "An Act allowing gaming devices on ferries." BRU: Revenue Operations
 Component: Charitable Gaming Division
 Sponsor: Representatives MOSES, Bunde
 Requestor: House State Affairs Committee COMPONENT SERIAL NO. 1883

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY95	FY96	FY97	FY98	FY99	FY00
PERSONAL SERVICES	99.1	102.1	105.2	108.4	111.7	115.1
TRAVEL	9.0	9.0	9.0	9.0	9.0	9.0
CONTRACTUAL	175.5	165.8	170.8	175.9	181.2	186.7
SUPPLIES	3.0	3.0	3.0	3.0	3.0	3.0
EQUIPMENT	156.0					
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	442.6	279.9	288.0	296.3	304.9	313.8

CAPITAL						
---------	--	--	--	--	--	--

REVENUE FUND SOURCE:						
----------------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	442.6	279.9	288.0	296.3	304.9	313.8
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME	2	2	2	2	2	2
PART-TIME						
TEMPORARY						

Estimate of current year (FY94) impact: \$ 0.0

ANALYSIS: (Attach a separate page if necessary.)

See attached analysis

Prepared by: Don Stolworthy, Director Phone: 465-2279
 Division: Charitable Gaming Division Date: February 7, 1994
 Approved by Commissioner: Darrel J. Rexwinkel Date: February 7, 1994
 Agency: Department of Revenue

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE
 For further distribution information call the Governor's Legislative Office

Fiscal Note Attachment: "An Act allowing gaming devices on ferries."

House Bill No. 240
Fiscal Analysis

In its present form, HB 240 does not provide a revenue source for the Department of Revenue, Charitable Gaming Division to regulate these activities. Therefore, funding would come from other division General Fund/Program Receipts.

Personal Services

Revenue Auditor IV [Position needed to enforce program compliance]	65.8
Clerk Typist III [Position needed for data entry and clerical functions associated with program expansion]	33.3
<u>Total Personal Services</u>	<u>99.1</u>

Travel

[Costs associated with conducting on-site inspections and audits]	9.0
<u>Total Travel</u>	<u>9.0</u>

Contractual

[RSA with Department of Law for additional litigation]	150.0
[Professional services office relocation costs] *	7.5
[Communications]	1.0
[Printing of forms, statute and regulation booklets] *	7.0
[Annual office lease]	10.0
<u>Total Contractual</u>	<u>175.5</u>

Supplies 3.0

Total Supplies 3.0

Equipment

[Two IBM PS II 486k 55 MHZ computers] * 8.0

[Two Meridian phones] * .5

[Two 10-key calculators] * .5

[Fuzzy wall construction to move 11 division employees] * 44.0

[Furniture] * 1.5

[File cabinets] * 1.5

[Gaming on-line technology computer hardware and software] * 100.0

Total Equipment 156.0

Total Operating Expenditures for FY 95: 442.6

* One time cost associated with program expansion.

Department of Revenue
Position Paper

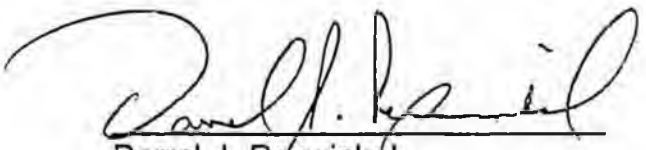
HB-240 "An Act allowing gaming devices on ferries."

This bill would allow the Alaska Department of Transportation and Public Facilities, Alaska Marine Highway System to operate gaming devices on state ferries in locations that prohibit persons under the age of 21 years from entering. HB 240 defines a gaming device as a "coin operated mechanical, electromechanical, or electronic contrivance, component, or machine that by strict dependence on the element of chance may deliver or entitle the person playing or operating the device to receive free games, merchandise, credit, premiums, or tokens that may be exchanged for cash." These devices are currently illegal under AS 05.15.180(a) and 11.66.280(3).

The potential impact of this bill on other provisions of Alaska law is tremendous. AS 11.66.200 - 280 would have to be amended to legalize the possession of and participation in class III gaming. AS 05.15 would have to be amended to permit the possession and use of such devices and to create a licensing program adequate to ensure that such gaming is not infiltrated by criminal elements. AS 43.35's licensing fee structure would have to be amended to reflect 1994 costs. An entire tax structure might have to be created and codified in AS 43.35 in order to make the program self-sufficient. Effective compliance with AS 11.66.200 - 280, AS 05.15 and AS 43.35 would require the centralizing of enforcement authority in one agency.

Should this bill become law, the prohibition against cruise ship gambling within Alaska territorial waters may have to be lifted. Legalization of gambling in Alaska territorial waters could lead to an overall expansion of gambling in the state.

2/7/94
Date



Darrel J. Rexwinkel
Commissioner

Alaska State Legislature
Representative Carl E. Moses

CHAIRMAN
HOUSE RULES COMMITTEE

CHAIRMAN
HOUSE SPECIAL COMMITTEE FISHERIES

MEMBER FINANCE SUBCOMMITTEES ON:
DEPT. OF FISH AND GAME
DEPT. OF PUBLIC SAFETY

SESSION
CAPITAL BUILDING, ROOM 204
JUNEAU, ALASKA 99801-1182
PHONE: (907) 465-4451
FAX: (907) 455-3445

INTERIM
716 W. 4TH AVE #630
ANCHORAGE, AK 99501-2133
PHONE: (907) 258-8167
FAX: (907) 258-8468

M E M O R A N D U M

DATE: January 21, 1994

TO: Rep. Al Vezey, Chairman
House State Affairs Committee

FROM: Rep. Carl E. Moses, Chairman *CEM*
House Rules Committee

RE: Request for Hearing - HB 240

I respectfully request a committee hearing on HB 240, the bill which would allow limited mechanical gaming activity on state ferry vessels. I am providing support material which is attached.

If further needs or questions arise, please contact Tim Benintendi of my office at 3764.

CEM/tb/m16

Alaska State Legislature

Representative Carl E. Moses



CHAIRMAN
HOUSE RULES COMMITTEE

CHAIRMAN
HOUSE SPECIAL FISHERIES COMMITTEE

MEMBER
FINANCE SUBCOMMITTEES
FISH AND GAME
PUBLIC SAFETY

SESSION:
CAPITOL BUILDING, ROOM 204
JUNEAU, ALASKA 99801-1182
PHONE: (907) 485-4451
FAX: (907) 465-3445

INTERIM:
P.O. BOX 109
UNALASKA, ALASKA 99685
PHONE: (907) 581-1234
FAX: (907) 581-2875

SPONSOR STATEMENT

HOUSE BILL 240, the measure to allow for slot and video machine gaming on board our state ferry vessels, is offered as an opportunity to improve that agency's revenue picture. This activity, confined to just slot and video style machines placed in a restricted area of a vessel, will afford greater recreational diversion for adults.

In licensing the Alaska Marine Highway System to operate gaming machines, I do not propose this to be a forerunner of greater gaming activity, such as casino style operations. Slot and video type machines have a good track record of security and management control. This bill has been drafted to allow for the ferry system to set up and operate the program itself, or for it to contract out the operation if it so desires.

CEM/tb/stmt.2

VIDEO GAMBLING

By Pam Greenberg

At least 17 states considered legislation to authorize video gambling in 1993. A handful of states already have legalized it, intending to delay tax increases, bolster lagging state lottery sales or a faltering racing industry, and reduce illegal gambling activity. Video gambling may have solved some of these problems for a few states, but it can create some difficulties of its own.

"Electronic slot machines" are legal in a handful of states.

Video gambling machines are an electronic version of slot machines, offering games of draw poker or blackjack and paying off winners with reimbursable vouchers instead of stacks of coins or tokens. When an agency operates the machines, they are called video lottery terminals. Four states have legalized statewide video gambling: **SOUTH DAKOTA, OREGON, MONTANA** and **LOUISIANA**. Two states—**WEST VIRGINIA** and **RHODE ISLAND**—have authorized video gambling at racetracks. In addition, some Indian tribes and charities also offer video gambling. **MISSISSIPPI** regulates statewide charitable video bingo. Video machines that pay off in coins or tokens are also among the games authorized in casinos in **NEVADA**; Atlantic City, **NEW JERSEY**; Deadwood, **SOUTH DAKOTA**; three towns in **COLORADO**; and on riverboats in **IOWA, ILLINOIS, INDIANA, MISSISSIPPI** and **MISSOURI**.

	Louisiana	Montana	Oregon	South Dakota	West Virginia
Net Revenue (total \$ played less prizes)	\$186.8	\$178.8	\$172.4	\$142	\$4.6
Percent of Net Revenue to Govt.	22.5%	15%	65%**	35%***	20%
Distribution of Govt. Proceeds	75% to state 25% to local	33% to state 66% to local	Varies, minimum of 6% to local	100% to state	100% to state
State Proceeds	\$31.5	\$8.9	\$54.4	\$48.9	\$0.9
Local Proceeds	\$10.5	\$17.9	\$7.7	-	-

* Preliminary data; full FY 1993 revenues not available for Rhode Island.
 ** Includes administrative costs to state lottery for purchasing, installing and servicing video gambling machines.
 *** Increased from 25% as of 1/16/92; increased to 36% as of 7/1/93.

Several state lotteries, including those in **CALIFORNIA, KANSAS, MARYLAND, MASSACHUSETTS, OREGON, RHODE ISLAND** and **WEST VIRGINIA**, offer an additional electronic game, sometimes called video keno, club keno or fast-draw keno. However, this type of keno differs from other video gambling, where players interact one-on-one with a video terminal. Club keno players make their bets in advance, and winning numbers are displayed on a closed-circuit television screen in bars, restaurants or convenience stores. Drawings may be held as frequently as every five minutes, almost around the clock, seven days a week.

Video gambling is profitable, but is only a small portion of state revenues.

In 1989, **SOUTH DAKOTA** set up a statewide electronically linked network of terminals operated by the state lottery. Revenues increased fivefold after video lottery was introduced, attracting national attention. In FY 1991, South Dakota's video lottery generated \$25.5 million for the state, which provided about 4.8 percent of all state tax revenues.

WEST VIRGINIA legalized video gambling at one racetrack in 1990, hoping to boost attendance and revenues. Instead, attendance and revenues actually declined by about 10 percent. Nevertheless, racetrack and lottery officials consider the project a success, believing the track would have suffered far more had video machines not been installed.

Video gambling has mixed results at racetracks.

Before state-run video gambling began in OREGON, the state banned all video amusement devices because of concerns about illegal use of the privately owned devices for gambling. Video amusement devices, which are sometimes called "gray area" machines, are legal in some states as long as they pay off only in free replays, not in cash. However, the use of amusement devices for illegal gambling is thought to be widespread. Legalizing video lottery allowed Oregon to regulate and control video gambling machines, while generating additional revenues for state economic development programs.

In LOUISIANA, OREGON, SOUTH DAKOTA, RHODE ISLAND and WEST VIRGINIA, video gambling machines are linked to a central computer at state lottery headquarters. This electronic computer network allows state regulators to monitor the credits played and revenues earned, helping to prevent fraud and

Regulation of Statewide Video Gambling				
	Louisiana	Montana	Oregon	South Dakota
Games Authorized	Draw poker	Draw poker keno, bingo	Draw poker	Draw poker, keno, blackjack
Minimum Payback Rates*	80%	80%	88.9%	80%
Limits on Bets	\$2 per bet	\$2 per bet	\$2 per bet	\$2 per bet
Limits on Wins per Game	\$500	\$100 (poker), \$800 (keno, bingo)	\$600	\$500
Limits on Locations/ Limits on # of Machines	Racetracks, OTB-- no limit Restaurants/bars--3 Truck stops--50	Establishments with liquor license--20	Establishments with liquor license--5	Establishments with liquor license--5
* Amount returned to player per credit played.				

abuse. In Oregon, the state lottery agency leases, installs, maintains and repairs all machines. In the other states, the machines are privately owned and operated, and owners are licensed by the state. In MONTANA, which began regulating video gambling in 1987, the privately owned video gambling machines are not linked to a central computer, but have internal meters that record information monitored by regulators.

