

ALASKA LEGISLATURE COMMITTEE FILES 2001-2002 86/2

10688 SENATE STATE AFFAIRS 573

The Jesse Lee Home's history is very well known in the State of Alaska and is well documented. The site is listed on the National Register of Historic Places, the State of Alaska Heritage Resources Survey, and the local Seward Register of Historic Places. The Alaska Association for Historic Preservation identified the Jesse Lee Home on Alaska's Ten Most Endangered Properties list in 1993 and 1994.

**3. How well known is the Site? Who goes there (tourists, school children)? Is it open to the public?**

The Jesse Lee Home has been consistently cited by Seward residents as a high priority for historic preservation, however, many residents also feel its salvation is beyond the scope of a small community, and that its status as a state historic treasure and home of the Alaska State flag design should be recognized. The site has been in private hands and has been "closed" to the public for over 35 years.

It is an interesting place and many observers have a natural curiosity to explore the massive buildings, but their neglected condition makes this a real danger. The Jesse Lee Home is included on the Seward Historic Preservation Commission's annual tour of the city's nine National Register of Historic Places sites.

**4. Why is the Site important? Why should anyone Care?**

The Jesse Lee Home is rich in cultural history, as it was the home of children from all ethnic background brought in from every village and town in Alaska. As the birthplace of Alaska's flag, the site is extremely important to Alaska's history. Benny Benson, an orphaned child living hundreds of miles from his home had the vision to design a symbol for Alaska which is known and admired through out the world. The state flag was first raised and flown over Alaskan soil on July 9, 1927, from the flagpole at the Jesse Lee Home. Today, Alaska school children learn the story of how Alaska's State flag was created by Benny Benson, an orphaned boy who lived at the Jesse Lee Home in Seward.

**5. Describe the threat to the site.**

The Jesse Lee Home was closed following damage to the structures in the 1964 Alaska Earthquake, and the buildings have remained vacant since that time. The structures have been gutted and abandoned and are in poor condition. As documented by a 1999 engineer's preliminary review on the condition of the structure, the existing condition of this building is its greatest threat.

The report concluded that the lateral load capacity of the structures is minimal, and that due to the condition of the roof and interior framing, the structure should be

considered unstable. The report specifically noted the following:

- \* The roofing is in poor condition. Patches are missing and the building suffers from roof leaking.
- \* The interiors have been stripped to expose the framing. Where the roof is leaking the interiors have significant wood rot damage. This damage is worse in the lower floors.
- \* The exterior wall finish is stucco placed on vertical wood lath. The stucco is cracked and in poor condition in many areas.
- \* The foundation is of cast-in-place concrete. Some of the concrete exterior walls are soft.
- \* The foundation sill plates are not treated and are rotted in many areas.

The physical threat to the buildings on the site is very real and can not be overstated. Holes in the wooden shingle roof have allowed significant amounts of water to enter the buildings interior and rainfall totals for Seward are significantly high. Large sections of floor are rotted and pose a real threat to casual visitors. Higher than average winter snows could pose a threat as well. Considering that there has been no maintenance of any kind since 1964 the state of deterioration is high, and has been countered all these years only by craftsmanship and good materials. Every one of the 120 + windows are broken or missing. A previous owner removed all interior lath and plaster, plumbing and wiring. This looks bad because the interior is essentially gutted however, this has also allowed the walls to remain relatively dry and will allow future tenants to design an interior layout suited to their needs.

## 6. How significant is the threat?

In 1995 the City of Seward filed a foreclosure action on the Jesse Lee Home property for unpaid assessments and associated penalties and interest. As of July 1, 1997, the total owed for assessments, penalties, interest and foreclosure cost was \$210,145.27. Interest on that amount continues to accrue at 9% per annum. The City and the property owner entered into a settlement agreement that would have discharged the property assessments if restoration and redevelopment of the historic structures was completed. That agreement expired on September 30, 2000, and the property owner did not complete the restoration and redevelopment of the Jesse Lee Home due to an inability to obtain financing. The City of Seward is now in a position to complete the foreclosure and obtain the property. At that point the City can either declare the property for public use or sell it. One of the options being considered by the City if

it obtains ownership of the property is to demolish the structures in order to eliminate the liability to the City, and make the property more attractive for development.

**6. How can the threat be eliminated?**

The immediate threat of demolition could be curtailed by a rapid public awareness campaign, and education of the elected officials on the historical significance of this site. In order to completely eliminate the threat a viable use for the structure must be identified, and significant funds obtained to rehabilitate the buildings.

**7. Who are the major players?**

The major players currently involved with the Jesse Lee Home include the City of Seward, the State of Alaska, and private citizens.

The City of Seward is a major player because of its potential in becoming the owner of the property in the very near future. One of the City of Seward's 2001 State legislative priorities includes promoting legislation to have the Jesse Lee Home transferred to the state property inventory.

The State of Alaska is currently being approached by the City of Seward for legislative action to have the Jesse Lee Home transferred to the State property inventory. In addition, private citizens are making phone calls and sending letters to Alaska State Senators and Representatives, the Governor's Office, and the State Historic Preservation Office in order to obtain legislative funding for the renovation and restoration of the Jesse Lee Home.

At this time the United Methodist Women's Organization already running a large rehabilitation center in Seward, has expressed interest in receiving and operating an assisted living apartment complex within a restored Jesse Lee Home.

Over 500 private citizens signed a petition a few years ago in support of action to save the Jesse Lee Home. The public want to help, but feels helpless and overwhelmed by a project of this size. Their only recourse appears to be to petition their state officials and representatives.

**9. Who opposes preservation of the site?**

Local legend has it that a past City Manager frustrated about "What to do with the Jesse Lee Home" ordered the fire chief to burn it. The Chief politely refused.

Other than a handful of known firebugs looking for a "good burn" no serious

opposition to the sites preservation has ever been detected on the local or state level.

Even the normally expected real estate developers, often around sites on the eve of their destruction, are missing. The estimated \$180,000.00 price tag for the buildings demolition and removal make the 2 ½ acres future investment bleak.

**10. How would listing this site as one of America's 11 Most Endangers Historic Places help save the site.**

Being included on a National List of America's Most Endangered Sites would be of great help to those interested in the Jesse Lee Homes restoration and preservation. Already a grass roots effort is underway to influence Alaska's State Legislative Officials to fund such an undertaking. Recognition that many people outside the state also hope to see better things for the Home's future, would undoubtedly have a favorable influence in their deliberations. While being included on such a list is hardly an honor, a small dose of shame at the right time, administered in a helping way, could work wonders.

**11. Other than listing this site, how can the National Trust alleviate the threat?**

If pressure on the State of Alaska fails, the National Trust could be the Home's last hope. While we are optimistic about a State resolution to this problem, a letter of support for preservation efforts at the Jesse Lee Home from the National Trust to the Governor of Alaska would be very helpful and most appreciated.

**12. How has the National Trust been involved to date? What role, if any, is there for the Trust if this site is put on the list?**

Thus far the National Trust has been uninvolved in this site. The National Trust could be very helpful in the future in two ways. First of all, an article regarding this project in one of the Trust publications could help spread word of the problem. Secondly, the National Trust could in the near future provide valuable technical advice in the areas of:

1. Adaptive reuse of historic structures
2. Use of historic buildings as residential nursing homes
3. Safety issues/handicapped access issues
4. Environmental issues

**14. Provide Name, Title, phone,/fax of all appropriate contacts:**

1. Governor Tony Knowles  
P.O. Box 110001  
Juneau, Alaska 99811-0001  
Phone(907) 465-3500  
Fax (907) 465-3532
2. Senator John Torgerson  
Alaska State Senate  
State Capital  
Juneau, Alaska 99811
3. Representative Ken Lancaster  
House of Representatives  
State Capital  
Juneau, Alaska 99811
4. Judith Bittner (SHPO)  
Dept. of Natural Resources  
Office of History and Archeology  
3601 C Street, Suite 1278  
Anchorage, AK 99503-5921  
Phone (907) 269-8715  
Fax (907) 269-8908
5. Scott Janke, City Manager  
City of Seward  
P.O. Box 167  
Seward, AK 99664  
Phone (907) 224-4047  
Fax (907) 224-4038

Sponsored by: Staff

**CITY OF SEWARD, ALASKA  
HISTORIC PRESERVATION COMMISSION  
RESOLUTION NO. 2001 -01**

**A RESOLUTION OF THE SEWARD HISTORIC PRESERVATION  
COMMISSION, RECOMMENDING THE NOMINATION OF THE JESSE  
LEE HOME TO AMERICA'S 11 MOST ENDANGERED HISTORIC  
PLACES**

**WHEREAS**, the National Trust for Historic Preservation's America's 11 Most Endangered Historic Places provides an opportunity to spotlight examples of American heritage threatened by neglect, deterioration, lack of maintenance, insufficient funds, inappropriate development or insensitive public policy; and

**WHEREAS**, the Jesse Lee Home for Children was listed on the National Register of Historic Places in 1995 for the critical role it played in serving the health care and educational needs of Alaska's native children orphaned during a wave of devastating epidemics, and because the home fostered many children who have distinguished themselves in a wide variety of fields; and

**WHEREAS**, John Ben (Benny) Benson Jr., designed Alaska's flag while residing at the Jesse Lee Home, and the site was honored as the location for the first official raising of the Alaska state flag on July 9, 1927; and

**WHEREAS**, the Jesse Lee Home, which has remained vacant since it was damaged by the 1964 Alaska earthquake, has been gutted, abandoned, and is in poor condition. A recent engineer report on the condition of the building stated that the structure should be considered unstable; and

**WHEREAS**, the Jesse Lee Home has been consistently cited by Seward residents as a high priority for historic preservation, however, many residents also feel its salvation is beyond the scope of a small community, and that its status as a state historic treasure and home of the Alaska flag design should be recognized; and

**WHEREAS**, the Jesse Lee Home was listed on the Alaska Association for Historic Preservation's Ten Most Endangered Properties list in 1993 and 1994; and

**WHEREAS**, the Seward Historic Preservation Plan recommends that the City continue to monitor the status of the Jesse Lee Home and support efforts to save it.

