

ALASKA LEGISLATURE COMMITTEE FILES 1995-1996 8672

8775 HOUSE STATE AFFAIRS

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB83

Revision Date: 1/23/95 Dept. Affected: Revenue
Title: Review of Federally Mandated programs BRU: CSED, AHFC Operations
Component: CSED, AHFC Operations

Sponsor: Ogan, Porter
Requester: _____ COMPONENT SERIAL NO. 111,110

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	105.0	8.0	8.0	8.0	8.0	8.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	105.0	8.0	8.0	8.0	8.0	8.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	33.0	3.3	3.3	3.3	3.3	3.3
1003 GF Match	17.0	1.7	1.7	1.7	1.7	1.7
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other	55.0	3.0	3.0	3.0	3.0	3.0
TOTAL	105.0	8.0	8.0	8.0	8.0	8.0

Estimate of any current year (FY95) cost: \$ _____

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

CSED: \$50.0 FY96, \$5.0 thereafter

A comprehensive review of all CSED's federal programs will be done in FY96 by CSED's assigned Assistant Attorney General or an outside contractor. Estimated costs for FY97 through FY01 would be for analysis of changes in mandated programs.

AHFC Operations: \$55.0 FY96, \$3.0 thereafter

A comprehensive review of all AHFC's federal programs will be done in FY96 by AHFC's assigned Assistant Attorney General. Estimated costs for FY97 through FY01 would be for analysis of changes in mandated programs.

Prepared by: Bob Baralko, Mary Sutton
Division: Administrative Services Division
Approved by: _____
Commissioner: Deborah Voot
Agency: Revenue

Phone: 465-2312
Date: 1/23/95
Date: 1/23/95

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FISCAL NOTE

STATE OF ALASKA

BILL NO. HB 83

1995 LEGISLATIVE SESSION

Revision Date: 01/16/95 Dept. Affected: DOT&PF
 Title: An Act relating to state implementation of federal statutes BRU: Design & Construction, Maintenance & Operations
 Component: Design & Construction
 Sponsor: Ogan, Porter
 Requester: Jack Kreinheder, OMB COMPONENT SERIAL NO. 547

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	42.0	21.0	21.0	21.0	21.0	21.0
TRAVEL						
CONTRACTUAL	5.0					
SUPPLIES	3.0	1.5	1.5	1.5	1.5	1.5
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	50.0	22.5	22.5	22.5	22.5	22.5
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match						
1004 GF	50.0	22.5	22.5	22.5	22.5	22.5
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	50.0	22.5	22.5	22.5	22.5	22.5

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

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

ANALYSIS: The Department's major emphasis in reviewing Federal Requirements would be with Federal Highway Administration and Federal Aviation Administration along with federal building related issues. Alaska DOT&PF's reviews would have to include but not be limited to the many and various requirements for such areas as: Clean Air, Clean Water, Wet Lands, Permitting, ADA, OSHA, EPA and the list goes on and on. As an example, attached is a listing of nineteen sanctions which can be applied to the Highway funding. The first rough estimate of the effort would be 4 months (175hr/mo) by a technical engineer, range 22 at cost of \$60/hr equals \$10,500/mo or \$42,000 for the first year plus some costs for supplies, \$3,000 and contract, \$5,000 which totals \$50,000. After the first year, it would be much easier and is estimated at only two months of effort plus some minor supplies.

Prepared by: Loren Rasmussen
 Division: Engineering and Operations Standards
 Approved by Commissioner: *Joseph L. Ventresca*
 Agency: Department of Transportation & Public Facilities

Phone: 465-2960
 Date: 01/24/95
 Date: 01/24/95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB 83

Revision Date: _____ Dept. Affected: Military and Veterans Affairs
 Title: Relating to state implementation of federal statutes BRU: Alaska National Guard
 Component: Commissioner's Office
 Sponsor: Rep Ogan
 Requestor: House Com on World Trade & State/Fed Relations COMPONENT SERIAL NO. 414

(Thousands of Dollars)

Expenditures/Revenues	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
OPERATING EXPENDITURES						
PERSONAL SERVICES						
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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(Thousands of Dollars)

FUND SOURCE	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1008 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ _____

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Zero fiscal impact.

Prepared by: Jeff Morrison, Director
 Division: Administrative Support Services Division
 Approved by Commissioner: *J Morrison for* MG Jake Lestenkof
 Agency: Military and Veterans Affairs

Phone: 485-4730
 Date: 1/30/95
 Date: 1/30/95

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OFFICE OF THE GOVERNOR

OFFICE OF MANAGEMENT AND BUDGET

P.O. BOX 110020
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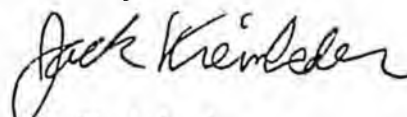
February 7, 1995

The Honorable Ramona Barnes
Chair, House Special Committee on World Trade and
State/Federal Relations
State Capitol
Juneau, Alaska 99801

Dear Representative Barnes:

Enclosed are revised fiscal notes for CSHB 83(WTR) from the Office of the Governor, Department of Health and Social Services, and Department of Revenue. For all of the other departments, the committee substitute for HB 83 is not expected to change the fiscal impacts from the original version of the bill.

Sincerely,



Jack Kreinheder
Senior Policy Analyst

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB83

Revision Date: 2/6/95 Dept. Affected: Revenue
 Title: Review of Federally Mandated Programs BRU: CSED.AHFC Operations
 Component: CSED.AHFC Operations
 Sponsor: Ogan, Porter
 Requester: (H)WTR COMPONENT SERIAL NO. 111110

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
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 EXPENDITURES						
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CHANGE IN REVENUES ()						
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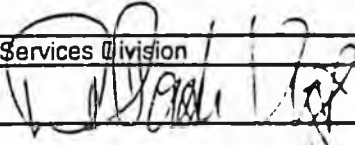
FUND SOURCE (Thousands of Dollars)

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

Estimate of any current year (FY95) cost: \$ _____

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

Prepared by: Bob Baratko Phone: 465-2312
 Division: Administrative Services Division Date: 2/6/95
 Approved by: 
 Commissioner: Deborah Voigt Date: 2/6/95
 Agency: Revenue

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSHB 83 (WTR)

Revision Date: _____ Dept. Affected: Office of the Governor
 Title: An Act relating to state implementation of BRU: Office of Management and Budget
federal statutes. Component: Office of the Director
 Sponsor: Ogan
 Requester: House Special Comm. on World Trade... COMPONENT SERIAL NO. 1385

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	134.1	70.1	72.8	75.5	78.3	81.2
TRAVEL						
CONTRACTUAL	1.5	1.5	1.5	1.5	1.5	1.5
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	135.6	71.6	74.3	77.0	79.8	82.7

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	135.6	71.6	74.3	77.0	79.8	82.7
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	135.6	71.6	74.3	77.0	79.8	82.7

Estimate of any current year (FY95) cost: \$ _____

POSITIONS

FULL-TIME	1	1	1	1	1	1
PART-TIME						
TEMPORARY	2					

ANALYSIS: (Attach a separate page if necessary)

This bill would require the Office of Management and Budget to annually review each program administered by each department or agency or agency of the executive branch that implements federal statutes that impose mandated duties on the state. OMB would also be required to review federal statutes, regulations, guidelines and policies and identify those provisions that are inconsistent with state policy or are not cost-effective. OMB would prepare a report on this work by February 1 of each year.

Staffing requirements for this bill are difficult to project; however, our best estimate for the comprehensive statewide analysis required by the bill is that three positions would be necessary in FY 96 from July 1 until February 1, and one position thereafter. These positions include:

For FY 96, July 1 to February 1, two policy analysts at Range 21 and one research analyst II at Range 15. After February 1 of FY 96, one policy analyst at Range 21. Position costs assumed to grow at 3.75% per year.

Prepared by: Annalee McConnell, Director *Annalee McConnell* Phone: 465-4660
 Division: Office of Management and Budget Date: 2/7/95

Approved by Commissioner: Jim Ayers, Chief of Staff *Jim Ayers* Date: 2/7/95
 Agency: Office of the Governor

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CS HB 83 (WTR)

Revision Date: _____
 Title: An Act relating to state implementation of
federal statutes.
 Sponsor: Ogan, Porter, ...
 Requestor: House WTR

Dept. Affected: Health and Social Services
 BRU: Administrative Services
 Component: Commissioner's Office
 COMPONENT SERIAL NO. 317
 See also (SN#): _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES	77.4	80.3	83.3	86.4	89.7	93.0
TRAVEL	5.0	5.0	5.0	5.0	5.0	5.0
CONTRACTUAL	3.0	3.0	3.0	3.0	3.0	3.0
SUPPLIES	1.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT	5.0	0.0				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	91.4	89.3	92.3	95.4	98.7	102.0

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES ()						
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	91.4	89.3	92.3	95.4	98.7	102.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other (please specify)						
TOTAL	91.4	89.3	92.3	95.4	98.7	102.0

POSITIONS:

FULL-TIME	1	1	1	1	1	1
PART-TIME						
TEMPORARY						

Estimate of any current year (FY95) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

A general scenario for implementation is that a Special Assistant will be required in the Commissioner's Office to coordinate the initial and on-going efforts related to this legislation. A Special Assistant in the Commissioner's Office will allow the avoidance of divisional biases in assessments, provide coordination among divisions, and assure consistency with departmental policy and direction. With the change in implementation responsibility for on-going reviews, it is assumed that OMB will cover any significant up-front implementation costs.

An assumption is made that on-going efforts will be needed with respect to federal mandates despite current activity in Congress to reduce such phenomena. Position cost is assumed to grow at 3.75% per year. Support costs for the position will be held at the same level as FY96. Equipment costs are one-time costs for position support with no consideration for replacement. Future costs could be influenced by the extent of future federal mandates.

Prepared by: Richard Renninger
 Division: Administrative Services

Phone: 465-3331
 Date: 02/02/95

Approved by Commissioner: Karen Perdue, Commissioner
 Agency: Department of Health & Social Services

Date: 2/2/95

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1993 DISCUSSION TOPIC
AASHTO-AGC-ARTBA JOINT COMMITTEE

Title: The Impacts of Sanctions and Mandates
on the Transportation Program
(Suggested by AASHTO)

Over the years the Congress has enacted a number of mandated requirements on the Federal-aid highway and transportation program. These mandates are sometimes related to requirements affecting the selection and award of contracts, as with Davis-Bacon and DBE-WBE requirements. Beyond these contractual requirements, Congress also may limit how funds are to be utilized. These mandates all act to control how the states administer the Federal-aid highway programs.

Beyond these mandates, Congress has also enacted a number of sanctions that can be applied to the Federal-aid highway and transportation programs, if the states do not implement a specific action or program mandated by the Congress. These sanctions inherently affect how the states administer the Federal-aid highway and transit programs, since unless the mandates involved are met to the satisfaction of the Federal government the sanctions will be imposed.

Attached is a listing of 19 current sanctions as compiled by the Federal Highway Administration, all of which require states to take specific actions if the sanction is to be avoided. States endeavor to avoid the imposition of all of these sanctions, and this effort has an impact on how the Federal-aid highway and transportation programs are carried out within the state. Many of these sanctions are long-standing, and relate with engineering issues, such as those relating to enforcement of vehicle size and weight, maintenance of the highway system, and required management systems. Others are operations related, such as those relating to speed limits.

In addition, there are sanctions established to encourage states to impose requirements on the driver and the vehicle, such as enforcement of the Federally-required commercial drivers license, minimum drinking age and drug offenders laws, and use of safety belts and motorcycle helmets. Other sanctions such as control of outdoor advertising and control of junkyards are established to persuade states to enact and enforce specific laws that are not truly transportation related. A concern of state highway and transportation departments about the sanctions discussed in this paragraph is that they often are not the responsible agency for implementing the actions on which the sanctions are based, and thus cannot control the situation.

Added to these are sanctions that affect the administration of the whole transportation program, such as those relating to Clean Air Act compliance and air quality nonconformity, metropolitan planning, and administration of the new surface transportation planning. These sanctions are of particular concern currently, and the real possibility of their enforcement in several states, especially those relating to the Clean Air Act, could essentially stop all transportation projects in regions or the whole area of those states.

Finally, there are also sanctions imposed by Congress in an effort to force states to adopt certain engineering materials and practices. A recent example is the requirement for use of recycled rubber in hot mix asphalt, which if not followed can result in a cut-off of significant amounts of Federal-aid highway funding.

The members of the Joint Committee have not as a group concentrated on the array of these mandates and sanctions, how their presence affects the administration of the Federal-aid programs by the states, and how the imposition of the sanctions could severely disrupt the nation's transportation system. As Congress has considered these mandates and sanctions, their advocates have prevailed in a general climate of limited or no debate on the need for and impacts of the mandates and sanctions. At the least, greater awareness by all the members of the Joint Committee of the extent, and the current and potential impacts of these Congressional enactments is needed.

List of Current Congressionally Enacted Sanctions
and Penalties That Can Be Imposed on States
Under the Federal-Aid Highway Program

(As provided by the Federal Highway Administration,
with Legislative and Statutory Provision Identification Added)

1. Vehicle Weight Limitations 23 U.S.C. 127
P.L. 93-643, 1975; P.L. 95-599, 1978
 - o States must permit a minimum and maximum of 20,000 pound single axle, 34,000 pound tandem axle, and 80,000 pound gross weight of combination (5-axle) vehicles to operate on the Interstate. Maximum weight cannot exceed allowable under bridge formula.

Penalty - Withholding of National Highway System (NHS) apportionments. If not restored during availability period, the apportionment lapses.
2. Enforcement of Vehicle Size and Weight 23 U.S.C. 141
P.L. 97-424, January 1983
Amended P.L. 102-240
 - o Each state must certify that it is enforcing all State laws respecting maximum vehicle size and weight.

Penalty - Withholding of 10 percent of the apportionments for Interstate Construction (IC), Interstate Maintenance (IM), NHS, Surface Transportation Program (STP), and Congestion Mitigation and Air Quality (CM&AQ). Apportionments are restored if enforcement is shown to be acceptable within 1 year; otherwise, reapportioned to other States.

3. Registration - Proof of Heavy Vehicle Use Tax Payment 23 U.S.C. 141
P.L. 97-424

- o States must require proof of payment of heavy vehicle use tax prior to registering heavy vehicles subject to the use tax.

Penalty - Withholding of up to 25 percent of the apportionments for IC and IM. The withheld apportionment is reapportioned to other States using 104(b)(5), i.e., IC and IM, formulas.

4. National Maximum Speed Limit 23 U.S.C. 141 and 154
P.L. 93-643, January 1975
P.L. 95-599, November, 1978

- o States must not have a maximum speed limit on any public highway in excess of 55 m.p.h. except a maximum of 65 m.p.h. is permitted on rural Interstates and some non-Interstate routes outside of urbanized areas of more than 50,000 population that are constructed to appropriate standards. The States must certify that they are enforcing all speed limits on public highways.

Penalty - Cessation of project approvals for Federal-aid highway projects if State has higher than allowed speed limit or for failure to certify that it is enforcing speed limits.

5. National Maximum Speed Limit Enforcement 23 U.S.C. 154
P.L. 102-240

- o Until December 1993, States must support their certification of maximum speed limits with data showing that the percentage of vehicles exceeding the speed limit on maximum speed limit highways is less than 50 percent. After December 1993, the State must support certification in accord with compliance criteria to be established by the Secretary.

Penalty - Until December 1993, withholding of up to 10 percent of the apportionments for NHS, STP, and CM&AQ for the following fiscal year. (Moratorium on sanctions for FY 1990 and FY 1991.) Future sanctions to be determined by Secretary through an enforcement rule that will provide for transfer of apportionments (except IC and IM) if State fails to enforce speed limits.

6. Control of Outdoor Advertising

23 U.S.C. 131
Revised P.L. 89-285, 1965
Amended P.L. 93-643, 1975
P.L. 102-240, 1991

- o States must provide for effective control of outdoor advertising signs along the Interstate System, the primary system as it existed on June 1, 1991, and any highway not on such system but on the NHS. Effective control has been expanded to include prohibiting the erection of new signs on designated scenic byways on the Interstate System and Federal-aid primary system.

Penalty - Withholding of 10 percent of the apportionments for IC, IM, NHS, STP, and CM&AQ. The withheld apportionment is reapportioned to other States. The Secretary may suspend application of the penalty if he finds that to be in the public interest.

7. Control of Junkyards

23 U.S.C. 136

- o States must provide for effective control of the establishment and maintenance of junkyards along the Interstate and primary systems.

Penalty - Withholding of 10 percent of the apportionments for IC, IM, NHS, STP, and CM&AQ. The withheld apportionment is reapportioned to other States. The Secretary may suspend application of the penalty if he finds that to be in the public interest.

8. Maintenance

23 U.S.C. 116

- o States must properly maintain or cause to be maintained any project constructed under the provision of the Federal-aid Highway Program.

Penalty - Cessation of project approvals for all types of projects in the State highway district, municipality, county, and other subdivisions of the State or the entire State.

9. Clean Air Act Compliance

1990 Clean Air Act Amendments
P.L. 101-549, Section 179

- o States are subject to State Implementation Plan (SIP) related sanctions. States must submit and implement all provisions of a complete, adequate SIP that provides for attainment of air quality standards in accordance with intermediate and final deadlines specified in the 1990 Clean Air Act Amendments.

Penalty - Cessation of project approvals within the nonattainment area; sanctions may be expanded to cover the entire State under certain circumstances at the discretion of the EPA Administrator. Penalty applies for failure to submit SIP; Environmental Protection Agency (EPA) disapproval of SIP; failure to implement; and failure to submit any provisions required by the Clean Air Act Amendments. Some projects are

exempt from sanctions (i.e., seven congressionally authorized activities that discourage single occupancy vehicles (SOV); safety projects whose principle purpose is to improve safety by significantly reducing or avoiding accidents; and projects which EPA finds will improve air quality and not encourage SOV).

10. Air Quality Nonconformity 1990 Clean Air Act Amendments
P.L. 101-549, Section 176

- o No transportation plan, program, or project may be approved, accepted, or funded unless it has been found to conform to an applicable SIP by the metropolitan planning organization and the DOT. This means a well-coordinated FHWA/FTA finding, based on technical analysis of transportation and emissions models.

Penalty - Lack of a conformity determination on an area's transportation plan or transportation improvement program will prevent the expenditure of FHWA and FTA funds on any activities, with the exception of certain exempt categories. Such a penalty would apply to the entire nonattainment area. Further, if the reason for nonconformity is not implementing transportation control measures, it could lead to the imposition of highway sanctions on a Statewide basis.

11. Interstate System Maintenance 23 U.S.C. 119
Reinstated P.L. 95-599, 1978
Amended P.L. 96-106, 1979

- o Each State must certify on each January 1 that it has a program to maintain the Interstate System in accordance with guidelines issued by the Secretary.