Video gambling is highly controversial. It is considered more addictive than other types of wagering, particularly to young people. In addition, some businesses may suffer when gamblers use money on bets that they would otherwise spend on other products and services. Opponents in SOUTH DAKOTA were able to garner enough support to place a measure to repeal video gambling on a statewide ballot, although it was defeated. And in 1993, the government of Nova Scotia, Canada, admitted it had failed to recognize the addictive lure of the machines and cut back sharply on the number of machines it had originally authorized.

Video gambling may be very addictive.

Selected References

North American Gaming Regulators Association. *Standards on Coin-Operated Video Gambling Devices*, adopted May 17, 1990.

Contacts for More Information

Pam Greenberg
NCSL—Denver
(303) 830-2200

North American Gaming Regulators Association
Lincoln, Nebraska
(402) 474-4261



FB

278

Alaska State Legislature

3111 C STREET
ANCHORAGE, ALASKA 99503
561-7626 FAX: 562-4376



WHILE IN SESSION:
STATE CAPITOL
JUNEAU, ALASKA 99801-1182
465-2435 FAX: 465-2864

Representative David Finkelstein

HB 248 Sponsor Statement

Predator control programs, and particularly aerial wolf hunts, are very controversial, both within Alaska and the nation. The purpose of HB 248 is to encourage management of Alaska's wildlife with a healthy balance of predators and prey.

Section 1 of this bill is based on the successful Yukon predator control plan, and would allow control programs when predators could be proven to be the long-term cause of a serious depletion of the prey population. Programs would begin after non-subsistence hunting in the control area had been closed for two years, and would return prey populations to an appropriate level within five years, during which non-subsistence hunting would remain closed in the control area. The Board of Game could re-authorize control programs annually if prey populations increased substantially during the year.

Section 2 restricts aerial predator hunting to Board-sanctioned control programs. This bill protects the state's interest by promoting biology-based resource management decisions, made by experts.

Surveys show cancelled reservations and postponed trips

Wolf hunt cost to tourism: \$100 million-plus?

The controversial aerial wolf hunt planned, and then temporarily cancelled, by state game officials may already have cost Alaska's tourism industry some \$100 million to \$150 million in lost revenues, industry leaders say. Surveys by the Alaska Tourism Marketing Council, a joint state-private tour promotion agency, calculate a direct loss of sales of \$85.6 million because of a tourism boycott called by U.S. wildlife protection groups. When the secondary impacts of jobs and lost money in the economy is added, the figure climbs to as high as \$150 million, according to Bob Dindinger, vice chairman of ATMC, and operator of a Juneau tour company. Dindinger, and other industry officials, presented the statistics at Governor Hickel's recent "wolf summit" in Fairbanks.

Six percent halted Alaska trips

ATMC sampled from among 200,000 people who had contacted the agency between Sept. 1 and Dec. 1 for advice on planning their summer, 1993 trip to Alaska. Nearly six percent of the group surveyed said they would cancel or postpone their travel plans for 1993. One in three surveyed had heard about an Alaska issue concerning wolves, and 20 percent said they knew details about the wolf killing issue.

ATMC did two waves of surveys. The first was before animal rights groups ran national advertising urging a tourism boycott of Alaska, when public opinion would be formed only by news accounts. The second followed the national ads. Significantly, the surveys showed postponements to grow by 200 percent, outright cancellations to grow by 50 percent and reconsideration of Alaska travel plans to increase by 75 percent. The scary thing, Dindinger said, was that animal rights groups cancelled the boycott midway between Wave 1 and Wave 2 research, but only 53 percent of Wave 2 respondents had heard the controversial hunt was cancelled.

ATMC, comprised of state officials and industry, will meet in February to consider options. More research will unlikely be done, but the association will also consider targeted media — cable TV, selected direct mail, public relations work with editors — to try and refurbish Alaska's tattered image.

Alaska Wilderness Recreation and Tourism Assoc., the trade group of some 158 mostly-small Alaska firms specializing in the fast-growing recreation and "eco-tourism" end of the business, reported results of surveys of its members. Forty four, or 28 percent, of AWRTC members responded to the survey, and while only one reported outright cancellations, most firms reported a definite slowdown in reservations during December.

Kirk Hoessle, owner of Alaska Wildland Adventures, reported his sales as of Dec. 31 were 15 percent below sales at that same time in 1991. The company had planned for growth based on prior years' experience, and December's lost sales will cost the company some \$115,000, he said. Tom Garrett, an association board member who operates Alaska Discovery Tours, a company that had offered wilderness tours for 22 years in different parts of Alaska, said his company had been booking trips at 50 percent above 1991 during November and early December. From Dec. 13, when news of the wolf hunt hit the national press, until Dec. 30, his company did not book a single tour. Since then inquiries and bookings have returned the earlier levels, but the interruption created real concern among company officials.

"Eco-tour" volume grows fast

Alaska Discovery gave these figures are examples of how small wilderness and wildland tours benefit local economies: The company's seven Arctic National Wildlife Refuge tours in summer, 1992, brought these revenues to Interior Alaska firms: C-Air Charters, \$10,522.50; Colville River Mercantile, \$1,737.80; Fairbanks Bed & Breakfast, \$2,176.08; Frontier Flying Service, \$153.25; National Car Rental, \$1,153.45; Mike O'Connor, \$1,200; Wright Air Service, \$15,683.45; Yukon Air Service, \$11,613, for a total of \$44,239.53. What is more significant is the rate of growth of spending. In 1991, for the same tours, the company spent \$31,522. In 1993, some \$50,000 is projected.

Executive Summary

Moose and caribou in the Aishihik area of the southwest Yukon have declined to very low numbers in recent years. There is a risk that the moose and caribou populations could be driven even lower. Moose densities are currently among the lowest reported for northern interior populations. Both moose and caribou are important to 3 First Nations that have traditionally used this area for subsistence purposes. First Nations people have observed a decline in both moose and caribou populations in the area and have called for an ungulate recovery program.

Low recruitment is currently the problem for both ungulates. Wolf predation on adults and calves has been shown to be one of the major factors limiting the recovery of other northern caribou herds and moose populations. Other predators, including bears, may also be an important limiting factor to the small populations of both moose and caribou. Recent hunting restrictions and closures have not arrested the declines in woodland caribou in the Aishihik area of the southwest Yukon.

This study design calls for hunting closures on moose and caribou and an initial 2 year wolf control program that will be evaluated to determine if it has increased calf survival sufficiently to generate population growth of moose and caribou. If it has not, the program will be suspended. If it has, the program should continue until 5 years when it will again be evaluated to determine if the population growth rate is acceptable. The long term population goals are for 2,500 caribou (up from 1200 to 1500) and 4,000 moose (up from 2000) in the Aishihik area.

The study is designed so that wildlife managers can learn by experimentally changing the wolf-prey system while monitoring other potentially important factors, including weather and range conditions. This could tell us: 1) why ungulate prey have declined in the area, 2) if and how wolves regulate the abundance of moose, caribou, Dall sheep and elk, 3) how weather, forage availability and other predators, including bears and humans, influences ungulate populations. In order to fully understand these systems each prey species will also be studied in areas where wolves are not reduced

(untreated 'control' populations). The long-term question that remains unanswered is: If ungulate populations grow after wolves are reduced will they again decline to low numbers due to strong wolf predation effects (ie. regulation). This is a critical problem to be solved for it poses the broader management question: Does wolf control have long-term effects, or are the benefits only short-term?

APPENDIX 1

Conditions to Implement and Continue Wolf Control

The draft Yukon Wolf Conservation and Management Plan (YWCMP) requires a series of conditions that must first be met before wolf control can be considered. It also sets out further conditions to continue wolf control, depending on ungulate population responses. The following are some of the important conditions, and how they apply to caribou and moose management problems in the experimental area.

To consider wolf control, there must be reasonable evidence that wolves are a primary limiting factor and the ungulate population must be either 1) threatened with local extinction, or 2) at low density and harvest must be closed for conservation purposes for at least 2 years (Section 9.1.1, 2, and 3: page 10). Hunting on the Aishihik herd was stopped in 1991 by all hunters. Biological studies of caribou are in their third year, the abundance of wolves and ungulates and the harvest of ungulates, wolves and bears are known. However, the number of bears are unknown (9.1.3 i) and it is not known how caribou calf survival is affected by bear predation (9.1.3 ii). There is evidence from 3 other wolf reduction programs (Gasaway et al. 1983, Farnell and Hayes in prep., Bergerud and Elliott 1986) that caribou are primarily limited by wolf predation. Research in the experimental area identified wolves as the major factor limiting the Burwash caribou herd (Gauthier and Theberge 1986), and wolf/ungulate biomass ratios suggest wolves are presently an important factor limiting both caribou and moose in the area. However, other predators including coyote, lynx and golden eagles could also be important factors limiting caribou calf survival in recent years.

Brown bears are an important calf mortality agent in the Denali caribou herd in Alaska (Adams et al. 1989). This design does not include a population study of bears in the experimental area. This is mainly because of the cost and the long period of research that is required before there is sufficient empirical data on bears. Instead, it is proposed to directly study the impacts of brown bears on caribou calf survival beginning in 1994, if calf survival does not improve after wolf reduction.

The draft YWCMP makes 11 recommendations for implementation and follow-up to wolf control (Sections 9.3.1 to 9.3.11). It identifies helicopter-assisted hunting as the most effective means of controlling wolves. It also recommends that there be significant increases in calf survival rates after 2 years of wolf control or the program should be suspended. If calf survival is sufficient, then the program can continue to 5 years, when the ungulate population size must reach the predictions of the experimental design or the program will be suspended. We propose to continue wolf control if either caribou or moose show immediate and substantial increases (see caribou and moose response parameter). Caribou may indirectly benefit from increased moose densities (Bergerud and Elliot 1986), due to a displacement of wolf predation away from caribou. To meet the recommendations of the YWCMP, all moose hunting should be suspended in the experimental area. If only sheep or elk show a response after 2 years of wolf control, we propose to suspend the program.

THE AISHIHIK STUDY DESIGN CALLS FOR:

1. Implementing the Yukon Wolf Conservation and Management Plan. (attached)
2. Closing hunting in the Aishihik Study Area: caribou closed since 1989.
3. Surveying caribou, moose, dall sheep, rocky mountain elk, and wolves in 1993 to determine their abundance, and production and survival of young: a) in the Aishihik Study Area where wolf numbers will be reduced; b) in similar areas within the Yukon, to serve as a comparison (moose - Lake Lebarge, Mayo; caribou - Wolf Lake; sheep - Rose Lake; elk - Takhini River).
4. Hunting by government crews in helicopters, of 150 wolves in 1993 and 50 in 1994, from the 20,000 square kilometer Aishihik Study Area. This will reduce the wolf population from 200 to 50. There are 4,500 wolves in the Yukon, and 56,000 in Canada.
5. Recovering all wolves killed and subsequent dissection to monitor diet, contaminant levels, reproductive rate, and to recover pelts.
6. Surveying caribou, moose, sheep, elk, and wolves in 1995 to confirm whether removal of wolves led to an increase in the survival of young through comparisons between the wolf removal area and in the similar areas.
7. Hunting from helicopters of 50 wolves per year to keep the study area population at 50 wolves, if a significant increase in the survival of calves has been documented.
8. Surveying caribou, moose, sheep, elk, and caribou in 1999 to confirm whether removal of wolves is continuing to lead to an increase in the survival of young through comparisons (as in number 6).
9. Stopping wolf hunting from helicopters when caribou numbers reach 2,500 and moose numbers reach 4,000.
10. Monitoring wolf population recovery after wolf hunting from helicopters ends.
11. Monitoring of moose and caribou and sheep to determine population trends after wolf recovery.
12. Consulting with First Nations and University professors in the analysis and reporting of the programs.