**NOW, THEREFORE, BE IT RESOLVED** by the Seward Historic Preservation Commission that:

*Support from City of Seward*

Seward Historic Preservation Commission  
Resolution No. 2001-01

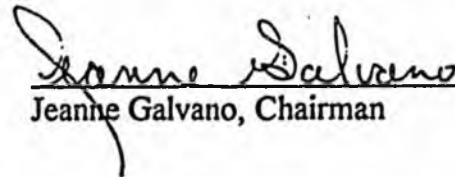
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Section 1. The Seward Historic Preservation Commission hereby recommends the nomination of the Jesse Lee Home to America's 11 Most Endangered Historic Places.

Section 2. This resolution shall take effect immediately upon its adoption.

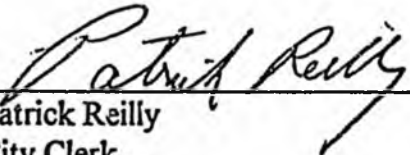
**PASSED AND APPROVED** by the Seward Historic Preservation Commission this 10th day of January, 2001.

**THE CITY OF SEWARD, ALASKA**

  
\_\_\_\_\_  
Jeanne Galvano, Chairman

AYES: Appel, Darling, Galvano, Hearn, Martin, Sczawinski  
NOES: None  
ABSENT: Seavey  
ABSTAIN: None

ATTEST:

  
\_\_\_\_\_  
Patrick Reilly  
City Clerk



**2001 City of Seward State Legislative Priorities**

**Project Title: PROMOTE LEGISLATION TO HAVE JESSE LEE HOME  
TRANSFERRED TO THE STATE PROPERTY  
INVENTORY**

**Priority: #4 Beneficial Legislation**

**Funding Need:**

**Funding Source:**

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**Project Description/Justification**

John Ben (Benny) Benson Jr., designed Alaska's flag while residing at the Jesse Lee Home, and the site was honored as the location for the first official raising of the Alaska state flag on July 9, 1927.

The Jesse Lee Home, which has remained vacant since it was damaged by the 1964 Alaska earthquake, has been gutted, abandoned, and is in poor condition. A recent engineer report on the condition of the building stated that the structure should be considered unstable.

The Jesse Lee Home was listed on the Alaska Association for Historic Preservation's Ten Most Endangered Properties list in 1993 and 1994.

The Jesse Lee Home has been consistently sited by Seward residents as a high priority for historic preservation, however, many residents also feel its salvation is beyond the scope of a small community, and that its status as a state historic treasure and home of the Alaska flag design should be recognized.

Notes on Jesse Lee Home  
Prepared by Jim Stratton  
3.28.01

DNR suggests that a commission be established to review the possible uses and management options for the Jesse Lee Home in Seward. Simultaneously, we also suggest contracting with a private architectural firm for a professional assessment of the property. The Office of History & Archeology (OHA) would have the lead on this project and be responsible for developing the Assessment RFP, administering that contract, and administering and supporting the commission.

The Jesse Lee Home Commission would be primarily responsible for the public discussion and recommendation(s) on potential uses and long-term management options for the property. The Commission's work will provide direction to the architectural contractor doing the building assessment and will be included in the assessment consultant's final report. The Commission will also provide public input into the consultant's preliminary findings and final recommendations. Developing the RFP and awarding and managing the contract will be handled by OHA staff.

The Commission must have a clear mission statement that is provided by the legislature through DNR to keep it focused on the two primary objectives; determining the options and making recommendations about the potential use(s) and long-term management of the property, and reviewing the professional assessment. We suggest that the Commission be no more than 7 members, be empowered for a year, and that commission members be appointed by the DNR Commissioner.

The Final Assessment Report will include both the recommendations of the Commission and the contractor's technical findings. The professional assessment contract will require four things in the final report:

1. As assessment of the material condition of the property
2. A recommendation of the appropriate use(s) of the property (Commission's responsibility)
3. A recommendation for the appropriate treatment of the property that will put the building back in service.
4. Cost estimate

Feedback from DNR

Costs:

Architectural assessment contract	\$70.0
Staff support (17%)	12.0
Commission costs (4 meetings x \$4.5)	18.0
Total	\$100.0

Range of building reconstruction costs:

DNR has reviewed a September 1999 report on the physical condition of the Jesse Lee Home in Seward and provides the following preliminary cost estimates based on construction figures from the Parks Design & Construction Section. The building is 27,300 square feet.

1. For the state to retain ownership of the building and restore it for either a public use or to then partner with the private sector for building management, it will cost between \$200 and \$250 a square foot to restore for a total price of between \$5.5 million and \$6.9 million.
2. If the state were to sell the property to the private sector for say \$1 and a bunch of covenants so it would retain its historic flavor, they could restore the building for between \$100 and \$150 a square foot for a total of \$2.7 million to \$4.05 million.

The cost difference between the two options is that government must pay Davis-Bacon wages, and audit and administrative costs for a government projects are higher.

# FISCAL NOTE

**STATE OF ALASKA**  
**2001 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: CSHB 96 (HSS)  
 () Publish Date: \_\_\_\_\_  
 Dept. Affected: Natural Resources  
 BRU: Parks & Recreation Mgt  
 Component: St. Historic Pres. Prgm  
 Component Number: 451

Revision Date/Time (Note if correction): \_\_\_\_\_  
 Title: Acquisition and development of Jesse  
Lee Home  
 Sponsor: Rep. Lancaster  
 Requester: House FIN

**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					
Travel	8.0					
Contractual	39.0					
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>65.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match	35.0					
1004 GF	30.0					
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>65.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (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)

DNR will establish a seven person Jesse Lee Home Commission to be charged with the primary responsibility for the public discussion and recommendations on potential uses and long-term management of the Jesse Lee Home. The Commission's work will provide direction to the architectural contractor doing the building assessment and will be included in the assessment contractor's final report. The Commission will provide public input into the consultant's preliminary findings and final report. There will be four commission meetings at a cost of \$4,500 each which covers commission member travel and per diem, meeting space, and meeting preparation. Staff support is needed for both the commission and to prepare and manage the architectural consultant contract. An architectural consultant will be secured. Anticipated cost for the architectural consultant is \$70.0, of which half is covered by an existing historic preservation grant program, so only the match is requested here.

Prepared by: Jim Stratton Phone 269-8701  
 Division: Parks & Outdoor Recreation Date/Time 03-Apr-01  
 Approved by: Pat Pourchot Date 05-Apr-01  
 Agency: Natural Resources

For distribution information, call the Governor's Legislative Office

## Our View

(Published April 28, 2001)

### Jesse Lee Home

Historic structure may soon succumb to the elements

The historic Jesse Lee Home in Seward desperately needs a rescue. Vacant since the mid-1960s, the once-sturdy and almost elegant home for children will be lost to the ages if help does not come soon.

The city of Seward is doing what it can, by authorizing money to board up the place and fence out potential vandals. But the city doesn't have the deep pockets necessary. Soldotna state Rep. Ken Lancaster is on the right track with his effort to fund a state park study of the situation and potential solutions.

As long as it stands, the Jesse Lee Home will loom large in the state's history. It was home to Benny Benson, the youth who designed the Alaska flag. It was the first place the flag flew, in 1927, just two years after the home opened. Jesse Lee Home also serves as a memorial to the days when disease regularly swept through Alaska's sparsely populated expanses, leaving score after score of children in need of aid.

Restored to its past dignity, the Jesse Lee Home would be a structure of statewide significance. Besides being an invaluable repository of state history, it would be an appealing destination for visitors.

Alaska has precious little tangible history left to preserve. Letting the Jesse Lee home succumb to the elements or the wrecking ball would be a terrible waste.

*Media Coverage*

# A happy ending to the Jesse Lee Home story is up to you

By Tim Szawinski

## Commentary

Seward

Have you noticed that there is something different about the Jesse Lee Home these days? You're forgiven if you missed it. After all, the place still looks the way it has since the Great Earthquake - better suited for the set of a slasher movie than for use as a children's home.

Nevertheless, there are a couple of significant differences that should give those who hope for better things for one of Alaska's historic treasures reason to be optimistic. First of all, the property will soon be public land, making all of us shareholders in the Jesse Lee

Home's future.

Secondly, there is a very serious effort afoot in Juneau to do something important with the place where Alaska's first flag was designed and then first displayed to the world.

In a stunning development, our representative in Juneau, Ken Lancaster, has introduced a bill to the State House aimed at providing expertise and funds to solve the Jesse Lee Home problem to the benefit of all Alaskans. House Bill No. 96, if approved by the House, Senate and governor, would lead to the development of the site by the state of Alaska and its permanent maintenance as one of the state's most historically significant places.