Penalty - Withholding of 10 percent of IC and IM apportionments for failure to certify or if Secretary finds State is not adequately maintaining System in accordance with the required program. Withheld funds can be restored if, within 1 year, State is found to be maintaining the Interstate System according to guidelines; otherwise, withheld funds are reapportioned to other eligible States.

12. National Minimum Drinking Age 23 U.S.C. 158 (as amended by
Section 4104 of P.L. 99-272)

- o States must have laws that prohibit the purchase or public possession of any alcoholic beverage by a person who is less than 21 years old.

Penalty - Withholding of 10 percent of the apportionments for IC, IM, NHS, and SIP. Any funds withheld lapse except that withheld IC and IM funds lapse and are made available, to other States through the respective discretionary funds.

13. Commercial Drivers License Commercial Motor Vehicle Safety Act
of 1986, P.L. 99-570, Section 12011

- o States must be in compliance with minimum Federal standards for licensing, reporting, and penalties.

Penalty - Withholding (of 5 percent for FY 1994 and 10 percent in the following fiscal years) of the apportionments for IC, IM, NHS and STP. Funds withheld before September 30, 1995 are reserved for 4 years except that IC funds are reserved for 2 years. If, within this period, the State comes into compliance, and remains in compliance for one year, the funds may be restored. Otherwise the funds lapse, except that IC and IM funds which lapse are made available to other States through the respective discretionary funds. For funds withheld after September 30, 1995, there is no reserve period; that is, they lapse with results as stated above.

14. Drug Offenders 23 U.S.C. 159
P.L. 101-516, 1991, Section 333

- o States must have laws that require the revocation or suspension of driver's licenses for at least 6 months for those convicted of any violation of the Controlled Substances Act or any drug offense.

Penalty - Withholding (of 5 percent in FYs 1994-1995 and 10 percent in the following fiscal years) of the apportionments for IC, IM, NHS, and STP. Funds withheld before September 30, 1995 are reserved for 4 years, except that IC funds are reserved for 2 years and IM funds for 3 years. If, within this period, the State comes into compliance, the funds may be restored. Otherwise the funds lapse, except that IC and IM funds which lapse are made available to other States through the respective discretionary funds. For funds withheld after September 30, 1995, there is no reserve period; that is, they lapse with results as stated above.

15. Metropolitan Planning 23 U.S.C. 134
P.L. 102-240, 1991, Section 1024

- o Metropolitan Planning Organizations (MPOs) in Transportation Management Areas must be certified at least every 3 years by the Secretary of Transportation to be carrying out the required planning process.

Penalty - If an MPO is not certified after September 30, 1991, the Secretary may withhold all or part of the portion of the STP apportionment and formula apportionment of FIA Section 9 funds ~~attributed to relevant metropolitan area, unless area is not certified~~ for more than 2 consecutive years after September 30, 1994, 20 percent of attributable STP and Section 9 funds must be withheld. Funds are restored when the area is certified.

16. Use of Safety Belts and Motorcycle Helmets 23 U.S.C. 153
P.L. 102-240, 1991, Section 1031

- o States must have laws 1) that make it unlawful to operate a motorcycle if anyone on the motorcycle is not wearing a helmet, and 2) that make it unlawful to operate a passenger vehicle if any front seat occupant (other than a child secured in a child restraint system) is not properly wearing a seat belt.

Penalty - If a State does not have the laws in effect any time in FY 1994, the Secretary will transfer 1 1/2 percent of each of the FY 1995 apportionments for NHS, STP, and Congestion Mitigation and Air Quality to the Section 402 safety program. After FY 1994, the amount transferred will be 3 percent.

17. Management Systems 23 U.S.C. 303
P.L. 102-240, Section 1034

- o The State must develop, establish, and implement management systems for managing: highway pavement of Federal-aid highways, bridges on and off Federal-aid highways, highway safety, traffic congestion, public transportation facilities and equipment, and intermodal transportation facilities and systems.

Penalty - States must be implementing each management system beginning in FY 1995, and must annually certify, before January 1 of each fiscal year (the first certification is due by January 1, 1995) that the systems are being implemented, or the Secretary may withhold up to 10 percent of funds apportioned under Title 23, U.S.C., or under the Federal Transit Act for any fiscal year beginning after September 30, 1995.

18. Use of Recycled Paving Materials P.L. 102-240, Section 1038

- o Beginning on January 1, 1995, a State must certify to the Secretary that it has satisfied the minimum utilization requirement for asphalt pavement containing recycled rubber as a percentage of total tons of asphalt laid in the State and financed with Federal-aid under Title 23. The percentages are: 5 percent in 1994, 10 percent in 1995, 15 percent in 1996, and 20 percent for 1997 and the following years.

Penalty - The Secretary will withhold a percentage of the apportionments for Interstate Maintenance, NHS, STP and Congestion Mitigation and Air Quality equal to the percentage utilization requirement for that particular year. The Secretary may waive the penalty for any 3-year period upon evidence of health, environment and performance problems associated with asphalt pavements containing rubber. Individual State exceptions can be made if there is an insufficient supply of scrap tires.

19. Surface Transportation Program

23 U.S.C. 133
P.L. 102-240, Section 1007

- o State must comply with all provisions of law relating to the Surface Transportation Program.

Penalty - If a State fails to take corrective action within 60 days after being notified by the Secretary of non compliance, future STP apportionments will be withheld until corrective action has taken place.

Assumes technical corrections to the ISTEA so that penalty provisions will conform with the Federal-aid programs as defined in the ISTEA.



Alaska Environmental Lobby, Inc.

P.O. Box 22151 Juneau, Alaska 99802

Phone: 907-463-3366

Fax: 907-463-3312

HB 83 - Federal Mandates

The Alaska Environmental Lobby strongly supports all endeavors that serve to give the people in Alaska opportunities to better manage all resources; human, physical and spiritual. We feel there are many states rights issues which must be addressed, if we are going to move with intelligence and consistency into the 21st Century.

We also believe, as does the sponsor of this legislation that the state government should "scrutinize the extent and scope of authority asserted by the federal government" in many areas.

There are many examples of federal mandates, where the benefits to this state and it's citizens, in economic, public health and safety terms, have been substantial. Minimum drinking age, compensatory schooling, safe working standards. The U.S. Congress is not made up of raging environmentalists. They have not conspired to keep Alaska from using it's resources, they are interested in the health and safety concerns of all it's citizens.

It has been suggested that this legislation could save the state money. We have been unable to determine how additional administrative costs, forays into litigation with the federal government and forfeiture of federally mandated monies will help Alaska's economy. In a time when we all feel the need to be frugal and fiscally responsible HB 83 seems uncertain.

However, we feel that this can be done in less costly - in real administrative costs and potential litigation charges - and more efficient ways than those proposed in HB 83. It is unnecessary to do this on statutory basis. State agencies are already capable of telling us when a program is unnecessary, over burdensome, overpriced and onerous. A legislator with a specific concern is able to contact the specific agency and get all the pertinent information. At a time when interagency cooperation is stressed, this would seem a viable and efficient alternative.



HB

89

REPRESENTATIVE
TERRY MARTIN
CHAIRMAN
BUDGET & AUDIT COMMITTEE
MEMBER
HOUSE FINANCE COMMITTEE

Alaska State Legislature



MAY 15 - JAN 15 258-8169
716 W. 4TH, SUITE 650
ANCHORAGE, AK 99504
JAN 15 - MAY 15 465-3783
STATE CAPITOL
JUNEAU, AK 99801-1132
HOME 333-6990
355 DONNA DRIVE, #11
ANCHORAGE, AK 99504

SPONSOR STATEMENT *HB 89*

Appropriating the unappropriated balance of the Earnings Reserve Account to the principal of the Permanent Fund.

HB89 is straightforward and very important. The Permanent Fund Earnings Reserve Account was created by statute. It is into this account which the balance of the Permanent Fund Corporation's net income is deposited upon payment of dividends and inflation proofing. The intent of the bill is to deposit the approximately \$1,146,000,000 (as of June 30, 1995) into the corpus of the Permanent Fund, escalating the total to approximately \$14,146,000,000.

We must save this revenue in the most secure account. The Permanent Fund is untouchable by the legislature, hence no special interests can infiltrate the fund and Alaskans will prosper in the future with a solid savings account yielding a return of almost 9% this year.

If the Earnings Reserve is not appropriated to the Permanent Fund Corpus by July 1st, 1995, there is a strong potential that the Court may direct it to be used as partial payback to the Constitutional Budget Reserve. From this account it can easily be spent with a simple majority of the House and Senate.

HB89 is intended to send a message to Alaska's public, that the Legislature is willing and able to save money for future generations. While there are currently annual projected budget deficits, this legislation makes the statement that we are willing to deal with the situation through budgetary reductions or other means, but certainly not by spending these earnings - simply because they are there.

Your support of this legislation will send a signal to the voters that we as a body recognize the fiscal crisis as well as the need to save for future shortfalls.



**STATEMENTS OF CHANGES IN PRINCIPAL
AND EARNINGS RESERVE**

Years Ended June 30, 1994 and 1993

	TOTAL	PRINCIPAL	PRINCIPAL HELD IN ESCROW	EARNINGS RESERVE
Balance, June 30, 1992	\$12,369,569,000	11,702,942,000	21,430,000	645,197,000
Escrow earnings	-	-	1,870,000	(1,870,000)
Appropriation to the Department of Law	(4,950,000)	-	-	(4,950,000)
Dedicated State revenues	315,304,000	315,304,000	-	-
Net income	1,226,036,000	-	-	1,226,036,000
Dividends	(531,890,000)	-	-	(531,890,000)
Inflation-proofing	-	362,451,000	-	(362,451,000)
Settlement earnings	-	4,641,000	-	(4,641,000)
Balance, June 30, 1993	\$13,374,069,000	12,385,338,000	23,300,000	965,431,000
Escrow earnings	-	-	2,225,000	(2,225,000)
Appropriation to the Department of Law	(10,613,000)	-	-	(10,613,000)
Dedicated State revenues	209,636,000	209,636,000	-	-
Net income	1,097,585,000	-	-	1,097,585,000
Dividends	(555,595,000)	-	-	(555,595,000)
Inflation-proofing	-	372,304,000	-	(372,304,000)
Settlement earnings	-	5,620,000	-	(5,620,000)
Balance, June 30, 1994	\$14,115,082,000	12,972,898,000	25,525,000	1,116,659,000

See notes to financial statements.

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB 89

Revision Date: _____ Dept. Affected: Revenue
 Title: An Act making a special appropriation to the BRU: APFC
principal of the permanent fund; and providing for an effective date. Component: APFC
 Sponsor: Representative Martin
 Requester: House State Affairs COMPONENT SERIAL NO. 109

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
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 EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
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

Estimate of any current year (FY95) cost: \$ _____

POSITIONS

POSITIONS	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: Martin R. Pihl, Acting Executive Director *Martin R. Pihl* Phone: 465-2047
 Division: Alaska Permanent Fund Corporation Date: 2/22/95
 Approved by: _____
 Commissioner: Deborah Voigt *Deborah Voigt* Date: 2/22/95
 Agency: Revenue

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB 89

Revision Date: _____ Dept. Affected: Revenue
 Title: An Act making a special appropriation to the BRU: APFC
principal of the permanent fund; and providing for an effective date. Component: APFC
 Sponsor: Representative Marin
 Requester: House State Affairs COMPONENT SERIAL NO. 109

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
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 EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (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

Estimate of any current year (FY95) cost: \$ _____

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: Martin R. Pihl, Acting Executive Director *Martin R. Pihl* Phone: 465-2047
 Division: Alaska Permanent Fund Corporation Date: 2/22/95
 Approved by: _____
 Commissioner: Deborah Voigt *Deborah Voigt* Date: 2/22/95
 Agency: Revenue

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ALASKA STATE LEGISLATURE
HOUSE BILL NO. 89

HISTORY IN THE HOUSE

1995

1/17

Read first time and referred to:

STA Jud FIN

_____ RPT CS() _____ New Title
_____ DP _____ DNP _____ NR _____ AM
_____ FN _____ OFN _____ Previous FN

_____ RPT CS() _____ New Title
_____ DP _____ DNP _____ NR _____ AM
_____ FN _____ OFN _____ Previous FN

_____ RPT CS() _____ New Title
_____ DP _____ DNP _____ NR _____ AM
_____ FN _____ OFN _____ Previous FN

Read second time
CS() Adopted

Amended

Advanced

Read third time

Return to second for specific amendment

PASSED	EFD Same ___ or
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

_____ Intent adopted

Reconsideration
Reconsideration not taken up

PASSED ON RECON.	EFD Same ___ or
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

_____ Intent adopted

Reported correctly engrossed
Signed by Speaker, to the Senate

Chief Clerk of the House

HISTORY IN THE SENATE

19

Read first time and referred to:

_____ RPT() CS _____ DP _____ NR _____ DNP _____ AM
New Title _____ Same Title _____ Previous FN
_____ FN _____ OFN _____ To _____

_____ RPT() CS _____ DP _____ NR _____ DNP _____ AM
New Title _____ Same Title _____ Previous FN
_____ FN _____ OFN _____ To _____

_____ RPT() CS _____ DP _____ NR _____ DNP _____ AM
New Title _____ Same Title _____ Previous FN
_____ FN _____ OFN _____ To _____

_____ Rules Calendar() CS _____ AM _____ Other
New Title _____ Same Title _____ Previous FN
_____ FN _____ OFN _____

Read second time

_____ CS Adopted () _____ New Title
_____ Amended _____ Advanced

Read third time

_____ Letter of Intent adopted
_____ Return to second for specific amendment

PASSED	EFD Same ___ or
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Reconsideration
Reconsideration not taken up

PASSED	EFD Same ___ or
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Reported correctly engrossed
Signed by President, to the House

Secretary of the Senate

HOUSE-SENATE HISTORY Continued

19

Received from the Senate _____

Concur in Senate amendment
 Y ___ N ___ E ___ A ___
 _____ Efd same or Y ___ N ___ E ___ A ___

Failed to concur Senate amendment, ask Senate recede
 Y ___ N ___ E ___ A ___

Senate failed to \ receded from amendment
 Y ___ N ___ E ___ A ___

CC appointed by House _____ Chair

CC appointed by Senate _____ Chair

(H) Granted Limited Powers of Free Conference

(S) Granted Limited Powers of Free Conference

19

(H) Adopted CC Rpt _____
 Y ___ N ___ E ___ A ___
 _____ Efd same or Y ___ N ___ E ___ A ___

(S) Adopted CC Rpt _____
 Y ___ N ___ E ___ A ___
 _____ Efd same or Y ___ N ___ E ___ A ___

To enrolling
 Reported enrolled and sent to Governor

_____ By Governor

Chapter Number _____

Filed with Lieutenant Governor

HB

90

ALASKA STATE LEGISLATURE

716 W. FOURTH AVE., SUITE 470
ANCHORAGE, ALASKA 99501
(907) 258-8161
FAX: (907) 258-5571

STATE CAPITOL
JUNEAU, ALASKA 99801-1102
(907) 465-3875
FAX: 907-465-2294

MINORITY WHIP
CHAIR
CHILDREN'S CAUCUS
HEALTH, EDUCATION
& SOCIAL SERVICES
STATE AFFAIRS
ECONOMIC TASK
FORCE

REPRESENTATIVE BETTYE DAVIS
DISTRICT 21

RECEIVED BY
JAN 31 1995
Rep. Jeannette James

MEMORANDUM

TO: Representative Jeannette James
Chair House State Affairs Committee

FROM: Representative Bettye Davis *BD*

DATE: January 30, 1995

RE: Request for a hearing on HB90

=====

I respectfully request a committee hearing of HB90 at your earliest convenience. Please find attached a sponsor statement, copy of the bill and fiscal note.

Thank you for your attention to this request.

ALASKA STATE LEGISLATURE

716 W. FOURTH AVE., SUITE 470
ANCHORAGE, ALASKA 99501
(907) 258-8161
FAX: (907) 258-5571

STATE CAPITOL
JUNEAU, ALASKA 99801-1182
(907) 465-3875
FAX: 907-465-2294

MINORITY WHIP
CHAIR
CHILDREN'S CAUCUS
HEALTH, EDUCATION
& SOCIAL SERVICES
STATE AFFAIRS
ECONOMIC TASK
FORCE

REPRESENTATIVE BETTYE DAVIS DISTRICT 21

SPONSOR STATEMENT

HB90: A BILL CHANGING THE DATE THE LEGISLATURE MEETS IN THE YEAR FOLLOWING A GUBERNATORIAL ELECTION

It is now nine years since the President and Congress of the United States declared Dr. Martin Luther King, Jr.'s Birthday a National Holiday.

Ironically, in Alaska, this holiday falls on the opening day of the Session in the year following a gubernatorial election. This not only means that the Alaskan Legislators are not able to pay proper homage to this great leader, but the hundreds of state workers who act as back-up staff are impacted as well.

I propose that this particular Session day be changed to the following Tuesday. This would bring Alaska into line with the other 48 states that observe this Holiday.

I would like to quote the Executive Proclamation issued by Governor Walter J. Hickel,:

"Dr. King is remembered for his tireless dedication to achieving, through peaceful means, freedom and equal rights for all people, and for making the promise of democracy truly an inalienable right for all members of society."

Surely as elected legislators it is our responsibility to set an example to the millions of people who have benefited from the dreams and promises of Dr. Martin Luther King, Jr.

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

NO. _____
BILL VERSION: HB 90
PUBLISH DATE: _____

Revision Date: _____
Title: "An Act changing the date that the legislature convenes in the years following a gubernatorial...
Sponsor: Representative B. Davis
Requestor: Representative B. Davis

Department Affected: Legislative Affairs Agency
BRU: All
Component: All

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
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	0	0	0	0	0	0
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: Karla Schofield, Deputy Director *Karla Schofield* Phone: 465-3852
Division: Administrative Services Date: 1/31/95

Approved By: Pamela A. Varni, Executive Director *Pamela Varni*
Agency: Legislative Affairs Agency Date: 1/30/95

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

ALASKA STATE LEGISLATURE
HOUSE BILL NO. 90

HISTORY IN THE HOUSE

1995

1/17

Read first time and referred to:

STP Jud.

