

ALASKA LEGISLATURE COMMITTEE FILES 1997-1998 8672

9732 SENATE STATE AFFAIRS

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**g**

# SB 9

"An Act relating to municipal capital project matching grants for a municipality organized under federal law as an Indian reserve; and providing for an effective date."  
By Senator Mackie

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SOUTHEAST ISLANDS



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## SENATOR JERRY MACKIE

ALASKA STATE LEGISLATURE

### SPONSOR STATEMENT / SB 9

**SB 9 - "An Act relating to municipal capital project matching grants for a municipality organized under federal law as an Indian reserve; and providing for an effective date."**

This legislation made it through the committee process of the House and Senate last session, made the Senate Calendar, but was not brought up for consideration during the final hours of the session.

I introduced this legislation at the request of the Metlakatla Indian Community when their Municipal Assistance Matching Grant Program appropriation was eliminated from the Fiscal Year 96 year budget. Metlakatla qualified for this program under the Department of Administration regulations definition for "municipality". However, legal analysis found that the statute definition was not written specific enough to include the Metlakatla Indian Community in this program. Since the statute definition supersedes the regulatory definition the appropriation was eliminated.

SB 9 AMENDS AS 37.06 (Capital Project Matching Grants Programs) by adding a new section that includes a municipality organized under federal law as an Indian reserve. This bill has been drafted to specifically include the Metlakatla Indian Community within the Municipal Assistance Matching Grant Program. Metlakatla is the only entity in the state that now, or in the future, could qualify under the language included in SB 9, Page 1, Lines 6 - 8.

The community of Metlakatla is definitely more reflective of a municipal government and fits more appropriately into the Municipal Capital Matching Grant Program. The community has a mayor, city council, school board, constitution, law and order codes, police department, court system, etc..

SB 9 specifically removes Metlakatla from the Unincorporated Capital Matching Grant Program and specifically includes Metlakatla in the statute provisions for the the Municipal Capital Matching Grant Program.



# SENATOR JERRY MACKIE

ALASKA STATE LEGISLATURE

**SB 9 - "An Act relating to municipal capital project matching grants for a municipality organized under federal law as an Indian reserve; and providing for an effective date."**

## **\*SECTIONAL ANALYSIS**

### **\*Section 1.**

amends AS 37.06(Capital Project Matching Grants Program) by adding a new section that includes a municipality organized under federal law as an Indian reserve.

lines 9 - 10, eliminates Metlakatla from the Unincorporated Capital Project Matching Grants Program under AS 37.06.020.

requires the community to form a community development corporation with authority to determine how the grant money will be used, and that the governing board of the corporation shall be elected at an annual election open to all registered and qualified voting residents of the municipality.

the Department of Administration may distribute money for the municipality only after the corporation has delivered a waiver of sovereign immunity from legal action by the state to recover all or a portion of the money distributed under AS 37.06.010.

### **\*Section 2.**

provides transition language to provide that the balance of funds in the Unincorporated Capital Matching Grant Program be transferred to the Department of Administration.

### **\*Section 3.**

provides that SB 9 becomes effective July 1, 1997.

# COUNCIL ANNETTE ISLANDS RESERVE

METLAKATLA INDIAN COMMUNITY

JACK L. BOOTH, SR., MAYOR  
JUDITH A. LAUTH, SECRETARY  
BARBARA J. FAWCETT, TREASURER  
January 15, 1996

ESTABLISHED 1997

POST OFFICE BOX 8  
METLAKATLA, ALASKA 99525  
PHONE (907) 886-4441  
FAX (907) 886-3338  
FAX (907) 886-1997

Representative Jerry Mackie  
House of Representatives  
State Capitol  
Juneau, Alaska 99801-1182

Re: *\* Identical to SB9*  
\* HB361 - An Act relating to municipal capital project matching grants for a municipality organized under federal law as an Indian reserve; and providing for an effective date.

Dear Representative Mackie:

We appreciate the work you have put into this issue during the interim and your sponsoring HB 361 this legislative session.

We received Capital Project Matching Grants funding in FY94 in the amount of \$60,619.00 which went to the fire hall project. In FY95 we received \$58,909.00 which is being allocated to the police department project.

For FY96, we were allocated \$59,421, however, it was then determined that although the matching grant regulations explicitly allow Metlakatla to receive funding, the statute that defines municipalities does not include Metlakatla. We did not receive this appropriation due to this legal technicality.

We never questioned receiving for the Municipal Capital Matching Grant Program and the Unincorporated Capital Matching Grant Program since we weren't familiar with allocations to other communities and this had never been brought to our attention by the administration or the legislature previously.

We appreciate your active support for passage of this legislation which removes us from the Unincorporated Capital Matching Grant Program completely and specifically includes Metlakatla in the statute provisions for the Municipal Capital Matching Grant Program.

Sincerely,

METLAKATLA INDIAN COMMUNITY

*Jack L. Booth, Sr.*  
Jack L. Booth, Sr., Mayor

cc: Metlakatla Indian Community Council Members  
Rep. Ivan Ivan CO-chair, House C & RA  
Rep. Alan Austerman, CO-Chair House C & RA Committee  
C & RA Committee Members: Rep. Pete Kott, Al Vezey, Rep  
Bettye Davis, Rep. Kim Elton, Rep. Irene Nicholai, Rep. Mackie

LERoy WILDER, P.C.  
LAW OFFICE  
0225 S W MONTGOMERY STREET, 810  
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MEMORANDUM

TO: Sal Atkinson  
FROM: LeRoy Wilder *John*  
RE: HB No. 381 / *Identical to SB 9*  
DATE: January 20, 1996

I talked yesterday with Tam Cook regarding the above named bill. As you know, HB 381 will make Metlakatla eligible for capital project matching grants as an incorporated municipality. Ms. Cook and I agreed that the language now in the bill does what we need it to do and that it would not be wise to modify it. If it is necessary to change the language to please the legislature, we will do so later, but for now, we agreed we should try to hold what we've got.

The problem is this. Some legislators are fearful that this provision, which is exclusively for Metlakatla's benefit, will somehow open up eligibility for capital project matching grants to other Native groups. They are concerned that the reference to 43 U.S.C. 1618(a) may not be restrictive enough. You will recall that section 1618(a) is the language in the Alaska Native Claims Settlement Act that terminates all reservations in Alaska with the single, specific exception of the Annette Islands Reserve. I reviewed the language and concluded that the reference is very restrictive and will not result in the eligibility of other Native groups. Moreover, section 1618(a) has been relied upon in the past to distinguish Metlakatla from all other Native groups and it has been unchallenged. Thus, I see no reason why we should not continue to rely on this reference as the limitation of the bill.

You probably know that the bill cannot simply say Metlakatla because there are laws against "special" legislation. By referring to the statutory provision, we avoid saying Metlakatla specifically but make a reference that includes only Metlakatla. Sounds rather silly, I know, but that's how its done. I will keep you posted if I hear anything more on this issue.

Post-It® Fax Note	7671	Date	# of pages ▶
To	Tam Cook	From	Jeanie
Co./Dept.		Co.	Smith
Phone #		Phone #	4925
Fax #		Fax #	

# STATE OF ALASKA

## DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

TONY KNOWLES, GOVERNOR

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JUNEAU, ALASKA 99811-0300  
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FAX: (907) 465-6735

March 4, 1996

The Honorable Cynthia Toohey  
Alaska State Legislature  
House of Representatives  
State Capitol - Room 104  
Juneau, Alaska 99811

Re: House Bill 361 / SB9

Dear Representative Toohey:

Your request to Attorney General Botelho for a written opinion regarding "Indian lands" and House Bill 361 has been forwarded to me for a response. In particular, you have asked whether HB 361, dealing with municipal capital project matching grants for "a municipality organized under federal law as an Indian reserve," will have any impact on the concerns the Legislature expressed regarding the "Indian lands" issues. In short, the answer is no.

Under HB 361, only a municipality<sup>1</sup> organized under federal law as an Indian reserve that existed before enactment of 43 U.S.C. 1618(a), which is part of the Alaska Native Claims Settlement Act (ANCSA), and continues in existence under that subsection, is a municipality for purposes of the capital project matching grant program. Metlakatla is the only entity in the state that now, or in the future, could qualify under this language of HB 361. The "Indian land" issues raised by the Legislature in recent weeks concern areas of the state which were never Indian reserves, or no longer are Indian reserves, organized under federal law before 43 U.S.C. 1618(a) (copy enclosed), because ANCSA abolished all reserves other than Metlakatla.

According to officials at the Department of Community and Regional Affairs, the current capital project matching grant program statutes, AS 37.06.010 (municipalities) and AS 37.06.020 (unincorporated communities), do not adequately account for Metlakatla's federal Indian reserve status and it is unclear under which program Metlakatla falls. HB 361 would adopt

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<sup>1</sup> We are unaware that federal law provides for organization of municipalities as reserves or reserves as municipalities. Therefore, it is possible that no entity qualifies under this bill. To avoid confusion, "municipality" here should probably be changed to "community" or a similar term.

Representative Toohey  
HB 361

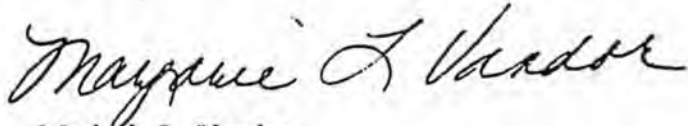
March 4, 1996  
Page two

a new section, AS 37.06.040, effectively designating Metlakatla as a municipality for the limited purpose of qualifying under the municipal capital project matching grant program.

We hope this adequately addresses your concerns. Please do not hesitate to call us if you have further questions.

Sincerely,

Bruce M. Botelho  
Attorney General



By: Marjorie L. Vandor  
Assistant Attorney General

MLV:jn

cc: Representative Jerry Mackie ✓

Kim Metcalf - Helmar  
Legislative Liaison - DCRA

Barbara Ritchie  
Deputy Attorney General

Chrystal Smith  
Legal Administrator

Becky Snow - Assistant Attorney General  
Fairbanks

**SB**

**21**

RECEIVED

MAR 24 1997

MARCH 8, 1997

Ans'd.....

ERIC GUCKER

PO BOX 8073

KETCHIKAN, AK 99901

GVERNOR TONY KNOWLES

PO BOX 110001

JUNEAU, AK 99811-0001

DEAR GOVERNOR KNOWLES:

PLEASE ALLOW ME TO APOLOGIZE FOR YESTERDAY AT THE  
TED FERRY CIVIC CENTER IN KETCHIKAN. I BROUGHT VALID  
CONCERNS ABOUT THE MANAGEMENT OF THE ALASKA MARINE  
HIGHWAY SYSTEM BECAUSE I BELIEVED YOU WERE HOLDING  
A SERIOUS QUESTION AND ANSWER FORUM FOR LOCAL CITIZENS  
BY THE WAY YOU DODGED MY QUESTION, I CAN SEE THAT I  
WAS CLEARLY MISTAKEN.

LET ME TRY IT AGAIN.

IF THE CURRENT AMHS ADMINISTRATION IS SO RESPONSIVE  
TO PUBLIC DEMANDS - AS D.O.T. COMMISSIONER PERKINS  
ASSERTS - THEN WHY HAVE THE PEOPLE OF PRINCE

2

OF WHALES ISLAND FOUND IT NECESSARY TO TAKE  
STEPS TO CREATE THEIR OWN FERRY SYSTEM  
WHICH WILL PROVIDE THE BASIC SERVICE THEY'VE  
BEEN BEGGING THE STATE FOR YEARS?

THE INLAND BOATMAN'S UNION OF THE PACIFIC SUPPORTED  
YOUR ELECTION TO THE OFFICE OF GOVERNOR BECAUSE  
YOU AND FRAN ULMER ASSURED US THAT YOUR  
ADMINISTRATION WOULD BE SUPPORTIVE AND RESPONSIVE  
TO THE CREWMEMBERS WHO WORK ON THE FRONT LINE  
DOING THE ACTUAL WORK THAT GENERATES AROUND  
65% OF ITS OWN OPERATING BUDGET, YET YOUR  
APPOINTED OFFICIALS ARE DOING EVERYTHING POSSIBLE  
TO DESTROY THE ALASKA MARINE HIGHWAY SYSTEM AND  
OUR LIVELIHOODS AND SINCE YOU HAVE NOT INTERVENED  
AMID PUBLIC OUTCRY TO HOLD THESE PUBLIC OFFICIALS  
ACCOUNTABLE AND ATTEMPTED TO HALT THIS DESTRUCTIVE  
ACTION, HOW CAN YOU EXPECT THE IBU MEMBERSHIP  
OR THE PEOPLE OF ALASKA TO SUPPORT YOU NOW OR  
IN THE NEXT ELECTION?

ALLOW ME TO CLARIFY MY PERSONAL AGENDA IN THIS  
MATTER. PLEASE DO NOT DISMISS ME AS ANOTHER  
DISORIENTED GOVERNMENT EMPLOYEE SNAVELLING

ABOUT BEING OVERWORKED AND UNDERPAID. THAT IS NOT MY PURPOSE. IF YOU READ THE LETTERS I'VE SENT TO COMMISSIONER PERKINS AND DIRECTOR HAYDEN, OR LISTEN TO THE TESTIMONY I'VE GIVEN TO THE SENATE TRANSPORTATION COMMITTEE, OR THINK FOR A MOMENT ABOUT THE KIND OF QUESTIONS I'M ASKING YOU, IT WOULD BE OBVIOUS TO YOU THAT I CARE DEEPLY ABOUT THE FUTURE OF THE AMHS. I AM SPEAKING TO YOU NOT ONLY AS AN AMHS EMPLOYEE OR AN IBU MEMBER, BUT ALSO AS A CUSTOMER WHO HAS RELIED ON AMHS SERVICE SINCE I WAS BORN. I WANT THE STATE FERRY SYSTEM TO SUCCEED AND GROW AND PROSPER, JUST AS THE LEGISLATORS WHO CREATED THIS SYSTEM INTENDED IN ALASKA STATUTE A.S.G.S. 050.

YOUR CONTINUED SILENCE REGARDING THE SERIOUSNESS OF THE ISSUES FACING THE FUTURE OF THE AMHS LEADS ME TO TWO POSSIBILITIES: THE FIRST IS THAT YOU ARE TOTALLY OUT OF TOUCH WITH THE REALITY THAT THERE ARE MAJOR PROBLEMS THREATENING THE VERY EXISTENCE OF THE AMHS WHICH STEM DIRECTLY FROM INEFFECTIVE MANAGEMENT AND TOTAL LACK OF DIRECTION. THE SECOND POSSIBILITY IS

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THAT YOU ARE VERY AWARE OF THESE PROBLEMS AND ARE USING CHIEF OF STAFF JIM AYERS, DOT COMMISSIONER JOE PERKINS, AND AMHS DIRECTOR GARY HAYDEN TO ENSURE THE FAILURE OF THE AMHS IN AN ATTEMPT TO HELP BALANCE THE STATE BUDGET.