The bill's authors acknowledge that this project should be important to citizens living throughout Alaska. After all, the Jesse Lee Home's story, like that of a great battlefield or a president's birthplace, transcends local boundaries. People all over America know the story of Benny's flag.

The bill also recognizes the site's restoration is currently beyond the means of city government. Therefore the state would take ownership and determine the best course of action, dates for action being built into the bill.

All sounds good, right? The problem is, bills don't pass if they don't get support, and that's why a happy ending to this story really is up to you.

If you agree with Rep. Lancaster that the brightest future for the home lies in the hands of the state of Alaska, please help him make it so. In order for him to get this legislation through, he really needs you to contact him and let him know your feelings.

Not so long ago, more than 400 of you signed a petition in front of the post office to "save the Jesse Lee Home." Won't you all get involved one more time? Can't Ken Lancaster expect hundreds of letters, e-mails, faxes or public opinion messages (see the friendly folks at the Legislative Information Office next to the Chamber of Commerce for addresses, phone numbers, POM information) from the residents of Seward, Moose Pass and Cooper Landing? Perhaps a teacher or two could encourage their students to get involved. It's your site now and only your help will make the Jesse Lee Home a place we can be proud of.

Rep. Lancaster's mailing address in Juneau: Rep. Ken Lancaster, Alaska State Capitol, Room 421, Juneau 99801. The Legislative Information Office phone number is 224-5066.

*Seward Phoenix Log*  
Feb 8, 01

# Beyond repair

Jesse Lee Home's fate may be in state's hands

By Nancy Erickson

Seward Phoenix LOG

A new player has appeared in the quandary of what is to become of the historic and deteriorating Jesse Lee Home.

House District 8's new representative Ken Lancaster introduced House Bill 96 last week that would pave the way for the state to acquire the property on Phoenix Road and manage it in a manner that recognizes the site's role in Alaska's history.

The home was opened in 1926 as an orphanage for Alaska Native children who either lost or were temporarily separated from their parents because of the deadly tuberculosis epidemic sweeping the territory at the time. It was there that John Ben "Benny" Benson Jr., a 13-year-old boy from Chignik, combined images of the Big Dipper, the North Star and the forger-inc-not flower to design the Alaska state flag. The flag was first officially raised at the site on July 9, 1927.

But the orphanage and the 2 1/2 acres it occupies have been vacant since the 1964 Good Friday earthquake, slowly succumbing to the climatic elements of its maritime environment.

After many attempts at private development, the property is now in foreclosure by the Kenai Peninsula Borough for delinquent property taxes, said Jeff Sinz, borough finance director. According to state statute, the borough could deed the property to the city after the foreclosure process is completed. But the city doesn't appear to



Nancy Erickson/Seward Phoenix LOG  
Children from Unalaska and Nome began moving into the newly constructed Jesse Lee Home in 1926.

## Jesse Lee...

From page 1

be interested in assuming liability for the property, nor does it have the resources to develop it, said City Manager Scott Janke.

"I don't think the property is worth more than the estimated \$120,000 it would cost to raise it," Janke said of the two-story structures.

But what is to become of the orphanage — which housed many children who remained in Seward, married and raised families of their own — is an emotionally charged issue, sharply divided between those who believe the buildings are structurally sound and capable of refurbishing and those who don't.

Lancaster graduated from high school in Seward in 1961 and had friends who resided in Jesse Lee, he said. He even has a state flag signed by Benny Benson hanging on the wall of his office in Juneau.

The concept of state ownership of the property was resurrected by local historian Tim Sczawinski amid discussion of the home's fate during a January Planning Commission meeting.

"You always hear talk about liability and money," Sczawinski said during the January meeting. "Nobody

ever talks about history. I could give you a half-hour lecture on the history of it. What's wrong with approaching the state? Our state flag was raised here. Don't we have any pride?"

Seward Museum curator Lee Poleske agrees state ownership is a good idea.

"As far as commemorating the design of the flag, that's a state event, not a local event," Poleske said.

But what the state would do with the property if it does assume ownership is not clear, said Lancaster.

HB96 wording deems, "Appropriate management would include the erection of a monument honoring Benny Benson for his role in designing the state flag and development of the site as a place where community events and ceremonies could be held."

The building itself may be another matter.

"Unfortunately, it's not repairable, according to the city," Lancaster said.

In a telephone interview from his Juneau office last week, Lancaster said his bill has support among some of his colleagues and expects it to take the full legislative session, and maybe into the next, before it comes to a full vote.

"It won't be a quick process," he said.

Those wishing to comment on the bill can contact the Seward Legislative Office at 224-5066.



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## House bill would enable state to take over Jesse Lee Home

SEWARD (AP) -- The historic Jesse Lee Home, opened as an orphanage in 1926, has sat empty, slowly succumbing to the elements for 37 years.

But a bill introduced in the Alaska House would enable the state to take over the home and manage it in a way that recognizes its contribution to the state's history.

Ken Lancaster introduced the bill in early February. He said the bill has support among his colleagues but may not come to a vote until next session.

"It won't be quick process," Lancaster said.

The Jesse Lee Home was opened in 1926 as an orphanage for Alaska Native children who either lost or were separated from their parents because of a deadly tuberculosis epidemic sweeping the territory at the time. It was there that John Ben Benson Jr., a 13-year-old boy from Chignik, came up with the design of the Alaska state flag, which was first officially raised at the site on July 9, 1927.

The orphanage and the more than two acres it occupies have been vacant since the 1964 Good Friday earthquake. The building has slowly been succumbing to the elements.

After many attempts at private development, the property is now in foreclosure by the Kenai Peninsula Borough for delinquent property taxes, said Jeff Sinz, borough finance director.

State law would allow the borough to deed the property to the city after the foreclosure process is completed. But the city doesn't appear to be interested in assuming liability for the property, nor does it have the resources to develop it, said city manager Scott Janke.

"I don't think the property is worth more than the estimated \$180,000 it would cost to raze it," Janke said.

Local historian Tim Sczawinski raised the issue of state ownership of the

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**New School Calendar  
Sponsored by  
N.I.E.**

orphanage during a Planning Commission meeting in January.

Seward Museum curator Lee Poleske said he also thinks state ownership is a good idea.

"As far as commemorating the design of the flag, that's a state event, not a local event," Poleske said.

Under the bill, a monument would be erected to honor Benson for his role in designing the state flag. The site also would be used for community events and ceremonies. The building itself may be another matter.

"Unfortunately, it's not repairable, according to the city," Lancaster said.

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**HB**

**100**

# Alaska State Legislature

Session  
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Chair, House Special Committee  
on Economic Development, Trade  
and Tourism

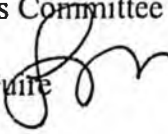
Chair, Joint House and Senate  
Administrative Regulation and  
Review Committee

Member  
Resources Committee  
Rules Committee

## Representative Lesil McGuire *House District 17*

### MEMORANDUM

TO: Senator Therriault  
Chair, Senate State Affairs Committee

FROM: Representative Lesil McGuire 

DATE: February 20, 2001

RE: HB 100  
"An Act establishing the third Saturday of each June as Juneteenth Day."

I respectfully request that HB 100 be scheduled for a hearing in the Senate State Affairs Committee.

Attached are the following back up:

1. Sponsor Statement
2. HB 100
3. Bill History
4. History of Juneteenth
5. Emancipation Proclamation

If you have any questions please feel free to contact me personally, or my staff Sue Stancliff at ext. #4695.

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Review Committee

Member  
Resources Committee  
Rules Committee

## Representative Lesil McGuire

*House District 17*

### Sponsor Statement

#### HB 100

**"An Act establishing the third Saturday of each June as Juneteenth Day."**

Juneteenth is the oldest known celebration of the ending of slavery. From its Galveston, Texas origin in 1865, the observance of June 19<sup>th</sup> as the African American Emancipation Day has spread across the United States and beyond.

Today Juneteenth commemorates African American freedom and emphasizes education and achievement. It is a day, a week, and in some areas a month marked with celebrations, guest speakers, picnics and family gatherings. It is a time for reflection and rejoicing. It is a time for assessment, self-improvement, and for planning the future. In cities across the country, people of all races, nationalities and religions are joining hands to truthfully acknowledge a period in our history that shaped and continues to influence our society today. Only when sensitized to the conditions and experiences of others, then can we make significant and lasting improvements in our society.

Juneteenth Day has been celebrated in Anchorage on the Park strip for the past 8 years. Other states have recognized the value of celebrating this day as a nationally recognized holiday. This would be a non-paid holiday on the third Saturday of each June as the official day, and would be listed on the calendar. I respectfully urge your support in the effort in acknowledging and showing the appreciation of African American history and culture by passage of HB 100.

