

ALASKA LEGISLATURE COMMITTEE FILES 2001-2002 8672

10655 SENATE RESOURCES

SJR

15

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SJR 15
 (S) Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: none
 Title: Chilean Farmed Salmon BRU: _____
 Component: _____
 Sponsor: Senator Austerman
 Requester: Senate Resources Committee Component Number: _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: SENATE RESOURCES COMMITTEE Phone: 465-2828

Senator:  Date: 3/15/01

SENATOR JOHN TOIBERSON, CHAIR



Sponsor Statement
Senate Joint Resolution 15
Relating to imports of farmed salmon from Chile

The U.S. Government is in the process of negotiating a free trade agreement with Chile. Meanwhile, exponential increases of Chilean farmed fish are flooding markets and driving the price of salmon down to levels that jeopardize Alaska's industry.

This resolution points out that Chilean fish farms are not competing on an even basis with Alaskan fishermen. Our laws requiring sustained yield and ecosystem management mean higher costs of production and lower volume of harvest than under the Chilean system. These factors make it increasingly difficult for our fleet to compete in the current market situation. This resolution urges the U.S. State Department and U.S. Department of Commerce to impose import restrictions on Chilean farmed salmon for the months during which Alaskan fishermen market fresh wild salmon.

SJR 15 also requests import tariffs on Chilean farmed salmon during winter and spring. During these months, Chilean product is more competitive than Alaskan fresh-frozen salmon. We in Alaska have made a commitment to our wild salmon industry and the communities it has built and continues to sustain. In the long run this commitment will pay off but today we must help our own industry compete in a rapidly changing global market.



SENATOR ALAN AUSTERMAN

Alaska State Legislature

Interim: 112 Mill Bay Road, Kodiak, Alaska 99615 (907) 486-8872 • Session: State Capitol, Juneau, Alaska 99801 (907) 465-2487
senator_alan_austerman@legis.state.ak.us

February 7, 2001

The Honorable Robert Zoellick
U.S. Trade Representative
Office of the U.S. Trade Representative
600 17th St. NW
Washington DC 20508

Dear Mr. Zoellick:

As the State Senator from a district closely tied to the commercial fishing industry, I write to you today to illustrate the importance of the U.S. – Chile Free Trade negotiations to my communities. Thirty-five towns and villages in my part of Alaska depend on the health of our salmon industry for their survival. The industry is by far the largest employer in my district and in many other coastal areas of the state. Commercial fishing is the most significant contributor to local government revenues, paying for essential public services. This industry is the cornerstone of our economy and the force that established most of our communities. It is the focus of our way of life.

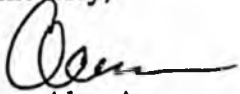
Currently, the Alaska fishing industry does business under strict harvest and quality guidelines in an economy with very high operational costs. Inflated transportation and labor expenses make it difficult for our fishermen to keep their heads above water when prices drop as drastically as they have. Our industry prides itself on producing a sustainable high quality product, but we can only provide fresh salmon during the natural season from June through September. We are being forced from the market by Chilean product that focuses on volume not quality, and which is produced without the expenses of the conservation mandates we follow. The flood of farmed salmon into the American market is drowning our businesses and families, causing great uncertainty and economic stress within our communities.

I respectfully ask you to consider the severe negative impacts Chilean farmed salmon imports are having in Alaska. Our industry is not competing on a level playing field. We need to ask if the well being of our communities is more important than allowing a glut of low-quality, foreign product to continue running our proud industry out of business. Though I am sympathetic to the idea of free trade, I believe the health of our own economy is our highest priority. I hope that in the process of your negotiations you will

work toward an import restriction on Chilean farmed salmon during the four critical months of June through September. Your efforts will greatly help the Alaskan fishing industry to compete in this challenging market, giving Alaskan communities a fighting chance at a prosperous future.

Your efforts are greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan Austerman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Sen. Alan Austerman

cc: Senator Ted Stevens, Senator Frank Murkowski, Representative Don Young
Alaska State Legislature, United Fishermen of Alaska, United Salmon Assoc.

EXECUTIVE OFFICE OF THE PRESIDENT
THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON, D.C. 20508

MAR 8 2001

MAR 13 2001

The Honorable Alan Austerman
State Senator
State Capital
Juneau, Alaska 99801

Dear Senator Austerman:

Thank you for your letter regarding the possible effects of the proposed U.S.- Chile Free Trade Agreement on the Alaskan salmon industry. It is always helpful to have a clear picture of possible ramifications of any agreement on the Alaskan Salmon Industry. I appreciate the information you have provided on the harvest and quality guidelines under which Alaskan salmon fishermen operate.

I can assure you that our negotiators will be mindful of the Alaskan seafood industry's special considerations as we seek to achieve a mutually beneficial trade agreement with Chile.

Sincerely,


Robert B. Zoellick

TED STEVENS, ALASKA, CHAIRMAN

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JAMES H. ENGLISH, MINORITY STAFF DIRECTOR

United States Senate
COMMITTEE ON APPROPRIATIONS
WASHINGTON, DC 20510-6025

MAR - 7 2001

February 22, 2001

The Honorable Alan Austerman
Alaska State Representative
Alaska State Legislature
Room 434
State Capitol
Juneau, Alaska 99801-1182

Dear Alan:

Thank you for the copy of your letter to the US Trade Representative concerning Chilean farmed salmon.


The wild and organic nature of Alaska salmon (and other fish species caught in our state for that matter) is one of the best things our fishermen have going for them in the face of ever increasing farmed competition. Emphasizing this difference is not always an easy task, but ASMI has been pretty successful considering their budget. The recent Marine Stewardship Council certification was also a welcome development for the Alaska salmon industry.

Events over the last couple of years in British Columbia have highlighted some additional problems with at-sea salmon farming. Rest assured that my office will continue efforts to increase awareness of the wild nature and numerous health benefits of our state's delicious seafood.

Thanks again for sharing your thoughts.

With best wishes,

Cordially,


TED STEVENS

Southeast Alaska Fishermen's Alliance

9369 North Douglas Highway
Juneau, AK 99801



Phone 907-586-6652

Fax 907-586-5648

E-mail: seafa@gci.net

March 16, 2001

Senate Resources
Senator John Torgerson, Chair
Alaska State Legislature
State Capitol Room 427
Juneau, AK 99801

Fax 465-4779

RE: SJR 15

The Southeast Alaska Fishermen's Alliance (SEAFA) is in support of SJR 15 which supports restrictions on salmon products from Chile.

Increased import tariffs on salmon products from Chile and the imposition of import restrictions on salmon products from Chile during the months of May through October give Alaskan fishermen a fair chance on the fresh market. Without these restrictions the farmed salmon from Chile has slowly been overtaking all of our markets including the domestic fresh sales during the summer fishing season impacting the economics of the individual fishing businesses, the processing businesses and the revenue paid to the State of Alaska for raw fish taxes.

Please consider passing this resolution and speeding it on its way prior to the start of negotiations with Chile. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Kathy Hansen".

Kathy Hansen
Executive Director

HB

53

Senator John Torgerson
Chair, Resources Committee
State Capitol, Room 427
Juneau, AK 99601-1182

April 26, 2002

Dear Senator Torgerson and Members of the Senate Resource Committee,

My name is Gary Carver and I am a resident of Kodiak. I am also a geologist. My training and research specialization is in earthquake geology, specifically earthquake potential and hazard assessment. Prior to moving to Kodiak in 1998 I was a professor at Humboldt State University where I taught for 25 years. I have conducted federally funded research on earthquake geology in Alaska for the last 15 years.

I have comments regarding House Bill 53 to establish an Alaska Seismic Hazards Safety Commission. I understand the Senate Resources Committee will soon consider this bill. I urge you to support HB 53. This bill is in the best interest of all Alaskans. Its passage will provide long-term financial benefits to the state by reducing losses from earthquakes and ultimately it will save Alaskan lives.

During several decades working as an earthquake scientist in California I participated with the California Seismic Safety Commission on a variety of projects. From 1988 through 1991 I served as a member of the research subcommittee of the Commission. My first-hand experience with the California Seismic Safety Commission has demonstrated to me the great value of such an organization to the public, local governments, and the state.

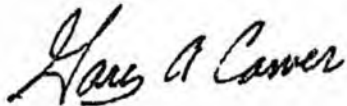
There is no doubt that in California actions of the Seismic Safety Commission have produced significant economic benefits and made major contributions to public safety. Prior to the creation of the Commission local and state government officials and the general public had limited access to seismic experts and little hope of understanding complex scientific information that is basic to public safety, policy, and economic issues regarding earthquakes. Alaska is presently in this situation. In California, the Seismic Safety Commission provided the needed official expertise. The creation of a similar state commission to synthesize complex information related to the earthquake hazard issues facing our state, provide informed guidance to public officials, and help formulate policy regarding seismic hazards is sorely needed. Alaska is, after all, the most earthquake-prone state in the nation. However, the fading memory of the 1964 disaster coupled with rapid growth in our state and the lack of coherent earthquake hazard mitigation policy and programs, especially at the local and regional level, has left Alaskans vulnerable. We must meet this threat to our safety and our economic well being.

Results of a recently published federal study of the potential for strong earthquakes nationwide (the U.S. Geological Survey National Strong Ground Motion Mapping Project) shows communities in Southeast, South Central, and the Aleutian region have the greatest likelihood of experiencing strong earthquakes of any place in the nation. For many of these communities the local earthquake potential is

comparable to or greater than along the infamous San Andreas Fault in California. Some regions of interior Alaska, including the Fairbanks area, also have significant exposure to earthquakes. Here in Kodiak we are clearly among the most seismically hazardous communities in the nation. At present the Kodiak decision-makers have very limited options for assistance with local earthquake issues. Indeed, I have discovered that most local officials have relatively little knowledge of the nature and severity of our earthquake problem. My experience with several other South Central and Aleutian communities with severe seismic exposure show they too have little local knowledge or understanding of their potential for strong earthquakes and very limited appreciation of possible approaches to mitigate their earthquake hazards.

Much can be done to reduce our vulnerability to the effects of earthquakes and help ensure the economic vitality and safety of citizens of earthquake prone Alaskan communities will not be compromised. The first most important step is to provide a venue for formulating and communicating appropriate information at the state, regional, and local levels of government and to promote public education and awareness. The establishment of an Alaska Seismic Hazard Safety Commission is this first step. Without it, Alaska's communities are waiting for disaster. Please do everything possible to ensure passage of this very important legislation.

Sincerely,



Dr. Gary A. Carver
P.O. Box 52
Kodiak, AK 99615

Existing Seismic Safety Advisory Boards

Arizona

Arizona Council for Earthquake Safety
Arizona Department of Emergency and
Military Affairs
Division of Emergency Services
5636 E. McDowell Rd.
Phoenix, AZ 85008
Phone: (602) 231-6238
Fax: (602) 231-6231

Arkansas

Arkansas Earthquake Advisory Council
Arkansas Office of Emergency Services
P.O. Box 758
Conway, AR 72032-0758
(501) 329-5601
Fax: (501) 327-8047

California

Seismic Safety Commission
1900 K St., Ste. 100
Sacramento, CA 95814
(916) 322-4917
Fax: (916) 322-9476

Central United States Earthquake Consortium (CUSEC)

Central United States Earthquake Consortium
2630 L. Holmes Rd.
Memphis, TN 38118
(901) 345-0932
Fax: (901) 345-0998

Hawaii

Hawaii State Earthquake Advisory Board
Office of the Director of Civil Defense
3949 Diamond Head Road
Honolulu, HA 96816-4495
(808) 734-2161
Fax: (808) 737-4150

Illinois

Illinois Earthquake Advisory Board
Illinois Emergency Services & Disaster Agency
110 East Adams St.
Springfield, IL 62706
(217) 782-4448

Indiana

Indiana Seismic Safety Advisory Board
Indiana State Emergency Management Agency
IN GOVT CTR S/302 W. Washington St.
E208
Indianapolis, IN 46204
(317) 232-3986
FAX (317) 232-3895

Kentucky

Governor's Earthquake Hazards & Safety Technical Advisory Panel
Kentucky Division of Disaster & Emergency Services
EOC Building, Boone Center
Frankfort, KE 40506
(502) 564-8611

Mississippi

Mississippi Seismic Advisory Panel
Mississippi Emergency Management Agency
P.O. Box 4501, Fondren Station
Jackson, MS 39216
(601) 352-9100

Missouri

Missouri Earthquake Hazard Mitigation Panel
Missouri Emergency Management Agency
P.O. Box 116
Jefferson City, MO 65102
(314) 751-9779
FAX (314) 634-7966

Nevada

Nevada Seismic Safety Council
Division of Emergency Management
Capitol Complex
2525 South Carson St.
Carson City, NV 89710
(702) 687-4240
Fax: (702) 687-6788

New England States Earthquake Consortium (NESEC)

New England States Earthquake Consortium
501 Islington St
Portsmouth, NH 03801
(603) 430-9876
Fax: (603) 430-9875

Oregon

Oregon Seismic Safety Policy Advisory
Committee
595 Cottage St., NE
Salem, OR 97310
(503) 378-2903
Fax: (503) 588-1378

Puerto Rico

Comision de Seguridad Contra
Terremotos
Pda. 3 1/2 Ave. Munoz Rivera
Pta. de Tierra Apartado Correo 5887
San Juan, PR 00906
(809) 722-8784
Fax: (809) 725-0350

South Carolina

South Carolina Seismic Safety Consortium
Dept. of Civil Engineering
The Citadel
Charleston, SC 29401
(803) 797-4208

**Southeastern United States Seismic
Safety Consortium**

Southeastern United States Seismic Safety
Consortium
Dept. of Civil Engineering
The Citadel

Charleston, SC 29401
(803) 797-4208

Tennessee

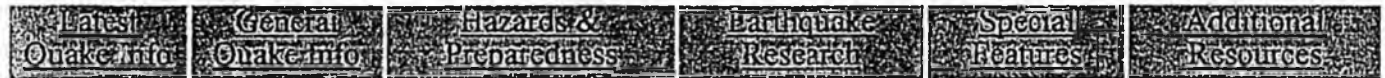
Tennessee Seismic Safety Advisory Panel
Tennessee Emergency Management
Agency
Tennessee EOC
3041 Sidco Dr.
Nashville, TN 37204-1502
(615) 252-3311

Utah

Utah Earthquake Advisory Board
University of Utah Seismograph Stations
705 W. C. Browning Bldg.
Salt Lake City, UT 84112
(801) 581-6274
Fax: (801) 581-1065

Washington

Washington State Seismic Safety Advisory
Committee
Washington State Dept. of Natural
Resources
Geology & Earth Resources Division
P.O. Box 47007
Olympia, WA 98504-7007
(206) 902-1000
Fax: (206) 902-1785



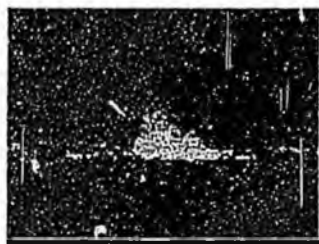
Reducing Earthquake Losses Throughout the United States

Seismic Maps Foster Landmark Legislation

When a powerful earthquake strikes an urban region, damage concentrates not only near the quake's source. Damage can also occur many miles from the source in areas of soft ground. In recent years, scientists have developed ways to identify and map these areas of high seismic hazard. This advance has spurred pioneering legislation to reduce earthquake losses in areas of greatest hazard.

