

ALASKA LEGISLATURE COMMITTEE FILES 1995-1996 8672

9011 SENATE RESOURCES

April 23, 1995

Honorable Leman
Senate Resources
State Capitol
Juneau, Alaska 99801-1182

RE: HB 208

Dear Senator Leman:

This letter is an acknowledgment of support of H.B. 208 as it is currently written. This Bill will bring HACCP regulations in line for A.D.E.C., F.D.A., and the E.U.. It is good to see the state recognize the needs for more simple, rather than more complex regulations. This will help in keeping costs down, lead to less duplication of effort, and ensure that product will not be rejected based on technicalities. This Bill has wide support from the industry.

Hap Symmonds
Ocean Beauty Seafoods
St Elias/Cordova Facility
424-7171

Ken Roemboldt
North Pacific Processors
424-7111

Bill Gilbert
Silverlining Seafoods
424-3390

Sylvia Lange
Cannery Row
424-3920

Gerald Masolima
Eyak Packing
424-3300

Robert Stiles
Great Pacific Seafoods
472-1400

HS/lc

bb 208

Alaska State Legislature

Representative Carl E. Moses

CHAIRMAN
HOUSE RULES COMMITTEE

CHAIRMAN
HOUSE SPECIAL COMMITTEE FISHERIES

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



SESSION
CAPITAL BUILDING ROOM 304
JUNEAU ALASKA 99801-1102
PHONE 907-463-0451
FAX 907-463-1445

INTERIM
115 W. 17th AVE. #200
ANCHORAGE AK 99501-2123
PHONE 907-264-1107
FAX 907-264-8868

SPONSOR STATEMENT

House Bill 208

"An Act relating to seafood processing plans of operation and seafood processing standard operating procedures; relating to quality assurance plans; and providing for an effective date."

House Bill 208 is designed to assist Alaska's seafood processing industry in the worldwide adaptation to global trade policies, such as the General Agreement on Trade and Tariffs (GATT) and the North American Free Trade Agreement (NAFTA), which seek to eliminate barriers to trade and make possible improved commerce among the nations of the world. At the same time these global trade policies are being enacted, ongoing efforts to "harmonize" or "equilibrate" food safety regulations that could otherwise impede the flow of commerce and intent of these policies is occurring.

For almost three years, long-standing international organizations like Codex Alimentarius and the European Community through its "Food Directives," have been holding negotiations with U.S. counterparts in the federal Food and Drug Administration (FDA), the National Marine Fisheries Service (NMFS) and the United States Department of Agriculture (USDA) on the topic of the science-based system of food safety known as Hazard Analysis Critical Control Point (HACCP). All parties agree this system of ensuring a safe food supply around the world is the standard of the future. Talks aimed at regulation equivalency continue - the ultimate goal being a secure, safe trade in food products around the world. Later this summer, on the national level, the FDA will announce its HACCP based mandatory seafood safety program for American seafood processors and importers.

Sponsor Statement

House Bill 208 is intended to bring the seafood inspection program in Alaska into equivalency with regulations coming about both internationally and in the U.S. domestic market. Language in this proposed bill will require that all plans of operation be consistent with the HACCP procedures for seafood production established by regulations of the federal FDA. Other changes are intended to eliminate duplication in the language of the statute that go beyond the goal of safety as covered under a mandatory HACCP program.

To understand why these changes are necessary, HACCP must be discussed. HACCP identifies product/process hazards to determine critical control points which can be controlled, monitored and recorded. HACCP is designed to prevent problems before they start. Under these regulations, seafood processors and importers must develop HACCP plans appropriate to their business, monitor those plans, and keep records that FDA can review as part of its inspection and surveillance activities.

HACCP plans would need to be designed to prevent only those hazards that affect human safety, and, only those safety hazards that are "reasonably likely" to occur. FDA is requiring, with the seafood industry in agreement, HACCP be safety focused in order to minimize the unnecessarily large number of non-safety related critical control points which are covered by a multitude of other regulations.

House Bill 208 seeks to harmonize the state regulations with the federally mandated regulations as well as international regulations (i.e. European Union); improve the ability of the seafood industry to have a competitive edge in the world market through its HACCP compliance; compete cost-effectively; contribute to Alaska's economy; and, last, but most importantly, place safe seafood products in the world market.

International Trade

International trade is also a major consideration in determining the advisability and benefits of a new system of seafood regulation.

A nationally mandated HACCP-type system of controls appears to be a prerequisite for continued access to world markets.

It is estimated that close to 40 percent of the fish and shellfish harvested from the world's oceans, lakes, and other bodies of water entered international trade in 1991.

The United States is the world's largest exporter of fishery products. In 1991, the United States exported more than \$3 billion worth of seafood.

Both Canada and the European Community (EU) have implemented or are in the process of implementing mandatory HACCP based seafood inspection programs.

Failure by the United States to adopt a mandatory HACCP-based inspection system may ultimately undermine its export success with considerable economic consequences.



NFI INFO-FACTS . . .

1826 Wilson Boulevard • Suite 500 • Arlington, VA 22209 • 703/524-8881

1) Question: What is HACCP, is it a new concept?

Answer: HACCP stands for Hazard Analysis Critical Control Point (pronounced HASS-IP). It is a state-of-the-art inspection technology that has been around since 1959. It was developed by the Pillsbury Company for use by the NASA space program. It has been successfully used in sections of the private industry, and the seafood industry will be the first to use it on an industry-wide basis.

2) Question: What is so different about HACCP from the other inspection programs that are currently used?

Answer: HACCP takes a proactive approach to food safety by adopting preventive measures to avoid food safety hazards, rather than inspecting the product after it has gone through the process and then correcting problems. These preventive measures are applied at control points throughout the process where problems could occur (i.e. point of receipt, cook and post-cook stages of preparation, storage conditions, shipping/transportation).

HACCP also gives inspectors a historical perspective on inspection at a particular facility because they can review the daily HACCP records kept by the company back to the time of the last inspection. This contrasts with current procedures where inspectors can only verify what is being done at the plant at the time of the inspection.

3) Question: Has anyone ever studied the effectiveness of HACCP?

Answer: The prestigious National Academy of Sciences took a close look at HACCP-based inspection in a 1985 report and recommended that HACCP be implemented by the food industry and incorporated into federal food inspection programs.

The low-acid canned food industry, such as companies canning tuna and salmon, is currently using HACCP. Many of the private companies using HACCP report that it helps in producing a higher quality product and it is cost-effective.

(over)

4) question: What can consumers expect from HACCP?

Answer: The commercial seafood industry believes that HACCP will enable companies to provide consumers with even safer and more wholesome seafood products. Regulators of the beef and poultry industries are looking closely at HACCP-based inspection.

5) question: Is the seafood supply safe?

Answer: There have been a number of studies and reports conducted on seafood safety. A 1991 report by the National Academy of Sciences indicated that seafoods generally available to consumers are wholesome and unlikely to cause illness. Only two percent of foodborne illness cases reported to the Centers for Disease Control are attributable to seafood.

In a speech last spring, FDA Commissioner Kessler stated that the "vast preponderance of seafood that reaches the consumer is safe, clean, and free of contaminants and chemicals."

HACCP will help to further insure that the seafood available to U.S. consumers will be even safer.

HOUSE SPECIAL COMMITTEE ON FISHERIES
March 29, 1995
5:05 p.m.

MEMBERS PRESENT

Representative Alan Austerman, Chairman
Representative Carl Moses, Vice Chairman
Representative Gary Davis
Representative Kim Elton
Representative Scott Ogan

MEMBERS ABSENT

None

COMMITTEE CALENDAR

HB 208: "An Act relating to seafood processing plant of operation and seafood processing standard operating procedures; relating to quality assurance plans; and providing for an effective date."

PASSED OUT OF COMMITTEE

*HB 175: "An Act relating to sport fish guides; and providing for an effective date."

HEARD AND HELD

(* First public hearing)

WITNESS REGISTER

CHERYL SUTTON, Administrative Assistant
Representative Carl Moses
State Capitol, Room 204
Juneau, Alaska 99801-1182
Telephone: 465-4451

POSITION STATEMENT: Provided additional information on HB 208

HERB ECKMANN, Owner/Operator
Alaska Sausage Company
2914 Arctic Boulevard
Anchorage, Alaska 99503
Telephone: 562-3636

POSITION STATEMENT: Supported HB 208

GREG FAVRETTO
Favco, Inc.
Post Office Box 190968

Anchorage, Alaska 99579
Telephone: 278-1525
POSITION STATEMENT: Supported HB 208

JANICE ADAIR, Director,
Environmental Health
Department of Environmental Conservation
3601 C Street, Suite 1334
Anchorage, Alaska 99503
Telephone: 563-6529
POSITION STATEMENT: Supported HB 208

CHUCK JENSEN
East Point Seafoods
Post Office Box 1637
Kodiak, Alaska 99615
Telephone: 486-5799
POSITION STATEMENT: Supported HB 208

TERESSA KANDIANIS
Kodiak Fish Company
Post Office Box 469
Kodiak, Alaska 99615
Telephone: 486-6002
POSITION STATEMENT: Supported HB 208

JOHN JOYNER
Post Office Box 5451
Ketchikan, Alaska 99901
Telephone: 247-8458
POSITION STATEMENT: Concerned with HB 175

KEN DOLE, Managing Partner
Waterfall Resort
Post Office Box 6440
Ketchikan, Alaska 99901
Telephone: 225-9461
POSITION STATEMENT: Opposed HB 175

BILL STEFFEN, Chairman
Cordova Charter Boat Owners Association
Post Office Box 422
Cordova, Alaska 99574
Telephone: 424-5488
POSITION STATEMENT: Opposed HB 175

BILL FOSTER, President
Sitka Charters Members Association
2810 Sawmill Creek Road
Sitka, Alaska 99835
Telephone: 747-6157
POSITION STATEMENT: Concerned with HB 175

DAVID BENTON, Acting Deputy Commissioner
Alaska Department of Fish and Game
Post Office Box 25526
Juneau, Alaska 99811
Telephone: 465-4100
POSITION STATEMENT: Supported HB 175

JOHN BURKE, Acting Director
Sport Fish Division
Alaska Department of Fish and Game
Post Office Box 25526
Juneau, Alaska 99811
Telephone: 465-4100
POSITION STATEMENT: Commented on HB 175

PREVIOUS ACTION

BILL: HB 208

SHORT TITLE: SEAFOOD PROCESSING STANDARDS
SPONSOR(S): REPRESENTATIVE(S) MOSES, Austerman, Williams, Mackie,
Grussendorf, Elton, Kubina

JRN-DATE	JRN-PG		ACTION
02/27/95	502	(H)	READ THE FIRST TIME - REFERRAL(S)
02/27/95	503	(H)	FISHERIES
03/22/95		(H)	FSH AT 05:00 PM CAPITOL 124
03/22/95		(H)	MINUTE(FSH)
03/29/95		(H)	FSH AT 05:00 PM CAPITOL 124

BILL: HB 175

SHORT TITLE: SPORT FISH GUIDE LICENSING
SPONSOR(S): REPRESENTATIVE(S) AUSTERMAN, Ivan

JRN-DATE	JRN-PG		ACTION
02/10/95	303	(H)	READ THE FIRST TIME - REFERRAL(S)
02/10/95	303	(H)	FSH, RESOURCES, FINANCE
02/27/95	511	(H)	COSPONSOR(S): IVAN
03/13/95		(H)	FSH AT 05:00 PM CAPITOL 124
03/29/95		(H)	FSH AT 05:00 PM CAPITOL 124

ACTION NARRATIVE

TAPE 95-20, SIDE A
Number 000

The House Special Committee on Fisheries was called to order by Chairman Alan Austerman at 5:05 p.m. Members present at the call to order were Representatives Davis and Elton. The meeting was on teleconference with Anchorage, Cordova, Ketchikan, Kodiak and Sitka.

HFSH - 03/29/95

HB 208 - SEAFOOD PROCESSING STANDARDS

Number 013

CHERYL SUTTON, Administrative Assistant to Representative Carl Moses, indicated that committee members should have a committee substitute for HB 208, Version U, in their packets. She also stressed that she had contacted everyone who testified previously on HB 208 and each participant supported this committee substitute.

Number 054

GARY DAVIS moved to adopt work draft CS for HB 208, Version U.

CHAIRMAN AUSTERMAN objected for the purpose of discussion.

Number 064

REPRESENTATIVES CARL MOSES and SCOTT OGAN arrived at 5:09 p.m.

Number 065

MS. SUTTON stated, "The Federal Food and Drug Administration (FDA) is developing Hazard Analysis Critical Control Point (HACCP) regulations. When they are developed and adopted by federal rule, the state will adopt, in lieu of the current plans of operation for seafood processing, the same regulations that are adopted by federal rule from FDA for HACCP. The bill speaks to that, specifically in Section 2, where we separated out the permitting process from the plan of operation. In the past, the permit and the plan of operation were tied together. Section 2 now separates that out, but the permit is still renewed annually. The plan of operation is not renewed annually unless there is some change that requires renewal. She went on to stipulate, "The top of page 3 reflects the separation out of the plan of operation and who is required to have a plan of operation. Then Section 4 will be the section that will repeal Section 2, when the FDA HACCP regulations are adopted by federal rule. They will repeal the plan of operation as required and replace it with a HACCP plan."

Number 121

HERB ECKMANNNS, Owner/Operator, Alaska Sausage Company, testified via teleconference from Anchorage, that he has looked at the different drafts and is very happy with this draft.

Number 129

GREG FAVRETTO, Favco Inc., testified via teleconference from Anchorage, in support of HB 208.

Number 143

JANICE ADAIR, Director, Environmental Health, Alaska Department of Environmental Conservation, testified via teleconference from Anchorage, in support of HB 208.

Number 150

CHUCK JENSEN, East Point Seafoods, testified via teleconference from Kodiak, in support of the committee substitute for HB 208.

Number 158

TERESSA KANDIANIS, Kodiak Fish Company, testified via teleconference from Kodiak, in support of the committee substitute for HB 208.

Number 176

CHAIRMAN AUSTERMAN lifted his objections to the committee substitute for HB 208.

Number 178

REPRESENTATIVE SCOTT OGAN asked Ms. Sutton for a clarification as to what HACCP programs are.

MS. SUTTON replied that a fact sheet of HACCP was provided in the committee members packets. She cited, "The FDA is proposing regulations that will basically ensure the safe processing and importing of fish and fishery products." She went on to say, "The HACCP program is a preventative system of hazardous control that can be used by food processors and importers. What they do is evaluate the kinds of hazards that could affect the product, they institute controls necessary to keep these hazards from occurring, monitor the performance of these controls and maintain records of this monitoring." She added that this is based on scientific principles.

Number 223

REPRESENTATIVE DAVIS moved committee substitute for HB 208, Version U out of committee, with individual recommendations and accompanying fiscal notes.

Number 230

CHAIRMAN AUSTERMAN upon hearing no objections, moved CSHB 208 (FSH) out of the House Special Committee on Fisheries, with individual recommendations and accompanying fiscal notes.

HOUSE SPECIAL COMMITTEE ON FISHERIES

March 22, 1995

5:02 p.m.

HFSH - 03/22/95

HB 208 - SEAFOOD PROCESSING STANDARDS

Number 269

CHERYL SUTTON, Administrative Assistant to Representative Moses, testified on his behalf as the prime sponsor of this bill. She specified, "HB 208 addresses one area of a changing seafood industry. This is the area of seafood inspection through Hazard Analysis Critical Control Point (HACCP) planning. Currently, the federal government, through the Food and Drug Administration (FDA) is proposing to adopt regulations to ensure the safe processing and monitoring of fish and fishery products. HB 208 will mirror the requirements adopted by the FDA in state statute and will replace the current plans of operation with a HACCP plan. The HACCP system will produce a more efficient system for ensuring the safety of seafood products than currently exist. The effective date of the Act will also mirror the adoption of the federal rule. International trade is also a major consideration in determining the advisability and benefits of a new system of seafood regulation. Both Canada and the European community have implemented or are in the process of implementing mandatory HACCP based seafood inspection programs. Failure by the United States to adopt a mandatory HACCP based inspection system and failure by Alaska, may ultimately undermine its export success with considerable economic consequence."

Number 318

JANICE ADAIR, Regional Director, Department of Environmental Conservation, testified via teleconference from Anchorage, in support of the concept behind this legislation and is working with Ms. Sutton on the committee substitute.

Number 325

DAVE CHCQUETTE, President, Alaska Choice Seafoods, testified via teleconference from Anchorage, in wholehearted support of HB 208. He stated, "We feel that the bill will go a long way towards strengthening the relationship between the industry and the regulatory agency. We also feel the harmonizing effect this bill will have in bringing a universal understanding of the regulation through the HACCP program."

Number 372

DOUG DONEGAN, Vice President, Trident Seafoods Corporation, testified via teleconference from Anchorage, in strong support of HB 208. He stated, "We believe it will reduce duplication of efforts for industry in the state and it will continue to protect the safety of the consumers in Alaska seafood products."