AS GOVERNOR, YOU MUST EITHER BE PART OF THE PROBLEM OR PART OF THE SOLUTION. ROBIN TAYLOR'S SENATE BILL #21 MAY BE PART OF THE SOLUTION SINCE ONE OF ITS MAIN GOALS IS TO FORM A BOARD OF DIRECTORS WHO HAVE REAL MARITIME EXPERIENCE. STAGGERED TERMS WOULD INSURE STABILITY WITHIN THE LEADERSHIP AND ALLOW LONG RANGE PLANS A BETTER CHANCE OF SUCCESS. GOVERNORS CONTINUALLY APPOINTING DIRECTORS WHO HAVE NO EXPERIENCE DIRECTING FERRY SYSTEMS EVERY COUPLE OF YEARS WHEN THE ADMINISTRATION CHANGES IS NOT A RESPONSIBLE WAY TO RUN STATE GOVERNMENT.

THE SIMPLE FACT THAT YOU HAVE ALLOWED DOT COMMISSIONER PERKINS TO CLOSE THE BARS ABOARD THE FERRIES - DESPITE OVERWHELMING AND CONTINUED PUBLIC OUTCRY - IS CLEAR AND CONVINCING EVIDENCE THAT YOUR OWN HIDDEN AGENDA

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FOR THE AMHS IS NOT ONLY FINANCIALLY IRRESPONSIBLE,  
BUT IN DIRECT OPPOSITION TO THE PEOPLE OF THIS  
STATE THAT YOU PRETEND TO REPRESENT.

GOVERNOR KNOWLES, I JUST WANT TO REMIND YOU  
WHO PAYS YOUR PAYCHECK. IF YOU WON'T LISTEN  
TO THE WORKERS OR THE TRAVELLING PUBLIC,  
THEN WE'LL ELECT SOMEONE WHO WILL.

VERY SINCERELY:

*Eric Hucker*

CC: FRAN ULMER, LIEUTENANT GOVERNOR OF ALASKA  
JOE PERKINS, D.O.T. COMMISSIONER  
GARY HAYDEN, AMHS. DIRECTOR  
ROBIN TAYLOR, SENATOR



# Inlandboatmen's Union of the Pacific

MARINE DIVISION — INTERNATIONAL LONGSHOREMEN'S & WAREHOUSEMEN'S UNION  
NATIONAL OFFICE • 500 JOHN STREET • SEATTLE, WA 98109 • (206) 448-9736 • FAX: 448-9738



RECEIVED MAR 21 1997

March 19, 1997

Senator Robin Taylor  
Senate Majority Leader  
Room 30  
Capital Building  
Juneau AK 99801

Dear Senator Taylor:

At the recent March 17, 1997 special Executive Committee meeting of the Inlandboatmen's Union of the Pacific, Alaska Region your bill SB 21 concerning the Alaska Marine Highway Authority was reviewed and discussed at length.

The Inlandboatmen's Union of the Pacific, Alaska Region by a majority vote of the Executive Committee extends its support of SB 21.

You may feel free to use this letter in any manner as you see fit. Thank you for all your time and assistance for the employees of the Alaska Marine Highway System.

Sincerely,

*Bonnie Herbold for the*

IBU-P Alaska Executive Committee  
Inlandboatmen's Union of the Pacific, Alaska Region

OPEIU Local 8/bh

EXIROB1319.DCC

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# Alaska State Legislature

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Judiciary Committee

*Member,*  
Resources Committee  
Rules Committee  
Committee on Committees



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*Senator Robin L. Taylor*

## Sponsor Statement

### Senate Bill 21

Senate Bill 21 would establish an Alaska Marine Highway Authority to assume management of the Marine Highway System from the Department of Transportation and Public Facilities.

The Authority would be a public corporation of the state as an instrumentality of DOT/PF, but would have a legal existence independent and separate from the state. The new Authority would be comparable to the Alaska Housing Finance Corporation or the Alaska Industrial Development and Export Authority.

The powers of the authority would rest with a seven member Board, appointed by the Governor. One member would be the Commissioner of Transportation. The six other members would be required to have experience in maritime affairs and would serve staggered five year terms. The Board would hire the system director.

Establishment of such an authority board would bring maritime experience and continuity to the management of the Alaska Marine Highway System.

Based on information gathered at public hearings over the interim, the Senate Task Force on the Alaska Marine Highway System concluded that the legislature should consider the creation of such an Authority.

Testimony received by the Task Force indicated that DOT management of the Marine Highway lacks focus and that AMHS administration under DOT lacks maritime experience.

Sponsor Statement

SB 21

Page Two

Management under DOT has become insular and is unresponsive to input from vessel employees and the general public. Scheduling is chaotic and the fare structure has discouraged ridership. The reservations system has been an abject failure.

While concerns over funding levels are valid, the naturally bureaucratic mind-set of the Department has tightened what former director Jim Ayers termed a "death spiral".

Establishment of the Alaska Marine Highway Authority will not be a panacea, but will give the system a new perspective.

I ask your support for Senate Bill 21.

# LEGAL SERVICES

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STATE OF ALASKA

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130 Seward Street, Suite 409  
Juneau, Alaska 99801-2105

## MEMORANDUM

January 14, 1997

**SUBJECT:** Sectional Summary of SB 21; An Act relating to ferries and ferry terminals, establishing the Alaska Marine Highway Authority, and relating to maintenance of state marine vessels. (SB 21)

**TO:** Senator Robin Taylor

**FROM:** George Utermohle *GU*  
Legislative Counsel

You have requested a sectional summary of SB 21; An Act relating to ferries and ferry terminals, establishing the Alaska Marine Highway Authority, and relating to maintenance of state marine vessels.

As a preliminary matter, note that a sectional summary of a bill is not an authoritative interpretation of the bill. The bill itself is the best statement of its contents.

Section 1 of the bill sets out the purpose of the bill.

Section 2 of the bill amends AS 19 by adding a new chapter relating to the Alaska Marine Highway Authority.

### CHAPTER 55. ALASKA MARINE HIGHWAY AUTHORITY. ARTICLE 1. CREATION AND ORGANIZATION.

Sec. 19.55.010 establishes the Alaska Marine Highway Authority as a public corporation of the state within the Department of Transportation and Public Facilities. The powers of the authority are vested in the board of directors of the authority.

Sec. 19.55.020 relates to the directors of the authority. There are seven directors of the authority: the commissioner of transportation and public facilities and six other persons appointed by the governor. The qualifications for the appointed directors are set out.

The appointed directors serve for staggered five year terms. Appointed directors may only be removed for cause.

The directors of the authority are subject to conflict of interest laws under AS 39.50.

The appointed directors of the authority are entitled to compensation in the amount of \$300 for each day they are engaged in the business of the authority. The directors also receive travel and per diem expenses.

Sec. 19.55.030 provides for the election of officers by the directors of the authority and sets the quorum for meetings of the directors.

Sec. 19.55.040 authorizes the board of directors of the authority to employ a chief executive officer who serves at the pleasure of the board and who may employ additional staff. The officers and the staff of the authority are in the exempt service under AS 39.25.110. The board may also employ consultants and advisors.

#### ARTICLE 2. POWERS AND DUTIES.

Sec. 19.55.110 sets out the powers of the authority.

Sec. 19.55.120 sets out the duties of the authority.

Sec. 19.55.130 authorizes the authority to operate a ferry system under the name "Alaska Marine Highway System".

Sec. 19.55.140 requires the authority to prepare a comprehensive long-range plan for development and improvement of the ferry system, in cooperation with the Department of Transportation and Public Facilities, at least every five years.

#### ARTICLE 3. ACQUISITION OF PROPERTY.

Sec. 19.55.210 provides that the authority may acquire land and material necessary for the construction, maintenance, or improvement of the marine highway system.

Sec. 19.55.220 provides that the authority may acquire land for the purpose of exchanging the land for other land that the authority needs to acquire.

Sec. 19.55.230 provides that the authority may vacate land or rights in land held by the authority. The authority may transfer its surplus lands to the Department of Natural Resources for disposal. The proceeds of the disposal shall be returned to the source of funds from which the original purchase of the land was made.

#### ARTICLE 4. VESSELS AND FERRY TERMINAL FACILITIES.

Sec. 19.55.310 authorizes the authority to construct, purchase, or lease ferry terminal facilities, to connect ferry terminal facilities with local highway systems, and to adopt

regulations regarding the use of ferry terminal facilities by the public and to set fees for the use of terminal facilities. The authority shall repair and maintain the facilities that it owns.

Sec. 19.55.320 provides that the vessels and facilities of the authority shall be named by law.

#### ARTICLE 5. BUDGET AND REVENUE.

Sec. 19.55.410 provides that the authority is subject to the Executive Budget Act and that the expenditures of the authority are subject to appropriation by the legislature.

#### ARTICLE 6. GENERAL PROVISIONS.

Sec. 19.55.910 provides that the board of the authority shall annually submit a report to the governor and legislature regarding its operations, income, and expenditures for the preceding fiscal year.

Sec. 19.55.920 provides that the authority shall have its financial records audited annually and that the legislative auditor may prescribe the form and content of the financial records of the authority.

Sec. 19.55.990 sets out the definitions of "authority" and "ferry".

Sec. 19.55.995 provides that this chapter may be cited as the Alaska Marine Highway Authority Act.

Section 3 of the bill makes a technical amendment to AS 03.53.010(a) relating to the transportation of animals aboard state ferries.

Section 4 of the bill makes a technical amendment to AS 18.65.755(a) relating to the carrying of a concealed handgun on a vessel of the authority.

Sections 5 - 9 of the bill make technical and editorial amendments to AS 19.65 relating to the Alaska Marine Highway System Fund.

Section 10 of the bill amends AS 23.40.040 to provide that the authority shall be responsible for negotiating with the unions representing the employees of the authority.

Section 11 of the bill makes a technical amendment to AS 29.35.722 relating to the transfer of assets of the authority to a port authority.

Sections 12 - 13 of the bill make technical amendments to AS 35.10.015 relating to access to and use of state ferry vessels by handicapped, aged, and infirmed passengers.

Sections 14 - 17 of the bill makes amendments to AS 35.27 to provide that the authority is responsible for the application of the art in public places program to vessels and facilities of the authority.

Sections 18 - 20 of the bill amend provisions of the procurement code (AS 36.30) and set out the responsibilities of the authority under the procurement code.

Section 21 of the bill amends AS 36.90.050(a) relating to in-state maintenance of state-owned marine vessels.

Section 22 of the bill makes technical amendments to AS 37.05.550 relating to the Alaska Marine Highway System Vessel Replacement Fund.

Section 23 of the bill makes a technical amendment to AS 39.20.310(8) relating to the eligibility of ship board employees of the authority to participate in the leave system for state employees.

Sections 24 of the bill amends AS 39.25.110(11) to provide that the employees of the authority are in the exempt state service.

Section 25 of the bill makes a technical amendment to AS 39.30.150(b) relating to the participation of certain employees of the authority in the supplemental employee benefit program (SBS).

Section 26 of the bill makes a technical amendment to AS 39.35.680(21) relating to the participation of certain employees of the authority in the Public Employees Retirement System.

Section 27 of the bill amends AS 39.50.200(b) to provide that directors of the authority are subject to the conflict of interest law (AS 39.50).

Sections 28 - 29 of the bill amend AS 44.42.020 in order to transfer the authority of the Department of Transportation and Public Facilities over the planning, design, construction, maintenance, management, and operation of the facilities, vessels, and equipment of the marine highway system to the authority.

Section 30 of the bill provides for the transfer of the employees, appropriations, and assets of the Division of Marine Transportation in the Department of Transportation and Public Facilities to the Alaska Marine Highway Authority upon enactment of this bill. This section also provides that nothing in this bill terminates or modifies the bargaining representation or bargaining agreements that are in effect at the time of enactment of the bill.

Senator Robin Taylor  
January 14, 1997  
Page 5

Section 31 of the bill provides for the terms of the initial appointees to the board of directors of the authority in order to provide for staggered terms.

Sections 32 - 33 of the bill repeal unnecessary provisions of AS 19.65 (Alaska Marine Highway System), which have been replaced by provisions of AS 19.55 as contained in sec. 2 of this bill. AS 39.25.110(16) relating to the exempt status of ship board employees of the division of marine transportation is repealed. Section 5, ch. 94, SLA 1992, which provides for the repeal of AS 36.90.050 (instate maintenance of state marine vessels; see sec. 21 of the bill) is itself repealed.

Sections 34 - 35 provide effective dates for provisions of the bill. Sections 1 (purpose), 21 (instate maintenance of state marine vessels), 31 (initial appointment of members of the board of the authority), and 33 (repeal of sec. 5, ch. 94, SLA 1992) take effect immediately. The remainder of the bill takes effect on January 1, 1998.

GU:pl  
97-006.plm

*file*

## KETCHIKAN GATEWAY BOROUGH

## RESOLUTION NO. 1325

A RESOLUTION OF THE ASSEMBLY OF THE KETCHIKAN GATEWAY BOROUGH, ALASKA, SUPPORTING SENATE BILL NO. 21, RELATING TO FERRIES AND FERRY TERMINALS, ESTABLISHING THE ALASKA MARINE HIGHWAY AUTHORITY, AND RELATING TO MAINTENANCE OF STATE MARINE VESSELS; AND ESTABLISHING AN EFFECTIVE DATE.

RECITALS

A. The Alaska Marine Highway is the main component of the transportation system in Southeast Alaska providing all of the principle cities of Southeastern Alaska and the transcontinental railroads and highways at Prince Rupert, British Columbia and Bellingham, Washington and the Southcentral Alaska highway system at Haines, Alaska.

B. The Alaska Marine Highway system provides Southeast Alaska and visitors with links to major medical, trading and transportation centers. Residents and visitors depend on the Alaska Marine Highway System for appointments with doctors, dentists, lawyers, accountants and other professional businesses. Interaction between Prince of Wales Island and Ketchikan Gateway Borough is essential.

C. The purpose of the Bill is to establish an authority for the operation, management, planning, construction and maintenance of facilities for the marine highway system. The authority shall be the exclusive state agency directly associated with the operation, management, planning, construction and maintenance of facilities for the marine highway system.