Television cameras broadcasting the start of the 1989 World Series instead recorded the urban devastation from a major earthquake striking Northern California. Four hours after the earthquake struck, homes in San Francisco's prosperous Marina District still burned out of control from fires started by broken gas lines; the shock severely damaged or destroyed 70 residential buildings in the district. Across San Francisco Bay in Oakland, the collapse of the double-decker Cypress freeway structure trapped more than 160 people, 42 of whom died.

Both of these grim spectacles from the magnitude 7.1 Loma Prieta, California, earthquake occurred more than 50 miles from the temblor's source in areas underlain by soft soil (loose sediment, uncompacted fill, and mud). In contrast, structures built on rock and firm soil, which underlie most of San Francisco and Oakland, were largely unscathed. Near the earthquake's epicenter, however, shaking was violent enough to cause considerable damage even in areas underlain by rock and firm soil.



(Click on image for a full size version - 101K)

Buildings constructed on uncompacted fills and soft soils are especially vulnerable to earthquake shaking damage. In this photo, taken four hours after the 1989 Loma Prieta, California, earthquake had struck, homes in San Francisco's Marina District still burn out of control from fires started by broken gas lines. The district was built on artificial fill that included rubble from the great quake of 1906. Scientists can identify areas where such shaking damage is likely to be especially severe. (Photo by Martin Klimek, Marin

Independent Journal.)

This localization of severe shaking and damage was no surprise. It had been noted in previous San Francisco-area earthquakes, as early as 1868. Only after the devastating 1964 magnitude 9.2 Alaska earthquake, however, did the nation direct much attention toward understanding and mapping earthquake hazards. In the late 1960's, the U.S. Geological Survey (USGS) launched a program to develop methods for identifying and mapping areas of potential earthquake hazard.

An early product of this program was a series of maps showing the locations of active segments of the San Andreas Fault in California. These maps demonstrated the feasibility of identifying faults that might rupture the ground surface in future earthquakes. This capability led to new strategies to reduce losses from such ruptures. In 1972, the California Legislature passed a landmark law requiring the

identification of seismic-hazard zones along faults. In these zones, special geologic studies are required before structures can be built for human occupancy. This law has successfully prevented homes, schools, and offices from being built across active faults.

The major cause of earthquake damage, however, is strong ground shaking, not the rupture of the ground surface by faulting. Strong shaking damages or collapses weak structures over wide areas. It also triggers ground failures (fracturing, sliding, and slumping), which in turn damage or destroy structures and disrupt utility and transportation systems. In the mid-1970's, the USGS published an innovative map of the ground-shaking hazard for part of the San Francisco Bay region. This map was used by local and regional government bodies to develop seismic safety policies. The map predicted that shaking on soft ground would be several times as intense as that on nearby rock. Some engineers and scientists were skeptical of these predictions, but records of strong shaking and patterns of damage in the 1989 Loma Prieta earthquake verified the predictions. The map had correctly showed the Marina District and the area of the Cypress freeway structure as being subject to violent shaking during earthquakes.



(Click on image for a full size version - 83K)

Seismic hazard maps further legislation to reduce earthquake losses: This map sequence illustrates the shaking hazard in San Francisco for a possible repeat of the great 1906 earthquake. Such maps provide information essential for developing effective seismic safety policies and laws.

1-Effect of distance on shaking: Expected ground shaking on bedrock decreases rapidly with increasing distance from the San Andreas Fault, from very violent (red) to moderate (green).

2-Effect of ground type on shaking: The capability of ground type to amplify shaking varies from very high for mud and uncompacted fill, to moderate for sandy soil, to low for soft rock, and to none for hard rock.

3-Expected ground shaking: This map combines information from Maps 1 and 2 to show expected shaking levels throughout San Francisco.

4-Areas of most intense shaking: This map, derived from Map 3, shows in red the areas of most intense shaking where efforts to reduce earthquake losses should be focused.

Faced with the disastrous losses from the Loma Prieta shock, the California Legislature realized that stronger measures were needed to combat earthquake hazards. In 1990, the Legislature passed the California Seismic Hazards Mapping Act to assist cities and counties in protecting public health and safety against such hazards. This law requires the State Geologist to make maps of seismic hazard zones, identifying areas prone to violent shaking and ground failure. It also requires that evaluation of these potential hazards precede approval of construction projects within defined hazard zones and that buyers of real estate be notified when the property lies within such a zone. This act builds on the success of both the 1972 law and the early maps of predicted ground shaking.



(Click on image for a full size version - 72K)

Experience in many states reveals that seismic hazard maps serve diverse audiences. Users of these maps include buyers and owners of real estate, geotechnical consultants and engineers, financial institutions, utility and transportation companies, emergency managers, and government planners.

Mapping seismic hazards is especially important in urban areas of earthquake-prone regions of the United States. Such areas have large populations and huge investments in structures and lifelines that are at risk from earthquakes. Potential losses from future urban earthquakes are staggering. For example, a repeat of the 1886 Charleston, South Carolina, earthquake today would cause an estimated 2,000

fatalities and \$5 billion of damage. In the central Mississippi Valley region, projected losses from a repeat of an 1811 earthquake are 6,000 lives and \$50 billion of damage.

Crucial to reducing these potential losses is sound geologic knowledge leading to effective seismic safety policies and legislation.

Roger D. Borchardt, Robert B. Brown, Robert A. Page, Carl M. Wentworth, and James W. Handley II

COOPERATING AGENCIES, COMPANIES, AND INSTITUTIONS

Association of Bay Area Governments California Division of Mines and Geology City of San Francisco

For more information contact:

Earthquake Information Hotline (415) 329-4085

U.S. Geological Survey, MS 977

345 Middlefield Road, Menlo Park, CA 94025

[USGS Menlo Park Earthquakes Home Page](#)

U.S. Geological Survey Fact Sheet-097-95, March 1995

Web page by [Will Prescott](#) - 1996 April 9



ADOWL
ENGINEERS
A Division of DOWL LLC

March 14, 2001
W.O. D00001

The Honorable John Davies
House of Representatives
State Capitol Building
Room 422
Juneau, Alaska 99801-1182

Subject: House Bill 53
Alaska Seismic Hazards Safety Commission

Dear John:

As a practicing civil engineering in the State of Alaska, I wholeheartedly support HB 53 pertaining to the establishment of a state Seismic Hazards Safety Commission. I have been practicing my profession in Alaska for over 25 years. My technical specialties are geotechnical engineering and earthquake engineering, so I routinely deal with the problems associated with seismic hazards and their mitigation throughout the state. Moreover, I have been a member of the Municipality of Anchorage Geotechnical Advisory Commission (GAC) for over 20 years (currently Vice-Chairman). In that role, my fellow commissioners and I have routinely advised the Municipality regarding identification and mitigation of seismic hazards in Anchorage.

Although major earthquakes seemingly are "rare" events, their consequences literally can be disastrous, as was demonstrated by the 1964 great Alaska earthquake. Because of the damage and loss of life that occurred in Anchorage in 1964, and due to the concerns of local engineers and earth scientists, Anchorage established the Geotechnical Advisory Commission to advise our local government officials and citizens about earthquake hazards that can affect our community. The GAC generally has been the only real resource in those matters Anchorage has been able to rely upon consistently and effectively through the years. I believe the commission has had a positive effect on how our community has developed, and how it has taken appropriate steps to mitigate the seismic hazards with which we must live. Most of these efforts have been, and continue to be, through identification and mapping of the local hazards, and recommending mitigation measures to preserve life safety and to minimize economic impacts when the next major quake impacts our city.

Recent earthquakes in California and the February 28, 2001, earthquake near Seattle underscore the consequences even moderate earthquakes can have in urban areas. Moreover, the benefits to a community of understanding regional and local seismic issues and taking steps to mitigate the associated hazards were clearly demonstrated again during the Nisqually (Seattle) earthquake.

I believe it is imperative that the State Legislature of one of the most seismically active regions in the world establish a statewide Seismic Hazard Safety Commission to help its citizens and those responsible for their general well being understand the seismic environment in which they live, and how best to deal with the hazards that can affect them.

The Honorable John Davies
House of Representatives
March 14, 2001
Page 2

John, I applaud your sponsorship of this bill and give it my full support. If there is anything else I can do for you in this matter, please feel free to call me.

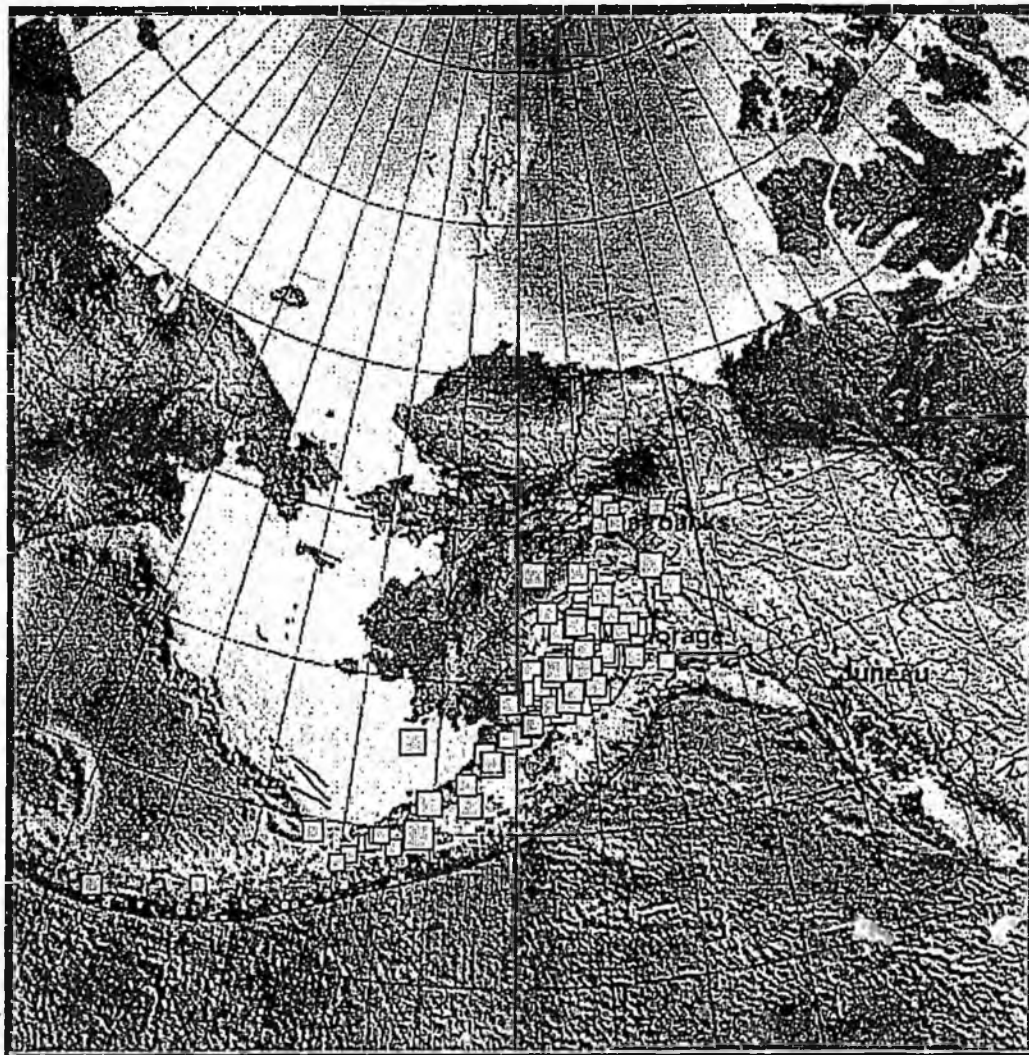
Sincerely,
DOWL Engineers

A handwritten signature in cursive script that reads "David A. Cole".