FOR MORE DETAILED INFORMATION, WRITE TO:

Robert Hayes
Wolf Management Biologist
Fish and Wildlife Branch
Department of Renewable Resources
Government of Yukon
Box 2703
Whitehorse, Yukon Y1A 2C6
Canada



THE AISHIHIK CARIBOU RECOVERY PROGRAM

A QUICK GLANCE AT THE STUDY DESIGN

FACTORS WHICH WERE CONSIDERED:

1. The Aishihik and Burwash caribou herds are shrinking. Studies dating back to 1981 show low calf survival and numbers have declined from 1,950 in 1981 to 850 in 1991.
2. Moose populations in the area are also declining. Studies in 1981 revealed very low densities. In 1990 and again in 1992 declines were documented. In this 20,000 square kilometer area, 1,800 moose live. This is the lowest moose density in the Yukon and in the Canadian Boreal Forest.
3. Caribou hunting closures and low moose harvests have failed to halt declines. In the 1991 season, no caribou and only 58 moose were taken.
4. Few young caribou or moose survive to reproduce. Wolf predation on adults and calves is likely important. There are more wolves here per pound of prey than in any other area studied in North America. Grizzly and black bears may also be important predators.
5. Three First Nations requested government action to halt declines and to rebuild caribou and moose populations. Caribou supported Southern Tutchone people for generations. They are now too sparse to meet even modest needs.
6. In another Yukon study in the Finlayson area, caribou tripled, and moose doubled during 7 years of hunting prohibitions and reduced wolf numbers. Wolves recovered to original levels within 3 years.

THREE DISTINCT PROBLEMS WERE IDENTIFIED:

Solutions were designed by leading Canadian wildlife professors, as well as First Nation and Yukon government wildlife biologists.

Problem 1: The Aishihik and Burwash caribou herds are shrinking. While the wolf population may eventually decline as prey decline, if no action is taken, the caribou will be seriously depleted, and may take decades to sustain subsistence hunting. Hunting closures are not working.

Solution: Careful, temporary reduction of wolf numbers, and close monitoring of caribou.

Problem 2: For over 75 years, wolves have been 'controlled' in parts of northern North America, yet, because these programs were not monitored well enough, little is known about how wolves regulate caribou, moose, and sheep abundance.

Solution: A scientific design and long-term study.

Problem 3: People are worried that Yukon's 4,500 wolves, a priceless natural heritage of international significance, are not being conserved.

Solutions: Wolf recovery will be carefully monitored as in the Finlayson program.

Professors from universities across Canada who have been involved in designing the study can speak to its merits and to the conservation of Timber wolves.

January 12, 1993

BACKGROUND: How will the wolf populations in Kluane Park be protected?

The Aishihik area is bounded by Kluane National Park and the Kluane Game Sanctuary. The Yukon government recognizes that the conservation of wolves in Kluane is of national and international interest.

To conserve and protect boundary wolves, a 10 kilometre buffer zone will be established along the eastern perimeter of Kluane National Park and Kluane Game Preserve to make sure that no wolves from within the park are taken.

Wolf packs in the park sanctuary and boundary area will be fitted with radio collars and studied to determine their territorial range inside and outside the park. Wolves will not be killed in the park, the game sanctuary or the buffer zone. Decisions about the fate of boundary wolves will depend on if they hunt and kill Aishihik caribou in Game Management Zone 5.

National Parks personnel are involved in all aspects of the recovery program design. All wolf capture, collaring, survey and monitoring activities within the park will involve park personnel.

January 12, 1993

BACKGROUNDER: What do we mean when we say traditional and local knowledge will be used in this project?:

The Yukon Wolf Management and Conservation Plan, which the Aishihik recovery project is using as a guide, is based on local and traditional Yukon knowledge obtained from numerous sources.

At the same time many observations came in from numerous sources to indicate that the predator/prey relationship in the Aishihik area was out of balance when compared with other areas.

While there is a perception that more wolves are in the area than ever before, the reality is that the ratio of 10 to 11 wolves per 1000 square kilometres is about normal for a region. The problem is that the ratio for caribou and moose is down and the competition for food is, in effect, leading to over-hunting by wolves.

The Aishihik experience has indicated that an improved collection of local and traditional knowledge may provide long-term wildlife management benefits for the entire territory. The experience is expected to help the Renewable Resources department refine its data collection from local hunters, outfitters and trappers in order to improve its tracking of wildlife population trends.

The fish and wildlife branch has heard local hunters from all communities describe serious declines in moose and caribou in their areas. The branch is examining ways to improve the collection of hunter's perceptions of wildlife abundance and thus determine hunting pressures.

Outfitters will be asked to provide their observations on wildlife abundance and increases in predators when they file their annual reports and business plans.

Trappers will be asked to expand their annual survey information to the department to better address their perceptions of trends in abundance to large animals.

January 12, 1993

BACKGROUNDER: How are the Yukon's plans for the Aishihik recovery project different than the wolf management programs planned for Alaska?

There are numerous geographical, social, legal and political factors which contributed to the different ways in which Alaska and the Yukon made decisions on their respective wolf management plans.

There are major differences in how the two jurisdictions plan to carry out their programs, based on differences in their two wolf plans.

The Yukon plan limits aerial wolf control to one area at a time while the Alaskans proposed controls in three areas at the same time.

The Alaska plans did not call for a closure of hunting as a condition of wolf control. In the Yukon plan, hunting must be closed for two years before wolf control can be considered. This condition has been met in the Aishihik area where caribou hunting has been closed for two years.

The Alaskans were going to permit private aerial hunts of wolves, from private aircraft, in one of their three areas. The Yukon does not allow private aerial hunting. The work will be carried out by qualified biologists who will ensure that the removal of the wolves is done as humanely as possible.

One of the Alaskan plans did not focus on a declining herd while the Yukon plan is an effort to recover a quickly declining caribou herd.

In one area in Alaska, plans are for wolves to be regulated at low numbers to enhance hunting of caribou and moose. The Yukon plan recognizes that wolf control can only be applied when a prey population is in danger of collapsing.

Existing Yukon government policies stipulate that wolf management programs are only to be implemented to save a species and not to enhance hunting opportunities.

January 12, 1993

BACKGROUNDER: How are First Nations people in the Aishihik area involved in the project?:

There are four First Nations which have traditionally used the land in the 20,000 square kilometre Aishihik recovery study area. The largest portion is that of the Champagne and Aishihik people, followed by the Kluane Tribal Council, the White River First Nation and a smaller area of the Carmacks Little Salmon First Nation traditional area.

All technical work in this project will involve personnel with technical training in resource management. Qualified First Nations people, who have taken technical training programs in British Columbia, Alberta, the Northwest Territories, and a program at Yukon College, are available for much of this work. Technical training is essential because it ensures that the project is run safely and efficiently, and that a high standard in data collection, is maintained. The aircraft assisted fieldwork in this study is dangerous, and requires a high skill level on the part of technical people.

Two to three First Nations wildlife technicians will be hired to work with biologists to track monitor, shoot, recover and dissect these animals. Moose, caribou, elk, and sheep research components of this program will be undertaken by Branch biologists and will involve these First Nations technicians and interested First Nations residents, where space in the helicopter permits.

First Nations people will continue to be involved in leadership roles in this project. Two First Nations biologists have been involved in the design of the project since it was first proposed, and will be involved in regular project assessment. Wolf skinning and marketing of these pelts will be contracted to First Nation individuals, under the direction of an elder.

A base camp will be leased from the Champagne and Aishihik First Nation and a person from the community will be hired to operate the camp and cook. Native and non-native trappers will be involved in various aspects of the program.

January 12, 1993

BACKGROUNDER: Steps taken to ensure that the Aishihik program addresses scientific and social issues.

The Aishihik project has gone through a rigorous planning process.

The program is based on new conditions set out in the recently drafted Yukon Wolf Conservation and Management Plan.

It will be scientifically designed from the outset and monitored and controlled to reverse the decline in the Aishihik and Burwash caribou herds and moose in the area.

The wolf control program was prepared in cooperation with wildlife biologists and reviewed and monitored by a team of independent scientists who are experts in predator-prey dynamics and ungulate recovery programs.

The recovery program is being approached as a scientifically designed study to answer the question of how does wolf predation affect the long-term trends of four ungulates: caribou, moose, Dall sheep and elk.

It will be compared with wildlife populations in adjacent areas and the herd's calf survival rate will also be monitored.

It is expected to increase the scientific and wildlife management community's level of knowledge on the impact of predator prey dynamics in wildlife management issues.

The project will be reviewed at the end of its second year to determine if calf survival has increased sufficiently to continue the program. It will be reviewed again after five years to determine if growth rates are meeting program expectations.

Under the program, it is anticipated that it will take up to ten years for the 700 caribou in the Aishihik herd, to recover to their historic level of 2,000 animals.

The overall project will also benefit the adjacent Burwash herd which is now considered to be at risk.

January 12, 1993

BACKGROUNDER: What is the estimated cost for the Aishihik caribou recovery program?

This recovery program has an initial two-year phase to determine whether the recovery of the Aishihik herd is feasible. A second phase, to complete the recovery of the herd could take an additional six to eight years.

The first, or start-up year for the program will have the highest estimated annual costs. About \$555,000 will be needed in this fiscal year to cover survey costs, the costs associated with developing the Wolf Management and Conservation Plan and the recovery project itself.

About 70 per cent of the recovery program's operating costs will go toward's aircraft time. While small airplanes can be safely used in some of the fieldwork, this study area is windy and low level flying can be dangerous. Helicopters will be used for low level work to minimize the risks.

The estimated costs for the second year, or 1993/94, are \$250,000.

If the first two years show the program should be continued, it will cost about \$100,000 per year for the remaining six to eight years.

January 12, 1993

BACKGROUNDER: What if people want you to re-locate the wolves instead of shooting them?

Relocating the wolves to other parts of the Yukon would not help the wolves. The Northwest Territories, Alaska and the northern parts of the western provinces have their own populations and new wolves in a territory would face a high amount of aggression from local wolves.

Capturing wolves and placing them in zoos could happen, but wolves are relatively easy to raise in captivity and there is little demand for wild stock.

DATA SHEET FOR AISHIHIK PROGRAM (Dec. 1992)

AISHIHIK CARIBOU HERD

1. Aishihik caribou herd decline.

A. herd decreased by roughly one-half.

- 1) 1225 caribou counted for estimated herd size of 1500 in 1981.
- 2) 543 caribou counted for estimated herd size of 785 in 1991.
- 3) minimum estimate of 600 in Oct. 1992.
- 4) indications are a recent (3-4 year) phenomena based on local observations.

2. Management actions.

A. harvest reduction.

- 1) harvest was evenly split between outfitters and resident hunters and averaged 46 caribou between 1979-1989.
- 2) native harvest thought to be light in recent years.
- 3) harvest cannot fully explain herd decline
- 4) male caribou harvest only since 1987 and both native and non-native harvest discontinued after 1990.

3. Cause of decline.

A. poor calf survival.

- 1) survival in 1990 was only 20 calves/100 cows for that years calf crop.
- 2) survival was only 15 calves/100 cows within six weeks of calving in July 1991.
- 3) calf survival decreased to 9 calves/100 cows by fall 1991.
- 4) for 1992 calf survival was 11 calves/100 cows immediately following the calving period in June.
- 5) calf survival decreased to 7 calves/100 cows by fall 1992.
- 6) low calf survival indicates continued rapid decline (30-35 calves/100 cows indicative of stable to slowly increasing herd size).
- 6) because calves are not hunted the decline is due to natural factors (i.e. predation).

B. poor survival of adults.

- 1) 20 radio-collars were fitted to caribou in March 1991.
- 2) of these 3 caribou died of unknown causes within 1 week of collaring and 1 additional caribou died of natural causes over the subsequent year.
- 3) an additional 10 radio-collars were fitted to caribou in Dec. 1991.
- 4) between March and Dec. 1992 10 of 26 collared caribou died from natural causes.
- 5) the natural death rate for caribou could be high because the death rate for radio-collared individuals ranged from 20-6% in 1991-92 and 38% so far for 1992-93 (radio-collar deaths do not precisely represent the absolute natural death rate for the entire herd).