D. Today, Alaska has an expanded system that has evolved to meet the ever increasing demand of the people and communities of Alaska for more efficient service and enhancement of economic development through tourism, mail and freight deliveries.

E. An Alaska Marine Highway Authority would assist the residents, businesses, and communities of the state in obtaining optimal marine passenger and freight service; schedule vessel sailing to optimize the frequency of service to all ports; encourage and integrate with other public and private carriers to the greatest extent possible to provide ferry service within the state and between Alaska ports and ports outside the state in order to provide optimum service within the state; provide reservation access and marketing information throughout the state; encourage vessel construction, maintenance, and service in the state to the greatest extent possible; employ residents of the state to the greatest extent legally possible; and recognize Alaska unions and employee associations to the greatest extent possible.

F. The Ketchikan Gateway Borough has passed prior resolutions requesting continued service, more service, and planning of the Alaska Marine Highway System to enhance the quality of life for the residents of the Ketchikan Gateway Borough.

G. The Ketchikan Gateway Borough is home to a shipyard, built by the state, which can maintain, refurbish and drydock the Alaska Marine Highway ferries. With the mill closure approaching, economic diversity must be found for the economic health and stability of the Ketchikan Gateway Borough and its citizens.

NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE FACTS, IT IS RESOLVED BY THE ASSEMBLY OF THE KETCHIKAN GATEWAY BOROUGH, ALASKA, as follows:

RESOLUTION NO. 1325

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Section 1. The Ketchikan Gateway Borough supports Senate Bill 21, "An act relating to ferries and ferry terminals, establishing the Alaska Marine Highway Authority, and relating to maintenance of state marine vessels."

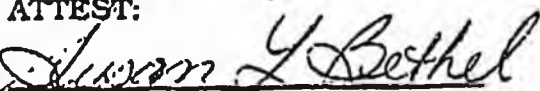
Section 2. The Borough Clerk is directed to mail a copy of the signed resolution to Senator Taylor, Senator Pearce and the Senate subcommittees for Transportation, State Affairs and Finance.

Section 3. This resolution is effective upon adoption.


ADOPTED this 18th day of February, 1997.

  
 \_\_\_\_\_  
 BOROUGH MAYOR

ATTEST:

  
 \_\_\_\_\_  
 BOROUGH CLERK

Approved as to form:

  
 \_\_\_\_\_  
 BOROUGH ATTORNEY

EFFECTIVE DATE: 2/18/97			
ROLL CALL	YES	NO	ABSENT
CONLEY	✓		
COYNE	✓		
ELKINS	✓		
MARTIN	✓		
MARSHALL	✓		
TIPTON	✓		
VAN HORN	✓		
MAYOR (Tie Vote Only)			N/A
4 AFFIRMATIVE VOTES REQUIRED FOR PASSAGE			

Post-It™ brand fax transmittal memo 7671 # of pages 2

To <i>Joe</i>	From
Co. <i>RGB</i>	Co. <i>RGB</i>
Dept.	Phone #
Fax #	Fax #

K  
J  
C

*Ketchikan Indian Corporation*

*(Tribal Council)*

429 DEERMOUNT AVENUE  
KETCHIKAN, ALASKA 99901  
(907) 225-5158  
FAX (907) 247-0428

**RESOLUTION: KIC 97-09**

**TITLE: SUPPORT OF SENATE BILL NO. 21: "An Act relating to ferries and ferry terminals, establishing the Alaska Marine Highway Authority, and relating to maintenance of state marine vessels; and providing for an effective date."**

**BY: KETCHIKAN INDIAN CORPORATION TRIBAL COUNCIL**

**WHEREAS,** the Ketchikan Indian Corporation is a federally recognized Tribal government pursuant to the Indian Reorganization Act (IRA) of 1936 as amended; and

**WHEREAS,** the Ketchikan Indian Corporation Tribal Council is the representative Tribal government of the Ketchikan Indian Corporation, a sovereign, federally recognized IRA Tribe whose membership resides in the Ketchikan area; and

**WHEREAS,** the health, education, and welfare of its membership is of paramount importance to the well being of the Ketchikan Indian Corporation; and

**WHEREAS,** the Ketchikan Indian Corporation understands that the majority of communities in Southeast Alaska are dependent on the Alaska Marine Highway System; and

**WHEREAS,** The Ketchikan Indian Corporation and its membership are affected by the effective and efficient operation of the Alaska Marine Highway System as stated in Section 19.55.120. **Duties of authority.** The authority shall

- (1) assist the residents, businesses, and communities of the state in obtaining optimal marine passenger and freight service;
- (2) schedule vessel sailings to optimize the frequency of service to all ports;
- (3) encourage and integrate with other public and private carriers to the greatest extent possible to provide ferry service within the state and between Alaska ports and ports outside the state in order to provide optimum service within the state;
- (4) provide reservation access and marketing information throughout the state;
- (5) encourage vessel construction, maintenance, and service in the state to the greatest extent possible;
- (6) employ residents of the state to the greatest extent legally possible;

(11)

**Resolution KIC 97-09**

Page 2

(7) recognize Alaska unions and employee associations to the greatest extent legally possible.

**SO THEREFORE BE IT RESOLVED**, that the Ketchikan Indian Corporation hereby supports Senate Bill No. 21.

**CERTIFICATION**

The foregoing resolution was adopted at a duly convened meeting of the Ketchikan Indian Corporation Tribal Council, assembled this 5<sup>th</sup> day of February, 1997, at the Ketchikan Indian Corporation, 429 Deermount Avenue, Ketchikan, Alaska 99901, by a vote of 7 FOR, 0 AGAINST, and 0 ABSTAINING.

Stephanie D. Rainwater  
Stephanie D. Rainwater, President

2-6-97  
Date

ATTESTED:

Gerald E. Hope  
Gerald E. Hope, Secretary

2/6/97  
Date

cc: Southeast Alaska IRA's  
ANB/ANS Grand Camp  
Alaska Inter-Tribal Council  
Alaska Native Claims Settlement Act (ANSCA)  
Other Village & Urban Corporations in SE Alaska

FROM

01.31.1988 03:18

P. 2

Feb 18, 1997

**Alaska Cabaret, Hotel, Restaurant and Retailers Association**

**A Resolution**

**Relating to the Inlandboatman's Union**

**Be it resolved by the Alaska Cabaret, Hotel, Restaurant and Retailers Association:**

**WHEREAS** the Alaska Cabaret, Hotel, Restaurant and Retailers Association supports any services which develop tourism on the Alaska Marine Highway System.

**WHEREAS** any cuts in services on the Alaska Marine Highway System negatively impacts tourism industry development in Alaska.

**WHEREAS** the closure of alcohol service bars will encourage increased alcohol consumption in unauthorized areas of the ships.

**WHEREAS** the closure of alcohol beverage service bars reduces valuable jobs on the Alaska Marine Highway System.

**WHEREAS** introduction of gaming on the Alaska Marine Highway System would increase revenue for the Alaska Marine Highway System.

**BE IT RESOLVED** that the Alaska Cabaret, Hotel, Restaurant and Retailers encourages all hospitality industry individuals and groups to support all services which encourage tourism development on the Alaska Marine Highway System.

adopted by CHARR

\*\*\*END\*\*\*

(7)

STATEMENT FOR TRANSPORTATION  
COMMITTEE HEARING

Ketchikan, Ak 3/6/97

John Ritterbach P.O. Box 9420 Ktn, 99901 (907)225-9459

Ladies and Gentlemen, my name is John Ritterbach and I am a Purser aboard the M/V Matanuska. I testified before this committee on February 18, 1997 and today I listened in Ketchikan as Mr. Perkins testified before you in Juneau.

I am appalled.

*I would like to respond briefly to Mr. Perkins remarks. First, I believe that you should consider who is speaking for the Alaska Marine Highway. Where is Mr. Hayden? Is he not the director? I believe that a very large part of the problem here is that AMHS is being managed by "remote control" from the Commissioners' office.*

Mr. Perkins states that we don't need Marine Authority because management under a Marine Authority would not be accountable to the public. He says that the Marine Highway now provides what it was designed for..."Safe, on-time, economical travel for the residents of Southeast Alaska."

*I disagree. Mr. Perkins is out of touch with what the Marine Highway was designed to do, and it is he that wants to "Tinker" with the system. The Alaska Marine Highway is here to provide service to all Alaskans, not just Southeast Alaska. The price increases have discouraged ridership for families and older Alaskans. If not for Basketball teams, Military families traveling north and south, and an ever shrinking Elderhostel (higher prices) groups, we would have just a handful of passengers left.*

Mr. Perkins makes reference to how the Marine Authority would have trouble getting Federal funding, and how Alaska is better served by having the Commissioners' office with that power.

*I disagree. I believe that you should consider who is making that statement. Read between the line here. Who wants control here? Mr. Perkins makes my argument for me. I believe that he is worried that he would not longer be able to control Federal funds he now controls. Just take a look at the communities in southeast that want to form their own authority and obtain Federal funds. If they want more service, why not provide that service? Why isn't AMHS going after those funds? The answer my "lie" in what and where the Commissioner wants to fund.*

Mr. Perkins sites 16 employees in the Juneau Central Office as having Maritime experience.

*Again, Mr. Perkins makes my point for me. Only 16 employees in the Juneau Central Office with Maritime experience out of 150! And time and again the few employees that do have experience are ignored by upper management.*

# Alaska State Legislature

Please enter into the record my testimony to the TRANSPORTATION ~~COMMISSION~~  
(committee name)  
committee on SB21 dated 3-6-97  
bill/subject

TODAY'S TELECONFERENCE WAS DISSAPPOINTING TO ME.  
2 WEEKS AGO I TESTIFIED BEFORE YOU FROM KETCHIKAN  
VIA TELECONFERENCE. PERHAPS I WAS MISTAKEN IN EXPECTING  
THE AAHS DIRECTOR GARY HAYDEN TO BE PRESENT TODAY,  
AND FOR COMMISSIONER PERKINS TO RESPOND TO MULTIPLE  
TESTIMONIES CITING MISMANAGEMENT OF AAHS BY THE  
CURRENT ADMINISTRATION. SEN. TAYLOR QUESTIONED PERKINS  
DECISION TO CLOSE BARS ON THE FERRIES, BUT SHOULD HAVE  
QUESTIONED MANY MORE PERTINENT ISSUES INCLUDING  
(BUT NOT LIMITED TO) PROBLEMS WITH SCHEDULING,  
PRICES CHARGED FOR FERRY TICKETS, INEFFECTIVE RESERVATION  
SYSTEM, INCOMPITENT & TOP-HEAVY MANAGEMENT AT JCO,  
AND WHAT IS CURRENTLY BEING DONE TO CUT COSTS AND  
ENCOURAGE REVENUE GENERATION. PLEASE CALL PERKINS  
AND HAYDEN TO TASK. GOV. KNOWLES MADE A MISTAKE!

Signed:

Eric J. Inutan  
Testifier

Phone: (907) 247-6000

Representing (Optional)  
PO BOX 8023 KETCHIKAN 99901  
Address

Fax transmitted from Ketchikan Legislative Information Office  
Phone: 225-9675 Fax: 225-8546

# Alaska State Legislature

Please enter into the record my testimony to the TRANSPORTATION  
(committee name)  
committee on S.B. 21 dated 3-6-97  
bill/subject:

THE FACT AMHS DIRECTOR HAYDEN DID NOT SHOW  
UP FOR THIS HEARING SHOWS BLATENT LACK  
OF CONCERN FOR ONGOING AMHS PROBLEMS AND  
EFFORTS TO SOLVE SOME OF THEM. ALSO  
COMMISSIONER PERKINS COMMENTS ABOUT HOW  
A FERRY AUTHORITY WOULD WEAKEN CONCERN &  
RESPONSIVENESS TO PUBLIC CONCERNS BY THE APPOINTED  
OFFICIALS IS LAUGHABLE. PERKINS & HAYDEN,  
OUR PRESENT AMHS APPOINTED OFFICIALS SHOW  
LITTLE OR NO CONCERN FOR AMHS PROBLEMS, FAIL TO  
SEE THEIR OWN ROLE IN THE FERRY SYSTEM'S  
DEMISE, DUE IN PART BY THEIR OWN UNRESPONSIVE -  
- NESS. PERKINS CLAIMS "ELECTED OFFICIALS HAVE TO BE RESPONSIBLE  
TO THE PUBLIC THEY SERVE" YET THEY SHOW NO ACCOUNTABILITY  
FOR MAJOR AMHS PROBLEMS & PUBLICLY PASS THE BUCK AS TO  
THE BLAME

Signed:

Robert Glenn  
Testifier

Phone: 225-4231

Representing (Optional)  
PO BOX 9115, KETCHIKAN, AK, 99901  
Address

Fax transmitted from Ketchikan Legislative Information Office  
Phone: 225-9675 Fax: 225-8546

# Alaska State Legislature

Please enter into the record my testimony to the TRANSPORTATION  
committee on AMHS PROBLEMS + SOLUTIONS <sup>(committee name)</sup> dated 3-6-97  
bill/subject:

I WOULD GREATLY APPRECIATE YOUR ATTENTION  
IN REGARDS TO SOME PROBLEMS FACING OUR  
MARINE HIGHWAY, AND HOPE YOU WILL CONSIDER  
WHAT I BELIEVE ARE SOME MAJOR PROBLEMS:  
SCHEDULING OF SHIPS; RESERVATION SYSTEM;  
PRICES OF GOODS AMHS PURCHASES; CONTRACT  
NEGOTIATIONS; GENERATION OF REVENUE; AND  
THE LIST GOES ON. AS A DECK DEPT. EMPLOYEE  
ON THE M/V MATANUSKA FOR 15 YEARS, I + FELLOW  
EMPLOYEES HAVE MANY SUGGESTIONS FOR  
SOLVING MANY PROBLEMS FACING OUR SYSTEM.  
IF YOUR COMMITTEE IS INTERESTED IN HEARING  
SOME SUGGESTIONS, I AND MANY OTHERS WOULD  
LOVE TO SPEND OUR OWN TIME DETAILING WHAT WE  
KNOW. RESPECTFULLY - ROBERT. L GLENN

Signed: Robert L Glenn Phone: 907 225 4231  
Testifier

PO Box 9115 KETCHIKAN AK 99901  
Representing (Optional)  
Address

Fax transmitted from Ketchikan Legislative Information Office  
Phone: 225-9675 Fax: 225-8546

Andrea Barkley  
P.O. Box 1037  
Ward Cove, Alaska 99928

To: All State of Alaska Representatives and Senators

Please enter this letter into the legal record on the subject of  
The A.M.H.S. Bar Closures:

Until September of 1996, I had been a bartender on AMHS vessels for over 18 years. Over those many years, I have witnessed a huge variety of events. Mostly, I have seen foreigners from one end of the planet meet locals from the opposite end of the planet. Without fail, the one (and sometimes only) thing all these people had in common was Alaska.