Number 388

JIM YONKER, Director, Ocean Beauty Seafoods, testified via teleconference from Seattle, Washington, in support of HB 208. He also thanked ADEC's efforts and the legislature in working together to bring this special program on line.

Number 400

KEN ROEHMILDT, Superintendent, North Pacific Processors, testified via teleconference from Cordova, in support of this bill. He stated, "HB 208 provides a level of inspection that is acceptable to me as a processor and demanded by consumers worldwide." He went on to say, "We Alaskan processors currently operate at higher costs than outside processors and to remain in business we must not increase our costs beyond what is absolutely necessary."

Number 417

HAP SYMONDS, Plant Manager, St. Elias Seafood Products, testified via teleconference from Cordova, in support of HB 208. He commented, "This bill will bring HACCP regulations under one roof with ADEC, FDA and the European union regulations being the same. It will make it more streamlined for plant managers and for plant quality control people to follow the regulations. This will ensure that products produced in an approved plant would not be denied their place in the market, due to a minor technicality."

Number 427

GERALD MASOLINI, Owner/Operator, Eyak Packing, testified via teleconference from Cordova, in support of HB 208. He thanked both Representative Moses and his wife, Cheryl Sutton, for all the work they have done.

Number 439

CHUCK JENSON, East Point Seafoods, testified via teleconference from Kodiak, in full support of HB 208. He stated, "Harmonizing these state regulations with the federal regulations does nothing but make sense."

Number 461

RICK LAUBER, Lobbyist, Pacific Seafoods Processor Association, testified in support of HB 208. He remarked, "Not only is this a good bill for processors and fishermen, but it's also a very good bill for the public." He added, "We won't have to conform to a multitude of regulations. One of our big problems has been conforming with foreign nations and the various treaties and trade agreements."

Number 494

REPRESENTATIVE DAVIS commented that he likes this bill.

REPRESENTATIVE MOSES commented in jest, that we should just go ahead and move the committee substitute out now.

REPRESENTATIVE OGAN made referrals to the General Agreement on

Trade and Tariffs (GATT) and the North American Free Trade Agreement (NAFTA) and how these policies relate to this bill.

Number 507

→ CHAIRMAN AUSTERMAN again indicated that HB 208 would be held.

HOUSE COMMITTEE REPORT

(5)

Date Referred: February 27, 1995

FURTHER REFERRALS:

Date of Committee Action: 3/29/95

The HOUSE SPECIAL COMMITTEE ON FISHERIES Committee considered: HB 208

HOUSE BILL NO. 208 SEAFOOD PROCESSING STANDARDS

"An Act relating to seafood processing plans of operation and seafood processing standard operating procedures; relating to quality assurance plans; and providing for an effective date."

recommends it be replaced with the following committee substitute CSHB 208(FSH) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dep) _____ APPROVES PREVIOUS: (Dep/Date) _____
 fiscal note(s) _____ fiscal note(s) _____

zero fiscal note(s) DEC zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			

CHAIR'S SIGNATURE *[Signature]*

3/29/95

HB

212

FISCAL NOTE

No. 9
 Bill Version: CSRB 212(FIN)
 (H) Publish Date: 2/7/96

STATE OF ALASKA
1996 LEGISLATIVE SESSION

Revision Date: 5-Feb-96 Dept Affected: Natural Resources
 Title: An Act relating to the management and sale of BRU: Resource Development
state timber and relating to the administration of forest land Component: Forest Management & Development
 Sponsor: House State Affairs
 Requestor: House Rules Component Serial No. 438

(Thousands of Dollars)

Expenditures/Revenues	FY97	FY98	FY99	FY00	FY01	FY02
OPERATING EXPENDITURES						
PERSONAL SERVICES	(3.0)	(3.0)	(3.0)	(3.0)	(3.0)	(3.0)
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	(3.0)	(3.0)	(3.0)	(3.0)	(3.0)	(3.0)
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

(Thousands of Dollars)

FUND SOURCE	FY97	FY98	FY99	FY00	FY01	FY02
1002 Federal Receipts						
1003 OF Match						
1004 OF	(3.0)	(3.0)	(3.0)	(3.0)	(3.0)	(3.0)
1005 OF Program Receipts						
1006 OF AMTUA						
Other						
TOTAL	(3.0)	(3.0)	(3.0)	(3.0)	(3.0)	(3.0)

Estimate of any current year (FY96) cost: none

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: (Attach a separate page if necessary)

The elimination of the need to prepare forest land use plans for very small sales, those of 10 acres or less, results in a small annual savings.

Prepared by: Tom South, Director Phone: 480-3378
 Division: Forestry Date: 5-Feb-96
 Approved by Commissioner: [Signature] Date: 5-Feb-96
 Agency: Natural Resources

FISCAL NOTE

No. 8
 Bill Version: CSHR 212(FIX)
 (H) Publish Date: 2/2/96

STATE OF ALASKA
 1996 LEGISLATIVE SESSION

Revision Date: 24-Jan-96
 Title: An Act relating to the management and sale of state timber...
 Sponsor: House State Affairs Committee
 Requestor: House Resources Committee

Department Affected: Environmental Conservation
 BRL: Air and Water Quality
 Component: Water Quality

COMPONENT SERIAL NO: 006

Expenditures/Revenues	(Thousands of Dollars)					
	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
OPERATING EXPENDITURES						
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND/STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
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	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
100 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
101 Federal Grants	0.0	0.0	0.0	0.0	0.0	0.0
102 State	0.0	0.0	0.0	0.0	0.0	0.0
103 Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
104 Other	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Change of net current year (FY96) cost: 0.0

POSITIONS	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS (ASKS a separate page if necessary)

Prepared by: Len Verrelli
 Division: Director, Division of Air and Water Quality

Phone: 465-5260
 Date: 1/31/96

Approved by Commissioner: [Signature]
 Agency: Department of Environmental Conservation

Date: 1/31/96

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

ANALYSIS:

On 3/22/95, ADEC submitted a fiscal note for the original version of HB212 (dated 3-1-95). That fiscal note reflected the need for additional positions to address Section 9 of that version of the bill which stated, in part: "Commercial timber harvest may not be found to be an incompatible use or otherwise restricted unless the commissioner provides scientific data that clearly justifies the finding of incompatibility or restriction and demonstrates the benefits of the restriction."

Since ADEC is charged with ensuring that State Water Quality Standards are met, it was determined that additional positions would be required to fulfill that legal obligation, given the provisions of Section 9. In the current version of HB212, the language in that section (Section 10, in HB212b) has been modified, removing the need for additional positions to fulfill our legal requirements. Therefore, ADEC has submitted a "zero" fiscal note for this version of HB212.

FISCAL NOTE

No. 7

Bill Version: CSHB 212(FIN)

(H) Publish Date: 2/2/96

STATE OF ALASKA
1996 LEGISLATIVE SESSION

Revision Date: 1/30/96 Dept. Affected: Fish and Game
 Title: An Act relating to the management and sale of BRU Habitat and Restoration
state timber and relating to the administration of forest land Component: Habitat Protection
 Sponsor: House STA
 Requester: House Finance COMPONENT SERIAL NO. 2100

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 100	FY 01	FY 02
PERSONAL SERVICES	15.1					
TRAVEL	1.5					
CONTRACTUAL	2.5					
SUPPLIES	0.5					
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	19.6	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	19.6					
1005 GF Program Receipts						
1037 GF Mental Health						
Other						
TOTAL	19.6	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY96) cost: \$ 0.0

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

See attached sheet

Prepared by: Janet Kowalski Phone: 465-4105
 Division: Habitat and Restoration Date: 1/30/96
 Approved by Commissioner: [Signature] Date: 1/30/96
 Agency: Department of Fish and Game

COMMITTEE COPY PREPARED TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

FISCAL NOTE CONTINUATION PAGE
STATE OF ALASKA BILL NO. CSHB212
1996 LEGISLATIVE SESSION

Analysis: (continued)

HB212 would change the way state forests and sale offerings of state timber are managed. The purpose of the bill appears to be to increase availability of small state timber sales for smaller logging/sawmill operators.

If HB212 is adopted, we believe that over the next five years, that there would be an increase in the availability of small timber sales and would increase the annual cut in the areas of the state where they occur. This means more fish and wildlife habitat will be affected and more Title 16 reviews and forest practices inspections will be required if impacts to fish and wildlife habitat and production are to be minimized. Because pre-sale planning opportunities and pre-contract reviews may be minimized or eliminated under HB212, many impacts which would have formerly been addressed in the pre-sale planning process, will have to be addressed in the field. This will necessitate increased reliance on field monitoring and enforcement to protect anadromous fish habitat and wildlife habitat. Resolution of resource conflicts with small operators is expected to be much more difficult because of the relatively high economic costs. This would require increased field presence by ADF&G field staff to meet ADF&G statutory responsibilities under Title 16 and Title 41. Because of the expected increased number of small timber sales and likely accelerated harvest, increased Habitat Biologist and clerical support would be required as these new areas come on line.

SENATE COMMITTEE REPORT

First Committee of Referral

DATE: 2/13/96

FURTHER: Finance

DATE TURNED INTO OFFICE: 3-12-96

The Resources Committee considered CS FOR HOUSE BILL NO. 212(FIN)

Relating to the management and sale of state timber and relating to the administration of forest land and classification of state land.

and recommends:

- be replaced with SEN CS HB 212 (RES)
- adopt previous _____ CS _____
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

- Senate Bill:
- same title
 - new title
- House Bill:
- same title
 - technical title
 - new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>As read</i>	<input checked="" type="checkbox"/>				
<i>Steven J. Taylor</i>	<input checked="" type="checkbox"/>				
<i>Line 10ance</i>	<input checked="" type="checkbox"/>				
CHAIR: <i>Kevin J. Hewitt</i>	<input checked="" type="checkbox"/>	CHAIR:			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
DNR/Forest Management	2/2/96		(50)
DNR/Water Quality	3/1/96	<input checked="" type="checkbox"/>	
DNR/Water Protection	2/1/96		19.6

Client
ACB
APRA
H Sen CS

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill



Alaska State Legislature

Official Business

State Capitol
Juneau AK 99801

MEMO

TO: Legal Services
via fax: X2029 this page only

FROM: Annette Kreitzer, Aide to
Senate Resources Committee
PHONE: X4907

DATE: March 11, 1996

RE: Senate CS for HB 212(RES)

Please prepare a FINAL Senate Resources CS for HB 212 with the following change.
Page 1, Line 14:

Delete the , following "agencies"
agencies[,]

Please deliver the FINAL to Senator Loren Leman's office, Room 115 of the Capital. No other changes were adopted by the committee. Call if you have questions.

*Proposed by the Environmental Lobby
and related legislation to amend
the constitution*

CS FOR HOUSE BILL NO. 212(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: 2/2/96
Referred: Rules

Sponsor(s): HOUSE STATE AFFAIRS COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the management and sale of state timber and relating to the
2 administration of forest land and classification of state land."

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

4 • Section 1. AS 38.05.112(a) is amended to read:

5 (a) The department may not ~~authorize the~~ [SELL OR] harvest of timber, except
6 for harvests of 10 acres or less or [ISOLATED PERSONAL USE] timber salvaged
7 from land cleared for a nonforest use [HARVEST], until a site-specific forest land use
8 plan has been adopted. A forest land use plan is required whether or not a regional or
9 area land use plan under AS 38.04.065(a) or a forest management plan under
10 AS 41.17.230 has been adopted.

11 • Sec. 2. AS 38.05.112(b) is amended to read:

12 (b) In adopting a forest land use plan, the [THE] commissioner shall consider
13 [BASE A FOREST LAND USE PLAN ON] the best available data, including
14 information provided by other agencies, describing the immediate and long-term effects
15 of individual and collective forest activities on the timber base and on other resources

1 and uses.

2 * Sec. 3. AS 38.05.112(c) is amended to read:

3 (c) If a regional or area land use plan under AS 38.04.065(a) or a forest
4 management plan under AS 41.17.230, that includes the area to be covered by the
5 forest land use plan required under (a) of this section, has been adopted, the
6 requirements of AS 38.04.065(b) do not apply to a forest land use plan under (a) of
7 this section. If a regional or area land use plan under AS 38.04.065(a) or a forest
8 management plan under AS 41.17.230, that includes the area to be covered by the
9 forest land use plan under (a) of this section, has not been adopted, the
10 requirements of AS 38.04.065(b) apply to a land use plan under (a) of this section.
11 Regardless of whether AS 38.04.065(b) applies to a forest land use plan under (a)
12 of this section, [IN ADDITION TO THE REQUIREMENTS OF AS 38.04.065(b),] a
13 forest land use plan must [SHALL] consider

14 (1) commercial timber harvesting, including related activities;

15 (2) harvesting of forest products for personal use;

16 (3) fish and wildlife habitat, including

17 (A) identification and protection of important wildlife habitat;

18 (B) retention of riparian, wetland, and ocean-shoreline vegetation
19 critical for fish and wildlife habitat; [AND]

20 (C) classification of water bodies according to physical
21 characteristics; and

22 (D) the use of silvicultural practices, commercial timber
23 harvest, and related activities to maintain and enhance the quality of fish
24 and game habitat;

25 (4) uses of forest land for nontimber purposes, including

26 (A) recreation, tourism, and related activities;

27 (B) mining, mining claims, mineral leaseholds, and material
28 extraction;

29 (C) uses of fish and wildlife;

30 (D) agriculture, including grazing; and

31 (E) other resources and uses appropriate to the area, including
32 compatible traditional uses;

- 1 (5) soil characteristics and productivity;
- 2 (6) water quality; and
- 3 (7) watershed management.

4 * Sec. 4. AS 38.05.113 is amended to read:

5 Sec. 38.05.113. FIVE-YEAR SALE SCHEDULE. (a) The department shall
6 annually prepare a five-year schedule of timber sales planned on all land managed by the
7 department. The timber sale schedule must provide a time line that identifies timber
8 sales, their amounts, and their locations and must be sufficient to provide the public
9 and the forest products industry with a basis to comment on future sale offerings
10 [BE OF SUFFICIENT SPECIFICITY THAT IT PROVIDES A BASIS FOR THE
11 DEPARTMENT TO ALLOCATE ITS RESOURCES IN CONSIDERING AND
12 DESIGNING SALES AND IN CONDUCTING ECONOMIC AND ENVIRONMENTAL
13 ANALYSES. THE SCHEDULE MUST INFORM THE PUBLIC AND THE TIMBER
14 PRODUCTS INDUSTRY OF LONG-TERM PLANS AND PROVIDE A BASIS FOR
15 PUBLIC COMMENT].

16 (b) Except as provided in (c) of this section, a proposed sale may not be held
17 unless it has been included in the two five-year schedules preceding the sale. [THIS
18 REQUIREMENT DOES NOT APPLY UNTIL ONE YEAR AFTER THE FIRST FIVE-
19 YEAR SCHEDULE IS PREPARED UNDER THIS SECTION.]

20 (c) Sales of 160 acres or less [THE DEPARTMENT MAY ADOPT
21 REGULATIONS EXEMPTING SMALL] and emergency sales are exempt from the
22 requirements of this section.

23 * Sec. 5. AS 38.05.113 is amended by adding a new subsection to read:

24 (d) A proposed timber sale that has been scheduled as specified in (b) of this
25 section may be offered past the originally scheduled year without being included in
26 future schedules if the sale is held within two years of the scheduled year and the sale

- 27 (1) was offered as scheduled and was not purchased; or
- 28 (2) was sold as scheduled and was returned to the state uncompleted.

29 * Sec. 6. AS 41.17.090(c) is amended to read:

30 (c) Before beginning operations on municipal or private forest land or on state
31 land not managed by the division, the operator shall provide the state forester with a
32 detailed plan of operations. The detailed plan of operations must include

1 (1) a description of the proposed operations, identifying the land involved
2 and the action proposed in sufficient detail to inform the public of the nature and
3 location of the proposed operations; the description must include a map and must be in
4 a form suitable for duplication;

5 (2) the name, address, and approving signature of the forest landowner,
6 timber owner, and operator; and

7 (3) other information required in the regulations adopted under this
8 chapter.

9 * Sec. 7. AS 41.17.200 is amended to read:

10 Sec. 41.17.200. STATE FOREST PURPOSES. The purpose of AS 41.17.200
11 - 41.17.230 is to permit the establishment of designated state-owned or acquired land and
12 water areas as state forests. The primary purpose in the establishment of state forests is
13 multiple use management that provides for the production, utilization, and
14 replenishment of timber resources while perpetuating [THE PERPETUATION OF]
15 personal, commercial, and other beneficial uses of resources [THROUGH MULTIPLE-
16 USE MANAGEMENT].

17 * Sec. 8. AS 41.17.200 is amended by adding a new subsection to read:

18 (b) In managing a state forest, the commissioner shall, consistent with the
19 primary purpose of a state forest under (a) of this section, restrict the public use of the
20 land and its resources, including timber, fish and wildlife, and minerals, only when
21 necessary to carry out the purposes of this chapter.