C. caribou body condition studies in 1991/92 indicated favorable animal health.

- 1) pregnancy rate (8 of 50 caribou tested) was 96%.
- 2) all caribou proved negative for disease.
- 3) body size and fat content was normal.
- 4) therefore climate and habitat (i.e. poor nutrition) is likely not causing decline.

AISHIHIK WOLVES

A. Aishihik wolf population.

- 1) wolf density in Aishihik area is 10.5 wolves/1000 km² (or about 210 wolves in the 20,000 km² Aishihik herd range).
- 2) higher than Finlayson area prior to wolf control (9.3/1000 km²).
- 3) range of wolf densities found in Yukon 3-18/1000 km².
 - a. lowest wolf density is related to lowest moose density (4 moose/1000 km² for Casino Trail area) in Yukon.
 - b. highest wolf density related to highest moose density (550 moose /1000 km² for Teslin Burn) in Yukon.
 - c. relative rating of Aishihik wolf density is 3rd highest in Yukon despite a very low moose density (moose declined from 107/1000 km² in 1981 to 79/1000 km² in 1991).
- 4) wolf harvest low.
 - a. annual wolf harvest by hunters 10/yr.
 - b. annual wolf harvest by trappers 5/yr.

AISHIHIK MOOSE

A. Moose population demography.

- 1) moose were counted in a 4000 km² survey area.
 - a. moose numbers fell from 107 moose/1000 km² in 1981 to 79 moose/1000 km² in 1990.
 - b. a decline of 23% was therefore documented.
- 2) a portion of this area was surveyed again in 1992.
 - a. moose density continued to fall from 104/1000 km² in 1990 to 60/1000 km² in 1992.
 - c. indicating a further decline of 42%.

B. Aishihik density among lowest in Yukon.

- 1) densities from 5 Aishihik areas average 100 moose/1000 km² (range 40-170).
- 2) Yukon average is 218/1000 km².

C. Aishihik moose continue to decline.

- 1) few calves.
 - a. calf survival to November in 1992 was only 13 calves/100 females around Aishihik Lake and 22 calves/100 females at Onion Creek.
 - b. a ratio of 35-40 is required for stability.
- 2) few yearlings.
 - a. yearling survival to November was 15 yearlings/100 females around Aishihik Lake and 12 yearlings/100 females at Onion Creek.
 - b. a ratio of 30 yearlings/100 females is required for stability.

CONCLUSION

- A. ongoing decline in Aishihik caribou likely caused by high predation rates as alternate prey for wolves following decline in moose numbers.

DATA FOR FINLAYSON PROGRAM

(A Wolf Control Program Conducted in Yukon During the 1980's)

1. Finlayson herd caribou decline.
 - A. estimated 2000-2500 caribou in 1982.
 - B. annual harvest 250 caribou or 10-13% of herd.
 - 1) mostly native subsistence use by 5 communities.
 - C. calf survival was 17 calves/100 cows.
 - E. adult natural mortality was 28%.
 - F. herd declining at roughly 11% annually.
2. Management actions.
 - A. annual harvest reduced to <3% of herd.
 - 1) a 'no harvest' option was not feasible in this case, a minimum indispensable number was necessary for subsistence users.
 - B. wolf control.
 - 1) wolves reduced to only 50% in 1983.
 - 2) wolves reduced to >80% after 1984.
3. Wolf reduction phase.
 - A. wolf control carried out over 7 years and removed 460 wolves in total.
 - 1) pre-reduction level of 215 wolves or 9.3 wolves/1000 km².
 - 2) 105 wolves removed in 1983 for 50% reduction.
 - a. provided only minor response in caribou.
 - 3) 106 wolves removed in 1984 for >80% reduction.
 - a. provided significant response in caribou.
 - 3) 50 wolves removed on average annually during 1985-1989 to maintain >80% reduction.
 - 4) wolf ingress from outside areas guaranteed wolf recovery.
 - 5) wolf control discontinued after 1989 because caribou recovery goals reached.
4. Caribou herd recovery.
 - A. only modest response following 50% wolf reduction in 1983.
 - 1) increase in calf survival from 17 calves/100 cows to 34 calves/100 cows.
 - 2) reduced adult natural mortality from 28% to 22%.
 - B. profound response following >80% wolf reduction in 1984.
 - 1) high calf survival of 50 calves/100 cows on average.
 - 2) 60% reduction to an average 11% adult natural mortality rate.
 - C. herd increased at 17% annually.
 - 1) 3000 caribou by 1986.
 - 2) 6000 caribou by 1990.
 - 3) 7000 projected for 1992.
 - 4) increased exponentially in later years making these the most important years for management.
5. Wolf recovery phase.
 - A. wolves rebounded in 1990 from 29 in 1989 the last year of wolf reduction to 74 (34%).
 - B. wolves rebounded to 135 (63%) in 1991.
 - C. wolves fully recovered to 212 in 1992.

THE YUKON WOLF CONSERVATION AND MANAGEMENT PLAN

1.0 - WHAT IS THE YUKON WOLF CONSERVATION AND MANAGEMENT PLAN?

In recent years there has been a growing recognition of the need to develop plans for the conservation and management of renewable resources. This is due to the managers realizing that past ways of management have usually been reacting to problems. At the same time, it has also been recognized that management decisions which are directed at one species can often cause serious problems for many other species. This has made biologists and wildlife managers begin to look at nature as a whole through what is known as an "ecosystem approach".

Wolf management is a complex management issue with biological, social and economic impacts. All these aspects must be considered to develop solutions. The Yukon Wolf Conservation and Management Plan tries to address the variety of concerns which exist in the Territory about wolves. It first tries to insure that wolves will continue to exist in the Yukon in healthy numbers. Second, it recognizes non-consumptive values of wolves and the fact that many hunters and trappers are also non-consumptive users. Third, the Plan makes recommendations for consumptive use (hunting and trapping) of wolves which show greater respect for them, similar to other big game animals. Finally, it recognizes and identifies special conditions where wolf numbers can be controlled to help moose, caribou or sheep populations to increase.

2.0 - WOLVES IN THE YUKON

The grey wolf (Canis lupus) once had the largest historical range of any large mammals in the world, with the exception of humans. Wolves are highly adaptable and have learned how to hunt a variety of animals throughout the world. In the Yukon, important prey species are mainly ungulates during the winter - moose, caribou, deer and mountain sheep. Predation by wolves on these species can be a very important factor controlling their population sizes. During the summer, wolves hunt a variety of small mammals, including beaver, muskrat, ground squirrels, snowshoe hares, small rodents and birds.

To successfully hunt large mammals, wolves have evolved complex social behaviour that allows them to live in groups or packs. These packs are usually extended family units composed of a pair of breeding adults, their pups and older offspring. In the Yukon, packs average 7 or 8 in number, but they can commonly reach 16 to 20 animals. In most areas of the Yukon, wolves are territorial, strongly defending their areas from other wolves. This territorial behaviour has evolved to ensure the supply of large mammals is

adequate for a pack of wolves to survive and successfully reproduce. The territory of a typical Yukon wolf pack is 600 to 1000 square kilometers in size, however in the far north of the Territory, wolves are migratory, living in packs that follow the seasonal movements of the Porcupine caribou herd.

There are about 4000 to 4500 wolves in the Yukon, based on estimates derived from snow-tracking wolves from small aircraft. About one-third of the Yukon has been censused for wolves so far and these surveys have shown that the number of wolves in an area (the density) is related to the abundance of prey available in the area. Wolf densities range from lows of 3 to 4 wolves per 1000 square kilometers in the Carmacks-Nisling area and the northern Yukon to 18 wolves per 1000 square kilometers in the Teslin burn area. The average density in other parts of the Yukon is about 10 wolves per 1000 square kilometers.

Wolves have been important animals to Yukon Indians since long before white settlers arrived in the area. Wolves have held a special place in the spiritual world of Indians and their use as a symbol for one of the two clans of Indians continues today. Some Yukon Indians practiced local wolf control when numbers seemed to be too high, primarily by "denning", or removing pups from dens in the spring. After the gold rush, many of the gold-seekers turned to hunting and trapping and the wolf was widely hunted because they were valuable furbearers and seen as competitors for moose and caribou.

During the 1920's, strychnine poisoning of wolves was first allowed in the Yukon and bounties were introduced in the 1930's. During this time, it is estimated that about 500 wolves were killed each year. Government poisoning programs started in the 1950's when up to 154 strychnine poison baits were set out in the southern Yukon each winter. Between 1957 and 1967, a total of about 600 wolves were killed and many other animals were accidentally killed, including more than 150 wolverines. Throughout the 1960's, poisoning continued, with the government distributing strychnine to reduce wolves in order to increase game animals. The use of poison in the Yukon was outlawed in 1972, but it was used as part of a Territorial Government wolf control program around Whitehorse in 1982-83.

Since the 1970's, 100 to 200 wolves have been hunted or trapped annually, which represents about 3% to 6% of the winter wolf population. The government of the Yukon conducted two wolf control programs during the 1980's. Wolves were shot from helicopters in Game Management Zone 7 beginning in 1983 and the program continued until 1985 when it was cancelled. From 1983 to 1989, wolves were removed from the Finlayson area of Game Management Zones 10 and 11. In most of those years, about 85% of the wolves were killed. First Nations people voluntarily reduced their harvest of caribou in the area throughout the program. A review in 1985 recommended the

program keep going because there was a high rate of increase in the caribou population in the area. The caribou numbers in the area increased from 2000 to more than 6000 and the moose population doubled after the control program. The wolf population in the area was re-established to pre-control numbers by March of 1992, three years after the control program ended.

The Yukon Department of Renewable Resources has one of the most active wolf research programs in North America. Since 1983, over 200 wolves have been radio-collared in 80 different packs, allowing biologists to increase their understanding of various aspects of wolf population dynamics and predation ecology. However, the understanding of predator/prey relationships and the long-term impact of ungulate populations increased through wolf control is far from complete. Two studies have investigated the impacts of intensive control on wolf populations and the recovery of wolves and ungulates in the Finlayson control area continues to be monitored.

3.0 - THE PRINCIPLES OF THE YUKON WOLF CONSERVATION AND MANAGEMENT PLAN

The following principles have been used to guide the development of the Yukon Wolf Conservation and Management Plan:

3.1/ Wolves and their prey will be considered as integral parts of Yukon ecosystems.

3.2/ The genetic composition of wolves in the Yukon will be maintained.

3.3/ Ongoing research and monitoring of wolves, their prey and other elements of the ecosystem will be required.

3.4/ A broad range of human values and uses of wolves and their prey will be considered.

3.5/ Inherent/existence values of wolves (defined in Section 5.0) will be considered.

3.6/ Effects of habitat loss and fragmentation on wolves and their prey will be considered.

3.7/ The Plan will reflect the management goals and objectives established by the Yukon Umbrella Final Agreement, First Nation Agreements and other land claims.

3.8/ Education and information efforts are a required part of the Plan.

3.9/ Regulations and policies relating to management decisions affecting wolves will be presented in plain, everyday language.

3.10/ The Yukon Wolf Conservation and Management Plan will be open to future reconsideration and possible amendment.

4.0 - THE GOALS OF THE YUKON WOLF CONSERVATION AND MANAGEMENT PLAN

The goals listed below define the general intent of the Yukon Wolf Conservation and Management Plan.

4.1/ The Plan will be a reference for use by government agencies, cooperative wildlife management boards and other interested parties to insure the long-term survival of wolf populations throughout the Yukon in relation to their prey and habitat.

4.2/ The Plan will provide for a variety of human values of wolves and their prey and the inherent/existence values of wolves.

4.3/ The Plan will identify opportunities to increase public awareness and understanding of wolves and management decisions affecting wolves in the Yukon.

4.4/ The Plan will recommend the conditions under which wolf control may be used to manage Yukon wolf populations.