# FISCAL NOTE

STATE OF ALASKA  
2001 LEGISLATIVE SESSION

Fiscal Note Number 1  
Bill Version HB 100  
HB Publish Date 02.07.01

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: \_\_\_\_\_  
Title: An Act Establishing the third BRU: \_\_\_\_\_  
Saturday of each June as Juneteenth Day " Component: \_\_\_\_\_  
Sponsor: McGuire \_\_\_\_\_  
Requester: State Affairs 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						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXPENDITURES						
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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)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2001) cost: 0.0

**POSITIONS**

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Rynnieva Moss, Committee Aide Phone 465-3719  
Division: House State Affairs Date/Time 2/6/01  
Approved by: Rynnieva W. Moss Date \_\_\_\_\_  
Agency \_\_\_\_\_

For distribution information, call the Governor's Legislative Office

Page 1 of 1

Fiscal Note



**JUNETEENTH.com**  
WORLD WIDE CELEBRATION!

## History of Juneteenth

### What is Juneteenth?

Juneteenth is the oldest known celebration of the ending of slavery. Dating back to 1865, it was on June 19<sup>th</sup> that the Union soldiers, led by Major General Gordon Granger, landed at Galveston, Texas with news that the war had ended and that the enslaved were now free. Note that this was two and a half years after President Lincoln's Emancipation Proclamation - which had become official January 1, 1863. The Emancipation Proclamation had little impact on the Texans due to the minimal number of Union troops to enforce the new Executive order. However, with the surrender of General Lee in April of 1865, and the arrival of General Granger's regiment, the forces were finally strong enough to influence and overcome the resistance.

Later attempts to explain this two and a half year delay in the receipt of this important news have yielded several versions that have been handed down through the years. Often told is the story of a messenger who was murdered on his way to Texas with the news of freedom. Another, is that the news was deliberately withheld by the enslavers to maintain the labor force on the plantations. And still another, is that federal troops actually waited for the slave owners to reap the benefits of one last cotton harvest before going to Texas to enforce the Emancipation Proclamation. All or none of them could be true. For whatever the reason, conditions in Texas remained status quo well beyond what was statutory.

General Order Number 3

One of General Granger's first orders of business was to read to the people of Texas, General Order Number 3 which began most significantly with:

*"The people of Texas are informed that in accordance with a Proclamation from the Executive of the United States, all slaves are free. This involves an absolute equality of rights and rights of property between former masters and slaves, and the connection heretofore existing between them becomes that between employer and free laborer."*

The reactions to this profound news ranged from pure shock to immediate jubilation. While many lingered to learn of this new employer to employee relationship, many left before these offers were completely off the lips of their former 'masters' - attesting to the varying conditions on the plantations and the realization of freedom. Even with nowhere to go, many felt that leaving the plantation would be their first grasp of freedom. North was a logical destination and for many it represented true freedom, while the desire to reach family members in neighboring states drove the some into Louisiana, Arkansas and Oklahoma. Settling into these new areas as free men and women brought on new realities and the challenges of establishing a heretofore non-existent status for black people in America. Recounting the memories of that great day in June of 1865 and its festivities would serve as motivation as well as a release from the growing pressures encountered in their new territory. The celebration of June 19<sup>th</sup> was coined "Juneteenth" and grew with more participation from descendants. The Juneteenth celebration was a time for reassuring each other, for praying and for gathering remaining family members. Juneteenth continued to be highly revered in Texas decades later, with many former slaves and descendants making an annual pilgrimage back to Galveston on this date.

## Juneteenth Festivities and Food

A range of activities were provided to entertain the masses, many of which continue in tradition today. Rodeos, fishing, barbecuing and baseball are just a few of the typical Juneteenth activities you may witness today. Juneteenth almost always focused on education and self improvement. Thus often guest speakers are brought in and the elders are called upon to recount the events of the past. Prayer services were also a major part of these celebrations.

Certain foods became popular and subsequently synonymous with Juneteenth celebrations such as strawberry soda-pop. More traditional and just as popular was the barbecuing, through which Juneteenth participants could share in the spirit and aromas that their ancestors - the newly emancipated African Americans, would have experienced during their ceremonies. Hence, the barbecue pit is often established as the center of attention at Juneteenth celebrations.

Food was abundant because everyone prepared a *special* dish. Meats such as lamb, pork and beef which not available everyday were brought on this special occasion. A true Juneteenth celebrations left visitors well satisfied and with enough conversation to last until the next.

Dress was also an important element in early Juneteenth customs and is often still taken seriously, particularly by the direct descendants who can make the connection to this tradition's roots. During slavery there were laws on the books in many areas that prohibited or limited the dressing of the enslaved. During the initial days of the emancipation celebrations, there are accounts of former slaves tossing their ragged garments into the creeks and rivers to adorn clothing taken from the plantations belonging to their former 'masters'.

## Juneteenth and Society

In the early years, little interest existed outside the African American community in participation in the celebrations. In some cases, there was outwardly exhibited resistance by barring the use of public property for the festivities. Most of the festivities found themselves out in rural areas around rivers and creeks that could provide for additional activities such as fishing, horseback riding and barbeques. Often the church grounds was the site for such activities. Eventually, as African Americans became land owners, land was donated and dedicated for these festivities. One of the earliest documented land purchases in the name of Juneteenth was organized by Rev. Jack Yates. This fund-raising effort yielded \$1000 and the purchase of Emancipation Park in Houston, Texas. In Mexia, the local Juneteenth organization purchased Booker T. Washington Park, which had become the Juneteenth celebration site in 1898. There are accounts of Juneteenth activities being interrupted and halted by white landowners demanding that their laborers return to work. However, it seems most allowed their workers the day off and some even made donations of food and money. For decades these annual celebrations flourished, growing continuously with each passing year. In Booker T. Washington Park, as many as 20,000 African Americans once flowed through during the course of a week, making the celebration one of the state's largest.

### Juneteenth Celebrations Decline

Economic and cultural forces provided for a decline in Juneteenth activities and participants beginning in the early 1900's. Classroom and textbook education in lieu of traditional home and family-taught practices stifled the interest of the youth due to less emphasis and detail on the activities of former slaves. Classroom text books proclaimed Lincoln's Emancipation Proclamation of January 1, 1863 as the date signaling the ending of

slavery - and little or nothing on the impact of General Granger's arrival on June 19<sup>th</sup>.

The Depression forced many people of the farms and into the cities to find work. In these urban environments, employers were less eager to grant leaves to celebrate this date. Thus, unless June 19<sup>th</sup> fell on a weekend or holiday, there were very few participants available. July 4<sup>th</sup> was the already established Independence holiday and a rise in patriotism steered more toward this celebration.

### Resurgence

The Civil Rights movement of the 50's and 60's yielded both positive and negative results for the Juneteenth celebrations. While it pulled many of the African American youth away and into the struggle for racial equality, many linked these struggles to the historical struggles of their ancestors. This was evidenced by student demonstrators involved in the Atlanta civil rights campaign in the early 1960's, whom wore Juneteenth freedom buttons. Again in 1968, Juneteenth received another strong resurgence through Poor Peoples March to Washington D.C.. Rev. Ralph Abernathy's call for people all races, creeds, economic levels and professions to come to Washington to show support for the poor. Many of these attendees returned home and initiated Juneteenth celebrations in areas previously absent of such activity. In fact, two of the largest Juneteenth celebrations founded after this March are now held in Milwaukee and Minneapolis.

### Texas Blazes the Trail

On January 1, 1980, Juneteenth became an official state holiday through the efforts of Al Edwards, an African American state legislator. The successful passage of this bill marked Juneteenth as the first emancipation celebration granted official state recognition.

Representative Edwards has since actively sought to spread the observance of Juneteenth all across America.

### Juneteenth In Modern Times

Throughout the 80's and 90's Juneteenth has continued to enjoy a growing and healthy interest from communities and organizations throughout the country. Institutions such as the Smithsonian, the Henry Ford Museum and others have begun sponsoring Juneteenth-centered activities. In recent years, a number of National Juneteenth Organizations have arisen to take their place along side older organizations - all with the mission to promote and cultivate knowledge and appreciation of African American history and culture.

Juneteenth today, celebrates African American freedom while encouraging self-development and respect for all cultures. As it takes on a more national and even global perspective, the events of 1865 in Texas are not forgotten, for all of the roots tie back to this fertile soil from which a national day of pride is growing. The future of Juneteenth looks bright as the number of cities and states come on board and form local committees and organizations to coordinate the activities. Communication and networking is vital. A sharing of lessons learned throughout all organizations will help expedite this growth while minimizing waste and risks. The Juneteenth.com website can play a vital role in these efforts. Thus, it is important to communicate its existence to one and all. Contact your local Juneteenth organizer if you do not see them listed within and let them know about this site. There is no cost for organizations to post their Juneteenth festivities at the website.

Additional Juneteenth Reading

National Archives and Records Administration  
Online Exhibit Hall

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# The Emancipation Proclamation

January 1, 1863

## A Transcription

[Return]

By the President of the United States of America:

A Proclamation.

Whereas, on the twenty-second day of September, in the year of our Lord one thousand eight hundred and sixty-two, a proclamation was issued by the President of the United States, containing, among other things, the following, to wit:

"That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free; and the Executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

"That the Executive will, on the first day of January aforesaid, by proclamation, designate the States and parts of States, if any, in which the people thereof, respectively, shall then be in rebellion against the United States; and the fact that any State, or the people thereof, shall on that day be, in good faith, represented in the Congress of the United States by members chosen thereto at elections wherein a majority of the qualified voters of such State shall have participated, shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such State, and the people thereof, are not then in rebellion against the United States."

