

ALASKA LEGISLATURE COMMITTEE FILES 1997-1998 8672

9657 SENATE RESOURCES

legislative fiscal analyst overview of the governor's request

DEPARTMENT OF NATURAL RESOURCES

The Department of Natural Resources manages the state's land, water, forest, grasslands, petroleum, minerals, parks, agriculture programs and related development activities. The goal of the department is the maximization of current and future public benefit through the prudent stewardship and wise development of Alaska's renewable and non-renewable resources.

MAJOR CHANGES

- Funding for the staff and operation of the Citizen's Advisory Commission on Federal Areas (CACFA) in the Commissions component is being eliminated. The total reduction is \$91,100 in general funds and one permanent full-time position.
- The department is requesting \$630,800 additional general fund program receipt authority in the Pipeline Coordinator component of the Resource Development BRU for three projects: Alpine/Colville Development (\$353,300), the Sadlerochit Pipeline (\$152,500) and the State Pipeline Coordinator's Office Liaison (\$125,000).
- Mental Health Lands Administration is adding two permanent full-time positions to work on the Asset Management Plan. Funding for these positions is being transferred from contractual services in order to perform the work in-house.
- Parks Access is a new component added to Parks and Recreation Management to segregate projects funded with CIP receipts from day-to-day operations of the State Park System. An internal transfer (\$1,367,100 CIP; \$41,800 federal; 24 permanent full-time and 5 permanent part-time positions) plus increments (\$332,500 CIP and 6 permanent full-time positions for Parks Facilities; \$41,800 CIP for Marine Recreation; \$73,000 interagency for Mining Reclamation; and \$26,100 interagency minus \$19,200 federal authority for Trails) are the fund sources.
- Funding (\$40,000 in general funds) for state fairs in the Agricultural Development BRU is being eliminated.
- The FY98 Governor's budget does not include the \$38,500 general fund appropriation restored by legislative veto override for Agricultural Programs and Land Used for Agricultural Purposes (Chapter 1 FSSLA96). Two components are effected: Land Development in the Resource Development BRU (\$15,000) and Agricultural Development (\$23,500).
- A total of \$336,100 in general fund reductions is proposed in the Governor's budget.

legislative fiscal analyst overview of the governor's request

DEPARTMENT OF NATURAL RESOURCES

FY97 CONFERENCE COMMITTEE	62,745.5
Fiscal Notes	1,005.6
Veto	(201.8)
Veto Override	38.5
Other/Special Appropriations	20,320.0
One-time Items	(12,496.8)
FY97 Salary Adjustment	231.7
FY97 AUTHORIZED	71,642.7
FY98 Salary Adjustment	528.1
FY98 Health Premium Increase	187.2
Remove One-time Items	(7,534.2)
Veto Override Removal	(38.5)
Other Miscellaneous Adjustments	0.0
FY98 Adjusted Base	64,785.3
Increments	2,889.6
Decrements	(1,027.4)
FY98 Governor	66,647.5
General Funds	42,794.0
Other Funds	13,446.2
Federal Funds	10,907.3

PROGRESS

REPORT:

OIL

INDUSTRY



Official Business

ALASKA STATE LEGISLATURE

SENATE RESOURCES COMMITTEE

State Capitol
Juneau, AK 99801

Chairman: Senator Rick Halford
Vice Chair: Senator Lyda Green
Senator Loren Leman
Senator Bert Sharp
Senator Robin Taylor
Senator John Torgerson
Senator Georgianna Lincoln

AGENDA

3:30 to 5:00 p.m.

Monday, February 24, 1997

OIL INDUSTRY PROGRESS REPORT: Joint with House Resources

- I. ARCO Alaska Inc - Alpine Project
Martin Thurlow, Project Manager - Alpine, ARCO Alaska, Inc.
George From, Manager - Materials, Purchasing & Contracts, ARCO
- II. BP Exploration Inc - Northstar and Badami Projects
Eric Luttrell, Vice President, BP Exploration Inc.

Department of Labor available for questions:
Dwight Perkins, Special Assistant
Chris Miller, Research and Analysis

NEXT MEETING

Wednesday, February 26 Joint meeting with House Resources

Briefing: Citizens Advisory Committee on Federal Areas

* Bills previously scheduled

ADJOURN



Northstar Project

BP Northstar Project

Presentation to the

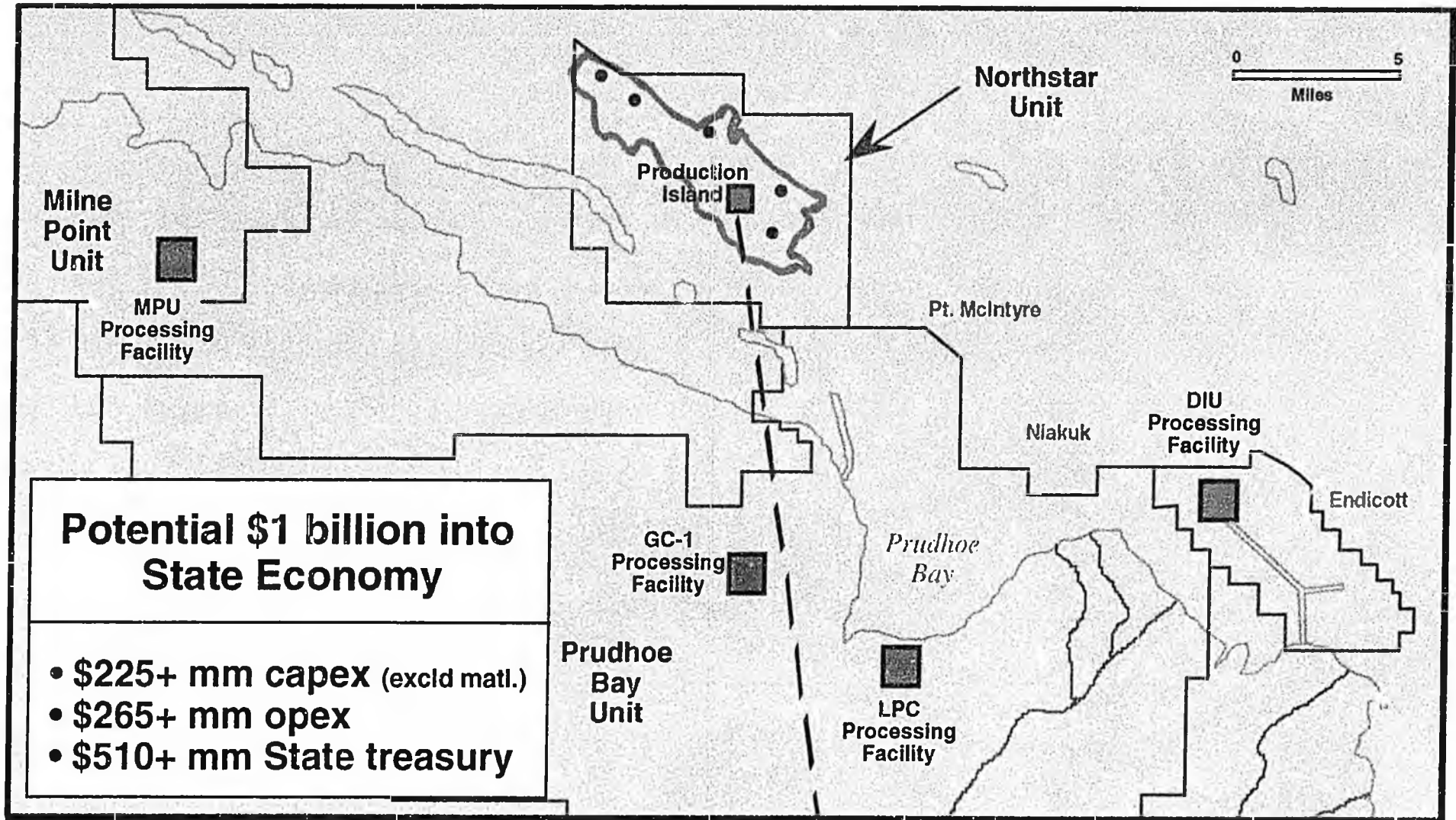
Senate Resource Committee

February 24, 1997



Northstar Project

Location Map



Potential \$1 billion into State Economy

- \$225+ mm capex (excl. matl.)
- \$265+ mm opex
- \$510+ mm State treasury



Northstar Project

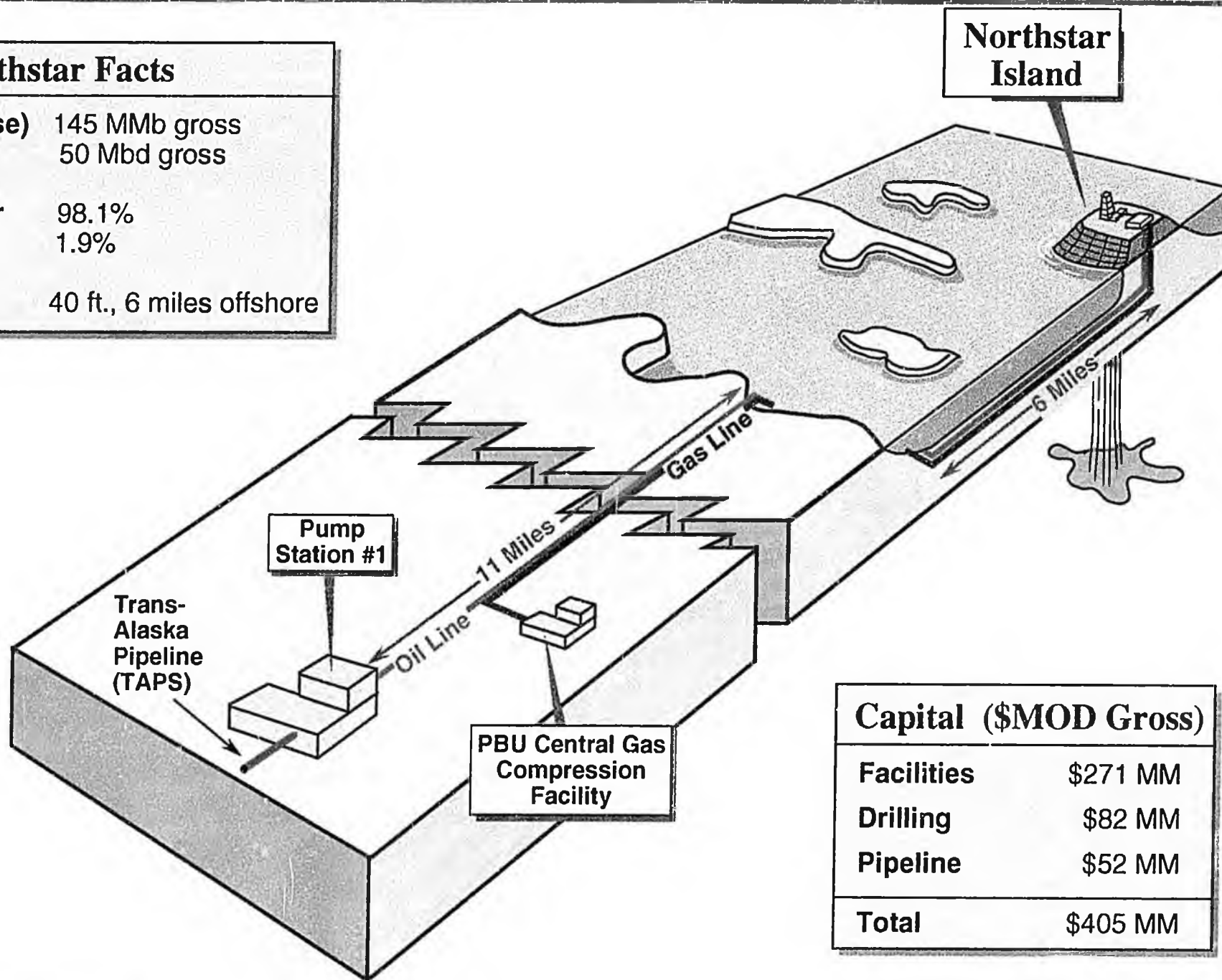
Schematic Overview

Northstar Facts

Reserves (Base) 145 MMb gross
Production 50 Mbd gross

BPX: Operator 98.1%
Murphy 1.9%

Water Depth 40 ft., 6 miles offshore



Capital (\$MOD Gross)

Facilities	\$271 MM
Drilling	\$82 MM
Pipeline	\$52 MM
Total	\$405 MM



Northstar Project

Statutory Requirements

- **Project Sanction by May 1997**
 - BP Board approved Northstar funding on October 3, 1996
- **Report Quarterly Alaskan Residency and Hire Statistics**
 - First report is currently being filed with the Department of Labor
- **Supplemental Royalty**
 - @ current price of West Coast ANS Northstar Royalty is 26.41%



Northstar Project

Voluntary Public Commitments

- **Alaskan Module Fabrication**
 - Contracted to fabricate in Anchorage (Veco/APC)
 - Upgrades to Port of Anchorage fab site nearly complete
 - Fabrication work began 1/10/97 (APC)

- **Alaskan Hire**
 - Contractors have joined in BP's commitment to Alaskan Hire.
 - Working closely with contractors and vocational schools to grow the workforce.