The bars on the ferries were, in reality, traveling public relations centers for our state. Thousands upon thousands of recommendations, observations, and experiences were exchanged. Restaurants, camp sites, hotels, events, points of interest were endorsed or rejected. Guidance was given on everything from A): 'Which road to take', to Z): 'How to best enjoy the Alaskan experience'. The one thing everyone could, and did talk about was our state; the beauty of it, the unusual people who populated it, how it remains one of the most unique, pristine environments left in our country if not on our earth.

Bars on the ferries were a place for exchange; the exchange of ideas, the exchange of money. Over the years, I was only one of many bartenders who participated in the revenue intake of untold hundreds of thousands, if not millions, of dollars for our state. AMHS vessels were paid for in full years ago by public bonds. This reality, along with several other unique factors, allowed the State to possess and profit from a previously unheard-of remarkable business opportunity. The State sold this product in a low overhead-cost environment, enjoyed the singular privilege of purchasing the cheapest liquor in the state through duty-free Canadian Sea-stores, and had the extraordinary opportunity of benefitting from a monopoly of sales of this service to a captive audience; literally hundreds of thousands of people who could not go "across the street" for their next drink.

Read into testimony at the KTN Telecon-  
ference Feb 18, 1997

TO: THE ALASKAN STATE SENATE, TRANSPORTATION COMMITTEE

FEBURARY 18, 1997

FROM: ANDREA BARKLEY  
BOX 1037  
WARD COVE, AK. 99928

I WAS A BARTENDER ON THE ALASKA MARINE HIGHWAY SYSTEM FOR 18 YEARS, UNTIL I WAS PUT OUT OF MY JOB WHEN THE BARS WERE CLOSED IN SEPTEMBER OF 1996.

WHEN I SPEAK ABOUT THE BAR CLOSURE ON THE FERRY SYSTEM, I MUST ADDRESS IT AS "THE BIG LIE". I'M SORRY TO HAVE TO PUT IT TO YOU IN SUCH A DIRECT WAY, BUT AT THIS POINT, I FEEL IT TRULY IS IMPORTANT TO TELL THE TRUTH ABOUT WHAT REALLY HAPPENED.

"THE BIG LIE" WAS THAT THE BAR CLOSURE WAS ABOUT LOSS OF REVENUE. THIS WAS NEVER TRUE; THE BAR CLOSURE WAS NEVER ABOUT REVENUE LOSSES AT ALL. THE REASON WE KNOW THIS IS BECAUSE OF 3 FACTS:

- 1) THE LE CONTE BAR WAS CLOSED RIGHT IN THE HEIGHT OF THE SUMMER SEASON; JUNE 1ST. THE "EMPLOYEE POSITION SAVINGS" THE STATE SAID THEY MUST HAVE WAS NEVER GAINED, BECAUSE THAT EMPLOYEE WAS SIMPLY MOVED OVER TO ANOTHER JOB ON THE SAME SHIP, SAME CREW. NO "EMPLOYEE COSTS" WERE SAVED; ONLY REVENUE LOST.
- 2) DIRECTOR GARY HAYDEN TOLD THE IBU THAT IF SOLUTIONS COULD BE FOUND TO OFFER THE SAME COST-SAVINGS THE STATE WAS SEEKING, THE DECISION TO CLOSE THE BARS WOULD BE RE-CONSIDERED. THE IBU THEN ENTERED INTO EXTENSIVE LABOR/MANAGEMENT MEETINGS WHICH OFFERED MANY SUGGESTIONS ON HOW TO INCREASE REVENUE IN THE BARS. ALL WERE BASICALLY NO-COST ITEMS, AND ALL SUGGESTIONS WERE IGNORED. ON THE MATANUSKA, THE CREWS WENT AHEAD AND IMPLEMENTED THESE SUGGESTIONS, WITHOUT MANAGEMENT DIRECTION. CONSEQUENTLY, THE MATANUSKA IMMEDIATELY BEGAN BRINGING MORE REVENUE INTO THE BARS. JUNEAU CENTRAL OFFICE, HOWEVER, WAS NOT INTERESTED IN OUR EFFORTS OR IMPROVEMENTS. THEY SIMPLY DID NOT WANT TO HEAR IT.

3) THE STATE ANNOUNCED THAT THE BAR ON THE COLUMBIA DID MAKE MONEY, AND THEREFORE WOULD NOT BE CLOSING. THEN, AS SOON AS THE BARS ON THE OTHER VESSELS WERE CLOSED, THE BAR HOURS ON THE COLUMBIA WERE CUT FROM 12 HOURS OF OPERATION A DAY TO 6 HOURS OF OPERATION. NOW, WHAT BUSINESS MAN IN HIS RIGHT MIND WHO'S REALLY WORRIED ABOUT LOSING MONEY CLOSSES DOWN HIS ONLY PROFITABLE BUSINESS VENTURE FOR HALF OF ITS' OPERATING HOURS?

TODAY, THERE IS NO ONE HERE THAT CAN TELL ALL OF YOU WHAT THE TRUE "HIDDEN AGENDA" REALLY WAS BEHIND THE BAR CLOSURES ON THE FERRY SYSTEM. YOU WILL HAVE TO ASK THAT QUESTION DIRECTLY IN THE GOVERNOR'S OFFICE IF YOU REALLY WISH TO KNOW.

BUT, BECAUSE OF THESE THREE FACTS, WE NOW KNOW THAT "LOSS OF REVENUE" WAS NEVER THE TRUE REASON BEHIND THE CLOSURE OF THE BARS. IT WAS "THE BIG LIE". IT WAS THE "RED HERRING" WE WERE MENT TO CHASE INTO THE BLIND ALLEY.

PLEASE DON'T MAKE THE SAME MISTAKE ON THIS SUBJECT THAT THE IBU MADE; PLEASE DON'T WASTE YOUR OWN PRECIOUS TIME CHASING THE RED-HERRING.

THE CITIZENS AND VOTERS AND ALASKAN VISITORS WANT THE COCKTAIL SERVICES ON THE ALASKA MARINE HIGHWAY VESSELS OPENED AGAIN. HUNDREDS OF PASSENGERS HAVE SENT IN COMMENT CARDS DIRECTING THAT TO HAPPEN. NINE PEOPLE WROTE IN TO SAY THEY WERE GLAD THE BARS WERE CLOSED. 668 PEOPLE, (AND MORE COMING IN ALL THE TIME), WANT THE BARS OPENED. NINE DO NOT. THE ADMINISTRATION OF AMHS IS FLATLY REFUSING A MANDATE OF THE PEOPLE. THIS IS WRONG; AMERICAN GOVERNMENT WAS DESIGNED TO SERVE THE WILL OF THE PEOPLE. THE LAST TIME I LOOKED, THE BILL OF RIGHTS WAS STILL IN EFFECT.

IT IS MY PERSONAL STRONGLY HELD BELIEF THAT IF SENATE BILL #21 DOES NOT PASS THIS LEGISLATIVE SESSION, THE ALASKA MARINE HIGHWAY SYSTEM WILL NOT SURVIVE; OUR SOUTHEASTERN AND SOUTHWESTERN WATER ROADWAY WILL DRY-UP, EVAPORATE, AND VANISH.

I URGE YOU, AS REPRESENTATIVES OF THE PEOPLE OF ALASKA, TO PLEASE SUPPORT AND PASS SENATE BILL #21.

THANK YOU,

(4)

**THE FOLLOWING PAGES MAY  
NOT FILM LEGIBLY BECAUSE OF  
THE POOR QUALITY OF THE ORIGINAL**

**DRAFT**

**AMHS FOOD COST CONTAINMENT PLAN AMENDMENT**

**DRAFT**

Responsible person: Mike Young/Joe Ver

Start date: Mid October 1996 or November 1, 1996, after the plan is presented at a Chief Stewards meeting tentatively scheduled for either the first or second week of October 1997.

Completion date: June 30, 1997

Estimated reduction: \$100,000.00

Plan:

This amendment is in addition to the plan submitted by Mike Young during the week of August 15, 1996.

Soda pop and candy which are both sold in vending machines on AMHS vessels are currently purchased from Alaskan vendors but not on a contract basis. In FY 96 AMHS purchased approximately \$62,000.00 in both soda pop (\$40,000) and candy (\$22,000). By placing both of these commodities out for bid, AMHS may be able to reduce the purchasing costs for both commodities from two to ten percent. This would be based on more than two vendors showing interest in bidding for these commodities. *2. within when going into effect*

A proposed draft four (4) week menu plan for lunch and dinner was submitted to the current members of the labor-management food committee (see attached). This 4 week menu cycle is based on entrees currently served on AMHS vessels and low-fat/vegetarian recipes from the *Healthwise Quantity Cookbook*. The low-fat/vegetarian recipes are included in this menu cycle based on comments from both the crew and passengers requesting more healthy entrees.

The 4 week menu cycle needs to be incorporated with the lunch service plan initially developed by the labor-management food committee and needs to also include more galley crew input from the other vessels. The proposed 4 week menu cycle is flexible so that the number of entrees, vegetables, starches can be added or subtracted especially for the dinner menu.

What a (4 week) menu cycle accomplishes is a planned lunch and dinner menu for all AMHS vessels. The Chief Cook and Storekeeper will be able to keep usage figure records on different entree items. Both the Chief Cook and Storekeeper will be able to reduce storeroom inventory because they will only keep the raw food ingredients in storage that are needed for a particular week's menu.

Both the passengers and the crew will be served the same menu items. Recipes will become standardized and based on quantities for 25, 50, 75, 100 etc. Usage records (soup, entrees, starches, vegetables, fast food fare etc. will assist the Chief Cook as to how much to prepare during the next menu cycle. These also will be based on the time of the year, the number of passengers traveling, youth groups traveling etc. The menu cycle is set up so that leftovers from

*Submitting only one page out of a total of five. (6)*

1. An economic analysis of the various options is being prepared. This analysis is considering the costs and revenues of each option. After a preliminary analysis of several options, AMHS is focusing on the three most viable alternatives:
  - a. Redeploy the Malaspina to the Beilignam route and run the new vessel out of Prince Rupert.
  - b. Redeploy the Malaspina to North Lynn Canal and operate it as a day boat.
  - c. Replace the Malaspina with the new vessel operating out of Prince Rupert.
2. Negotiations with the three marine labor unions will focus on contractual changes to allow AMHS to operate a vessel in a "day boat" status. The current labor contracts are built around a twenty-four hour day, seven days a week operation. Running the Malaspina as a day boat in North Lynn Canal is one of the options.
3. The condition of the vessel is being updated. Before a decision is made, the capital costs must be considered. Capital funded projects are needed on the vessel to meet current regulations, to upgrade passenger accommodations, to repair various fixtures to maintain operational status, and to provide a safe healthy environment for work and passenger travel. Asbestos and regulatory compliance are probably the two factors of immediate concern.
4. Public participation will also be a key step in the decision process. The issue and all the facts will be presented to the people of Southeast.

OCV Operating Considerations

The current draft plan for deployment of the new vessel includes summer service in Southeast Alaska, service in Southwest Alaska when the M/V Totemana is off line for overhauls and repairs, and pioneering a cross-gulf service. The vessel will also be used as an emergency command center as needed during a natural disaster or oil spill.

Bar Closure Comments

Since June, the AMHS has received 1,680 passenger comment forms. Of those forms remaining on the bar closure, 668 wrote in favor of keeping the bars and 9 comments favored the closure. The number of passenger comment forms received is slightly skewed because several ships sent in multiple unsigned forms, all in the same handwriting. Many respondents were more concerned with the potential lack of an area to smoke or to escape children than with the absence of alcohol. Letters and calls have run approximately 40% for closing, and 60% for staying open.

Shore Support

The perception that shore support has grown and vessel positions have been deleted and/or impacted by seasonal layoffs is not supported with historical numbers. The perception persists due to a number of reorganizations and a shift in where employees were budgeted, i.e., Department of Transportation & Public Facilities and, over the last few years, AMHS, that have distorted the real picture.

Submitted by Andrea Barkley 2/18/97  
 Letter from AMHS Director Gary Hayden to Sen. Robin Taylor dated Nov 24, 1996  
 Senate Transportation Committee  
 (5)

# Alaska State Legislature

Please enter into the record my testimony to the SENATE TRANSPORTATION COMMITTEE  
(committee name)  
committee on SB-21, dated 2/  
bill/subject

I neglected to mention that I'm also representing  
the Ketchikan Chamber of Commerce Transportation  
Committee regarding AMHS matters

Robin — please ask Joe to keep me  
appraised and up dated.

I'll request the Chamber to pass a resolution  
in support of SB 21 soonest!

Signed:

BOB PICKRELL

Phone: (907) 247-2490

Testifier:  
KETCHIKAN CHAMBER OF COMMERCE TRANSPORTATION COMMITTEE

Representing (Optional)  
8339 SUNG HARBOR LAKE, KETCHIKAN, AK 99801

Address

Fax transmitted from Ketchikan Legislative Information Office  
Phone: 225-9675 Fax: 225-8546

(8)



From: Leif Jenkinson, Patrolman  
I.B.U.-P. Ketchikan  
P.O. Box 6300  
Ketchikan, AK 99901

18 Feb. 1997

To: Senate Task Force, SB #21

Dear Task Force:

The Inlandboatmen's Union of the Pacific, while representing over 80% of the Fleet workers, has remained neutral on the subject of Senator Taylor's bill. We would, however, like to point out several factors for your consideration.

First, the present problems within A.M.H.S. are so long standing and so severe, that we believe it will take extraordinary efforts to solve them. We do not see that happening from within the present organization. Considering the years unsuccessfully spent trying to change the administrative structure of the A.M.H.S., and the resistance of the present Director and Commissioner to meaningful change, it is time to do something drastic.

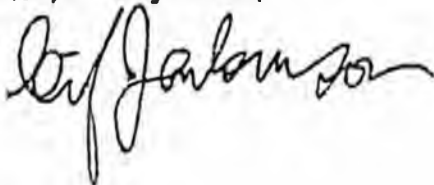
Second, We believe that the Administration is wrong when they claim that creating a Marine Authority will create another layer of bureaucracy. A.M.H.S. is already a top-heavy bureaucracy. It is judged possible, but by no means certain, that an Authority might actually reduce the bureaucracy.