_____ RPT CS() _____ New Title
 _____ DP _____ DNP _____ NR _____ AM
 _____ FN _____ OFN _____ Previous FN

_____ RPT CS() _____ New Title
 _____ DP _____ DNP _____ NR _____ AM
 _____ FN _____ OFN _____ Previous FN

_____ RPT CS() _____ New Title
 _____ DP _____ DNP _____ NR _____ AM
 _____ FN _____ OFN _____ Previous FN

Read second time
 CS() Adopted

Amended

Advanced

Read third time

Return to second for specific amendment

PASSED	EFD Same ___ or
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

_____ Intent adopted

Reconsideration
 Reconsideration not taken up

PASSED ON RECON.	EFD Same ___ or
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

_____ Intent adopted

Reported correctly engrossed
 Signed by Speaker, to the Senate

 Chief Clerk of the House

HISTORY IN THE SENATE

19

Read first time and referred to:

_____ RPT(____) CS _____ DP _____ NR _____ DNP _____ AM
 _____ New Title _____ Same Title _____ Previous FN
 _____ FN _____ OFN _____ To _____

_____ RPT(____) CS _____ DP _____ NR _____ DNP _____ AM
 _____ New Title _____ Same Title _____ Previous FN
 _____ FN _____ OFN _____ To _____

_____ RPT(____) CS _____ DP _____ NR _____ DNP _____ AM
 _____ New Title _____ Same Title _____ Previous FN
 _____ FN _____ OFN _____ To _____

_____ Rules Calendar(____) CS _____ AM _____ Other
 _____ New Title _____ Same Title _____ Previous FN
 _____ FN _____ OFN _____

Read second time

_____ CS Adopted (____) _____ New Title
 _____ Amended _____ Advanced

Read third time

_____ Letter of Intent adopted
 _____ Return to second for specific amendment

PASSED	EFD Same ___ or
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Reconsideration
 Reconsideration not taken up

PASSED	EFD Same ___ or
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Reported correctly engrossed
 Signed by President, to the House

 Secretary of the Senate

HOUSE-SENATE HISTORY Continued

19

Received from the Senate _____

Concur in Senate amendment
 Y ___ N ___ E ___ A ___
 ___ Efd same or Y ___ N ___ E ___ A ___

Failed to concur Senate amendment, ask Senate recede
 Y ___ N ___ E ___ A ___

Senate failed to \ receded from amendment
 Y ___ N ___ E ___ A ___

CC appointed by House _____ Chair

CC appointed by Senate _____ Chair

(H) Granted Limited Powers of Free Conference

(S) Granted Limited Powers of Free Conference

19

(H) Adopted CC Rpt _____
 Y ___ N ___ E ___ A ___
 ___ Efd same or Y ___ N ___ E ___ A ___

(S) Adopted CC Rpt _____
 Y ___ N ___ E ___ A ___
 ___ Efd same or Y ___ N ___ E ___ A ___

To enrolling
 Reported enrolled and sent to Governor

_____ By Governor

Chapter Number _____

Filed with Lieutenant Governor

HB

91

HOUSE COMMITTEE REPORT

Resources
Finance

Date of Committee Action: April 12, 1995

The STATE AFFAIRS Committee considered:

HB 91

HOUSE BILL NO. 91

MARINE PARKS ADDITIONS/CHANGES

"An Act amending the area within designated marine park units of the Alaska state park system, and adding marine park units to the Alaska state park system."

recommends it be replaced with the following committee substitute _____ the same title a new title

additional referral to _____ Committee

attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): _____ (Dept)

APPROVES PREVIOUS: _____ (Dept/Date)

fiscal note(s) _____

fiscal note(s) _____

zero fiscal note(s) _____

zero fiscal note(s) DIR

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Jeannette James</i>	✓			
<i>Frank [unclear]</i>	✓		✓	
<i>[unclear]</i>			✓	
<i>Ed Willis</i>	✓			
<i>[unclear]</i>			✓	
<i>Caren Robinson</i>	✓			

CHAIR'S SIGNATURE *Jeannette James*

FISCAL NOTE

STATE OF ALASKA

BILL NO. HB91

1995 LEGISLATIVE SESSION

Revision Date: Original Dept Affected: Natural Resources
 Title: An Act amending the area within designated BRU: Parks & Recreation Management
marine park units of the Alaska state park system, and adding marine... Component: Parks Management
 Sponsor: Representative Robinson and Elton
 Requestor: _____ Component Serial No. 452

Expenditures/Revenues		(Thousands of Dollars)				
OPERATING EXPENDITURES	FY96	FY97	FY98	FY99	FY00	FY01
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 EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE		(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

Estimate of any current year (FY95) cost: \$ None

POSITIONS		FY96	FY97	FY98	FY99	FY00	FY01
FULL-TIME		0	0	0	0	0	0
PART-TIME		0	0	0	0	0	0
TEMPORARY		0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

Existing recreation use leaves trash and starts duff fires from poor fire site choice. Parks staff can assist in minor signing of boat launches and heavy use areas to encourage park visitors to take out trash and use good fire pits. Signage and occasional patrols can be done with no additional funding. Fire fighting is done by the U.S. Forest Service under statewide agreement. Volunteer groups have indicated their willingness to assist in trash clean-up.

Prepared by: Neil Johannsen, Director Phone: 762-2600
 Division: Parks & Outdoor Recreation Date: 6-Feb-95
 Approved by Commissioner: Neil Johannsen for M. Rutter, Gov. Act. Comm. Date: 2/6/95
 Agency: Natural Resources

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Alaska State Legislature

HOUSE OF REPRESENTATIVES



REPRESENTATIVE CAREN ROBINSON

SPONSOR STATEMENT

HB 91

House Bill 91 designates 13 islands in the Juneau area as a State Marine Park. The islands included in this parcel are located in Lynn Canal. The lands are currently held in public domain; none are under private ownership. These lands have been determined as unsuitable for real estate or resource development.

In 1977 the islands were nominated for selection by the City and Borough of Juneau for recreation purposes. In 1989 the State selected the Channel Islands from the federal government under the Alaska Statehood Act. Designation of these lands requires legislative action. Both the City and the State have identified protection of the islands as a priority in the Juneau Coastal Management Plan and the Juneau State Land Plan. A previous bill, introduced during the last legislative session, passed the House only to die in the Senate Rules Committee.

Establishing the lands as a state park would preserve the quality of existing and future recreational use. All existing lawful uses, including fishing, trapping and hunting are preserved under statute. The boundaries of the park would be at the 20-fathom line around each island. It is essential to institute a management system to preserve the existing recreational use and to accommodate future needs. Only State Park management can consolidate water, intertidal and upland uses into a single entity with adequate enforcement authority to protect as well as provide for safe use of these resources.

Creation of the Juneau Channel Islands State Marine Park is urgently needed and would be an outstanding addition to Alaska State Parks by providing an island complex unique to the State Park System.

Thank you for your consideration. I urge your support of House Bill 91.



Alaska State Legislature

HOUSE OF REPRESENTATIVES



REPRESENTATIVE CAREN ROBINSON

MEMORANDUM

TO: Representative Jeannette James
Chair, House State Affairs Committee

FROM: Representative Caren Robinson

Date: March 31, 1995

RE: Request for a hearing on HB 91

=====
I respectfully request a committee hearing of House Bill 91 at your earliest convenience. Please find attached a sponsor statement, copy of the bill, zero fiscal note and other supporting documents.

Thank you for your accommodation.



Presented by: Mayor & Assembly
Introduced: 03/06/95
Drafted by: J.R.C.

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 1752

A RESOLUTION SUPPORTING CREATION OF THE JUNEAU CHANNEL ISLANDS STATE MARINE PARK.

WHEREAS, it has been proposed that the State of Alaska establish the Juneau Channel Islands Marine Park composed of thirteen islands located in a 640-acre area in Favorite Channel and Auke Bay, and

WHEREAS, the thirteen islands in the proposed park include: Aaron, Battleship, Benjamin, Bird, Cohen, Coghlan, Gull, Lincoln, Indian, North, Portland, Ralston, and Suedla, and

WHEREAS, the park would be an outstanding recreational asset, offering breathtaking views of the Chilkat Mountains and the Juneau ice field, supporting many species of birds, sea mammals, fish, and deer, and providing safe and ready access for established groups of canoers, kayakers, boaters and other users, and

WHEREAS, designation of the area as a Special Purpose Site and withdrawal of the land to the management system of the State Division of Parks and Outdoor Recreation would be the most effective process for preserving existing recreational uses and accommodating future needs, and

WHEREAS, action by the Alaska Legislature is necessary to accomplish the withdrawal, and there is currently pending in the Legislature, HB 91 and SB 34 which propose to accomplish creation of the Juneau Channel Islands Marine Park and an addition to the existing Shelter Island State Marine Park, and


WHEREAS, the CBJ Parks and Recreation Advisory Board at its meeting of January 17, 1995, and the Assembly Lands Committee at its meeting of February 22, 1995, recommended that this resolution be adopted supporting establishment of the Juneau Channel Islands Marine Park;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

- 1. That the Assembly of the City and Borough of Juneau supports legislation that will create the Juneau Channel Islands State Marine Park.**
- 2. The Clerk shall distribute copies of this resolution to the Alaska Legislative Delegation.**

3. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this 6th day of March, 1995.



Mayor

Attest:



Clerk

**JUNEAU CHANNEL ISLANDS
A STATE MARINE PARK PROPOSAL**



**Presented by
The Juneau Area State Parks Advisory Board
1994**

Introduction

Alaska has the opportunity to establish one of the most wonderful and exciting parks anywhere in the world right here in our capital city. Thirteen islands in Favorite Channel and Auke Bay near Juneau are proposed as the Juneau Channel Islands State Marine Park. This proposal also includes an addition to the existing Shelter Island State Marine Park (SMP). The marine park boundaries would be at the 20 fathom depth around each island, easily determined by most pleasure and all commercial boats.

Four of these islands are within the sheltered waters of Auke Bay and can be reached by canoe, kayak or rowboat in nearly any weather. Each has a long history of use by local youths and families for camping and picnicking. The other nine islands are further off shore and more exposed to storms. Recreation has always been their predominant use, and because of this use they were selected from and approved by the federal government for state ownership.

All but two islands have one or more sand or gravel beaches suitable for landing small boats. There is evidence of camping and picnicking at all of these beaches. All the islands have scenic headlands affording breathtaking views of neighboring islands against a spectacular backdrop of mountains and glaciers. A broad expanse of the Chilkat Mountains flank the area to the west, and the world famous Mendenhall Glacier, and the glaciers and peaks of the Juneau Icefield are visible to the east. Five of the islands are large enough to provide some hiking, and the rest are small enough to scramble all over in an hour or less. There are hills to 1,000 feet on the larger islands.

The islands, except one, are covered by typical rain forest vegetation including Sitka Spruce and Western Hemlock with a profusion of berry bushes and other undergrowth. Some of the islands show evidence of selective tree cutting. There are trails near the accessible beaches, and a few human artifacts, but the islands are essentially pristine and undeveloped.

Sea mammals are much in evidence in these waters. Seals to a hundred or more haul out on several of the beaches and there is a regularly used sea lion haulout at Benjamin Island. Humpback whales are often visible, especially in summer. The entire area is within Juneau's most popular sport salmon fishing waters, and boats are always nearby in summer. There is a resident deer population on three islands that provide some hunting.

Many species of birds nest on these islands including pigeon guillemots and black oyster catchers which do not nest on the nearby mainland. There are more than 80 bald eagle nests, and eagles are common year-round residents.

Need for Legislation:

Only the legislature can withdraw over 640 acres from the public domain and designate them as Special Purpose Sites (a state park) under the state's constitution. The island beaches of the proposed park are already heavily used for camping and picnicking and have nearly reached their capacity for self-regulated recreation. Litter is not yet a major problem but human waste is evident in the woods near popular campsites. Fires are often built on forest duff, killing some large spruce and causing peat fires which smolder for weeks. Juneau is rapidly becoming a major ecotourism destination, and commercial guides are likely to soon be competing with local residents for the limited beaches and campsites. It is essential to institute a management system of the type provided by the State Division of Parks and Outdoor Recreation to preserve the quality of existing recreational use and accommodate future needs. Only state park management can meet the need of combining water, intertidal and upland uses into one entity with adequate enforcement authority to protect the resources while providing for safe use. The need to protect these islands for recreational use is recognized by both the city and state plans: The Juneau Coastal Management Plan and the Juneau State Land Plan.



Objectives:

Creation of Juneau Channel Islands State Marine Park would be an outstanding addition to Alaska State Parks, providing an island complex not represented by other units of the Park system. The new park would fully satisfy statutory requirements for state marine parks including:

- 1) Maintaining natural, cultural, and scenic values;
- 2) Maintaining fish and wildlife resources and lawful existing uses of these resources;
- 3) Promoting and supporting recreation and tourism in the state.

Long Term Management:

A long term management plan for the islands as a park unit should be developed. As competition for use of these resources increases, it may become necessary to determine how the public would like these islands to be managed. Designations for day use vs. overnight camping, single campsites vs. group campsites, public vs. commercial use and capacity of the various islands to sustain different use levels may eventually need to be addressed. As use continues to increase improvements will be needed. Fire places, toilets, tables and gravel tent sites can enhance public use and can be sited to spread users thus accommodating more parties. A system of trails on the larger islands would enhance use and could also serve to spread people out. There is a potential for recreation cabins, especially on the larger islands where deer hunters as well as summer users would enjoy them. There may be a potential for some mooring floats at some of the islands. A small inter-island ferry, serving day users and campers, operated by a concessionaire, may some day be feasible.

The Division of Parks and Outdoor Recreation should develop a long term management plan. As improvements are added, normal state park user fees can be collected.

Land Ownership:

As part of the Statehood Act, the Federal Government allowed the State of Alaska to select 400,000 acres from National Forest lands as a land base. The acreages were to be selected from unencumbered federal lands and used for community expansion and/or community recreation purposes. All lands within this Marine Park proposal were selected by the State of Alaska as part of that land selection process.

As early as 1977 many of these islands were nominated for selection by the City and Borough of Juneau for recreation purposes. By June of 1989 this board, the Taku Conservation Society, the City and Borough of Juneau, and Alaska State Parks all nominated these islands for inclusion in a state marine park.

All surrounding marine water, tidelands and submerged lands are already owned by the State of Alaska. If not designated as a marine park, these recreational lands would be managed by the Division of Land. Division of Land selection documents indicate that the intent of the selection of many of these parcels was based on recognition of their current use and suitability for public recreation. Tentative Approval and Patents have been issued to the state on some already, and the Bureau of Land Management is expected to finish Tentative Approval (full management) within the next few months.

There are only two small parcels of private lands within the existing Shelter Island State Marine Park. This proposal does not include any private lands.

Juneau International Airport, through the Federal Aviation Administration, has existing rights and facilities on Coghlan Island. Any future need for facilities to provide safer landing would be of great benefit for the health and safety of all travellers, including tourists to the park.

Island Characteristics - Individual Island Descriptions

Aaron Island (0.4 mi. long)

Orth reports that the island was named in 1880 by Capt. L.A. Beardslee, USN, for "a relative of C.J. Vanderbilt, a local miner." DeArmond, however, indicates that there is no record of a local miner by the name of Aaron. Beardslee was friends with J.M. Vanderbilt for whom he named Vanderbilt Reef, but that family disclaims knowledge of any Aaron. DeArmond, instead suggests that the island was named for Aaron Cohen, a resident of Sitka and then Juneau, who owned and operated a brewery in both towns. DeArmond also believes that Cohen Island and reef were also named after Aaron Cohen.

The island consists mainly of cliffs and headlands. There is a small landing beach on the south end. There is also a small rocky islet at the NE end with a small beach. Dominant vegetation on Aaron Island is rain forest and the small rocky islet is covered with herbaceous vegetation (plants and flowers). Two Bald eagle nests are located on the island. There is a navigation light and a navigation reflector found on the island. Two picnic sites and one camp site are also located on the island.

Battleship Island (0.1 mi across)

Apparently a local descriptive name first reported by DeArmond in 1957. The island is mostly a vegetated rock with steep sides and a fairly flat top. There is one poor landing beach where rocks have been cleared to aid in landing. Large trees are found on the top. Several camp sites and numerous trails and a lot of litter are present. Island appears to be used a lot by kids as well as adults. Island is readily accessible via sheltered waters. FAA plans to install aircraft navigation lights and electronics in 1995. Large numbers of crows roost on island at night.

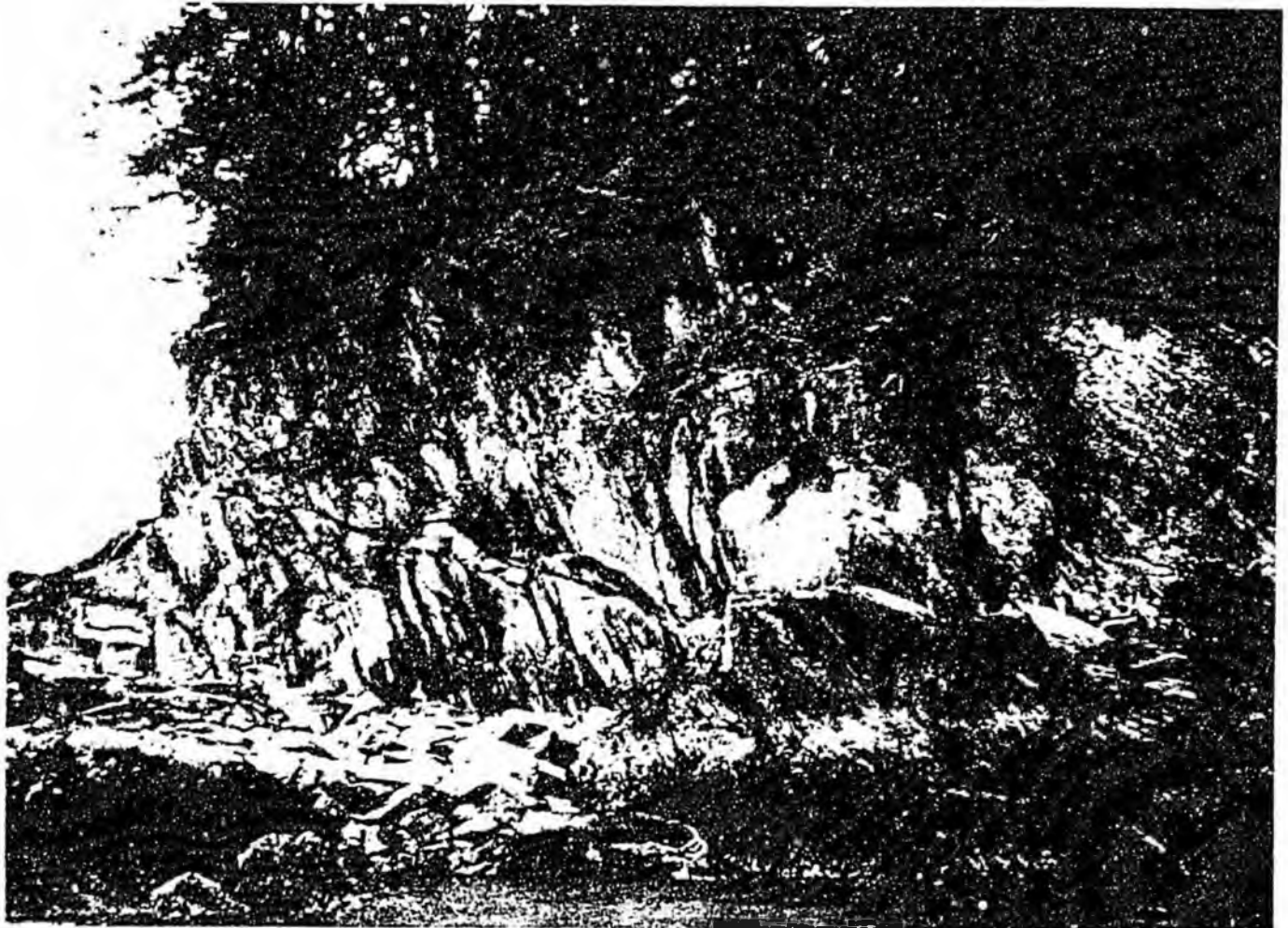
Benjamin Island (1.5 mi. long)

Named by Capt. L.A. Beardslee, USN in 1880 when he visited the area. There are three excellent gravel beaches on the south end of the island. Each has one or more heavily used camp sites. There also is a good access beach with a campsite on the northeast side of the island. Primary vegetation is typical rain forest. An important sea lion haulout is located on the west side of the island.