22 * Sec. 9. AS 41.17.210(a) is amended to read:

23 (a) The governor may propose to the legislature the establishment of state forests
24 consisting primarily of commercially valuable forest land determined by the governor to
25 be necessary for retention in state ownership for management under the principles of
26 multiple use and sustained yield and consistent with AS 38.04.005. The proposal of the
27 governor must include a report and recommendations of the commissioner including

28 (1) a preliminary forest inventory;

29 (2) a summary of the testimony offered at public hearings held on the
30 management of the proposed state forest in communities proximately located to a
31 proposed state forest;

32 (3) the findings of the commissioner on anticipated incompatibilities of

1 uses described in AS 38.05.112(c) under AS 41.17.230 [AS 38.05.112(d)];

2 (4) written comments from appropriate state agencies on the compatibility
3 of the uses described in AS 38.05.112(c) within the proposed state forest;

4 (5) an estimate of the cost of a full implementation of an operational
5 level forest inventory and the management plan.

6 * Sec. 10. AS 41.17.230(a) is amended to read:

7 (a) The commissioner shall prepare a management plan consistent with
8 AS 38.04.005 and this chapter for each state forest and for each unit of a state forest to
9 assist in meeting the requirements of this chapter. An operational level forest inventory
10 shall be completed before a management plan for the state forest or the unit of a state
11 forest is adopted. The management plan shall be adopted, implemented, and maintained
12 within three years of the establishment of a state forest by the legislature. The
13 management plan must consider and permit the uses described in AS 38.05.112(c).
14 If the commissioner finds that a permitted use is incompatible with one or more
15 other uses in a portion of a state forest, the commissioner shall affirmatively state
16 in the management plan that finding of incompatibility for the specific area where
17 the incompatibility is anticipated to exist and the time period when the
18 incompatibility is anticipated to exist together with the reasons and benefits for each
19 finding.

20 * Sec. 11. AS 41.17.400 is amended by adding a new subsection to read:

21 (e) The wildlife management objective of the Tanana Valley State Forest is the
22 production of wildlife for a high level of sustained yield for human use through habitat
23 improvement techniques to the extent consistent with the primary purpose of a state
24 forest under AS 41.17.200.

25 * Sec. 12. AS 38.05.112(d) is repealed.

9-LS0695M
Luckhaupt
1/4/96

CS FOR HOUSE BILL NO. 212(RES)
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE RESOURCES COMMITTEE

Offered:
Referred:

Sponsor(s): HOUSE STATE AFFAIRS COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the management and sale of state timber and relating to the
2 administration of forest land and classification of state land."

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

4 • Section 1. AS 38.05.112(a) is amended to read:

5 (a) The department may not authorize the [SELL OR] harvest of timber, except
6 for harvests of 10 acres or less or [ISOLATED PERSONAL USE] timber salvaged
7 from land cleared for a nonforest use [HARVEST], until a site-specific forest land use
8 plan has been adopted. A forest land use plan is required whether or not a regional or
9 area land use plan under AS 38.04.065(a) or a forest management plan under
10 AS 41.17.230 has been adopted.

11 • Sec. 2. AS 38.05.112(b) is amended to read:

12 (b) In adopting a forest land use plan, the [THE] commissioner shall consider
13 [BASE A FOREST LAND USE PLAN ON] the best available data, including
14 information provided by other agencies describing the [IMMEDIATE AND LONG-
15 TERM] effects of [INDIVIDUAL AND COLLECTIVE] forest activities on the timber

1 base and on other resources and uses.

2 • Sec. 3. AS 38.05.112(c) is amended to read:

3 (c) If a regional or area land use plan under AS 38.04.065(a) or a forest
4 management plan under AS 41.17.230, that includes the area to be covered by the
5 forest land use plan required under (a) of this section, has been adopted, the
6 requirements of AS 38.04.065(b) do not apply to a forest land use plan under (a) of
7 this section. If a regional or area land use plan under AS 38.04.065(a) or a forest
8 management plan under AS 41.17.230, that includes the area to be covered by the
9 forest land use plan under (a) of this section, has not been adopted, the
10 requirements of AS 38.04.065(b) apply to a land use plan under (a) of this section.
11 Regardless of whether AS 38.04.065(b) applies to a forest land use plan under (a)
12 of this section, [IN ADDITION TO THE REQUIREMENTS OF AS 38.04.065(b),] a
13 forest land use plan must [SHALL] consider

14 (1) commercial timber harvesting, including related activities;

15 (2) harvesting of forest products for personal use;

16 (3) fish and wildlife habitat, including

17 (A) identification and protection of important wildlife habitat;

18 (B) retention of riparian, wetland, and ocean-shoreline vegetation
19 critical for fish and wildlife habitat; [AND]

20 (C) classification of water bodies according to physical
21 characteristics: and

22 (D) the use of silvicultural practices, commercial timber
23 harvest, and related activities to maintain and enhance the quality of fish
24 and game habitat;

25 (4) uses of forest land for nontimber purposes, including

26 (A) recreation, tourism, and related activities;

27 (B) mining, mining claims, mineral leaseholds, and material
28 extraction;

29 (C) uses of fish and wildlife;

30 (D) agriculture, including grazing; and

31 (E) other resources and uses appropriate to the area, including
32 compatible traditional uses.

- 1 (5) soil characteristics and productivity;
2 (6) water quality; and
3 (7) watershed management.

4 • Sec. 4. AS 38.05.113 is amended to read:

5 Sec. 38.05.113. FIVE-YEAR SALE SCHEDULE. (a) The department shall
6 annually prepare a five-year schedule of timber sales planned on all land managed by the
7 department. The timber sale schedule must provide a time line that identifies timber
8 sales, their amounts, and their locations and must be sufficient to provide the public
9 and the forest products industry with a basis to comment on future sale offerings
10 [BE OF SUFFICIENT SPECIFICITY THAT IT PROVIDES A BASIS FOR THE
11 DEPARTMENT TO ALLOCATE ITS RESOURCES IN CONSIDERING AND
12 DESIGNING SALES AND IN CONDUCTING ECONOMIC AND ENVIRONMENTAL
13 ANALYSES. THE SCHEDULE MUST INFORM THE PUBLIC AND THE TIMBER
14 PRGDUCTS INDUSTRY OF LONG-TERM PLANS AND PROVIDE A BASIS FOR
15 PUBLIC COMMENT].

16 (b) Except as provided in (c) of this section, a proposed sale may not be held
17 unless it has been included in the two five-year schedules preceding the sale. [THIS
18 REQUIREMENT DOES NOT APPLY UNTIL ONE YEAR AFTER THE FIRST FIVE-
19 YEAR SCHEDULE IS PREPARED UNDER THIS SECTION.]

20 (c) Sales of 160 acres or less [THE DEPARTMENT MAY ADOPT
21 REGULATIONS EXEMPTING SMALL] and emergency sales are exempt from the
22 requirements of this section.

23 • Sec. 5. AS 38.05.113 is amended by adding a new subsection to read:

24 (d) A proposed timber sale that has been scheduled as specified in (b) of this
25 section may be offered past the originally scheduled year without being included in
26 future schedules if the sale is held within two years of the scheduled year and the sale

27 (1) was offered as scheduled and was not purchased; or

28 (2) was sold as scheduled and was returned to the state uncompleted.

29 • Sec. 6. AS 41.17.090(c) is amended to read:

30 (c) Before beginning operations on municipal or private forest land or on state
31 land not managed by the division, the operator shall provide the state forester with a
32 detailed plan of operations. The detailed plan of operations must include

1 (1) a description of the proposed operations, identifying the land involved
2 and the action proposed in sufficient detail to inform the public of the nature and
3 location of the proposed operations; the description must include a map and must be in
4 a form suitable for duplication;

5 (2) the name, address, and approving signature of the forest landowner,
6 timber owner, and operator; and

7 (3) other information required in the regulations adopted under this
8 chapter.

9 • Sec. 7. AS 41.17.200 is amended to read:

10 Sec. 41.17.200. STATE FOREST PURPOSES. The purpose of AS 41.17.200
11 - 41.17.230 is to permit the establishment of designated state-owned or acquired land and
12 water areas as state forests. The primary purpose in the establishment of state forests is
13 multiple use management that provides for the production, utilization, and
14 replenishment of timber resources while perpetuating [THE PERPETUATION OF]
15 personal, commercial, and other beneficial uses of resources [THROUGH MULTIPLE-
16 USE MANAGEMENT].

17 • Sec. 8. AS 41.17.200 is amended by adding a new subsection to read:

18 (b) In managing a state forest, the commissioner shall, consistent with the
19 primary purpose of a state forest under (a) of this section, restrict the public use of the
20 land and its resources, including timber, fish and wildlife, and minerals, only when
21 necessary to carry out the purposes of this chapter.

22 • Sec. 9. AS 41.17.210(a) is amended to read:

23 (a) The governor may propose to the legislature the establishment of state forests
24 consisting primarily of commercially valuable forest land determined by the governor to
25 be necessary for retention in state ownership for management under the principles of
26 multiple use and sustained yield and consistent with AS 38.04.005. The proposal of the
27 governor must include a report and recommendations of the commissioner including

28 (1) a preliminary forest inventory;

29 (2) a summary of the testimony offered at public hearings held on the
30 management of the proposed state forest in communities proximately located to a
31 proposed state forest.

32 (3) the findings of the commissioner on anticipated incompatibilities of

1 uses described in AS 38.05.112(c) under AS 41.17.230 [AS 38.05.112(d)];

2 (4) written comments from appropriate state agencies on the compatibility
3 of the uses described in AS 38.05.112(c) within the proposed state forest;

4 (5) an estimate of the cost of a full implementation of an operational
5 level forest inventory and the management plan.

6 • Sec. 10. AS 41.17.230(a) is amended to read:

7 (a) The commissioner shall prepare a management plan consistent with
8 AS 38.04.005 and this chapter for each state forest and for each unit of a state forest to
9 assist in meeting the requirements of this chapter. An operational level forest inventory
10 shall be completed before a management plan for the state forest or the unit of a state
11 forest is adopted. The management plan shall be adopted, implemented, and maintained
12 within three years of the establishment of a state forest by the legislature. The
13 management plan must consider and permit the uses described in AS 38.05.112(c).
14 If the commissioner finds that a permitted use is incompatible with one or more
15 other uses in a portion of a state forest, the commissioner shall affirmatively state
16 in the management plan that finding of incompatibility for the specific area where
17 the incompatibility is anticipated to exist and the time period when the
18 incompatibility is anticipated to exist together with the reasons and benefits for each
19 finding.

20 • Sec. 11. AS 41.17.400 is amended by adding a new subsection to read:

21 (c) The wildlife management objective of the Tanana Valley State Forest is the
22 production of wildlife for a high level of sustained yield for human use through habitat
23 improvement techniques to the extent consistent with the primary purpose of a state
24 forest under AS 41.17.200.

25 • Sec. 12. AS 38.05.112(d) is repealed.

Alaska State Legislature

REPRESENTATIVE
JEANNETTE JAMES
P.O. Box 54622
Fairbanks, Alaska 99705
(907) 480-1540
FAX (907) 480-4271

State of Alaska
State Capitol
Juneau, Alaska
99801-3102
(907) 465-1747
FAX (907) 465-2301

House Of Representatives

House District 14


MEMORANDUM

TO: Senator Loren Leman, Chair
Senate Resources Committee

DATE: February 14, 1996

FROM: Representative Jeannette James

RE: House Bill 212, Timber Management



.....

Please schedule HB212, Timber Management, for hearing in the Senate Resources Committee at your earliest convenience.

Back-up material is attached.

Thank you for your help.

Alaska State Legislature

REPRESENTATIVE
JEANNETTE JAMES

P.O. Box 56872
North Pole, Alaska 99703

(907) 408-1540
FAX (907) 408-4771



State of Alaska
State Capitol
Juneau, Alaska
99801-1182
(907) 465-3743
FAX (907) 466-2381

House Of Representatives

House District 34

HOUSE BILL 212 TIMBER MANAGEMENT

Sponsor Statement and Bill Analysis 2/14/96

The House State Affairs Committee introduced HB212 at the request of constituents from the timber industry in Fairbanks. These people are operators of small lumber businesses in the local communities. Their livelihoods have been impacted by the overly complicated procedures they must endure to secure timber from the state. It is not the lack of timber which has caused a problem, it is the inability of the Department of Natural Resources to allow the harvesting of this resource. Current statutes are such that the five-year planning and three year updates required by Title 38 make continuation of an ongoing industry very difficult.

Well-managed timber harvesting not only helps create and support jobs and a healthy economy, it creates and supports healthy forests. The Fairbanks community, as well as many other Alaskan communities, are being prohibited from developing the basic timber industries necessary for maintaining strong forest ecology and a strong economic environment.

HB 212 provides flexibility to the Commissioner of DNR and the Division of Forestry to meet the needs of small timber operators in a timely manner. It also makes small adjustments to Title 38 and Title 41 intended to help secure a sustainable forest products industry for Alaska's forests. Changes made in HB212 between March of 1995, when it was introduced, and the present, represent months of intense hearings with the House Resources Committee, the Department of Forestry, the Administration, the bill sponsor, and business people from the forestry industry. A truly cooperative effort resulted in the bill in its current form, which addresses the needs and wishes of all parties. A section-by-section explanation of the bill follows.

SECTION 1 of the bill amends AS 38.05.112(a) to exempt 10 acre (or less) sales from the requirement of a Forest Land Use Plan. It also exempts salvage sales where the purpose is a land use conversion from forest to nonforest use.

Page 1, line 5 of the CS rewrites the section to read, "authorize the harvest of . . ." The department does not harvest timber, it just sells it and allows it to be harvested.

Page 1, line 6 of the CS clarifies the harvest areas to be 10 acres or less, not just those less than 10 acres.

SECTION 2 of the bill amends the requirements for preparation of forest use plans under AS 38.05.112(b).

The Resources CS rewrote the bill to put some of the deleted language back into the law relative to other agencies providing information on the effects of forest activities on the timber base. However, it would now only require the commissioner to consider such information, whereas under current law he must base the plan on the decision. With the new language, the department would be less likely to be sued successfully for not placing enough weight on the supplied information. The Resources CS also adds a comma after the word "agencies" on page 1, line 14, for clarification.

The Finance CS added back in the language requiring the Commissioner to consider the "immediate and long-term" effects of "individual and collective" forest activities, on page 1, lines 14 and 15.

SECTION 3 of the bill amends AS 38.05.112(c) relating to considerations required in a forest land use plan. It insures that all state lands subject to timber harvest will be covered by a planning document subject to public review, and includes a reference to silvicultural practices and timber harvest as legitimate forest management techniques for wildlife habitat improvement.

The Resources CS rewrote the first part of Section 3 to close a small loophole left open by the original bill. Basically, in developing a land use plan, the division will now have to take the actions described in AS 38.04.065(b) only if those actions have not been taken in developing a regional or area land use plan in the case of general state land, or in developing a forest management plan in the case of a state forest.

SECTION 4 of the bill amends AS 38.05.113 relating to the requirements of the five year schedule of timber sales; provides an exception for timber sales previously noticed in the five year sale schedules; and adds exceptions from the five year sale schedule listing requirements. The information the Department has to include is streamlined.

Page 3, line 17 of the CS adds the article "the" back in. This means that state timber sales will still have to appear in the five year schedule of timber sales for the two consecutive years just prior to their going up for sale. This is how the law currently reads. The original language in HB 212 would have allowed a sale to go forward even if it had only appeared in some five year schedule in "the distant past". As the Administration has pointed out, this would have made the five year schedule totally useless as a planning document.

Page 3, line 20 of the CS is one of the more important elements of the bill. "Small sales" currently can be exempted by regulation from the required two listings on the five year schedule of timber sales. This provision would define "small sales" as those of 160 acres or less and exempt them by statute. This is in accordance with the original "Green Book" agreement, pages 43 and 44.

SECTION 5 of the bill adds a new subsection to AS 38.05.113 dealing with continued offerings of timber sales after the sale has been listed in the five year sale schedules.

Section 5 was rewritten in the CS to include a change requested by the Administration. All re-offers will have to be made within two years of the original offering year or they will have to go back on the five year schedule of timber sales. Presumably, this would also require an updated land use plan and possibly a new appraisal. The CS reflects the original intent of the bill, that is, the two year limit on re-offers was meant to govern sales that were offered and not purchased and sales that were sold and not harvested. The CS version makes more sense as a management tool.

SECTION 6 of the bill amends AS 41.17.090(c) by providing that detailed plans of timber operations on state land do not have to be prepared and submitted to the state forester under the Forest Practices Act.

The CS contains a simple change. Present law requires the operator to provide a detailed plan of operations to the Division of Forestry before beginning operations. It primarily applies to operations on private land, and the original bill removed the requirement for the state Division of Forestry to notify itself when planning operations on state land. At the Administration's request, the CS adds "state land not managed by the division," since the division still needs a plan of operations from Mental Health Trust land activities and University land activities.