David A. Cole, P.E.
Project Manager

D00001.RepDavies.DAC.031401.mas

 **Recent Earthquakes in Alaska**



Other Maps: [Global View](#)

Earthquakes Shown on This Page:

Local Time	Magnitude	Region
03:15 PM AKDT Wednesday April 11th, 2001	1.88 ML	in the Prince William Sound region of Alaska
01:46 PM AKDT Wednesday April 11th, 2001	2.81 ML	in the Kenai Peninsula region of Alaska
11:04 AM AKDT Wednesday April 11th, 2001	2.23 ML	in the Kenai Peninsula region of Alaska

U.S. GEOLOGICAL SURVEY
BULLETIN 1450

Pre-1954 Earthquakes
1954-1964 Earthquakes
Earthquake Magnitudes

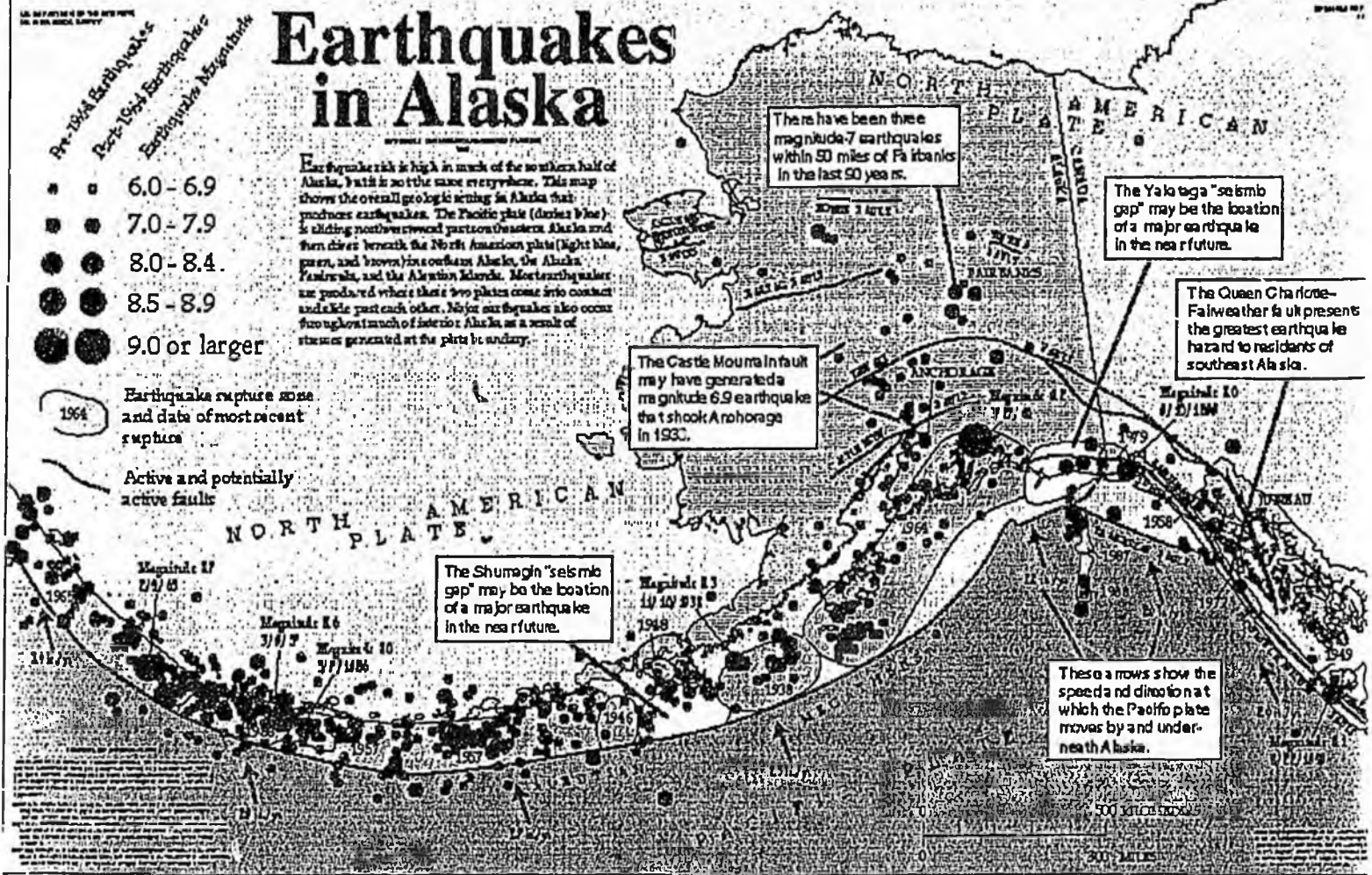
Earthquakes in Alaska

Earthquake risk is high in much of the southern half of Alaska, but it is not the same everywhere. This map shows the overall geologic setting in Alaska that produces earthquakes. The Pacific plate (darker blue) is sliding northwestward past the eastern Alaska and then dives beneath the North American plate (light blue, green, and brown) in eastern Alaska, the Alaska Peninsula, and the Aleutian Islands. Most earthquakes are produced where these two plates come into contact and slide past each other. Major earthquakes also occur throughout much of interior Alaska as a result of stresses generated at the plate boundary.

- 6.0 - 6.9
- 7.0 - 7.9
- 8.0 - 8.4
- 8.5 - 8.9
- 9.0 or larger

Earthquake rupture zones and date of most recent rupture

Active and potentially active faults



There have been three magnitude-7 earthquakes within 50 miles of Fairbanks in the last 50 years.

The Yakutat "seismic gap" may be the location of a major earthquake in the near future.

The Queen Charlotte-Fairweather fault presents the greatest earthquake hazard to residents of southeast Alaska.

The Castle Mountain fault may have generated a magnitude 6.9 earthquake that shook Anchorage in 1932.

The Shumagin "seismic gap" may be the location of a major earthquake in the near future.

These arrows show the speed and direction at which the Pacific plate moves by and underneath Alaska.

Map of Alaska showing earthquake activity, plate boundaries, and major faults. The map includes labels for the North American Plate and the Pacific Plate. Major faults shown include the Castle Mountain Fault, the Queen Charlotte-Fairweather Fault, and the Shumagin Fault. Earthquake epicenters are marked with circles of varying sizes representing magnitude. Several text boxes provide specific information about seismic gaps and historical earthquakes.

Alaska State Legislature

Legislative Committees:
House Finance Committee

Legislative Budget Subcommittees:
University of Alaska
Department of Natural Resources
Department of Environmental Conservation



119 N. Cushman Street Suite 207
Fairbanks, Alaska 99701
(907) 456-8172
FAX (907) 451-9293

While in Session
State Capitol
Juneau, Alaska 99801-1182
(907) 465-4457
FAX (907) 465-3519

Representative John Davies District 29

SPONSOR STATEMENT

House Bill 53

"An act establishing the Alaska Seismic Hazards Safety Commission"

A Seismic Hazards Safety commission needs to be established to address the pressing need to provide a consistent policy framework and a means for ongoing coordination of programs and public safety practices related to seismic hazards. Currently this need is not being addressed by any continuing state government organization. The seismic Hazard Safety Commission would encourage long-term progress toward mitigating the effects of earthquakes.

Alaska is on the edge of the Pacific Plate, which acts like a relentless conveyor belt, moving about six centimeters a year. It is inevitable that there will be large earthquakes, the only question is when will they occur, not if they will occur. Although the state has made great improvements in disaster preparedness there has been little corresponding improvement in measures to reduce the disaster potential of major earthquakes and, consequently, to reduce dependence on disaster relief. Creating a seismic commission patterned after those in California, Oregon, Washington and other states on major fault lines will help address the issues. If you prepare for a major earthquake ahead of time and prepare appropriately, when the earthquake does occur less damage will result, less lives will be lost and the cost of recovery will be less.

Through ten years of experience as state seismologist I have extensive knowledge in this subject area. I have first hand experience with the difficulty of coordinating earthquake information for the university and state, federal, and municipal governments. Anchorage does have an active geo-



tech advisory commission, but the state needs to strengthen that work while broadening efforts throughout the state. A Seismic Safety Hazards Commission can provide that strength.

The scientific community is working hard on earthquake prediction, but it is not yet a reality, except in the most general sense. We can predict in a probabilistic way where earthquakes are likely to occur so we can focus resources in those areas, but in terms of knowing the date and time of occurrence of earthquakes we will not have that information for some time, if ever.

The state can mitigate possible effects of earthquakes by encouraging appropriate land use and building design so it can reduce loss of life and property, as well as the costs of recovery when earthquakes occur. It costs a lot of money to rebuild after a large earthquake and, of course there is no way to replace lost lives; so it is clearly worth spending some time and money before earthquakes occur to prepare for them. If mitigation efforts are undertaken at the time a building or subdivision is in the planning stages, the costs are relatively minor compared to retrofit or rebuilding. This commission would help our state be better prepared.

Members of the commission would be appointed by the governor to represent the university and governmental agencies, as well as members of the public who are knowledgeable in earthquake hazard mitigation. The commission would recommend to the public and governmental sector goals and priorities for reducing earthquake effects. The commission may accept grant contributions and appropriations from public agencies, private foundations, and individuals. The authority and responsibilities of other state agencies, boards, councils, commissions or local governments are not intended to transfer to the Alaska Seismic Hazards Safety Commission.

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: _____
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Office of the Governor
 Title: "An Act establishing the Alaska Seismic Hazards Safety Commission," BRU: Commissions and Special Offices
 Component: Seismic Hazards Safety Commission
 Sponsor: Representatives Davies, Hudson, Kertt
 Requester: HSCMVA Component Number: _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services	18.0	13.4	13.4	13.4	13.8	13.8
Travel	7.0	7.0	7.0	7.0	7.0	7.0
Contractual	8.0	8.0	8.0	8.0	8.0	8.0
Supplies	0.5	0.5	0.5	0.5	0.5	0.5
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	33.5	28.9	28.9	28.9	29.3	29.3

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

1002 Federal Receipts						
1003 GF Match						
1004 GF	33.0	28.4	28.4	28.4	28.8	28.8
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	33.5	28.9	28.9	28.9	29.3	29.3

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

Full-time						
Part-time	1	1	1	1	1	1
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Fiscal note assumes 1/4 time clerical staff to support commission activity as technical support needs will be met by existing staff in Department of Natural Resources; quarterly commission meetings -- 2 face-to-face and 2 teleconferenced. Travel costs reflect estimated meeting costs for 9 total commission members and one staff. Contractual reflects estimated postage, communication, advertising, and teleconference costs.

Fiscal note assumes existing departmental office space/equipment will be available for use by the part-time clerical staff position.

Prepared by: Michael A Nizich/man
 Division: Administrative Services
 Approved by: David Ramseur
 Agency: Office of the Governor

Phone 465-3876
 Date/Time 1/30/01 12:30 PM
 Date 01/30/2001

For distribution information, call the Governor's Legislative Office

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 53
 () Publish Date: _____
 Dept. Affected: Natural Resources
 BRU: Minerals, Land & Water
 Component: Geological Development
 Component Number: 1031

Revision Date/Time (Note if correction): _____
 Title: An Act establishing the Alaska Seismic
Hazards Safety Commission
 Sponsor: Davies
 Requester: (H) MLV

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel	1.2	1.2	1.2	1.2	1.2	1.2
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	1.2	1.2	1.2	1.2	1.2	1.2

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

FUND SOURCE	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
1002 Federal Receipts						
1003 GF Match						
1004 GF	1.2	1.2	1.2	1.2	1.2	1.2
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	1.2	1.2	1.2	1.2	1.2	1.2

Estimate of any current year (FY2001) cost: none

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Costs to DGGs resulting from HB53 would be for modest staff time (approximately one-half person-month per year) plus travel associated with meetings. Salary costs would be covered under an existing position in DGGs which has responsibilities in geologic hazards that are consistent with work on this commission. The travel costs indicated above (\$1,200 annually) assume two trips per year at an average cost of \$600 per trip.

Prepared by: Milton Wiltse Phone 907-451-5001
 Division: Geological & Geophysical Surveys Date/Time 01-Feb-01
 Approved by: Pat Pourchot Date 01-Feb-01
 Agency: Natural Resources

For distribution information, call the Governor's Legislative Office

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: CSHB 53 (MLV)
 () Publish Date: _____

Revision Date/Time (Note if correction): Correction 4/19/2001 Dept. Affected: Office of the Governor
 Title: "An Act establishing the Alaska Seismic Hazards Safety Commission," BRU: Commissions and Special Offices
 Sponsor: Representatives Davies, Hudson, Kertt Component: Seismic Hazards Safety Commission
 Requester: (H) STA Component Number: _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services	18.0	13.4	13.4	13.4	13.8	13.8
Travel	7.0	7.0	7.0	7.0	7.0	7.0
Contractual	8.0	8.0	8.0	8.0	8.0	8.0
Supplies	0.5	0.5	0.5	0.5	0.5	0.5
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	33.5	28.9	28.9	28.9	29.3	29.3

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

1002 Federal Receipts						
1003 GF Match						
1004 GF	33.5	28.9	28.9	28.9	29.3	29.3
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	33.5	28.9	28.9	28.9	29.3	29.3

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

Full-time						
Part-time	1	1	1	1	1	1
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Fiscal note assumes 1/4 time clerical staff to support commission activity as technical support needs will be met by existing staff in Department of Natural Resources; quarterly commission meetings -- 2 face-to-face and 2 teleconferenced. Travel costs reflect estimated meeting costs for 9 total commission members and one staff. Contractual reflects estimated postage, communication, advertising, and teleconference costs.

Fiscal note assumes existing departmental office space/equipment will be available for use by the part-time clerical staff position.

Prepared by: Michael A. Nizich, Administrative Director Phone 465-3876
 Division: Administrative Services Date/Time 4/19/01 12:00 AM
 Approved by: David Ramseur Date 04/20/2001
 Agency: Office of the Governor

For distribution information, call the Governor's Legislative Office

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: CSHB 53 (STA)
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Office of the Governor
 Title "An Act establishing the Alaska Seismic Hazards Safety Commission." BRU Commission and Special Offices
 Component Seismic Hazards Safety Commission
 Sponsor Representatives Davies, Hudson, Kerl
 Requester (H) STA Component No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services	18.0	13.4	13.4	13.4	13.8	13.8
Travel	7.0	7.0	7.0	7.0	7.0	7.0
Contractual	8.0	8.0	8.0	8.0	8.0	8.0
Supplies	0.5	0.5	0.5	0.5	0.5	0.5
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	33.5	28.9	28.9	28.9	29.3	29.3

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

1002 Federal Receipts						
1003 GF Match						
1004 GF	33.5	28.9	28.9	28.9	29.3	29.3
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	33.5	28.9	28.9	28.9	29.3	29.3

Estimate of any current year (FY2002) cost: 0.0
 Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time						
Part-time	1	1	1	1	1	1
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Fiscal note assumes 1/4 time clerical staff to support the commission activity as technical support will be met by existing staff in Department of Natural Resources; quarterly commission meetings -- 2 face-to-face and 2 teleconferenced. Travel costs reflect estimated meeting costs for 9 total commission members and one staff. Contractual reflects estimated postage, communication, advertising and teleconference costs.