5.0 - THE NON-CONSUMPTIVE USE OF WOLVES IN THE YUKON

The non-consumptive use and enjoyment of wolves and other wildlife is of increasing importance in the Yukon along with other parts of Canada and the world. Not only do more people wish to view and photograph wildlife in a natural state, but there are also some people who believe that wild animal populations should be left as undisturbed as possible as part of natural ecosystems. This is a new attitude towards wildlife which recognizes and respects that animals have a right to exist, often called their "inherent" or "existence" values. In addition, Yukoners and tourists travelling through the Territory have expressed desires to see and photograph wolves and to visit areas where wolves can be heard howling.

In the past, wildlife managers have managed wild animals mostly to meet the needs of consumptive users. There has been a change in attitude and the Yukon Department of Renewable Resources began to recognize the value of managing specifically for non-consumptive uses several years ago. They have conducted a number of projects which have benefits other than those for consumptive use.

To meet the demands of non-consumptive users, the Department of Renewable Resources, other government agencies and the cooperative management boards in the Yukon should further increase effort and budgets for non-consumptive programs for wolves and other wildlife. Further, they should keep up to date on non-consumptive use trends which may be applied in the Yukon.

With the increase in wilderness tourism and other non-consumptive activities, there is more chance that the environment will be damaged by human traffic in fragile wilderness areas. To guard against these impacts, responsible government agencies should develop and implement guidelines for the activities of non-consumptive users of wildlife.

There are four recommendations of this Plan which refer specifically to the non-consumptive use of wolves:

5.1/ The Yukon Department of Renewable Resources should produce and distribute material about wolves in the Yukon which include lists of wolf interpretive opportunities and the Department and wildlife management advisory boards should consider non-consumptive opportunities.

5.2/ Budget and time allocations by the Yukon Department of Renewable Resources for non-consumptive use programs should be increased significantly.

5.3/ Guidelines for non-consumptive users of wildlife should be developed in order to protect the environment from viewing activities (eg. wolf denning sites, caribou calving areas).

5.4/ Conservation areas, which provide habitat protection over very large areas should be identified and designated using cooperative management processes.

6.0 - THE CONSUMPTIVE USE OF WOLVES IN THE YUKON

At the present time, hunters and trappers take very few wolves in the Yukon. This is in large part because they are difficult animals to hunt and trap. Trappers are faced with low prices for wolf pelts compared to other animals and a great deal of time and effort to skin wolves and prepare the pelts for sale.

Though Yukon Territorial hunting regulations class the wolf as a big game animal, they do not treat them the same way as the others. Seasons which allow them to be hunted when they are having and raising pups, the absence of bag limits and no requirement for hunting tags do not reflect the value which consumptive users place on wolves.

There are five recommendations for the consumptive use of wolves. They are made to protect and promote current consumptive uses and to increase the value of wolves as a hunted and trapped species.

6.1/ Resident and non-resident hunters should require seals or tags to be used for wolves.

6.2/ Non-resident hunters should have a bag limit of two wolves and resident hunters should have a bag limit of three wolves. These bag limits may be increased or removed in wolf control areas as outlined in Section 9.3.2 .

6.3/ The wolf hunting season for resident and non-resident hunting of wolves should be from August 1 to April 1. Hunters should be encouraged to take wolves when the pelts are prime and should respect the trappers in the area.

6.4/ Current regulations which allow for the baiting of wolves should remain unchanged provided that recommendation Number 6.2 is adopted and implemented.

6.5/ The following items covered by current regulations under the Wildlife Act (Yukon) have been reviewed and it is recommended that they remain unchanged:

- i) the prohibition on the use of aircraft to hunt wolves.
- ii) the prohibition on the use of snowmachines to hunt wolves.
- iii) the current trapping season for wolves.
- iv) regulations restricting minimum calibre size for use when shooting wolves to .22 centre fire.
- v) the prohibition of night-hunting of wolves.
- vi) the mandatory retrieval of pelts from wolves.

7.0 - THE MANAGEMENT OF UNGULATE SPECIES IN THE YUKON

It is impossible to fully consider the management of wolves without some consideration of the management of their prey. In the Yukon, the main prey species of wolves are moose, caribou and mountain sheep. The well-being of wolf populations depends very much on the well-being of the populations of their prey and wolves can be one of the factors which controls the size of caribou, moose and sheep populations.

People influence ungulate populations through killing them, disturbing them and by changing or destroying important habitat areas. Hunting limits and protecting habitat are the main ways in which humans can manage caribou, moose and sheep to keep their numbers at desirable levels. Despite making genuine efforts to

manage well in the past, managers often lacked adequate ability, information, funding or political direction to establish sustainable harvest levels for ungulates or to protect critical habitat areas. In the early 1980's, some managers in the Yukon Wildlife Branch were part of a worldwide trend in fish and wildlife management to try to manage on a maximum sustainable yield basis.

Past management practices or a lack of management may have contributed to serious declines in ungulate populations to levels which cannot meet the various needs and wants which humans have. Occasionally, the reduction of wolf populations has been proposed as a way to increase ungulate populations. Future management efforts and program funding must be increased in order that situations can be avoided where wolf control is considered. There must also be a clear recognition that the situation in the Yukon is changing rapidly. With a human population which has increased 25% in the last 6 years, more advanced technology in all-terrain vehicles, aircraft and other hunting equipment and increased access to hunting areas through more roads and trails, there is more pressure on the Territory's resources and the government and cooperative management boards must keep this in mind when making decisions.

There are six recommendations for the management of ungulates in the Yukon.

7.1/ Future management of caribou, moose and sheep and their habitat in the Yukon must have the objective that populations are not allowed to reach levels where wolf reduction might be considered necessary. This management responsibility is considered part of the "public trust" which the Environment Act(Yukon) requires the Government of The Yukon to protect.

7.2/ Key ungulate habitat areas should be identified and given full protection from development.

7.3/ Local Resource Councils or their equivalent should review all road, road upgrade or other access proposals with a view to avoiding or minimizing negative impacts on wildlife populations.

7.4/ Research and monitoring of ungulate populations and harvest in the Yukon should be improved and expanded to provide more extensive and reliable information on their status and trends.

7.5/ The needs of wolves and other predators should be considered when making management plans affecting ungulates in the Yukon, in addition to human consumptive needs or wants.

7.6/ Management recommendations suggested by the Yukon Department of Renewable Resources, The Yukon Fish and Wildlife Board, Local Resource Councils or other cooperative management committees should be dealt with and implemented in a timely manner.

8.0 - WOLVES AND AGRICULTURE IN THE YUKON

In other parts of Canada and the world, it was the conflict between wolves and livestock farmers which resulted in their widespread demise, along with the loss of prey habitat. The wolf no longer occupies much of its North American range and is all but extinct in Europe and the British Islands.

In the Yukon, the marginal nature of agriculture would seem to indicate that there will not be similar conflicts, however there have been occasions where wolves have become a problem for livestock owners in some areas in the Territory. The Department of Renewable Resources has developed a Problem Wildlife Policy to deal with these sorts of situations, however the policy has not been widely explained and many Yukoners are totally unaware it exists. There is also a Yukon Agriculture Policy which has provisions to prevent future agricultural land designations on key wildlife habitat areas.

There are two recommendations relating to wolves and agriculture in the Yukon.

8.1/ The Department of Renewable Resources should meet with representatives of agriculture in the Yukon to explain and review the Problem Wildlife Policy.

8.2/ Potential conflicts between wildlife and agricultural land use should be fully studied and the impacts on wildlife assessed prior to any new land being designated for agricultural purposes.

9.0 - WOLF REDUCTION PROGRAMS IN THE YUKON

It has been strongly recommended in this Plan that caribou, moose and sheep are managed so that situations where wolf control may be considered necessary are avoided. However, there may be areas in the Yukon where there are very low numbers of these animals. It is in these circumstances where wolf reduction programs have been considered before.

This section of the Yukon Wolf Conservation and Management Plan is divided into three parts. The first is the conditions which must exist before a wolf reduction program can be considered. The second is a set of guidelines for deciding whether or not to proceed with a wolf reduction program. The final section sets guidelines for doing wolf control.

9.1 - Conditions Required Before Wolf Reduction Programs Can be Considered

Wolf reduction programs in the past have often been conducted with little understanding of the natural system which is being changed. In some cases, it has been possible to increase ungulate populations by reducing wolves, but sometimes the results have not been very clear. More recently, the Department of Renewable Resources has been studying the impacts of a wolf reduction program in the Finlayson area and they are continuing to monitor the situation.

There are many things which can be responsible for limiting moose, caribou and other ungulate populations. Along with wolves, habitat quality and quantity, bear predation, weather and hunting can be important factors which create a complicated system where it is difficult to tell the impact of any single one of them.

In order to consider wolf reduction programs, a certain amount of information must be available in order to tell whether wolves are the problem and if controlling them will allow the prey populations to increase. It is generally accepted by biologists that a situation must be studied for at least two years in order to know enough to make these decisions. Reduction is also a technique which should only be considered as a last resort, when other forms of management have failed or when local ungulate populations are in serious danger of disappearing.

There are three recommendations for conditions required before wolf reduction programs will be considered in a specific area.

9.1.1/ Wolf reduction will be considered when a geographically separate population of ungulates are threatened with local extinction. OR

9.1.2/ Wolf reductions will be considered when declining or low ungulate populations are such that conservation measures such as a total allowable harvest are applied either through Yukon land claims processes or an equivalent process. AND

9.1.3/ If a wolf control program is being considered, biological information, which can include local knowledge and extrapolation from other studies, must be collected over a period spanning two hunting seasons. During this period, a hunting closure will be placed on the area. The information must include the following:

- i) the abundance and status of wolves, ungulates and bears.
- ii) the potential impact of bears as predators.
- iii) the number of ungulates, wolves and bears killed by people.

iv) the status of the ungulate habitat in the area.

9.2 - Guidelines for Decisions on Wolf Reduction Programs

When the conditions in the previous section exist, a decision can then be made on whether or not to proceed with a wolf control program. This will be aided by using the information collected on wolves, ungulates, bears, habitat and the number of animals killed by people. This information can help managers see whether or not wolves are limiting recovery of the ungulate population(s) and to tell whether wolf control would be much better than other ways of increasing ungulate populations such as stopping hunting or improving habitat. It is also critical that the Local Renewable Resource Councils contemplated by the Umbrella Final Agreement, or their equivalent in areas where they are not in place, concur.

There are seven recommended guidelines which must be followed before a decision can be made to proceed with a reduction program.

9.2.1/ An experimental design for a wolf control program must be prepared for the area and subjected to timely peer review which does not delay sound management and with the results of the review released to the public. The design must include:

- i) the predicted increase recruitment (eg. calf survival in caribou, yearlings for moose) of the target ungulate species under different levels of wolf reduction.
- ii) the desired level for the target ungulate population.
- iii) an estimate of how large a population of the target ungulates the habitat in the area could support.
- iv) the estimated number of years for which reduction must be conducted to achieve the desired population level(s) of the target ungulate species under different levels of wolf reduction.
- vi) the predicted annual increase in the population if a reduction program is not conducted and a no hunting program is implemented.
- vii) the predicted recovery of the wolf population after the reduction program is complete and the consequential impacts of the program on the wolves.
- vii) follow-up monitoring and research requirements.
- ix) estimates of program costs, including follow-up monitoring and research.

9.2.2/ In order to proceed, a wolf reduction program must have the approval of the Local Renewable Resource Council or its equivalent, the Yukon Fish and Wildlife Management Board or any other applicable cooperative management board and the Yukon Minister of Renewable Resources.

9.2.3/ In order to proceed with a wolf control program on or near the boundaries of a National Park or other jurisdiction, inter-agency agreements should be in place.

9.2.4/ In order to proceed with the reduction program, predicted calf survival rate increases must be substantially higher (at least double).

9.2.5/ In order to proceed with the reduction program, the predicted population growth must be substantially higher than that predicted to be achieved by stopping all hunting.

9.2.6/ In order to proceed, good evidence must be provided to suggest that the target ungulate species can stabilize at the increased level under a closely regulated harvesting regime.

9.2.7/ The Department of Renewable Resources will establish a percentage of the total Yukon wolf population which may be subjected to control at any one time. This percentage will insure the long-term viability of wolves in the Yukon.