SECTION 7 of the bill amends AS 41.17.200 by providing new direction for the commissioner of natural resources in the management of state forests.

Page 4, line 13 of the CS contains a change requested by the Administration. The word "emphasizing" has been replaced by "that provides for." This change reflects compromise language that retains the proposed shift of emphasis in the purposes section of the statutes governing state forests. Even without the word "emphasizing," the new language puts timber resources more into the forefront while retaining the multiple use elements.

SECTION 8 of the bill also amends AS 41.17.200, by adding a new subsection directing that the commissioner shall restrict public use of the land and its resources only when necessary to carry out the purposes of this chapter to promote multiple use of the forests.

The Resources CS amended this section by dropping the elements relating to forest growth and wildlife habitat management. The CS retains the provision for full access and the provision limiting restrictions on land use to those necessary to carry out the purposes of the state forest. In the access provision, the phrase "fullest possible access" has been changed to "fullest practicable access." Not only is this a lesser standard, it is also one that should be less liable to litigation.

The CS also, in cooperation with the Administration's requests, redrafts Section 8 to eliminate the possible interpretation that a high level of roading would be required while still protecting against unnecessary restrictions on access.

SECTION 9 is a new section added in the Resources CS. It is a technical, conforming amendment to AS 41.17.210(a) made necessary by section 10 and 12 of the bill. Those sections move existing language in AS 38.05.112(d) to AS 41.17.230(a). Section 9 merely changes an internal reference to AS 38.05.112(d) to reflect this change.

SECTION 10 of the bill amends AS 41.17.230(a) by providing that the commissioner of natural resources must permit and allow the uses mentioned in AS 38.05.112(c) in state forest management plans and provides procedures for the commissioner to follow if it is found that a permitted use is incompatible with other uses.

The CS puts the existing language of AS 38.05.112(d) into Title 41 where it belongs. Title 41 governs Forest Management Plans, and this language sets forth requirements for identifying incompatible uses in Forest Management Plans. It does not belong in the section of statute governing Forest Land Use Plans (AS 38.05.112) but in AS 41.17. The only change from the existing language of AS 38.05.112(d) is the addition of the words "and benefits" on page 5, line 18.

Section 10 has also been modified from the original bill by removal of the last sentence which would have required scientific data to support any restrictions of use. This issue was discussed by the Board of Fisheries at length, and the problem they identified was that there may be reasons for some land use decisions that have little or nothing to do with scientific data. For instance, the state and local governments may decide that the best use of a particular part of the forest would be to set up some picnic tables and allow people to camp and fish by a particular stream or lake. Obviously logging would be restricted in that parcel, but it would not be based on scientific data.

SECTION 11 of the bill adds a wildlife management objective for the Tanana State Forest. It would give the Lands Division as well as the Forestry Division the much-needed authority to manage timber in a manner which would improve and enhance wildlife habitat, for example creating shelter and browse for animals and pools for spawning and hatching fish. On page 5, line 22 of the CS, "human consumption" was changed to "human use" at the request of the Administration.

SECTION 12 of the bill provides a repealer to correspond to the change in Section 10 of the bill.

FISCAL NOT

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. CSHB212(FIN)

Revision Date: 5-Feb-96 Dept Affected Natural Resources
 Title: An Act relating to the management and sale of BRU: Resource Development
state timber and relating to the administration of forest land... Component: Forest Management & Development
 Sponsor: House State Affairs
 Requestor: House Rules Component Serial No. 435

Expenditures/Revenues

(Thousands of Dollars)

	FY97	FY98	FY99	FY00	FY01	FY02
OPERATING EXPENDITURES						
PERSONAL SERVICES	(3.0)	(3.0)	(3.0)	(3.0)	(3.0)	(3.0)
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	(3.0)	(3.0)	(3.0)	(3.0)	(3.0)	(3.0)
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)

	FY97	FY98	FY99	FY00	FY01	FY02
1002 Federal Receipts						
1003 GF Match						
1004 GF	(3.0)	(3.0)	(3.0)	(3.0)	(3.0)	(3.0)
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	(3.0)	(3.0)	(3.0)	(3.0)	(3.0)	(3.0)

Estimate of any current year (FY98) cost: \$ none

POSITIONS

	FY97	FY98	FY99	FY00	FY01	FY02
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)

The elimination of the need to prepare forest land use plans for very small sales, those of 10 acres or less, results in a small annual savings.

Prepared by: Tom Boutin, Director Phone: 465-3370
 Division: Forestry Date: 5-Feb-96
 Approved by Commissioner: [Signature] Date: 5-Feb-96
 Agency: Natural Resources

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

03/11/96 18:17:15 LEGISLATIVE TELECONFERENCE NETWORK SYSTEM LTN1120
MESSAGE FROM: LIOCJEN IN ANCHORAGE JNU

RE TCN: 60501 SCHEDULED FOR: 03/11/96 15:30 TO 17:00
SPONSOR: SENATE RESOURCES PURPOSE: PUBLIC HEARING

MESSAGE TEXT: CLIFF EAMES WANTS TO T ON HB 212 ALSO

03/11/96 LEGISLATIVE TELECONFERENCE NETWORK SYSTEM LTN1150
15:33:13 PARTICIPANT LIST (ALL PARTICIPANTS) BY:ANC
TCN:60501 SCHEDULED FOR:03/11/96 15:30 TO 17:00 FOR:ANC
PUBLIC HEARING SENATE RESOURCES

LOCATION: ANCHORAGE
OPPOSING EXPAN: SJR 38

✓ SB 199 199
SB 112 112
SJR 37 37

FAYE	SULLIVAN	UNOCAL	TESTIFY
JANICE	ADAIR	DEC	TESTIFY
KEN	BOYD	DNR-OIL & GAS	TESTIFY
CLIFF	EAMES	AK CNTR ENVIRON	TESTIFY

03/11/96 LEGISLATIVE TELECONFERENCE NETWORK SYSTEM LTN1150
15:43:41 PARTICIPANT LIST (ALL PARTICIPANTS) BY:FBX
TCN:60501 SCHEDULED FOR:03/11/96 15:30 TO 17:00 FOR:FBX
PUBLIC HEARING SENATE RESOURCES

LOCATION: FAIRBANKS

<u>SB 262</u>	MR.	LYNN	LEVENGOOD	TESTIFY
HB 212	MR.	ERIK	HOLLAND	TESTIFY
HB 212	MR.	DAN	HITZMAN	SAEC TESTIFY

212 }

03/11/96 LEGISLATIVE TELECONFERENCE NETWORK SYSTEM LTN1150
17:20:01 PARTICIPANT LIST (ALL PARTICIPANTS) BY:KTN
TCN:60501 SCHEDULED FOR:03/11/96 15:30 TO 17:00 FOR:KTN
PUBLIC HEARING SENATE RESOURCES

LOCATION: KETCHIKAN

HB 212	MR.	JACK	PHELPS	AK FOREST ASSOC TESTIFY
--------	-----	------	--------	-------------------------

HB

225

FISCAL NOTE

Nr 1

Bill Version: CSHB 225 (RES)

(H) Publish Date: 4/5/95

**STATE OF ALASKA
1995 LEGISLATIVE SESSION**

Revision Date: _____ Dept. Affected: Fish and Game
 Title: African elephant exhibition permit BRU: Wildlife Conservation
 Component: Wildlife Conservation
 Sponsor: Representative Kohring
 Requester: House Resources COMPONENT SERIAL NO. 473

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	0.0	0.0	0.0	0.0	0.0	0.0
-----------------------------	------------	------------	------------	------------	------------	------------

CHANGE IN REVENUES (1024)	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: \$ 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

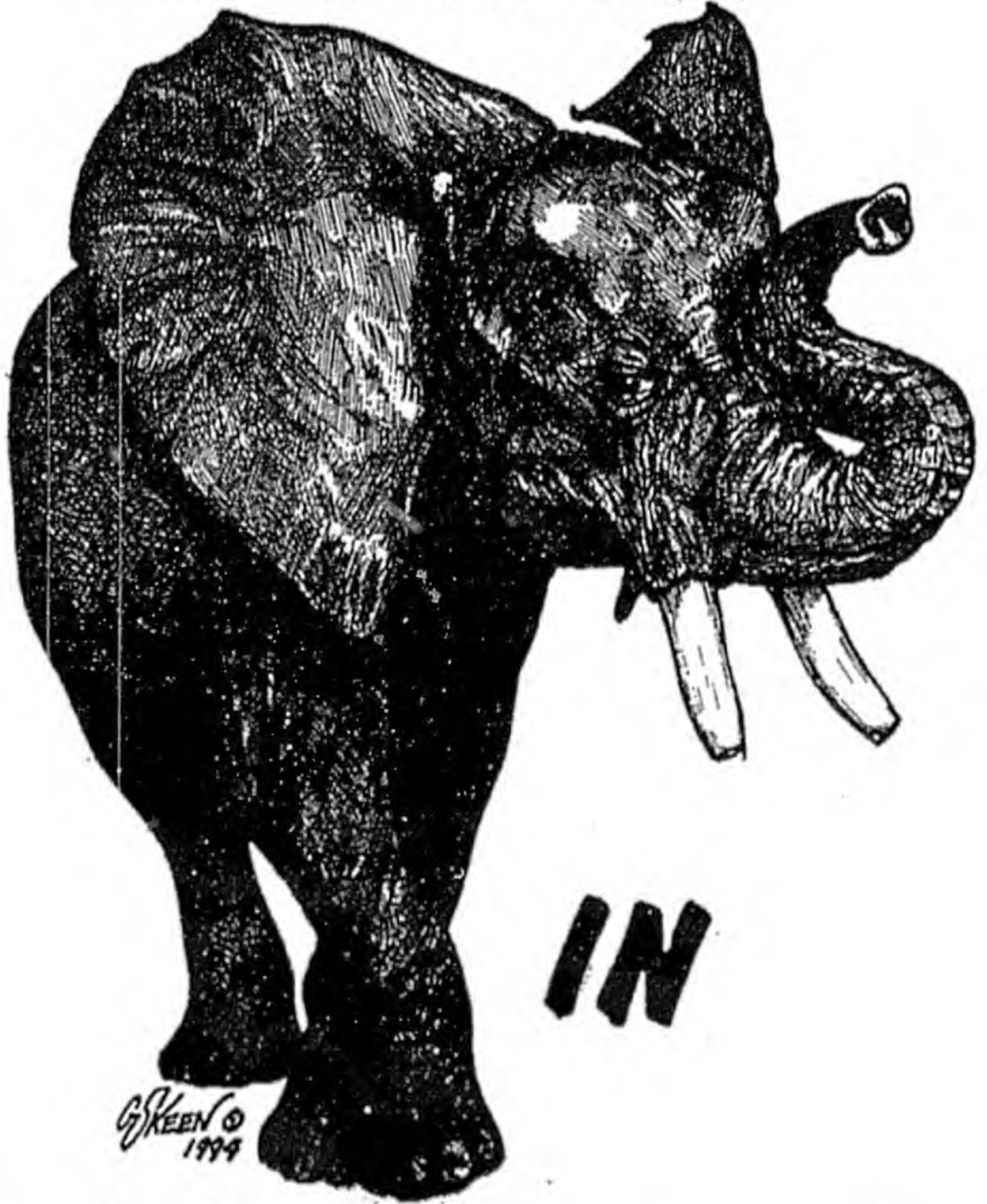
ANALYSIS: (Attach a separate page if necessary)

Prepared by: Wayne Regelin, Acting Director *WR*
 Division: Wildlife Conservation
 Approved by Commissioner: [Signature]
 Agency: Department of Fish and Game