Fiscal note assumes existing departmental office space/equipment will be available for use by the part-time clerical staff position.

Prepared by: Michael A. Nizich, Administrative Director Phone 465-3876
 Division: Administrative Services Date/Time 4/19/02 2:58 PM
 Approved by: David Ramseur, Chief of Staff Date 4/19/2002
 Agency: Office of the Governor

HB

61

FISCAL NOTE

**STATE OF ALASKA
2001 LEGISLATIVE SESSION**

Fiscal Note Number: 1
 Bill Version: HB 61
 (H) Publish Date: 1/16/01

Revision Date/Time (Note if correction): _____ Dept. Affected: Fish and Game
 Title: Authority to issue grants BRU: Habitat
 Component: Special Projects
 Sponsor: Rules Committee
 Requester: Governor Component Number: 487

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Fiscal year funding is dependent upon successfully competing for federal grants for habitat restoration. Costs for administering a grant program from federal receipts will be funded by a portion of those federal receipts. This program will be administered by existing staff.

Prepared by: Ken Taylor Phone 465-4105
 Division: Habitat and Restoration Date/Time Jan. 5, 2001
 Approved by: Gordy Williams for Commissioner Frank Rue Date Jan. 5, 2001
 Agency: Department of Fish and Game

For distribution information, call the Governor's Legislative Office

AMENDMENT #1

OFFERED IN SENATE RESOURCES

BY Senator Torgerson

TO: HB 61

1 Page 1, line 7

2 Following "restoration":

3 Insert ",access"

4 Page 1, line 8

5 Following "projects.":

6 Insert "The award of a grant under this section is subject to
7 concurrence by the Board of Fisheries or the Board of
8 Game, whichever is appropriate."

TONY KNOWLES
GOVERNOR
governor@gov.state.ak.us

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

HB61
P.O. Box 110001
Juneau, Alaska 99811-0001
(907) 465-3500
Fax (907) 465-3532
www.gov.state.ak.us

January 12, 2001

The Honorable Brian Porter
Speaker of the House
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Speaker Porter:

To continue our efforts to protect and enhance Alaska's natural resources, I am transmitting this bill authorizing the commissioner of the Department of Fish and Game to award grants for habitat restoration activities.


Under this bill, the commissioner would have express authority to directly award grants to restore and improve fish and wildlife habitats in Alaska. Current law necessitates the department to channel money through other agencies which causes delay and adds considerable administrative cost.

An increasing amount of federal funding is available to restore fish habitat and passage. We have many opportunities to use these funds, particularly in the more developed areas of the state. Many of these opportunities are found on private land on some of Alaska's most productive fish streams, such as the Kenai River.

Since the inception of the Kenai River 50/50 Cost Share project in 1995, the department has approved 160 projects to rehabilitate some 9,600 feet of riverbank and protect more than 15,700 feet of the Kenai River. But more money could have been directly targeted to these projects if we did not have to pay the U.S. Fish and Wildlife Service its 11 percent administrative cost for channeling these funds to the state. Direct grant authority for the department will eliminate the need to use the federal agency in this way.

This legislation provides a more cost-effective way to continue efforts on private and public land to rehabilitate, improve, and protect Alaska's valuable fish and wildlife habitats. I urge your prompt and favorable action on this measure.

Sincerely,


Tony Knowles
Governor

HB61

HB

108

FISCAL NOTE

**STATE OF ALASKA
2001 LEGISLATIVE SESSION**

Fiscal Note Number: 1
 Bill Version: HB 108
 (H) Publish Date: 2/5/01
 Dept Affected: Natural Resources
 BRU: Information/Data Management
 Component: Recorder's Office/UCC
 Component No. #802

Revision Date/Time: _____
 Title: Recorder's Office Receipt Supported Services
 Sponsor: Rules Committee
 Requestor: Governor

Expenditures/Revenues (Thousands of Dollars)
 Note: Amounts do not include inflation unless otherwise noted below.

	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007
OPERATING EXPENDITURES						
PERSONAL SERVICES	20.0	20.0	20.0	20.0	20.0	20.0
TRAVEL						
CONTRACTUAL	115.0	115.0	115.0	115.0	115.0	115.0
SUPPLIES	15.0	15.0	15.0	15.0	15.0	15.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	150.0	150.0	150.0	150.0	150.0	150.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES (fund code)	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	(2,388.9)	(2,388.9)	(2,388.9)	(2,388.9)	(2,388.9)	(2,388.9)
1037 GF/Mental Health						
1156 Receipt Supported Services	2,538.9	2,538.9	2,538.9	2,538.9	2,538.9	2,538.9
TOTAL	150.0	150.0	150.0	150.0	150.0	150.0

Estimate of any current year (FY2001) cost: \$ 0.0

POSITIONS

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

ANALYSIS: (Attach a separate page if necessary)

This legislation will switch the funding source for the Recorder's Office from 1005/General Fund Program Receipts to 1156/Receipt Supported Services category. There will be no operational change as a result of this legislation.

\$150.0 Increase in Operational Costs:
 The component continues to place increased emphasis on the critical need to preserve its historic records dating back to the 1800's. At the same time the component is moving into newer technologies and applications that will make access to new recordings faster and easier than it has ever been before. Both of these demands are draining existing component resources to unprecedented levels.

..... continued on next page

Prepared by: Sharon Young Phone: 907-269-8882
 Division: Support Services Division Date: 13-Nov-00
 Approved by Commissioner: Pat Pourchot Date: 13-Nov-00
 Agency: Natural Resources

For distribution information, call the Governor's Legislative Office

Continuation of fiscal note for:

Recorder's Office Receipt Supported Services

Repetitive status quo operational funding over a number of years, coupled with significant increases in contractual and supply costs, has required the component to forego or limit expenditures in several areas, including equipment maintenance and repairs, postage, archiving, and equipment replacement. Due to such cost increments and increased demands for the component's services, the component will not be able to continue status quo operations into FY02 without added funding.

DNR has requested a fund source change in FY02 relating to the accounting and appropriation of fees for recording and related services provided by the component. The change would allow the component's program receipts to be accounted for separately and would allow for more appropriate budgeting for the needs of the department. This fiscal note reflects an increase of \$150.0 over the Governor's budget request for this component. This additional funding is necessary to cover the component's increased operating expenses in a number of areas related to technology and records preservation – the two major forces currently impacting the component's operations. Specifically, this increase includes:

\$15.0 to cover increased lease costs associated with acquisition of additional historical records from various magistrate offices throughout the state and to cover space needs for thousands of plat mylars that are expected to be returned to the component for permanent storage;

\$30.0 to cover increased maintenance costs for reader/printers and other equipment in recording offices throughout the state;

\$20.0 to cover off-site records storage and costs associated with accessioning permanent film records to State Archives in Juneau;

\$20.0 to cover increased postage and courier expense;

\$5.0 to cover increased phone line expense to support WAN connections in all recording offices statewide;

\$20.0 to provide non-perm or intern staffing to address mailout backlogs in various offices;

\$15.0 to cover supply needs associated with new technology and new equipment, including archive film, CDs, labels, bar code software, bar code printers, etc.;

\$25.0 to address digital conversion of film records in various locations.

All of these expenditures are necessary for continuation of basic recording functions as mandated by statute. This increase is necessary to facilitate the component's basic mission: to provide and maintain a secure and impartial place of record for legal documents affecting real and personal property in the manner prescribed by Alaska law and to protect, preserve and enhance the permanent public record for the benefit of present and future generations.

HB108 – Recorder's Office switch to Receipt Supported Services Funding

- This Legislation is patterned after last year's HB418 in which similarly situated programs were switched to a Receipt Supported Service Funding Source (such as Licensing, and Banking & Securities, and Corporations,).
- This legislation does NOT set up a dedicated Fund – it sets up an account within the General Fund and it will still require the Rec. Office to submit it's annual Operating and Capital Budgets for Legislative appropriation.
- This bill will provide for a stable funding source from the fees paid by the customers of the Recording Office.
- The Fiscal Note is \$150.0 for increase Facility Lease cost, postage, equipment maintenance, etc.
- SB29 includes \$225.0 for Rec. Office Receipt Supported Services – Equipment and Filming. Without this legislation this needs to be switched to GF Program receipts.
- The Annual Revenues are ~\$4.0 million a year while direct appropriations to the Recorder's Office in the Operating Budget are \$2.4 million GFPR.

- In last year's passage of HB418, one of the programs that was transferred to receipt supported services was "receipts of the division of the Department of Community and Economic Development that regulates banking, securities, and corporations." I think some similarities can be drawn between that program and the Recorder's Office:
 1. Both agencies accept documents from the public for filing and many of the documents are time sensitive.
 2. Both agencies programs are largely statutorily driven and regulated.
 3. Both agencies generate more revenues than are appropriated to them for operating purposes.
 4. Both agencies have experienced increased workloads and processing backlogs, and delays in both agencies translate to adverse impacts on the private sector.
 5. Interestingly, in most other states, the corporation's filings and UCC filings are all handled by the same office. In Alaska they have been split into two different agencies. However, because of their close historic ties, it would seem that if receipt supported services is appropriate as a fund source for corporations, it should likewise be appropriate for the UCC filing fees and recording fees.

HB

111

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: CSSSHB 111(JUD)
 (H) Publish Date: 4/6/01

Revision Date/Time (Note if correction): _____ Dept. Affected: _____
 Title: Civil Liability and Livestock BRU: Alaska Court System
 Component: Trial Courts
 Sponsor: Rep. Coghill
 Requester: House Judiciary Committee Component Number: 768

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill will not have any fiscal impact on the Alaska Court System.

Prepared by: Heather Nobrega, House Judiciary Aide Phone 465-4990

Representative Norman Rokeberg Date 4/4/01
Committee Chair

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSSSHB 111(JUD)
 (H) Publish Date: 4/6/01

Revision Date/Time (Note if correction): _____ Dept. Affected: All Departments
 Title: Civil Liability and Livestock BRU: _____
 Sponsor: Rep. Coghill Component: _____
 Requester: House Judiciary Committee Component Number: _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill will not have any fiscal impact on the state.

Prepared by: Heather Nobrega, House Judiciary Aide Phone 465-4990

Representative Norman Rokeberg Date 4/4/01
Committee Chair

ALASKA STATE HOUSE OF REPRESENTATIVES

Interim Address:
119 N. Cushman, Suite 211
Fairbanks, AK 99701
(907)-456-5081
Fax# (907)-456-8245



Session Contact:
(907)-465-3719
FAX# (907)-465-3258
State Capitol
Room 102

REPRESENTATIVE JOHN COGHILL

INJURIES RESULTING FROM LIVESTOCK ACTIVITIES CSSSHB 111(JUD) SPONSOR STATEMENT

Sponsor Substitute for House Bill 111 is the product of several meetings and work sessions with a group of 4-H members, a local veterinarian, and stable owners in the Tanana Valley. This bill is intended to give livestock owners and those associated with livestock activities extra protection from frivolous lawsuits. Forty-four other states currently have similar legislation.

This bill will recognize that a person assumes some risk when placing themselves in the vicinity of livestock. The livestock owner with the best of intentions cannot completely prevent accidents from happening. For example, a bee could come along and sting a horse, causing the horse to buck and throw a rider. Or, a bunny at a 4-H sponsored petting zoo could bite the finger of a small child feeding the bunny grain. Presently, both of these accidents could result in a lawsuit.

In June of 1996, during the Miller Reach Fire, the Alaska State Fair in Palmer opened the fairgrounds to provide housing for evacuated animals. Pens were set up in Farm Exhibits and at France Equestrian Center on the fairgrounds to hold a variety of animals. Both areas looked like Noah's ark had unloaded. All the animals' owners made the best of the crowded situation, and appreciated the Fair's hospitality except one. This individual chose to ride her horse on the fairgrounds despite the crowded conditions. Her horse spooked from a pig in a pen near the arena and bucked her off. She suffered broken ribs and a punctured lung. She sued the fair because she had "warned" them about the problem of other animals spooking her horse. In November of the following year, the fair's insurance company settled out of court for \$3,500, plus legal fees and medical expenses, because to fight the lawsuit would have cost them four or five times as much as settling."

SSHB 111 will not protect the livestock owner who acts in an unreasonable manner. By reducing some of the liability, the expectation is this legislation will create an atmosphere for more livestock activities to occur within the state, as insurance premiums become more favorable for livestock activities.

This piece of legislation is the work product of 4-H members statewide who will be following this legislation through the legislative process and participate in the passage of this bill. A 4-H member in Fairbanks wrote the bulk of this sponsor statement.

ALASKA STATE HOUSE OF REPRESENTATIVES

Interim Address:

119 N. Cushman, Suite 211
Fairbanks, AK 99701
(907)-456-5081
Fax# (907)-456-8245



Session Contact:
(907)-465-3719
FAX# (907)-465-3258
State Capitol
Room 102

REPRESENTATIVE JOHN COGHILL

SSHB 111 SECTIONAL

Sec. 1. Intent language outlining that this legislation was introduced to encourage more livestock activities by limiting the civil liability of livestock activities recognizing that there are certain risks taken when participating in or attending a livestock activity.

Sec. 2.(a) Provides immunity to participants and sponsors of a livestock activity when an injury or death results from the inherent risk of a livestock activity.

(b) Exempts livestock activities from AS 09.55.580(a) Action for Wrongful Death unless any of the following apply:

Gross negligence, reckless, or intentional misconduct of someone directly involved in the livestock activity.

A person directly involved in the livestock activity knew or reasonably should have known that someone was using faulty or defective products for the livestock activity.

Failure of someone directly involved in the livestock activity to make reasonable efforts to determine a person's ability to participate in a livestock activity.

(c) Exempts injuries or death covered by worker's compensation laws.

(d) Does not exempt or limit injuries or liabilities from product liability laws.

(e) Exempts a sponsor of a livestock activity from civil liability for negligent acts of participants or professionals of a livestock activity.