Now, therefore I, Abraham Lincoln, President of the United States, by virtue of the power in me vested as Commander-in-Chief, of the Army and Navy of the United States in time of actual armed rebellion against the authority and government of the United States, and as a fit and necessary war measure for suppressing said rebellion, do, on this first day of January, in the year of our Lord one thousand eight hundred and sixty-three, and in accordance with my purpose so to do publicly proclaimed for the full period of one hundred days, from the day first above mentioned, order and designate as the States and

parts of States wherein the people thereof respectively, are this day in rebellion against the United States, the following, to wit:

Arkansas, Texas, Louisiana, (except the Parishes of St. Bernard, Plaquemines, Jefferson, St. John, St. Charles, St. James Ascension, Assumption, Terrebonne, Lafourche, St. Mary, St. Martin, and Orleans, including the City of New Orleans) Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, and Virginia, (except the forty-eight counties designated as West Virginia, and also the counties of Berkley, Accomac, Northampton, Elizabeth City, York, Princess Ann, and Norfolk, including the cities of Norfolk and Portsmouth[]), and which excepted parts, are for the present, left precisely as if this proclamation were not issued.

And by virtue of the power, and for the purpose aforesaid, I do order and declare that all persons held as slaves within said designated States, and parts of States, are, and henceforward shall be free; and that the Executive government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons.

And I hereby enjoin upon the people so declared to be free to abstain from all violence, unless in necessary self-defence; and I recommend to them that, in all cases when allowed, they labor faithfully for reasonable wages.

And I further declare and make known, that such persons of suitable condition, will be received into the armed service of the United States to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service.

And upon this act, sincerely believed to be an act of justice, warranted by the Constitution, upon military necessity, I invoke the considerate judgment of mankind, and the gracious favor of Almighty God.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this first day of  
January, in the year of our Lord one thousand eight  
hundred and sixty three, and of the Independence of the  
United States of America the eighty-seventh.

By the President: ABRAHAM LINCOLN  
WILLIAM H. SEWARD, Secretary of State.

{Return}

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Note: This transcription is taken from the *Introduction* by John Hope Franklin to *The Emancipation Proclamation : January 1, 1863. Washington, D.C. : National Archives and Records Administration, 1994. 14 pages. (Milestone documents in the National Archives)*

Ordering information for the Milestone Document

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**HB**

**109**

# ALASKA STATE HOUSE OF REPRESENTATIVES

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

## REPRESENTATIVE JOHN COGHILL

Date: February 22, 2001  
To: Senator Gene Therriault, Chairman  
Senate State Affairs Committee  
From: Representative John Coghill, Sponsor HB 109  
Re: Hearng for HB 109

*JBC*

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**HB 109 "An Act relating to failure by an election official to execute the voter's certificate on an absentee ballot or by a person authorized by law to execute the voter's certificate on a questioned ballot" passed the House unanimously Wednesday.**

This legislation is very straight-forward and received a State Affairs referral in the Senate. I am requesting a hearing for HB 109 at your earliest convenience.

We have worked very closely with the election office in making sure we do not change the certification process. The only change we are making to the process is that we are protecting a person's right to have their vote counted.

In the 2000 General Election, three ballots were not counted because of errors made in the certification of questioned or absentee ballots. While errors addressed by this legislation are rare, we want to ensure that the voter is made whole when it happens.

I have attached relevant back up information for this legislation. Also, if you have any concerns about this bill, please call me.

# ALASKA STATE HOUSE OF REPRESENTATIVES

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State Capitol  
Room 416

## REPRESENTATIVE JOHN COGHILL

### HB 109 Voting Absentee or Question Ballot Sponsor Statement

While all elections are important, people turn out in large numbers for borough mayoral races and the general elections during presidential elections. This can result in fast paced processing of questioned and absentee ballots, which can result in human error while processing ballots.

Election workers are very conscientious, under paid citizens who are put under tremendous stress during popular elections that result in high turnout. It does not happen often, but because of the high turnouts there have been a couple of instances when Alaskan citizens have received a letter from the Division of Elections informing them that their ballot was not counted because the questioned or absentee ballot was not filled out properly.

One such incident occurred when a resident of the Badger Road area went out of precinct to vote last fall. He voted a questioned ballot at the North Pole City Hall. Several weeks later he got a letter from the Division of Elections apologizing that his vote was not counted because an official or the witness authorized by law failed to attest the voter's certificate. In other words, the election worker failed to sign the certificate on the questioned envelope.

The same would be true if a person voted absentee at an election office and the election official failed to execute the certificate.

I believe that the right to vote is a fundamental right that should not be diminished by an accidental failure to complete a form of an election official. For that reason I have introduced HB 109 which removes language that would invalidate a ballot because of an error of an election official.

# FISCAL NOTE

**STATE OF ALASKA**  
**2001 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: HB 109  
 (H) Publish Date: 2/16/01

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affect: Office of the Governor  
 Title: An Act relating to failure by an election official BRU: Elective Operations  
 to execute the voter's certificate on an absentee ballot.... Component: Elections  
 Sponsor: Representative Coghill  
 Requester: House State Affairs Component Number: 21

**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						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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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)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

Prepared by: Gail Fenumai Phone 465-3935  
 Division: Division of Elections Date/Time 02/12/01 9:55 a.m.  
 Approved by: Lieutenant Governor Fran Ulmer Date 02/12/2001  
 Agency: Office of the Lieutenant Governor

For distribution information, call the Governor's Legislative Office

**HB**

**137**

**Special Committee on Military & Veteran Affairs  
Representative Mike Chenault, Chair**



Alaska State Capitol, Room 432  
Juneau, Alaska 99801-1182  
Phone 907-465-3779  
Fax 907-465-2833

**MEMORANDUM**

To: Senator Therriault, Chair  
Senate State Affairs Committee

From: Representative Mike Chenault

Date: April 18, 2001

Subject: Request for hearing – HB 137 “An Act relating to records of veterans of the armed forces; and providing for an effective date.”

---

Please schedule HB 137 for a hearing in the Senate State Affairs Committee at your earliest convenience.

HB 137 eliminates the requirement that recording offices of the Department of Natural Resources provide the Bureau of Vital Statistics copies of separation papers submitted by veterans of the armed forces.

I have attached a copy of the sponsor statement, which was given to the House Special Committee for Military & Veterans Affairs by the Department of Military & Veterans Affairs. A copy of the original bill is included for your reference.

Please contact Leona Oberts, MLV Committee aide, at 2811 if you need any additional information.

[Representative Mike Chenault@legis.state.ak.us](mailto:Representative Mike Chenault@legis.state.ak.us) • [www.akrepublicans.org/Chenault.htm](http://www.akrepublicans.org/Chenault.htm)

**Representative Mike Chenault**

## Table of Contents



- I. Fiscal Note
- II. HB 137- "An Act relating to records of the armed forces; and providing For an effective date.
- III. Sponsor Statement
- IV. Support Documents
- V. Witness list
- VI. Miscellaneous

# FISCAL NOTE

**STATE OF ALASKA  
2001 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HB137  
 ( ) Publish Date: \_\_\_\_\_  
 Dept. Affected: Natural Resources  
 BRU: Information/Resource Mg  
 Component: Recorder's Office  
 Component Number: #802

Revision Date/Time (Note if correction): \_\_\_\_\_  
 Title: An Act relating to records of veterans of  
the armed forces.  
 Sponsor: Sp Cmte on Military & Veterans Affairs  
 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						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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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)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (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)*  
 AS 26.10.070 currently requires DNR's recording offices to periodically provide copies of recorded veteran discharge papers to the Vital Statistics office in the Department of Health and Social Services. It also requires Vital Statistics to maintain separate records of such information in its files. This statute essentially charges two separate government agencies with maintaining the same records – an unnecessary and duplicative waste of government resources.  
 Recording offices have been performing this function for decades in compliance with the existing statute.  
 ..... continued on page 2 .....

Prepared by: Sharon Young, State Recorder Phone 269-8882  
 Division: Support Services Date/Time 27-Feb-01  
 Approved by: Pat Pourchot Date 27-Feb-01  
 Agency: Natural Resources

For distribution information, call the Governor's Legislative Office

**ANALYSIS: (continued)**  
 The state's thirty-four recording districts manually monitor this information and send copies of all veteran

The state's thirty-four recording districts manually monitor this information and send copies of all veteran separation papers, with a manually prepared report, to vital statistics on a monthly basis. There is no easy means to extract all veteran separation papers from the recording system records. Reports must be requested under each branch of military service to locate and identify each recorded DD214 document. Then copies have to be manually produced from library film records and a typed report is then prepared. As the records base becomes larger and larger, DNR recording staff are spending more and more time each month in tracking and reporting this information. In the Anchorage office alone, this amounts to between four and six hours a month. Statewide, the report preparation and processing time is estimated at more than 200 hours per year (at an approximate cost of \$5.0). While this is not a huge block of time, it does represent valuable work time that will be devoted to other component priorities such as indexing and mailback functions which frequently fall into backlog status.

At the present time, the Vital Statistics office merely stores the document copies and the reports for use in the event a veteran ever requests the information from their office. The state's recording system is the official repository for all recorded documents, including military separation papers which are recorded at no charge pursuant to another provision of this same statute. This proposal would eliminate both the requirement for recorders to submit copies to Vital Statistics and the requirement for Vital Statistics to maintain separate records of such information. This proposal is in line with meeting the Governor's objectives to balance the budget by streamlining government processes. Elimination of unnecessary and redundant processes frees up valuable staff time in both agencies to meet other established objectives.