Phone: 465-4192
 Date: 3/21/95
 Date: 3-28-95

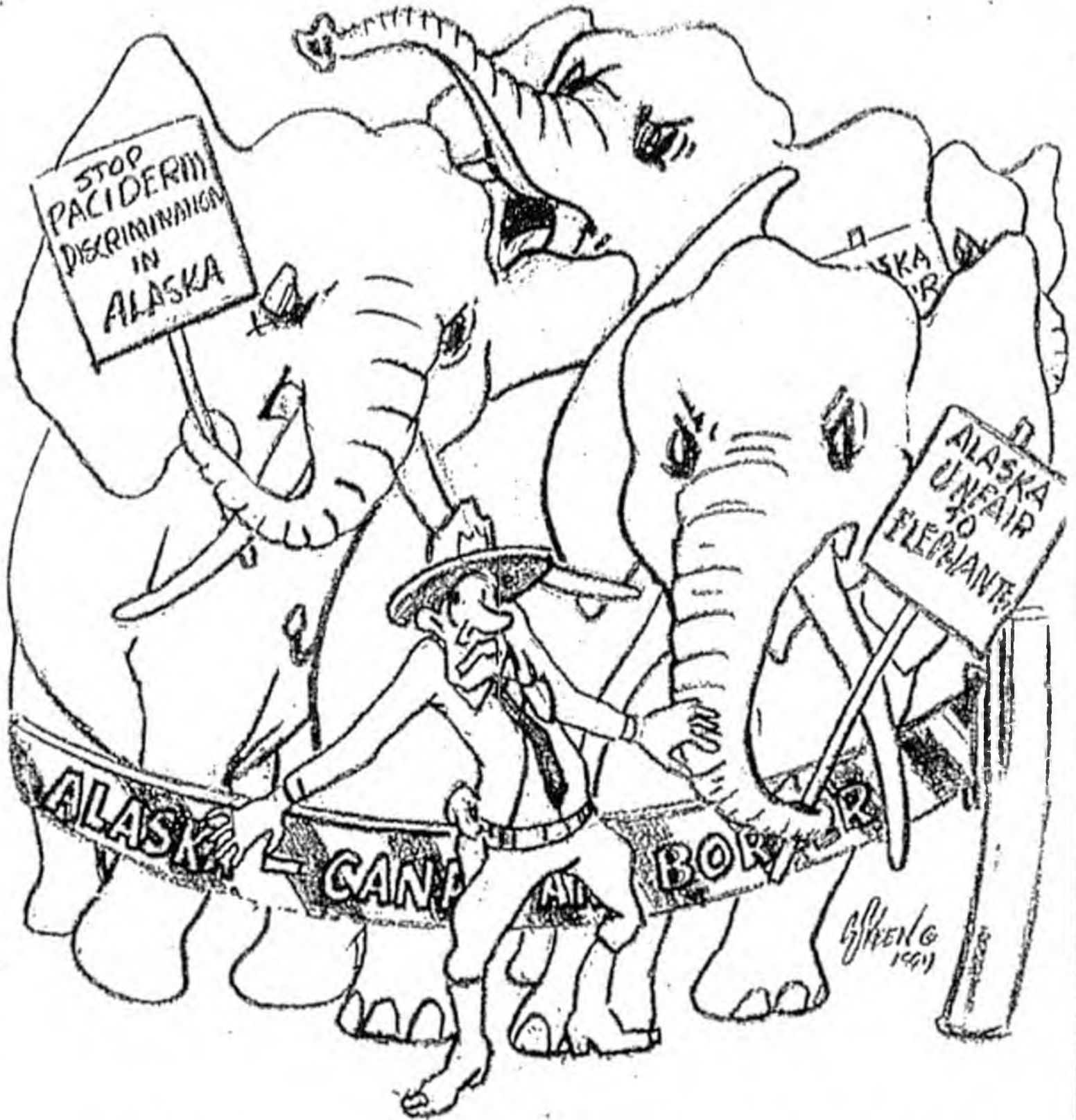
HELP KEEP

MOVIE



IN

ALASKA

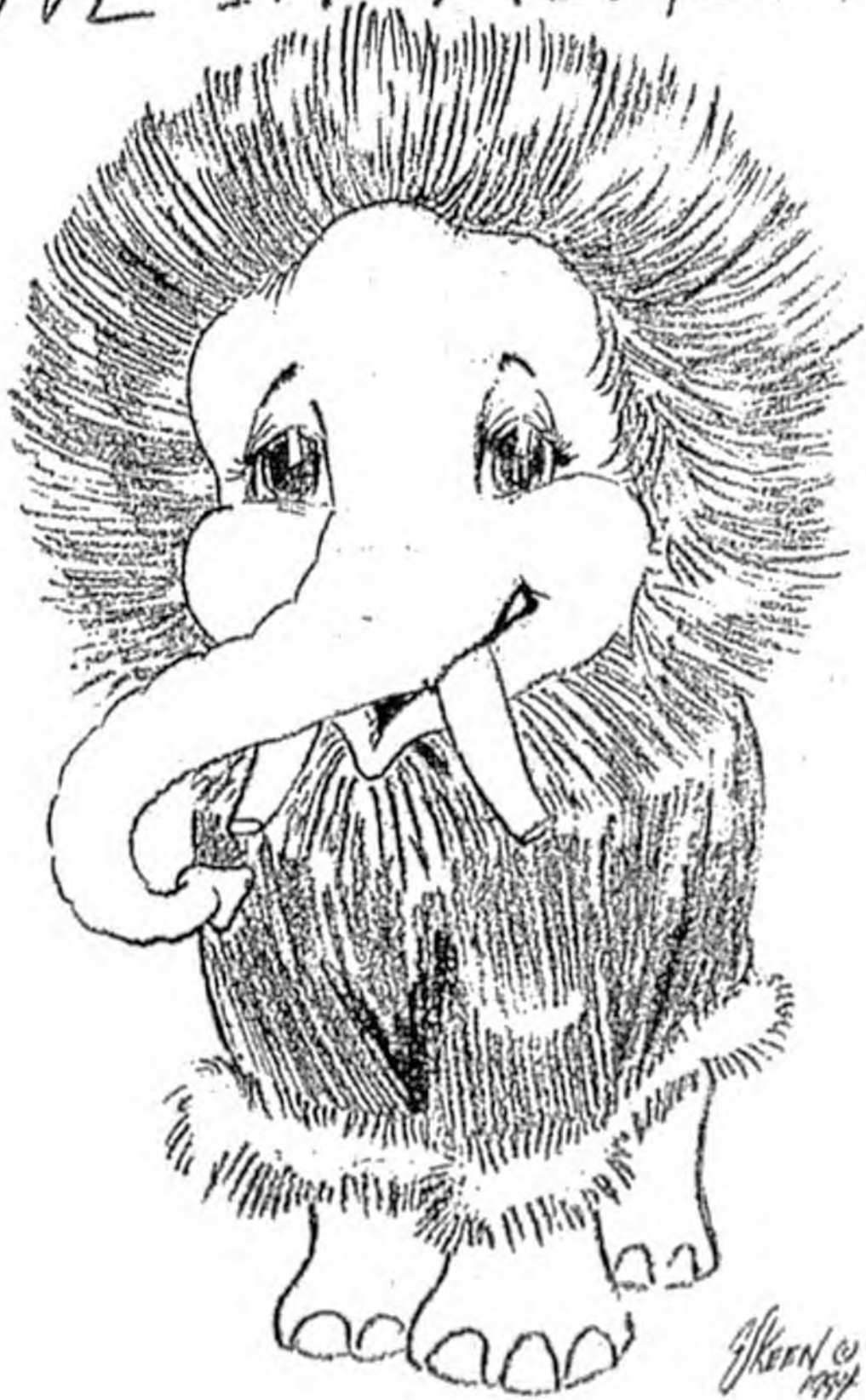


HORDES OF ELEPHANTS CRASHING
THE BORDER!



MOXIE, HIDING OUT FROM, ALASKA, FISH & GAME

IT TAKES MOXIE TO LIVE IN ALASKA



JKEN ©
1954

SENATE COMMITTEE REPORT

DATE: 4/10/95

FURTHER:

DATE TURNED INTO OFFICE: 4-24-95

Resources Committee considered CS FOR HOUSE BILL NO. 225(RES)

"An Act authorizing the commissioner of fish and game to issue permits to possess, import, or export elephants; and providing for an effective date."

and recommends:

be replaced with _____ CS _____ (_____)

adopt previous _____ CS _____ (_____)

attached amendment(s)

adopt Letter of Intent by _____ Committee

further referral to the _____ Committee

Senate Bill:

same title

new title

House Bill:

same title

technical change

new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Rich Halford</i>	<input checked="" type="checkbox"/>				
<i>Chris Taylor</i>	<input checked="" type="checkbox"/>				
<i>[Signature]</i>	<input checked="" type="checkbox"/>				
CHAIR: <i>[Signature]</i>	<input checked="" type="checkbox"/>				

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
F&G	4/5	<input checked="" type="checkbox"/>	

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill



March 6, 1995

Representative Vic Kohring
Room 428, State Capitol
Juneau, AK 99801-1182

Dear Representative Kohring

I would like to express my gratitude for your efforts on behalf of Moxie the elephant and his owner, James Clement

Their place in the hearts of our Fairgoers continued to grow in 1993-4, with the addition of a performance by Moxie inside Farm Exhibits. Moxie performs 2 or 3 shows a day for up to 600 spectators per show. He demonstrates the intelligence of elephants and the dedication of James as the trainer.

I think when people see Moxie's show, and then can ride him afterwards, it helps contribute to the old time county fair atmosphere. We couldn't afford to invite James and Moxie to our Fair if they had to come from the Lower 48, nor could other Alaskan Fairs.

Please continue to help resolve the matter of his permit to reside in the state. James takes Moxie to almost every Fair in the state, and does special appearances with him as well. His presence here has touched the lives of many young and old people, and helped create memories to last a lifetime. (Have you ever ridden an elephant? If so, I'd be willing to bet you could tell me where and when.)

I believe James is requesting special consideration on a case by case basis. This would seem a logical approach to the problem. I also know he originally requested a temporary permit to bring Moxie up here. Who could blame a fellow for changing his mind and wanting to make his home in an area where his livelihood is so well supported?

Thank you once again for your time and consideration of this matter.

Sincerely,

Lila Gill
Program Coordinator

cc: Senator Green, Representative Ogan, James Clement

Support Letter

March 14, 1995

Honorable Vic Kohring
Alaska State Legislature
State Capital
Juneau, Alaska 99801-1182

RE: House Bill 225 Regarding Private Ownership of Elephants

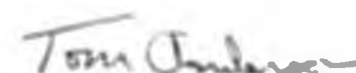
Dear Representative Kohring,

In the last couple of years, James and Marcella Clement's elephant, Moxie, has participated in activities in the Sullivan Arena. Moxie has added excitement and fun to our various events and in the case of our All Alaska Family Pet Fair, has added an educational element.

In all cases, the Clement family has been responsible and professional in their business dealings with Moxie and from our observations, have kept Moxie well fed and healthy.

We urge you to continue your efforts to allow the Clements to privately own and maintain Moxie in Alaska. From our perspective, we do not see any downside for citizens of Alaska.

Sincerely yours,


Tom Anderson
General Manager

TAvg

March 6, 1995

Representative Vic Kohring
State Capitol
Room 428
Juneau, Alaska
99801

Regarding ^{House} Bill 225: I am
wishing the passing of this Bill
will be accomplished and that
the Clements family will be
allowed to keep Mokie the elephants
and be successful in their business
ventures.

Sincerely,

Ethel C. Brown

CONTAINER SPECIALTIES OF AK.

8150 PETERSBURG ST.
ANCHORAGE, AK 99507
(907) 349-2300

FACSIMILE COVER SHEET

DATE: 3/13/95 TIME: 4:30TO: Vic Kohring

CC: _____

FROM: Roy Baker

NUMBER OF PAGES: _____ (NOT INCLUDING COVER SHEET)

IF THERE ARE ANY PROBLEMS WITH THIS TRANSMISSION, PLEASE
CALL ORIGINATOR AT ABOVE NUMBER.

RETURN FAX NUMBER (907) 349-3115

MESSAGE/COMMENTS:

In support of HB 225
are the following:

Roy Baker

Maurine Baker

Don Smart

Jim [unclear]

David Gadowski

Thanks for your attention on this
Roy

Representative Vic Kohring
State Capitol
Room 428
Juneau, Alaska
Zip 99801

2-27-95.

Nancy R. Binder
P.O. Box 671744
Chugiak, Alaska
31P 99527

Rec'd.
3-2-95
V.L.B.

Dear Vic Kohring -

Remember my call to you in the Valley, before Christmas - concerning Moxie?

I wondered, if you had a chance to read my article in the 'Frontiersman' on the opinion page of their January edition of the 20th 1995.

I read James Clements' article recently and he thanked to you for your help.

I made a call last week. In fact several you were not available, but Kristy Leaf - was on this project. I received a follow up call this A.M. from Kristy & her wonderful what you are doing for Moxie and the Clements family. We need them in Alaska, in the Valley, in particular. Houston is my horse in the Women's months, but as I do not have electricity (because of high costs) I am here, until such a time as power is made available. Please continue, we need a bill passed that will allow Moxie to stay permanently. Moxie is a special elephant. He is perfect for Educational, Exhibits and recreational purposes. He is great. Letting children ride on his back -

The bonding with Clements is wonderful. As you know, Clements has a dream, to have an Arctic Circus using local talent. This would be great for local talent persons, and wonderful for the Alaskan economy. Allow a permanent business permit. We need these wonderful people, here Alaska and Moxie is a special asset also.

Let me know, if there is anything further I may do to help. I will be eagerly awaiting this special legislation to pass the House. Sincerely Nancy R. Binder

2/28/95
Nancy R. Binder
Chugiak, Alaska
31P 99527



"Place of Many Places"

TELEPHONE (907) 894-1702

FAX (907) 896-8870

Chugiak-Eagle River Chamber of Commerce

P.O. BOX 770383
EAGLE RIVER, ALASKA 99577

11401 OLD GLENN HIGHWAY, SUITE 110A
EAGLE RIVER, ALASKA 99577

March 3, 1995

TO: Senator Rick Halford
Senator Randy Phillips
Representative Vic Kehring
Representative Pete Kott
Representative Ed Willis

RE: Moxie The Elephant

Attached is a letter dated June 9, 1994 to former Commissioner of Fish & Game, Carl Rosier, which states that the Chamber supports legislative efforts which would allow Moxie to remain here as a year-round resident.

It is now our understanding that the only way that Moxie can remain in the State is to change the existing laws. We wish to reiterate our support for this effort and ask your assistance in this matter.

Sincerely,

Dennis Johnson
President



TELEPHONE (907) 694-4702

FAX (907) 696-8070

Chugiak-Eagle River Chamber of Commerce

P.O. BOX 770383
EAGLE RIVER, ALASKA 99577

11401 OLD GLENN HIGHWAY, SUITE 110A
EAGLE RIVER, ALASKA 99577

"Place of Many Places"

June 9, 1994

Commissioner Carl Rosier
Department of Fish & Game
PO Box 25526
Juneau, AK 99802

Dear Commissioner Rosier,

In July, the Chugiak-Eagle River Chamber of Commerce held the 9th annual Bear Paw Festival. Moxie the elephant was a participant at the Festival and was a wonderful attraction and great educational opportunity for the general public.

We applaud the temporary permit issued by your Department which allows Moxie to remain in the state and his owner to vend for rides. We also support a change in the law which would allow this to become a permanent condition with the provisions that:

1. restrictions could occur if a real health hazard exists to Alaska wildlife
2. permits are issued only to individuals or entities that can demonstrate the capability of properly caring for the animal

We appreciate your consideration on this matter.

Sincerely,

Al Romaszewski
President

cc: Senator Rick Halford
Senator Randy Phillips
Representative Pat Carney
Representative Pete Kott
Representative Ed Willis

Making a case for keeping Moxie

When I was 10 years old the Barnum & Bailey Circus came to my hometown of Wichita, Kan. Vernon Duffy, a trainer and handler for the circus, made it possible for me to ride the elephant, Ruthie.

She was so special to me and gentle as she lifted me up with her trunk. I fell in love with her instantly. I was ready to run away with the circus, so I could ride my Ruthie every day.

Looking back to that day 50 years ago, I can only guess how much Moxie means to the James Clement family.

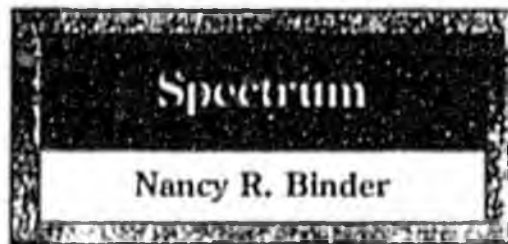
Since Moxie was orphaned and taken in by the Clements, he has been given much care and love. He is an important part of their family unit.

On the Fourth of July holiday last summer I looked up Moxie especially to watch him with the children. He was at the fireworks stand in Houston. What memories it all brought back.

I spoke briefly with Mr. Clement and asked him how could I help keep Moxie in the state. He said: Get in touch with your legislators. Write letters. We need a bill passed that will allow us to keep him.

I felt ashamed that our legislators had not passed the bill already. How can those in power be so cold to put this fine family through such torment for their magnificent stand for Moxie?

I wonder what happened to those in power who cared for the rights of the people. The recent refusal of the Board of Game to put



Moxie on the clean list is unbelievable. We have other animals on the clean list — for example, the chimpanzee which is a close relative to man and more capable of carrying diseases.

It has already been established that Moxie is not genetically related to any wildlife here to be a threat anyway. He could not exchange infections with farm animals either.

So what is the real excuse? There is no excuse whatsoever to delay any longer the placement of Moxie on the clean list. There is always room for another animal on the clean list if there is profit or power for someone.

Other animals are let into the state for purposes of profit like llamas and alpacas. Alaska is the only state that does not allow elephants on its clean list (with the exception of those elephants in the zoo).

I asked Mr. Clement how he ever trained an African elephant since I had heard they were very difficult train. He said: Very carefully. Because they are high-strung I must take it easier. The way to Moxie is through his stomach.

Mr. Clement has worked with 80 elephants in 14 years. A very important part of his life has been involved with elephants. He first came to Alaska with Moxie in 1988 on a tour.

James Clement has a dream. He came here with a dream that is being shot down. Instead of working on his dream he is writing letters.

His dream is to have an arctic circus where local talent could participate. His plans include operations in small towns as well as the large ones.

I have contacted some of our Mat-Su Borough legislators and borough politicians. Some have indicated they will work on Moxie's behalf. Rep. Vic Kohring told me he feels inclined to introduce a bill that would allow exotic pets and animals, of which category Moxie is considered. He would pattern it on a resolution passed last year in the Legislature.

I say put it to a public vote. Put it on the ballot. Let us hear from the people themselves. Those who live near Moxie. Those whose children have ridden Moxie.

There are many of us who enjoy, and would like to continue to enjoy, the appearances of Moxie throughout our state. He has become a symbol of the greatness that can be found in this last frontier. This is where some people come to do great things.

Nancy R. Binder resides in Chugval in the winter and calls Houston her home in the summer months.

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION



Rev. 6-97

Central Microfilm Services
Department of Education
State of Alaska

Making a case for keeping Moxie

When I was 10 years old the Barnum & Bailey Circus came to my hometown of Wichita, Kan. Vernon Duffy, a trainer and handler for the circus, made it possible for me to ride the elephant, Ruthie.

She was so special to me and gentle as she lifted me up with her trunk. I fell in love with her instantly. I was ready to run away with the circus, so I could ride my Ruthie every day.

Looking back to that day 50 years ago, I can only guess how much Moxie means to the James Clement family.

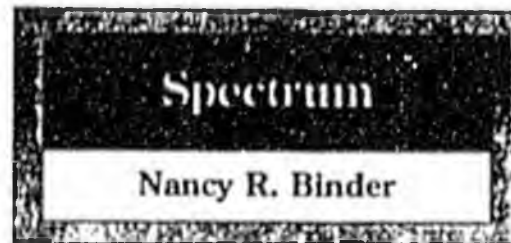
Since Moxie was orphaned and taken in by the Clements, he has been given much care and love. He is an important part of their family unit.

On the Fourth of July holiday last summer I looked up Moxie especially to watch him with the children. He was at the fireworks stand in Houston. What memories it all brought back.

I spoke briefly with Mr. Clement and asked him how could I help keep Moxie in the state. He said: Get in touch with your legislators. Write letters. We need a bill passed that will allow us to keep him.

I felt ashamed that our legislators had not passed the bill already. How can those in power be so cold to put this fine family through such torment for their magnificent stand for Moxie?

I wonder what happened to those in power who cared for the rights of the people. The recent refusal of the Board of Game to put



Moxie on the clean list is unbelievable. We have other animals on the clean list — for example, the chimpanzee which is a close relative to man and more capable of carrying diseases.

It has already been established that Moxie is not genetically related to any wildlife here to be a threat anyway. He could not exchange infections with farm animals either.

So what is the real excuse? There is no excuse whatsoever to delay any longer the placement of Moxie on the clean list. There is always room for another animal on the clean list if there is profit or power for someone.

Other animals are let into the state for purposes of profit like llamas and alpacas. Alaska is the only state that does not allow elephants on its clean list (with the exception of those elephants in the zoo).

I asked Mr. Clement how he ever trained an African elephant since I had heard they were very difficult train. He said: Very carefully. Because they are high-strung I must take it easier. The way to Moxie is through his stomach.

Mr. Clement has worked with 80 elephants in 14 years. A very important part of his life has been involved with elephants. He first came to Alaska with Moxie in 1988 on a tour.

James Clement has a dream. He came here with a dream that is being shot down. Instead of working on his dream he is writing letters.

His dream is to have an arctic circus where local talent could participate. His plans include operations in small towns as well as the large ones.

I have contacted some of our Mat-Su Borough legislators and borough politicians. Some have indicated they will work on Moxie's behalf. Rep. Vic Kohring told me he feels inclined to introduce a bill that would allow exotic pets and animals, of which category Moxie is considered. He would pattern it on a resolution passed last year in the Legislature.