(f) Provides for a person signing a waiver of right to recover damages resulting from inherent risk of a livestock activity.

(g) Preserves tort immunity for a person with unimproved land unless gross negligence is an issue.

Sec. 3. Establishes definitions in state statute for inherent risk of a livestock activity, livestock, livestock activity, livestock activity sponsor, livestock professional, and participant.

Sec. 4. Establishes a date of applicability to the law.

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EQUINE LIMIT OF LIABILITY LAW

A bill has been introduced which will directly impact anyone involved in horse activities. House Bill 111, "An Act relating to civil liability for injuries or death resulting from livestock activities" was introduced in February by Representatives Coghill and Harris. This bill is intended to give livestock owners and those associated with livestock activities extra protection from civil liability lawsuits. 44 other states currently have similar legislation. This bill will acknowledge livestock are unpredictable and you assume some risk when you place yourself in their vicinity. The livestock owner with the best of intentions cannot completely prevent some accidents from happening. A bee may sting a horse causing the horse to buck and throw a rider. A bunny at a 4-H sponsored petting zoo could bite the finger of a small child feeding the bunny grain. This bill also recognizes the economic and therapeutic benefits derived from participation in a variety of livestock activities. Passage of this bill is anticipated to reduce insurance premiums and increase the number of livestock activities available in the

state.

A Fairbanks 4-H teen group, the Tanana Whirlwinds, is leading the effort to pass this bill and enact new law. They are currently coordinating support statewide with the help of other 4-H teens. You can help by contacting your legislator and encouraging their support of this bill. The bill can be reviewed and followed on the internet site at <http://www.legis.state.ak.us/basis/>. This site also has direct links to contacting your legislator.

This effort has been tried 3 times in the past ten years and each time it has not made it through the Senate. March 27 & 28th a group of 4-H teens will be traveling to Juneau to promote this bill. With everyone's assistance this could be the year law is passed to insure that others assume some of the responsibility when placing themselves in the vicinity of livestock.

If you would like more information please contact Robyn Davies at 479-8382 or email at davrobyn@hotmail.com.

4-H teens get political

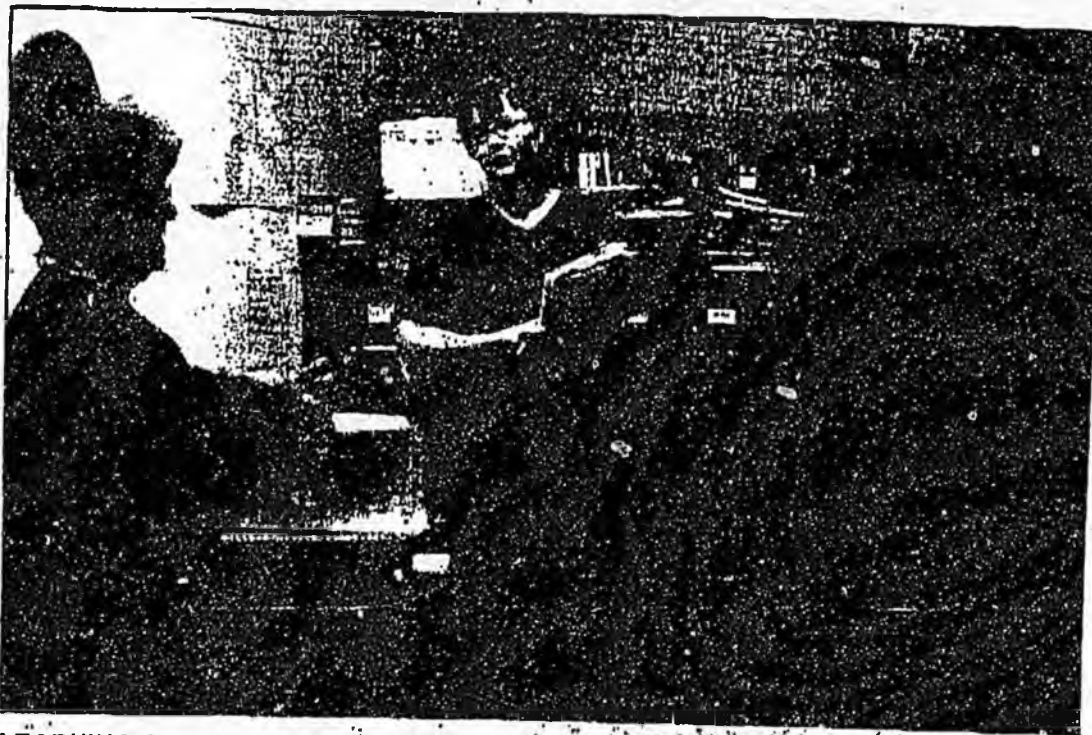
By HEIDI ZEMACH
Mirror Writer

A group of teen-age Kodiak 4-H'ers and their volunteer leaders are exploring state government and learning how to influence legislation to benefit their interests.

Saturday morning, Lorna Steelman of the Legislative Information Office, gave the group tips on how to look up a bill, track its history, and what actions they could take to influence state legislators throughout the process of becoming a law.

It was the first step in a statewide 4-H effort that group leader Barbara Zimmermen said will take some members on a lobbying trip to Juneau in late March

► See 4-H, Page 10



LEARNING CITIZEN POWER — Lorna Steelman of the Legislative Information Office demonstrates to 4-H teens and their leaders how to research a bill. (Heidi Zemach photo)

Continued from Page 1
and a civics workshop in Washington, D.C., in July.

The group is focusing on a bill, newly introduced by Rep. John Coghill, R-Fairbanks, that would provide legal protection for livestock owners against civil lawsuits brought as a result of injuries or death resulting from livestock-related activities.

If livestock owners or event sponsors take all possible safety precautions, they would be protected from liability — even if someone is injured or killed by falling off a startled horse, or stepped on or kicked by a cow or bull while standing in the wrong place, for instance.

Animals are unpredictable, and anyone riding them or coming in contact with them should understand and acknowledge that there always will be unforeseen risks that cannot be prevented, said Barbara Zimmermen, who serves on the 4-H group's statewide leadership committee. Similar legislation is already in effect in 44 states, she said.

The 4-H'ers also met Tuesday

with attorney and former University of Alaska Regent Dan Ogg, who tried to help them to understand the legal terms of the bill.

The teenage girls' first venture into state politics was last year, when they collected petitions and held a downtown parade as part of a statewide political awareness campaign by many Alaska 4-H groups, Zimmermen said.

Unlike most other youth programs, 4-H is funded with federal land-grant money through the University of Alaska Fairbanks Cooperative Extension Program. That program is among several not directly serving students on campuses, that suffered a large percentage of university funding cuts over the past decade, said Jan Hanscom, the vice president of the state 4-H volunteer leaders association.

The political action was taken to make legislators and the public

aware of the program's impact to Alaska youth, serving more than 3,000 Alaska group members and 50,000 students last year, and its unique connection to the University of Alaska system and to the federal government's land grant program.

As a result of that drive and a lobbying trip to Juneau the Kodiak group obtained funds for Camp Muller and other local needs, and two local cooperative extension agents were hired for 4-Hs in Tanana and Anchorage, Zimmermen said.

This year the group decided to support an agriculture bill.

At the legislative information office presentation, Steelman told the 4-H group that petitions generally aren't as effective as well-researched or heartfelt letters to legislators or comments at public hearings explaining why a person or organization

supports a particular bill.

She suggested the 4-H'ers carefully research their bill and write their local representatives and the members of the House Judiciary Committee, which the bill was assigned to. Group members also plan to give presentations to local service organizations in order to gain additional support.

Hanscom said an attorney for the University of Alaska attorney, whom the 4-H group leaders consulted, said the bill probably will be difficult to get passed, and may take two full years to gain approval by both the House and Senate.

It likely will have the backing of legislators, many of whom favor placing limits on civil lawsuits deemed frivolous, but it also may face powerful opposition from attorney groups who don't, Hanscom said.

Kodiak paper

ANIMAL HOUSE VETERINARY CLINIC

a division of Noah's Ark, Inc.



"Dr. Dee"
Dee Thornell, D.V.M.

March 11, 2001

Representative & Senators
Juneau, Alaska 99811

Subject: House Bill 111

To Whom It May Concern:

I am a 4-H leader in Fairbanks that has, unfortunately, been sued by someone that believed I was being neglectful at the Tanana Valley Fair in August of 1997. In October of 1996, I started a 4-H group for kids that did not have the means to have a horse of their own. The four young ladies that participated in my group, were required to take riding lessons for several months, attend lectures on the care of the horse and have their skills tested with a written and riding examination. They all passed and qualified to ride in the 4-H horse show at the Fair in 1997. They were to use my horses for the contests.

The member's parents and I supervised the activities. Due to the congestion of horses at the entry gate of the show ring, as each member was called into the arena for their chance at a blue ribbon, I would lead them in on one of my two horses. I would then wait for them to finish to help guide them out. As I led Ms. Ashley Swanson on my horse "Pretty Boy" into the arena, a strange woman ran up on the right rear side of "Pretty Boy" and slapped him on the rump and grabbed Ashley's right leg almost dismounting her. As the stranger did this she loudly yelled "Ashleyyyy". I was almost knocked down by the startled horse. I turned around and demanded she get away from my animal immediately. She gave me a cruel stare and walked off, never exhibiting any signs of pain or a limp (this becomes important later). Ashley's parents had evicted the stranger, Debra Bogan, from the apartments they manage. They quickly came up to me after the incident and informed me that I was never to let the woman near their daughter. Twenty minutes later Debra Bogan came up to the Swansons and showed them her toe, which was bleeding profusely. She alleged that "Pretty Boy" had stepped on her

foot when she had startled him. At the time of the alleged incident she was in an area posted for exhibitors only and was wearing opened toe sandals.

Ms. Bogan sued the Tanana Valley Fair Ground, Ashley Swanson and myself for her injuries, which included a nervous condition in both of her legs that she alleged had resulted due to the incident. With council provided to me by the 4-H district, eight months, approximately eighty hours of my own time and fifteen thousand dollars later, her case was dismissed against me. It took Ms. Ashley's attorney and the Tanana Valley Fair Association two additional months to be released of her allegations. This does not include the emotional stress and anger I still feel because of this attack on my volunteer service.

It is my opinion when someone attends a public event they need to take some personal responsibility for their own actions. It does not matter how many signs you have posted or how many guards you have in place, it is not the responsibility of the animal owner, when involved in a judged or timed event to be responsible for spectators or other participants. The participants are there primarily for the challenge of the task at hand and secondary to entertain those watching the event. The spectators are there simply present to enjoy watching. If House Bill 111 is implemented it will minimize the risk of the animal owner, participant and host of the event of being responsible for the brainless acts of others.

I am encouraging limited liability to those working on a horse during medical treatment. Being a veterinarian, I have been notified by my liability insurance company that currently I am legally liable for anyone, including the owners, while I am treating or caring for an animal. Unfortunately, I will not work on any animal in any situation, which I do not have one of my trained employees restraining the animal being treated. What this means is that if I am at the fair and an animal is injured I will not work on an injured animal unless I can use my employees in restraining the animal. Even if the owner is there and willing, I will not have them hold an animal under any circumstances and be held liable for any injury they may incur while holding their animal.

I have also stopped accepting new large animal clients for the same reason. I am required to train one of my employees to restrain any animal I am examining or treating. Working on large animals greatly increases the risk to my employees. I feel that anyone that owns a large animal has accepted the risk that inherently comes with the ownership. Although I am willing to risk injury to myself to help an animal, I have a difficult time asking my employees to do so, even if they are trained. I have enclosed a copy of an article found in a newsletter from the American Veterinary Medical Association Professional Liability Insurance Trust describing the court cases that have necessitated this action. If House Bill 111 clearly limits the liability of a veterinarian when they are working on an animal

while the owner assists, I would not limit my services. Unfortunately, as it stands, without a statute of limitations, it is the large animal owner and their animals that will suffer the consequences of veterinarians refusing to work with large animals because of their potential liability.

I am speaking on behalf of my large animal clients and their pets. I urge you to pass House Bill 111 as it is written. I plan on being only a spectator at the fair this year.

Thank you for your time and consideration of this matter,

Dee Thornell, DVM



Date NOV 21 1997

JAN 0 2

Frontiersman

Client No. 399

Horse owner sues Alaska State Fair

By TRACY WILSON 379
Frontiersman reporter

A Palmer Superior Court judge will hear a lawsuit filed by a Wasilla woman who claims the Alaska State Fair is responsible for injuries she suffered when her horse threw her.

Judge Eric Smith will handle the personal injury case filed in April by Virginia "Genny" Lucking, owner of Singletree Farm near Wasilla.

Anchorage Superior Court Judge John Reese transferred the case to Palmer on Oct. 19, responding to a request for change of venue that had been approved by lawyers for Lucking and the Alaska State Fair.

Kelly Fisher, an Anchorage-based attorney representing the Alaska State Fair, said a hearing date has not yet been set.

The events related in the lawsuit occurred in early June 1996, at the time of the Miller's Reach Fire that devastated more than 37,000 acres in the Big Lake area.

Within a couple of days after the fire began, Lucking grew concerned that her four horses and the other 22 horses she was then boarding might be harmed by smoke or threatened by the spreading blaze.

Lucking decided to move the animals to the fairground area after hearing a radio invitation

issued by the Alaska State Fair.

Her friends brought her horses to the fairground on June 4, 1996.

In the lawsuit, Lucking's attorney Robert Erwin said a number of pigs, sheep and goats were penned near by, making the horses skittish when Lucking took them out to the France Equestrian Ring for exercise every day.

Erwin said in the lawsuit that Lucking told fair employees about the problem, adding that the employees did not respond to her request to move the smaller animals from the ring's in-gate area to a pen farther away.

Fisher confirmed that Lucking had mentioned her concern at a June 6 meeting, but that there were problems with other possible pen locations.

"From the employees' perspective, Ms. Lucking was requesting more than most folks," Fisher said.

"She wanted to use the area the way she'd use her farm. That wasn't reasonable under the circumstances of the fire."