- **Use Alaskan Firms**
 - Veco, Nabors, AIC, APC, HCC and numerous Ak subcontractors
 - Using Alaskan vendors/agents to acquire specialized materials

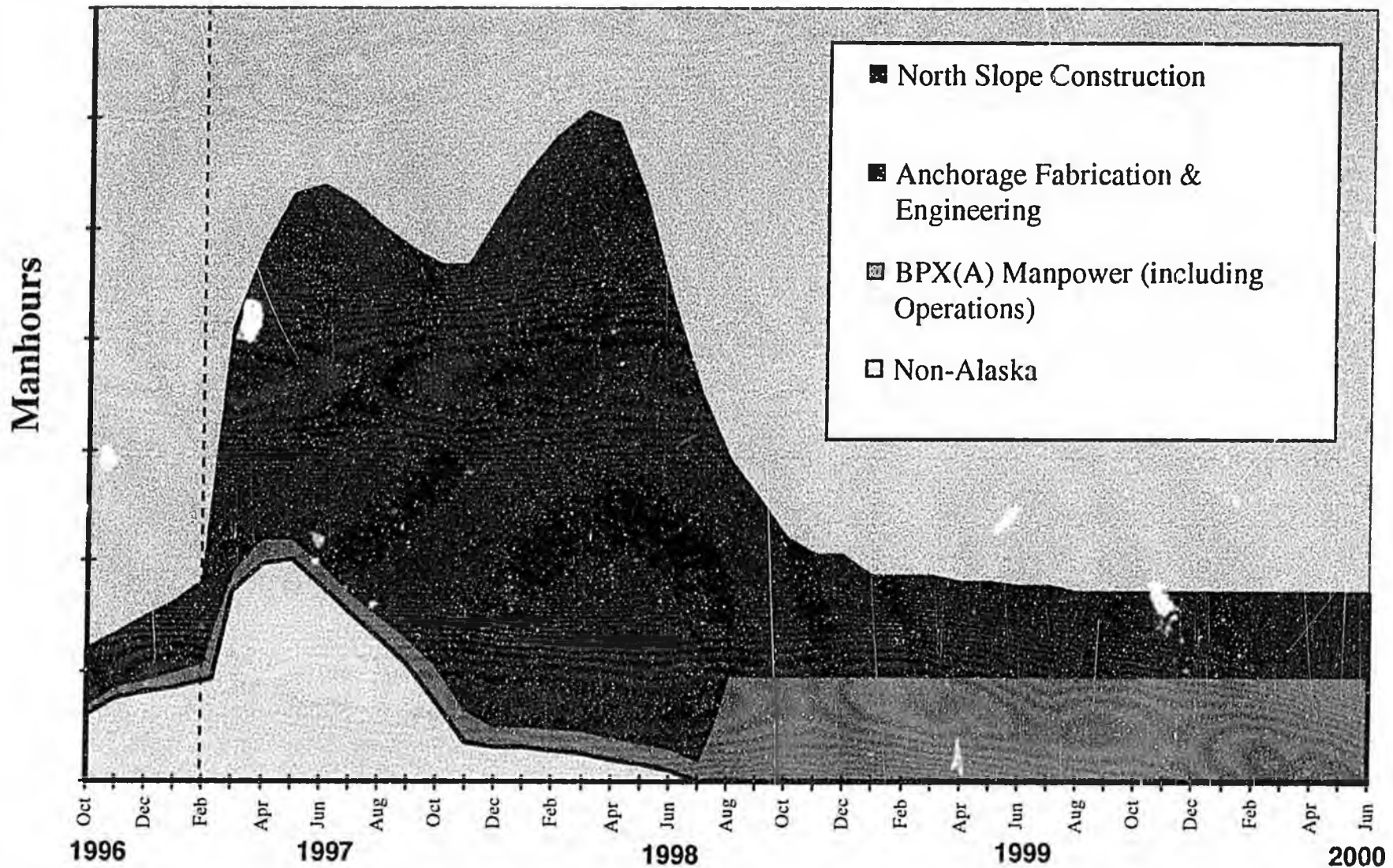
- **Alaskan Spend**
 - Over \$225+ million will be spent in Alaska
 - Alaskan content of Northstar is greater than 85% (excluding specialized materials)



Northstar Project

Northstar Manpower

Alaskans Working on Northstar

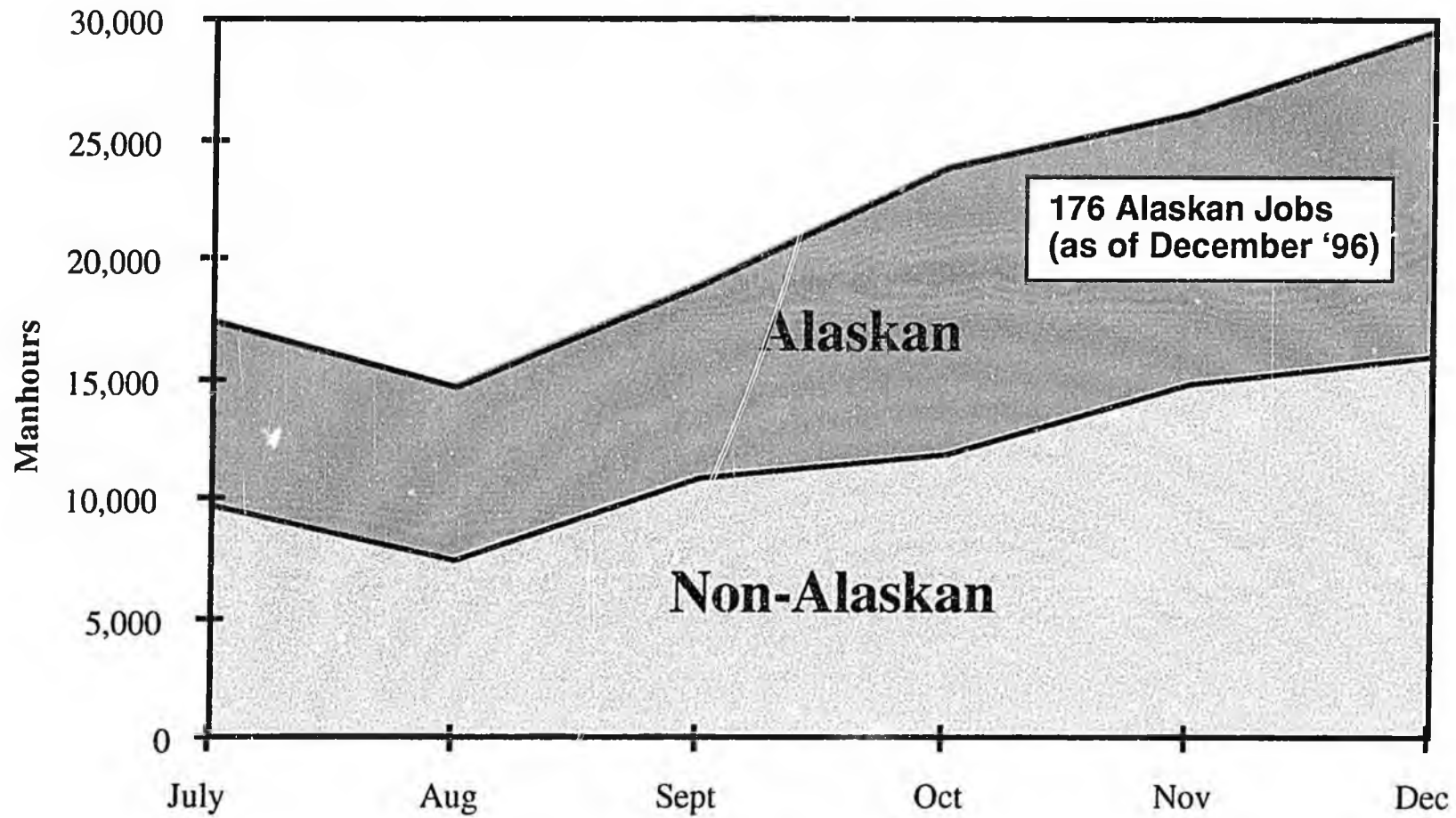




Northstar Project

Alaskan Resident Manhours/Jobs

Northstar Actuals (thru 12/96)





Northstar Project

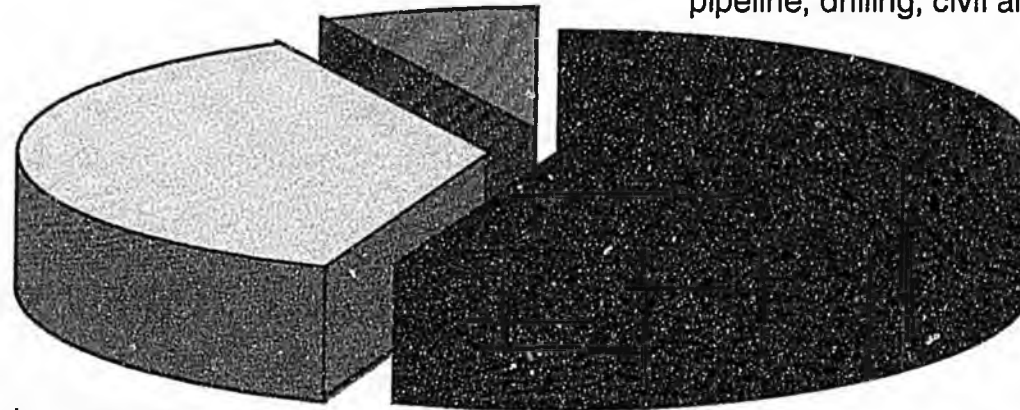
Alaskan Content

Engineering

Includes L-48 engineering and vessel fabrication

Alaskan Spend (~\$225m)

Includes Anchorage fabrication, engineering, pipeline, drilling, civil and installation work



Materials (~\$150m)

Over 75% of the orders have been placed through Alaskan vendors/agents.

Total Project Cost ~\$405 million

(Greater than 85% Alaskan Spend excluding specialized materials)



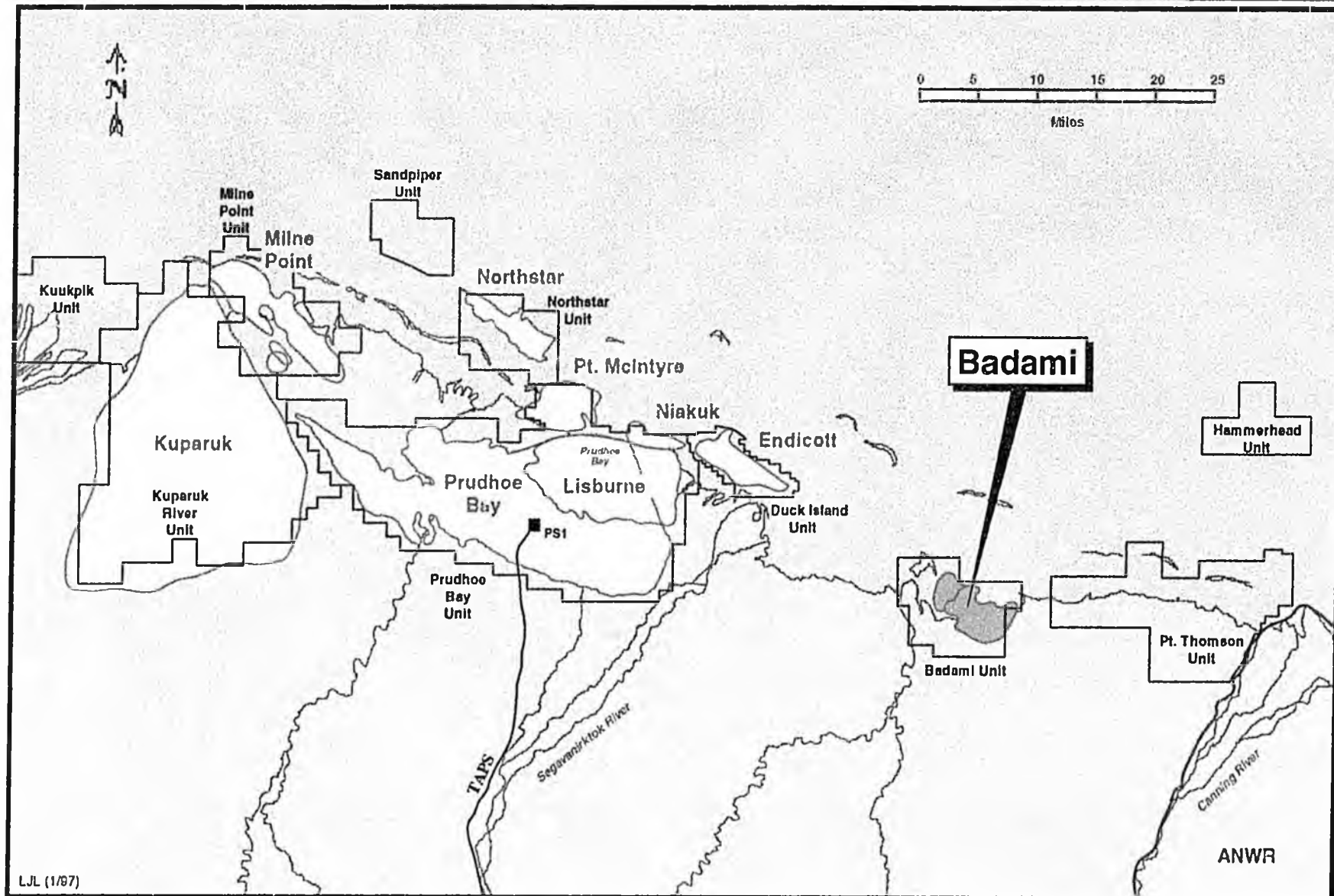
Northstar Project

Current Project Status

- **Lawsuit filed 1/29/97**
- **BP aligned with State in the litigation**
 - BP filed motion to intervene - 2/10/97
- **Decision to defer fabrication - 2/13/97**
- **Continuing with EIS and permitting to allow for efficient project ramp-up**
- **BP remains committed to Northstar**



North Slope Oil Fields



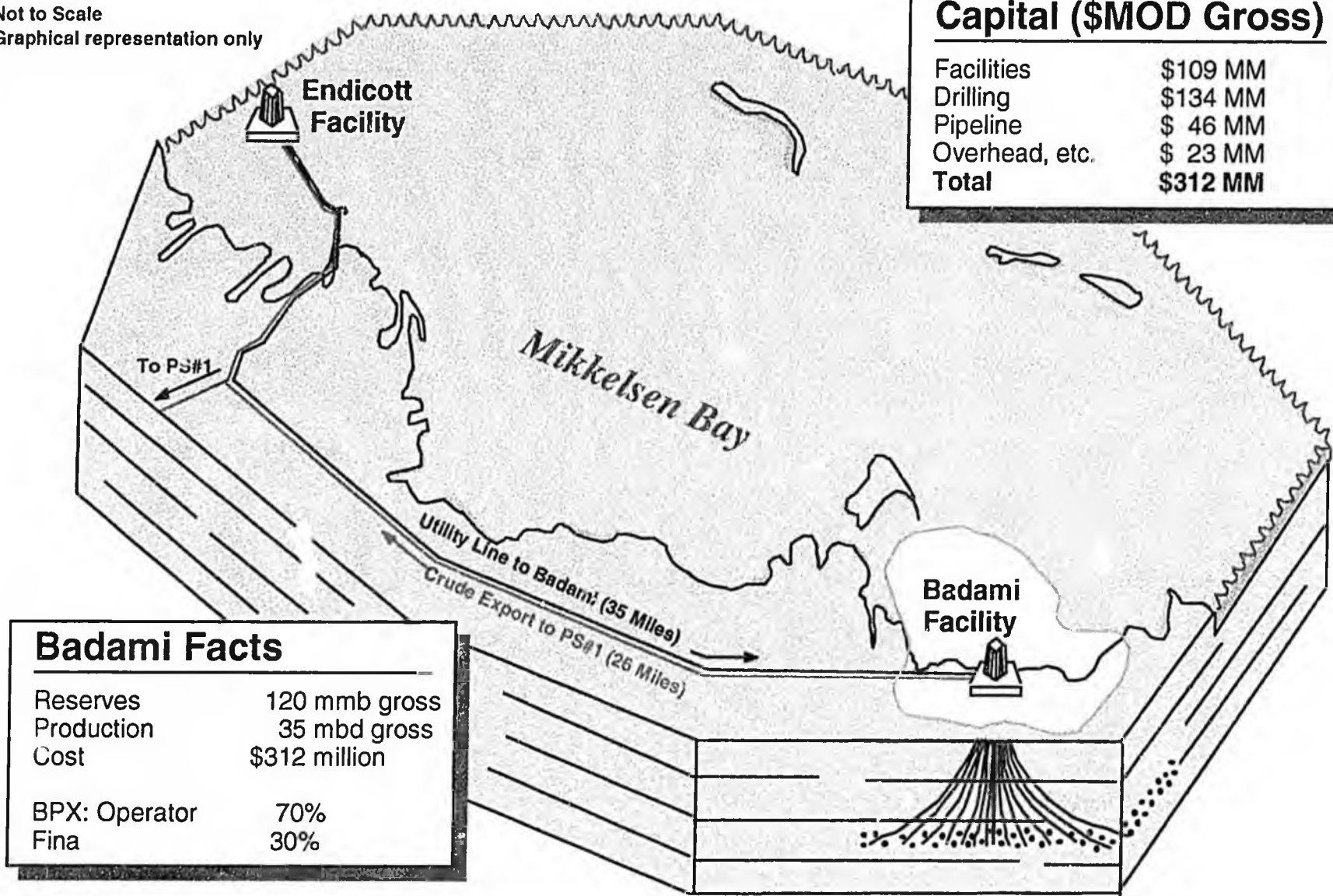


Badami Project

Proposed Facility and Pipelines

Not to Scale
Graphical representation only

Capital (\$MOD Gross)	
Facilities	\$109 MM
Drilling	\$134 MM
Pipeline	\$ 46 MM
Overhead, etc.	\$ 23 MM
Total	\$312 MM