I say put it to a public vote. Put it on the ballot. Let us hear from the people themselves. Those who live near Moxie. Those whose children have ridden Moxie.

There are many of us who enjoy, and would like to continue to enjoy, the appearances of Moxie throughout our state. He has become a symbol of the greatness that can be found in this last frontier. This is where some people come to do great things.

Nancy R. Binder resides in Chugach in the winter and calls Houston her home in the summer months.

OGDEN ENTERTAINMENT SERVICES

George M. Sullivan Sports Arena
1600 Gambell Street
Anchorage, AK 99501
907 279 0618
Fax 907 274 0676

March 14, 1995

Honorable Vic Kohring
Alaska State Legislature
State Capital
Juneau, Alaska 99801-1182

RE: House Bill 225 Regarding Private Ownership of Elephants

Dear Representative Kohring,

In the last couple of years, James and Marcella Clement's elephant, Moxie, has participated in activities in the Sullivan Arena. Moxie has added excitement and fun to our various events and in the case of our All Alaska Family Pet Fair, has added an educational element.

In all cases, the Clement family has been responsible and professional in their business dealings with Moxie and from our observations, have kept Moxie well fed and healthy.

We urge you to continue your efforts to allow the Clements to privately own and maintain Moxie in Alaska. From our perspective, we do not see any downside for citizens of Alaska.

Sincerely yours,


Tom Anderson
General Manager

TA/vg

3-7-75

Vic Kohring Representative

House Bill 225 which allows the
import & export of African Elephants
for exhibit & museum educational purposes
would be good to allow Max &
James Clement Family to stay in Alaska
I give my support to this bill

Sincerely

Krista H. B.

PO Box 322

Houston, AK

99004

Gary L Skeen
PO BOX 870441
Wasilla, Ak. 99687

Vic Koring

State Capitol
Juneau, Ak. 99801

Vic:

I am concerned, about the recent development concerning the unjust harassment given to one, James Clements, with his efforts to keep his elephant, Moxie, in the State. as, I, would assume certain parameters are issued by the, State, for the health and well being for compliance at the, Anchorage Zoo, for all their animals, I, would be inclined to think that any private citizen, as long as, he or she, complied with the same the same guide lines for the maintenance of an animal as the zoo has to, should be entitled to the same rights as the, State, or any other commercial institution. If the State in fact has determined that, Moxie, is a health risk, this same finding should be applied to any elephant that any zoo maintains, I, dare say that the amount of people that come in contact at the zoo with there, elephants, on a daily basis is far greater than anything that, Moxie, will encounter. Not that this should have anything to do with this decision.

I, would ask you to please pass a bill to stop this obvious discrimination, by the, State, as it goes far deeper than just the determination of one elephant!

Cordially

Gary L. Skeen

Ms. Marcella
PO Box 874611

Clement

746-6633

To Vic

Distribution Affiliation Reg Voter
60 Y

Wasila AK 99687

Date POM Sent Constituency Bill Number Response
03/06/95 N HB 225 Supports

Subject

I SUPPORT HB 225. PLEASE PASS THIS BILL.

Ms. Roxanne
HC02 Box 3797

Landers

746-6864

To Vic

Distribution Affiliation Reg Voter
09 Y

Palmer AK 99645

Date POM Sent Constituency Bill Number Response
03/07/95 N HB 225 Supports

Subject

MOXIE'S OWNERS ARE RUNNING OUT OF TIME. WE NEED A PUSH ON TO GET THIS LEGISLATION MOVING AND PASSED. EVERYONE LOVES MOXIE. PLEASE HELP.

Ms. Janet
PO Box 221363

Burts

345-3720

To Vic

Distribution Affiliation Reg Voter
60 U

Anchorage AK 99522

Date POM Sent Constituency Bill Number Response
03/09/95 N HB 225 Supports

Subject

I AM A MOTHER AND I FEEL THAT MOXIE IS NOT A HEALTH RISK. I HAVE RIDDEN MOXIE, MY CHILDREN HAVE RIDDEN MOXIE AND I THINK BEING AROUND AN ELEPHANT LIKE THIS IS EDUCATIONAL FOR CHILDREN AND DO FEEL THAT MOXIE IS A HEALTH RISK, ESPECIALLY FOR TB. I'M IN FULL SUPPORT.

Mr Walt
840 Rockside

Fergus

376-6907

To Vic

Distribution Affiliation Reg Voter
51 U

Wasila AK 99654

Date POM Sent	Constituency	Bill Number	Response	Subject
03/29/95	N	HB 225	Supports	

I SUPPORT ELEPHANTS IN ALASKA. I WOULD LIKE TO SEE THE STATE PROVIDE FOR OWNERSHIP OF ELEPHANTS.

Mr Bert
901 No Shore Drive

Hall

373-4611

To Vic

Distribution Affiliation Reg Voter
51 U

Wasila AK 99654

Date POM Sent	Constituency	Bill Number	Response	Subject
03/29/95	C	HB 225	Supports	

IT JUST MAKES GOOD COMMON SENSE. ANY PERCEIVED RISKS ARE EASILY OVERSHADOWED BY THE GOOD PROVIDED - ESPECIALLY TO CHILDREN.

Ms June
POB 870797

Robinette

376-2092

To Vic

Distribution Affiliation Reg Voter
47 U

Wasila AK 99687

Date POM Sent	Constituency	Bill Number	Response	Subject
03/29/95	C	HB 225	Supports	

I DO SUPPORT A PERMIT FOR MOXIE TO LIVE OUT HIS LIFE IN ALASKA AS AN EDUCATIONAL FEATURE FOR CHILDREN, ESPECIALLY, BUT FOR ALL OF US WHO ADMIRE HIM AND HIS KEEPER.

Ms Gloria

Garrett

745 4517

533 Quicksilver Circle

To Vlc

Distribution Affiliation Reg Voter
16 U

Palmer AK 99645

Date POM Sent	Constituency	Bill Number	Response	Subject
04/07/95	N	HB 225	Supports	

I SUPPORT ELEPHANTS IN ALASKA, I WOULD LIKE TO SEE MOXIE STAY IN ALASKA.



PRODUCTIONS

P.O. Box 874611 Wasilla, Alaska 99687

(907) 744-6633

Hello, my name is James Clement

I would like to start by thanking you Mr Chairman and this committee for the opportunity to testify on this bill's behalf.

During the summer of 1988 I toured Alaska with Moxie the Elephant. The response Moxie received from Alaska's citizens was tremendous. My experience during that tour brought me to believe that Alaska, the last frontier was the place to be. So we planned, for three years we planned. Sold our place in Florida, packed everything we owned and we came. Loc, stock and elephant. We came to live and to lighten the lives of the people through the wonder, fun and entertainment Moxie brings. It was the summer of 93. We arrived with a great feeling of excitement. Again the people of Alaska greeted Moxie with enthusiasm. Everyone here seems so happy to see him except the managers of Alaska's Fish and Game Resources. For nearly two years we have been working with these people in trying to find a way to allow us to keep Moxie. A way that will allow us to manage and present Moxie in the manner that we do. Having spent a great deal of time and money on our efforts we are still faced with having to export the elephant from Alaska once our current permit runs out in July. They allow elephants to be kept by zoos and other public institutions. They have always allowed elephants to come to Alaska with circus' or wild animal shows. The ADF&G have supported this issue through temporary permits and by assisting with the writing of this bill. The educational permits they have issued are a stop gap measure. The DF&G and the people of Alaska have expressed a need for regulatory relief that will allow Alaskans to carry on in this worldwide accepted and age old industry. This is what brings us to you, the Representatives and Senators of the people of this great State. HB 225 does just that. It authorizes the DF&G to issue yearround commercial exhibition permits to Alaskans on a case by case basis.

This bill is important to me because it will allow me to carry on in an industry that I have made a career of. It also will allow me to exhibit Moxie where I feel he is most appreciated, right here in Alaska. This bill also gives businesses and events the opportunity to employ a locally owned elephant which gives them something new and exciting to add to their events or promotions. And last but not least this bill gives thousands of Alaskans the opportunity to actually see up close, to touch and to ride a real live elephant and not have to pay someone living in Texas to do it.

In closing, I certainly hope this committee will pass this bill onto the whole Senate for a hearing and I urge you to do so. Thank you.

James J. Clement

**Representative Vic Kohring
Sponsor Statement**

CS for HB 225 (RES)

"An Act authorizing the commissioner of fish and game to issue permits to possess, import, or export elephants."

HB 225 creates a commercial exhibitor permit system for possession, import, and export of elephants.

The problem: Currently, Alaska law does not contain provisions for allowing commercial exhibition of elephants on a long-term basis. It allows traveling circus elephants to stay temporarily under an educational permit and allows zoo elephants to stay under an annually renewed educational permit. Even though educational permits have been used for elephants whose main purpose is exhibition, they are not actually appropriate for this purpose.

The current law denies legitimate business opportunities to Alaskans. Legislation is needed to allow the Department of Fish and Game a mechanism to issue permits for such animals for their intended use instead of just issuing temporary educational permits as a stop-gap measure. House Resolution 9, passed in 1994, requested the commissioner of Fish and Game to grant an extension under a temporary educational permit for a particular elephant. While this allowed the elephant to stay in Alaska for a period, it was not a permanent solution. In addition, the Board of Game has directed DF&G to develop a temporary commercial permit system, but this still does not meet the needs of Alaskan residents on a permanent basis.

The solution: This bill allows DF&G to issue permits for African elephants to persons based on reasonable conditions set by the commissioner and who meet certain criteria, including: 1)the animal is intended to be exhibited commercially; 2)adequate facilities exist to maintain the animal under positive control and humane conditions; and 3)personal injury and property damage insurance are maintained in an amount established by the commissioner of fish and game.

The Department of Fish and Game assisted in developing this bill's language and is supportive of it.

Additionally, the Department of Environmental Conservation enforces the health aspects of importing animals under a DEC "Import Permit." DEC must ensure that any elephant entering the state meets all the criteria of the Federal Animal Welfare Act and meets all health requirements for international travel. The Commissioner of Fish and Game, under this bill, would have discretion to assess additional health requirements. For more information, call Kristie Leaf at 465-2186.

ALASKA STATE LEGISLATURE

Interim:
P.O. Box 870515
Wasilla, Alaska 99687
(907) 373-7600



Session:
State Capitol Building
Juneau, Alaska 99801-1182
(907) 465-2186
Fax (907) 465-3818

REPRESENTATIVE VIC KOHRING
DISTRICT 26

MEMORANDUM

To: Senator Loren Leman
Chair, Senate Resources Committee

From: Representative Vic Kohring

Date: March 12, 1995

Re: Request for Hearing
CS HB 225 (RES), Permits for Elephants

I respectfully request a hearing on CS HB 225 (RES) in the Senate Resources Committee. This bill authorizes the commissioner of fish and game to issue permits to possess, import, or export elephants. I believe the bill proposes a reasonable system for allowing elephants to stay in Alaska for commercial exhibition purposes based on certain health, safety, and liability criteria.

Attached please find a copy of the bill, a sponsor statement on the bill, House Resolution 9 which passed unanimously last session, and other letters of support.

It is extremely important that this bill pass the legislature this session, as the temporary permit now in place for "Moxie the elephant" will expire this summer. Moxie would then be forced to leave Alaska. Only a statutory change can solve this problem and offer a year-round permit for exhibition purposes.

Thank you for your consideration.

STATE OF ALASKA
HOUSE OF REPRESENTATIVES

1994

Source
HR 9 am

House
Resolve No.
8



Protecting the lifestyle of pachyderms.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:

WHEREAS elephants are a form of the labor force, provide entertainment, and are used for promotional events; and

WHEREAS there is no known documentation that the African elephant transmits dangerous diseases to mankind; and

WHEREAS the children and other citizens of Alaska should not be deprived of an opportunity to an education as part of the animal world; and

WHEREAS the state should promote good business relations and enhance educational opportunities for visitors and residents to experience; and

WHEREAS a particular African elephant (Moxie) has been officially certified and approved by the United States Department of Agriculture; and

WHEREAS Alaska is the only state in the union that includes elephants on the exotic animal prohibition list;

BE IT RESOLVED that the House of Representatives respectfully requests the Governor to ask the commissioner of fish and game to grant a second extension under an

educational permit; and be it

FURTHER RESOLVED that Moxie, a once orphaned elephant and star of television and screen, should be permanently exempted from the exotic animal prohibition list; and be it

FURTHER RESOLVED that any African elephant that enters the state for purposes of exhibition, entertainment, or education should be excluded from the prohibited list.

AUTHENTICATION

The following officers of the Legislature certify that the attached enrolled resolution, HR 9 am. was passed in conformity with the requirements of the constitution and laws of the State of Alaska and the Uniform Rules of the Legislature.

Passed by the House April 18, 1994



Ramona L. Barnes, Speaker of the House

ATTEST:



Suzi Lowell, Chief Clerk of the House

Moxie the elephant and his family are becoming permanent residents of Alaska to enrich the lives of the people of Alaska through the entertainment they bring. However, a certain agency of the State of Alaska has indicated they might not allow Moxie to live in Alaska yearround. If this becomes the case we may need your support.

If you support Moxie's right to permanent residency in the State of Alaska please sign below.

- | NAME: | ADDRESS: | Date: |
|-----------------------|--|---------|
| 1. Joe Eakins | Millfield AK | 8/6/93 |
| 2. Steve Hatcher | 47th Ave. Co Ft. Wainwright, AK | 8/6/93 |
| 3. Donna Samuel | 512 Willowood Cir | |
| 4. The "Greaser" | P.O. Box 43078 Fairbanks AK | 8-6-93 |
| 5. Bill Cutch | 841 5th Ave | 8-10-93 |
| 6. Kenneth W. Rink | 1110 Hayes Fairbanks AK | 8-6-93 |
| 7. Hattie Rink | 1110 Hayes Fairbanks AK 99709 R-1-93 | |
| 8. [Signature] | P.O. Box 70281 Fairbanks AK 99707 R/6/93 | |
| 9. Alena Mrs. Donald | 131 Adair St Fairbanks AK | |
| 10. Kaye Moore | 1331 23rd Fairbanks AK | 8-7-93 |
| 11. [Signature] | 1331 23rd Fairbanks AK | 8-7-93 |
| 12. [Signature] | 2nd 79th St Fairbanks AK 99707 R-7-93 | |
| 13. The Nelmonds | Piedmont AFB AK 99702 R-7-93 | |
| 14. Barbara Edwards | P.O. Box 876150, Wasilla AK 99687 R-7-93 | |
| 15. Marsha Hudson | 230 S. [unclear] Fairbanks AK 9-7-93 | |
| 16. Kim Simon | 2429 S. Barnette Fairbanks AK 99711 R-7-93 | |
| 17. AVIATION SERVICES | 7230 Hillside, Fairbanks 99701 R-7-93 | |
| 18. [Signature] | P.O. Box 72966 Fairbanks 8/7/93 | |
| 19. Gail Osborn | P.O. Box 82110 Fairbanks AK 99708 8/7/93 | |
| 20. Bobbie Jo Lindsey | 242 N. SANTA CLAUSS LN NP AK. 99709 | |
| 21. MICHAEL V Lindsey | | |
| 22. Michelle McLeod | 2016 Western Fairbanks AK. 8/7/93 | |
| 23. Renee Kuhn | 2016 Western Fairbanks AK 8-7-93 | |
| 24. [Signature] | 2016 Western Ave. Fairbanks AK 8-7-93 | |
| 25. Diane Blum | 210th 27th Ave Divul Fairbanks AK 8-7-93 | |
| 26. Barry Kuhn | 1325 22 Ave Fairbanks 99701 8-7-93 | |
| 27. [Signature] | 1325 22 Ave Fairbanks 99701 8-7-93 | |
| 28. [Signature] | 1471 Birchwood Drive Fairbanks AK 99709 8/7/93 | |
| 29. [Signature] | 21 mi. Clear Hot Springs Fairbanks AK | |
| 30. Sheri Ross | | |

Moxie the elephant and his family are becoming permanent residents of Alaska to enrich the lives of the people of Alaska through the entertainment they bring. However, a certain agency of the State of Alaska has indicated they might not allow Moxie to live in Alaska yearround. If this becomes the case we may need your support.

If you support Moxies right to permanent residency in the State of Alaska please sign below.