Bird Island
(0.1 mi. across)

Named in 1880 by Capt. L.A. Beardslee and later published on USC&GS chart 728 in 1883. In February 1914, the schooner *W.H. Dimond* went aground on the island and was a total loss.

The island is mainly a rock about 60 feet high with stunted trees on the top. Steep cliffs on the south and west sides. East side of island is less steep and access is difficult but possible. Two Bald eagle nests are on the island. Ten to fifteen pigeon guillemot nests were observed on the cliffs in June and July. No evidence of human use on the island.



Cohen Island
(0.3 mile across)

Named by the USC&GS and published on chart 8300 in 1893. (See discussion under Aaron Island). Cliffs and headlands all around the island. No good landing sites. Rain forest vegetation and two Bald eagle nests present.

Coghlan Island
(1 mi. long)

Named by the USC&GS in 1885 in honor of Joseph Bullock Coghlan, USN, who commanded the *U.S.S. Adams* in a survey of the area in 1883-1884. In later years Coghlan commanded the *U.S.S. Raleigh* during the Philippines campaign of the Spanish American War, and served as commandant of the Puget Sound and New York Naval Shipyards. He rose to the rank of rear admiral and retired in 1906. He died in 1908.

An FAA navigation beacon is located on the northern point of the island. A small building with a tramway is also present on the island and is currently being used by the FAA. There are cliffs on the SW side and beaches on the NW and E sides. Beaches provide good access. The island is forested with a berry understory. There is evidence of fire damage. Pigeon guillemots nest on the NW side. Evidence of camping and picnicking. The island is accessible by sheltered waters and is reachable by small boats and kayaks in all seasons. Has significant deer population most years. Good littleneck and butter clam digging on north end.

Gull Island
(0.4 mi. across)

Named in 1880 by Capt. L.A. Beardslee, USN, because "it was covered by sea gulls." Name published by USC&GS in the 1883 Coast Pilot. There is an excellent sandy beach on the south end with a heavily used campsite.

Lincoln Island
(4.7 miles long)

Named in 1868 by Cmdr. R.W. Meade, USN, of the *U.S.S. Saginaw*, presumably for Abraham Lincoln, 16th. President of the U.S. Name published by the USC&GS in the 1883 Coast Pilot.

There are gravel and cobble beaches on the east side with low (30 ft.) headlands. A sandy beach with camp site is located on the southern end. The west side has cobly rocky beaches. It is exposed to winds and waves of Lynn Canal. The island consists of low, well forested hills, with open headlands on the east side and low herbaceous growth. According to USFWS records there are 17 Bald eagle nests on the island. Deer are also present. There are 5 or 6 good landing sites on the east side and south end, and all have evidence of camping and picnicking use.

Indian Island
(0.1 mi. across)

Local name published in 1962 by the USGS. There are two good landing beaches. The island is within 200 yards of the mainland and is accessible in all weather conditions. There are two shipwrecks, one is a wood fish scow abandoned in 1970 on the east shore.

In late 1950's and early 1960's it was a summer campsite of older natives. During that time they gathered herring roe on hemlock branches. At the same time there was a large herring pound between Indian Point and Indian Island for three months during the spring to harvest halibut bait and live sport fish bait. There are remnants of a Tlingit canoe way on the east beach. Large trees are on the island, one containing a Bald eagle nest. There is one much used campsite with quite a bit of litter.



North Island
(0.4 mi. long)

Named in 1880 by either Capt. L.A. Beardslee, USN, or by Cmdr. R.W. Meade, USN, in 1869. Name was published in the 1883 Coast Pilot by the USC&GS. A popular anchorage for commercial gillnetters fishing Mab Island and Berners Bay. Exposed to northerly winds and seas. There is an excellent beach on the South end that is a whale viewing area.

Portland Island
(1.1 mile long)

Named in 1880 by Capt. L.A. Beardslee, USN. Published in the 1883 Coast Pilot. An extensive reef with some vegetated hummocks is located on the northern end of the island. There is a campground with picnic tables located on the western side of the island. There is a very nice sand beach on the southwest corner, a beach on the east side, and a gravel beach near the northern reef. There are five bald eagle nests on the island and black oystercatchers nest on the reef. Other birds use the north reef for nesting and roosting.

Old stumps indicate some selective logging years ago. There is a poor trail across the southern end of the island. The FS picnic site consists of three tables with cement fireplaces, and an outhouse. All need maintenance.

Ralston Island
(1 mi. long)

Named for W.C. Ralston by Cmdr. R.W. Meade, USN, in 1868. Published in the 1883 Coast Pilot. A World War II CAA (now FAA) radio range station used to be located on the northern shore of the island. Remnants of the facility are still visible. Antenna and house on the north end, and dock pilings on south end with heavily overgrown road connecting them.

Landing beaches on south and east sides. Headlands on east side. Also extensive reefs on east side. Island is connected to Lincoln Island at low tides. Ralston Island is forested with some open meadows. There are two Bald eagle nests on the island. Camping and picnic sites located on the south end.

Shelter Island
(9 mi. long)

The island was named in 1869 by Cmdr. R.W. Meade, USN, and published in the 1883 Coast Pilot. There is already a designated marine park on Shelter Island adjacent to Shelter Cove. This addition would include the center portion with Shelter Lake. There is an old Forest Service cabin (not maintained) in the center parcel. Large sandy beach at Hand Trollers Cove. Also reported remnants of cabins at cove. The island is heavily timbered with spruce and hemlock and scattered groves of Alaska yellow cedar. Deer are common on the island and heavily hunted. Southern end of the island was homesteaded and the homestead was later subdivided and sold. Numerous private cabins are now located on the southern end of island, several miles from the proposed marine park addition.

Suedla Island
(0.3 mi. across)

Local name apparently formed by combining the initial letters of several names or words. Its origin is unknown. Also known as "Merlin's Island" by local residents. The main island has three small gravel beaches on the east side, but other sides are cliffs. There is a very good sand beach on the connected islet on the east side. The island is close to shore and has very protected waters. Main vegetation is large trees with typical undergrowth. Two Bald eagle nests are located on the island. Heavy picnicking and camping use are noted on the east islet. There are ruins of cabin and fox pens in the center of the island.

NOTE: Much of the general site and wildlife information was obtained from Advisory Board member visits to the various islands.

References

- DeArmond, R.N. 1989. Names on the Chart and how they got there. Commercial Art, Juneau, AK. 72 pp.
- Eppenbach, Sara, ed. 1979. The Centennial gazetteer: a guide to Juneau, Alaska place names. Gastineau Channel Centennial Association, Juneau, AK. 74 pp.
- Gibbs, Jim. 1971. Disaster Log of Ships. Bonanza Books, New York, NY. 176 pp.
- Orth, Donald J. 1967, reprinted 1971. Dictionary of Alaska Place Names. Geological Survey Professional Paper 567. U.S. Govt. Print. Office, Wash. DC. 1084 pp.
- United States Coast Guard, 1990 rev. Lighthouses and other aids to navigation in Alaska history. Seventeenth Coast Guard District, Juneau, AK. 87 pp.

Abbreviations Used

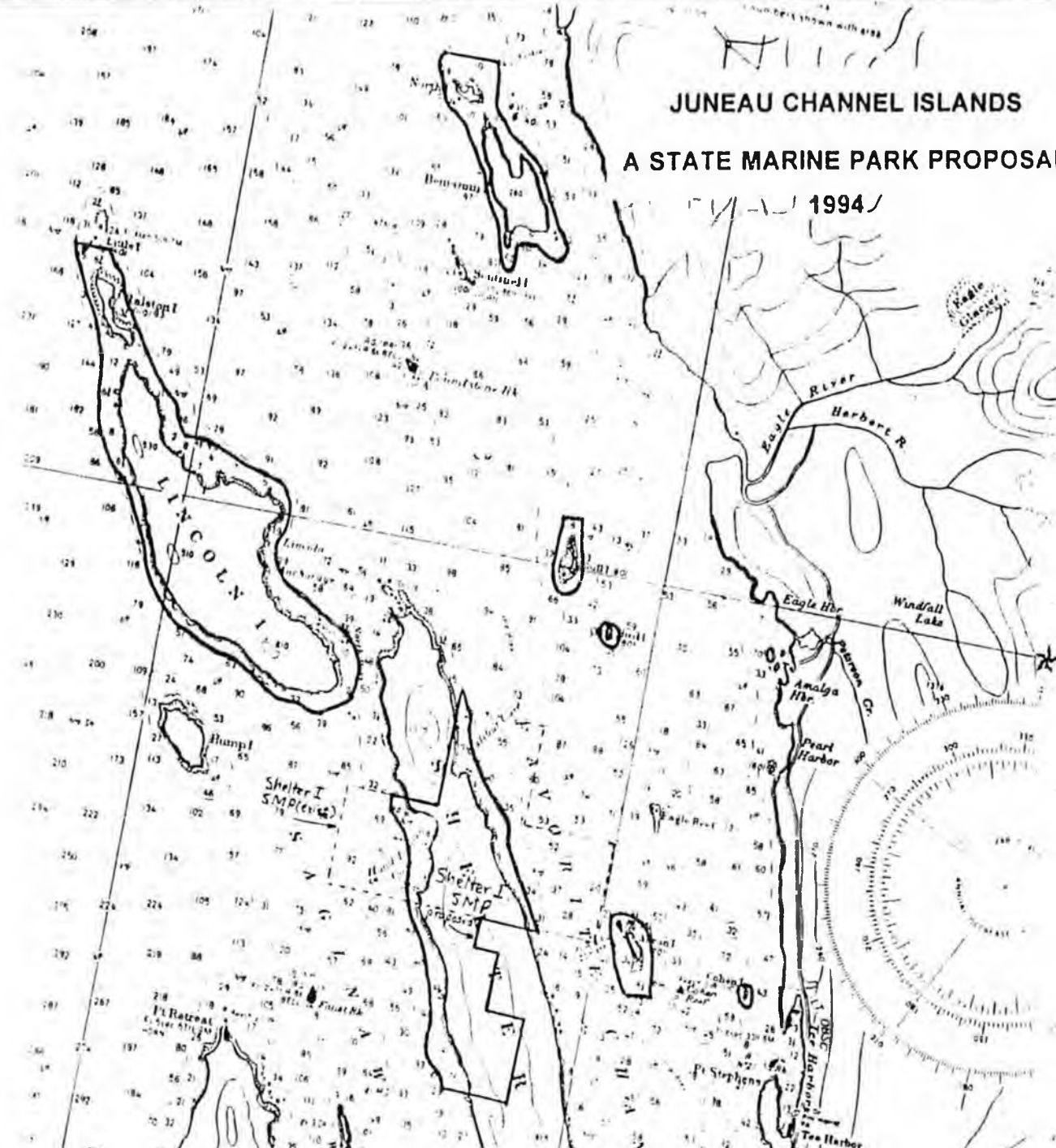
- CAA -- Civil Aeronautics Administration
Capt. -- Captain
Cmdr. -- Commander
FAA -- Federal Aviation Administration
FS-- Forest Service
Lt. -- Lieutenant
USC&GS -- United States Coast and Geodetic Survey
USFWS -- United State Fish and Wildlife Service
USGS-- United States Geological Survey
USN -- United States Navy

N 11001

JUNEAU CHANNEL ISLANDS

A STATE MARINE PARK PROPOSAL

1994/



List of Islands and Acreages:

Island Name	Land	Water**	Total
1. Suedla	25	120	145
2. Battleship	5	80	85
3. Indian	5	60	65
4. Coghlan*	180	200	380
5. Portland*	90	400	490
6. Cohen	5	20	25
7. Aaron	20	80	100
8. Bird	5	20	25
9. Gull	25	100	125
10. Benjamin	352	300	652
11. North	20	80	100
12. Ralston	80	160	240
13. Lincoln	2555	800	3355
TOTAL	3367	2420	5787
Shelter Island SMP (exist)*	851	2342	3193
Shelter Island SMP (proposed)*	1751	1200	2951

*Lands are either tentatively approved (T.A.) or Patented
 Other lands are approved selections and shown to be T.A.



ALASKA OUTDOOR COUNCIL, INC.

P. O. BOX 22394
JUNEAU, AK. 99802
(907) 463-3830

Mar. 29, 1995

Representative Gary Davis, Chair
House Transportation Committee
State Capitol
Juneau, Ak. 99801

Dear Representative Davis:

The Alaska Outdoor Council took a position several years ago in support of HB 91, which would amend the State Marine Parks system by adding the Channel Islands. We are still in basic support of this concept as long as the original statute's provisions for maintaining hunting, trapping and fishing opportunities remain intact.

The Alaska Outdoor Council traditionally supported many classifications of state lands when a demonstrated public objective would ensue. We have always supported broad use of public lands and will continue to do so.

We encourage the House Transportation Committee and the Legislature to pass HB 91. Thank you for this opportunity to present our views on this subject.

Sincerely,

Eddie Grasser
Legislative Affairs

cc: Rep. Caren Robinson
Rep. Beverly Masek
Rep. Bill Williams
Rep. Jeannette James
Rep. Jerry Sanders
Rep. Tom Brice
Rep. Eileen MacLean

PHIL R. HOLDSWORTH, P.E.
CONSULTING ENGINEER & LEGISLATIVE COUNSEL
MINING — GEOLOGY — LANDS

PHONE 907-586-1383

326 FOURTH STREET, No. 1009
JUNEAU, ALASKA 99801

April 10, 1991

Representative Fran Ulmer
Room 421, Capitol
P.O. Box V
Juneau, Alaska 99811

Dear Representative Fran Ulmer:

As you may recall, the undersigned testified in support of SB 114 before the Senate Resources Committee and explained in some detail the historical creation of the extensive State marine parks system which has been created. The State of Alaska had been authorized to select limited tracts of land within the National Forest for "community expansion" and "community recreation areas".

I was present when HB 131 was heard by the House Resources Committee but had not planned to testify, as DNR covered the issue and presented the map describing the islands involved. I was asked to confirm some positions which were questioned by the committee.

The marine park units covered by this bill are clearly "community" recreation areas, and are ideal for recreational use by the community of Juneau. The area described in the bill covers several small channel islands and a portion of Shelter Island. The land is still in Forest Service ownership but has been selected by the State, and will be approved for conveyance as the land certainly meets the qualification as "community recreation". [There are no known mineral potentials on the involved islands and the Alaska Miners Association has expressed no opposition to the bill.] *

Sincerely,



Phil R. Holdsworth

Sec. 41.21.300. Declaration of purpose. (a) The purpose of AS 41.21.300 — 41.21.306 is to establish, subject to valid existing rights, the state-owned or acquired land and water described in AS 41.21.304 as marine park units of the Alaska state park system. The primary purposes in establishing the land and water areas described in AS 41.21.304 as marine park units of the Alaska state park system are to

- (1) maintain natural, cultural, and scenic values;
- (2) maintain fish and wildlife resources and lawful existing uses of these resources;
- (3) promote and support recreation and tourism in the state.

(b) The land and water described in AS 41.21.304 is dedicated as special purpose sites under art. VIII, § 7 of the state constitution. (§ 1 ch 64 SLA 1983)

Revisor's notes. — Enacted as AS 41.20.530. Renumbered in 1983.

Sec. 41.21.302. Management of marine parks. (a) The state land and water described in AS 41.21.304 is assigned to the department for control, maintenance, and development consistent with the purposes and provisions of AS 41.21.300 — 41.21.306.

(b) The Department of Fish and Game is responsible for the management of fish and game resources on the state land and water described in AS 41.21.304 consistent with the purposes of AS 41.21.300 — 41.21.306. The Department of Fish and Game shall give written notice to and consult with the department before adoption of regulations governing fish and game management in a marine park unit of the Alaska state park system.

(c) The department shall develop a management plan for each marine park unit of the Alaska state park system to determine the specific purposes and uses for the unit. The commissioner shall give written notice and consult with the Department of Fish and Game, proximately located municipalities of the state, proximately located private landowners, the United States Forest Service, organizations concerned with conservation, recreation, and tourism, and other interested parties during the preparation of a management plan for a marine park unit of the Alaska state park system. A management plan required under this subsection shall be completed by June 14, 1995, for each marine park unit established before June 14, 1990, and within five years of the establishment of the unit for units established after June 13, 1990.

(d) The commissioner may not restrict the exercise of fishing, hunting, or trapping rights permitted under law or under a regulation of the Board of Fisheries or the Board of Game within a marine park unit of the Alaska state park system. * *

Legislation should not restrict hunting, trapping or fishing

(e) The commissioner shall allow the development of aquaculture facilities within a marine park unit of the Alaska state park system under terms and conditions that ensure that the development is compatible with AS 41.21.300 — 41.21.306.

(f) The commissioner may enter into a cooperative agreement for (1) the management of a marine park unit of the Alaska state park system with a federal agency, a municipality of the state, or a proximately located private landowner for a purpose stated under AS 41.21.020(7); or

(2) the management of proximately located federal, municipal, or private land as part of a marine park unit of the Alaska state park system.

(g) In the management of a marine park unit of the Alaska state park system the commissioner shall consult and cooperate with a Native corporation that owns an historical or cultural site granted under 43 U.S.C. 1613(h)(1) (sec. 14(h)(1) of the Alaska Native Claims Settlement Act) and that is proximately located to a marine park unit of the Alaska state park system. In the management of a marine park unit of the Alaska state park system the commissioner shall address the potential conflicts with the cultural and historical values of land granted to a Native corporation under 43 U.S.C. 1613(h)(1) (sec. 14(h)(1) of the Alaska Native Claims Settlement Act) and shall provide for appropriate protection to these values.

(h) Nothing in AS 41.21.300 — 41.21.306 precludes the use of or access to land proximately located to a marine park unit of the Alaska state park system or to mineral claims and leases. The commissioner shall permit adequate and feasible access across state land within a marine park unit of the Alaska state park system to and from private and public land within or outside a unit. In the granting of such access the commissioner may adopt reasonable regulations to protect the natural and other values of the marine park unit land and water.