On June 7, 1996, Lucking was riding a horse near a pen of pigs when the horse bolted and threw her to the ground.

Lucking suffered injuries to her ribs and one of her lungs was punctured.



SHELLY MURPHY/Frontiersman file photo

Virginia Lucking, shown here at the Parade of Stallions in May, filed a lawsuit against the Alaska State Fair. In the lawsuit Lucking contends the fair is responsible for injuries she suffered after being thrown from her horse at the France Equestrian Center.

Attorneys for the fair say Lucking bears the responsibility for her accident because she rode a horse near the pigs even though she knew it could be dangerous.

"She was interested in practicing in the show rings in spite of the danger she perceived there," Fisher said. "She'd asked to have permission to give lessons. As far as the danger from the pigs, she knew the horse was afraid and went down on purpose. She practiced in the ring, but it wasn't

something she had to do. It was something she chose to do."

Lucking is asking for damages, costs, payment of her medical bills and compensation for loss of income and attorney fees.

The avid horsewoman no longer lives at her farm. Lucking resides in another state and could not be reached for comment.

Erwin could not be reached for comment at his Anchorage office because he was traveling out of state.

LETTERS TO THE EDITOR

Lucking lawsuit: compensate pig

Editor:

In response to my own personal rebuttal about Virginia Lucking's lawsuit against the Alaska State Fair; how repulsive can one be? It seems to me that instead of Lucking wanting to give riding lessons, maybe she should have enrolled her-

self in a riding class, or possibly even a brief course on equine behavior and management. It's a good thing for the manufacturers of all horse shoes that her foot didn't get stepped on.

As any seasoned horse owner knows — horses are spooky. They are adjusted to the environment they know, such as the pen in which they live. Unfortunately for the Stallion Queen, she was not a hog farmer, so

naturally her steed reacted, not being use to, the sounds of swine.

But, then we also have to take into consideration the indigent pig; it probably was not use to seeing a horse. How scared the pig must have been, squealing with fear, as this hairy beast strolled by. Then, without warning, seeing this object hit the ground, like manure out of a grass-fed steer. How scared

the poor pig must have been, after all, it probably never saw a woman fall off her horse before. How will the pig be compensated?

Maybe with a little good fortune, Lucking will take up miniature horses. They would be much easier for her to handle, and much closer to the ground for her unique way of dismounting. So, in closing, I will ask one thing of Lucking, if after someone tries to be of good service, you cannot use good judgment, stay at home with your prized horses, because that is the surroundings you are both familiar with.

Rich Harris
Wasilla

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT AT ANCHORAGE

VIRGINIA LUCKING,)
)
 Plaintiff,)
)
 vs.)
)
 ALASKA STATE FAIR, INC.,)
 an Alaska Non-Profit Corporation,)
)
 Defendant.)
 _____)

Case No. 3AN-97-_____ Civil

COMPLAINT

COMES NOW Plaintiff Virginia Lucking, by and through her attorney, Robert C. Erwin, and for her cause of action against Defendant states and alleges as follows:

I

Plaintiff Virginia Lucking is a resident of Alaska and resides at Singletree Farm near Wasilla, Alaska.

II

Defendant Alaska State Fair, Inc. is an Alaska non-profit corporation with its principal place of business near Palmer, Alaska.

LAW OFFICES OF
ROBERT C. ERWIN
400 WEST BENSON BOULEVARD
SUITE 373
ANCHORAGE, ALASKA 99501-3690
PHONE (907)276-3123
FAX (907)276-4123

III

During the Miller's Reach fire in June of 1996 Plaintiff moved her horses and other boarded horses in my care from Singletree Farm near Wasilla to the Alaska State Fair horse barns (France Equestrian Center) near Palmer to avoid the smoke and potential fire near Wasilla.

IV

Other horses from the Big Lake and Wasilla areas were also placed in the France Equestrian Center of the Alaska State Farm grounds in response to a radio invitation placed by the Alaska State Fair during the Miller's Reach Fire.

V

At the same time that the horses were placed in the horse barns, a number of smaller animals including pigs, goats and sheep were transported to the Alaska State Fair and penned in the France Equestrian Center with the horses.

VI

The effect of placing the smaller farm animals in close proximity with the horses in the France Equestrian Center was to cause the horses to become extremely agitated and excited and make them difficult to exercise which they required on a daily basis.

VII

The entire situation was called to the attention of the agents of Alaska State Fair at the site and they were specifically informed that the small animals excited and agitated the horses. Alternate sites for the small animals were pointed out.

VIII

The agents of Alaska State Fair refused to move the small animals and pigs from the in gate area of both exercise rings in the France Equestrian Center even though they were aware of the danger and risks caused by the agitation and excitement of the horses to any rider seeking to exercise them.

IX

On June 7, 1996 Virginia Lucking was attempting to exercise one of the horses at the France Equestrian Center when the horse bolted because of its reaction to the unfamiliar small animals and she was thrown from the horse and injured.

X

Such injuries were the result of the negligence of Alaska State Fair and its agents in refusing to correct a dangerous situation which

reasonable persons would realize created an unreasonable risk of harm to those caring and exercising the horses at the France Equestrian Center.

XI

As a proximate cause of the negligence, Plaintiff suffered personal injuries, pain and suffering and loss of income from her business in excess of Fifty Thousand Dollars (\$50,000.00).

WHEREFORE, Plaintiff prays for relief as follows:

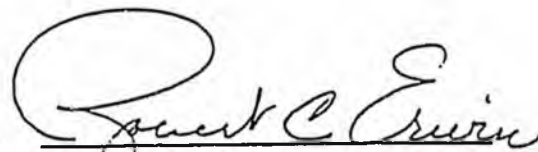
- (1) Damages for personal injuries and pain and suffering.
- (2) Payment of her medical bills.
- (3) Payment of loss of income because of her injuries.
- (4) Her costs, attorney fees, and prejudgment interest

herein.

DATED this 7th day of April, 1997, at Anchorage,
Alaska.

LAW OFFICES OF ROBERT C. ERWIN
Attorney for Plaintiff

By:


Robert C. Erwin

LAW OFFICES OF
ROBERT C. ERWIN
1400 WEST BENSON BOULEVARD
SUITE 373
ANCHORAGE, ALASKA 99503-3690
PHONE (907) 276-1123
FAX (907) 276-1123



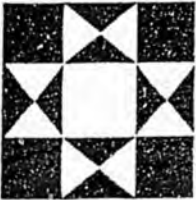
Tanana Valley State Fair

A S S O C I A T I O N



March 5, 2001

Robyn Davies
Tanana Whirlwinds 4H Group
1606 Roosevelt
Fairbanks, AK 99709



Congratulations!

The Fair staff and management would like to wish you success on your UAF for Youth campaign. Your interest in learning about the way the government works is admirable.



The Fair would like to add support to your efforts to pass House Bill 111, titled Civil Liability and Livestock. The Bill has many fine ideas incorporated into it which will help to limit the liability of livestock producers against nuisance lawsuits.

*To educate
and entertain*

Best of luck on your lobbying efforts.

Sincerely,

Coleen Turner, GM

cc: Kim Gyuricsko, Ann McBeth, Fred Palmer

1800 College Rd.
Fairbanks, AK
99709-4173

(907) 452-3750
fax 456-7971

www.tananavalleyfair.org
fair@mosquitonet.com

INTERIOR ALASKA TRAIL RIDERS
P.O. BOX 72972
Fairbanks, Alaska 99707

March 20, 2001

Tanana Whirlwinds Teen 4H Club
1606 Roosevelt Street
Fairbanks, Alaska 99709

Attention: Robyn Davies

Dear Ms. Davies:

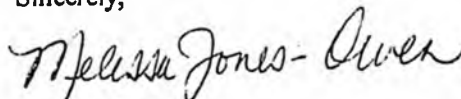
The Interior Alaska Trail Riders have voted at their March 16, 2001, meeting to donate \$100.00 to the teens going to Juneau for the Horse Liability Bill before the legislature. Enclosed you will find the \$100.00 donation check.

The vote was for the confidence we have in the efforts made to date and the upcoming efforts required for the March 27 and 28, 2001, meeting in Juneau by your 4H teens.

The Interior Alaska Trail Riders would appreciate a report at our next meeting, April 20, 2001, 7:30 p.m., at my home of 710 Hillcrest Drive, Fairbanks. My phone number is 457-8971 if you require further information or directions to my home.

We wish the 4H teens good luck in Juneau and we look forward to your report in April.

Sincerely,



Melissa Jones-Owen
Vice-President
Interior Alaska Trail Riders



Alaska State Legislature

Please enter into the record my testimony to the _____
 committee on HB 111, dated April 4 2001
 bill/subject _____, committee name _____.

Dear Sirs:

As an assistant leader of the Delta 4-H club and a life-long horse owner + participant of horse shows and related activities, I have seen many dangerous incidents occur. We as horse owners know that often times these large animals do become frightened or upset and can become "out-of-control". A single person can be virtually helpless to control these large animals. In short, how can we prove "negligence" when these situations can become totally out of our control even when we have done everything reasonable to avoid these situations?

The law as it stands now makes it very difficult, if not impossible, for clubs, organizations + individuals to put on shows, activities or give riding lessons for fear of retribution and the financial costs of liability insurance to cover these activities. So I am greatly in favor of passing this bill. Thank you.

Signed:

Jackie Heller
 Testifier
Self + Delta Saddletamps 4-H club
 Representing (Optional)
HC 110 BOX 3208 DELTA Junction AK 99737
 Address
907 895-1967
 Phone No.

APR 04 2001



Alaska State Legislature

Please enter into the record my testimony to the Judiciary
committee name

committee on HB 111, dated 4/4/2001
bill/subject

The Horse Industry Alliance took a poll and one out of three people said they wanted to ride a horse.

See attached statistics

Signed: *Sandra Shackelford*
Testifier

Self as publisher of Alaska Horse Journal
Representing (Optional) *0*

310 N Harriette St, Wasilla, AK 99654
Address

376-4470
Phone No.

HORSE & HORSE SHOW STATISTICS

There are over 150 different breed registries and associations, we have only contacted a few of them. These numbers are just to give you food for thought. Grade horses, if counted, would outnumber registered horses by far.

The U.S. Equestrian Marketing Association estimated Alaska's total horse population at 16,935 for 1996

The U.S. Department of Agriculture estimated 2,400 horses in Alaska. Many wonder why there is such a huge difference in numbers. The major factor is that the U.S. Department of Agriculture only counted horses that were on farms. These figures should come much closer together in 2000 when an actual count of horses in Alaska takes place. We hope to bring you more information on this in the future.

There were 11 American Horse Show Assoc.(AHSA) recognized shows held in 1999. The total number of horses competing at each show were as follows:

(Show	1999 (98)
Colony Days	112 (94)
ADA Spring Festival I	17 (26)
ADA Spring Festival II	17 (n/a)
Midsummer Festival	97 (102)
1st Annual Jr./Amateur	n/a (32)
WCCEC Show	108 (95)
Morgan Open Breed	48 (54)
ADA Big Event	14 (23)
ADA Bigger Event	14 (19)
Ak. State Fair Dressage	18 (15)
Ak. Hunter/Jumper	54 (45)
Ak. State Fair	128 (113)

Palmer Anchorage

(Continued on page 7)

REGISTERED HORSES (cont.)

International Arabian Horse Assoc. (Half-Arabian and Anglo-Arabian Registries) 10805 E. Bethany Dr., Aurora, CO 80014-2605	229 (221)
American Bashkir Curly Registry..... P.O. Box 246, Ely, NV 89301-0246	58 (55)
The American Hanoverian Society, Inc..... 4059 Iron Works Pike, Bldg. C, Lexington, KY 40511	4 (2)
Hungarian Horse Assoc. of America HC 71, Box 108, Anselmo, NE 68813	1 (1)
Icelandic Horses (estimated by count)	69 (69)
American Miniature Horse Association, Inc..... 5601 South Interstate 35W, Alvarado, TX 76009	65 (65)
Am. Miniature Horse Registry & Am. Shetland Pony Club... 81-B E. Queenwood, Morton, IL 61550	40 (40)
Missouri Fox Trotting Horse Breed Assoc., Inc. (This number represents the number of members in Alaska, not horses) P.O. Box 1027, Ava, MO 65608-1027	0 (7)
American Morgan Horse Assoc., Inc..... P.O. Box 960, Shelburne, VT 05482-0960	350 (351)
National Show Horse Registry 11700 Commonwealth Dr., #200, Louisville, KY 40299-2344	15 (16)
Norwegian Fjord Horse Registry 8539 13 Mile Rd, Marshall, MI 49068	30 (64)
American Paint Horse Assoc..... P.O. Box 961023, Fort Worth, TX 76161-0023	214 (177)
Peruvian Paso Horse Registry of North America 3077 Wiljan Court, Suite A, Santa Rosa, CA 95407-5702	5 (3)
Pinto Horse Assoc. of America, Inc..... 1900 Samuels Ave., Fort Worth, TX 76102-1141	58 (48)
Pony of the Americans Club, Inc. 5240 Elmwood Ave., Indianapolis, IN 46203-5990	33 (30)
American Quarter Horse Assoc. P.O. Box 200, Amarillo, TX 79168-0001	1,330 (1,256)
Rocky Mountain Pleasure Horse Assoc. 6569 East Hwy. 36, Olympia, KY 40358	2 (2)

Apr 04 01 03:07P

The AQHA Shows in Alaska had an average of 165 entries at 18 shows compared with 13 shows held in 1998 with an average of 235 entries.

During 1998 the first American Paint Horse Association recognized show was held. There were a total of 109 entries for the 21 classes. Both APHA and all-breed classes were held. The entries increased to 111 in 1999 with 38 classes being held.