- | NAME: | ADDRESS: | Date: |
|----------------------|--------------------------------------|--------|
| 1. Harry Frank | Box 61254 FBKS AK 99706 | 8-9-93 |
| 2. Sharon | 710 24th Ave | 8-9-93 |
| 3. Sharon | 710 24th Ave FBKS AK 99701 | 8-9-93 |
| 4. Mark | 462 Carlton Fairbanks 99701 | 8-9-93 |
| 5. Mark | Palmer Co. Valdez | 8/9/93 |
| 6. Mark | 210 FSD Seward AK 99701 | 8-9-93 |
| 7. Mark | 120 Baranof Fbk. AK 99701 | 8-9-93 |
| 8. Andy C. Williams | 160 F 6th Ave North Pole 99702 | 8-9-93 |
| 9. Don Herman | P.O. Box 71846 FBKS AK 99701 | 8/9/93 |
| 10. Cathy Morton | edcl river Alaska | |
| 11. LAWRENCE ROUSSIN | 1261 ARCTIC FOX NORTH POLE, AK 99705 | 8/9/93 |
| 12. John | 524 Dale FBKS AK 99709 | 8/9/93 |
| 13. John | 1755 Lathrop Cir | 8/9/93 |
| 14. Keith Hunter | 3114 Redgor #6 North Pole AK 99705 | 8-9-93 |
| 15. John | 2011 Capitol Ave Fairbanks AK 99709 | 8-9-93 |
| 16. John | P.O. Box 74892 FBKS AK 99709 | |
| 17. John | P.O. Box 74572 FBKS AK 99707 | |
| 18. Mike Nault | 4025 Fairbank Ave FBK 99709 | |
| 19. Mary Sweeney | 816 ESRD Rd FBK 99702 | |
| 20. Michelle Linden | P.O. Box 10010 FBKS 99710 | |
| 21. John | 205 B Street FBKS 99701 | |
| 22. John | 20927 Sammie #509 FBK 99709 | |
| 23. John | P.O. Box 70994 FBKS 99707 | |
| 24. T.R. Howard | St WW 99703 | |
| 25. John | FBK AK 99701 | |
| 26. John | FBKS AK 99709 | |
| 27. John | FBKS AK 99709 | |
| 28. John | FBKS AK 99705 | |
| 29. John | 4010-2 Pine St. St WW AK 99703 | |
| 30. John | 4155 Cranberry St FBKS AK 99709 | |

Moxie the elephant and his family are becoming permanent residents of Alaska to enrich the lives of the people of Alaska through the entertainment they bring. However, a certain agency of the State of Alaska has indicated they might not allow Moxie to live in Alaska yearround. If this becomes the case we may need your support.

If you support Moxies right to permanent residency in the State of Alaska please sign below.

- | NAME: | ADDRESS: | Date: |
|-----------------------|---|---------------|
| 1. Nancy E Hamilton | 4155 Cranberry Flks. AK | 99709 8/10/93 |
| 2. Nancy (Janet) | Palmer AK | 8/10/93 |
| 3. Jean S. LaMarr | Box 71498 Fbks. 99707 | 8-10-93 |
| 4. Vance Persono | 4421 Market CTR Ft. Wainwright | 8/10/93 |
| 5. Tim Sykes | PO Box 84113 FBK 99708 | 8/10/93 |
| 6. Paul Pick | 433 Cindy Dr. Fbk 99701 | 8/10/93 |
| 7. Ronald | 482-11642 NP 99705 | |
| 8. M. STANTON | 456-2141 | |
| 9. Steve Morris | Mile 77 Rich. H. FBKS 99701 | 8/10/93 |
| 10. David Morris | Mile 77 Rich. Hwy. 99701 | 8-10-93 |
| 11. Tim Myers | 298 W 5th Alaska Bldg | 8-10-93 |
| 12. John R. Dart | P.O. Box 57007 North Pole AK | 8-10-93 |
| 13. Cole Baurick | 3414 Rosie Creek Rd Fbks AK | 8/10/93 |
| 14. Corrine Baurick | 3414 Rosie Creek Rd Fbks AK | 8/10/93 |
| 15. Steve Andersen | PO Box 84113 Fbks 99708 | 8/10/93 |
| 16. Billie Broad | 1021 Pasque Fbks 99703 | 8/11/93 |
| 17. Sherm Anderson | 2006 E. Lule Fbks 99707 | 8/11/93 |
| 18. Ray Dupre | PO Box 84187 FBKS 99708 | 8/11/93 |
| 19. Angela Th... | Box 51520 Fbks AK 99711 | 8/11/93 |
| 20. Ruben Barranaga | 520 Wilcox Ave Fbks AK | 8/11/93 |
| 21. Michael R. Butler | 5 Mile Murphy Dam PO. Box 90553 College | |
| 22. Dorothy Ann Buren | 1092 Cambridge Rd Fairbanks AK 99709 | 8-11-93 |
| 23. Franklin Silva | P.O. Box 53 Hinto AK 99258 | |
| 24. Jacki O'Brien | 870 Hickman N Pole, AK 99705 | |
| 25. Elwyn Shreeve | 1468 W Athena N Pole AK 99705 | |
| 26. Carl Danett | Box 8352 Fairbanks AK 99711 | |
| 27. Richard Lewis | 2130 Otterod North Pole AK 99705 | |
| 28. M. K. Case | P.O. B. 58397 FBKS AK 99711 | |
| 29. Ben Allen | P.O. Box 50551 North Pole Alaska 99705 | 8-11-93 |
| 30. Jill Paulsen | 1759 Rose Rd Fbks AK 99709 | |

Moxie the elephant and his family are becoming permanent residents of Alaska to enrich the lives of the people of Alaska through the entertainment they bring. However, a certain agency of the State of Alaska has indicated they might not allow Moxie to live in Alaska yearround. If this becomes the case we may need your support.

If you support Moxies right to permanent residency in the State of Alaska please sign below.

- | NAME: | ADDRESS: | 99740 Date: |
|-------------------------------|-------------------------------------|-------------|
| 1. <i>[Handwritten Name]</i> | PO Box 10701 Fairbanks | 8/6/93 |
| 2. <i>[Handwritten Name]</i> | 819 20th TAF Pt. Barrow | 7 AUG 93 |
| 3. <i>[Handwritten Name]</i> | 2100 S. Unalaska N.P. | 8-7-93 |
| 4. <i>[Handwritten Name]</i> | 987 SHEEP CR. RC1 | 8-7-93 |
| 5. <i>[Handwritten Name]</i> | PO BOX 91754 FALS | 8-7-93 |
| 6. <i>[Handwritten Name]</i> | 1608 S. Scenic St Fals | 8/7/93 |
| 7. <i>[Handwritten Name]</i> | 1364 University Ct FB, AK | 8/7/93 |
| 8. <i>[Handwritten Name]</i> | 1218 Sutton Loop Fairbanks, AK | 7/4/93 |
| 9. <i>[Handwritten Name]</i> | 1812 Hilling Ave Fairbanks AK | Aug 7 93 |
| 10. <i>[Handwritten Name]</i> | 5134 H Kovich St EAFB, AK 99702 | Aug 7 93 |
| 11. <i>[Handwritten Name]</i> | 4115 8th St Ft. Wainwright AK 99703 | 8-7-93 |
| 12. <i>[Handwritten Name]</i> | P.O. Box 5200, N. Pole 99705 | 7/4/93 |
| 13. <i>[Handwritten Name]</i> | " " " " | " " |
| 14. <i>[Handwritten Name]</i> | 500 Wainwright Dr FALS | 8-7-93 |
| 15. <i>[Handwritten Name]</i> | 4210 6th St Wainwright | 8-7-93 |
| 16. CAREY B. LEE | 1727 AURORA DR, FALS | 8-7-93 |
| 17. <i>[Handwritten Name]</i> | 1113 KAK. CAN. FALS, AK | 8-7-93 |
| 18. <i>[Handwritten Name]</i> | 412 Austin | 8-7-93 |
| 19. <i>[Handwritten Name]</i> | 818 AUSTIN | 8-7-93 |
| 20. <i>[Handwritten Name]</i> | 4408 3 Cabana Hills | 8-7-93 |
| 21. CLIFF A. HEDM | 322 STATE DR. W. FALS 99701 | 8-7-93 |
| 22. <i>[Handwritten Name]</i> | 4119 6th St #6 Ft. Wainwright, AK | 8-7-93 |
| 23. STEVEN M. MOORE | P.O. BOX 70671 FALS AK 99707 | 8-7-93 |
| 24. <i>[Handwritten Name]</i> | P.O. Box 5670 N.P. AK 99705 | 8-7-93 |
| 25. Misty Richards | 1612 S. Southern Ave Fairbanks, AK | 8-7-93 |
| 26. <i>[Handwritten Name]</i> | " " " " | 8-7-93 |
| 27. <i>[Handwritten Name]</i> | 1211 Sutton Loop Fairbanks AK 99701 | 7 Aug 93 |
| 28. Barbara Dillow | 1211 Sutton Loop Fairbanks AK 99701 | 7 Aug 93 |
| 29. John Holbrook | Upper Alaska | 8-7-93 |
| 30. <i>[Handwritten Name]</i> | FALS AK | 8/19/93 |

Moxie the elephant and his family are becoming permanent residents of Alaska to enrich the lives of the people of Alaska through the entertainment they bring. However, a certain agency of the State of Alaska has indicated they might not allow Moxie to live in Alaska yearround. If this becomes the case we may need your support.

If you support Moxies right to permanent residency in the State of Alaska please sign below.

NAME:	ADDRESS:	Date:
1. Steve Vanoy	Palmer AK	8-7-93
2. Shirley Eslinger	Fairbanks AK	8-7-93
3. Francis Munn	Midway AK	8-7-93
4. Doug Han	Fairbanks AK	8-7-93
5. Lee Davis	Fairbanks AK	8/7/93
6. Ericka A. Holland	Fairbanks, AK	8-7-93
7. Charles M. & Family	Delta AK	8-7-93
8. [unclear]	Prize	8-7-93
9. Steve [unclear]	FRX	8-7-93
10. Ursula Gronewald		8-8-93
11. Hillary Hooper	Fairbanks, AK	8-8-93
12. Bill Johnson	Fairbanks AK	8-8-93
13. Tom [unclear]	Trapper Creek AK	8-8-93
14. [unclear]	Trapper Creek AK	8-8-93
15. [unclear]	Elks AK	8/8/93
16. James [unclear]	Fairbanks AK	8-8-93
17. [unclear]	somewhere AK	8-8-93
18. [unclear]	Fairbanks	8-8-93
19. [unclear]	N. Pole	8-8-93
20. [unclear]	FAT AK 99712	8-8-93
21. [unclear]	AK 99707	8-8-93
22. Keith [unclear]	Elks AK 99709	8-8-93
23. Michael [unclear]	" " 99709	8-8-93
24. [unclear]	Fairbanks	8-8-93
25. [unclear]	Fairbanks	8-8-93
26. David M. Kee	Elks AK	8-8-93
27. Donald M. [unclear]	AK	"
28. [unclear]	Fairbanks AK	7-7-93
29. [unclear]	Fairbanks AK	8-8-93
30. Ron Taffey	Big Lake	8-8-93

Moxie the elephant and his family are becoming permanent residents of Alaska to enrich the lives of the people of Alaska through the entertainment they bring. However, a certain agency of the State of Alaska has indicated they might not allow Moxie to live in Alaska yearround. If this becomes the case we may need your support.

If you support Moxies right to permanent residency in the state of Alaska please sign below.

- | NAME: | ADDRESS: | Date: |
|--------------------|--|--------|
| 1. Andrew Basson | 2568 Garrison North Pole AK 99705 | 9/5/93 |
| 2. Maria Douglas | Fairbanks AK | |
| 3. Paula Pittka | Fairbanks AK | |
| 4. Ann Tolson | | 2-8-93 |
| 5. Keith Martin | 3809 Mitchell Fairbanks AK | 8-8-93 |
| 6. Amy Smith | Fairbanks | |
| 7. John Smith | PO Box 71654, Fairbanks AK 99701 | |
| 8. Pamela Smith | 1149 Fairbridge Blvd Fairbanks AK 99701 | 8-1 |
| 9. Dana Taylor | P.O. Box 50852 Fairbanks AK 99708 | |
| 10. Adhissawala | Box 342 Fairbanks AK 99723 | 8-8-93 |
| 11. Susan King | 314 Charles St Fairbanks 99701 | |
| 12. Dale Smith | 318 Charles St Fairbanks AK 99701 | |
| 13. David Jensen | 4119 8th Street #3 Fairbanks, Alaska 99701 | |
| 14. Tammy Smith | 1000 4th Street Fairbanks AK 99701 | |
| 15. Susan Johnson | 114 Peppercorn Park Fairbanks AK 99709 | |
| 16. Eric Small | 545 Sprucewood Fairbanks, AK | |
| 17. Bob Fuller | 1321 Karen Way #28 Fairbanks AK 99701 | |
| 18. Molly V. Jones | 138 10th #2 Fairbanks AK 99701 | |
| 19. Martha Wilby | 318 Charles St Fairbanks AK 99701 | |
| 20. [Signature] | 4711 E. 22nd St W.W. AK 99703 | |
| 21. [Signature] | 316 W. 22nd St Fairbanks AK 99701 | |
| 22. [Signature] | PO Box 1825 Fairbanks AK 99701 | |
| 23. [Signature] | Box 11201 Fairbanks AK | |
| 24. [Signature] | PO Box 1150 Fairbanks AK 99701 | |
| 25. [Signature] | 30 P 76150 Fairbanks AK 99701 | |
| 26. [Signature] | PO Box 1516 Fairbanks AK 99701 | |
| 27. [Signature] | PO Box 1516 Fairbanks AK 99701 | |
| 28. [Signature] | P.O. Box 81595 Fairbanks AK 99703 | |
| 29. [Signature] | 5197 A Arctic Ave Fairbanks AK 99701 | |
| 30. [Signature] | PO Box 84513 Fairbanks AK | |

Moxie the elephant and his family are becoming permanent residents of Alaska to enrich the lives of the people of Alaska through the entertainment they bring. However, a certain agency of the State of Alaska has indicated they might not allow Moxie to live in Alaska yearround. If this becomes the case we may need your support.

If you support Moxies right to permanent residency in the State of Alaska please sign below.

- | NAME: | ADDRESS: | Date: |
|------------------------------|---|-----------------|
| 1. <i>Ann Lally</i> | <i>FRK AK</i> | <i>8/13/93</i> |
| 2. <i>Carl E. Campbell</i> | <i>1277 Holmes Rd N.P. AK</i> | <i>8/13/93</i> |
| 3. <i>Charles J. Newman</i> | <i>1478 25th Ave #4 FBKs</i> | <i>8/13/93</i> |
| 4. <i>Yvonne Labney</i> | <i>Box 7541, FBKs AK</i> | <i>8/14/93</i> |
| 5. <i>Ellen M. Helcho</i> | <i>1645 Old Finnella 99709</i> | <i>8-14-93</i> |
| 6. <i>Shirley M. Ruske</i> | <i>P.O. Box 72159 99707</i> | <i>8/14/93</i> |
| 7. <i>Ken Brown</i> | <i>PO Box 72119 Fairbanks 99707</i> | <i>8-14-93</i> |
| 8. <i>Man Johnson</i> | <i>P.O. Box 72119 Fairbanks 99707</i> | <i>8-14-93</i> |
| 9. <i>Jeresa Stenderland</i> | <i>PO Box 55942 N. Pole AK 99705</i> | <i>488-4558</i> |
| 10. <i>Trinda Dorette</i> | <i>PO Box 61054 Fairbanks AK 99706</i> | <i>8/14/93</i> |
| 11. <i>Thomas C. Jurnell</i> | <i>224 ILWIS #3 FBKs AK 99701</i> | <i>8/14/93</i> |
| 12. <i>Paula L. Lamm</i> | <i>P.O. Box 58299 Fairbanks 99711</i> | <i>8/14/93</i> |
| 13. <i>Jan Moran</i> | <i>932 Chen St Anchorage 99504</i> | <i>8/14/93</i> |
| 14. <i>Donna Dunbar</i> | <i>50803 Hercules Circle Fairbanks 99702</i> | <i>8/14/93</i> |
| 15. <i>Elaine Nash</i> | <i>5191 Chen Small Tracts Fairbanks 99709</i> | <i>8/14/93</i> |
| 16. <i>Charvete Jewell</i> | <i>Box 535 Skagway Alaska 99840</i> | <i>8/14/93</i> |
| 17. <i>Martha Davina</i> | <i>1721 University Ave. #C-11 Fairbanks 99709</i> | |
| 18. <i>Cynthia D. West</i> | <i>5190 Amherst Dr #25 Fairbanks 99709</i> | <i>8/14/93</i> |
| 19. <i>John West</i> | <i>2449 Hill PD Fairbanks</i> | |
| 20. <i>John Larson</i> | <i>1153 W. 124th ST SEATTLE, WA</i> | <i>98146</i> |
| 21. <i>John West</i> | <i>405 Saker St. 719 Fairbanks 99701</i> | <i>8/14/93</i> |
| 22. <i>John West</i> | <i>425 Saker St. Fairbanks 99701</i> | <i>8-14-93</i> |
| 23. <i>Kathleen Burpee</i> | <i>1160 HAMPTON AVE FBKs 99701</i> | <i>8-14-93</i> |
| 24. <i>John West</i> | <i>10 Box 55905 N. Pole 99705</i> | <i>8-14-93</i> |
| 25. <i>Mary MacIntyre</i> | <i>PO Box 55705 N. Pole AK 99705</i> | <i>8/14/93</i> |
| 26. <i>Man E. Sammi</i> | <i>PO Box 82453 Fairbanks AK 99705</i> | <i>8/14/93</i> |
| 27. <i>Arden Simmonds</i> | <i>PO Box 84825 Fairbanks AK 99708</i> | <i>8/14/93</i> |
| 28. <i>Stacy Tignor</i> | <i>POB 57050 North Pole AK 99705</i> | <i>8-14-93</i> |
| 29. <i>Erin S. Sprich</i> | <i>2012 Sandhill # 307 Fairbanks, AK</i> | <i>99709</i> |
| 30. <i>Allyce J. Smith</i> | <i>1631 26th Ave 99701</i> | <i>458-7525</i> |

Moxie the elephant and his family are becoming permanent residents of Alaska to enrich the lives of the people of Alaska through the entertainment they bring. However, a certain agency of the State of Alaska has indicated they might not allow Moxie to live in Alaska yearround. If this becomes the case we may need your support.