Third, Mr. Perkins has stated to the Operating Fleet that it would be counterproductive to have the A.M.H.S. "competing" for dollars with the other statewide transportation needs. Currently, A.M.H.S. can't compete because those who make the ultimate decisions are all road and airport engineers and builders. It is felt by some that an Authority might have a chance to level the playing field for Marine Transportation. There are good people working in A.M.H.S.'s J.C.O., but they are not apparently making the decisions.

We believe that the present A.M.H.S. fleet could be running at or beyond capacity nearly full year, bringing in a much higher percentage of its operating costs and providing much more satisfactory service, encouraging expansion of the fleet and of the economies not only of SE and SW Alaska, but of Central Alaska. Whether an Authority would accomplish this is yet to be seen. We merely note here that we believe something drastic must be done if we are to preserve the infrastructure and the economies of SE, SW, and even Central Alaska.

While I have not gone into great detail, or presented examples, I understand that the Task Force has an entire File Cabinet full. Let me assure you, that is only the beginning.

Respectfully Yours,



(10)

PAGE 1

# Alaska State Legislature

Please enter into the record my testimony to the \_\_\_\_\_  
committee on Uncontrolled liquor & Smoking (committee name), dated 2-18-97  
bill/subject

MY NAME IS MARY E CANNON, I AM  
THE HEAD ROOM STEWARD ABOARD MV/MALASANA  
"B" CREW. I HAVE WORKED THIS JOB ABOARD SEVERAL  
SHIPS DURING THE PAST 5 YEAR. MY DUTIES  
INCLUDE THE CARE & CLEANING OF STATEROOMS ABOARD  
SHIP. NO MATTER HOW MUCH CLEANING IS DONE TO  
THE ROOMS ABOARD SHIP, THE LACK OF REPAIR TO THESE ROOMS MAKES  
THEM LOOK LIKE A LOW CLASS #25 A NIGHT LIKE THE MOTOR ROOM.  
I PATCH WALLPAPER, PAINT, SHAMPOO CARPETS & TRY AS MUCH AS I  
CAN MANY TIMES OUT OF MY OWN POCKET BECAUSE I HAVE A HARD  
TIME GETTING PASSENGERS CHARGED PREMIUM RATES FOR THOSE ROOMS.  
SINCE THE BARR CLASURE WE HAVE HAD MORE DAMAGE TO THE  
ROOMS & TIME TAKEN TO CLEAN THEM DUE TO THE HIGHER LEVEL OF  
ALCOHOL BROUGHT ON BOARD BY PASSENGERS. IE 4 MEN GOT ON IN HAIRUS  
WITH 6 CS OF BEER & WHEN WE DOCKED IN KTN. THEY BOUGHT 4 MORE CASES TO  
GET THEM TO TUREN TO ELLINGHAM. WE NOW HAVE NO LIQUOR CONTROL

Signed: Mary E Cannon Phone: 225-6769  
Testifier: [Signature]

Representing (Optional)  
Box 80024 KTN., AK 99901  
Address

Fax transmitted from Ketchikan Legislative Information Office  
Phone: 225-9675 Fax: 225-8546

Continued on Next  
Page

(13)

# Alaska State Legislature

Page 2

Please enter into the record my testimony to the \_\_\_\_\_  
(committee name)  
committee on \_\_\_\_\_, dated \_\_\_\_\_  
bill/subject:

The lack of liquor control has brought on more cases of domestic violence & fights between passengers than ever before.

The bar closures also has presented one other problem. Our smoking passengers do not have a safe place to smoke, especially in the winter. How much money will you be saving when a smoker sues the state because he fell outside on the docks outside because the docks are frozen the ships are rocking and he couldn't smoke inside out of the cold.

I'm not a smoker myself however I feel that we need to provide safe areas for those we serve. We lost the German tour groups due to the bar closure and the lack of smoking <sup>AREAS</sup>. Thank you for listening

Signed:

*Mary C.*  
Testifier:

Phone: \_\_\_\_\_

Representing (Optional)

Address

Fax transmitted from Ketchikan Legislative Information Office  
Phone: 225-9675 Fax: 225-8546

14

POM

State Senator # Senate Transportation Committee  
 to: Robin Taylor

Thanks for the teleconference. I was told I wouldn't be able to speak & so didn't have any notes. ~~and~~ I forgot something important. I'm sending a copy of Summer Ferry Schedule, please note, after our input last fall the summer schedule still has the Malaspina bypassing Wrangell Southbound. This is not right or necessary. There is time in the Malaspina schedule with the Prince Rupert turnaround for the stop in Wrangell. The terminals can post a revised schedule showing the Malaspina stopping at Wrangell on appropriate days. Also, that Taku bypass of Petersburg was a bad thing and they could have had the Taku stop even (office) after you called them about it.

Stan Hoyt

PO - Box 1022  
 Petersburg

JULY 1997 SOUTHBOUND - INSIDE PASSAGE/SOUTHEAST ALASKA

LINE	DATE	TIME	FROM	TO	LINE	DATE	TIME	FROM	TO	LINE	DATE	TIME	FROM	TO	LINE	DATE	TIME	FROM	TO	LINE	DATE	TIME	FROM	TO	
M30	10:45A	M30	1:15P	M30	7:45P																				
T1	4:45A	T1	8:00A	T1	1:00A																				
W2	9:15A	W2	11:45A	W2	10:45P	TH3	3:00A	TH3	3:00A	TH3	1:00P														
T3	9:45P	T3	11:45P	T3	3:15A																				
TH3	4:00P	TH3	7:30P	TH3	2:30A																				
TH3	11:55P	TH3		TH3	5:00A																				
F4	3:15P	F4	5:30P	F4	11:00P																				
F4	3:15P	F4	5:30P	F4	3:45P	F4	8:00P	F4	11:55P	SS	3:15A	SS	8:00A	SS	8:15A										
SS	7:30P	SS	10:00P	SS	3:30A																				
SU6	7:00P	SU6		SU6	4:00A																				
M7	11:00A	M7	1:30P	M7	7:00P																				
M7	11:00A	M7	1:30P	M7	11:00P	M7	3:15A	M7	7:10A	M7	10:30A	M7	7:30P												
T8	3:15A	T8	6:15A	T8	12:15P																				
T8	3:15A	T8	6:15A	T8	12:15P																				
W9	1:45P	W9	4:15P	W9	1:00A	TH10	7:15A	TH10	12:15P	TH10	5:15P														
T8	11:15P	W9	6:15A	W9	7:00A																				
TH10	11:15A	TH10	2:45P	TH10	11:15P																				
F11	12:45A	F11	5:45A	F11	5:45A																				
F11	6:30P	F11	9:30P	F11	4:00A																				
S12	6:15P	S12	8:45P	S12	2:45A																				
S12	6:15P	S12	8:45P	S12	2:45A																				
SU13	8:30P	SU13		SU13	1:30A																				
M14	12:30P	M14	3:00P	M14	8:30P																				
W16	7:45A	W16	10:15A	W16	9:30P	TH17	1:45A	TH17	6:45A	TH17	11:45A														
T15	3:15A	T15	6:45A	T15	1:30P																				
T15	10:45P	W16	12:45A	W16	4:15A																				
TH17	1:00P	TH17	4:30P	TH17	1:00A																				
F18	4:30A	F18	7:30A	F18	9:30A																				
F18	8:30P	F18	10:30P	F18	4:00A																				
S19	3:45P	S19	8:15P	S19	2:30P																				
S19	3:45P	S19	8:15P	S19	2:30P																				
SU20	8:30P	SU20		SU20	1:45A																				
M21	12:30P	M21	3:00P	M21	1:30A																				
M21	12:30P	M21	3:00P	M21	1:30A																				
T22	2:45A	T22	6:15A	T22	1:15P																				
T22	2:45A	T22	6:15A	T22	1:15P																				
W23	1:00P	W23	3:30P	W23	2:45A	TH24	7:00A	TH24	11:55A	TH24	5:00P														
T22	10:15P	W23	12:45A	W23	4:30A																				
TH24	12:45P	TH24	4:15P	TH24	11:15P																				
TH24	11:00P	TH24		TH24	4:00A																				
F25	2:15P	F25	4:15P	F25	9:45P																				
F25	2:15P	F25	4:15P	F25	9:45P																				
S26	6:15P	S26	8:45P	S26	2:00A																				
S26	6:15P	S26	8:45P	S26	2:00A																				
SU27	7:30P	SU27		SU27	10:15A																				
M28	11:00A	M28	1:30P	M28	7:00P																				
T29	2:15A	T29	6:45A	T29	1:45P																				
T29	2:15A	T29	6:45A	T29	1:45P																				
W30	7:30A	W30	10:00A	W30	9:30P	TH31	1:45A	TH31	6:45A	TH31	11:45A														
T29	8:15P	W30	11:45P	W30	5:15A																				
TH31	1:15P	TH31	4:45P	TH31	1:15A																				
TH31	11:15P	TH31		TH31	6:15A																				

SEE M/V AURORA SCHEDULE BELOW

SEE M/V AURORA SCHEDULE BELOW

SEE M/V AURORA SCHEDULE BELOW

M/V AURORA SOUTHERN PANHANDLE SUMMER 1997 EFFECTIVE JUNE 1 - SEPTEMBER 10

DAY	FROM	TO	TIME	DAY	FROM	TO	TIME	DAY	FROM	TO	TIME
	Ar Metlakatla	Lv Metlakatla	7:30AM		Lv Ketchikan	Ar Hollis	8:15AM		Lv Ketchikan	Ar Hollis	6:15AM
	Lv Metlakatla	Ar Ketchikan	8:15AM		Ar Hollis	Lv Ketchikan	9:00AM		Ar Hollis	Lv Ketchikan	6:00AM
SAT	Ar Ketchikan	Lv Ketchikan	10:30AM	SAT	Lv Ketchikan	Ar Ketchikan	10:00AM	SUN	Lv Ketchikan	Ar Ketchikan	12:45AM
	Ar Ketchikan	Lv Ketchikan	1:15PM		Ar Ketchikan	Lv Ketchikan	12:45PM		Ar Ketchikan	Lv Ketchikan	1:45PM
	Lv Ketchikan	Ar Ketchikan	2:15PM		Lv Ketchikan	Ar Ketchikan	1:45PM		Lv Ketchikan	Ar Ketchikan	1:00PM
	Ar Ketchikan	Lv Ketchikan	5:00PM		Ar Ketchikan	Lv Ketchikan	4:30PM		Ar Ketchikan	Lv Ketchikan	3:45PM
	Lv Ketchikan	Ar Ketchikan	6:45PM		Lv Ketchikan	Ar Ketchikan	6:00PM		Lv Ketchikan	Ar Ketchikan	2:30AM
	Ar Metlakatla	Lv Metlakatla	8:45PM		Ar Ketchikan	Lv Ketchikan	6:45PM		Ar Ketchikan	Lv Ketchikan	5:15AM
	Ar Metlakatla	Lv Metlakatla	8:45PM		Lv Ketchikan	Ar Ketchikan	9:30PM		Lv Ketchikan	Ar Ketchikan	
	Ar Ketchikan	Lv Ketchikan	10:00PM		Ar Metlakatla	Lv Metlakatla	10:45PM		Ar Metlakatla	Lv Metlakatla	
	Lv Ketchikan	Ar Ketchikan	11:00PM		Lv Metlakatla	Ar Metlakatla	11:30PM		Lv Metlakatla	Ar Metlakatla	
SUN	Ar Ketchikan	Lv Ketchikan	1:45AM	SUN	Ar Ketchikan	Lv Ketchikan	12:45AM	MON	Ar Ketchikan	Lv Ketchikan	1:30AM
									Ar Ketchikan	Lv Ketchikan	4:15AM

\* STEWART/HYDER TRIPS  
TUESDAY - JUL 1, 15, 29





**S B**

**2 2**

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

130 Seward Street, Suite 409  
Juneau, Alaska 99801-2105

## MEMORANDUM

January 20, 1997

**SUBJECT:** Sectional Summary of SB 22: An Act relating to qualifications for appointment to the Board of Game. (SB 22)

**TO:** Senator Lyda Green

**FROM:** George Utermohle  
Legislative Counsel

RECEIVED  
JAN 20 1997  
Ans'd.....

You have requested a sectional summary

As a preliminary matter, note that a sectional summary of a bill is not an authoritative interpretation of the bill. The bill itself is the best statement of its contents.

Section 1 of the bill amends AS 16.05.221(b) to provide that persons appointed to the Board of Game must have held a resident hunting license, trapping license, or permanent identification card during each of the five years preceding the person's appointment to the board. A resident who is exempt from the requirement for a hunting license or trapping license under AS 16.05.400(b), because the person is older than 60 years of age, may continue to hunt and trap if the person has obtained a permanent identification card from the commissioner of fish and game.

Section 2 of the bill provides that the requirement for a resident hunting license, trapping license, or identification card applies to persons appointed to the Board of Game after the effective date of this Act.

GU:lmb  
97-009.lmb

RECEIVED  
JAN 20 1987  
Ans'd.....

## SPONSOR STATEMENT

### **SB 22 - Board of Game Qualifications Senator Bert Sharp**

This Bill amends the required qualifications for persons that may be appointed as a member of the Board of Game by adding the requirement that the applicant 'must have held an Alaska hunting or trapping license or a permanent ID card (over 60) during each of the five years immediately preceding the appointment to the board.

This added requirement would provide improved assurance of interest fostered by past involvement in legal utilization of the game resource and understanding of the dynamics of arctic game resource management.

Several states have this "licensed" qualification required for appointment to their state wildlife boards.

Many believe this will markedly improve the dedication and commitment of future game board members and encourages stronger actions to improve the policies affecting users of the resource.

Thank you.

\*\*\*see suggested amendment--delete <a resident> on line 11, page 1 and replace with 'an Alaskan'.

**THE FOLLOWING PAGES MAY  
NOT FILM LEGIBLY BECAUSE OF  
THE POOR QUALITY OF THE ORIGINAL**



# Alaska State Legislature

Please enter into the record my testimony to the Committee on Finance  
committee name

committee on SIB # 22, dated 1/23/97  
bill/subject

*the is a good one - test  
true!*

*Thanks  
William*

RECEIVED  
JAN 24 1997  
ANS 0.....

Signed: \_\_\_\_\_

Testifier

William Folsom

-Representing (Optional)

P.O. Box 2408

Address

Palmer AK 99645

Phone No.

**SB**

**25**

Municipality  
of  
Anchorage



P.O. Box 196650  
Anchorage, Alaska 99519-6650  
Telephone: (907) 343-4431  
Fax: (907) 343-4499

*Rick Mystrom, Mayor*

OFFICE OF THE MAYOR

April 25, 1997

RECEIVED

APR 25 1997

ANSW.....