(i) The commissioner may enter into a concession contract under AS 41.21.027 and AS 36 to provide services or construct facilities in a marine park unit of the Alaska state park system. (§ 1 ch 64 SLA 1983; am § 1 ch 67 SLA 1986; am §§ 1, 2 ch 14 SLA 1990; am § 13 ch 168 SLA 1990)

Revisor's notes. — Enacted as AS 41.20.532. Renumbered in 1983.

Effect of amendments. — The first 1990 amendment added "within five years" at the end of the first sentence of subsection (c) and added subsection (i).

The second 1990 amendment, effective June 14, 1990, in subsection (c), deleted "within five years" at the end of the first sentence and added the third sentence.

Alaska State Legislature

REPRESENTATIVE
JEANNETTE JAMES

P O Box 56622
North Pole, Alaska 99705
(907) 488-0862

House District 34



While in Juneau
State Capitol
Juneau, Alaska
99801-1182
(907) 465-3749

House Of Representatives

April 10, 1995

MIKE SIGLER of Juneau called my office on April 10, 1995, and asked me to convey to the State Affairs Committee that he and his children fully support House Bill 91, The Channel Islands State Marine Park.

A handwritten signature in black ink, appearing to be "J. James", written in a cursive style.

9155 Skywood Lane
Juneau, AK 99801
(907)789-0212

RECEIVED BY

APR 06 1995

Rep. Jeannette James

House State Affairs Committee
Alaska State Legislature

RE: House Bill 91, Juneau Channel Islands State Marine Park

Dear House State Affairs Committee Member:

House Bill 91 creating the Juneau Channel Islands Marine Park is scheduled before your committee this Tuesday, April 11. Please support passage of this legislation.

My family and I have enjoyed camping and picnicking on various islands of the proposed marine park for nearly twenty years. Whenever we go fishing we always go ashore for a picnic lunch. One of our favorite spots is on southeastern Benjamin Island which we call "Hotdog Beach" in honor of the many hotdogs we have roasted and eaten there.

While the islands were under Forest Service administration there was no danger of them going into private ownership and thus eliminating the recreational opportunities. However, now that the State has gained ownership such an eventuality is entirely possible. I grew up in western Washington and know the feeling of being chased off beaches and islands in Puget Sound by owners, when I was merely trying to have a picnic. A closer example is Sitka Sound where many of the nearby islands are privately owned thus restricting public recreational use of them. Creation of the Juneau Channel Islands Marine Park will prevent that from happening here. Please support passage of the bill and make certain the unique opportunity for public recreation that the islands currently provide will be maintained.

Thanks for listening.

Sincerely,



Richard Reed

**Identical letter sent to: Chair Jeannette James
Rep. Scott Green
Rep. Joe Green
Rep. Brian Porter
Rep. Ivan Ivan
Rep. Ed Willis
Rep. Caren Robinson**

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF PARKS & OUTDOOR RECREATION

400 WILLOUGHBY, 3RD FLOOR
 JUNEAU, ALASKA 99801-1381
 PHONE: (907) 465-4563

INFORMATION ON SOUTHEAST AREA

MARINE PARKS & TOURISM DEVELOPMENT

The Alaska State Legislature has created 33 marine parks since 1983 for the purpose of:

- (1) Maintaining natural, cultural, and scenic values;
- (2) Maintaining fish and wildlife resources and lawful existing uses of these resources; and
- (3) Promoting and supporting recreation and tourism in the state.

In Southeast Alaska there are now 16 marine park units ranging in size from over 8,000 acres to less than 100 acres located as follows:

<u>Marine Park Unit</u>	<u>Location</u>
Oliver Inlet	16 miles south of Juneau (cabin)
Chilkat Islands	10 miles south of Haines (undev)
Sullivan Island	20 miles south of Haines (undev)
Shelter Island	25 miles north of Juneau (picnic)
Saint James Bay	40 miles north of Juneau (trails)
Taku Harbor	25 miles south of Juneau (dock)
Funter Bay	30 miles west of Juneau (dock)
Joe Mace Island	50 miles west of Wrangell (undev)
Thoms Place	30 miles south of Wrangell (undev)
Beecher Pass	15 miles south of Petersburg (undev)
Dall Bay	12 miles south of Ketchikan (undev)
Security Bay	on Chatham Strait
Magoun Islands	10 miles NW of Sitka (undev)
Big Bear/Baby Bear Bays	30 miles north of Sitka (undev)
Grindall Island*	20 miles NW of Ketchikan (cabin)
Black Sands Beach*	4 miles SW of Ketchikan (undev)

*Established by executive action.

Two publications are available to assist you in planning for private boat travel through the Inside Passage:

Southeast Alaska Harbor and Boating Facilities Directory, 1991. From
Alaska Department of Transportation/Public Facilities
6860 Glacier Highway
Juneau, AK 99801-7999
907-789-0209
(send \$3.25 for surface delivery, payable to State of Alaska)

Marine Atlas, Volume 2, Port Hardy to Skaqway, from commercial bookstores.
(\$41.95)

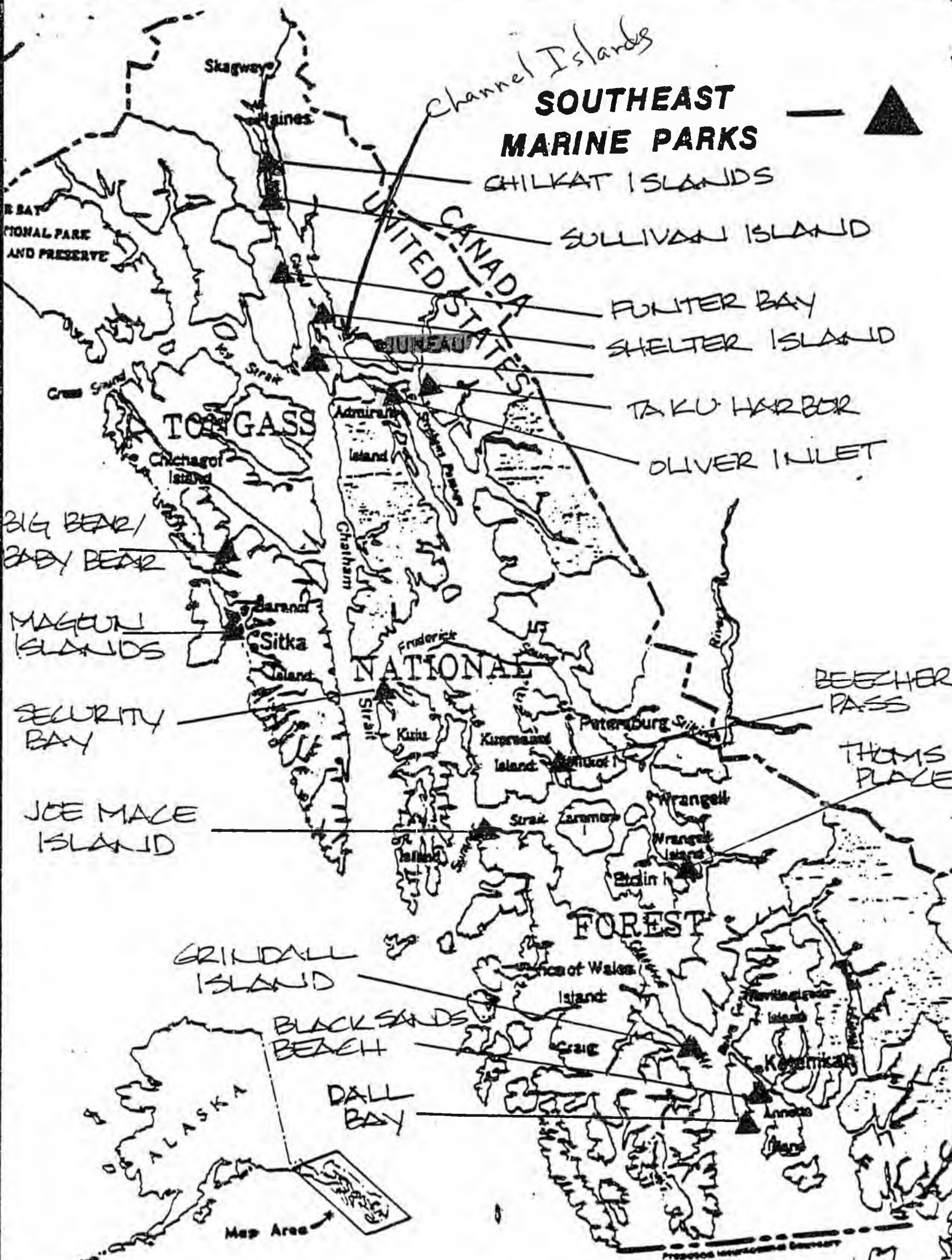
Another 15 to 20 sites in Southeast Alaska have been selected from the Tongass National Forest with the intent of requesting Marine Park designation. The legislature has appropriated funds for operations and management of the marine parks in Prince William Sound, so although Southeast Alaska has no current funding for marine parks, there is some progress in obtaining operating money. The purpose of creating marine parks is based upon guaranteeing the availability of key anchorages and campsites for future generations by withdrawing the lands, tidelands, and marine waters from multiple use management. The Tongass National Forest must manage for multiple use, and the US Forest Service does not own or control any of the tidelands or marine waters. Therefore, to completely protect the lands and waters for key anchorages the only sure way is through state legislative withdrawal and marine park status.

FUTURE USE AND DEVELOPMENT

The State of Alaska vision for marine park use and development includes providing for recreation and tourism development. This generally means providing for local users from local communities as well as for out-of-state and international users on tours and on private boats. The first step in promoting tourism will be to adequately inform and advertise with good brochures, maps, and articles. As the private boaters and tour operators become more aware of the inland passage with a continuous string of parks and anchorages there will be an increase in use and demand for services. This division also has authority to charge fees for some uses in developed facilities to offset operating expenses.

Prepared by Bill Garry, Area Superintendent, Alaska State Parks, 1995.

SOUTHEAST MARINE PARKS



CHILKAT ISLANDS

SULLIVAN ISLAND

FUNTER BAY

SHELTER ISLAND

TAKU HARBOR

OLIVER INLET

BEECHER PASS

THOMAS PLACE

BIG BEAR /
BABY BEAR

MAGDON
ISLANDS

SECURITY
BAY

JOE MACE
ISLAND

GRINDALL
ISLAND

BLACK SANDS
BEACH

DALL
BAY

Map Area

Projection: International Geodetic

Alaska State Marine Parks

Prince William Sound & Resurrection Bay

August 1991



Alaska Department of
**NATURAL
RESOURCES**



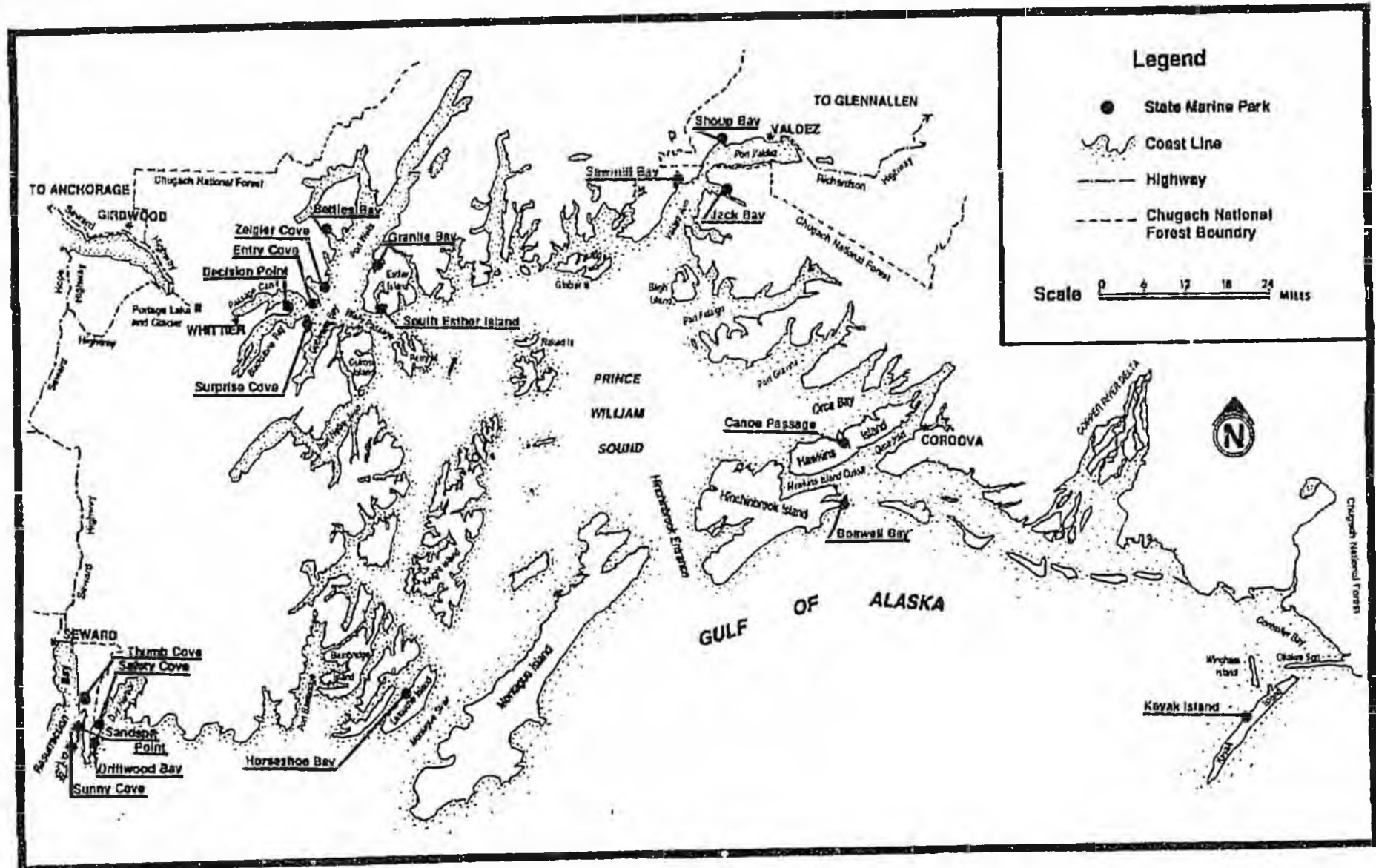
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DIV. OF PARKS

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Alaska State Marine Parks Prince William Sound and Resurrection Bay

The Alaska State Marine Parks System is comprised of 38 units located in Southeast Alaska and the Prince William Sound/Resurrection Bay Area. The 14 units in the Prince William Sound and five units in Resurrection Bay area include upland acres, along with intertidal, subtidal and marine environments. These marine parks offer scenic anchorages and many recreational opportunities.

Prince William Sound and Resurrection Bay are premier ecosystems. They hold a diversity of wildlife and habitat. Enclosed by high mountains and glaciers, and protected from the high seas by barrier islands, Prince William Sound and Resurrection Bay offer a boater's paradise. Fjords, bays, coves, glaciers, mountains, lakes and hundreds of islands provide a rich, unspoiled beauty. Timber, minerals, fisheries and recreation are just some of the resources and activities of the Sound. Alaska State Marine Parks were established to protect the natural character of the Sound and to provide for your enjoyment.

Safety on the Water

Because the Sound and Resurrection Bay is surrounded by mountains filled with glaciers adjacent to a relatively warm ocean current, the weather tends to be quite wet and cool. The weather is unpredictable and though the Sound is protected, can become a flurry of whitecaps. Be prepared to "weather out" a storm and ready to arrive late at your destination. Carry a VHF radio for emergency situations and be prepared to take care of yourself in PWS as the U.S. Coast Guard or other boats may not be nearby. The area's vast size and limited development provides a true wilderness setting.

Low Impact Camping

To maintain the wilderness character and preserve the ecological conditions of the beaches and forests of the marine parks, visitors are encouraged to practice low impact camping techniques. These techniques include relying on gas stoves for cooking, rather than firewood, camping on the beach when tides allow in place of the more sensitive forest floor covering and, instead of digging pits in the woods to serve as primitive latrines, use the intertidal areas to dispose of human wastes. (This does not mean boat holding tanks.) If you do build a fire, consider having it in the intertidal, that way the ashes and other fire residual will be washed away on a high tide.

All trash should be removed from the park. Campsites should look the same before and after use. Most of the environment in the sound, both above and below water, is fragile and can easily be damaged.

Although sport hunting and fishing are allowed, as is berry picking for personal consumption, all flowers, non-game animals and marine life should be left for others to enjoy. Take proper precautions when storing food. Bears are found even on the islands. Boats may not dump their wastes other than U.S.C.G. approved operations of toilets and gray water systems within park boundaries. Giardia, as well as other wilderness parasites found in the Sound, can be removed by treating your drinking water in one of one of several ways: chemical, filtration or boiling.

Regulations

- All fires must be in designated fire rings or on beaches.
- Only dead and downed wood may be collected or cut for fires. Cutting live or standing trees is prohibited.
- For hunting and fishing regulations, contact the Alaska Department of Fish and Game.
- Commercial operators must have a permit to operate within park units.
- Take out what you bring in to the park.
- Target shooting or discharge of any weapon other than for legal hunting or lawful defense against wildlife is prohibited.
- Disturbing cultural or historical objects is prohibited.
- Do not trespass on surrounding private lands.
- For your own safety, please follow all applicable U. S. Coast Guard regulations.