If you support Moxie's right to permanent residency in the State of Alaska please sign below.

NAME:	ADDRESS:	Date:
1. Linda Frantz	1197 Kadiak St FAKS AK 99709	8-11-93
2. Linda Korte	5142 DARTON, Colson	8-12-93
3. Shelia Tall	7143 Badger Rd F.P.	8-12-93
4. Stacie Sirested	43301 9th St #3 FUTA	8-17-93
5. Lisa Orr	Box 96 Tununak, AK 99681	8-11-93
6. Theresa Realer	225 Bainbridge Fairbanks 99701	8-12-93
7. Roxanne Spragle	5101 Electra FAKS 99709	8-12-93
8. Jean Leonard	5101 Electra FAKS 99709	8-13-93
9. Louise Huelle, Louise Huelle	916 Clear 99705	8-13-93
10. Keith Sta	713 Happy Sack St	8-13-93
11. Cune	Box 51 St. George's	8-13-93
12. Jim McRobert	PO Box 140106 Selkirk	8-13-93
13. Donald McRobert	" " " "	" " " "
14. Jim Klanchak	PO Box 81176 Fairbanks ⁹⁹⁷⁰⁸	8-13-93
15. Dana McKenzie	5020 E. 98th Ave Anch. AK	
16. Deborah Michell	1743 Midway FAKS	8/13/93
17. D. C.	1203 Snowdrift FAKS	8/13/93
18. J. P. Wood	1445 Williams FAKS	8-13-93
19. Rhonda Stang	Box 164 Cantwell AK	8-13-93
20. Patty Strickland	416 Turner FBX	8/13/93
21. Nedra G. Wright	PO Box 73862 FBX	8/13/93
22. Phyllis Klemm	3820 Hardluck Dr	8-13-93
23. April Rasmussen	626 Nichols Ln Fbx	8/13/93
24. Jack & Sharon	379 Dunbar St #13 FBKS	8/13/93
25. J. P. Wood	1603 Roosevelt St FAKS	8/13/93
26. J. P. Wood	N. Polo St	8/13/93
27. Jim Sackell	3420 Virginia St Northside	8/13/93
28. Richard D. Fairbanks	1620 Washington St #69 FAKS	8-13-93
29. J. S. B. Wood	695 1st St Palmer	8/13/93
30. Angela D. Nicole	1045 1st St Palmer 99645	8-13-93

Moxie the elephant and his family are becoming permanent residents of Alaska to enrich the lives of the people of Alaska through the entertainment they bring. However, a certain agency of the State of Alaska has indicated they might not allow Moxie to live in Alaska yearround. If this becomes the case we may need your support.

If you support Moxies right to permanent residency in the State of Alaska please sign below.

NAME	ADDRESS:	Date:
1. <u>Joanna M. Smith</u>	<u>POB 60988 FBKS</u>	<u>8/14/93</u>
2. <u>Robert D. Glavin</u>	<u>P.O. 56646 N.P.A.K. 99705</u>	<u>8/14/93</u>
3. <u>Delorran L Kokone</u>	<u>P.O. Box 514416 N.P.A.K. 99711</u>	<u>8/14/93</u>
4. _____		
5. _____		
6. _____		
7. _____		
8. _____		
9. _____		
10. _____		
11. _____		
12. _____		
13. _____		
14. _____		
15. _____		
16. _____		
17. _____		
18. _____		
19. _____		
20. _____		
21. _____		
22. _____		
23. _____		
24. _____		
25. _____		
26. _____		
27. _____		
28. _____		
29. _____		
30. _____		

HB

239

SB

97

Let's Adopt A State Insect!

Have you ever been walking beside a stream or lake and had a streamlined, olive and yellow creature dart up to you, pause in mid-air checking you out with its bulgy eyes, then go into reverse and disappear into the willows? What was it? A miniature helicopter? No. A science fiction character? No. The answer is the Four Spot Skimmer Dragonfly, the insect that 3,941 students in schools from the Aleutians to the North Slope voted as their choice to become the official state insect of Alaska. The dragonfly was nominated by Auntie Mary Nicoli Elementary School in Aniak and Auke Bay School in Juneau in the spring of 1993.

Ballots were sent to every public school in the state and the votes came pouring in during the school year of 1993-94. The students of Auntie Mary Nicoli Elementary School counted and tallied the votes, locating each responding school on a map of Alaska and marking the town or village with a dot. The vote was:

Four Spot Skimmer Dragonfly- 3941

Unmarked Slender Mosquito- 3073

Mourning Cloak Butterfly- 2990

Bumble Bee- 1492

Election results showed that students in city schools tended to vote for the mosquito, perhaps because people in urban areas are more impressed by the importance of the mosquito in the food chain, and are not bothered by the pests as much as those living in rural areas. Elementary, junior high, and high school students voted decidedly with a margin of 868 votes for the dragonfly, which preys upon the pesky mosquito. The election returns reflect enthusiastic participation by students all over the state.

The Four Spot Skimmer Dragonfly is an excellent choice for the largest state in America. Its four membranous wings span 2 and 3/4 to 3 and 1/8 inches. It has the ability to hover and fly forward and backward, just like the helicopters that maneuver in and out of otherwise inaccessible areas of bush Alaska.

The body of the Four Spot Skimmer Dragonfly is olive brown with a yellow stripe on each side and a yellow stripe on the leading edge of each wing. The colors represent the long nights of Alaskan winters. The yellow stripes are like the searching headlights of vehicles, and the sure promise of the returning sun over the spring horizon. The face is yellow with two large compound eyes, with which the dragonfly sees kaleidoscopic images, reminding us of the many facets of Alaskan history and culture. From the beginning of its life, the dragonfly is a symbol of strength. The male guards the female from other males while the female rests on a twig or leaf then drops her eggs one at a time into or close to the water. The larvae prey upon water insects, tadpoles, or even small fish. They make lightning fast jabs with their lower lip in order to enjoy a tasty meal.

According to Dr. Mark Oswood, Professor of Aquatic Biology at the University of Alaska, Fairbanks, "The dragonfly is an elegant organism. Its beauty puts it right in there with butterflies. It is an incredible aerial acrobat. It probably lives more than one year in the larvae stage and spends the winter in the frozen mud. It emerges as an adult during the second summer."

The fact that adult dragonflies have chewing mouth parts and feed on other flying insects like mosquitoes is perhaps the main reason for the dragonfly's victory over the Slender Unmarked Mosquito. It is a born hunter, a true Alaskan.

No matter how large or small the village or city or the geographical location of the school, students found a new interest in the importance of insects to life in Alaska. They campaigned in their schools, studied the pros and cons of each nominee, and carried out the democratic process by expressing their choice with a vote. 11,496 students across the state are now waiting to see the final result of that election. It is now up to our legislators: Senator Georgeanna Lincoln, Representative Irene Nicholia, and Representative Gene Kubina to present the bill in the House and Senate.

Eight students have been chosen to go to Juneau in April to lobby for the Four Spot Skimmer Dragonfly. They are currently earning their way by making and selling delicious baked goodies and raffling a variety of crafts and items that have been donated.

Can students make a difference in government? Yes! Can students make things happen in the real world? Yes! And we will soon have the Four Spot Skimmer Dragonfly adopted as the official Alaska state insect to prove that students can make changes using true Alaskan diligence!

LET'S ADOPT THE FOUR SPOT SKIMMER DRAGONFLY FOR ALASKA!

Voice of The Times

Dragonfly will make a nifty state bug

By PAUL JENKINS

Ya gotta hate it when a pesky liberal does something right. It ain't natural. Take this bug deal kicking around in the Senate Resources Committee. At first, it appeared Sen. Georgianna Lincoln was just begging for trouble when she introduced SB97, a measure to make a dragonfly the state insect.

There's tort reform to worry about. There's the looming fiscal crisis. If that's not enough, there's the term limits fracas. And Ms. Lincoln, a Democrat from Rainier, wants to waste time on adopting a state insect? This is the best Democrats can do? A bug bill?

Then, ya find out she's doing it because something like 11,496 school kids from all over Alaska voted to make the four spot skimmer dragonfly the state's official insect. Through oversight or design, Alaska at present finds itself without an official bug, unless you count the Anchorage Daily News.

I submit that no state worth a hoot should be without a real bug on its roster of official stuff. Several states lists grasses, dogs, horses, even nuts. Arizona even has official neckwear, the bolo tie. The only things Alaska can pony up for a list is a flower, a tree, a bird, a song, a gem, a marine mammal, a fossil, a mineral and a sport. But no bug. It ain't respectable.

Apparently kids in schools across the state thought so, too. During a special election that started in 1992, kids sent their votes for a state bug to the Auntie Mary Nicolli Elementary School in Aniak for tabulation. The Aniak school and the Auke Bay School in Juneau nominated the four spot skimmer dragonfly that eventually tallied 3,941 votes. The unmarred slender mosquito, received 3,073, the mourning cloak butterfly, 2,990, and the bumblebee, 1,492.

Frankly, I'd have gone with the mosquito, which lost by a lousy 868 votes. There probably ought to be an Alaska Public Offices Commission investigation or a recount supervised by the Division of Elections. Like every other election in this state. But, hey, the kids apparently wanted the results sometime this year and without the ensuing lawsuit.



Jenkins



In the long run, I suppose, the dragonfly should work out well as a state insect. It can hover, then move forward and backwards, like a lot of our politicians. Additionally, it's strong. It's fast. It's a hunter. It's capable of amazing aerobatics. And it eats mosquitoes. Anything that eats mosquitoes is good. Of course, anything that eats more mosquitoes is even better.

The kids at Aniak sent the vote tallies along to Lincoln, who introduced her legislation in the Senate. They say they hope the bill will "fly" through the Legislature. The Aniak kids, fifth- through eighth-graders calling themselves the Dragonfly Lobby Team, have raised money to visit Juneau in early April, when the measure is scheduled to come up.

And it should pass. Lawmakers should put aside their partisan differences and do the right thing, or risk tickling off herds of kids with fax machines, telephones and computers. Besides, Alaska needs to take its rightful place among sovereign states with official bugs. We will be the only state with a dragonfly. We will have a bug and Texas won't. And we will be the first state to adopt an official bug in the 1990s.

To date, there are something like 17 states with official insects. Most of their bugs, I gotta tell ya, are wumpy. Of the 17, 13 went with honeybees or ladybugs, showing a certain lack of imagination even

if honeybees and ladybugs do good work.

Arkansas, Mississippi, Missouri, Nebraska, New Jersey, North Carolina, South Dakota, Vermont and Wisconsin all went with the honeybee. All adopted the bee between 1973 and 1985, indicating more than a decade of hard lobbying by bee lovers. And, for the record, Utah's state emblem is a beehive.

Delaware, Massachusetts, New York and Ohio went with the ladybug, and they all did it between 1974 and 1989. Connecticut picked the praying mantis in 1977; Illinois, the monarch butterfly in 1975; and, Maryland, the Baltimore checkerspot butterfly in 1973.

Then, there's New Mexico, where men are men and the official vegetable is chili and frijol. I'm not kidding. The official cooler, by the way, is something called a bizcochuto. Its official bug is the Tarantula Hawk Wasp, adopted in 1989. Impressive. I don't know what these critters do, but, just based on the name, I believe I'd buy one a bizcochuto and call it "ur" if it got close.

That aside, when Lincoln's bug bill is a done deal, kids all over the state who took part in the voting will see that people working together actually can make something happen.

And all in all, even if they passed over the venerable mosquito, that ain't so bad.

Paul Jenkins is an editor of The Anchorage Times.

Buzzword in Juneau is dragonfly

3/24/95
FBKS Daily
News-Miner

By KATE RIPLEY
Staff Writer

JUNEAU—This is one bill that's really flying through the Legislature.

The House State Affairs Committee unanimously backed a bill Thursday to make the four-spot skimmer dragonfly Alaska's official insect.

The political buzz in the Capitol's halls is that the measure has an excellent chance of becoming law.

See FLY, Page A-8

FLY: Official insect

Continued from Page A-1

"I think it's great," said House Speaker Gail Phillips, R-Homer. "It'll pass this year. I'm sure."

The bill, sponsored by Rep. Irene Nicholia, D-Tanana, and Sen. Georgianna Lincoln, D-Rampart, is the result of a three-year effort by elementary school students in Aniak, on the Kuskokwim River in Southwest Alaska.

The students polled nearly 11,300 students across the state, asking them to choose from among the four-spot skimmer, the unmarked slender mosquito, the mourning cloak butterfly and the bumblebee.

The dragonfly beat the mosquito by a handy margin. Next in line was the butterfly, with the bee a distant fourth.

Eight Aniak students testifying via teleconference Thursday said the dragonfly deserves the title of official state insect because it is a major predator of the mosquito. They also noted that such a large bug is fitting for a large state.

"The dragonfly is long, slender

and graceful. It eats mosquitoes and was the choice of most Alaskan students," said sixth-grader Andrea Gusty.

Seventh-grader Derek Aluia gave the dragonfly credit for toughness.

"Winter in Alaska is cold. Any insect as big and beautiful as the dragonfly that can survive Alaska's cold deserves to be the state insect," Aluia said.

Since the bill contained only five lines, there weren't many bugs to work out.

Lincoln said the bill should get its first Senate hearing early next month.

"This is the students' chance to see they can make a difference," Lincoln said.

The students stuffed hundreds of envelopes, counted votes and held bake sales to earn money for the Juneau trip, said fifth-grader Melanie Matter.

"We're not about to stop working until the dragonfly is the official state insect," she declared.

State Motto

The official motto of the State of Alaska, "North to the Future," was adopted by the legislature during Alaska's Purchase Centennial in 1967. Created by veteran Juneau newsmen Richard Peter, the motto is meant to represent Alaska as a country of promise. According to Peter, the motto "... is a reminder that beyond the horizon of urban clutter there is a Great Land beneath our flag that can provide a new tomorrow for this century's huddled masses yearning to be free."

The Seal of the State of Alaska

When Congress provided for civil government for Alaska in 1864, the first governor designed, and had made, a seal for the District of Alaska. The seal was used until 1910 when Governor Walter E. Clark decided the design placed too much emphasis on icebergs, northern lights, and Native people. The governor had a draftsman in Juneau sketch a new seal that incorporated the original features, plus symbols for mining, agriculture, fisheries, fur seal rookeries, and a railroad.

The design was approved by the acting attorney general of the United States. A more refined drawing was made by an unknown person in the Department of the Interior, and the new seal was ready for use early in 1911. When Alaska changed from district to territorial status in 1912, the new designation was substituted on the seal.

The Constitution of the State of Alaska provides that the territorial seal shall be the seal for the State of Alaska, with the word "territory" changed to that of "state." The seal is 2 1/8 inches in diameter. The seal appears on the cover of this book.

The seal of the State of Alaska may be used only with the written permission of the Lt. Governor.

The State Flower

The state flower, the wild Forget-Me-Not, was adopted by the Territorial Legislature in 1917. It is a perennial that is found throughout Alaska, from Hyder to the Arctic coast, and west to the Aleutians.

The State Bird

The state bird, the Willow Ptarmigan, was adopted by the Territorial Legislature in 1935. It is a small 13-17 inches arctic grouse that lives among willows and on open tundra and muskeg. Plumage is brown in summer, changing to white in winter. The Willow Ptarmigan is common in much of Alaska.

Other State Symbols

State Fish—King Salmon (adopted by the Alaska Legislature in 1962)

State Fossil—Woolly Mammoth (adopted by the Alaska Legislature in 1966)

State Gem—Jade (adopted by the Alaska Legislature in 1968)

State Marine Mammal—Bowhead Whale (adopted by the AK Legislature in 1963)

State Mineral—Gold (adopted by the Alaska Legislature in 1968)

State Sport—Dog Mushing (adopted by the Alaska Legislature in 1972)

State Tree—Sitka Spruce (adopted by the Alaska Legislature in 1962)