American Saddlebred Horse Assoc., Inc..... 4093 Iron Works Pike, Lexington, KY 40511-8434	35 (36)
American Trakehner Assoc. 1520 W. Church St., Newark, OH 43055	12 (18)
Welsh Pony & Cob Society of American, Inc. (This number reflects the number of members they have, not horses) P.O. Box 1977, Winchester, VA 22604-2977	15 (2)
Paso Fino Horse Assoc. 101 North Collins St., Plant City, FL 33566-3311	1
American Donkey & Mule Society 2901 N. Elm St., Denton, TX 76201-7631	8

Please note: These numbers are estimates only. There has not been an actual count of horses in Alaska. Some of these figures are based on the number of members the association has in Alaska, some horses may be owned by an Alaskan resident and boarded elsewhere, and horses that have moved to Alaska or born in Alaska may not be registered yet.

Horse Show & Rodeo Grounds

Anchorage

William Clark Chamberlin
Equestrian Center
3900 Abbott Road

Chamberlin Equestrian Center is a municipal park and open to riders during the summer season with either a season pass or hourly fee. There are also numerous activities scheduled at the facilities throughout the week as well as on weekends.

The Center has a trail system, a large show arena, dressage arena, western arena, schooling arena, and over 100 stalls. Next to the large arena and western arena is an office/announcers booth. Bleachers are located on both sides of the large arena and there is both paved parking for spectators and non-paved parking for the equestrian event participants.

If you would like more information you can contact the Anchorage Horse Council at: P.O. Box 112195, Anchorage, AK 99511-2195 or you can leave a message for the facility scheduling manager at 522-1522.

Directions: Coming from the South
Take the Glenn Hwy to Diamond Blvd exit, turn right

onto Diamond Blvd. It will curve to the right turning into 88th, then turn left changing to Abbott Rd. You will pass a stop light at Lake Otis Blvd. keep going and watch for the sign and entrance on your right.

Directions: Coming from the North-

Take the Glenn Hwy to Muldoon Rd. After a sweeping right hand turn, Muldoon will change into Tudor Rd., stay on Tudor until you reach Lake Otis Pkwy. Turn left on Lake Otis Pkwy. Going South on Lake Otis Parkway to Abbott - turn left on Abbott Road - watch for signs and the entrance will be on your right.

Chugiak

Peters Creek Horse Park
19300 Old Glenn Hwy

Peters Creek Horse Park is open Tuesday through Friday from 11 a.m. until 10 p.m., Saturday from 11 a.m. until 6 p.m. and at other times for events or by prior arrangement.

Southcentral Horsemen, Inc. operates and maintains Peters Creek Horse Park, a municipal park located within the Loretta French Park, established, in part, to replace the



HB

131

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: HB 131
 (H) Publish Date: 2/16/01
 Dept. Affected: Natural Resources
 BRU: Forestry Mgt & Develop.
 Component: Forest Mgt & Develop.
 Component Number: 435

Revision Date/Time (Note if correction): _____
 Title: Standards for forest resources
and practices
 Sponsor: Rules
 Requester: Governor

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

FUND SOURCE (Thousands of Dollars)

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

Estimate of any current year (FY2001) cost: none
 Check this box (X) if funding for this bill is included in the Governor's FY2002 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 Based on current levels of harvesting on non-state land, and current funding levels, DNR will not need additional operating funds to implement the changes in this bill. If the amount of harvesting on non-state land increases substantially, or if FRPA funding, including federal Section 319 funding declines significantly, additional funds would be needed for field inspections of riparian buffers. On state land, the revised riparian standards can be incorporated into the existing sale design process.

Prepared by: Jeff Jahnke, Director Phone 269-8474
 Division: Forestry Date/Time 12-Feb-01
 Approved by: Pat Pourchot Date 12-Feb-01
 Agency: Natural Resources

For distribution information, call the Governor's Legislative Office



Briefing:

HB 131 - Region III Forest Practices amendments

December 2001

DEPARTMENT OF NATURAL RESOURCES

--

DIVISION OF FORESTRY

Overview. HB 131/SB 98 amends the Alaska Forest Resources and Practices Act (FRPA) for Interior Alaska (Region III). The bill sets standards for forestry activities in riparian areas. The bill ensures that Region III standards

- protect fish habitat and water quality,
- support healthy timber and fishing industries, and
- incorporate the best available science.

The bill is the product of two years of work by a broad array of interests. There is broad support for the consensus in the bill.

Applicability. In Region III, the FRPA applies to commercial forestry operations on all land ownerships where the operation borders surface waters or a riparian area, or where the operation is more than 40 acres and the landowner owns more than 160 acres in total.

Background. This bill is based on work by an interdisciplinary Science & Technical Committee and an Implementation Group that represented affected interests. The Science & Technical Committee reviewed relevant research and published an annotated bibliography of the results, drafted a stream classification system, and recommended changes to current riparian management standards. Committee members had expertise in fisheries, forestry, hydrology, and soils. Members included scientists and experienced field staff from the resource agencies, the University of Alaska, the U.S. Geological Survey, and Alaska Biological Research, Inc.

The Implementation Group discussed how to implement the recommendations of the Science and Technical Committee in a manner that works on the ground, and drafted language for changes to the FRPA and regulations. The group included representatives from the departments of Natural Resources, Fish and Game, and Environmental Conservation; private forest owners, the timber and fishing industries, and environmental groups.

The Board of Forestry reviewed and concurred with the recommendations from the Implementation Group. The recommendations were incorporated into draft legislation, which the Board endorsed. The legislation was introduced as HB 131/SB 98.

Summary of key provisions. The bill defines three types of water bodies, and sets riparian standards for each type as follows:

- On large non-glacial waters and glacial backwater sloughs (Type III-A): a no-cut buffer of 66' on private land, and 100' on public land. Harvesting can occur in the landward 33' of the buffer on public land with the concurrence of ADF&G.
- On other glacial waters (Type III-B): a 66' riparian area on private land and a 100' riparian area on public land. The half closest to the waterbody is a no-cut buffer. In the landward half, up to 50% of the large white spruce may be harvested.
- On small non-glacial waters (Type III-C, <3' wide): a 100' special management area in which harvesting may occur, but must be consistent with maintenance of important habitat.

ADF&G and DNR will do more research on this stream type to determine the extent of occurrence within commercial forests and to assess needed management measures.

The bill also

- Changes the statewide nomenclature for waterbody classes, to prevent confusion between waterbody types in different regions.
- Moves definitions of regional boundaries from the regulations to the Act.
- Makes a minor change to the regional boundary on the Kenai Peninsula to better match the difference between forest types. Most forest land in the affected area is in federal ownership, so there will be little impact on landowners.

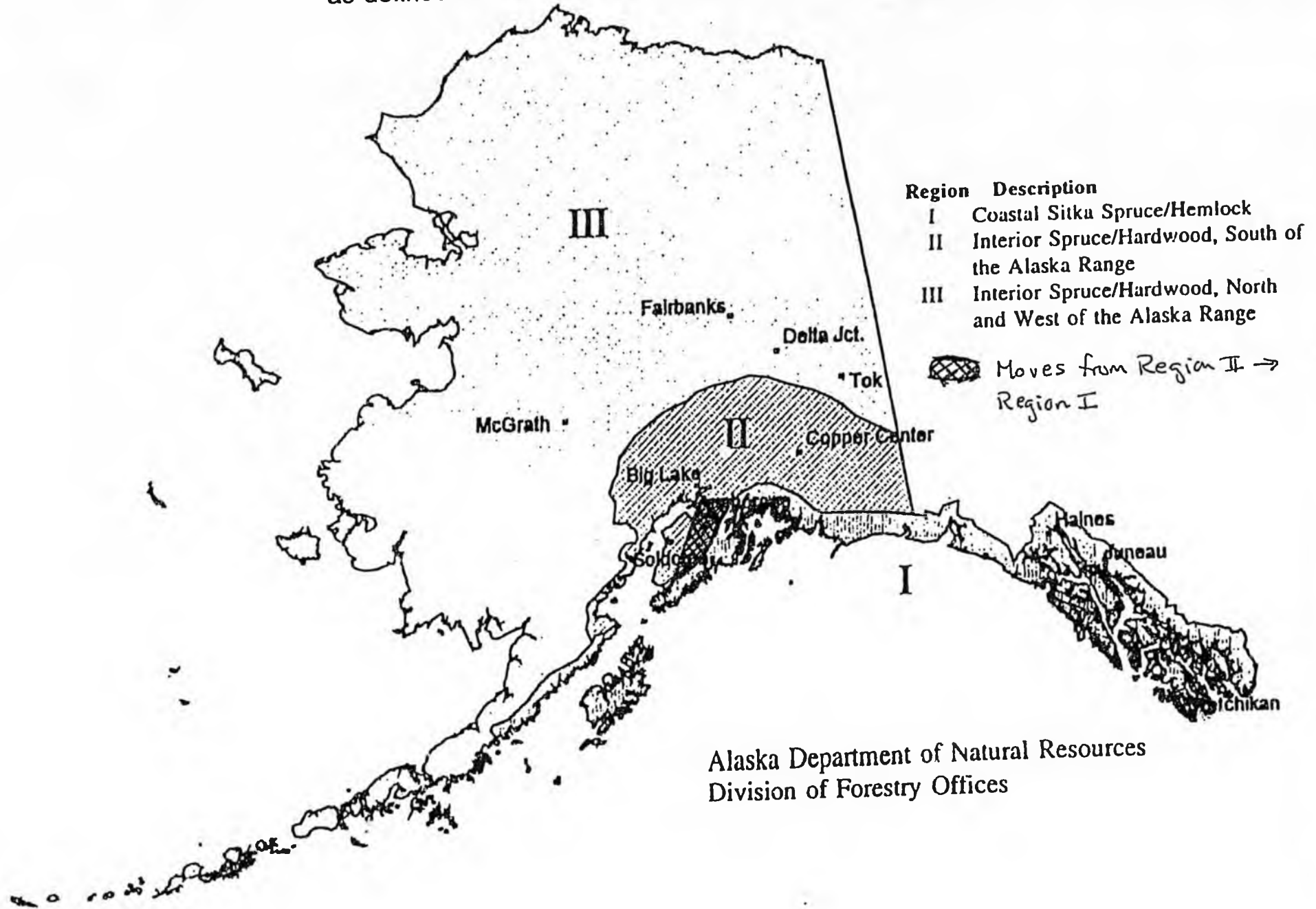
For more information, contact:

Jeff Jahnke
DNR Division of Forestry
550 W. 7th Avenue
Anchorage, AK 99501
907-269-8474

Chris Maisch
DNR Division of Forestry
3700 Airport Way
Fairbanks, AK 99709-4699
907-451-2666

Alaska Forest Resources & Practices Regions

as defined in 11 AAC 95.800 Designation of Regions



Alaska Department of Natural Resources
Division of Forestry Offices

SECTIONAL ANALYSIS
HB 131
AN ACT RELATING TO STANDARDS FOR FOREST RESOURCES AND
PRACTICES

Section 1 of the bill would amend the statute that provides for variations from the riparian protection standards to correct a reference to water body type necessitated by other changes made by the bill.

Section 2 of the bill would amend AS41.17.116 to delineate the standards for private land in Interior Alaska (designated as "Region III" under the bill), and would change the references to water bodies in the standards for Southeast Alaska and other coastal areas (designated as "Region I" under the bill) to match the new nomenclature. The proposed new standards for Interior Alaska provide that the harvest of timber may not be undertaken within 66 feet of a Type III-A water body, and may not be undertaken within 33 feet of a Type III-B water body. Limited harvest of white spruce may occur between 33 feet and 66 feet from a Type III-B water body. Along a Type III-C water body, harvest within 100 feet must protect fish habitat and surface water quality. Under the bill, the commissioner of natural resources would continue to set riparian standard for private land in other areas of the state (designated as "Region II" under the bill).

Section 3 of the bill would change the current riparian protection standards for state land by modifying the existing 100 foot "no-harvest" buffers to provide that, along Type III-A water bodies, harvest may occur from 66 to 100 feet from the water body where consistent with the maintenance of important fish and wildlife habitat; along a Type III-B water body, limited harvest of white spruce may occur between 50 and 100 feet of the water body; and along a Type III-C water body, harvest within the riparian area may occur when consistent with the maintenance of important fish and wildlife habitat.

Section 4 of the bill would provide that, in Region III, the standards for other public land are to be the same as those on state land.

Section 5 of the bill would change the current definition of "riparian area" to mean the areas that are subject to the riparian standards set in or under AS 41.17.116.

Sections 6-9 of the bill would change existing definitions to conform to the new nomenclature used to describe water bodies.

Section 10 of the bill would add 11 new definitions to the Forest Resources and Practices Act. The term "backwater slough" is defined based mostly on flow characteristics. The terms "glacial water body" and "non-glacial water body" are defined based on their receipt of significant surface flow from a glacier under normal conditions. The term "diameter at breast height" is defined in accordance with ordinary usage. The term "ordinary high water mark" is, likewise, defined in the way that hydrologists and foresters use that term. Then, the boundaries of Regions II, III, and I are defined in the statutes. These boundaries previously were defined in regulations of the Department of Natural Resources. Finally, Type III-A, III_B, and III-C water bodies are defined for the Interior region based on whether they provided habitat for anadromous fish and other characteristics.

Section 11 of the bill provides that existing, non-conflicting, regulations may remain in place and be implemented, and provides for the timely adoption of regulations needed to implement the changes made by the bill.

Section 12 of the bill provides an immediate effective date for the latter provision.

Section 13 of the bill provides an effective date for the remainder of the bill.

STATE OF ALASKA

TONY KNOWLES, GOVERNOR

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

P.O. BOX 25526
JUNEAU, ALASKA 99802-5526
PHONE: (907) 465-4100
FACSIMILE: (907) 465-2332

March 20, 2002

The Honorable John Torgerson, Chair
Senate Resources Committee
Alaska State Legislature
State Capitol
Juneau, AK 99801

Dear Senator Torgerson:

Re: Continued ADF&G Support for HB 131—Forest Resources & Practices Standards

Thank you for scheduling this hearing on House Bill 131—*An Act relating to standards for forest resources and practices; and providing for an effective date.* HB 131/SB 98 amends the Alaska Forest Resources and Practices Act (FRPA) for interior Alaska, by setting standards for forestry activities in riparian areas that protect fish habitat and water quality, support healthy timber and fishing industries, and incorporate the best available science.