Badami Facts	
Reserves	120 mmb gross
Production	35 mbd gross
Cost	\$312 million
BPX: Operator	70%
Fina	30%



Badami Project

Benefits to Alaska

- **Working through local firms**
 - Construction jobs (~200)
 - » AIC, VECO, HCC
 - Drilling jobs (~100)
- **Operations Jobs**
- **\$200 million into State economy during construction**
- **\$300 million+ in royalty and taxes during production**
 - no HB-207 royalty relief being sought
- **Expansion of North Slope infrastructure**
- **A new partner in the Alaskan oil industry**





Badami Project

Alaskan Content

Specialized materials
not available in Alaska

Engineering

Includes Anchorage fabrication,
engineering, pipeline, drilling,
civil, and installation work

Materials

**Alaskan
Spend
(~\$210m)**

Fabrication

Total Project Cost ~\$310 million
(greater than 85% Alaskan spend excluding specialized materials)

DEPARTMENT OF LABOR

OFFICE OF THE COMMISSIONER

P.O. BOX 21149
 JUNEAU, ALASKA 99802-1149
 PHONE: (907) 465-2700
 FAX: (907) 465-2784

February 21, 1997

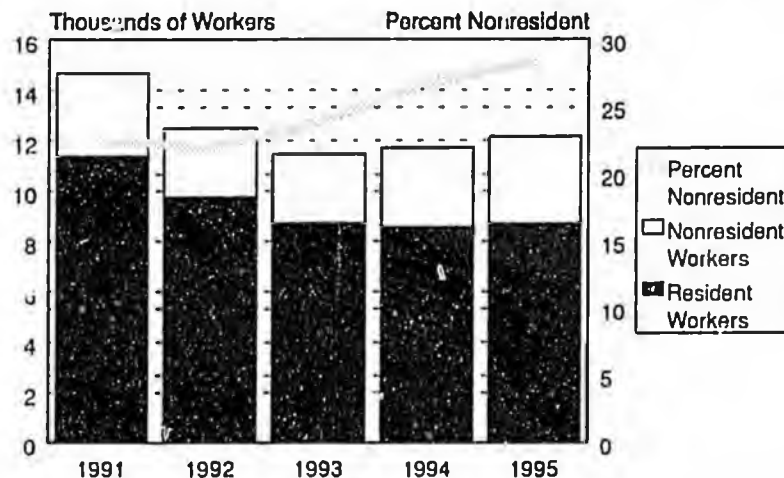
The Honorable Rick Halford
 Chair, Senate Resources Committee
 Alaska State Legislature
 State Capitol, Room 121
 Juneau, AK 99801-1182

Dear Senator Halford:

Alaska's oil industry including major oil companies and oil field service firms, increased the total number of workers employed at any time during the year by 5.8 percent from 1993 to 1995, but the total number of nonresident workers increased by 25 percent during the same period. The percentage of nonresident workers has increased steadily since 1992, rising from 22.0 percent to 28.4 percent of total workers in 1995. This increase in nonresident workers has occurred in tandem with the downsizing of major oil firms and a shifting of work to oilfield service companies.

Alaska's oil industry paid \$167 million to nonresidents in 1995, nearly 25 percent of total oil industry wages and about 20 percent of all private sector nonresident earnings in Alaska. On average, oil industry workers (part year and year round) earned more than \$58,400, while workers employed by major oil companies (excluding oilfield service firms) in Alaska in all four quarters had average earnings of \$102,682 in 1995. These are among the highest paying, year-round jobs in Alaska and are considered a high priority for placement of Alaskan workers. Faced with expected

Oil Industry Number and Percent Nonresident Workers-Alaska 1991 to 1995



Source: Alaska Department of Labor, Research and Analysis Section.

February 21, 1997

declines in total workers and continued shift of work to contractors with relatively high nonresident workers, improvements in resident hire performance will require coordination with training agencies and a strong commitment to resident hire.

In April of 1996, as a result of discussions between the Governor and principals in the Alaska oil industry, a task force of administration and oil industry officials was established to address the need for increased utilization of Alaskan workers and Alaskan companies in existing operations and in the development of new projects.

The **Governor's Joint Industry Task Force on Local Hire** consists of representatives selected by the oil industry, and representatives appointed by the Governor. The members are:

<u>Industry</u>	<u>State</u>
- Jamie Slack, VECO	- Ron Clarke, Special Staff Assistant to the Governor
- Bob Reynolds, BP Exploration	- William Hensley, Commissioner Department of Commerce
- Jane Crane, ARCO	- Mark Boyer, Commissioner, Department of Administration
- Janet Reiser, NANA Test	- Tom Cashen, Commissioner Department of Labor
- Ken Langel, HC Price	- Joyce Helens, UofA Anchorage
- Bill Cheek, Alaska Petroleum Contractors	

The primary focus of the task force is to:

- ▶ Ensure an adequately trained, available Alaska workforce;
- ▶ Actively recruit and hire Alaska residents and encourage non-Alaska hires to become Alaska residents within the boundaries of maintaining a safe, competitive and long-term workforce; and
- ▶ Track performance and report on the success of initiatives to increase Alaska employment performance.

Recommendations and strategies have been developed jointly to achieve these goals.

The task force has held several meetings over the past ten months, and have produced the following products:

- ▶ A matrix of all known industry-related training programs in the state delivered by private and public sectors which includes over 60 programs through over 25 providers;

February 21, 1997

- ▶ An Alaska employment plan measurement schedule appointing leaders for each task, time lines, completion dates, a tracking mechanism, and needs to accomplish tasks based on the goal strategies;
- ▶ An industry and state workforce survey to identify estimated workforce availability;
- ▶ A projection of employment opportunities based on known projects over the next five years; and
- ▶ A pilot project to measure Alaska hire.

The **Pilot Project** to measure Alaska hire has been developed to assist employers in the oil industry track new hires through additional residency benchmarks established from data the state collects at this time, such as physical addresses, Permanent Fund Dividend records, voter registrations, vehicle registrations, fishing and hunting licenses, and other information available through cooperative arrangements with other departments' data systems.

The pilot is designed to make reporting as simple as possible by employers, and to quantify the value of the additional data in terms of establishing Alaska residency. This will assist employers with record keeping and reports to the state by requiring employers to collect only one additional piece of data for quarterly payroll reports (instead of verifying several data submitted by the employee and asking questions that may be deemed discriminatory) and linking them with existing state data bases that are not linked at this time. The oil industry employers are very pleased with the simplicity of the system designed through cooperation between the state and employers. The pilot will allow the Department of Labor to benchmark the residency data today, and monitor the improvements in local hire across employers and the industry. A systems test is now underway with the state and industry to refine the mechanism for reporting.

Future plans for the task force will be to:

- ▶ Issue an annual report by April, 1997, on the work, progress and direction of the industry and state;
- ▶ Implement the pilot project on an industry basis, and monitor employment trends by company involved in North Slope oil development;

The Honorable Rick Halford -4-
Chair, Senate Resources Committee

February 21, 1997

- ▶ Work directly with the state's workforce development system and local employment service providers to improve recruitment and training of Alaskans for industry work; and
- ▶ Continue to hold public meetings and follow the planning and measurement schedule.

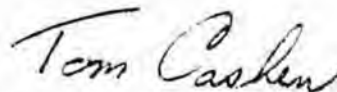
The task force has agreed to use 1996 year-ending data as the initial benchmark to gauge improvements by the industry, contractors and oil field service providers in Alaska hire. Future reports will be graded against that benchmark.

In 1996, there was no significant improvement in increasing the number of Alaska residents employed by the industry. However, employment opportunities are at a minimum until new projects come on line.

An oil industry workforce development consortium will be developed to work directly with public and private employment education entities to create more information for employers on how to access quality industry training, and how to utilize federal and state resources for future and existing employees to advance the careers of individuals, and the needs of the industry.

Thank you for allowing me the opportunity to comment on this most important topic. Enclosed for your information is a report on the nonresident workers in the oilfield industry.

Sincerely,



Tom Cashen
Commissioner

Enclosure

cc: Governor Tony Knowles
Mike Andrews, Executive Director, AHRIC
Dwight Perkins, Legislative Liaison, DOL
Members of the Governor's Joint Industry
Task Force on Local Hire

Largest Alaska Oil and Oilfield Service Companies
Nonresident and Resident Workers-1995

Employer	Nonresident Workers	Resident Workers	Percent Nonresident
AK PETROLEUM CONTRACTORS INC	810	1,673	32.6
ARCO AK INC	304	1,656	15.5
VECO OPERATIONS INC	394	1,020	27.9
VECO CONSTRUCTION INC	580	785	42.5
BP EXPLORATION ALASKA INC	398	924	30.1
PEAK OILFIELD SVC CO	288	719	28.6
NORCON INC	217	557	28.0
QWICK CONSTRUCTION CO INC	121	484	20.0
NABORS ALASKA DRILLING INC	148	456	24.5
SCHLUMBERGER TECHNOLOGY CORP	142	274	34.1
DOYON DRILLING INC	78	329	19.2
ATLANTIC RICHFIELD COMPANY	36	309	10.4
POOL ARCTIC ALASKA INC	61	242	20.1
WSTN ATLAS INTERNATIONAL	56	194	22.4
CTI INC	37	159	18.9
HALLIBURTON COMPANY	18	148	10.8
CAMCO INTERNATIONAL INC	15	150	9.1
RAVEN CONTRACTORS INC	14	126	10.0
CCI INC	39	94	29.3
ARCTIC SLOPE INSPECTION SVCS	42	85	33.1
PARKER DRILLING CO ALASKAN BR	31	52	37.3

Note: Includes workers employed at any time during 1995 with each firm.

Alpine

ARCO *Low Cost*
Safe *& Long Term*

ARCO Alaska, Inc.

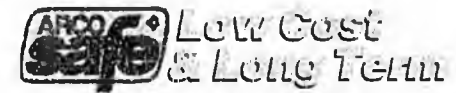


Anadarko



Union Texas Petroleum

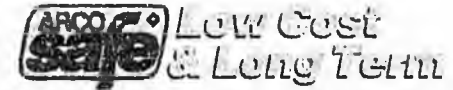
Alpine Development Overview



- New “Green Field” development, 30 miles west of Kuparuk
- First NS wildcat discovery since 1990
- First NS discovery on Native Lands
- 250 to 300 MMB reserves
- 60,000 BPD
- Demands 30% cost reduction from traditional NS paradigm
- \$700 to \$800 million development cost