For More Information

Alaska State Parks, Kenai Area Office
Box 1247, Soldotna, AK 99669
Telephone: (907)262-5581

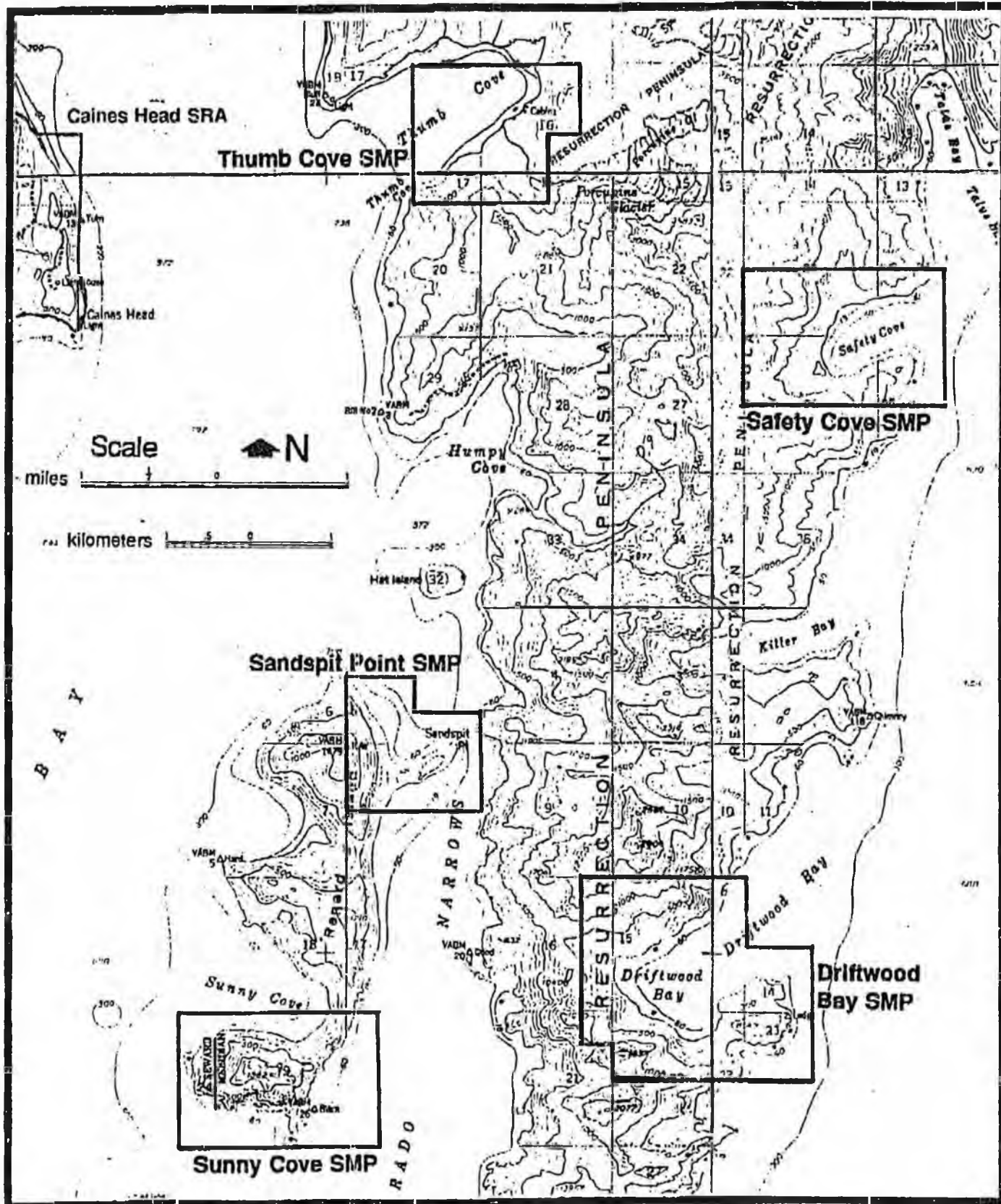
State Park Information
PO Box 107001, Anchorage, AK 99510
Telephone: (907)762-2617

Alaska State Marine Parks Resurrection Bay/Day Harbor

August 1991



Alaska Department of
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Resurrection Bay/Day Harbor State Marine Parks

Thumb Cove State Marine Park

Thumb Cove State Marine Park is located approximately nine miles south of Seward on the east side of Resurrection Bay. The park's 720 acres include the southeast shoreline of the cove; a long beach of fine to medium sand and beach gravel; forested uplands of spruce, hemlock and alder; and most of the waters of Thumb Cove. Perhaps the most striking geologic feature in the area is Porcupine Glacier, towering above the park and providing a dramatic backdrop to this popular marine destination.

Thumb Cove SMP is a favorite stop for Seward's recreational boaters and camping is popular along the beaches. Fishing for salmon is a favorite activity during the various runs, and Thumb Cove offers good protection from the often unstable weather of Resurrection Bay. Fresh water is available from a stream flowing from Porcupine Glacier. Please respect nearby private property.

Sandspit Point State Marine Park

Sandspit Point State Marine Park is located at the northeast tip of Fox Island (Renard Island) in Resurrection Bay, twelve miles southeast of Seward. The park includes steep, inaccessible uplands to the west and a half mile long spit to the east, a total of 560 acres. The north beach of the spit is fine sand while the south beach is medium to large size cobbles. Marine tide pools abound near the west end of the spit, and a low spruce forest dominates the higher east end.

Sandspit Point SMP offers spectacular panoramic views of Resurrection Bay to the north and Eldorado Narrows to the south. The variety of marine life found in tide pools, the ease of launching and landing on the sandy northern beach, and suitability for beach camping make this a popular destination for kayakers. The southern beach is not recommended for landings due to its rocky nature and the often heavy surf. There is no fresh water available in the park.

Sunny Cove State Marine Park

Sunny Cove State Marine Park is located fourteen miles south of Seward at the south end of Fox Island (Renard Island) in Resurrection Bay. The cove faces west, providing a good view of Callisto Head, Bear Glacier and Kenai Fjords National Park. The park provides a good camping beach along the south shore of the cove with fine to medium beach gravel. The park's 960 acres encompasses the

entire south portion of Fox Island, including an unnamed peak of 1,362 feet. With the exception of the south beach of Sunny Cove, the park's coastline is characterized by vertical rock cliffs.

Sunny Cove SMP is popular as an anchorage for sailboats and power boats with some beach camping also occurring. Excellent wildlife viewing exists around the vertical cliffs, especially those along the eastern shore. Numerous seabird species and marine mammals can be easily viewed from skiff or kayak. Fresh water is available seasonally in the park; during wet weather, water is generally available from small waterfalls south along the shore from the cove, but these can only be reached at low tide. Please respect nearby private property.

Driftwood Bay State Marine Park

Driftwood Bay State Marine Park is located along the southwest coast of Day Harbor to the east of Resurrection Bay, a twenty-three-mile boat ride from Seward. The park's shoreline includes medium to coarse gravel beaches interspersed with steep rock cliffs. Driftwood Bay SMP, the largest of the area's marine parks at 1,480 acres, offers excellent mountain views and wildlife viewing opportunities.

Driftwood Bay SMP is a popular anchorage for recreational boaters and offers good protection from Day Harbor's often rough seas. Fishing for saltwater fish species is popular in Driftwood Bay and Day Harbor. Fresh water is limited to runoff during wet weather. Please respect private property in the park.

Safety Cove State Marine Park

Safety Cove is located along the western side of Day Harbor to the east of Resurrection Bay, a twenty-eight-mile boat ride from Seward. The park's 960 acres include the cove's marine environment and an upland spruce, hemlock and alder forest. An attractive geologic feature of this park is a three-acre fresh water lake just above a gravel storm berm at the head of the cove.

Safety Cove SMP offers excellent beach camping as well as safe anchorage for recreational boats. Upland exploration is also an appealing activity in the park, and there are excellent views of Ellsworth Glacier, an arm of the Sargent Icefield, near the cove's entrance. Fresh water can be taken from the lake at the head of the cove. Please respect private property in the park.

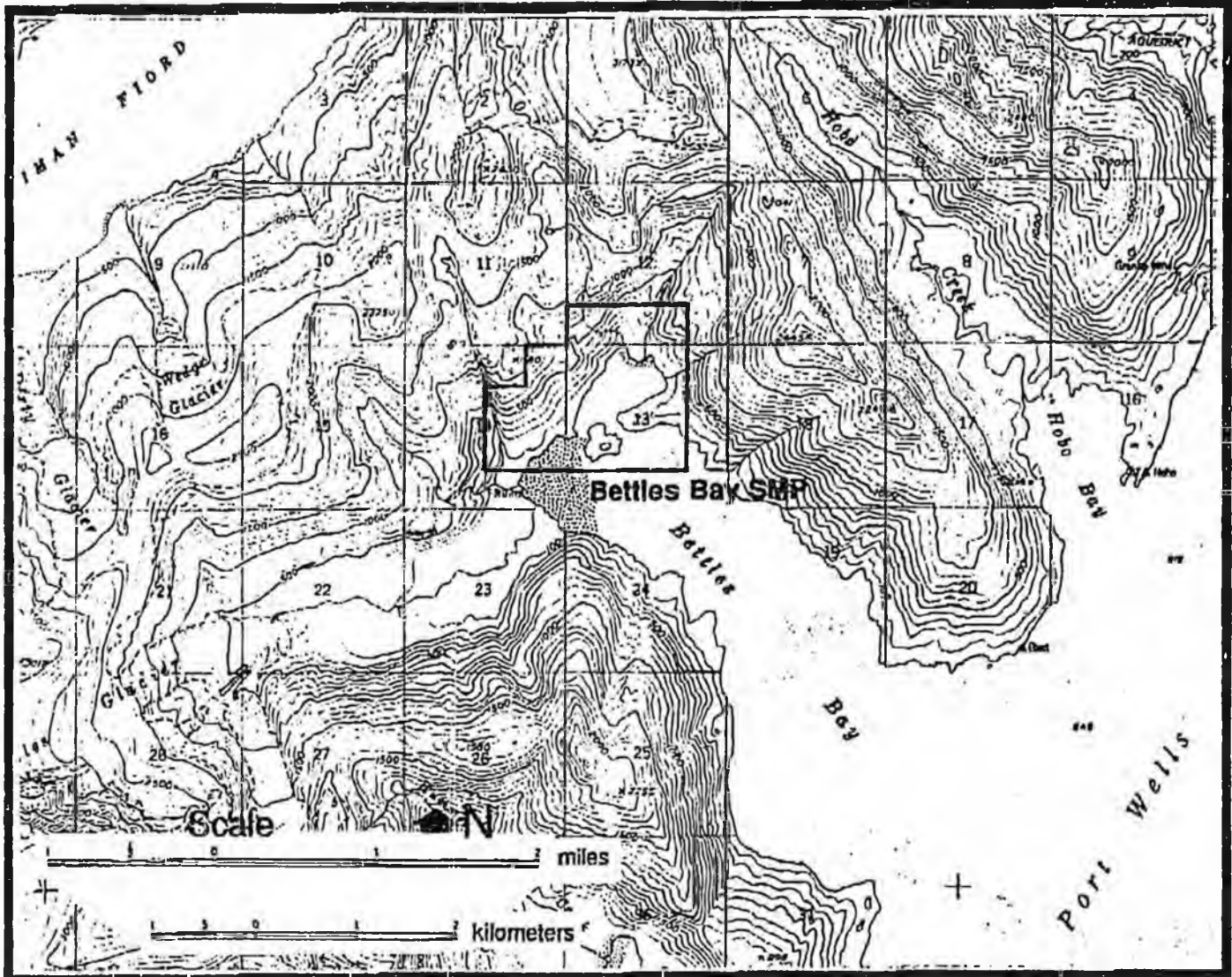
Alaska State Marine Parks

Bettles Bay - Port Wells

August 1991



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Bettles Bay State Marine Park

Bettles Bay State Marine Park is an excellent anchorage, well-protected from winds and with a good soft holding bottom. Entrance into the lagoon is northeast of the island. Sailboats or other deep draft vessels may have problems with the entrance at minus tides. Attractions include an old stamp press and gold mine located just southeast of the park. The park affords views of the scenic Bettles Glacier. The uplands consists of old growth forest, alders in the avalanche chutes, and muskegs.

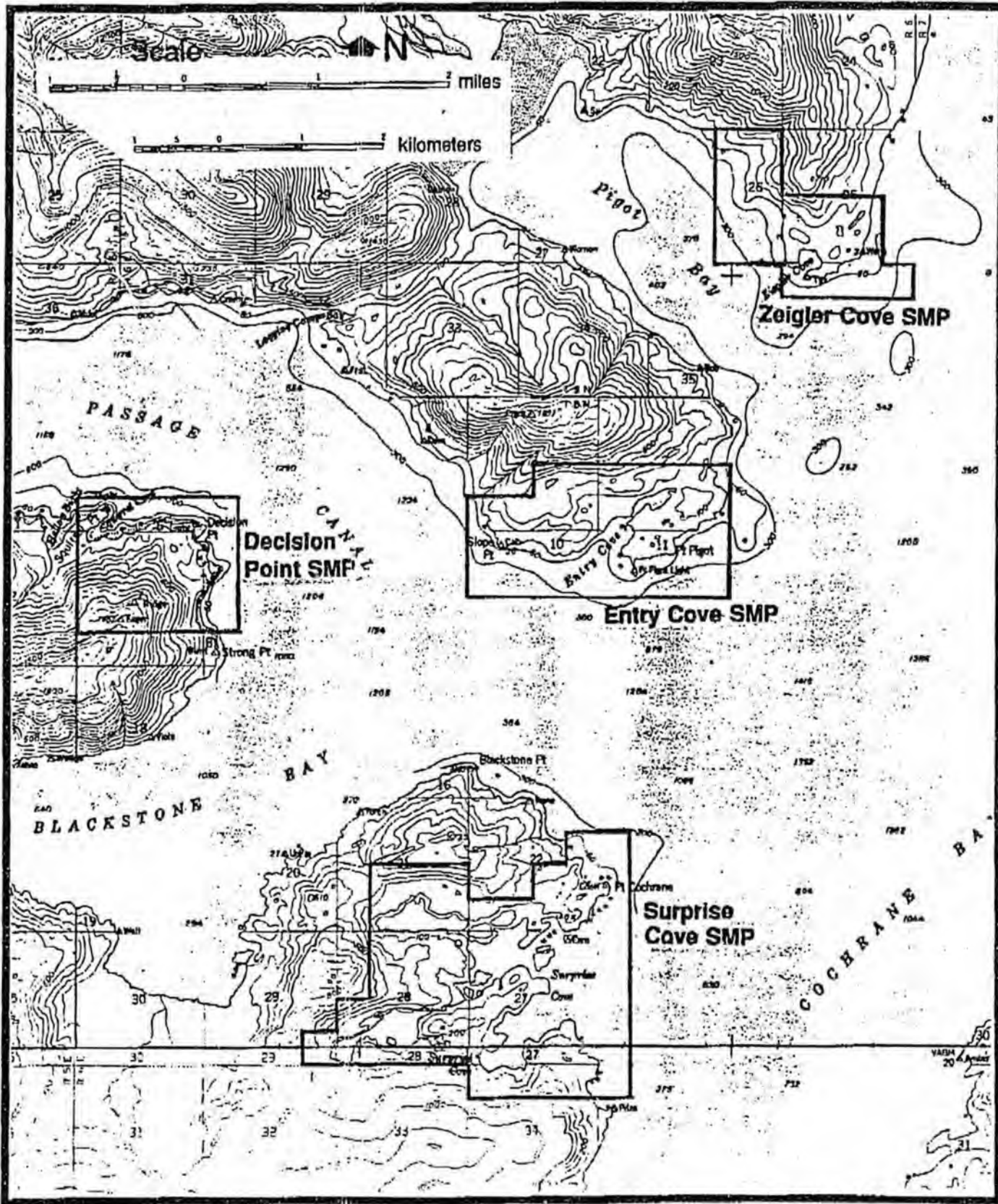
Camping is poor due to the wetlands. There are campsites, but they flood on high tide cycles. One is just west of the stream in the northern corner of the lagoon. The other is located north of the stream coming from the ruins. There are better campsites on the southern beaches near the mouth of Bettles Bay. The marshland south of the park is sensitive habitat for the many waterfowl species that nest there. The lagoon is a resting area for sea otters. These two areas should not be disturbed.

Alaska State Marine Parks Whittier

August 1991



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Prince William Sound State Marine Parks - Near Whittier

Decision Point State Marine Park

Decision Point State Marine Park is located at the eastern end of Passage Canal approximately eight miles from Whittier. This popular park is aptly named as one decides at this point whether to head out into the larger expanse of water of Port Wells. This park is generally used by kayakers and small boat users as there is no adequate anchorage. Along with forested uplands of spruce and hemlock, there are two excellent camping beaches. At the head of Squirrel Cove, a small pebble and sand beach provides room for two tents on all but the highest tide cycles. Drinking water is not available at this site. Just south of Decision Point is an east-facing, medium-pebble beach that provides dry, flat camping for up to 10 tents between the dead trees. The camp areas are above high tide and have two fire rings. This is one of the heaviest used sites by kayakers, sometimes with large groups visiting. Small groups using the larger campsite may expect others to also camp in the area. Water is available in the bight, or bend, in the coast behind the small peninsula. Bountiful intertidal life on the rocks at Decision Point may be viewed during minus tides.

Entry Cove State Marine Park

Entry Cove State Marine Park is located two miles directly east of Decision Point on the northeast corner where Passage Canal and Port Wells meet. Forested uplands of spruce and hemlock, interspersed by muskeg, surround a small cove and lagoon. Near the cove entrance is good anchorage on northwind days but is generally not used overnight because of variable winds out of Blackstone Bay. The lagoon is a good site for clamming, but the entrance is shallow and can only be accessed by small boats on full high tide. Just east of the entrance to the lagoon, above the gravel beach, are sites for about 10 tents on beach gravel between the trees. This site is used by larger groups of kayakers. Although, there is a stagnant pond behind the camp area, drinking water is accessible only from a stream just inside the entrance to the lagoon. A natural arch located on the east shore of the cove, and a beautiful view of Tebenkof Glacier, can be seen from the camp area. During moderate and low tide cycles, some people camp on the sand spit that attaches the Pigot Point Island.

Surprise Cove State Marine Park

Surprise Cove State Marine Park is located on the western side of the mouth of Cochrane Bay. There are many recreational opportunities and it is

one of the most popular anchorages in western PWS. The park includes forested uplands and two large lakes draining into Surprise Cove. The uplands and muskeg throughout the park provide good exploratory hiking. A short trail begins at the cove to North Lake, with a rope-assisted climb. Abundant tide pool life can be found at Point Cochrane during minus tides.

There are about seven camping sites on various terrain. The most popular site, which is protected from weather and on flat slate pebbles, is located above the gravel beach just inside the north entrance to the cove. The site, which has room for 12 tents, is often used by larger groups of kayakers and small motorboaters. The second largest site is above the exposed beach just northeast of Point Cochrane. There is room for five tents but is only usable in fair weather due to beach surf. The other sites within the cove are single tent sites. Two are on relatively dry land by the northern bight, or bend, in the coast, and the others are on wetlands above the beach and on the islands. One of the northern bight sites is located on moss in the trees just west of the stream, the other is on the small rock promontory 150 feet southeast of the stream. One of these island sites has part of an old tent platform. Water can be collected at streams that feed the cove.

The recommended entrance for motorboats and sailboats is the southernmost entrance south of the island. Though the next passage north is passable, submerged rocks pose a danger. The two bights off the center of the cove provide excellent anchorages, protected from most storms. A less used anchorage is located in the bight behind the islands in the south part of the cove. The best passage is to go behind the big island clockwise staying center channel. There are no protected anchorages or campsites in the south arm of Surprise Cove. Weekends draw the most use, with eight or more boats in the cove while often only one may be found mid-week.