Senator Lyda Green  
State Capitol, Room 125  
Juneau, Alaska 99801-1182

Re: Senate Bill 25

Dear Senator Green:

I urge your support of Senate Bill 25 providing for a statewide automated victim notification system. The victims of violent crime and sex offenses deserve a criminal justice system responsive to their needs and concerns; passage of the VINE legislation will provide this.

When the legislature passed the Domestic Violence Act of 1996, it imposed a burden on prosecutors to "make reasonable efforts to immediately notify the alleged victim of the release [of the defendant] and to furnish the alleged victim with a copy of the order setting any conditions of release." This task can only be reasonably accomplished through implementation of an automated victim notification system.

The VINE system has proven effective in 12 states. The State of Alaska should be on the cutting edge of increasing responsiveness to victim concerns. We should not lag behind in this area.

As chair of the Senate Committee of State Affairs, your support would be instrumental in achieving the passage of this bill. Your support will be greatly appreciated.

Sincerely,

Rick Mystrom  
Mayor of Anchorage

# ALASKA STATE LEGISLATURE

Senate Health, Education and  
Social Services Committee

Senate Judiciary Committee

Department of Health and Social  
Services Budget Subcommittee

Department of Law  
Budget Subcommittee



*While in Session:*  
State Capitol, Rm. 9  
Juneau, Alaska 99801  
(907) 465-3704  
fax: (907) 465-2529

*While in Anchorage:*  
716 West 4th Ave., Ste. 440  
Anchorage, Alaska 99501  
(907) 258-8182  
fax: (907) 258-5571

## SENATOR JOHNNY ELLIS

### Sponsor Statement for Senate Bill 25

**An Act relating to authorizing the Department of Corrections to provide an automated victim notification and prisoner information system.**

Proper and timely notification to victims about the release or escape of their attackers is a serious problem, both nationally and in Alaska. In November 1996, Alaska's prisons and pre-trial facilities housed 2,990 inmates, 49% of whom are considered violent. Each day, over 600 concerned Alaskans call our state institutions seeking information on inmates.

In order to keep crime victims informed of inmate activity, a state-of-the-art computer system called Victim Information and Notification Everyday (V.I.N.E.) was developed. V.I.N.E. provides two important services which enhance the vital link of communication between the justice system and victims of crime.

First, the system provides automatic notification calls to crime victims when an inmate's status changes. If an inmate is released, transferred, posts bail or escapes, V.I.N.E. places automated telephone calls to all registered victims within 10 minutes of a change in the offender's status. V.I.N.E. continues to call the victims for 24 hours or until a successful notification is verified by the victim.

Second, V.I.N.E. provides critical inmate information 24 hours a day, 7 days a week through the automated telephone system. V.I.N.E. allows for a confidential exchange of information. Victims may access information on a prisoner through the use of a personal identification number, and they may easily enter new contact numbers.

In February 1996, the State of Kentucky became the first state to implement V.I.N.E. statewide. During the first 90 days of operation, over 20,000 phone calls were processed. Over 600 victims were notified by phone of impending inmate releases. Three months later, over 3,500 successful notifications had been made, with an average of 7 new registrations per day. Currently, the V.I.N.E. Company has contracts with over 150 counties in over 12 states including New Jersey, Texas, California, Michigan, Georgia and Florida.

Implementing V.I.N.E. will increase state compliance with the Victims' Bill of Rights, overwhelmingly passed by the people of Alaska in 1994. The V.I.N.E. computer system will enhance the Department of Corrections relationship with the families and victims of violent crimes.

I urge your support and prompt passage.



## **VINE™ System Facts**

**VINE™ is a fully automated service that alerts victims upon the release of an inmate and provides vital custody status information via the telephone.**

### **How VINE™ works**

A centralized computer system located in Louisville, Kentucky constantly monitors inmate activity at each jail or prison site.

When an inmate has a change in status, VINE™ reacts immediately to contact all registered victims. Telephone calls continue for 24 hours or until a successful notification is verified.

### **How Victims Register**

Victims register with VINE™ by calling a local access telephone number and following the prompts given by the computer. Some communities may opt to have victims automatically registered by the arresting agency involved with the case.

A personal identification number (PIN) for each victim is requested by VINE™.

The PIN number, entered by a victim after a notification, confirms a successful contact.

### **Benefits of Implementing VINE™ for a Victim**

Registered persons are automatically called by VINE™ within ten minutes of an inmate transfer or release.

Vital inmate information is continuously available through the VINE™ information hotline.

VINE™ allows for confidential information exchange. Victims do not have to reveal their identity when registering or accessing inmate status.

Victims can register alternate telephone numbers with VINE™ and can easily enter a new telephone number if there is a change of address.

### **For Prosecutors and Jail Administrators**

VINE™ has letter generating capabilities and is available in multiple languages.

The centralized call center is monitored 24 hours a day, 7 days a week. Notification is efficient and reliable.

All telephone calls and letters are documented.

A complete audit trail of VINE™ activity is readily available.

**A VINE™ program can be customized to meet the needs of each community.**



## VINE™ System Features

VINE™ is a ground breaking system for Victim Assistance and Notification Programs around the country. It's current design includes features such as:

- **Full integration** with the existing Jail or Prison Information System. This means no additional workload for data input personnel.
- **Automated Dial in Query of Inmate Status.** The system will support an incoming line which allows a victim to query the status of an inmate.
- **Automated Registration of Victims** via any telephone using a combination of advanced Voice Recognition technology. This method is far superior to those requiring alphanumeric data to be typed into the telephone handset.
- **Letter Generation** for notifying victims of upcoming parole board hearings and other emergency situations.
- **Advanced Voice Recognition Technology.** This feature increases the usability of the system by allowing access to *30% of the population which do not have a touch tone telephone.* All users will find this registration approach much simpler and quicker.
- **Automated Notification** to two different phone numbers per victim. This function will provide an automated voice message once contact is made.
- **Message Confirmation** ensures that the message was delivered to the proper person.
- **Complete Audit Reports** which display daily activity on a per day or per case basis. These audit reports will be quickly recalled to a printer or CRT to review the systems performance.
- **Foreign Language Capabilities** available upon request.



## General VINE™ Information

Interactive Systems was formed in 1992 to develop automated systems utilizing computer technology and telephone equipment.

In January of 1994 Interactive Systems cooperated with Jefferson County officials to study automated technology and victim notification.

In January of 1995 due to the success of the VINE™ program, Interactive Systems reformatted to focus exclusively on the VINE™ system and automated notification. A dba (doing business as), The VINE™ Company, was selected as the new name.

VINE™ program cost includes a low start-up fee and a monthly service component. Several funding options, including state and federal grants, are available.

Cost is based on inmate population, notification needs and optional parameters. Each program is unique and developed specifically for each community.

All inmate information accessed through VINE™ is public information. VINE™ differs from other notification programs by providing an automated, rather than manual, method of victim notification.

Currently, the VINE™ Company has contracts with over 150 counties in over 12 states including Kentucky, New Jersey, Texas, California, Michigan, Georgia and Florida.

The VINE™ system received national recognition as the only automated program for victim information and notification.



## Bethel Police Department

RECEIVED  
FEB 20 1997  
ANS'D

P.O. Box 500 : Bethel, Alaska 99559  
543-3785

February 7, 1997

Senator Lyda Green, Chair  
State Affairs Committee  
Room 125  
State Capitol  
Juneau, AK. 99801-1182

RE: Victim Information and Notification Everyday (VINE)  
Senate Bill Nos: 25

Dear Senator Green,

The Bethel Police Department is very much in support of the VINE legislation.

We feel it is critical that the rights' of the victims of violent crime are defended. It is paramount to the well-being of every victim that they be notified of and have access to obtain information regarding the activities of the violent offender.

Most sincerely,

Gary K. Eilers  
Chief of Police

cc: Senator Johnny Ellis  
Room 9  
State Capitol  
Juneau, AK. 99801-1182



# WOMEN IN CRISIS

*Counseling and Assistance*

717 Ninth Avenue • Fairbanks, Alaska 99701  
(907) 452-2293 • Fax: 452-2613 • 1-800-478-7273

RECEIVED  
FEB 17 1997  
Ans'd.....

February 12, 1997

Senator Lyda Green, Chair  
State Affairs Committee  
State Capitol, Room 125  
Juneau, AK 99801-1182

Dear Senator Green:

**SB25**

I am writing in support of SB 25, "An Act relating to authorizing the Department of Corrections to provide an automated victim notification and prisoner information system" and SB 26, providing funding.

**SB26**

Passage of and funding for SB 25 will allow for greater safety for victims of violent crimes. It would save victims from physical harm and save lives. It stands to reason that the sooner this bill becomes law, the sooner can this protection be provided. Therefore, I urge you to facilitate both bills' passage this session.

Thank you for your consideration.

Sincerely,

Sandy Samaniego  
Executive Director

cc: Senator Johnny Ellis

**Pamela Lutgen-Sandvik**  
**PO Box 878464**  
**Wasilla, AK 99687-8464**



RECEIVED  
FEB 10 1997  
Ans'd.....

February 4, 1997

Senator Lyda Green  
Chair, State Affairs Committee  
Room 125  
State Capitol  
Juneau, AK 99801-1182

Dear Senator Green:

I recently read SB 25 and SB 26 regarding an automated system that notifies victims when their perpetrators have been released, transferred to another facility or have posted bail. Through the system, victims can also call to check on the status of an inmate anytime through an anonymous process that protects their safety. I fully endorse this legislation and encourage you to consider affirmative action on this bill.

The VINE system is highly cost-effective since it is entirely computerized. Aside from the initial set-up and data entry, the system is extremely low-maintenance. Creating this system of victim notification will increase greatly the safety of those victimized by violent offenders and reduce significantly the opportunity for re-offense to victimized families.

We have suffered some major tragedies in the past year. While the VINE system will not ameliorate all violent deaths, it has the potential to prevent many and make the Mat-Su Borough a safer place for all of us to live.

Sincerely,

  
Pamela L. Sandvik

CC: Senator Johnny Ellis



# advocates for victims of violence

RECEIVED

MAR 13 1997

Ass'd.....

P.O. Box 524 • Valdez, Alaska 99686

24 Hour Crisis Line (907) 835-2999 • Office (907) 835-2980 • FAX (907) 835-2981

March 1, 1997

Senator Lyda Green, Chair  
State Affairs Committee  
Room 125, State Capitol  
Juneau, AK 99801-1182

Dear Senator Green:

I am writing in support of Senate Bill 25 and Senate Bill 26. These bills would authorize the Department of Corrections to provide an automated victim notification and prisoner information system in the State of Alaska. This system is commonly referred to as "VINE." Victims of violence deserve prompt and accurate information regarding the status of the perpetrator, including release, transfer, posting bail, or escape. In many cases, this information may be a matter of life and death, especially in the cases of victims of domestic and sexual violence.

I appreciate your attention to this matter. I urge you to consider co-sponsoring the bills, ensuring your support. Thank you.

Sincerely,

Tamara McCurry  
Evening Advocate

cc: Senator Johnny Ellis



March 5, 1997

Dear Senator Green,

RECEIVED

MAR 15 1997

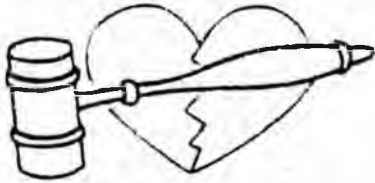
I strongly urge you to support SB 25 and 26. Alaskans who have been victimized should not also live in daily fear that the perpetrator will be released without their knowledge. An efficient and reliable method for victim notification that reduces the burden on corrections staff is in all of our best interests. The VINE system seems an excellent way to accomplish this essential public service. Thank-you in advance for moving these bills

Sincerely,

Patty Kantlin

4920 Anderson Road  
Fairbanks, AK 99709

## VICTIMS



**for Justice** 619 East Fifth Avenue • Anchorage, AK 99501  
(907) 278-0977 • Fax: (907) 258-0740

March 11, 1997

The Honorable Senator Lyda Green, Chair  
State Affairs Committee  
State Capitol, Room 125  
Juneau, AK 99801-1182

RECEIVED

Dear Senator Green:

I am writing to you to urge you to support the swift passage of Senate Bill 25 and Senate Bill 26: *An Act relating to authorizing the Department of Corrections to provide an automated victims notification and prisoner information system.*

Alaskan families and victims of violent crime deserve to be recognized and assisted by Alaska's Department of Corrections. In fact, in 1994, the people of Alaska overwhelmingly passed at the state level, the Victims' Bill of Rights. This Constitutional amendment makes *explicit* the *right* to be *informed, present and heard* at the same proceedings where the accused or convicted offenders have such rights. As you are aware, the Alaska Department of Corrections has statutory duties relating to crime victims, ranging from the notification of parole hearings; transfers to other facilities; an escape or release from custody to supervising restitution compliance. The Victim Information and Notification Everyday (VINE) computer system will enhance Alaska's Department of Corrections relationship with the families and victims of violent crimes and will significantly increase compliance with the intent of these laws.

Sincerely,

Janice Lienhart

Executive Director

cc: Senator Johnny Ellis

# Alaska Women's Lobby

P.O. Box 210685 Anchorage 99521  
211 Fourth Street Suite 108 Juneau 99801

phone: 907-586-1107  
fax: 907-586-1097

RECEIVED  
MAR 20 1997  
KPS d. ✓

## POSITION STATEMENT

### ~~SB25/SB26:~~ Automated Victim Notification/Prisoner Identification System

These bills authorize and fund an automated victim notification system called Victim Information and Notification Everyday (V.I.N.E.) This system automatically places calls to victims to notify them that their attacker has been released, transferred to another facility or posted bail. Victims may also anonymously call to check on the status of an inmate anytime.

We heartily support the goal of this legislation to provide an efficient and reliable method of notifying crime victims when the inmate has a change of status. Timely notification allows a victim to prepare for the perpetrator's release, which can sometimes involve taking lifesaving precautions. In addition, the burden placed on corrections and victim/witness staff, charged with responsibility for notifying the crime victim, is significantly reduced.

The Alaska Women's Lobby supports these bills and applauds this effort to make life a little safer for victims of crime. We urge prompt passage.

To all house and Senate members reference bill 25

Vine sounds like a skeem similar to the bounty hunters, photo radar to extract money from the taxpayer.