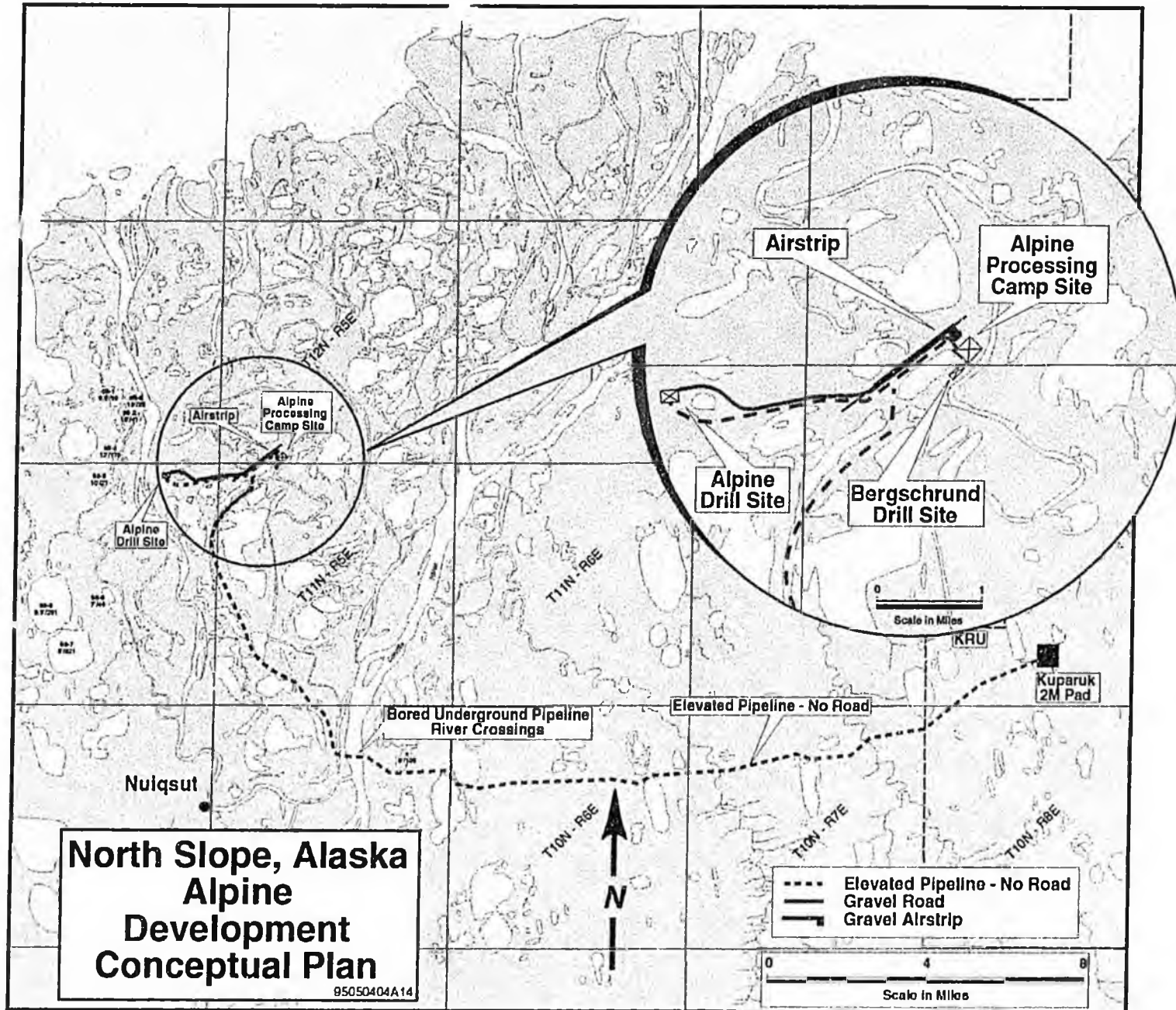
Alpine Development

Project Scope

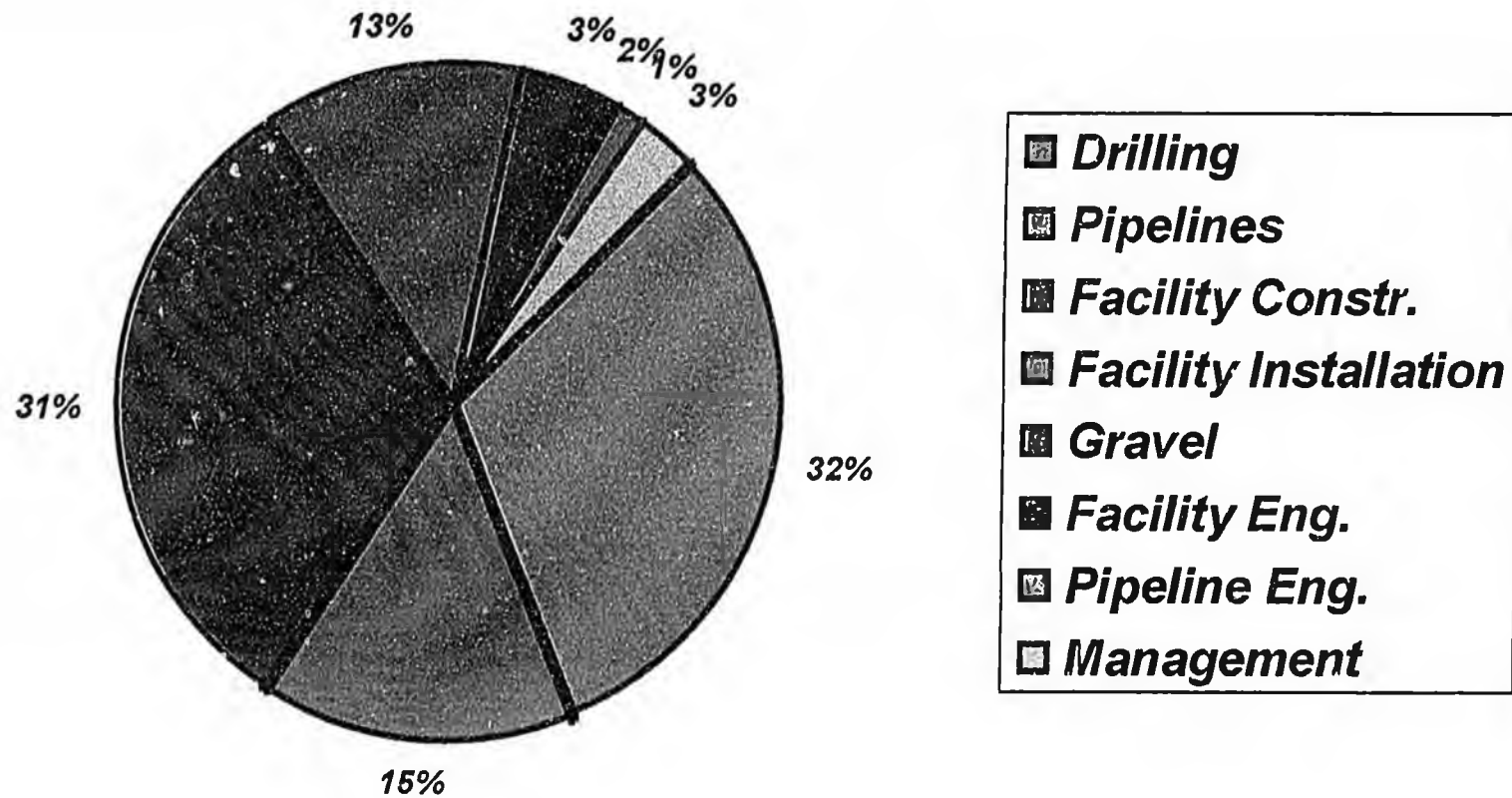


- **2 drill pads + 1 process pad - stand alone**
- **airstrip**
- **approx. 85 acres/1,000,000 cubic yards gravel**
- **approx. 7000 tons of new facilities, including camps**
- **approx. 70 miles of new cross country pipelines**
- **HDD river crossing**
- **100 to 150 wells**
- **no permanent road access**

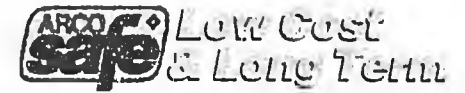
Alpine



Alpine Development Major Cost Categories

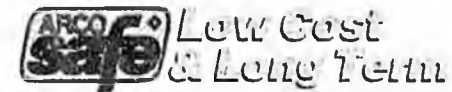


Alpine Development Summary Schedule

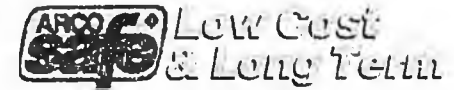


ACTIVITY	1997	1998	1999	2000
Engineering	[Solid bar spanning 1997, 1998, and 1999]			
Project Approval	[Small square]			
Permit Approval	[Small square]			
Pad Construction		[Solid bar]		
P/L River Crossings		[Solid bar]		
Install Pipelines			[Solid bar]	
Fabricate Modules		[Solid bar spanning 1998 and 1999]		
Install Facilities			[Solid bar]	[Solid bar]
Dev Drilling			[Solid bar spanning 1999 and 2000]	
Start Up				[Small square]

Alpine Development Conceptual Phase

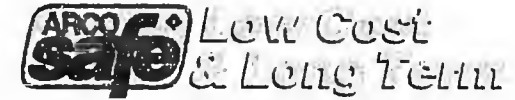


Alpine Development Major Challenges



- **Proximity to Nuiqsut**
- **River crossing**
- **Achieving cost reduction targets**
- **Environmental protection of Colville River Delta**
- **Facility transportation**
- **Drilling and Operational support**

ALPINE - Native Considerations



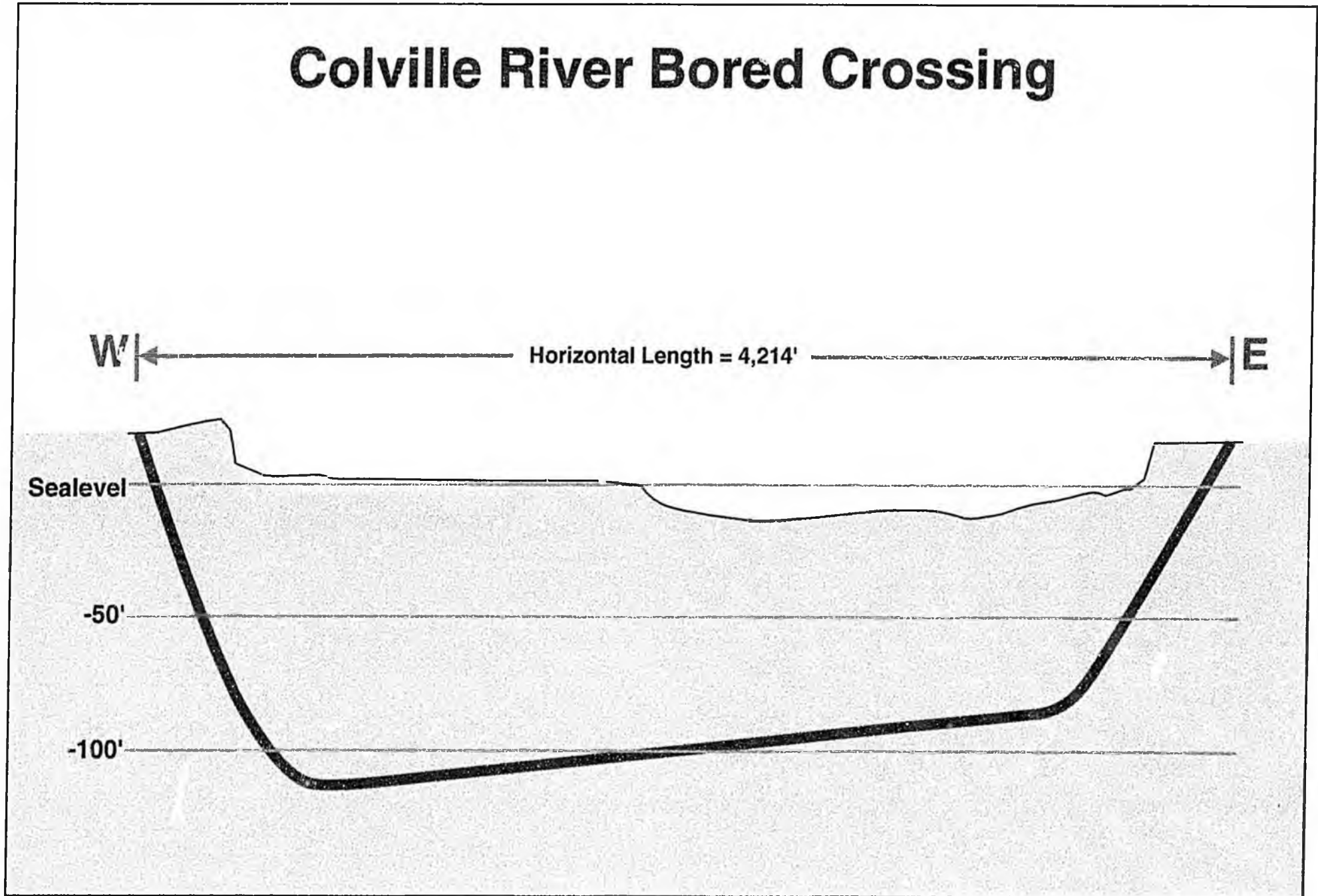
- **Designs intends to minimize impact on Native population**
 - **Minimal footprint**
 - **No road and bridges**
 - **No impact to subsistence activities**
 - **Zero waste discharge development**

- **Intent is to help where we can**
 - **Gas or electricity to village**
 - **Jobs**
 - **Subsistence oversight panel**
 - **Scholarship funds**

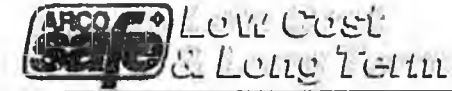
Alpine

ARCO safe Low Cost & Long Term

Colville River Bored Crossing

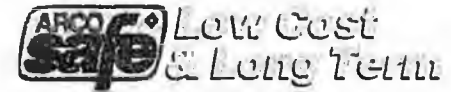


Alpine Development Permit Status



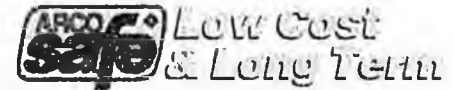
- **JPO & COE permits filed 3Q 1996**
- **Agency discussions initiated 6/95**
- **Comprehensive EED prepared to support application**
 - **significant preinvestment in environmental studies**
 - **50 years of Colville research reviewed**
 - **5 years of detailed environmental data collected**
 - **concepts shared/early input sought on plan**
- **Plans recognize and mitigate impact to Nuiqsut**

Alpine Development Execution Strategy



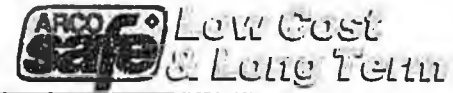
- **Form an alliance of companies to execute the project scope**
- **Small ARCO Management Team**
- **Generate alignment between all participants**
- **Employ incentives to stimulate innovation**
- **Maximize Alaskan content recognizing:**
 - **capacity**
 - **capability**
 - **competitiveness**

Alpine Development Alliance Companies



- **ARCO**
- **ASRC/Parsons Engineering Ltd.**
- **Alaska Petroleum Contractors**
- **Houston Contracting Company**
- **Nuiqsut Constructors**
- **Michael Baker**
- **Tri-Ocean Engineering Ltd.**

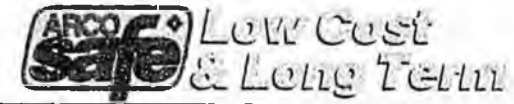
Alpine Development Purchasing Strategy



- **Sourcing Construction Material and Equipment**
 - Procurement accomplished by a combined AAI/Alliance team located in Alaska
 - Alaska suppliers will compete for major orders
 - Utilize current AAI/Alaskan Supplier Agreements
 - Distributors selected for Preferred Manufacturer Lines
 - 28 Master Agreements with Alaska Suppliers

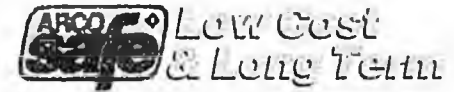
- **Sourcing Processing and Mechanical Equipment**
 - Major Equipment spend directly with L-48 Manufacturers
Turbines, Compressors, Control Systems,
Engineered Process Equipment, etc.

ALPINE - Impact on the participants



- **ARCO**
 - **Key to long term future and “No decline after ‘99”**
 - **Gateway to the West**
 - **Opportunity for a new development concept**
- **Anadarko and Union Texas Petroleum**
 - **Entry in Alaska**
 - **Arctic experience**
- **ASRC / Kuukpik / North Slope Borough**
 - **First production from native lands**
 - **Jobs**
 - **Contracting opportunities**
- **State of Alaska**
 - **Additional revenue source**
 - **Jobs**
 - **Critical to Alaska’s future in attracting additional investment**

Alpine Development Benefits to Alaska



- approx. 850 construction jobs
- approx. 50 full time jobs
- approx. 50 drilling jobs for first 5 years
- \$1 Billion in state, local revenues



Official Business

ALASKA STATE LEGISLATURE

SENATE RESOURCES COMMITTEE

State Capitol
Juneau, AK 99801

Chairman: Senator Rick Halford
Vice Chair: Senator Lyda Green
Senator Loren Leman
Senator Bert Sharp
Senator Robin Taylor
Senator John Torgerson
Senator Georgianna Lincoln

MEMORANDUM

TO: Senate Resource Committee Members

FROM: Senator Rick Halford, Chairman
Senate Resources

DATE: 3 April 1997

SUBJECT: Oil Industry Progress Report Follow-up Materials

Attached is information provided to me by ARCO Alaska, Inc. in response to questions raised during the briefing on February 24, 1997.