Ziegler Cove State Marine Park

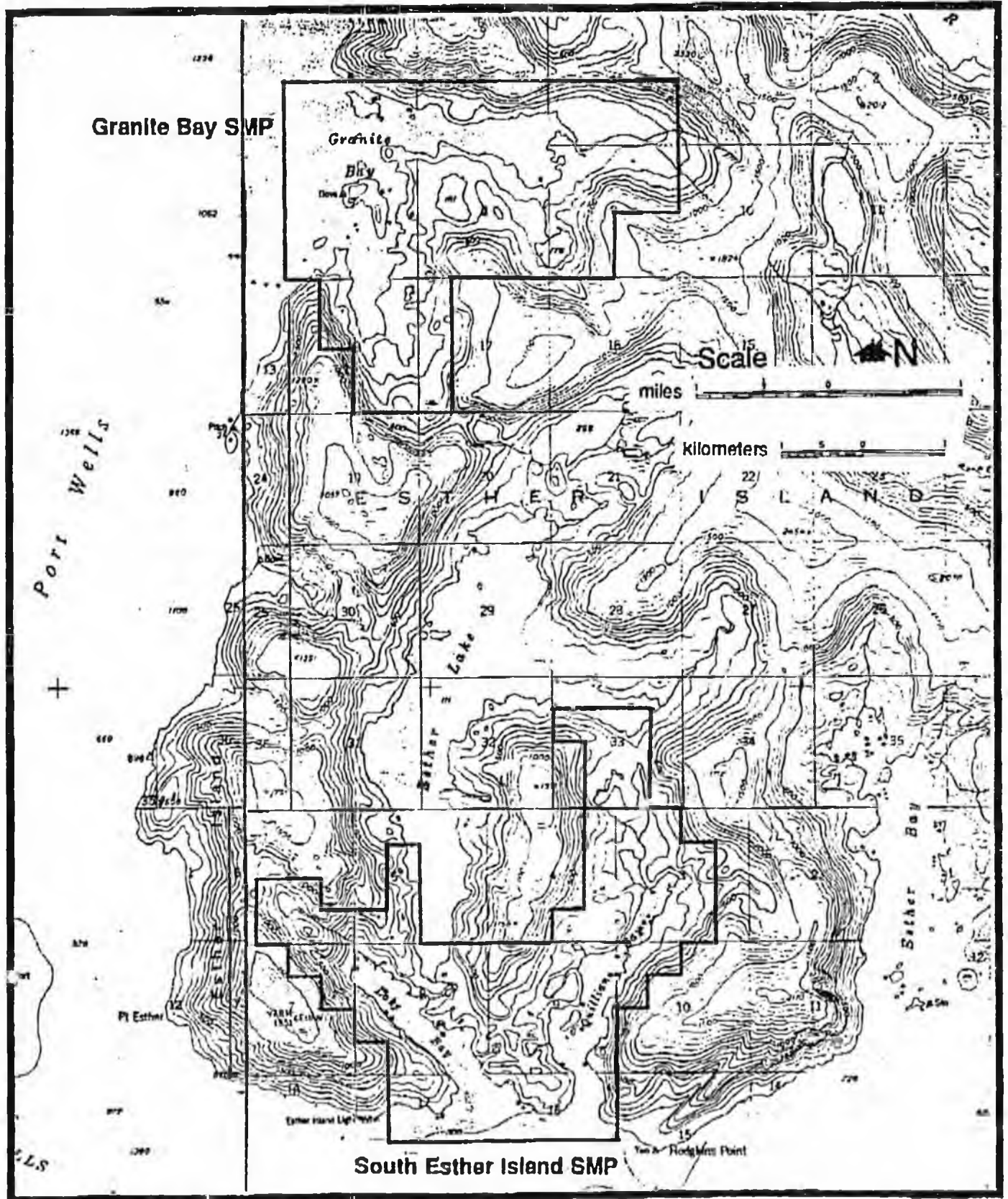
Ziegler Cove is located on the northern side at the mouth of Pigot Bay 18 miles from Whittier. A protected anchorage in the cove with good-holding bottom is surrounded by second growth forest of spruce, alder and muskeg. A maximum of four boats can safely anchor in the cove at one time. A picnic site with a fire ring is located on the east corner of the cove above the shale pebble beach. There is a campsite on the north corner of the cove at the edge of the forest. Drinking water can be found further up in Pigot Bay.

Alaska State Marine Parks Esther Island

August 1991



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Prince William Sound State Marine Parks - Esther Island

Granite Bay State Marine Park

Granite Bay State Marine Park is located on the northwest corner of Esther Island about 25 miles from Whittier. This pristine park shows little evidence of human impact. The park includes two bays, protective islands, muskeg and old growth forest uplands. Most of the shoreline is steep granite cliffs, boulders and slabs. The surrounding hills provide excellent hiking and climbing with views in all directions. Many lakes and ponds dot the uplands. Tange Lake drains into the head of the northern arm and has been stocked with rainbow trout.

Anchorage is excellent in both bays and can be used by many boats at once. A mooring buoy is located between the bays, behind the islands. There are no suitable camp sites. Two beaches of small pebbles, which are moderately exposed, afford camping spots during low tide cycles at the southern point of the mouth of the bay. A tent platform is located on the northernmost island at the mouth of the north bay. The platform on the northeast edge of the muskeg should be returned to standing position after use so as not to damage the vegetation. There are other tent sites on heather or in beach grass. There is water at the head of each bay and from outlets from lakes. Boaters should be aware of a reef that extends nearly a mile off shore, just south of the mouth of the southern bay.

South Esther Island State Marine Park

This marine park is located on the southern end of Esther Island, including Lake and Quillian Bays. Lake Bay houses one of the world's largest fish hatcheries while Quillian Bay remains relatively undisturbed. Quillian Bay provides anchorages behind the larger island. You can also carefully navigate to the head of the bay for an anchorage. Small skiffs or kayaks can be used to enter the lagoon during slack high tide to avoid the reversing waterfall on tide changes. A hike along the eastern edge of the lagoon and through a low, forested pass brings you to Esther Lake. The land is too wet and uneven for camping.

The Wally H. Noerenberg Fish Hatchery is owned and operated by the Prince William Sound Aquaculture corporation (PWSAC). PWSAC is a private, non-profit corporation operating under a special permit with Alaska State Parks. The facility offers tours to visitors free of charge. Please check in with the Hatchery office before exploring the hatchery grounds. Fresh water can be obtained from the floating dock near the hatchery. Mooring buoys in front of the hatchery may be used if available.

The park offers not only a protected anchorage but two easily accessible scenic overlooks. Esther Lake and the Esther Falls Overlook are two of the outstanding features of the Lake Bay area. Fishing is good but sport fishermen should avoid getting in the way of the daily operations of the hatchery. During commercial openings the fishing fleet crowds the area and you are advised to stay clear of the nets and boat traffic. During the height of the fish run, black bears can be seen near the hatchery.

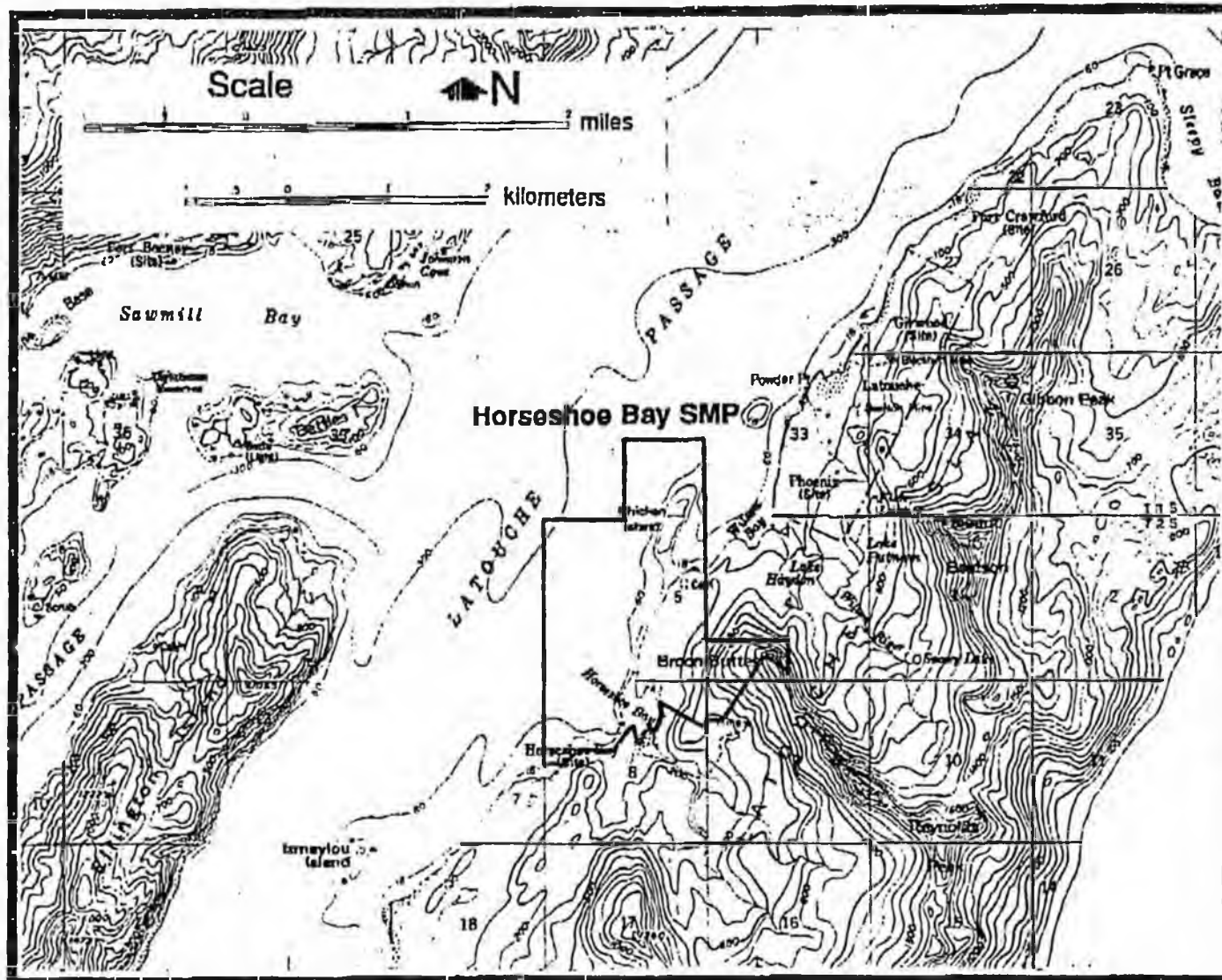
Alaska State Marine Parks

Horseshoe Bay - Latouche Island

August 1991



Alaska Department of
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Horseshoe Bay State Marine Park

Horseshoe Bay on Latouche Island is located three miles northeast of the new town of Chenega Bay. The old town of Latouche was located just northeast of Horseshoe Bay. Active and historic mine plots are located around the park.

The eastern shores of Chicken Island were impacted by the Exxon/Valdez oil spill in 1989 and should be left untouched to allow for rehabilitation of the habitat. Horseshoe Bay is

one of the only anchorages left with public uplands in this area of the sound. Campsites are along the margin of the large rolling bog north of the bay. Stunted spruce and alder run along the bluff north of the bay with occasional breaches creating scenic views of Latouche Passage and the islands beyond.

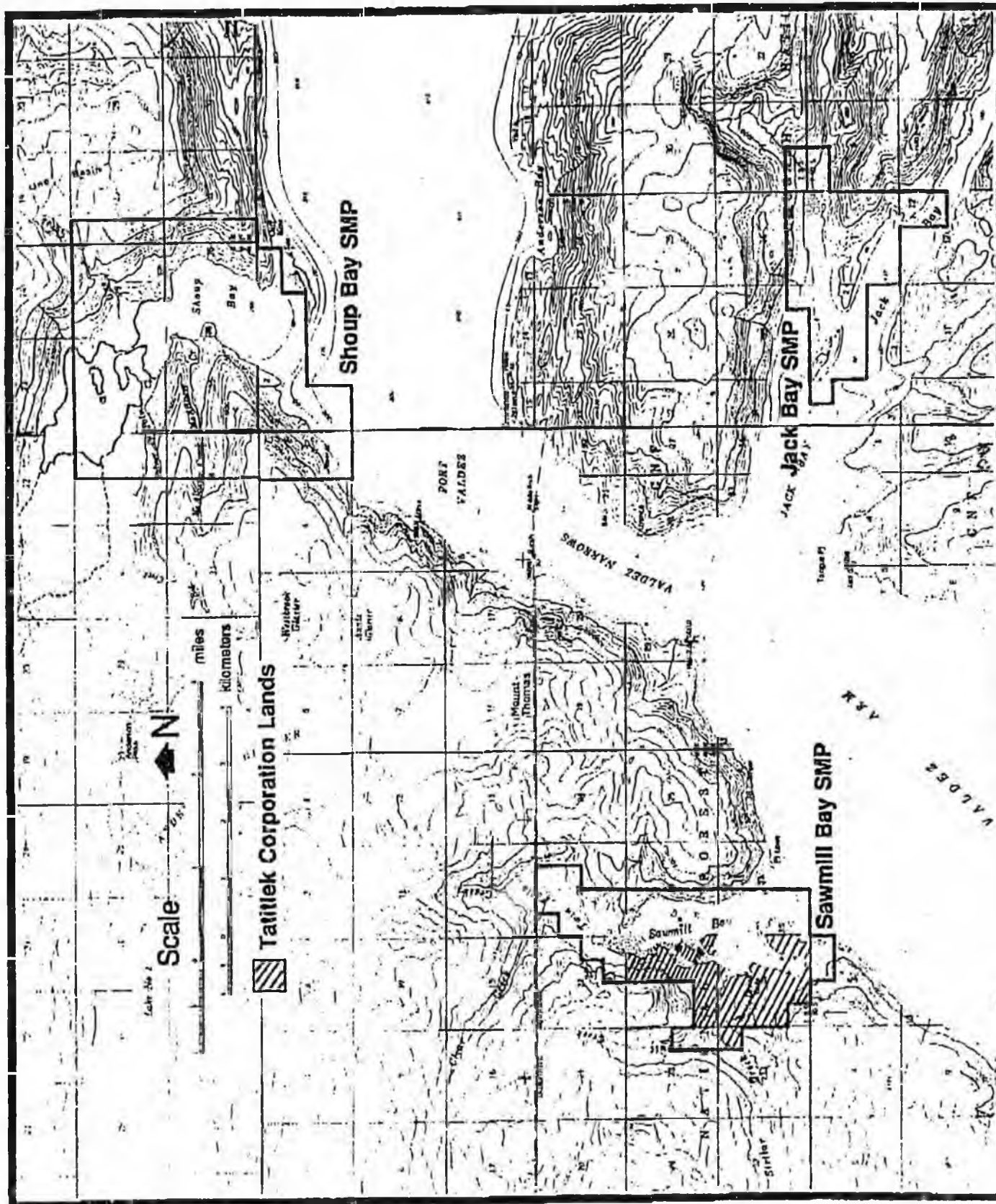
All lands surrounding the park are private. Please do not trespass without permission from the native corporations.

Alaska State Marine Parks Valdez Arm & Port Valdez

August 1991



Alaska Department of
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Prince William Sound State Marine Parks - Near Valdez

Shoup Bay State Marine Park

Shoup Bay State Marine Park is located five miles southwest of the Port of Valdez. The bay is famous for the 150-foot tidal wave, that supposedly surged in and out of the bay three times during the 1964 earthquake. The bay has changed substantially since the last US Geological Survey map printing. The Shoup Glacier has receded about a mile and a half changing the terrain, exposing new land and creating a brackish lagoon connected by a tidal river. The uplands consist mostly of new growth forest of alder and spruce. A succession of plant life can be viewed on land leading away from the glacier. Most of the surrounding mountain walls are very steep, providing habitat for mountain goats and black bear. Highlights of this marine park include Shoup Glacier, and the black-legged kittiwake rookery in the lagoon. Bald eagles, arctic terns, and many species of waterfowl can be seen here. Please do not disturb the rookery or nesting areas of the birds.

Anchorage is fair to poor in the bay but good for small boats in the lagoon. The lagoon can only be reached during high tide with small boats. There are good campsites for large groups on the eastern end of the lagoon and at the base of the spit at the eastern edge of the mouth of the bay. Other individual campsites are located around the perimeter of the bay and the lagoon. Drinking water can be found near the head of the bay.

Sawmill Bay State Marine Park

Sawmill Bay State Marine Park is 15 miles from Valdez and three miles west of Valdez Narrows. As one of the most popular anchorages in Valdez Arm, this picturesque bay is surrounded by 4,000-foot peaks, providing a protected anchorage in the southwest arm of the bay. The boreal forest of spruce and hemlock, intermixed with muskeg, dominate the uplands. The large portions of the western side of the bay are owned by Tatitlek Native Corp. Please obtain permission before using any of

the uplands on the western side of the bay. Land and sea otters, seals, bears, and an assortment of bird life can be seen in the bay.

Jack Bay State Marine Park

Jack Bay State Marine Park is located 15 miles from Valdez, southeast of Valdez Narrows. The uplands of the park consist of alder, muskeg, saltmarsh and old growth forest of spruce and hemlock. The northern arm of Jack Bay within the marine park becomes shallow one-quarter mile out and caution is recommended. Although the bay can be used as a fairweather anchorage, it is not protected. The best campsite is located on the island in the middle of the bay. On the southeast end of the island is a protected bight, or bend in the coast, with four campsites. The main one is immediately above the beach on beach gravel while the others are behind in the forest and on the peninsula just north of the beach. Another, but less preferable, site exists near the tip of the peninsula on the mainland just east of the island in a wet and boggy area. None of these campsites have water nearby. Water can be obtained on the northern shore of the bay.