9.3 - Implementation of and Follow-up to Wolf Reduction Programs

Implementating a wolf reduction program must again allow for the involvement of Local Renewable Resource Councils and must be undertaken as a well-designed experiment.

Although great care should be taken to be sure that wolves are the problem, it is possible that it will be discovered after the reduction program is underway that this is not the case. It is important that changes in the calf survival and population growth of the ungulate populations is monitored closely and the program stopped if anticipated results do not occur.

There are a number of methods for actually reducing wolf populations. The most effective of those currently available is the use of helicopter shooting with spotting assistance from fixed-wing aircraft. However, this method is recognized as one which many people find distasteful. Biologists have been recently trying to develop non-lethal methods to reduce or limit wolf populations and these should be strongly considered as alternatives to killing them if and when they are shown to be effective. In addition, there are more traditional types of control involving intensified trapping, organized hunts and removal of wolf pups from dens and these methods should also be assessed to see if they could be used as

effective alternatives to helicopter shooting or as a follow-up to a helicopter program.

To allow moose, caribou or other ungulate populations to recover under a wolf reduction program as quickly and cost-effectively as possible, other mortality which can be reduced should be. Ideally, all forms of hunting in the area would be stopped for the duration of a wolf reduction program and efforts must be made through cooperation among First Nations and assistance from the Yukon Territorial Government to enable displaced First Nation and other subsistence hunters to get meat they depend on by other means.

In order to completely assess the long-term impact of wolf reduction on both the ungulate species and the wolves, it is critical that follow-up monitoring occur.

There are eleven recommendations relating to the implementation of and follow-up to wolf reduction programs.

9.3.1/ To most effectively reduce wolf numbers to the target levels identified in the experimental designs, shooting from helicopters assisted by fixed-wing aircraft should be the method employed in reduction programs.

9.3.2/ Some traditional methods of wolf control which involve increasing trapping and hunting efforts or killing pups at den sites could be considered as alternatives to shooting from helicopters if these methods are shown to be effective for reducing wolf numbers. The bag limits for non-resident and resident hunters can be increased or removed in areas where a wolf control program is being conducted.

9.3.3/ Non-lethal methods of controlling or reducing wolf numbers such as birth control should be considered if these methods are shown to work for reducing wolf numbers to levels at which experimental designs would predict a substantial increase in ungulate populations.

9.3.4/ If calf survival of the target ungulate species in the area has not increased significantly (at least doubled) during the first two years of wolf reduction, the program should be suspended and the situation re-evaluated.

9.3.5/ If the population level of the target ungulate species fails to meet the predictions of the experimental design after five years, the reduction program should be suspended and the situation and experimental design re-evaluated.

9.3.6/ All hunting of target ungulates in the area should be stopped for the duration of the reduction program.

9.3.7/ Alternatives for acquiring meat for First Nation and other

subsistence hunters when hunting is not allowed in the reduction area could be achieved by:

- i) identifying alternative species which could be hunted in the control area.
- ii) identifying alternative areas for hunting, possibly using agreements between other First Nations.
- iii) sharing agreements among First Nations.
- iv) government assistance to implement sharing agreements.
- v) directing meat obtained by the Yukon Territorial Government through seizures and other means to affected subsistence users.

9.3.8/ Where none of the alternatives outlined in 9.3.7 prove to be possible or effective, subsistence harvesting may take place in the reduction area through the Total Allowable Harvest formula developed pursuant to First Nations land claims, provided that the growth of the population of target ungulates will remain at or exceed the desired levels established in the experimental design.

9.3.9/ After a wolf reduction program is completed, the Local Renewable Resource Council or its equivalent should re-assess, re-establish and allocate a conservative Total Allowable Harvest in accordance with the provisions of the Umbrella Final Agreement and the applicable First Nation Agreements.

9.3.10/ If wolf populations are not recovering at predicted rates after the reduction program has been completed, harvesting of wolves in the area should be stopped.

9.3.11/ A wolf reduction program should be followed up with ongoing monitoring and research to assess the response of local ungulates and predators.

9.3.12/ Only one wolf control program which uses helicopter shooting should be conducted in the Yukon at any one time except when a geographically separate population of ungulates are threatened with local extinction through wolf predation.

10.0 - PUBLIC EDUCATION AND CONFLICT RESOLUTION

Of all wildlife species in the world, the wolf is perhaps the one which has historically been most misunderstood by biologists, wildlife managers and the public at large. Portrayals of wolves as animals which kill for the sake of killing or as harmless predators of primarily mice, lemmings and other small mammals have

contributed to the passion with which many people express their views on how wolves should be treated by humans.

In recent years, the general public has begun to hold wildlife managers much more accountable for their decisions and are insisting on a more meaningful role in renewable resource management processes. Land claims in the Yukon and elsewhere have recognized and formalized this role for Native people and others through the establishment of cooperative management boards and councils.

In order for people to participate effectively in management decisions affecting wolves or other wildlife, it is critical that they be in possession of as much information as possible. This includes not only biological information, but local knowledge and the ethical considerations as well.

The management of wolves has been the subject of intense debate in Canada and around the world for many years now. Particularly when there is a prospect of wolf reduction programs, conflicts among people holding strong views on the issue invariably occur and place enormous pressures on those charged with the responsibility for making decisions. Land claims in the Yukon have or will establish cooperative management boards which are designed to give First Nation people and others outside of government meaningful participation in resource management and it is these groups which can ease conflicts by bringing together a variety of interests and weighing them prior to making recommendations.

There are three recommendations for public education and conflict resolution.

10.1/ The Yukon Department of Renewable Resources should produce written and audio-visual material on wolves, how wolves interact with their prey and wolf management in the Yukon, including clear explanations about wolf control programs. This material should be actively distributed both to Yukoners and to others.

10.2/ The Yukon Department of Renewable Resources should work with the Department of Education and Yukon College to develop balanced environmental education components for each traditional subject area in the regular school curricula in the Yukon. This material should enable students to judge the biological, ethical and traditional questions involved in wolf and other wildlife management issues.

10.3/ The Yukon Fish and Wildlife Management Board, The Department of Renewable Resources, Local Resource Councils and other cooperative management committees must consider both consumptive and non-consumptive viewpoints when making decisions regarding wolf management.

11.0 - RESEARCH REQUIREMENTS

There has been a tremendous increase in scientific knowledge respecting wolves over the past several years, however there are still many aspects of their population dynamics and predation ecology which are not well understood. Some managers have also shown reluctance in the past to collect and incorporate traditional or local knowledge and it is being demonstrated that often this information can be extremely valuable for assessing populations or developing management programs. In addition, with the increase in public interest and awareness of ethical considerations in wildlife management, there is a need to promote and conduct research into the ethical aspects of wolf management.

With more people becoming troubled by reducing wolf populations through methods such as shooting from helicopters, there has been a high priority set by wildlife managers to develop and test alternative methods which do not involve killing the animals. Some First Nations people in the Territory have also recalled some traditional methods of controlling wolf populations and, while many of these have been shown to work only on a very local level, others warrant further investigation to determine their potential effectiveness.

Ethical, biological and traditional research efforts can all benefit from input from sources outside the Yukon. Review of research proposals by colleagues outside the Territory and collaborative efforts with academics and researchers from other jurisdictions can only help to strengthen the quality of programs conducted.

There are thirteen recommendations on research.

11.1/ The potential effectiveness of non-lethal methods for use in controlling or reducing wolf populations should be assessed.

11.2/ The potential effectiveness of more traditional methods of controlling or reducing wolf populations should be assessed. These methods include increasing trapping and hunting effort and removal of wolf pups from dens.

11.3/ A comprehensive program should be developed by the Department of Renewable Resources to examine the ethical considerations of how human\wildlife relationships relate to wildlife management, wolves and wolf reduction programs in the Yukon. This could be achieved through commissioned papers, monographs and conferences.

11.4/ There should be an increase in exchange among wildlife biologists and managers through regular visits to the Department of Renewable Resources by outside researchers and managers.

11.5/ There should be increased emphasis placed on developing

cooperative research and management efforts among the Yukon Department of Renewable Resources' staff, academics and biologists and managers from other jurisdictions (eg. wolf genetic research).

11.6/ A Local Knowledge Program should be developed to gather information from people on the land(eg. trappers, subsistence hunters, wilderness guides, outfitters).

11.7/ Research on the long-term effects of wolf reduction programs on both the wolves and their prey should be conducted.

11.8/ An area to be used as a long-term reference for a wolf reduction program in the future should be identified and designated.

11.9/ Research should be conducted to assess the impact of wolf control programs on other fur-bearers.

11.10/ The feasibility of small-scale aerial wolf control programs should be examined.

11.11/ The impact of All-Terrain-Vehicles on ungulate harvest and habitat should be assessed by the Department of Renewable Resources and appropriate guidelines established.

11.12/ Significant, long-term research should be conducted to study bear/wolf/prey relationships and other bear management issues.

11.13/ The Department of Renewable Resources should publish the annual harvest levels of ungulates and predators by all user groups throughout the Yukon on a zone-by-zone basis.

12.0 - FUTURE REVIEW AND AMENDMENT OF THE PLAN

The Department of Renewable Resources will produce a Yukon Wolf Conservation and Management Plan implementation report after no more than five years. The Plan could then be publically reviewed and amended accordingly.

Alaska State Legislature

3111 C STREET
ANCHORAGE, ALASKA 99503
561-7626 FAX: 562-4376



WHILE IN SESSION:
STATE CAPITOL
JUNEAU, ALASKA 99801-1182
465-2435 FAX: 465-2864

Representative David Finkelstein

APR 2 RECD

M E M O R A N D U M

To: Rep. Al Vezey, Chairman, House State Affairs Committee
From: Rep. David Finkelstein
Date: April 2, 1993
Re: HB 248

I respectfully request that you schedule a hearing for House Bill 248 in the House State Affairs Committee at your earliest convenience. I have enclosed a sponsor statement, and will forward a fiscal note and position paper as soon as they are available.

Thank you for your consideration.



TELECOPY COVER SHEET
Delta Junction Legislative Information Office
Office - (907) 895-4236 Fax - (907) 895-5017

TO: Juneau Legislative Information Office CITY: Juneau
ATTN: _____ FAX: 465-2864 PHONE: _____
FROM: Delta Junction Legislative Information Office PHONE: 895-4236
INSTRUCTIONS: Testimony on HB 248 Teleconference 30490
House State Affairs

SENT: Date 4/17/93 Time 9:00 am

NUMBER OF PAGES: 1 (NOT counting cover sheet)

TRANSMITTED BY: D. Behan



Alaska State Legislature

Please enter into the record my testimony to the HOUSE STATE AFFAIRS
 committee name
 committee on HB 248, dated 4/17/93
 bill/subject

I AM STRONGLY OPPOSED TO HB 248. IT'S UNNECESSARY - PLANS ARE ALREADY USED IN CONTROL PROGRAMS; THE TWO YEAR WAITING PERIOD ELIMINATES ANY RAPID RESPONSE BY ADF&G. ADF&G ARE PROFESSIONALS - LET THEM DO THEIR JOB! REQUIRING FEDERAL APPROVAL IS A MEANS OF HANDICAPPING ADF&G'S RESPONSE TIME. MANAGEMENT REVIEWS ARE STANDARD PROCEDURE NOW. IN TERMS OF ACTUAL CONTROL, WHEN NECESSARY, LETS KEEP ALL OPTIONS OPEN INCLUDING SAME-DAY-AIRBORNE. LET PRIVATE CITIZENS PARTICIPATE TO THE EXTENT POSSIBLE & SAVE STATE FUNDS. MR RALPH SEEKING TESTIMONY WAS RIGHT ON!! OPPOSE THIS BILL! THANK YOU.

Signed: [Signature]
 Testifier
 SELF

Representing (Optional)
P.O. BOX 349 DELTA JC, AK 99737
 Address
(907) 895-4215
 Phone No.