Fiscal impact of this proposal can only be measured in terms of improving available staff time in the recording section to work toward meeting other statutory mandates, such as daily recordation and indexing of incoming documents. Staff time involved in the manual tracking and preparation of reports and copies for Vital Statistics varies by office, but as noted above is estimated at more than 200 hours per year statewide.

**SPONSOR STATEMENT**  
**HB 137 "AN ACT RELATING TO RECORDS OF VETERANS OF**  
**THE ARMED FORCES"**  
**HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS**  
**AFFAIRS**

This bill will eliminate the requirement that recording offices of the Department of Natural Resources periodically provide the bureau of vital statistics in the Department of Health and Social Services copies of separation papers submitted to the various recording offices by veterans of the armed forces. It will also eliminate the requirement that the bureau of vital statistics maintain a record of veterans' separation papers compiled from copies of reports received from the recording offices and information submitted to the bureau by veterans.

The requirement for two state agencies to retain the same records is duplicative and unnecessary. The state's recording systems is the official depository of all recorded documents. Although the two agencies above are legally required to retain the separation papers, the Department of Military and Veterans' Affairs also stores these documents as a courtesy.

Veterans' separation papers are recorded free of cost to the veteran. Copies of the document when requested are also free. Recordation is voluntary and benefits the veteran.

This bill emphasizes that there need be only one repository for these official papers and eliminates duplicative government processes.

Prepared at the request of the  
Department of Military & Veterans' Affairs

Sec. 26.10.070. Record of veterans of the armed forces of the United States.

(a) A veteran may record without fee the veteran's armed forces report of separation at a recorder's office of the Department of Natural Resources. Each recorder's office shall periodically submit to the bureau of vital statistics copies of the reports of separation that it records.

(b) The bureau of vital statistics shall keep a record from copies of reports received under (a) of this section and from information voluntarily submitted to the bureau by veterans of all persons who are bona fide residents of Alaska and who actively served in the Alaska Territorial Guard, Alaska National Guard, organized reserve units, United States Army, Navy, Air Force, Marine Corps or Coast Guard since April 6, 1917. The record shall contain the name, age and place of residence at the time of entering service, place and date of commission, enlistment, or induction, branch of service, record of service, and the date, place, and nature of discharge.

## SECTIONAL ANALYSIS FOR HB 137

This bill eliminates the requirement for the Bureau of Vital Statistics to maintain a record of veterans' separation papers.

At present, veterans' separation papers are recorded in three different state departments. (Dept. of Natural Resources, Bureau of Vital Statistics, and as a courtesy, the Dept. of Military and Veterans Affairs) The requirement to keep these records in multiple state agencies is unnecessary and wastes government dollars.

This bill makes government more efficient.

**HB 137**

**List of Witnesses**

Carol Carroll, Director Department of Natural Resources (Department of Military & Veterans' Affairs)

Sharon Young, State Recorder, Department of Natural Resources

Representative from Department of Vital Statistics

**HB**

**162**

# FISCAL NOTE

**STATE OF ALASKA**  
**2002 LEGISLATIVE SESSION**

Fiscal Note Number: 2  
 Bill Version: HB 162  
 (S) Publish Date: 1/30/02

Revision Date/Time (Note if correction): (Revised 2002) Dept. Affected: Admin  
 Title "An Act relating to absences under BRU Longevity Bonus  
the Longevity Bonus Program" Component Longevity Bonus Grants  
 Sponsor (H) HES  
 Requester (S) HES Component No. 26

**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						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	(146.7)	(136.8)	(127.5)	(118.9)	(110.8)	(103.3)
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>(146.7)</b>	<b>(136.8)</b>	<b>(127.5)</b>	<b>(118.9)</b>	<b>(110.8)</b>	<b>(103.3)</b>

<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	(146.7)	(136.8)	(127.5)	(118.9)	(110.8)	(103.3)
1005 GF/Program Receipts						
1037 GF/Mental Health						
1118 Pioneers Home Receipts						
<b>TOTAL</b>	<b>(146.7)</b>	<b>(136.8)</b>	<b>(127.5)</b>	<b>(118.9)</b>	<b>(110.8)</b>	<b>(103.3)</b>

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	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

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

See Page 2 for Bill Analysis.

Prepared by: James Kohn, Director Phone 465-2159  
 Division Alaska Longevity Programs Date/Time 01/25/02  
 Approved by: Jim Duncan, Commissioner Date 1/25/2002  
 Agency Department of Administration

**Bill Analysis HB 162 - #2**

**Section 1:**

The average longevity bonus (ALB) check is \$221. There were 1,305 ALB recipient absences between 31 and 60 days in CY 2000. If the program issued a check for each of those absences the additional cost would be \$288.4. This is the cost associated with Section 1 of the bill.

**Section 2:**

If 10% of ALB recipients were absent for 30 days more than the current allowable absence they would forego one additional check and the program would save an estimated \$435.1.

The cost of ALB payments between calendar years 1997 - 2000 decreased an average of 6.767%. This percentage decrease has been applied to the FY 2002 estimated increment for each of the out years.

Section 1 cost =	\$288,405	(1,305 X 221).
Section 2 savings =	(\$435,149)	(19,690 X .10 X 221).
Net	Year 2002	(\$146,744)

# Alaska State Legislature



Official Business

State Capitol  
Juneau AK  
99801-1182

## Sponsor Statement HB 162

“An Act relating to absences from the state under the longevity bonus program”

### **Purpose**

This bill changes two longevity bonus date clauses. First, it increases the allowable paid absence from 30 to 60 consecutive days. Second, it extends the unpaid sabbatical from 90 consecutive days to five years.

### **Background**

Recipients of the longevity bonus are people who were at least 65 years of age who resided in the state for at least one year immediately preceding application for a longevity bonus no later than December 31, 1996.

By increasing the allowable paid absence from 30 to 60 days seniors would be able to leave the state for up to 60 days while continuing to receive their longevity bonus. We have heard from many seniors who want to drive out of state to visit their family or need to leave and take care of a family and cannot because of the current 30-day restriction.

Extending the unpaid sabbatical from 90 days to five years would respond to another senior concern. Often either because of the winters, medical treatment, or extended trips to take care of family, longevity bonus recipients leave the state for extended periods of time. Currently, they lose their eligibility for the program if they leave for more than a total of 180 days out of the year or 90 days at one time. Due to this restriction many seniors fly back every 90 days to keep their eligibility. Extending the unpaid leave to five years would allow seniors to leave the state for up to five years without being dropped from the program.

### **Summary**

The longevity bonus is extremely important to many of its recipients, especially those who are low income. By extending the allowable paid absence to 60 days and by extending the unpaid sabbatical to five years, seniors would be able to leave the state without a penalty.

# FISCAL NOTE

**STATE OF ALASKA**  
**2002 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HB 162  
 () Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): **(Revised 2002)** Dept. Affected: Admin  
 Title "An Act relating to absences under BRU Longevity Bonus  
the Longevity Bonus Program" Component Longevity Bonus Grants  
 Sponsor (H) HES  
 Requester (S) HES Component No. 26

**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						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	(146.7)	(136.8)	(127.5)	(118.9)	(110.8)	(103.3)
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>(146.7)</b>	<b>(136.8)</b>	<b>(127.5)</b>	<b>(118.9)</b>	<b>(110.8)</b>	<b>(103.3)</b>

<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	(146.7)	(136.8)	(127.5)	(118.9)	(110.8)	(103.3)
1005 GF/Program Receipts						
1037 GF/Mental Health						
1118 Pioneers Home Receipts						
<b>TOTAL</b>	<b>(146.7)</b>	<b>(136.8)</b>	<b>(127.5)</b>	<b>(118.9)</b>	<b>(110.8)</b>	<b>(103.3)</b>

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	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

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

See Page 2 for Bill Analysis.

Prepared by: James Kohn, Director Phone 465-2159  
 Division Alaska Longevity Programs Date/Time 01/25/02  
 Approved by: Jim Duncan, Commissioner Date 1/25/2002  
 Agency Department of Administration

## Bill Analysis HB 162

### Section 1:

The average longevity bonus (ALB) check is \$221. There were 1,305 ALB recipient absences between 31 and 60 days in CY 2000. If the program issued a check for each of those absences the additional cost would be \$288.4. This is the cost associated with Section 1 of the bill.

### Section 2:

If 10% of ALB recipients were absent for 30 days more than the current allowable absence they would forego one additional check and the program would save an estimated \$435.1.

The cost of ALB payments between calendar years 1997 - 2000 decreased an average of 6.767%. This percentage decrease has been applied to the FY 2002 estimated increment for each of the out years.

Section 1 cost =	\$288,405 (1,305 X 221).
Section 2 savings =	(\$435,149) (19,690 X .10 X 221).
Net Year 2002	(\$146,744)



Health, Education, and Social Services Committee  
Alaska State Legislature  
House of Representatives

SECTIONAL ANALYSIS  
HB 162

**"An Act relating to absences from the state under the longevity bonus program.**

**Section 1:**

Amends AS 47.45.030(a) by increasing the allowable paid absence from 30 to 60 consecutive days. Longevity bonus recipients would be required to report absences exceeding 60 days.