**Alpine Development
Preliminary Tax & Royalty Estimates**

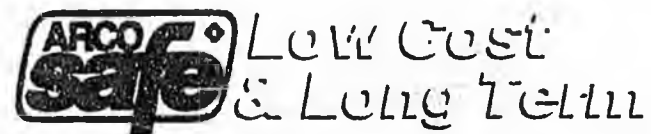
	<u>\$MM Total</u>	<u>State Receives</u>
Royalty	\$860	All, Some or None
Severance Tax	\$150	All
Ad Valorem Tax	\$200	1.5/20 of Total
State Income Tax	\$150	All
Total	<u>\$1,360</u>	

	<u>All State Land</u>	<u>All Native Land</u>
State Revenues	\$1,175	\$315

Notes:

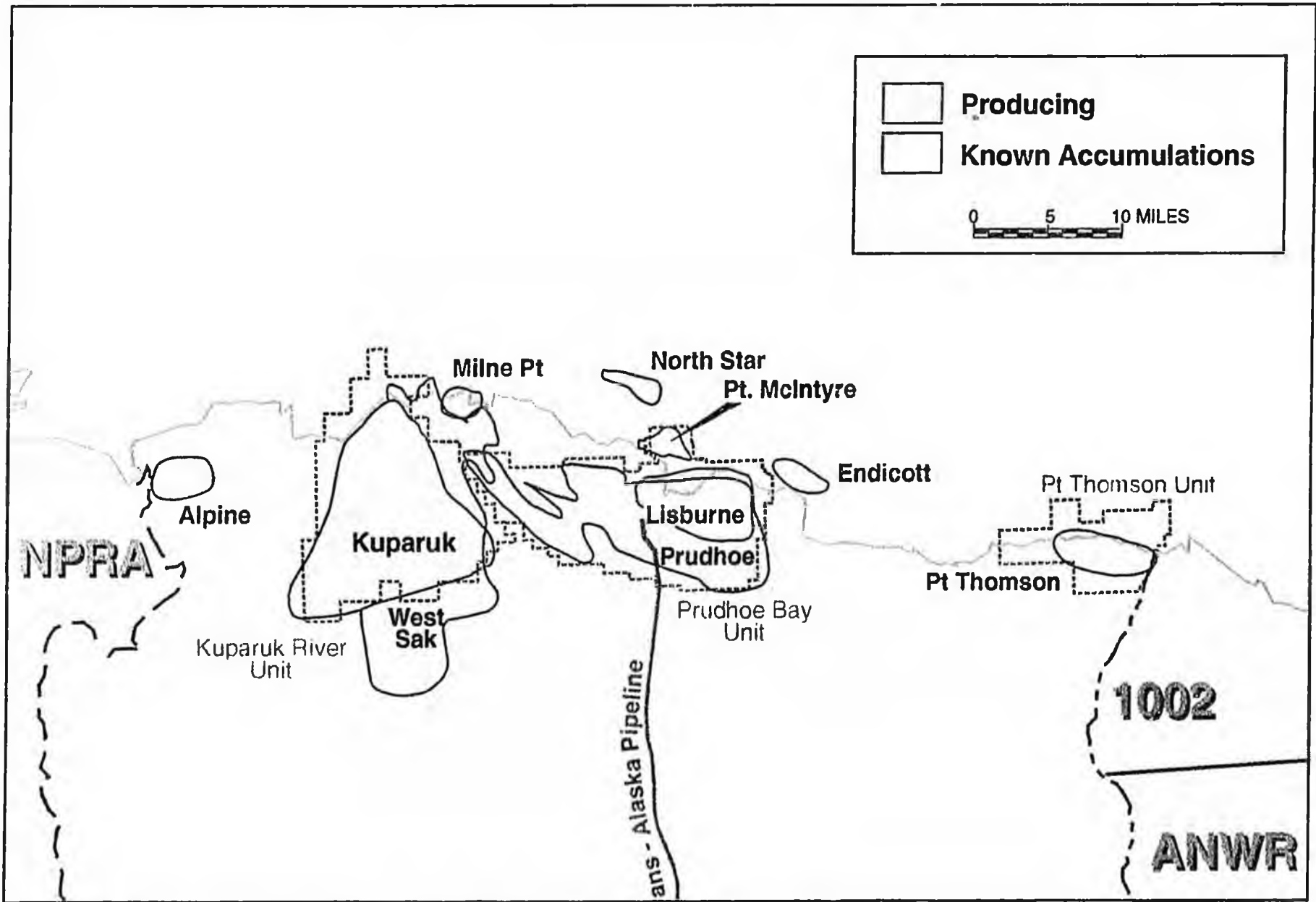
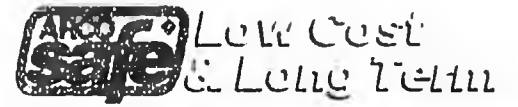
- Undiscounted Dollars Over Project Life
- Based on DOR Fall'96 Volumes & Prices
- Royalty Split Dependant on Ultimate Tract Allocation

Alpine



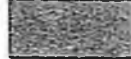


	<u>ALPINE</u>	<u>PT. McINTYRE</u>	<u>NORTHSTAR</u>
Reserves - MMBO	250 - 300	400	130
Area - square miles	45	10	16
Depth - feet subsea	7000	8800	11000
Avg. Net Pay - feet	50	170	200
Oil Gravity - °API	40	27	42

Alaska - North Slope



Legend

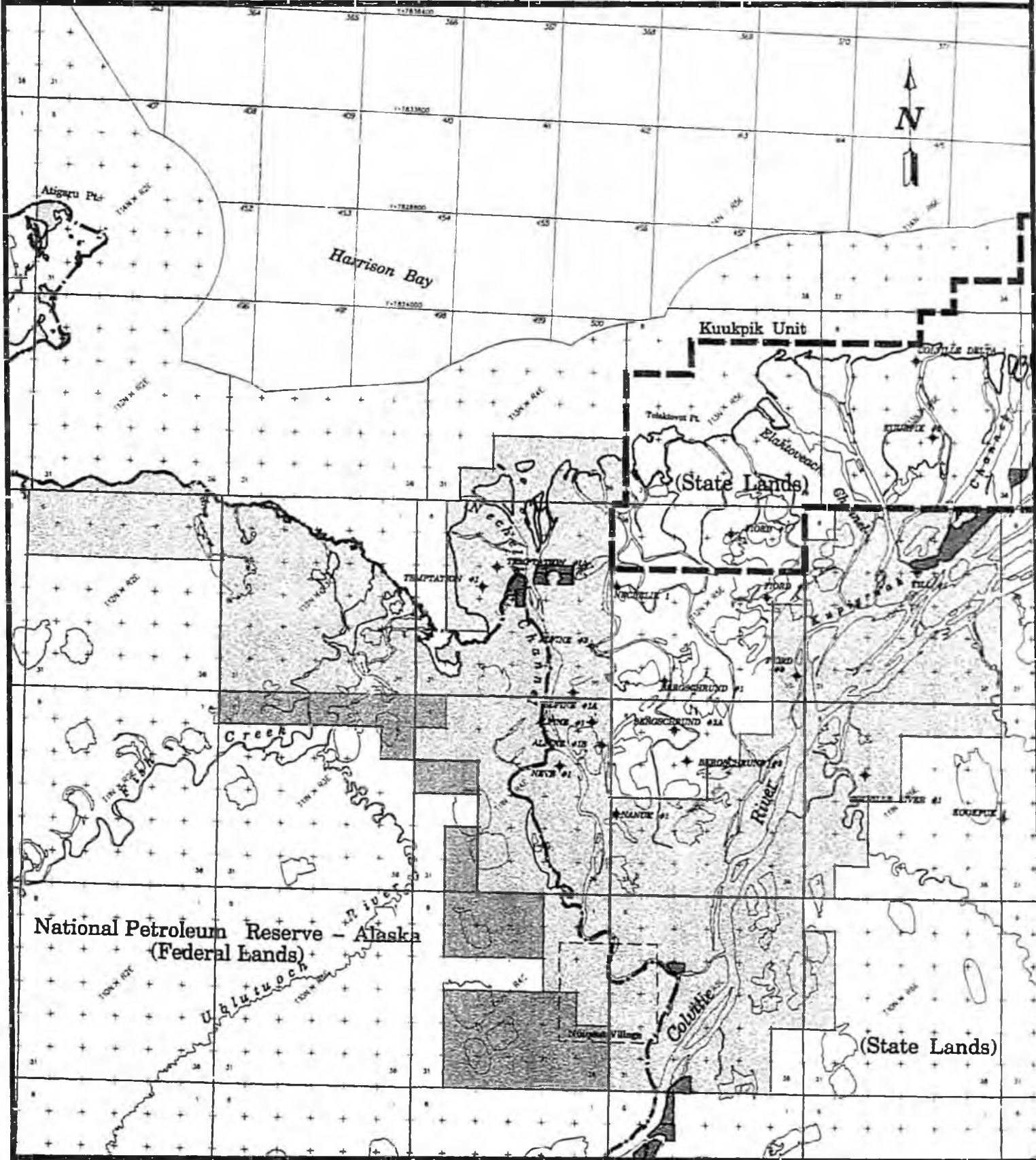
-  Kuukpik Corporation Selections /ASRC Subsurface
-  Kuukpik Corporation Conveyed Lands /ASRC Subsurface
-  Native Allotments