PHONE CALL

FOR <u>L.A.</u>		DATE <u>4/15</u>	TIME <u>8:45</u> A.M. P.M.
M. <u>Chris Halverson</u>			
BY <u>Al Veogay's office</u>			PHONED
PHONE			RETURNED YOUR CALL
AREA CODE	NUMBER	EXTENSION	PLEASE CALL
MESSAGE <u>11248: Final notes</u>			WILL CALL AGAIN
<u>a power statement needed</u>			CAME TO SEE YOU
<u>for Sat. meeting</u>			WANTS TO SEE YOU
SIGNED <u>at</u>		TOPS	FORM 4003

Alaska State Legislature

3111 C STREET
ANCHORAGE, ALASKA 99503
561-7626 FAX: 562-4376



WHILE IN SESSION:
STATE CAPITOL
JUNEAU, ALASKA 99801-1182
465-2435 FAX: 465-2864

Representative David Finkelstein

M E M O R A N D U M

To: Rep. Al Vezey, Chairman, House State Affairs Committee
From: Rep. David Finkelstein
Date: April 2, 1993
Re: HB 248

I respectfully request that you schedule a hearing for House Bill 248 in the House State Affairs Committee at your earliest convenience. I have enclosed a sponsor statement, and will forward a fiscal note and position paper as soon as they are available.

Thank you for your consideration.

Alaska State Legislature

3111 C STREET
ANCHORAGE, ALASKA 99503
561-7626 FAX: 562-4376



WHILE IN SESSION:
STATE CAPITOL
JUNEAU, ALASKA 99801-1182
465-2435 FAX: 465-2864

Representative David Finkelstein

HB 248 Sponsor Statement

Predator control programs, and particularly aerial wolf hunts, are very controversial, both within Alaska and the nation. The purpose of HB 248 is to encourage management of Alaska's wildlife with a healthy balance of predators and prey.

Section 1 of this bill is based on the successful Yukon predator control plan, and would allow control programs when predators could be proven to be the long-term cause of a serious depletion of the prey population. Programs would begin after non-subsistence hunting in the control area had been closed for two years, and would return prey populations to an appropriate level within five years, during which non-subsistence hunting would remain closed in the control area. The Board of Game could reauthorize control programs annually if prey populations increased substantially during the year.

Section 2 restricts aerial predator hunting to Board-sanctioned control programs. This bill protects the state's interest by promoting biology-based resource management decisions, made by experts.



Alaska State Legislature

Please enter into the record my testimony to the House STATE AFFAIRS
 committee name
 committee on HE 248, dated 4/17/93
 bill/subject

I AM STRONGLY OPPOSED TO HB 248. IT'S UNNECESSARY - PLANS ARE ALREADY USED IN CONTROL PROGRAMS; THE TWO YEAR WAITING PERIOD ELIMINATES ANY RAPID RESPONSE BY ADF&G. ADF&G ARE PROFESSIONALS - LET THEM DO THEIR JOB! REQUIRING FEDERAL APPROVAL IS A MEANS OF HANDICAPPING ADF&G'S RESPONSE TIME. MANAGEMENT REVIEWS ARE STANDARD PROCEDURE NOW. IN TERMS OF ACTUAL CONTROL, WHEN NECESSARY, LETS KEEP ALL OPTIONS OPEN INCLUDING SAME-DAY-AIRBORNE. LET PRIVATE CITIZENS PARTICIPATE TO THE EXTENT POSSIBLE & SAVE STATE FUNDS. MR RALPH SEEKING TESTIMONY WAS RIGHT ON!! OPPOSE THIS BILL! THANK YOU.

Signed:

Testifier

SELF

Representing (Optional)

P.O. BOX 349 DELTA JCT, AK 99737

Address

(907) 895-4215

Phone No.

HB

249

8-LS0781V,
Lauterbach
4/22/94

SENATE CS FOR CS FOR SS FOR HOUSE BILL NO. 249()
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVE G.DAVIS

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to electrical and mechanical administrators; and providing for
2 an effective date."

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

4 * Section 1. AS 08.01.010 is amended by adding a new paragraph to read:

5 (35) regulation of electrical and mechanical administrators under
6 AS 08.40.

7 * Sec. 2. AS 08.01.050(a) is amended to read:

8 (a) The department shall perform the following administrative and budgetary
9 services when appropriate:

10 (1) collect and record fees;

11 (2) maintain records and files;

12 (3) issue and receive application forms;

13 (4) notify applicants of acceptance or rejection as determined by the
14 board or as determined by the department under AS 08.06 for acupuncturists, under

1 AS 08.11 for audiologists, under AS 08.18 for contractors, under AS 08.40 for
2 electrical and mechanical administrators, under AS 08.45 for naturopaths, or under
3 AS 08.55 for hearing aid dealers:

4 (5) designate dates examinations are to be held and notify applicants,

5 (6) publish notice of examinations and proceedings;

6 (7) arrange space for holding examinations and proceedings;

7 (8) notify applicants of results of examinations;

8 (9) issue licenses or temporary licenses as authorized by the board or
9 as authorized by the department under AS 08.06 for acupuncturists, under AS 08.11
10 for audiologists, under AS 08.18 for contractors, under AS 08.40 for electrical and
11 mechanical administrators, under AS 08.45 for naturopaths, or under AS 08.55 for
12 hearing aid dealers:

13 (10) issue duplicate licenses upon submission of a written request by
14 the licensee attesting to loss of or the failure to receive the original and payment by
15 the licensee of a fee established by regulation adopted by the department;

16 (11) notify licensees of renewal dates at least 30 days before the
17 expiration date of their licenses;

18 (12) compile and maintain a current register of licensees;

19 (13) answer routine inquiries;

20 (14) maintain files relating to individual licensees;

21 (15) arrange for printing and advertising;

22 (16) purchase supplies;

23 (17) employ additional help when needed;

24 (18) perform other services that may be requested by the board;

25 (19) provide inspection, enforcement, and investigative services to the
26 boards and for the occupations listed in AS 08.01.010, regarding all licenses issued by
27 or through the department;

28 (20) retain and safeguard the official seal of a board and prepare, sign,
29 and affix a board seal, as appropriate, for licenses approved by a board;

30 (21) issue business licenses under AS 43.70.

31 * Sec. 3. AS 08.40.045 is amended to read:

1 Sec. 08.40.045. CATEGORIES OF LICENSES. The department [BOARD]
2 may adopt regulations establishing categories of electrical administrators,
3 [ESTABLISHING] qualifications for those categories, and the content of examinations
4 for applicants for each category.

5 * Sec. 4. AS 08.40.050 is amended to read:

6 Sec. 08.40.050. REGULATIONS. The department [BOARD] shall adopt
7 regulations subject to AS 44.62 ([THE] Administrative Procedure Act) [(AS 44.62)],
8 relating to the examination and licensing of electrical administrators and [,] the
9 establishing of the continued competency of an applicant for license renewal and
10 reinstatement [, AND THE SUSPENSION OR REVOCATION OF LICENSES].

11 * Sec. 5. AS 08.40.060 is amended to read:

12 Sec. 08.40.060. EXAMINATIONS. A licensing examination shall be offered
13 by the department [BOARD] at least twice during each year at appropriate places in
14 the state.

15 * Sec. 6. AS 08.40.090(a) is amended to read:

16 (a) A person may not act as an electrical administrator in the state without a
17 license issued by the department unless the person is covered by an exclusion under
18 AS 08.40.190.

19 * Sec. 7. AS 08.40.120(b) is amended to read:

20 (b) If an applicant for a license submits proof satisfactory to the department
21 [BOARD] that the applicant is licensed as an electrical administrator or the equivalent
22 by another state or territory, that the applicant meets qualifications established by the
23 department [BOARD] under AS 08.40.045, and that the applicant has passed an
24 examination equivalent to the test administered under (a) of this section [EXCEPT
25 INSOFAR AS THAT EXAMINATION TESTS KNOWLEDGE AND SKILL
26 PARTICULARLY REQUIRED TO MEET THE ENVIRONMENT AND USAGES OF
27 THE TRADE PECULIAR TO THIS STATE], the department [BOARD] shall waive
28 all of the examination required under (a) of this section [EXCEPT THOSE PARTS
29 THAT TEST KNOWLEDGE AND SKILL PARTICULARLY REQUIRED TO MEET
30 THE ENVIRONMENT AND USAGES OF THE TRADE PECULIAR TO THIS
31 STATE].

1 * Sec. 8. AS 08.40.135 is amended to read:

2 Sec. 08.40.135. RENEWAL AND REINSTATEMENT. (a) A license issued
3 under AS 08.40.005 - 08.40.200 is nontransferable and, unless revoked or suspended,
4 [IS NONTRANSFERABLE AND] may be renewed on a date set by the department
5 upon proof of continued competency [, BY APPROPRIATE APPLICATION].

6 (b) A lapsed license may be reinstated upon proof of continued competency
7 and by payment of all unpaid renewal fees and any penalty fee established under
8 AS 08.01.100(b), unless the license has been lapsed for more than two years. If a
9 person's license has been lapsed for more than two years, the person is required to
10 take an examination under AS 08.40.120.

11 * Sec. 9. AS 08.40.140 is amended to read:

12 Sec. 08.40.140. ISSUANCE AND POSSESSION [DISPLAY] OF LICENSE.

13 An applicant who successfully passes the examination shall receive a [CERTIFICATE
14 OF] license. The licensee [CERTIFICATE] shall have the license in immediate
15 possession at all times when performing activities for which the license is required
16 and shall present the license for inspection upon the demand of an authorized
17 representative of the department identified as such to the licensee by the
18 representative [BE PROMINENTLY DISPLAYED, WHILE IN EFFECT, IN THE
19 HOLDER'S PRINCIPAL PLACE OF BUSINESS].

20 * Sec. 10. AS 08.40.170 is amended to read:

21 Sec. 08.40.170. DISCIPLINARY ACTIONS [DENIAL, SUSPENSION AND
22 REVOCATION OF LICENSE]. (a) The department [BOARD] may take the
23 disciplinary actions set out in (d) of this section [SUSPEND, REVOKE, OR
24 REFUSE TO GRANT A LICENSE] upon a finding that

25 (1) the license application is fraudulent or misleading;

26 (2) the licensee has knowingly violated AS 08.40.005 - 08.40.200, the
27 minimum electrical standards established under AS 18.60.580 - 18.60.590, or a
28 lawful [RULE,] order [,] or regulation of the department [BOARD];

29 (3) the licensee is incompetent, or has engaged in fraudulent practices.

30 (b) Notice of a proposed disciplinary action under this section [DENIAL,
31 SUSPENSION OR REVOCATION OF LICENSE] shall be given in writing, stating

1 the grounds.

2 (c) Proceedings for a disciplinary action under this section [THE DENIAL,
3 SUSPENSION OR REVOCATION OF A LICENSE] shall be governed by AS 44.62 (
4 [THE] Administrative Procedure Act [(AS 44.62)]).

5 * Sec. 11. AS 08.40.170 is amended by adding new subsections to read:

6 (d) The department may take the following disciplinary actions under (a) of
7 this section, singly or in combination:

8 (1) refuse to issue a license;

9 (2) permanently revoke a license;

10 (3) suspend a license for a specified period;

11 (4) censure or reprimand a licensee;

12 (5) impose limitations or conditions on the professional practice of a
13 licensee;

14 (6) require a licensee to submit to peer review;

15 (7) impose requirements for remedial professional education to correct
16 deficiencies in the education, training, and skill of the licensee;

17 (8) impose probation requiring a licensee to report regularly to the
18 department on matters related to the grounds for probation;

19 (9) impose a civil fine not to exceed \$5,000.

20 (e) The department may withdraw probationary status if the deficiencies that
21 required the sanction are remedied.

22 (f) The department may summarily suspend a license before a final hearing is
23 held or during an appeal if the department finds that the licensee poses a clear and
24 immediate danger to the public health and safety. A person is entitled to a hearing
25 before the department to appeal the summary suspension within seven days after the
26 order of suspension is issued. A person may appeal an adverse decision of the
27 department on an appeal of a summary suspension to a court of competent jurisdiction.

28 (g) The department may reinstate a suspended or revoked license if, after a
29 hearing, the department finds that the licensee is able to practice the profession with
30 skill and safety.