**Section 2:**

Amends AS 47.45.030 by adding a new subsection (c), which would permanently disqualify a recipient who remains absent from the state for a continuous period exceeding five years.

**Section 3:**

Amends AS 47.45.070(a)(4) by eliminating the 90-day consecutive rule and altering requirements to five years, which would qualify or permanently disqualify a recipient under AS 47.45.030(c).

(a)(6) is altered to read an unqualified person is one who was found qualified to receive a longevity bonus and was subsequently permanently disqualified under former AS 47.45.030(b) or former AS 47.45.045 (these sections are repealed).

(a)(6) eliminates the disqualification of a recipient who left the state for 12 consecutive months or more, and who did not reapply before January 01, 1997.

**Section 4:**

Repeals sections AS 47.45.030(b), 47.45.035, and 47.45.045.



Health, Education, and Social Services Committee  
Alaska State Legislature  
House of Representatives

MEMORANDUM

23 January 2002

To: Senator Gene Therriault, Chair  
Senate State Affairs Committee

From: Fred Dyson   
State Representative

RE: Request for hearing HB 162

I respectfully request a hearing for HB 162 at the earliest convenience.

Thank you.

# Alaska State Legislature



Official Business

State Capitol  
Juneau AK  
99801-1182

## Sponsor Statement HB 162

“An Act relating to absences from the state under the longevity bonus program”

### **Purpose**

This bill changes two longevity bonus date clauses. First, it increases the allowable paid absence from 30 to 60 consecutive days. Second, it extends the unpaid sabbatical from 90 consecutive days to five years.

### **Background**

Recipients of the longevity bonus are people who were at least 65 years of age who resided in the state for at least one year immediately preceding application for a longevity bonus no later than December 31, 1996.

By increasing the allowable paid absence from 30 to 60 days seniors would be able to leave the state for up to 60 days while continuing to receive their longevity bonus. We have heard from many seniors who want to drive out of state to visit their family or need to leave and take care of a family and cannot because of the current 30-day restriction.

Extending the unpaid sabbatical from 90 days to five years would respond to another senior concern. Often either because of the winters, medical treatment, or extended trips to take care of family, longevity bonus recipients leave the state for extended periods of time. Currently, they lose their eligibility for the program if they leave for more than a total of 180 days out of the year or 90 days at one time. Due to this restriction many seniors fly back every 90 days to keep their eligibility. Extending the unpaid leave to five years would allow seniors to leave the state for up to five years without being dropped from the program.

### **Summary**

The longevity bonus is extremely important to many of its recipients, especially those who are low income. By extending the allowable paid absence to 60 days and by extending the unpaid sabbatical to five years, seniors would be able to leave the state without a penalty.



Health, Education, and Social Services Committee  
Alaska State Legislature  
House of Representatives

SECTIONAL ANALYSIS  
HB 162

**"An Act relating to absences from the state under the longevity bonus program.**

**Section 1:**

Amends AS 47.45.030(a) by increasing the allowable paid absence from 30 to 60 consecutive days. Longevity bonus recipients would be required to report absences exceeding 60 days.

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Amends AS 47.45.030 by adding a new subsection (c), which would permanently disqualify a recipient who remains absent from the state for a continuous period exceeding five years.

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(a)(6) is altered to read an unqualified person is one who was found qualified to receive a longevity bonus and was subsequently permanently disqualified under former AS 47.45.030(b) or former AS 47.45.045 (these sections are repealed).

(a)(6) eliminates the disqualification of a recipient who left the state for 12 consecutive months or more, and who did not reapply before January 01, 1997.

**Section 4:**

Repeals sections AS 47.45.030(b), 47.45.035, and 47.45.045.

# FISCAL NOTE

**STATE OF ALASKA  
2001 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HB162  
 ( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Administration  
 Title: "An act relating to absences under the  
longevity bonus program." BRU: Longevity Bonus  
 Component: Longevity Bonus Grants  
 Sponsor: (H)HESS  
 Requester: (H)STA Component Number: 26

**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	(146.7)	(136.8)	(127.5)	(118.9)	(110.8)	(103.3)
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>(146.7)</b>	<b>(136.8)</b>	<b>(127.5)</b>	<b>(118.9)</b>	<b>(110.8)</b>	<b>(103.3)</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	(146.7)	(136.8)	(127.5)	(118.9)	(110.8)	(103.3)
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>(146.7)</b>	<b>(136.8)</b>	<b>(127.5)</b>	<b>(118.9)</b>	<b>(110.8)</b>	<b>(103.3)</b>

Estimate of any current year (FY2001) cost: 0.0  
 Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal: \_\_\_\_\_

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

See Page 2 for Bill Analysis.

Prepared by: James L. Kohn Phone 465-2159  
 Division: Division of Alaska Longevity Programs Date/Time 03/21/01  
 Approved by: Jim Duncan, Commissioner Date 3/21/01  
 Agency: Department of Administration

For distribution information, call the Governor's Legislative Office

## Bill Analysis HB 162

### Section 1:

The average longevity bonus (ALB) check is \$221. There were 1,305 ALB recipient absences between 31 and 60 days in CY 2000. If the program issued a check for each of those absences the additional cost would be \$288.4. This is the cost associated with Section 1 of the bill.

### Section 2:

If 10% of ALB recipients were absent for 30 days more than the current allowable absence they would forego one additional check and the program would save an estimated \$435.1.

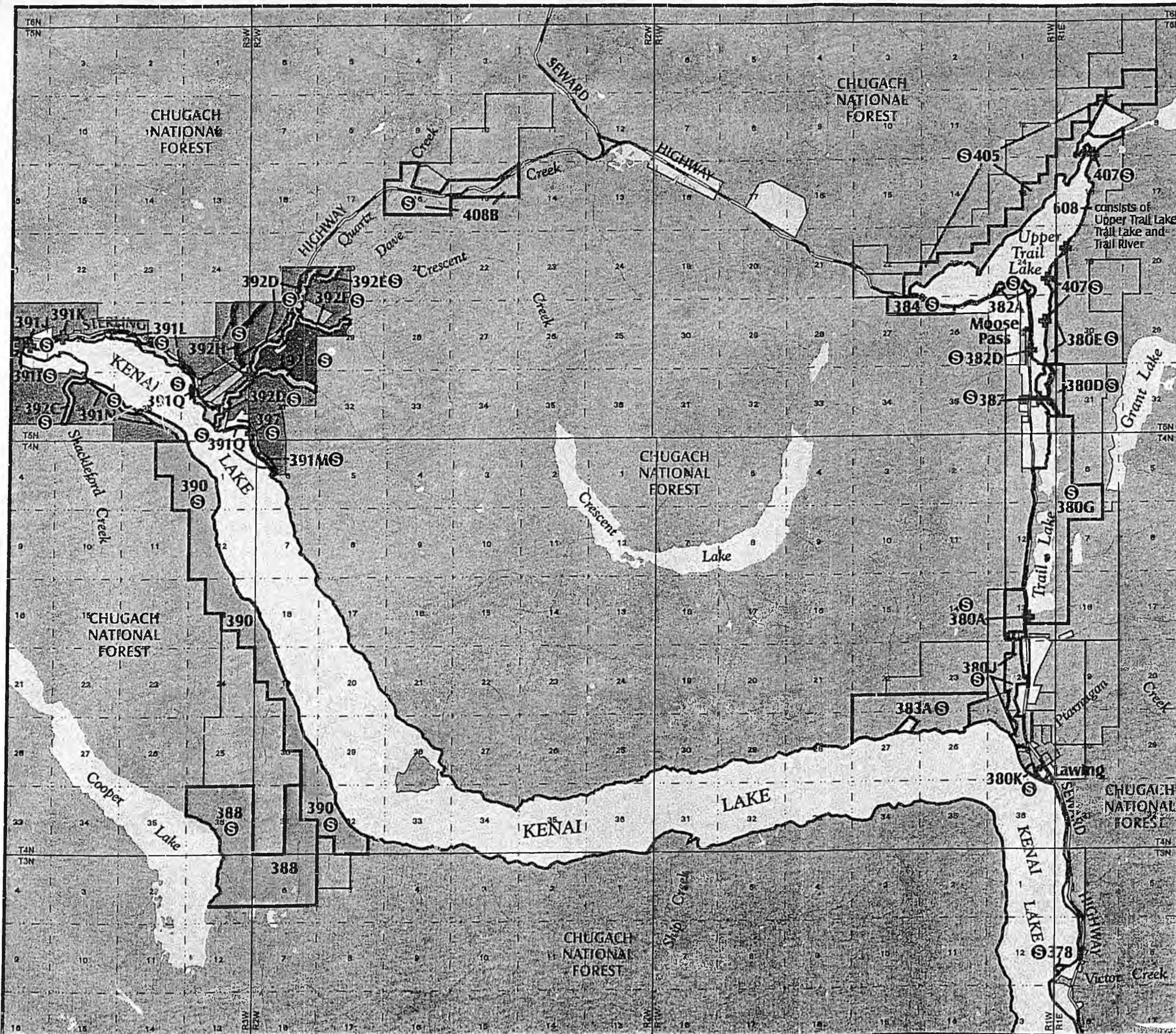
The cost of ALB payments between calendar years 1997 - 2000 decreased an average of 6.767%. This percentage decrease has been applied to the FY 2002 estimated increment for each of the out years.