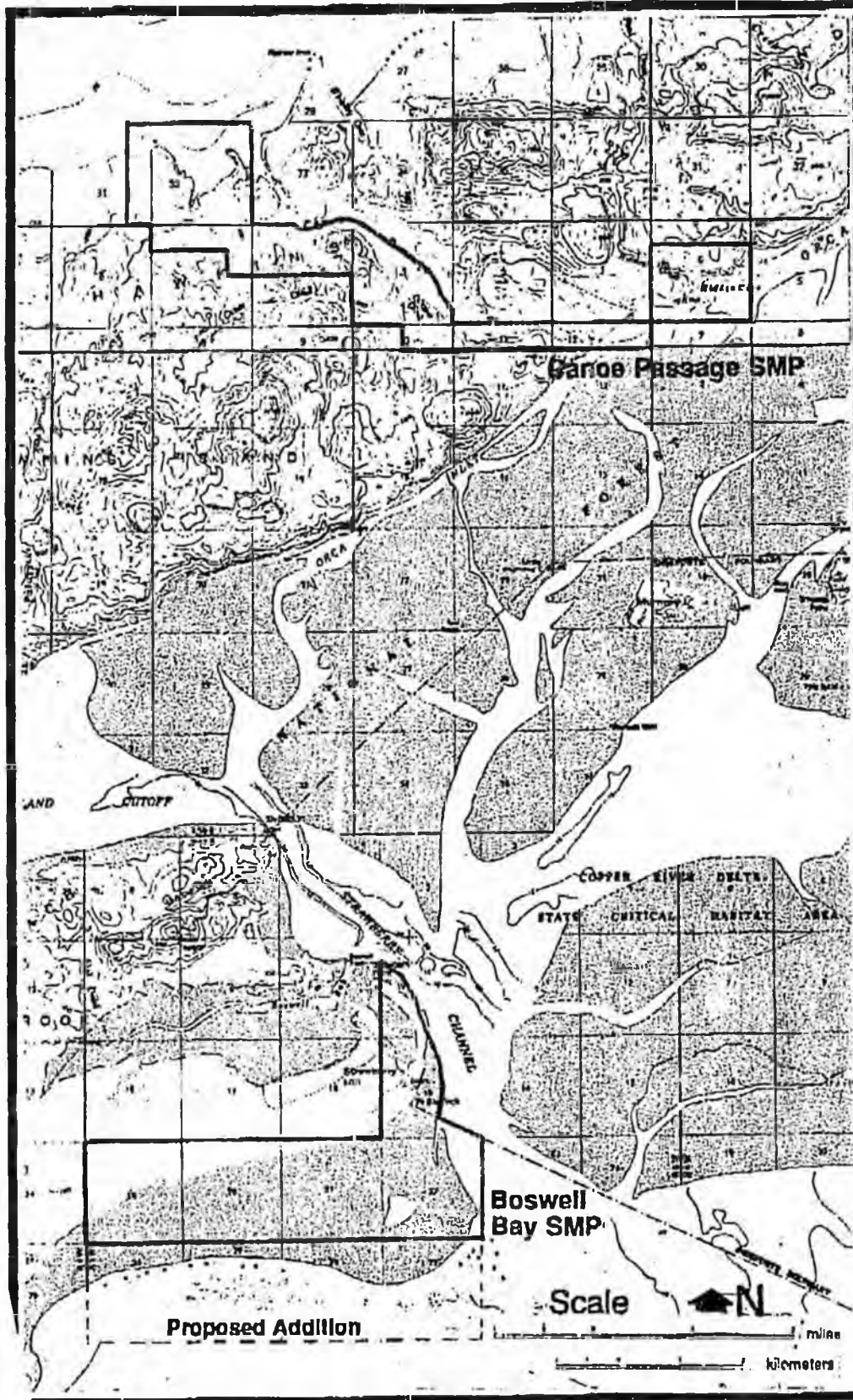
Alaska State Marine Parks

Cordova

August 1991



Alaska Department of
**NATURAL
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Canoe Passage State Marine Park

Canoe Passage is located on Hawkins Island eight miles west of Cordova. This park encompasses the natural low pass on the island. Forested uplands and considerable wetlands line Canoe Passage. The seas are shallow to the south. The rest of Hawkins Island is private land. Please get permission before using these private lands.

Boswell Bay State Marine Park

Boswell Bay State Marine Park is located on the eastern tip of Hinchinbrook Island. The evidences of a geologic land lift can be seen here. In 30 years, the shore line has expanded toward the sea by more than one mile. This southern edge of the park is a high energy beach exposed to the Gulf of Alaska. Beachcombing and hunting are popular here. Areas of the park are adjacent to the Copper River Delta State Critical Habitat. Please do not trespass on private lands northwest of the park.

Alaska State Marine Parks

Kayak Island

August 1991



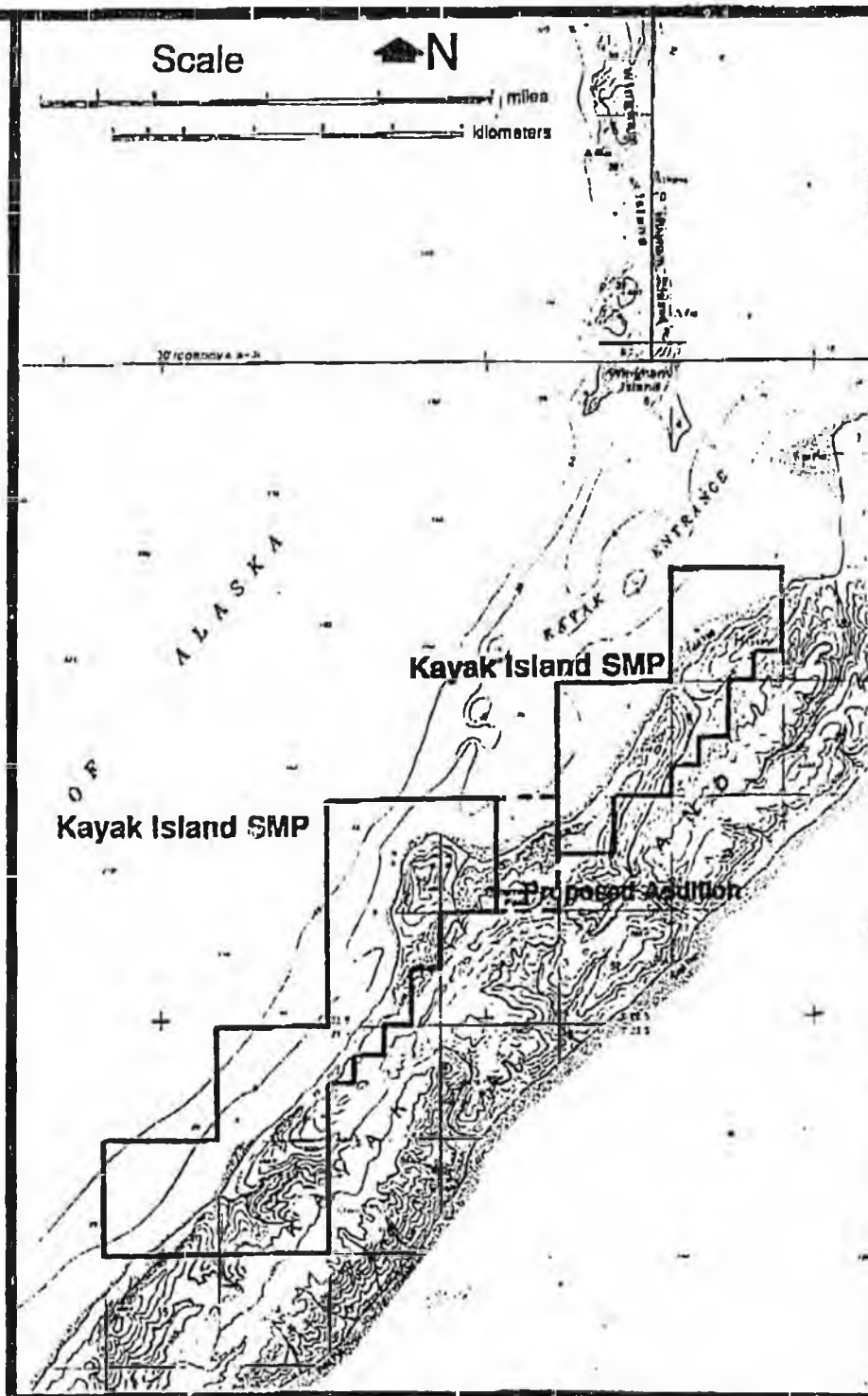
Alaska Department of
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Kayak Island State Marine Park

Kayak Island lies in the Gulf of Alaska some 50 miles southeast of Cordova. Few people visit this site due to the exposed shores and bad weather. The island is famed for being the site where the first European, Georg Steller, set foot in Alaska on July 1741. This crooked spine of mountains jutting from the sea was the first land sighted on the Bering Expedition from Russia. The marine park encompasses the approximate landing site of the Bering Expedition.

Steller did not meet any natives. He did find a native camp and "exchanged some goods", although no one was around at the time. Steller took some native items and left in their place, some european items. The land has changed since 1741 and the Steller landing area is probably underwater due to 1964 earthquake.



MARINE PARKS FOR ALASKA

The International Connection

By Neil C. Johannsen, Chief of Planning, Alaska State Parks

Reprinted from ALASKA® magazine, April 1979
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MARINE PARKS FOR ALASKA

The International Connection

By Neil C. Johannsen, Chief of Planning, Alaska State Parks



An international system of marine parks and recreation areas, stretching from near Olympia, Washington, along southern Puget Sound northward to the Central Alaska coastline, is taking shape. The marine parks, being established in Washington State and British Columbia and planned in Alaska, are usually small in acreage and are located in protected bays and coves; some are situated on tiny islands and others are on the mainland. Planned for boaters and fly-in recreationists will be 163 marine parks —

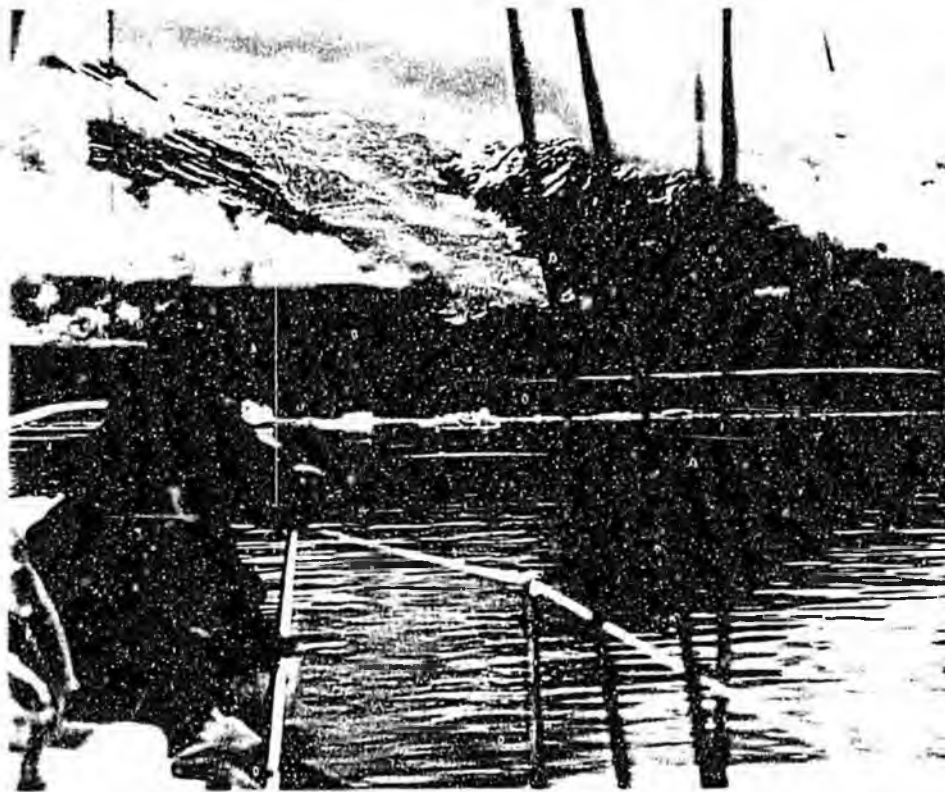
most an easy 1-day boat trip from one to another — spread over 1,600 miles of mostly protected waterways.

The legendary beauty of the Northwest Coast, coupled with the area's high per-capita ownership of boats and floatplanes, has resulted in increasing interest in efforts to create marine parks. Few governments in the world have a similar opportunity to leave open key portions of their ocean shoreline properties for public use. In Alaska, 54% of all residents participate in boating, a rate far higher than the



Top — Half a dozen units of the proposed marine park system, some to be managed to accommodate large numbers of recreational boaters, are located within an easy day's sail of this vista of the mountainous east side of Port Wells in northwestern Prince William Sound. (Neil and Betty Johannsen)

Above — The sloop Nellie Juan inches through the narrow entrance of Disk Island lagoon, near the north end of Knight Island in Prince William Sound. As part of the proposed marine park system, the tiny anchorage will remain in as near a natural condition as possible. (Neil and Betty Johannsen)



Sumdum Glacier marks the site of a proposed unit of the marine park system on the south shore of Endicott Arm, off Stephens Passage south of Juneau. Remains of the 1880 gold mining camp of Sumdum can be found near the base of the glacier. (Nancy Simmerman)

national average. Boat ownership in the Seattle area is the highest of any large city in the nation. Demand for boat slips in the Vancouver and Victoria areas is many times higher than the supply. A result has been that the state of Washington and the province of British Columbia are working hard to establish 99 marine parks stretching up the coast north from Olympia to a

scant 5 miles south of the Alaska-Canada border.

And now Alaska has drawn plans to continue such marine parks up the coast to the northern Gulf of Alaska. Alaska's opportunity to tie into this international system had its genesis when the Statehood Act, drafted in 1958, included Section 6(a), which allows Alaska to select up to 400,000 acres of

national forest land, which in Alaska covers most of the convoluted shorelines of Southeastern and Prince William Sound. State selections from the U.S. Forest Service domain must be for purposes of community expansion and for recreational purposes. Alaska Governor Hammond and Attorney General Avrum Gross saw the legal opportunities afforded by the Statehood Act and agreed that the state use a portion of its land entitlement to build the last link in an international marine park system. With 85% of Alaskans residing near the coastline, public reception to the plan was enthusiastic.

Through 2 years of research and meetings with residents of coastal communities, the plans slowly took shape. The result was a decision to allocate 70,000 acres of Forest Service land to a comprehensive plan for the proposed marine parks. Selections for the system were filed with the Forest Service on December 19, 1977.

Overall strategy focused on the idea that numerous small parks would allow for a wider variety of accessible coastal environments than selection of just a few large areas. In addition, the theme used in British Columbia and Washington could be followed. Thus, within Alaska's marine parks, facilities such as docks, mooring floats, beach campsites, trails and toilets could be developed. The vast majority of these proposed Alaska parks are near well-



HB

96

Legislative Information Office
716 W. 4th Ave., #420
Anchorage, AK 99501-2133
(907) 258-8162

During Session
State Capitol
Juneau, Alaska 99801-1182
(907) 465-4998

Memorandum

DATE: February 8, 1995
TO: Representative Jeanette James, Chair
State Affairs Committee
FROM: Representative Kay Brown
RE: Hearing request for HB 96

This is to request at the earliest convenience of the committee for HB 96, an act increasing and requiring the annual adjustment of the tax on alcoholic beverages; and providing for an effective date.

Attached please find:

1. Bill copy.
2. Sectional Analysis.
3. Sponsor Statement.
4. Fiscal Note (Department of Revenue)
5. Technical Amendment and cover memo.

If you have any questions, please contact me at 465-4998 or my staff (Dan Austin) at 465-3768.

SPONSOR STATEMENT

HB 96

"An Act increasing and requiring annual adjustment of the tax on alcoholic beverages; and providing for an effective date."

On November 30, 1994, Governor Walter J. Hickel's Criminal Justice Work Group published their report entitled, "Options For Cost Containment In The Criminal Justice System." On only one particular topic could the group achieve consensus:

"It was the unanimous observation by all the members of the work group that what "drives" the system is alcohol, and that real progress cannot be made in cost *reduction*--or in the reduction of a wide range of social problems--unless the legislative and executive branches are serious about controlling alcohol."

"The work group unanimously agrees that alcohol is far and away the number one cause of crime in Alaska and that reducing alcohol use by even a small amount would reduce crime and the resulting pressure on criminal justice agencies."¹

- The work group's number one suggestion for stemming alcohol use and abuse is to increase the state tax on alcohol.

The Alaska Sentencing Commission found that 73% of a sample of felony offenders sentenced between 1986--1991 were chronic alcohol users. Fifty-three percent were under the influence of alcohol at the time they committed their offense.

In the early 1980's the Judicial Council found that up to 78% of offenders sentenced for murder and kidnapping and 66% of other violent offenders had used alcohol at the time of the offense. Nearly three-fourths (71.3%) of misdemeanants had used alcohol or alcohol in combination with other drugs at the time of the offense. The Department of Health and Social Services tells us that alcohol abuse is often associated with domestic violence and child abuse.²

¹ Cost Containment in the Criminal Justice System, Part I: Alcohol in Alaska, page 1.

² Meeting the Challenge, A Strategic Plan for the Division of Alcoholism and Drug Abuse, 1994, page 11.

- The Division of Alcoholism and Drug Abuse has adopted strategies for reducing the adverse health and social consequences of alcohol abuse. The first strategy is:

"Increase excise taxes on alcohol and establish a statutory mechanism for automatic increases indexed to inflation as determined by the consumer price index."

That is what HB 96 would do.

Alaska's \$200 million annual subsidy to the Alcohol Industry:

- In 1989, the State Office of Alcohol and Drug Abuse completed a comprehensive study of the costs to the state of alcohol abuse and alcoholism. Many people were shocked to find that the state spends approximately \$200 million per year on services directly related to the abuse of alcohol and drugs. Public assistance, criminal justice, health and medical expenses, not to mention public safety enforcement and prevention programs, cost Alaskans millions every month.

Paying their share?

- The state alcohol beverage tax has not seen an increase *since 1983*. Can the same be said of local property or sales taxes? At the current rate of taxation (about 3 cents per glass of beer and 4 cents per glass of wine or shot of liquor), the state collects about \$12 million per year. A subtraction of state tax revenues from the cost of alcohol and drug abuse related services shows the state spending about \$186 million more for these services than it recovers in taxes. The Department of Revenue, estimates that by implementing the proposed increase (to about 10 cents per drink) the state could see an additional \$20 million to the general fund, or about *10% of the cost of state programs*.

SECTIONAL ANALYSIS

HB 96

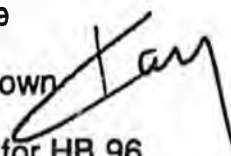
"An Act increasing and requiring annual adjustment of the tax on alcoholic beverages; and providing for an effective date."

- Section 1.** Increases the state alcoholic beverage tax on:
- malt beverages--from 35 cents a gallon or fraction of a gallon, to \$1.05 a gallon or fraction of a gallon,
- wine (beverages 21 percent alcohol by volume or less) from 85 cents a gallon or fraction of a gallon to \$2.15 a gallon or fraction of a gallon,
- beverages over 21 percent alcohol by volume (spirits) from \$5.60 a gallon to \$12.75 a gallon.
- Section 2.** Amends AS 43.60.010 to provide for an increase in the alcohol tax rate by the annual rate of increase of the consumer price index for Anchorage.
- Section 3.** Directs the Department of Revenue to determine on June 1, 1996, what will be the alcoholic beverage tax rate for fiscal year 1997 and to impose that rate on July 1, 1996.
- Section 4.** Effective date, July 1, 1995.

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During Session
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Memorandum

DATE: February 8, 1995
TO: Representative Jeanette James, Chair
State Affairs Committee
FROM: Representative Kay Brown 
RE: Technical Amendment for HB 96

The purpose of the attached technical amendment I propose for HB 96 is to clarify and correct drafting language.

Page 2, line 4:.

Delete "taxes" and insert "tax rate".

This clarifies that what we are speaking of is the rate of taxation (amount per gallon etc.), not the tax itself.

Line 7:

Delete "the second half of".

Even though the CPI is reported semiannually, it is the cumulative, annual percent of change that will used to calculate the tax rate.

Line 8:

Delete "The semiannual index for the second half of" and insert "the index for".
Again, clarifies that the annual percent of change will be used to calculate the tax rate.

Line 10:

Delete "dollar" and insert "cent". The tax rate would be rounded off to the nearest cent.