31 (h) The department may accept the voluntary surrender of a license. A license

1 may not be returned to the person who surrendered the license unless the department
2 determines that the person is competent to resume practice and the person pays the
3 appropriate renewal fee.

4 (i) The department shall seek consistency in the application of disciplinary
5 sanctions. The department shall explain a significant departure from prior decisions
6 involving similar facts in the order imposing the sanction.

7 * Sec. 12. AS 08.40.175 is amended to read:

8 Sec. 08.40.175. CEASE AND DESIST ORDER. (a) If the department
9 [COMMISSIONER OF LABOR] determines that a person is acting as an electrical
10 administrator in violation of AS 08.40.005 - 08.40.200, the department
11 [COMMISSIONER] may issue a cease and desist order prohibiting further action by
12 the person as an electrical administrator. The cease and desist order remains in effect
13 until the person has submitted evidence acceptable to the department
14 [COMMISSIONER OF LABOR] showing that the violation has been corrected.

15 (b) A person affected by an order issued under (a) of this section may seek
16 equitable relief preventing the department [COMMISSIONER OF LABOR] from
17 enforcing the order.

18 * Sec. 13. AS 08.40.178 is amended to read:

19 Sec. 08.40.178. INJUNCTIVE RELIEF. The department [COMMISSIONER
20 OF LABOR] may seek an injunction in the superior court to enjoin a person from
21 violating AS 08.40.005 - 08.40.200.

22 * Sec. 14. AS 08.40.180 is amended to read: *Duplicative of Sec 11*

23 Sec. 08.40.180. VIOLATION OF AS 08.40.010 - 08.40.200. A person who
24 knowingly violates AS 08.40.005 - 08.40.200, or who knowingly violates a valid
25 [RULE.] regulation [,] or order of the department or a minimum electrical standard
26 established under AS 18.60.580 - 18.60.590 [BOARD], is guilty of a misdemeanor,
27 and upon conviction is punishable by a fine of not more than \$5,000 [300, OR BY
28 IMPRISONMENT FOR NOT MORE THAN 60 DAYS OR BY BOTH].

29 * Sec. 15. AS 08.40.190(b) is amended to read:

30 (b) AS 08.40.005 - 08.40.200 does not apply to a person engaged in

31 (1) the manufacture, maintenance, or repair of electrical apparatus or

1 equipment;

2 (2) electrical work, the cost of which does not exceed \$5,000, involving
3 residences or small commercial establishments in communities that

4 (A) [WHICH] have a population of under 500 according to the
5 latest available federal or state census or other census approved by the
6 Department of Community and Regional Affairs; or

7 (B) [WHICH] are over 50 miles by air or water transportation
8 from the business place of an electrical administrator licensed under
9 AS 08.40.010 - 08.40.200;

10 (3) electrical installation on residential property that [WHICH] is
11 owned by the installer or a member of the installer's immediate family and not
12 intended for sale at the time of making the installation:

13 (4) the operation, maintenance, or repair of a television or radio
14 broadcasting system and the installation of a radio broadcasting system under 500
15 watts input power except for A.C. power supply and wiring;

16 (5) the installation, maintenance, and repair of elevators so long as the
17 work is performed by an agent or employee of the elevator industry and is confined
18 to the elevator control system, which system does not include the power supply,
19 wiring, and motor connection;

20 (6) the operation, maintenance, and repair of telephone, telegraph, and
21 intercommunication facilities;

22 (7) the installation, maintenance, and repair of fire alarm, intrusion
23 alarm, or other low voltage signaling systems of 48 volts to ground or less;

24 (8) the maintenance or repair of diesel electric engines installed on
25 heavy construction equipment, either in a shop or on a job site;

26 (9) the installation in a commercial water well of the submersible pump
27 motor and the wiring to the well pump system controls if the controls are outside a
28 building or a structure;

29 (10) the installation in a noncommercial water well of the submersible
30 pump motor and the wiring to the well pump system controls.

31 * Sec. 16. AS 08.40.190(c) is amended to read:

1 (c) Work within the exclusionary provisions of this section is nevertheless
2 subject to the inspection provisions of AS 08.40.070 and must follow the regulations
3 [REGARDING WORKMANSHIP] adopted by the department. other than regulations
4 requiring licensure for the work.

5 * Sec. 17. AS 08.40.195 is amended to read:

6 Sec. 08.40.195. PERSONAL SUPERVISION. A person licensed under
7 AS 08.40.005 - 08.40.200 as an electrical administrator who is responsible for the
8 installation [CONTRACTS TO INSTALL] or repair of electrical wiring, conduits,
9 devices, fixtures, equipment, or other electrical materials for transmitting, using, or
10 consuming electrical energy or who is responsible for certifying that the installation
11 or repair complies with applicable electrical codes shall personally inspect those
12 materials after installation and repair unless the installation or repair amounts to simple
13 or highly standardized work performed in less than 24 man hours by personnel
14 generally under the supervision of the electrical administrator.

15 * Sec. 18. AS 08.40.200(3) is amended to read:

16 (3) "electrical administrator" means a person who is responsible for

17 (A) [ENGAGED IN THE BUSINESS OF, OR PURPORTING
18 TO BE ENGAGED IN THE BUSINESS OF,] installing or repairing [, OR
19 CONTRACTING TO INSTALL OR REPAIR,] electrical wiring, conduits,
20 devices, fixtures, equipment, or other electrical materials for transmitting, using
21 or consuming electrical energy; or

22 (B) certifying that an installation or repair described in (A)
23 of this paragraph complies with applicable electrical codes;

24 * Sec. 19. AS 08.40.230 is amended to read:

25 Sec. 08.40.230. CATEGORIES OF LICENSES. The department [BOARD]
26 may adopt regulations establishing categories of mechanical administrators,
27 qualifications for those categories, and the content of examinations for applicants for
28 each category.

29 * Sec. 20. AS 08.40.240 is amended to read:

30 Sec. 08.40.240. REGULATIONS. The department [BOARD] shall adopt
31 regulations under AS 44.62 ([THE] Administrative Procedure Act) [(AS 44.62)],

1 relating to the examination and licensing of mechanical administrators, the establishing
2 of the continued competency of licensees for license renewal and reinstatement [, AND
3 THE SUSPENSION OR REVOCATION OF LICENSES].

4 * Sec. 21. AS 08.40.250 is amended to read:

5 Sec. 08.40.250. EXAMINATIONS. The department [BOARD] shall conduct
6 licensing examinations at least twice each year at appropriate places in the state.

7 * Sec. 22. AS 08.40.260(a) is amended to read:

8 (a) A person may not act as a mechanical administrator without a license
9 unless the person is covered by an exclusion under AS 08.40.390.

10 * Sec. 23. AS 08.40.270(b) is amended to read:

11 (b) If an applicant for a license submits proof satisfactory to the department
12 [BOARD] that the applicant is licensed as a mechanical administrator or the equivalent
13 by another state or territory, meets qualifications established by the department
14 [BOARD] under AS 08.40.230, and has passed an examination equivalent to the test
15 administered under (a) of this section [EXCEPT INsofar AS THAT
16 EXAMINATION TESTS KNOWLEDGE AND SKILL PARTICULARLY REQUIRED
17 TO MEET THE ENVIRONMENT AND USAGES OF THE TRADE PECULIAR TO
18 THIS STATE], the department [BOARD] shall waive all of the examination required
19 under (a) of this section [EXCEPT THOSE PARTS THAT TEST KNOWLEDGE
20 AND SKILL PARTICULARLY REQUIRED TO MEET THE ENVIRONMENT AND
21 USAGES OF THE TRADE PECULIAR TO THIS STATE].

22 * Sec. 24. AS 08.40.290(b) is amended to read:

23 (b) A lapsed license may be reinstated upon proof of continued competency
24 and by payment of all unpaid renewal fees and any penalty fee established under
25 AS 08.01.100(b), unless the license has been lapsed for more than two years. If a
26 person's license has been lapsed for more than two years, the person is required to
27 take an examination under AS 08.40.270.

28 * Sec. 25. AS 08.40.300 is amended to read:

29 Sec. 08.40.300. ISSUANCE AND POSSESSION [DISPLAY] OF LICENSE.
30 An applicant who successfully passes the examination shall receive a [CERTIFICATE
31 OF] license. The licensee shall have the license in immediate possession at all times

1 when performing activities for which the license is required and shall present the
2 license for inspection upon the demand of an authorized representative of the
3 department identified as such to the licensee by the representative
4 [PROMINENTLY DISPLAY THE CERTIFICATE, WHEN IN EFFECT, IN THE
5 LICENSEE'S PRINCIPAL PLACE OF BUSINESS].

6 * Sec. 26. AS 08.40.320 is amended to read:

7 Sec. 08.40.320. DISCIPLINARY ACTIONS [DENIAL, SUSPENSION, AND
8 REVOCATION OF LICENSE]. (a) The department [BOARD] may take the
9 disciplinary actions set out in (d) of this section [ACTION AGAINST A LICENSEE
10 OR APPLICANT] upon a finding that

11 (1) the license application is fraudulent or misleading;

12 (2) the licensee has knowingly violated AS 08.40.210 - 08.40.490, a
13 code listed in AS 08.40.490(3)(A), or an order or regulation of the [BOARD OR
14 THE] department; or

15 (3) the licensee is incompetent or has engaged in fraudulent practices.

16 (b) Notice of a proposed disciplinary action under this section [DENIAL,
17 SUSPENSION, OR REVOCATION OF LICENSE] shall be in writing and shall state
18 the grounds.

19 (c) Proceedings for a disciplinary action under this section [THE DENIAL,
20 SUSPENSION, OR REVOCATION OF A LICENSE] shall be governed by AS 44.62 (
21 [THE] Administrative Procedure Act [(AS 44.62)]).

22 * Sec. 27. AS 08.40.320 is amended by adding new subsections to read:

23 (d) The department may take the following disciplinary actions under (a) of
24 this section, singly or in combination:

25 (1) refuse to issue a license;

26 (2) permanently revoke a license;

27 (3) suspend a license for a specified period;

28 (4) censure or reprimand a licensee;

29 (5) impose limitations or conditions on the professional practice of a
30 licensee;

31 (6) require a licensee to submit to peer review;

1 (7) impose requirements for remedial professional education to correct
2 deficiencies in the education, training, and skill of the licensee;

3 (8) impose probation requiring a licensee to report regularly to the
4 department on matters related to the grounds for probation;

5 (9) impose a civil fine not to exceed \$5,000.

6 (e) The department may withdraw probationary status if the deficiencies that
7 required the sanction are remedied.

8 (f) The department may summarily suspend a license before a final hearing is
9 held or during an appeal if the department finds that the licensee poses a clear and
10 immediate danger to the public health and safety. A person is entitled to a hearing
11 before the department to appeal the summary suspension within seven days after the
12 order of suspension is issued. A person may appeal an adverse decision of the
13 department on an appeal of a summary suspension to a court of competent jurisdiction.

14 (g) The department may reinstate a suspended or revoked license if, after a
15 hearing, the department finds that the licensee is able to practice the profession with
16 skill and safety.

17 (h) The department may accept the voluntary surrender of a license. A license
18 may not be returned to the person who surrendered the license unless the department
19 determines that the person is competent to resume practice and the person pays the
20 appropriate renewal fee.

21 (i) The department shall seek consistency in the application of disciplinary
22 sanctions. The department shall explain a significant departure from prior decisions
23 involving similar facts in the order imposing the sanction.

24 * Sec. 28. AS 08.40.330 is amended to read:

25 Sec. 08.40.330. INVESTIGATIONS. The department [EITHER THE
26 DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT OR THE
27 DEPARTMENT OF LABOR] may investigate alleged or apparent violations of
28 AS 08.40.210 - 08.40.490. The [A] department, upon showing proper credentials, may
29 enter, during regular hours of work, a construction site where it appears that
30 mechanical work is being done. The [A] department may make inquiries about the
31 identity of the mechanical administrator or the person acting in the capacity of a