Who is Vine? Is it another Arizona company out to make a buck off Alaska. Is it really nessessary just because a couple of other states have it. Am sure the victims of a parisoner pretty well keep track of person. The 600 calls a day, as states by some polls are probably from friends, relatives or pardners in crime trying to figure out how to get them out. If a prisoner is so dangerous why ishe being released? Is it really going to do any good to let the victim know? It seems to me like a 1 minute phone call from the facility of release would be adequate. I think every prisoner should have a sponsor even tho they have a parole officer. If they are habituals who are dangerous then they should be put to death or kept in. We need the death penalty back by leathal injuction.

The Alaska death penalty when in force was by hanging but not many people remember when they built the hanging scaffold inSeward for the Showalter murder back in the 50's and before the execution, the federal government outlawed capital punishment.

If it's true Arizona cost  $\frac{1}{2}$  as much, ship all the long termers out and let them do the executions if nessessary.

We also need a 3 times and out law, no not in jail time but out of the state forever, that will cure a lot of them. We need a lot of simple things like give the cops back their guns to use.

There is no reason why we can't get rid of  $\frac{1}{2}$  our crime and drugs in 3 months if we had people with guts to push for the right kind of laws.

One last comment, 90% of the State and City workers are making too much, \$20,000 is starting wage for most police officers down south, \$80,000 plus \$10,000 benefits is just too damn much in Anchorage. Construction unions have no business in government.

Inflated wages go back to pipeline days, when the unions said " Give us a \$5.00 an hour raise" and the city fathers said " Why not we got too much money anyway." Now they do not have the backbone to move wages back where they should be and the same thing goes for the state and then it trickled into the private sector.

Bert Shaw  
332 Shaw circle  
anchorage, Alaska 99508  
(907)337-3807

*what I am trying to say is tremendous wage increases of the 80s have never been adjusted down to the real world level.*



# Municipality of Anchorage



P.O. Box 196650  
Anchorage, Alaska 99519-6650  
Telephone: (907) 343-4250

*Rick Mystrom, Mayor*

RECEIVED  
MAR 19 1997

DEPARTMENT OF LAW  
Office of the Prosecutor  
430 L Street, Suite 100

March 19, 1997

Ans d.....

RECEIVED  
MAR 19 1997  
Ans d.....

Senator Lyda Green  
State Capitol, Room 125  
Juneau, Alaska 99801-1182

Dear Senator Lyda Green;

I am writing on behalf of the Municipal Prosecutors Office, the Municipality of Anchorage and its people, and all the victims of domestic violence. I urge your support for the passage of Senate Bill 25 and the attendant appropriations bill.

Since the passage of the Domestic Violence Protection/Victim Protection act of 1996, particularly the amendments to AS 12.30.027, Prosecutor and District Attorney offices around the state have been charged with a responsibility we simply cannot meet this in any meaningful manner.

AS 12.30.027(d)(1) provides:

When a person is released from custody under (a) of this section (bail), from a correctional facility, the correctional facility shall notify the prosecuting authority and the prosecuting authority shall make reasonable efforts to immediately notify the alleged victim of the release, and to furnish the alleged victim with a copy of the order setting any conditions of release.

As things stand now, there simply are no reasonable efforts we can make to immediately notify the victim if a defendant makes bail at 2:00 or 3:00 in the morning, which is when most of these arrests are made.

VINE

An automated and statewide victim notification system is the only meaningful method of complying with AS 12.30.027. If we are to protect the victim's of domestic violence and remain at the forefront of domestic violence prosecution, this system must be implemented.

Sincerely,

John Marston Richard  
Chief Municipal Prosecutor

cc: Senator Johnny Ellis

ANCHORAGE PROSECUTOR'S OFFICE  
420 L STREET, SUITE 100  
ANCHORAGE, AK 99501

FAX TRANSMISSION

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DATE: March 20, 1997

TO: Senator Lyda Dawson

SENDER: John W. Dickinson, Municipal Prosecutor

FAX NO.: 1-907-465-3885

No. of pages being sent: 2 (includes cover sheet)

MESSAGE: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If you have trouble receiving this transmission, please call

John at 343-4250.





February 5, 1997

Senator Lyda Green, Chair  
State Affairs Committee  
Room 125  
State Capitol  
Juneau, AK 99801-1188

Dear Senator Green:

On behalf of the staff at Tongass Community Counseling Center I am requesting that you support Senate Bill 25 and Senate Bill 26 to fund an automated victim notification system called Victim Information and Notification Everyday (VINE) within the Department of Corrections. Tongass Community Counseling Center works with the perpetrators of domestic violence and sexual assault. Our primary focus in this line of work is victim safety and perpetrator accountability. We endorse VINE because it empowers the victim. It gives victims access to information when they choose rather than relying on someone in the criminal justice to remember to notify them. I encourage you to pass this bill to provide a better service to the victims of domestic violence and sexual assault.

Thank you for your consideration in this issue.

Sincerely,

A handwritten signature in cursive script that reads "B. Crawford".

Bridget Crawford  
Executive Director

cc: Senator Johnny Ellis

STATE OFFICE  
**ALASKA PEACE OFFICERS ASSOCIATION**

P.O. Box 240106 Anchorage, Alaska 99524-0106 Phone (907) 277-0515 Fax (907) 272-5355



January 17, 1997

**Business Manager**

Joseph E. Young  
Anchorage

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Pres. First City Chapter

James See, Member  
Craig  
Pres. Prince of Wales Chapter

Senator Johnny Ellis  
Alaska State Legislature  
State Capitol (MS 3100)  
Juneau, Alaska 99801-1182

Dear Senator Ellis,

On behalf of the Alaska Peace Officers Association, I would like to thank you for introducing Senate Bills 25 and 26 relating to authorizing the Department of Corrections to provide an automated victim notification and prisoner information system and appropriations for the same. At a recent meeting of the APOA State Board, we decided to unanimously support this legislation. We believe that the better the communications are between Corrections, departments, municipalities and victims, the better the prevention of prisoner-related problems.

We encourage you to call on us when there are hearings on these bills, so that we may testify about the need for this legislation. If you need assistance as you shepherd these bills through the legislative process, please call me at 451-5316, or our business manager, Joseph Young at 277-0515.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael Corkill".

Michael Corkill  
APOA State President

Municipality  
of  
Anchorage



P.O. Box 196650  
Anchorage, Alaska 99519-6650  
Telephone: (907) 343-4250

*Rick Mystrom, Mayor*

DEPARTMENT OF LAW  
Office of the Prosecutor  
420 L Street, Suite 100

March 19, 1997

Senator Lyda Green  
State Capitol, Room 125  
Juneau, Alaska 99801-1182

Dear Senator Lyda Green;

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An automated and statewide victim notification system is the only meaningful method of complying with AS 12.30.027. If we are to protect the victim's of domestic violence and remain at the forefront of domestic violence prosecution, this system must be implemented.

Sincerely,

  
John Marston Richard  
Chief Municipal Prosecutor

cc: Senator Johnny Ellis

# Victims for Justice

March 1997

Page 8

Victims for Justice

## "Safe Neighborhood" Crime Initiatives

By Pearlene Hernandez-Villa  
UAA Social Work Practicum Student  
doing her internship with VFJ

### BILL TRACKING STATUS

As of March 12, 1997

#### HB 5

"An Act relating to prosecution of minors for criminal violations; and amending Rule 3(a), Alaska Rules of Criminal Procedure."

Sponsor(s): REPRESENTATIVE(S)  
KELLY, Ogan

Current Status: (House) Judiciary Status  
Date: 1/13/97 then Finance.

As of January 1997, House Bill 5 has not had its first committee hearing. HB 5 is not expected to move during this session. Sponsors are putting their focus on HB 6 AND HB 16 in the juvenile crime area. Both HB 6 and HB 16 opens up confidentiality of juvenile crime offenders, a key component for victims of crime.

#### HB 6

"An Act amending laws relating to the disclosure of information relating to certain minors."

Sponsor(s): REPRESENTATIVE(S)  
KELLY, Theriault, Vezey, Ogan, Dyson,  
Phillips, Ryan

Current Status: (House) Finance Status  
Date: 2/21/97

As of February 21, 1997, House Finance has heard House Bill 6 three times. HB 6 will be heard by House for the fourth time on March 20, 1997. HB 6 has been in Health Education and Social Service (HES) and Judiciary committee and passed out of committee.

#### HB 7

CSHB 7 Judiciary

"An Act authorizing establishment of community dispute resolution centers to foster the resolution of disputes between juvenile offenders and their victims, and providing immunity from civil suits for youth courts and for members of the boards of directors, employees, volunteers, and members of youth courts."

Sponsor(s): REPRESENTATIVE(S)  
PORTER, Green, Croft, Rokeberg, James,  
Kubina, Bunde, Kempfen, Berkowitz, Ogan  
SENATOR(S) Wilken

Current Status: (Senate) Judiciary Status  
Date: 2/17/97 then Finance

House Bill 7 is in Senate Judiciary, it has

passed out of the House and is in Senate Judiciary Committee at this time.

House votes:

YEAS: 34 NAYS: 0 EXCUSED: 6 ABSENT: 0

#### HB 9

CSHB 9 (Finance) AM

"Victims Right to be Present at Trial."

"An Act relating to the rights of crime victims and victims of juvenile offenses; relating to the collection by victims of restitution from prisoners; relating to the definition of incapacitated for sexual offenses; creating the crime of interfering with a report of a crime involving domestic violence; relating to mental examinations of victims in criminal prosecutions; relating to the safety of victims, other persons, and the community in setting bail or conditions of release; relating to access to certain records of the Violent Crimes Compensation Board; amending Rule 6, Alaska Rules of Criminal Procedure, Rules 404 and 615, Alaska Rules of Evidence, and Rule 3, Alaska Delinquency Rules; and providing for an effective date."

Sponsor(s): REPRESENTATIVE(S)  
PORTER, Green, Croft, Kubina, Kempfen

Current Status: (S) Judiciary Status  
Date: 3/10/97 then Finance.

House Bill 9 has passed out of House and is in Senate Judiciary since March 10, 1997.

House votes

Passed on reconsideration YES 31 NAYS 6  
EXCUSED 2 ABSENT 1

**URGENT UPDATE - We have just received word Senator Robin Taylor is holding up HB 9. PLEASE CALL the legislative office at 258-8111 and send a public opinion message to Senator Taylor urging him to support HB 9. Crime victims' constitutional rights are in jeopardy!**

#### HCR 4

Relating to records generated and maintained by the Department of Health and Social Services.

Sponsor(s): REPRESENTATIVE(S) KELLY,  
Phillips, Dyson, Ryan, Barnes

Current Status: (House) Finance Status Date:  
2/21/97

House Concurrent Resolution 4 is in House Finance since February 21, 1997. House Finance is going to hear in committee on March

20, 1997.

#### SB 25 HB 47

"An Act relating to authorizing the Department of Corrections to provide an automated victim notification and prisoner information system."

VINE™, provides critical inmate information 24 hours a day, 7 days a week through the automated telephone system. VINE allows for a confidential exchange of information. Victims may access information on a prisoner through the use of a personal identification number, and they may easily enter new contact numbers.

Senate Bill 25 is still waiting to be heard in Senate State Affairs Committee since January 13, 1997, and it has not had a hearing committee as of yet.

House Bill 47 has been in House State Affairs since January 13, 1997, and it has not had a committee hearing as of yet.

SB 25 Sponsor(s): SENATOR ELLIS, Donley  
HB 47 Sponsor(s): REPRESENTATIVE  
KEMPLEN

#### SB 26 and HB 48

"An Act making a special appropriation for an automated victim notification system; and providing for an effective date."

The sum of \$250,000 shall be appropriated from the general fund to the Department of Corrections for an automated victim notification system for fiscal years 1997 and 1998.

Senate Bill 26 has been in Senate State Affairs since January 13, 1997. It has not had a committee hearing as of yet.

House Bill 48 has been in House State Affairs since January 13, 1997, and it has not had a committee hearing as of yet.

Sponsor(s): SENATOR ELLIS, Donley

Both SB 25 and HB 47 need victims who would be willing to testify or submit written testimony regarding their experience with not being notified when their attacker was released. If you are interested in testifying or providing written testimony please contact:

Senator Lyda Green, Senate State Affairs,  
State Capitol, Rm 105, Juneau, AK 99801-  
1182 (800)565-3743

Representative Jeannette James, House State  
Affairs, Rm 102, Juneau, AK 99801-1182.

would ultimately provide more jobs and income evenly across the board. By the way, I am a conservative Republican.

— Dennis Adamson  
Anchorage

### Cuts to Film Office costly

I own and operate one of Alaska's major stock photography agencies which represents 58 photographers. For the past seven years we have provided numerous award-winning photos for the state Film Office's advertising campaigns (five billboards, several location handbooks, direct mail pieces and many ads in movie trade magazines). The Film Office has been a great client over the years.

If the proposed budget cuts go through, it will have a lasting and negative effect on many small businesses and one of Alaska's largest industries — tourism. Last year it cost the state of Alaska \$261,000 to operate the Film Office and it generated an income of nearly \$3 million. Can we afford not to take advantage of this free advertising that promotes Alaska?

The Film Office has a proven record that it is a prime investment, generating income for Alaskans and also for the state of Alaska. With the proposed budget cuts, we lose and the state of Alaska loses.

— Ken Graham, owner  
Ken Graham Agency  
Anchorage

### Drug testing violates privacy

The willingness of people to permit themselves to be degraded through arbitrary employment drug testing is appalling. Indiscriminate drug testing violates people's privacy and requires them to prove their "innocence" even though there is no reason to believe that their job performance is being impaired by drug use or anything else. Admirably, the Anchorage police and firefighters have the self-respect to oppose such testing.

Drug testing is ostensibly done to promote job safety and performance. But drug tests do not measure job performance; they generally only test for metabolites, which are what is left over in the body after it uses up a drug. Except with respect to alcohol, drug tests generally don't even determine whether a

person presently has a particular drug in the body. A person could be under the influence of an intoxicating drug at the time of a drug test and yet have the test result be negative.

The only rational way to promote job performance and safety is through performance testing. Such tests are even used for astronauts in the space program. With them, an employer can determine whether an employee is functioning safely or impaired by sickness, fatigue, injury, emotional distress or intoxication.

Drug testing is too limited and unreliable to be used to promote job performance and public safety. The invasion of privacy involved such testing should be considered to be unacceptable. We should support all efforts to eliminate workplace drug testing and, if some kind of testing is desirable and necessary, replace it with performance tests!

— Alex Vasauskas  
Palmer

### Victims need notification

For the tens of thousands of victims of domestic violence in Alaska, there is no system in place to let them know when their perpetrator is released from jail. Often the first time a victim knows that their assailant has been released is when he shows up at their door.