ARCO Alaska, Inc. 
Subsidiary of Amoco Production Company

Land Tenure

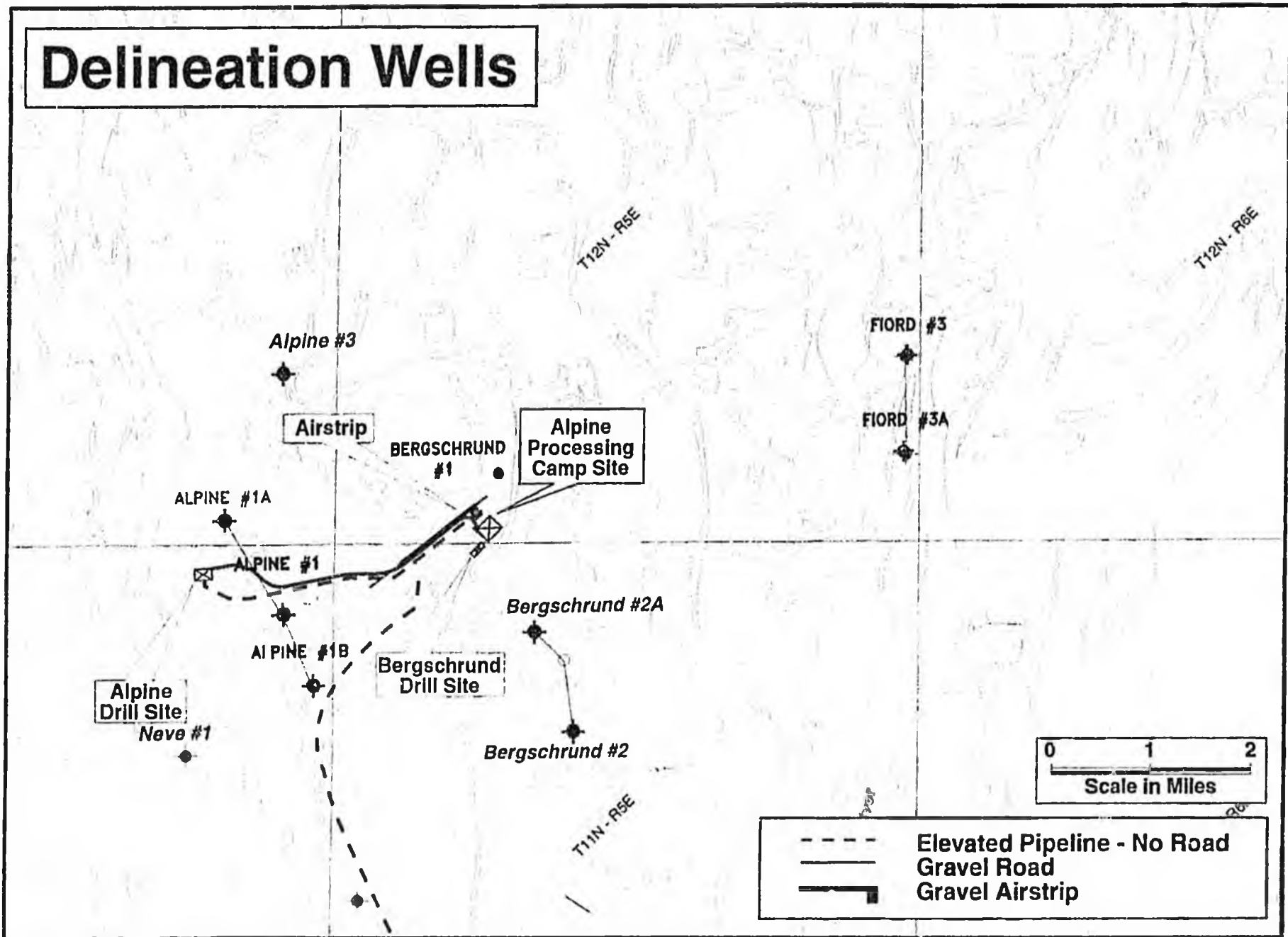
Scale: 1" = 4 Miles

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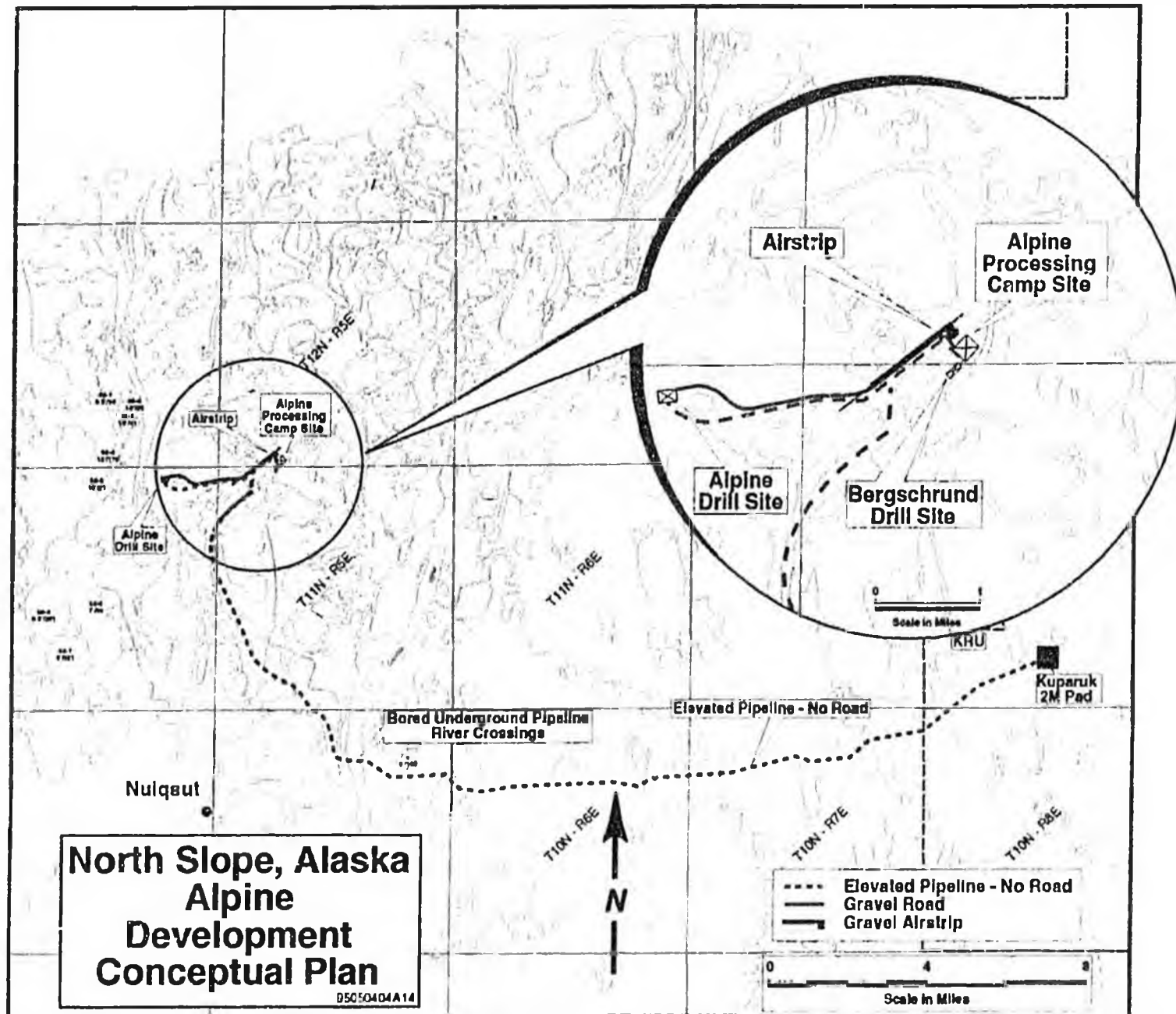


Alpine

Delineation Wells



Alpine



**SPECIAL
SESSION:**

SUBSISTENCE

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 5/26/98

FURTHER: Finance

Date of 5-Day Notice: 5/21/98
 (in accordance with Uniform Rule 23)

DATE TURNED
 IN TO OFFICE: 5/27/98

Resources Committee considered SENATE JOINT RESOLUTION NO. 101

Proposing an amendment to the Constitution of the State of Alaska authorizing a priority for subsistence uses of renewable natural resources that is based on place of residence; 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 title
 new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Signature]</i>	/	<i>[Signature]</i>	✓		
		<i>[Signature]</i>	✓		
		<i>[Signature]</i>			✓
		<i>[Signature]</i>		✓	
		<i>[Signature]</i>		✓	
CHAIR:		CHAIR: <i>[Signature]</i>		✓	

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
LAW	5/19	X	
GOV	5/26		3.0

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's Bill

SENATE JOINT RESOLUTION NO. 101

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SPECIAL SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 5/26/98

Referred: Resources, Finance

A RESOLUTION

1 Proposing an amendment to the Constitution of the State of Alaska authorizing
2 a priority for subsistence uses of renewable natural resources that is based on
3 place of residence; and providing for an effective date.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

5 * Section 1. Article VIII, Constitution of the State of Alaska, is amended by adding a new
6 section to read:

7 **Section 19. Subsistence.** The legislature may, consistent with the sustained
8 yield principle, provide a priority for subsistence uses in the taking of fish and wildlife
9 and other renewable natural resources based on place of residence.

10 * Sec. 2. The amendment proposed by this resolution shall be placed before the voters of
11 the state at the next general election in conformity with art. XIII, sec. 1, Constitution of the
12 State of Alaska, and the election laws of the state.

13 * Sec. 3. If adopted by the voters at the next general election, the amendment proposed by
14 this resolution takes effect immediately upon certification of the election returns by the

1 lieutenant governor.

FISCAL NOT^N No. 1

STATE OF ALASKA
1998 LEGISLATIVE SESSION

Bill Version: SJR 101
(S) Publish Date: 5-26-98

Revision Date (Note if correction) _____ Dept. Affected Office of the Governor
 Title Constitutional Amendment: Subsistence BRU Elective Operations
 Component General and Primary Election
 Sponsor Rules Committee at the Governor's Request
 Requester _____ Component Serial No. #22

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services						
Travel						
Contractual	3.0					
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	3.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	3.0					
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	3.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY98) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This figure includes the cost of providing information about this issue in the Official Election Pamphlet, as required by AS 15.58, and the programming costs for counting votes cast on the measure. However, only four measures can be printed on a single ballot card. If this measure requires printing an additional ballot card, the costs will increase by \$56.0.

Prepared by Dana LaTour *D LaTour* Phone 465-5347
 Division Division of Elections Date 5/26/98
 Approved by C. Lt. Governor Fran Ulmer *F Ulmer* Date 5/26/98
 Agency Office of the Lieutenant Governor

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FISCAL NOTE

NO. 2

Bill Version: STR 101

(S) Publish Date: 5-26-98

STATE OF ALASKA
1998 LEGISLATIVE SESSION

Revision Date (Note if correction) _____ Dept. Affected Law
 Title Proposing an amendment to the Constitution . . . BRU Civil Division
 priority for subsistence use of renewable natural resources . . . Component Natural Resources
 Sponsor Rules Committee
 Requester Governor Component Serial No. 2212

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

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

FUND SOURCE

(Thousands of Dollars)

FUND SOURCE	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY98) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This joint resolution would provide for a vote of the people to amend the Constitution of the State of Alaska concerning subsistence uses of renewable resources. The amendment would allow the legislature to establish a priority for those uses based on a person's place of residence.

Passage of the constitutional amendment would have no fiscal impact on the Department of Law.

Prepared by Joan M. Kasson
 Division Attorney General's Office
 Approved by Commissioner Bruce M. Botelho, Attorney General
 Agency Department of Law

Phone 465-5370
 Date 5/19/98
 Date 5/19/98

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SENATE BILL NO. 1001

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SPECIAL SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 5/26/98
Referred: Resources

A BILL

FOR AN ACT ENTITLED

1 "An Act establishing a priority for subsistence uses of fish and wildlife that is
2 based on place of residence; relating to the management and taking of fish and
3 wildlife for subsistence uses; relating to certain definitions for the fish and game
4 code; delaying the repeal of the current law regarding subsistence use of fish and
5 game; amending the effective date of secs. 3 and 5, ch. 1, SSSLA 1992; and
6 providing for an effective date."

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

8 * Section 1. AS 16.05.258(a) is amended to read:

9 (a) In areas or communities classified as rural [EXCEPT IN
10 NONSUBSISTENCE AREAS], the Board of Fisheries and the Board of Game shall
11 identify the fish stocks and wildlife [GAME] populations, or portions of stocks or
12 populations, that are customarily and traditionally taken or used for subsistence. The
13 commissioner may [SHALL] provide recommendations to the boards concerning the

1 stock and population identifications. [THE BOARDS SHALL MAKE
2 IDENTIFICATIONS REQUIRED UNDER THIS SUBSECTION AFTER RECEIPT
3 OF THE COMMISSIONER'S RECOMMENDATIONS.]

4 * Sec. 2. AS 16.05.258(b) is amended to read:

5 (b) The appropriate board shall determine whether a portion of a fish stock or
6 wildlife [GAME] population identified under (a) of this section can be harvested
7 consistent with sustained yield. If a portion of a fish stock or wildlife population can
8 be harvested consistent with sustained yield, the board shall determine the amount of
9 the harvestable portion that is reasonably necessary for subsistence uses and

10 (1) if the harvestable portion of the fish stock or wildlife population
11 is sufficient to provide for all consumptive uses, the appropriate board

12 (A) shall adopt regulations that provide a reasonable opportunity
13 for subsistence uses of those fish stocks or wildlife populations;

14 (B) shall adopt regulations that provide for other uses of those
15 fish stocks or wildlife populations, subject to preferences among beneficial
16 uses; and

17 (C) may adopt regulations to differentiate among uses;

18 (2) if the harvestable portion of the fish stock or wildlife population
19 is sufficient to provide for subsistence uses and some, but not all, other consumptive
20 uses, the appropriate board

21 (A) shall adopt regulations that provide a reasonable opportunity
22 for subsistence uses of those fish stocks or wildlife populations;

23 (B) may adopt regulations that provide for other consumptive
24 uses of those fish stocks or wildlife populations; and

25 (C) shall adopt regulations to differentiate among consumptive
26 uses that provide for a priority [PREFERENCE] for [THE] subsistence uses,
27 if regulations are adopted under (B) of this paragraph;

28 (3) if the harvestable portion of the fish stock or wildlife population
29 is sufficient to provide for subsistence uses, but no other consumptive uses, the
30 appropriate board shall

31 (A) determine the portion of the fish stocks or wildlife

1 populations that can be harvested consistent with sustained yield; and

2 (B) adopt regulations that eliminate other consumptive uses in
3 order to provide a reasonable opportunity for subsistence uses; and —

4 (4) if the harvestable portion of the fish stock or wildlife population
5 is not sufficient to provide a reasonable opportunity for human consumptive
6 subsistence uses, the appropriate board shall

7 (A) adopt regulations eliminating consumptive uses[,] other than
8 human consumptive subsistence uses;

9 (B) distinguish among subsistence users, through limitations
10 based on

11 (i) the customary and direct dependence on the fish
12 stock or wildlife [GAME] population by the subsistence user for human
13 consumption as a mainstay of livelihood;

14 (ii) the proximity of the domicile of the subsistence user
15 to the fish stock or wildlife population; and

16 (iii) the ability of the subsistence user to obtain food if
17 subsistence use is restricted or eliminated.

18 * Sec. 3. AS 16.05.258(c) is repealed and reenacted to read:

19 (c) The Board of Fisheries and the Board of Game, acting jointly, shall
20 determine by regulation whether communities or areas in the state should be classified
21 as rural and whether communities or areas classified as rural should no longer be
22 classified as rural.

23 * Sec. 4. AS 16.05.258(d) is amended to read:

24 (d) The boards may permit subsistence hunting or fishing under the
25 priority in this section only in areas or communities classified as rural. Fish
26 stocks and wildlife [GAME] populations, or portions of fish stocks and wildlife
27 [GAME] populations not identified under (a) of this section may be taken only under
28 nonsubsistence regulations.

29 * Sec. 5. AS 16.05.258(e) is amended to read:

30 (e) Takings and uses of fish and wildlife [GAME] authorized under this
31 section are subject to regulations regarding open and closed areas, seasons, methods

1 and means, marking and identification requirements, quotas, bag limits, harvest levels,
 2 and sex, age, and size limitations. Takings and uses of resources authorized under this
 3 section are subject to AS 16.05.831 and AS 16.30.

4 * Sec. 6. AS 16.05.258(f) is amended to read:

5 (f) For purposes of this section, "reasonable opportunity"

6 (1) means an opportunity, consistent with customary and traditional
 7 uses, [AS DETERMINED BY THE APPROPRIATE BOARD, THAT ALLOWS A
 8 SUBSISTENCE USER] to participate in a subsistence hunt or fishery [THAT
 9 PROVIDES A NORMALLY DILIGENT PARTICIPANT] with a reasonable
 10 expectation of success;

11 (2) does not mean a guarantee of taking of fish or wildlife [GAME].

12 * Sec. 7. AS 16.05.258 is amended by adding a new subsection to read:

13 (g) This section does not require the Board of Fisheries to close non-retention
 14 fishing if the board has made a finding that the mortality caused by non-retention
 15 fishing does not jeopardize subsistence uses or the conservation of healthy stocks.

16 * Sec. 8. AS 16.05.259 is amended to read:

17 **Sec. 16.05.259. No subsistence defense.** In a prosecution for the taking of
 18 fish or wildlife [GAME] in violation of a statute or regulation, it is not a defense that
 19 the taking was done for subsistence uses.

20 * Sec. 9. AS 16.05.260 is repealed and reenacted to read:

21 **Sec. 16.05.260. Advisory committees.** (a) The Board of Fisheries and the
 22 Board of Game may adopt regulations they consider advisable in accordance with
 23 AS 44.62 (Administrative Procedure Act) establishing, at places in the state designated
 24 by the individual boards, advisory committees to be composed of persons who
 25 collectively represent user groups in the area and who are well informed on the fish
 26 or wildlife resources of the locality. The boards shall set the number and terms of
 27 each of the members of the advisory committees, shall delegate one member of each
 28 committee as chairperson, and shall give the chairperson authority to hold public
 29 hearings on fish or wildlife matters.

30 (b) Recommendations from the advisory committees on uses other than
 31 subsistence shall be forwarded to the appropriate board for its consideration but if the

1 Board of Fisheries or the Board of Game chooses not to follow the recommendations
2 of the local advisory committee the appropriate board shall inform the appropriate
3 advisory committee of this action and state the reasons for not following the
4 recommendations.

5 (c) An advisory committee shall send its recommendations on subsistence uses
6 to the appropriate regional subsistence council. If the regional subsistence council
7 does not adopt the recommendation of the advisory committee, the council shall inform
8 the advisory committee, shall state the reasons, and shall forward the advisory
9 committee recommendation with the council's reasons to the appropriate board.

10 (d) The commissioner shall delegate authority to advisory committees for
11 emergency closures during established seasons. The commissioner is empowered to
12 set aside and make null and void only opening of seasons set by the advisory
13 committees under this section. The appropriate board shall adopt the necessary
14 regulations governing these closures.

15 * **Sec. 10.** AS 16.05 is amended by adding a new section to read:

16 **Sec. 16.05.262. Regional subsistence councils.** (a) The Board of Fisheries
17 and the Board of Game jointly shall adopt regulations necessary to implement this
18 section, including regulations establishing at least six subsistence resource regions that,
19 taken together, cover the entire state. The number and boundaries of the regions must
20 be sufficient to assure that regional differences in subsistence uses are adequately
21 accommodated.

22 (b) Each subsistence resource region must be represented by a regional
23 subsistence council with members appointed by the governor. Each regional
24 subsistence council must have 10 members, four of whom shall be selected from
25 nominees who reside in that region of the state submitted by tribal councils in the
26 region, and six of whom shall be selected from nominees submitted by local
27 governments and local advisory committees. Three of these six must be subsistence
28 users who reside in the region of the state and three must be sport or commercial
29 users. Sport and commercial representatives may be residents of any subsistence
30 resource region in the state. The regulations must provide for staggered terms of
31 council members. The maximum term is three years, with no limit on the number of

1 terms served. A quorum is a majority of the members of a council.