The Department of Fish and Game (ADF&G) was an active participant in the interdisciplinary Science and Technical Committee that recommended changes to current riparian management standards and in the stakeholder Implementation Group that drafted language for changes to the FRPA and regulations. We were pleased when the Board of Forestry reviewed and concurred with the recommendations from the Implementation Group. The entire history of HB 131 now before you has occurred by consensus among a diverse group of stakeholders seeking balance among potentially competing uses of state resources.

ADF&G remains firmly in support of HB 131, and we urge this committee to pass the bill on without amendment in a timely manner. Thank you.

Sincerely,



Frank Rue
Commissioner

cc: Gordy Williams, ADF&G Legislative Liaison
Chip Dennerlein

TABLE 2. Existing and Riparian management standards and changes proposed in HB 131 for Region III

Land Owner	Buffer
Public	<p>Existing standard: No harvest of timber within 100' immediately adjacent to an anadromous or high value resident fish water body unless the division determines that adequate protection remains for the fish habitat. AS 41.17.118(a)(1), AS 41.17.119(2)</p> <p>HB 131: Type IIIA (non-glacial waters and glacial backwater sloughs) – no harvest within 100', except that harvesting may occur between 66' and 100' with the agreement of ADF&G. Type IIIB (other glacial waters) – no harvest within 50'; up to half the large white spruce may be harvested between 50' and 100'. Type IIIC (small high value resident fish waters) -- harvest of timber within 100 feet of the water body must be consistent with the maintenance of important fish and wildlife habitat</p>
Private	<p>Existing standard: A timber harvest operation within 100 feet from the shore or bank of an anadromous or high-value resident fish water body must be located and designed primarily to protect fish habitat and surface water quality from significant adverse effects. 11 AAC 95.260</p> <p>HB 131: Type IIIA (non-glacial waters and glacial backwater sloughs) – no harvesting within 66' Type IIIB (other glacial waters) – no harvest within 33'; up to half of large white spruce can be harvested between 33' and 66' Type IIIC (small high value resident fish streams) -- harvest of timber within 100 feet of the water body must be located and designed primarily to protect fish habitat and surface water quality</p>

Other changes:

- Stream classes in Region I (Coastal Alaska) are changed from "A, B,C, D" to "I-A, I-B, I-C, and I-D" to avoid confusion between regions.
- The definitions of the regional boundaries are moved from the regulations to the statute to make it easier to reference the regions in the statute.
- The boundary between Region I (Coastal Alaska) and Region II (the boreal forest south of the Alaska Range) on the Kenai Peninsula and Turnagain Arm is moved to better match the boundary between forest types in this area. The affected area is mainly federal land.

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF FORESTRY

TONY KNOWLES, GOVERNOR

555 W. 7th Ave., Suite 1450
ANCHORAGE, ALASKA 99501-3566
PHONE: (907) 269-8463
FAX: (907) 269-8931

March 21, 2002

Senator John Torgerson
State Capitol, Room 427
Juneau, AK 99801-1182

Dear Senator Torgerson,

Thank you for hearing testimony on HB 131, the Forest Practices bill for Interior Alaska. In response to a question raised at the hearing, I would like to clarify the process used to develop this bill, and the broad support that it has.

The bill is based on recommendations from a science and technical committee with expertise in forestry, hydrology, fisheries, and soil science. The committee included scientists and experienced field staff from the University of Alaska, state resource agencies, the US Geological Survey, Native corporations, and private consultants. The scientific recommendations were reviewed by an Implementation Group with representatives from the timber and fishing industries, private landowners, state resource agencies, and environmental groups. HB 131 contains the consensus recommendations of this diverse group. The Implementation Group's recommendations were reviewed and unanimously endorsed by the Board of Forestry, which also represents diverse interests, including the timber, fishing, and mining interests, forestry and fisheries biologists, recreationists, and environmental groups.

This broad array of interests has continued to support the bill. There is written testimony in support of the bill from the following interests, and there has been no written opposition to the bill.

- Alaska Forest Association
- Society of American Foresters, Alaska Chapter
- Fairbanks Chamber of Commerce
- White Spruce Enterprises
- Tanana Valley State Forest Citizens' Advisory Committee
- Alaska Conservation Alliance
- Individuals.

In prior hearings, there has been oral testimony supporting the bill from the following interests, and no opposition to the bill.

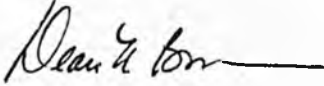
- Board of Forestry
- Yukon River Drainage Fisheries Association
- United Fishermen of Alaska
- Bering Sea Fisherman's Association

Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans.

- Alaska Boreal Forest Council
- Northern Alaska Environmental Center.

Thank you again for consideration of this bill. It reflects a great deal of work by many interests, and continues the successful practice of developing all changes to the Forest Resources and Practices Act through the Board of Forestry. The consensus is based on the involvement of all parties in its development.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jeff Jahnke", followed by a horizontal line.

by Jeff Jahnke
State Forester

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF FORESTRY

Please deliver the following pages to:

NAME: Darwin Peterson LOCATION: Jno

FAX NUMBER: 465-4777 # OF PAGES, INCLUDING COVER: 3

FROM: Marty Freeman, DNR-DUF LOCATION: Anch

TELEPHONE: 269-8473 FAX: 269-8931 DATE/TIME: 4/2

COMMENTS:

Darwin - Thanks again for meeting with me on March 22 to discuss HB 131. At the hearing, Bob Zachel noted a concern that ADF+G might request buffers wider than those in the Act on some timber sales. I wanted to let you know that we have reviewed, and I believe resolved, his concerns. DNR + ADF+G jointly sent him the attached letter of clarification, and we met with him today to follow-up. We all reached agreement on how to address his concerns without changes to HB 131. Bob Zachel has said he'll call Sen. Torgerson or you to confirm that. Please call if you have questions, and thanks again for your interest in this bill.

- Marty Freeman, DNR Division of Forestry
269-8473 or martyw@dnr.state.ak.us

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF FORESTRY

TONY KNOWLES, GOVERNOR

555 W. 7th Ave., Suite 1450
ANCHORAGE, ALASKA 99501-3566
PHONE: (907) 269-8463
FAX: (907) 269-8931

March 28, 2002

Bob Zachel
Alaska Birch Works
P.O. Box 83244
Fairbanks, Alaska 99708

Dear Bob,

This letter is to follow up on your comments at the Senate Resources hearing on HB 131 on Wednesday, March 20, 2002. At the hearing you expressed concern that the riparian standards in HB 131 would be only a starting point and that the Alaska Department of Fish and Game (ADF&G) would frequently request that timber sales leave wider buffers on fish streams. We would like to clarify how Forest Resources and Practices Act standards are implemented.

The Forest Resources and Practices Act establishes the buffers required for adequate protection of fish habitat and water quality. The proposed new riparian standards for Region III (Interior Alaska) were the consensus of an implementation group, which included ADF&G. On private and other non-state land, the Act is our only authority to require buffers in timber sales -- the agencies cannot require wider buffers than those established by the Act.

On state land, DNR Division of Forestry has the authority to design timber sales, and the buffers in the Act are standard provisions on state sales. If ADF&G has information that additional protection is needed on a particular site, Forestry would consider that information on a case-by-case basis. If there is site-specific evidence that additional protection is needed, Forestry could provide a wider buffer. However, this would be an exception, not a common occurrence. Forestry has been voluntarily implementing the riparian standards in HB 131 on state land for over a year. In that time, ADF&G has not requested wider buffers within any proposed timber sale.

ADF&G has asked for more time to map fish habitat before design is completed on some sales. The need for additional information on which streams have salmon or high value resident fish exists in some areas whether we operate under the existing standards, or the standards proposed in HB 131. The agencies are working to identify the location of proposed sales and needed fish habitat information in proposed sale areas in advance through the Forestry's Five-Year Schedule of Timber Sales. ADF&G will use the Schedule to identify the highest priority areas for

Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans.

March 23, 2002

Page 2

additional fish habitat information and will target fieldwork at these priority areas to allow for timely sale preparation.

Sincerely,



For: John C. "Chris" Maisch, Northern Region Forester
DNR Division of Forestry



Alvin G. Ott, Regional Supervisor
ADF&G Habitat & Restoration Division

cc: Senator John Torgerson
Jeff Jahnke, State Forester



YUKON RIVER DRAINAGE FISHERIES ASSOCIATION

725 Christensen Drive, Suite 3-B, Anchorage, Alaska 99501
Tel: 907-272-3141 Toll free: 877-999-8566
Fax: 907-272-3142 E-mail: yrdfa@alaska.com

TO: Senator Torgerson
COMPANY: Resources Committee, Chair
FAX NUMBER: 907-465-4779

FROM: Jill Klein, Executive Director, YRDFA
DATE: April 1, 2002

Cc:

PAGES INCLUDING COVER SHEET: 2

MESSAGE:

Please accept this written testimony in support of H.B. 131.

Thank you,

A handwritten signature in cursive script that reads "Jill Klein".

Jill Klein, Executive Director
Yukon River Drainage Fisheries Association

**YUKON RIVER DRAINAGE FISHERIES ASSOCIATION**

725 CHRISTENSEN DRIVE, SUITE 3-B • ANCHORAGE, ALASKA 99501
TELEPHONE: (907) 272-3141 • 1-877-99-YUKON (9.8566)
FAX: (907) 272-3142 • E-MAIL: YRDFA@ALASKA.COM

April 1, 2002

Senator John Torgerson
Resources Committee, Chair
State Capitol, Juneau, AK 99801-1182
Room 427

Re: HB 131 an act relating to standards for forest resources and practices
Submission of written testimony

Dear Senator Torgerson:

The Yukon River Drainage Fisheries Association (YRDFA) works with commercial and subsistence salmon fisheries on the Yukon River. We were formed in 1990 when fishermen gathered in Galena to foster communication and cooperation between historically competing fishermen, to promote cooperative management between fishermen and agencies and to increase returns of salmon through habitat restoration and enhancement projects.

YRDFA was invited to join in the implementation group that was created to include various interests when making recommendations to the Forest Resources and Practices Act. Through the participation of Board members and staff, YRDFA was able to be part of the decision-making process and to ensure that the voice of the fishery resource and the fishermen were at the table.

We support the process that took place and the outcome that resulted in recommendations to the classification of stream types and riparian buffers for public and private lands in region III under the Forest Practices and Resources Act. H.B. 131 is good for both fishing and timber because it strengthens protection for interior fish habitat and does it in a manner that is practical for the timber industry to implement.

Thank you for your consideration of my testimony.

Sincerely,

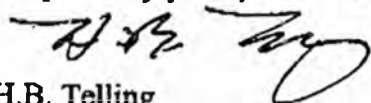
A handwritten signature in cursive script that reads "Jill Klein".

Jill Klein
Executive Director

Dear Elected Official,

The Associated Students of the University of Alaska-Fairbanks is the state's oldest and strongest student association, representing over 6,300 students at the University of Alaska Fairbanks. The following is a resolution passed at the March 29th meeting of the ASUAF Student Senate. This resolution was passed by Unanimous Consent, with Acclamation. This should be considered a very strong message on behalf of the Students of UAF. Please read it, and treat it as such.

Respectfully yours,



H.B. Telling
ASUAF Senate Chair
P.O. Box 756640
Fairbanks, AK 99775
Telephone: 474-7355
Fax: 474-5157

Att. Darwin Peterson

Page 1 of 4

ALASKA BIRCH WORKS

Bob Zachel
P.O. Box 83244
Fairbanks, AK 99708
(907) 455-6164

Darwin,
The following statement covers my concerns in regards to HB 131.

ADF+G must present clear, scientific, peer reviewed data to justify their objections to timber sales beyond the 100 ft setback. ADF+G retains due deference based on expertise on site specific locations.

Also included are three pages of comments from ADF+G to Dept of Forestry in regards to timber sales. I underlined the specific language I found disturbing. Later comments by ADF+G deleted some of the language. However, once this line was broadcast an omission is not the same as a retraction. I do not require a rewrite of HB 131 to address my concerns. A statement by ADF+G personnel concurring with my above statement, at a legislative hearing, would be acceptable.

att. Darwin Peterson pg 2 of 4

MEMORANDUM

**State of Alaska
Department of Fish and Game**

To: Pete Buist, Resource Forester
Division of Forestry
Department of Natural Resources
Fairbanks

Date: October 17, 2001

File No:

Telephone Number: 459-7289
Fax Number: 456-3091

From: Alvin G. Ott, Regional Supervisor
Habitat and Restoration Division
Department of Fish and Game
Fairbanks

Subject: Comments on Agency Draft
Fairbanks Area 5-Year
Schedule of Timber Sales
Fiscal Years 2002 to 2006

The ADF&G has reviewed the Agency Review Draft Five-Year Schedule of Timber Sales (FYSTS) for Fiscal Years 2002 to 2006, developed by the Fairbanks Area Office of DNR Division of Forestry (DOF) in accordance with AS 38.05.113.

We understand that the DOF is seeking scoping-level comments to assist in preparation of Forest Land Use Plans (FLUPs), and in meeting the requirements of AS 38.05.112, AS 41.17.060, and AS 41.17.118. In particular, the ADF&G reviewed how the proposed activities might affect fish and wildlife species and their habitats, and human uses of these forest resources. During the review, the Habitat & Restoration Division consulted with the divisions of Wildlife Conservation (DWC), Subsistence, Sport Fish, and Commercial Fisheries, and incorporated comments they provided. We look forward to working with the Fairbanks Area as FLUPs are prepared and reviewed for each sale.

GENERAL COMMENTS

Better information on the planned transportation systems would greatly improve this FYSTS. In particular, information on the anticipated access season could be easily added as a column in the tables for all fiscal years. Miles of new and maintained or reconstructed roads could be placed in a transportation section.

Several apparently typographic errors were noted in the FYSTS. Check the fiscal year notations throughout, particularly in the Table of Contents and on the regional maps for FY 2006. Check the TBAP management unit for the Little Delta #5 sale.

Lack of Disturbance and Impact to Wildlife Habitat section: We offer the following suggestions and edits to the section found on pages 6 and 7 of the FYSTS.