Perpetrators who were jailed for beating their spouse may use their children as pawns in order to "get back" at the victim. If the perpetrator is the biological father of a victim's child, he may take the child from school, or day care without the other parent's knowledge, threatening to harm or kidnap the child.

If victims knew that their perpetrator was being released from jail, they could get a restraining order and notify their child's school or day care about the potentially dangerous situation.

Every week, our agency hears stories about how victims, who are supposed to be protected by the law, are betrayed by a system that lacks follow-through.

Sen. Johnny Ellis and Rep. Allen Kemplen have introduced a bill that could change all this. Senate Bill 25 and the companion bill, House Bill 47, would allow the Department of Corrections to set up a system to notify vic-

tims whenever a perpetrator's status changed. If an inmate is released, transferred, posts bail or escapes, registered victims would be notified through an automated system within minutes.

The system, called Victim Information and Notification Everyday, gives victims time to take life-saving steps. VINE is being used in Kentucky, New Jersey, Texas, California, Michigan, Georgia and Florida — helping victims and their children stay out of harm's way. Please call your legislator or write a letter in support for SB 25 and HB 47. The successful passage of this bill may mean the difference between life and death for victims of domestic violence and sexual assault.

— Angelica Rosales  
domestic violence supervising counselor  
Alaska Women's Resource Center

### HMOs ripping off Medicare

Medicare rip-off! I recently received a newspaper clipping from a Southern California newspaper concerning a merger of two HMOs. I am a little familiar with the FHP HMO since my foster mother was enrolled until a few weeks ago. The clipping is too long to quote entirely, but here are a few highlights that bother me.

Top bosses would qualify for huge payouts after HMO merger. A handful of senior executives at FHP International Corp. stands to get huge going-away paydays ... At the top of the list is FHP chief executive Wescott W. Price III who will receive a \$1.5 million golden handshake if he walks away, as expected. Price's contract calls for him to get three times his annual \$500,000 base salary if he loses his job because of a "change in control" ... Price also owns nearly 400,000 shares of FHP's common stock. He'll receive \$7 million in cash for those shares and an equal amount of PacificCare stock.

FHP Chairman Jack R. Anderson will get the biggest payday, turning in his common and preferred FHP stock for \$53.7 million in cash and an equal amount of PacificCare stock. And Richard M. Burdige, an FHP director, retired Cigna Corp., executive and former president of the American Stock Exchange, will get \$15.3 million in cash and an equal amount of PacificCare shares for his FHP stock.

alive, i.e., the state of Alaska vs. Venette.

We Natives don't read in the newspapers nor do we see on television anything about what is really happening to us, though I know; and the "nouveau riche PFD Alaskans" are in denial about their role in all of this, while we "breathlessly" await an Alaska vs. Venette decision for the next 20 years or so — at the rate we've been dying, please, Natives want to live! We are in constant peril from the state. We are not "merely" caretakers of the land. We Natives have kept our Alaska under our intrinsic watch for three ice ages or so — wasn't it always beautiful and clean here?

My advice to you, to whom this may apply — everyone — make sure those lands you left in disgust are cleaned up and go home. On your way out clean up Alaska!

— Evelyn Hash  
Gakona

### This alternative school works

With the March 28 lottery date for Anchorage School District's alternative school programs approaching, I would like to praise a program that is a success in every sense of the word — the Government Hill Spanish Immersion Program. Alternative schools are often criticized for being elitist, unfair or divisive. I think it's important to recognize that they can work and be inclusive — even in school-within-a-school settings such as our own.

The recent Government Hill World's Fair is an example. With the help and support of our sponsors — First National Bank of Anchorage, Taste Freez, Tesoro 7-Eleven and National Bank of Alaska, to name a few — we transformed the school into an international festival. Our many minority families participated. Korean women wore flowing hanbok dresses, an Alaska Native puppet theater group entertained, and Latino parents cooked tostados and fried plantains. We shared and explored each other's cultures throughout the day.

By celebrating and understanding our differences, we discover that we are not so different after all.

Government Hill is proof that alternative programs work. Not only do they promote educational excellence, but, when done right, they bring people together.

— Kathryn Gerlek  
Anchorage

# FISCAL NOTE

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

BILL NO. SB 25

Revision Date: \_\_\_\_\_ Dept. Affected: Corrections  
 Title: Authorizing Department of Corrections to provide BRU: Administration and Support  
Automated Victim Notification & Prisoner Information System Component: Data and Word Processing  
 Sponsor: Senator Ellis  
 Requester: Senate State Affairs COMPONENT SERIAL NO. 698

**Expenditures/Revenues**

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

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

CHANGE IN REVENUES ( 1005 )	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						
1037 GF/Mental Health						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY97) cost: \$ 0.0

**POSITIONS**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS:** (Attach a separate page if necessary)

If passed, this legislation would authorize the Department of Corrections to put in place an automated victim notification system. This computerized system would interface with the department's present Offender-Based State Corrections Information System (OBSCIS), and would automatically notify victims by telephone of a change in status of an offender. Victim notification would be done without charge, but the system also would permit victims and the public to make their own inquiries of offenders' status by telephone at any time; a small fee would be charged for each independent inquiry.

To implement this automated system the Department of Corrections would put out an RFP for equipment, software, and installation. Funding for the system's startup cost is addressed in an accompanying appropriation bill (SB 26). Until specific proposals are received from vendors, it is not possible to determine what the ongoing operating costs would be, and to what degree the system might be self-supporting from fees generated by public inquiries.

Prepared by: Bruce Richards  
 Division: Office of the Commissioner

Phone: 465-3307  
 Date: 4/14/97

Approved by Commissioner: Margaret M. Paul  
 Agency: Department of Corrections

Date: 4-17-97

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For further distribution information, call the Governor's Legislative Office

**TESTIMONY SUBMITTED FOR SB25/VICTIM NOTIFICATION SYSTEM**

To: Senate State Affairs Committee

From: Brenda Wieffering, Executive Director  
Women's Resource & Crisis Center  
325 S. Spruce St.  
Kenai, AK 99611  
Phone: 283-9479 Fax: 283-5844

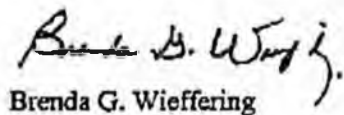
We fully support implementing a telephone victim notification system (VINE) through the Department of Corrections. Such a system will strengthen the state's compliance with the recently passed victims rights constitutional amendment.

A VINE system will offer *timely* crucial information for victims to use in safety planning when their perpetrators are about to be released from custody and carry out threats to harm them again.

Please enhance victim safety by supporting SB25. Lives may literally depend on it.

Thank you for your thoughtful consideration.

Sincerely,

  
Brenda G. Wieffering

I am testifying in support of the implementation of an automated victim notification system.

It is apparent to me that the legislature recognizes the importance and severity of our state's domestic violence and sexual assault problems. On behalf the victims of these crimes, I want to thank you for the support you have thus far given.

Victim notification is a critical piece of our state's plan to keep victims safe. It is the experience of agencies having the responsibility of notifying victims of a change in status of an offender and the victims themselves that the responsible agencies have largely been unable to timely notify victims of these changes. As a consequence, many victims' well-being and lives are endangered.

I don't know how to put a price tag on people's lives. I do know that Alaska women are killed because of domestic violence and sexual assault every year -- at a rate 1.5 times the national average. Statistics tell us that more than 10% of Alaskan women are abused by a partner each year, many of whom will require medical attention.

I believe that an automated victim notification system will allow us to save victims from further harm and will save lives. I respectfully ask you to support Senate Bills 25 and 26.

*Sandy Samaniego*  
Sandy Samaniego  
Executive Director  
Women In Crisis-Counseling &  
Assistance  
717 Ninth Avenue  
Fairbanks, AK 99701  
452-2293

**S B**

**3 5**

# ALASKA STATE LEGISLATURE

*Interim:*

600 East Railroad Avenue  
Wasilla, Alaska 99654  
(907) 376-3370  
(907) 376-3157 Fax

*Session:*

State Capitol  
Juneau, Alaska 99801-1182  
(907) 465-6600  
Fax (907) 465-3805

## SENATOR LYDA GREEN

SENATE DISTRICT N

### Sponsor Statement Senate Bill 35

Senate Bill 35 is being reintroduced (identical SB 230, 19th Legislature, Senate passed 16-4, House passed 33-7, vetoed by Governor Knowles) to protect Alaskan's right to access state land and water for recreational uses. In a time when the Federal Government continues to restrict and prohibit Alaskan's access to many areas of the State, we, the state government, need to ensure that decisions to restrict access on land we control are made in a responsible, fair, and well represented process.

Alaskans are presently losing their right to traditional recreational use on some state land and park land without appropriate notification and justification. Citizens believe that the public comment process is not being fairly administered and all user groups are not being represented. In some instances, the management and authority to restrict and prohibit uses on state land are being transferred from the Division of Lands to the Division of Parks and Outdoor Recreation. Non-restricted areas of our state are being closed without proper oversight by the Legislature.

Decisions to deny access for recreational use, because of its importance, have always been made by our legislature, not by bureaucrats. The Constitution of the State of Alaska recognizes the importance of land closures and mandates that all closures over 640 acres must be legislatively designated. We must continue to recognize the importance of land closures and make necessary changes in the current process for restrictions and prohibitions in areas less than 640 acres.

A change in this process as suggested in SB-35 ensures that all Alaskans will have proper representation by their elected officials. Any restrictions and/ or prohibitions on traditional recreational activity would need to be justified to the Legislature. Many areas of Alaska may need to be restricted to some or all recreational activity, but these important decisions need to be made at the legislative level, where the people have better access.

#### **SB-35 is the Citizen's Access Bill**

- Access to Lands**
- Access to Waters**
- Access to Government Policy**

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

130 Seward Street, Suite 409  
Juneau, Alaska 99801-2105

## MEMORANDUM

February 3, 1997

**SUBJECT:** Sectional Summary of CSSB 35(STA). (Work Order No. 20-LS0274\E)

**TO:** Senator Lyda Green  
Attn: Janie

**FROM:** Gerald P. Luckhaupt *GPL*  
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, please note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill - the bill itself is the best statement of its contents.

Section 1 of the bill amends AS 16.05.255(a)(3) by prohibiting the Board of Game from restricting access into an area by a traditional means of transportation unless the means of transportation has resulted in significant biological harm to the game population.

Section 2 of the bill amends AS 41.21.020(a) by adding a new paragraph that requires the Department of Natural Resources to annually report to the legislature on each finding of an incompatible use under AS 41.21 that results in the prohibition or restriction of a traditional means of access for a traditional recreational activity.

Section 3 of the bill adds a new subsection to AS 41.21.020 that prohibits the Department of Natural Resources from managing as part of a legislatively designated park, area, or preserve land, water, or land and water that is not within the boundaries of the park, area, or preserve.

Section 4 of the bill adjusts the boundaries of Chilkat State Park.

GPL:glc  
97-047.glc



ALASKA AIRMEN'S ASSOCIATION., INC.

## RESOLUTION

The Alaska Airmen's Association hereby resolves that the Alaska Legislature adopt proposed Senate Bill 35 dealing with traditional means of access for traditional outdoor uses which shall include access by small private as well as commercial aircraft.

So Resolved this 22 day of January, 1997

  
John Spalding, President

ALASKA AIRMEN'S ASSOCIATION, INC.

**SERVING GENERAL AVIATION IN ALASKA SINCE 1951**

P.O. Box 241185 Anchorage, Alaska 99524-1185 Tel/Fax 907-272-1251 e-mail [aimens@alaska.net](mailto:aimens@alaska.net)

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

130 Seward Street, Suite 409  
Juneau, Alaska 99801-2105

## MEMORANDUM

January 21, 1997

**SUBJECT:** Sectional Summary of SB 35. (W.O. 20-LS0274A)  
**TO:** Senator Lyda Green  
**FROM:** Gerald P. Luckhaupt *GPL*  
Legislative Counsel

RECEIVED

JAN 22 1997

Ans'd.....

You have requested a sectional summary of the above-described bill.

As a preliminary matter, please note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill - the bill itself is the best statement of its contents.

**Section 1 of the bill** amends AS 41.21.020(a) by adding a new paragraph that requires the Department of Natural Resources to annually report to the legislature each designation of an incompatible use that prohibits or restricts a "traditional means of access"<sup>1</sup> for a "traditional recreational activity"<sup>2</sup> on or within a park, area, or preserve.

**Section 2 of the bill** provides that the Department of Natural Resources may not manage land, water, or land and water as part of a park, area, or preserve if that land, water, or land and water is not within the boundaries, as designated by the legislature, of the park, area, or preserve.

**Section 3 of the bill** amends AS 41.21.111 by the addition of a legal description for the road that leads into Chilkat State Park and allowing the designation of the road as part of the park.

GPL:jdr  
97-031:jdr

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<sup>1</sup>Defined in the bill.

<sup>2</sup>Defined in the bill.



P.O. Box 210430 • Anchorage, AK 99521

Blase A. Burkhart  
1161 W. 79th  
Anchorage, Alaska 99518  
*Secretary - Alaska Boating Association*

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**Senator Lyda Green**  
Twentieth Legislature - First Session

**Re: Senate Bill No. 35**

**CC: State of Affairs Committee**

Dear Senator Green,

**I am a lifelong Alaska resident writing in support of your proposed Senate Bill No. 35, referring to classification and restriction of use for public lands and waterways.**

**I support this bill for two reasons. First, I believe access on public lands and waterways should be open to all traditional means of transportation, and should not be restricted for the exclusive use of a single or specific group of users. More importantly, I believe any such restrictions or classifications which are deemed necessary, should bear legislative approval.**

**Currently, the Department of Natural Resources and other government agencies have the power to impose restrictions and limitations on the use of public lands and waterways. I believe they do currently have a requirement to seek public testimony on such matters. In the past, however, I have seen overwhelming testimony be disregarded in the final determination. This has happened repeatedly for many years.**

**Having a public opinion process is meaningless if the opinion is sought simply to comply with "agency requirements". It should be considered seriously by the people we empower as state leaders. It appears to me that many times agencies submit to the public opinion process, only to proceed with actions they were determined to take before the public was heard. This not only contributes to continued apathy of the people, it is inappropriate in our form of government.**

**The commissioners of these various agencies do not sit in elected positions. For the most part, they can remain in their positions for the better part of their careers, unaffected by the will of the people or popular vote. If they fail to follow the will of the people, there is little recourse for the residents of the state who collectively own these resources.**

**This bill is appealing, regardless of whether one supports my feelings on unrestricted access. It's basic premise is that land and waterway resources owned by the people of Alaska may only have use restrictions or re-classifications imposed *if the legislature approves them.***