2 (c) Regional subsistence councils shall strive for consensus, but
3 recommendations must be decided by majority vote.

4 (d) Each regional subsistence council has the authority to

5 (1) elect officers and adopt rules of procedure;

6 (2) hold public meetings on fish and wildlife matters and solicit
7 proposals from the public on subsistence uses;

8 (3) in consultation with the local fish and game advisory committees
9 in its region and with the department, review, evaluate, and make a recommendation
10 to a board on any existing or proposed regulation, policy, or management plan, or any
11 other matter directly relating to the subsistence use of fish and wildlife within its
12 region;

13 (4) comment on sport, personal use, and commercial proposals;

14 (5) make recommendations concerning permits provided in
15 AS 16.05.330(e) and 16.05.405(g);

16 (6) submit to the boards, the department, and the secretaries of the
17 United States Departments of the Interior and Agriculture, by November 15 of each
18 year, an annual report, containing the following:

19 (A) an identification of current and anticipated subsistence uses
20 of fish and wildlife populations within the region, and other fish and wildlife
21 uses that the council identifies;

22 (B) an evaluation of current and anticipated subsistence needs
23 for use of fish and wildlife populations within the region, and of other fish and
24 wildlife needs that the council identifies;

25 (C) a recommended strategy for the management of fish and
26 wildlife populations within the region to accommodate the identified fish and
27 wildlife uses and needs; and

28 (D) recommendations concerning policies, standards, guidelines,
29 and regulations to implement the strategy; and

30 (7) perform other duties specified by a board.

31 (e) Each council shall provide a forum for, and assist its region's local fish and

1 game advisory committees in, obtaining the opinions and proposals of persons
2 interested in fish and wildlife matters so as to achieve the greatest possible local
3 participation in the decision-making process.

4 (f) Regulatory proposals submitted to a board relating primarily to subsistence
5 issues, initiated by the public or by a local fish and game advisory committee, must
6 be reviewed by the appropriate regional subsistence council before the board takes
7 action on the proposal.

8 (g) Regional subsistence councils may meet to develop recommendations on
9 inter-regional proposals and issues.

10 (h) The appropriate board shall consider the reports and recommendations of
11 the regional subsistence councils and shall give deference to their subsistence
12 recommendations. If the council recommendation is unanimous, there is a presumption
13 in favor of adoption by the board. However, the board may decide not to adopt any
14 recommendation that it determines violates the sustained yield principle, is not
15 supported by substantial evidence, is detrimental to subsistence uses, involves an
16 unresolved statewide or inter-regional subsistence management issue, or is contrary to
17 an overriding statewide fish or wildlife management interest. If a recommendation is
18 not adopted by the board, the board shall provide a written statement of the factual
19 basis and reasons for its decision and shall remand the recommendation to the regional
20 subsistence council for further consideration.

21 (i) A regional subsistence council shall give deference to proposals from local
22 governments, tribal councils, and local advisory committees that identify local
23 subsistence needs and uses and the methods, means, seasons, and other issues related
24 to local subsistence management.

25 (j) Regional subsistence councils may use a mediation process.

26 (k) When implementing the provisions of this section, the boards, the regional
27 subsistence councils, and the department shall seek data from, consult with, and make
28 use of the special knowledge of subsistence users. If appropriate to implement the
29 provisions of this section, the department may contract for services with subsistence
30 users and local groups in order to utilize their special knowledge of resources in the
31 region.

1 (l) The regional subsistence councils shall be adequately financed.

2 * Sec. 11. AS 16.05.330(a) is amended to read:

3 (a) Except as otherwise permitted in this chapter, without having the
4 appropriate license or tag in actual possession a person may not engage in

5 (1) sport fishing, including the taking of razor clams;

6 (2) hunting, trapping, or fur dealing;

7 (3) the farming of fish, fur, or wildlife [GAME]; or

8 (4) taxidermy.

9 * Sec. 12. AS 16.05.330(c) is amended to read:

10 (c) The Board of Fisheries and the Board of Game may adopt regulations
11 providing for the issuance and expiration of subsistence permits for areas, villages,
12 communities, groups, or individuals as needed for authorizing, regulating, and
13 monitoring the subsistence harvest of fish and wildlife [GAME]. To be eligible to
14 take fish or wildlife in a rural community or area using the subsistence priority
15 in AS 16.05.258, a person must be a resident domiciled in that community or area
16 [THE BOARDS SHALL ADOPT THESE REGULATIONS WHEN THE
17 SUBSISTENCE PREFERENCE REQUIRES A REDUCTION IN THE HARVEST OF
18 A FISH STOCK OR GAME POPULATION BY NONSUBSISTENCE USERS].

19 * Sec. 13. AS 16.05.330 is amended by adding a new subsection to read:

20 (e) The Board of Fisheries and the Board of Game shall adopt regulations
21 allowing the commissioner to issue permits for the taking of fish and wildlife in order
22 to teach and preserve historic or traditional uses and harvest practices. The permits
23 issued under the regulations adopted under this subsection do not entitle successful
24 applicants to the subsistence priority under AS 16.05.258.

25 * Sec. 14. AS 16.05.405 is repealed and reenacted to read:

26 Sec. 16.05.405. Taking fish and wildlife by proxy. (a) Subject to
27 regulations adopted by the Board of Fisheries or the Board of Game to implement this
28 section, including regulations relating to or restricting seasons, areas, methods and
29 means, and species, a resident may take fish or wildlife harvested primarily for food
30 on behalf of another person under this section.

31 (b) Notwithstanding AS 16.05.420(c), a resident holding a valid resident

1 hunting license may take wildlife on behalf of a person who is blind, has physical
2 disabilities, or is 65 years of age or older if the resident possesses on the resident's
3 person

4 (1) a document signed by the person on whose behalf the wildlife is
5 taken, stating that the resident possesses the person's hunting license or permanent
6 identification card in order to take wildlife on behalf of that person; and

7 (2) the person's

8 (A) resident hunting license issued under AS 16.05.403 or
9 permanent identification card issued under AS 16.05.400(b); and

10 (B) harvest ticket, tag, stamp, or other document required by
11 law as a condition of taking the wildlife.

12 (c) Notwithstanding AS 16.05.420(c), a resident holding a valid noncommercial
13 fishing license may take fish on behalf of a person who is blind, has physical
14 disabilities, or is 65 years of age or older if the resident possesses on the resident's
15 person

16 (1) a document signed by the person on whose behalf the fish is taken,
17 stating that the resident possesses the person's sport fishing license, subsistence fishing
18 permit, personal use fishing permit, or permanent identification card in order to take
19 fish on behalf of that person;

20 (2) the person's

21 (A) resident sport fishing license issued under AS 16.05.403 or
22 permanent identification card issued under AS 16.05.400(b);

23 (B) resident subsistence fishing permit issued under
24 AS 16.05.403; or

25 (C) resident personal use fishing permit issued under
26 AS 16.05.403; and

27 (3) all other documents issued to the person that are required by law
28 as a condition of taking the fish.

29 (d) Subject to applicable regulations of the Board of Fisheries or the Board of
30 Game, a resident who takes fish or wildlife under this section on behalf of another
31 person may take the fish or wildlife only under those conditions that would apply to

1 the other person if the other person took the fish or wildlife personally.

2 (e) A resident who takes, or attempts to take, fish or wildlife under this section
3 on behalf of a person may also simultaneously engage in fishing or hunting for the
4 resident's use; however, the resident may not take or attempt to take fish or wildlife
5 by proxy for more than one person at a time. For the purposes of this subsection, a
6 resident is engaged in taking, or attempting to take, fish or wildlife by proxy while the
7 resident has possession of

8 (1) another person's

9 (A) license, permit, or identification card and all other
10 documents issued to the person that are required by law as a condition of
11 taking the fish or wildlife being pursued; and

12 (B) signed document under (b)(1) or (c)(1) of this section; or

13 (2) fish or wildlife taken on behalf of another person.

14 (f) A resident who takes fish or wildlife on behalf of another person under this
15 section shall

16 (1) complete reports relating to the taking of the fish or wildlife as
17 required by the commissioner of fish and game under AS 16.05.370;

18 (2) deliver all parts of fish and wildlife removed from the field to the
19 person on whose behalf the fish or wildlife was taken within a reasonable time after
20 the fish or wildlife is taken; and

21 (3) until the fish or wildlife is delivered to the person on whose behalf
22 the fish or wildlife was taken, retain the person's

23 (A) license or permit and all other documents issued to the
24 person that are required by law as a condition of taking the fish or wildlife; and

25 (B) signed document required under (b)(1) or (c)(1) of this
26 section.

27 (g) In addition to the proxy hunting and fishing opportunities authorized by
28 (a) - (f) of this section, the Board of Fisheries and the Board of Game shall adopt
29 regulations to permit a resident who is (1) a member of the family of a resident
30 domiciled in a rural community or area, or (2) domiciled in a rural community or area,
31 to participate in subsistence harvest activities as a proxy for a resident eligible for the

1 subsistence priority under AS 16.05.258, regardless of the eligible resident's age or
 2 physical ability to hunt or fish. A proxy hunter or fisherman who is not part of the
 3 eligible resident's family must be domiciled in the area in which the eligible resident
 4 lives. The amount of fish or wildlife permitted to be taken for subsistence uses in a
 5 rural community or area may not be increased because of proxy hunting or fishing.
 6 Fish or wildlife taken by a proxy under this section belongs to the person on whose
 7 behalf it was taken, and the majority of the fish and wildlife taken by a proxy must
 8 remain in the rural community or area in which it was taken. A person may not give
 9 or receive cash remuneration in connection with a proxy harvest. A person who gives
 10 a proxy under this section may not participate in the hunt or fishery for which the
 11 proxy was given. The proxy hunting and fishing authorized by this section are subject
 12 to the limitations and reporting requirements of (d), (e), and (f) of this section. For
 13 purposes of this subsection, "family" has the meaning given "family" in the definition
 14 of "subsistence uses" in AS 16.05.940.

15 * Sec. 15. AS 16.05.940(2) is amended to read:

16 (2) "barter" means the exchange or trade of fish or wildlife [GAME],
 17 or their parts, taken for subsistence uses

18 (A) for other fish or wildlife [GAME] or their parts; or

19 (B) for other food or for nonedible items other than money; if
 20 the exchange is of a limited and noncommercial nature;

21 * Sec. 16. AS 16.05.940(7) is amended to read:

22 (7) "customary and traditional" means the noncommercial, long-term,
 23 and consistent taking of, use of, or [AND] reliance upon fish or wildlife [GAME] in
 24 a specific area and the [USE] patterns of taking or use of that fish or wildlife
 25 [GAME] that have been established over a reasonable period of time taking into
 26 consideration the availability of the fish or wildlife [GAME],

27 * Sec. 17. AS 16.05.940(8) is amended to read:

28 (8) "customary trade" means the limited noncommercial exchange, for
 29 cash, of fish or wildlife or their parts in minimal quantities [AMOUNTS OF
 30 CASH], as restricted by the appropriate board[, OF FISH OR GAME RESOURCES];
 31 the terms of this paragraph do not restrict money sales of furs and furbearers;[.]

1 * Sec. 18. AS 16.05.940(11) is amended to read:

2 (11) "domicile" means the true and permanent home of a person from
3 which the person has no present intention of moving and to which the person intends
4 to return whenever the person is away; [DOMICILE MAY BE PROVED BY
5 PRESENTING EVIDENCE ACCEPTABLE TO THE BOARDS OF FISHERIES AND
6 GAME;]

7 * Sec. 19. AS 16.05.940(27) is repealed and readopted to read:

8 (27) "rural community or area" is a community or area classified by the
9 Board of Fisheries and the Board of Game to be substantially dependent on fish and
10 wildlife for nutritional and other subsistence uses;

11 * Sec. 20. AS 16.05.940(30) is amended to read:

12 (30) "subsistence fishing" means the taking of, fishing for, or
13 possession of fish, shellfish, or other fisheries resources [BY A RESIDENT
14 DOMICILED IN A RURAL AREA OF THE STATE] for subsistence uses with gill
15 net, seine, fish wheel, long line, or other means defined by the Board of Fisheries;

16 * Sec. 21. AS 16.05.940(31) is amended to read:

17 (31) "subsistence hunting" means the taking of, hunting for, or
18 possession of wildlife [GAME BY A RESIDENT DOMICILED IN A RURAL AREA
19 OF THE STATE] for subsistence uses by means defined by the Board of Game;

20 * Sec. 22. AS 16.05.940(32) is amended to read:

21 (32) "subsistence uses" means the noncommercial, customary and
22 traditional uses of wild, renewable resources [BY A RESIDENT DOMICILED IN A
23 RURAL AREA OF THE STATE] for direct personal or family consumption as food,
24 shelter, fuel, clothing, tools, or transportation, for the making and selling of handicraft
25 articles out of nonedible by-products of fish and wildlife resources taken for personal
26 or family consumption, and for the customary trade, barter, or sharing for personal or
27 family consumption; in this paragraph, "family" means persons related by blood,
28 marriage, or adoption, and a person living in the household on a permanent basis;

29 * Sec. 23. AS 16.05.940(33) is amended to read:

30 (33) "take" means taking, pursuing, hunting, fishing, trapping, or in any
31 manner disturbing, capturing, or killing or attempting to take, pursue, hunt, fish, trap,

1 or in any manner capture or kill fish or wildlife [GAME];

2 * Sec. 24. AS 16.05.940 is amended by adding new paragraphs to read:

3 (37) "wildlife" has the same meaning given "game" in this section;
4 wildlife may be classified by regulation as big game, small game, fur bearers, or other
5 categories considered essential for carrying out the intention and purposes of
6 AS 16.05 - AS 16.40;

7 (38) "wildlife population" has the meaning given "game population" in
8 this section.

9 * Sec. 25. Section 12, ch. 1, SSSLA 1992, as amended by sec. 3, ch. 68, SLA 1995, sec.
10 3, ch. 130, SLA 1996, and sec. 1, ch. 109, SLA 1997 is amended to read:

11 Sec. 12. Sections 3 and 5 of this Act take effect October 1, 1999 [1998].

12 * Sec. 26. Sections 3 and 5, ch. 1, SSSLA 1992 are repealed.

13 * Sec. 27. Section 12, ch. 1, SSSLA 1992, as amended by sec. 3, ch. 68, SLA 1995, sec.
14 3, ch. 130, SLA 1996, sec. 1, ch. 109, SLA 1997, and sec. 25 of this Act, is repealed.

15 * Sec. 28. TRANSITION: AREAS AND COMMUNITIES CLASSIFIED AS RURAL. All
16 communities and areas outside the nonsubsistence areas established by regulations adopted by
17 the Board of Fisheries and the Board of Game and effective on May 15, 1993, are classified
18 as rural for the purpose of this Act. The classifications made under this section are subject
19 to the provisions of AS 16.05.258(c) as repealed and reenacted by sec. 3 of this Act.

20 * Sec. 29. TRANSITION: REGULATIONS. Notwithstanding sec. 31 of this Act, the
21 Board of Fisheries, the Board of Game, and the Department of Fish and Game may
22 immediately proceed to adopt regulations to implement this Act. The regulations take effect
23 under AS 44.62 (Administrative Procedure Act), but not before the effective date provided in
24 sec. 31 of this Act.

25 * Sec. 30. Sections 25 and 29 of this Act take effect immediately under AS 01.10.070(c).

26 * Sec. 31. Except as provided in sec. 30 of this Act, this Act takes effect on the effective
27 date of an amendment to the Constitution of the State of Alaska, approved by the voters in
28 1998, authorizing a priority for subsistence uses of renewable natural resources that is based
29 on place of residence.

FISCAL NOTI No. 1

STATE OF ALASKA
1998 LEGISLATIVE SESSION

Bill Version: 98 1001
(S) Publish Date: 5-26-98

Revision Date (Note if correction) _____ Dept. Affected Fish and Game
Title Subsistence Use of Fish and Wildlife BRU Administration and Support
Component Advisory Committees
Sponsor Rules Committee
Requester Governor Knowles Component Serial No. 2231

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services	256.6	256.6	256.6	256.6	256.6	256.6
Travel	488.0	210.7	210.7	210.7	210.7	210.7
Contractual	24.0	16.0	16.0	16.0	16.0	16.0
Supplies	1.0	1.0	1.0	1.0	1.0	1.0
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	769.6	484.3	484.3	484.3	484.3	484.3

CAPITAL EXPENDITURES						
CHANGE IN REVENUES ()						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	577.2	363.2	363.2	363.2	363.2	363.2
1003 GF Match						
1004 GF	192.4	121.1	121.1	121.1	121.1	121.1
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	769.6	484.3	484.3	484.3	484.3	484.3

Estimate of any current year (FY98) cost: 0.0

POSITIONS

Full-time	0	0	0	0	0	0
Part-time	4	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

These are estimated additional costs for staff, regional council members, and advisory committee members to attend meetings of the 10 new regional councils and to attend additional Board of Fisheries and Board of Game meetings. Also included is staff support time for the twice-yearly regional council meetings. Four part-time seasonal positions will be created and five seasonal positions will be expanded. Assumptions include one additional Joint Board meeting, Fish Board meeting, and Game Board meeting in the first year to establish the regional councils and perform regulatory reviews, and an additional regional council meeting for each region in the first year for organization and orientation. By funding source, 75% of increased costs will be federally funded, 25% will be funded by general funds.

Prepared by Diana Cote, Exec. Director Phone 465-6095
Division Boards Support Section Date 5/21/98
Approved by Commissioner Frank Rue Date 5/21/98
Agency Department of Fish and Game

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FISCAL NOTE

No. 2

STATE OF ALASKA
1998 LEGISLATIVE SESSION

Bill Version: SB1001

(S) Publish Date: 5-26-98

Revision Date (Note if correction) _____ Dept. Affected Law
 Title An Act establishing a priority for subsistence uses BRU Civil Division
of fish and wildlife that is based on place of residence Component Natural Resources
 Sponsor Rules Committee
 Requester Governor Component Serial No. 2212

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY98) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation is the companion bill to the joint resolution calling for a statewide vote on a constitutional amendment allowing a subsistence priority. The bill changes Alaska law to mirror the main feature of the subsistence provisions of the federal Alaska National Interest Lands Conservation Act in giving rural residents of Alaska a priority for subsistence uses of fish and wildlife on federal land. In addition, the bill would establish a system of regional councils to ensure Alaskans can participate in decision-making that affects fish and wildlife subsistence resources near where those Alaskans live; clarifies definitions of several terms in the subsistence statutes, including "customary and traditional"; and enables a state resident to hunt and fish for subsistence resources while holding a proxy given by a family member or other person who qualifies for the subsistence priority under state law.

Passage of this bill would have no fiscal impact on the Department of Law.

Prepared by Joan M. Kasson Phone 465-5370
 Division Attorney General's Office Date 5/19/98
 Approved by Commissioner Bruce M. Botelho, Attorney General Date 5/19/98
 Agency Department of Law

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FISCAL NOTI No. 3

STATE OF ALASKA
1998 LEGISLATIVE SESSION

Bill Version: SB 1001
(S) Publish Date: 5-26-98

Revision Date (Note if correction) _____ Dept. Affected Fish and Game
 Title Subsistence Use of Fish and Game BRU Commercial Fisheries
 Component Headquarters Fish Management
 Sponsor Rules
 Requester Governor Component Serial No. 2171

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services	48.5	48.5	48.5	48.5	48.5	48.5
Travel	13.6	13.6	13.6	13.6	13.6	13.6
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	62.1	62.1	62.1	62.1	62.1	62.1

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	46.6	46.6	46.6	46.6	46.6	46.6
1003 GF Match						
1004 GF	15.5	15.5	15.5	15.5	15.5	15.5
1005 GF/Program Receipts						
1007 GF/Mental Health						
1024 Fish and Game Fund						
TOTAL	62.1	62.1	62.1	62.1	62.1	62.1

Estimate of any current year (FY98) 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)

No new positions are being requested. However, funding for 10 months of staff time utilizing existing permanent/seasonal PCNs is required. A list of assumptions used is attached as page 2.

Prepared by Bob Clasby Phone 4210
 Division Commercial Fisheries Management & Development Date 5/20/98
 Approved by Commissioner Frank Rue Date 5/21/98
 Agency Fish and Game

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FISCAL NOTI No. 4

STATE OF ALASKA
1998 LEGISLATIVE SESSION

Bill Version: SB 1001
(S) Publish Date: 5-26-98

Revision Date (Note if correction) _____ Dept. Affected Fish and Game
Title Subsistence Use of Fish and Wildlife BRU Administration and Support
Component Boards of Fisheries and Game
Sponsor Rules Committee
Requester Governor Knowles Component Serial No. 2048

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services	6.7	6.7	6.7	6.7	6.7	6.7
Travel	145.0	25.7	25.7	25.7	25.7	25.7
Contractual	32.4	7.2	7.2	7.2	7.2	7.2
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	184.1	39.6	39.6	39.6	39.6	39.6

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	138.1	29.7	29.7	29.7	29.7	29.7
1003 GF Match						
1004 GF	46.0	9.9	9.9	9.9	9.9	9.9
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	184.1	39.6	39.6	39.6	39.6	39.6

Estimate of any current year (FY98) 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)
These are estimated additional costs for the Board of Fisheries and Board of Game to implement the regional council system. Included are costs for additional board meeting days for the Joint Board, Board of Fisheries, and Board of Game. Additional staff time is accomplished by extending two seasonal positions; no new positions will be created. Assumptions include one additional Joint Board meeting, Fish Board meeting, and Game Board meeting in the first year to establish the regional councils and perform regulatory reviews. We estimate the respective boards will add a total of eight days to their current annual meeting schedules to accommodate the new system. By funding source, 75% of the increased costs will be federally funded, 35% will be funded by general funds.

Prepared by Diana Cote, Exec. Director *Diana Cote* Phone 465-6095
Division Boards Support Section Date 5/21/98
Approved by Commissioner Frank Rue *Frank Rue* Date 5/21/98
Agency Department of Fish and Game

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Rev. 6/98

Central Microfilm Services
Department of Education
State of Alaska

FISCAL NOTI No. 3

STATE OF ALASKA
1998 LEGISLATIVE SESSION

Bill Version: SB 1001

(S) Publish Date: 5-26-98

Revision Date (Note if correction) _____

Dept. Affected Fish and Game

Title Subsistence Use of Fish and Game

BRU Commercial Fisheries

Component Headquarters Fish Management

Sponsor Rules

Requester Governor

Component Serial No. 2171

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services	48.5	48.5	48.5	48.5	48.5	48.5
Travel	13.6	13.6	13.6	13.6	13.6	13.6
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	62.1	62.1	62.1	62.1	62.1	62.1

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

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

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts	46.6	46.6	46.6	46.6	46.6	46.6
1003 GF Match						
1004 GF	15.5	15.5	15.5	15.5	15.5	15.5
1005 GF/Program Receipts						
1037 GF/Mental Health						
1024 Fish and Game Fund						
TOTAL	62.1	62.1	62.1	62.1	62.1	62.1

Estimate of any current year (FY98) 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)

No new positions are being requested. However, funding for 10 months of staff time utilizing existing permanent/seasonal PCNs is required. A list of assumptions used is attached as page 2.

Prepared by Bob Clasby

Division Commercial Fisheries Management & Development

Phone 4210

Date 5/20/98

Approved by Commissioner Frank Rue

Agency Fish and Game

Date 5/21/98

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Assumption

FISCAL NOTE Continuation
Title: Subsistence Use of Fish and Game
Commercial Fisheries Management and Development Division

Page 2 of 2

Assumptions used for Subsistence Use of Fish and Game Bill cost calculations

- 1 Assume 10 subsistence councils.
- 2 Each council will meet twice yearly.
3. Council meetings will consume 1 week of staff time for travel, meeting, and preparation time.
- 4 Proposals generated by each council meeting will consume 1 week of staff time for analysis.
- 5 No new positions are being requested, but staff time amounting to 10 months will be required;
 FB III step A for 10 months = \$48,500.
- 6 Per diem costs will be \$342 per meeting times 18 meetings = \$6,156.
- 7 Transportation costs are outlined below:

Region 1 - Southeast (in Ketchikan) Juneau to Ketchikan. RT 2X = \$532
Region 2 - Southcentral (in Glennallen) Anchorage to Glennallen RT 2X mileage = \$200
Region 3 - Kodiak/Aleutian Islands (in Kodiak) - no travel required = \$0
Region 4 - Bristol Bay (in Dillingham) Anchorage to Dillingham RT 2X \$904
Region 5 - Yukon/Kuskokwim Delta (in Bethel) Anchorage to Bethel RT 2X = \$852
Region 6 - Western Interior (in Galena) Fairbanks to Galena RT 2X - \$1,700
Region 7 - Seward Peninsula (in Unalakleet) Anchorage to Unalakleet RT 2X = \$1,200
Region 8 - Northwest Arctic (in Kotzebue) Anchorage to Kotzebue RT 2X = \$800
Region 9 - Eastern Interior (in Minto) Fairbanks to Minto RT 2X = \$226
Region 10 - North Slope (in Barrow) Anchorage to Barrow RT 2X = \$1,025
Total = \$7,439

FISCAL NOTI

No. 4
 Bill Version: SB 1001
 (S) Publish Date: 5-26-98

STATE OF ALASKA
 1998 LEGISLATIVE SESSION

Revision Date (Note if correction) _____ Dept. Affected Fish and Game
 Title Subsistence Use of Fish and Wildlife BRU Administration and Support
 Component Boards of Fisheries and Game
 Sponsor Rules Committee
 Requester Governor Knowles Component Serial No. 2048

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services	6.7	6.7	6.7	6.7	6.7	6.7
Travel	145.0	25.7	25.7	25.7	25.7	25.7
Contractual	32.4	7.2	7.2	7.2	7.2	7.2
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	184.1	39.6	39.6	39.6	39.6	39.6

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

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

FUND SOURCE	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
1002 Federal Receipts	138.1	29.7	29.7	29.7	29.7	29.7
1003 GF Match						
1004 GF	46.0	9.9	9.9	9.9	9.9	9.9
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	184.1	39.6	39.6	39.6	39.6	39.6

Estimate of any current year (FY98) cost: 0.0

POSITIONS

POSITIONS	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
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)
 These are estimated additional costs for the Board of Fisheries and Board of Game to implement the regional council system. Included are costs for additional board meeting days for the Joint Board, Board of Fisheries, and Board of Game. Additional staff time is accomplished by extending two seasonal positions; no new positions will be created. Assumptions include one additional Joint Board meeting, Fish Board meeting, and Game Board meeting in the first year to establish the regional councils and perform regulatory reviews. We estimate the respective boards will add a total of eight days to their current annual meeting schedules to accommodate the new system. By funding source, 75% of the increased costs will be federally funded, 35% will be funded by general funds.

Prepared by Diana Cote, Exec. Director *Diana Cote* Phone 465-6095
 Division Boards Support Section Date 5/21/98
 Approved by Commissioner Frank Rue *Frank Rue* Date 5/21/98
 Agency Department of Fish and Game

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FISCAL NOTE

No. 5

STATE OF ALASKA
1998 LEGISLATIVE SESSION

Bill Version: SB 1001

(S) Publish Date: 5-26-98

Revision Date (Note if correction) _____	Dept. Affected <u>Fish and Game</u>
Title <u>Subsistence Use of Fish and Wildlife</u>	BRU <u>Subsistence</u>
Sponsor <u>Rules Committee</u>	Component <u>Subsistence Field Offices</u>
Requester <u>Governor</u>	Component Serial No. <u>483</u>

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services	103.6	103.6	103.6	103.6	103.6	103.6
Travel	11.8	11.8	11.8	11.8	11.8	11.8
Contractual	2.5	2.5	2.5	2.5	2.5	2.5
Supplies	0.6	0.6	0.6	0.6	0.6	0.6
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	118.5	118.5	118.5	118.5	118.5	118.5
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	88.9	88.9	88.9	88.9	88.9	88.9
1003 GF Match						
1004 GF	29.6	29.6	29.6	29.6	29.6	29.6
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	118.5	118.5	118.5	118.5	118.5	118.5

Estimate of any current year (FY98) 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)

These are the estimated additional costs of attending twice-yearly meetings of 10 new regional subsistence councils by one staff person at a Subsistence Resource Specialist II level, plus the staff time for reviewing and commenting on fish and game proposals developed and/or deliberated by the new regional subsistence councils using existing information. The Division will deal with the largest number of proposals (both fish and game proposals), leading to greater staff time costs compiling responses compared with other department divisions. The Division is called on to provide the basic information on customary and traditional use patterns and harvest amounts necessary for subsistence uses. Assumptions: Additional staff time (.825 months per meeting) is accomplished by extending seasonal PCNs; no new positions will be created. Four days per diem is expended per meeting. By funding source, 75% federal, 25% GF. Costs do not reflect additional expenditures in updating subsistence information (collection, analysis, and presentation of updated subsistence harvest and use information) required by the councils and boards for making informed decisions.

Prepared by <u>Robert J. Wolfe, Research Director</u> <i>RJW</i>	Phone <u>465-4147</u>
Division <u>Subsistence</u>	Date <u>5/21/98</u>
Approved by <u>Frank Rue, Commissioner</u> <i>Frank Rue</i>	Date <u>5/21/98</u>
Agency <u>Alaska Department of Fish and Game</u>	

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