Section 1 cost =	\$288,405 (1,305 X 221).
Section 2 savings =	(\$435,149) (19,690 X .10 X 221).
Net Year 2002	(\$146,744)

**HB**

**165**

## Map 2 Kenai Lake



### LEGEND

- Affected Parcels:**
- Parcels affected by Proposed Leasehold Location Order and Special Use designation
- Land Ownership:**
- ANY COLOR KRSMA - Managed by Alaska State Parks
  - Other State Owned
  - Borough
  - Borough selected
  - Municipal (City of Kenai, City of Soldotna)
  - Federal (Nat'l. Forest, Refuge, Wilderness)
  - Private
- Projects:**
- Recreation projects
  - Restoration projects
- Proposed Additions to KRSMA:**
- State
  - State parcels smaller than 2 acres
- Map features**
- Main roads

Note 1: Parcel numbers reference the revised Kenai River Comprehensive Management Plan (December 1997).  
Note 2: See also Table 1, attached, for further parcel description.



22-LS0389J  
Luckhaupt  
5/1/02

SENATE CS FOR CS FOR HOUSE BILL NO. 165( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY

Offered:  
Referred:

Sponsor(s): REPRESENTATIVES LANCASTER, Scalzi

A BILL  
FOR AN ACT ENTITLED

1 "An Act relating to the Kenai River Special Management Area; and providing for an  
2 effective date."

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

4 \* Section 1. The uncodified law of the State of Alaska is amended by adding a new section  
5 to read:

6 PURPOSE. The purpose of this Act is to further the implementation of the Kenai  
7 River Comprehensive Management Plan by making additions of certain state-owned land and  
8 water as described in this Act to the Kenai River Special Management Area.

9 \* Sec. 2. AS 41.21.502(a)(4)(L) is amended to read:

10 (L) Other Lower River Land  
11 Township 5 North, Range 9 West, Seward Meridian  
12 Section 22: Lots 4, 9, 10, NE1/4SW1/4  
13 Township 5 North, Range 10 West, Seward Meridian  
14 Section 6: Lot 8

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Section 7: Lots 5 - 7, 15

Section 18: Lots 1, 2, 4 - 6,

Tract A, Larry's Fishing Hole Subdivision, Plat

No. 90-42

Government Lots 4 - 7, 10 - 13

NE1/4SW1/4

E1/2NW1/4

Section 19:

Tracts A and B, Timberland Terrace Phase 1

Subdivision, Plat 97-26

Lot 4, Kobylarz Subdivision, according to the

official plat filed under Plat No. 92-24, Kenai

Recording Office

Beginning at the section corner common to

Sections 19, 20, 29, and 30, Township 5 North,

Range 10 West, Seward Meridian, traverse west

along the section line common to Sections 19 and

30 a distance of 1320 feet, thence north along the

1/16 section line a distance of 1420 feet to Corner

No. 1 and the point of beginning, thence west 100

feet to Corner No. 2, thence north to the thalweg

of the Kenai River and Corner No. 3, thence east

along the thalweg of the Kenai River to the point

of intersection with 1/16 section line and Corner

No. 4, thence south along the 1/16 section line to

Corner No. 1, and the point of beginning, located

in the Kenai Recording District, as may be

modified by a record of survey accepted by the

state

Lot 16

Section 30: Tracts A, J, and K, Channel Shores

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Subdivision, Plat No. 85-102

Section 31: Lots 2, 3, and 11, excluding the following subdivisions, as shown in record of survey no. 96-7: Halcyon Subdivision, Lot 1, Block 1, plat of survey no. K-1706; Halcyon Subdivision Lot 5, Block 1, plat of survey no. 73-9; Halcyon Subdivision plat of survey no. 76-75; Halcyon Subdivision Addition No. 4, plat of survey no. 77-47; Halcyon Subdivision Addition No. 5, plat of survey no. 77-82; Halcyon Subdivision No. 3, plat of survey no. 78-25; Halcyon Subdivision Amended Plat Lot 1-B, Block 1, plat of survey no. 78-96; Halcyon Subdivision Addition No. 7, plat of survey no. 79-155; Halcyon Subdivision Addition No. 8, plat of survey no. 83-174; Halcyon Subdivision Addition No. 9, plat of survey no. 84-47; Halcyon Subdivision No. 10, plat of survey no. 84-244; Halcyon Subdivision No. 9, plat of survey no. 86-98RS; Halcyon Subdivision No. 9, plat of survey no. 86-99RS; Halcyon Subdivision No. 11, plat of survey no. 92-41; Halcyon Subdivision No. 8 Amended, plat of survey no. 92-72; and Halcyon Subdivision No. 12, plat of survey no. 93-8; and excluding that portion of Government Lot 3 east of Daisy Drive conveyed by warranty deed recorded March 10, 1989, in book 345, page 15, Kenai Recording Office.

Section 32: Lot 1-B-1, ASLS No. 97-25, a subdivision of Lot 1-B, Fisherman's Square Subdivision, Addition No. 1, within the W1/2SW1/4;

Section 33: Lot 6-B, Mullen Homestead River Addition Phase 1, Plat No. 97-89;

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Section 34: Lot 7, NE1/4SE1/4

Township 5 North, Range 11 West, Seward Meridian

Section 1: Lots 9 and [LOT] 10

Section 11: Tract A-1A, Cone Tracts; Lot 3, excluding that portion north of the south right-of-way boundary of the Beaver Loop Road and all land west of and including the Cone Tracts A-1A and A-1B Subdivision and SE1/4NW1/4, and the N1/2NW1/4, excluding that portion of the south right-of-way boundary of the Beaver Loop Road and all land west of and including the Cone Tracts A-1A and A-1B Subdivision

Section 12: Lots 1 - 3, 7 - 10, 13

N1/2SE1/4

SE1/4NE1/4

NE1/4SW1/4

N1/2SW1/4SE1/4

Section 13: Lot 1

SW1/4NW1/4

Section 14: Lots 2, 7

Section 16: Lots 1 - 10

SE1/4

NW1/4NW1/4

SE1/4SW1/4.

Section 24: That portion of Lot 11 within LSH 148

Section 25: Lot 3

Section 36: That strip of land between the line of ordinary high water of the Kenai River and EPF 21-11, Block 1

\* Sec. 3. AS 41.21.502(a) is amended by adding new paragraphs to read:

(5) all state-owned land in the Seward Recording District that is

1 located in the following parcels:

2 (A) Cooper Landing

3 Township 5 North, Range 3 West, Seward Meridian

4 Section 28: Tract B of ASLS 91-6

5 Lot 3 of USS 2523

6 That portion of Tract A of USS 5105 lying between

7 Lot 4 of USS 2523 and Tract A of USS 2361 and

8 the south boundary of the Sterling Highway

9 That portion of Tract A of USS 5105 lying south of

10 USS 3306, north and west of USS 2524, east of

11 USS 2524, west of USS 2523, and south of Bean

12 Creek Road

13 That portion of Tract A of USS 5105 lying south and

14 west of USS 3306, north and west of USS 2524, and

15 north and west of ASLS 81-197

16 That portion of Tract B of USS 5105 lying south of

17 the Kenai River and north of the Sterling Highway

18 right-of-way

19 Section 29: Tract B of ASLS 91-6

20 That portion of Tract A of USS 5105 lying south of

21 Bean Creek right-of-way excluding ASLS 96-6

22 That portion of Tract A of USS 5105 lying south and

23 west of USS 3306 and south and west of ASLS 81-

24 183

25 Tract D of USS 5105

26 Lot 5 of USS 2527

27 Section 30: Tract E

28 That portion of Tract B of USS 5105 within the

29 SE1/4SE1/4SE1/4, NE1/4SE1/4SW1/4

30 That portion of Tract B of USS 5105 within the

31 S1/2SE1/4 lying north of the Kenai River excluding

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USS 1442 E1/2NE1/4NW1/4, W1/2W1/2,  
W1/2E1/2W1/2

Section 31: Lots 1, 12

That portion of Tract B of USS 5105 within the  
NE1/4NE1/4 lying south of the Kenai River and  
north of the Sterling Highway

Section 32: That portion of Tract B of USS 5105 within  
the NW1/4NW1/4 lying south of the Kenai River and  
north of the Sterling Highway

Township 5 North, Range 4 West, Seward Meridian

Section 35: That portion of USS 1559 within the N1/2  
and lying north of the Kenai River

That portion of the E1/2NE1/4 lying north and east of  
USS 3392, south of the Kenai River, and north of  
the Sterling Highway

That portion of the S1/2N1/2NE1/4 and that portion  
of the E1/2E1/2NW1/4 lying south of the Kenai  
River

That portion of the S1/2NE1/4 lying south of the  
Kenai River, excluding USS 3392

Section 36: Lot 1 of USS 7286

That portion of the N1/2 lying between the south  
bank of the Kenai River and the north side of the  
Sterling Highway right-of-way

That portion of the N1/2S1/2NE1/4 and  
NE1/4SE1/4NW1/4 lying south of the Sterling  
Highway

That portion of the N1/2 lying north of the Kenai  
River

(B) Kenai Lake

Township 3 North, Range 1 East, Seward Meridian

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Section 7: SW1/4, lying north and west of USS 9002,  
excluding USS 1774  
Township 4 North, Range 1 West, Seward Meridian  
Section 22: S1/2S1/2  
Section 23: S1/2S1/2, excluding USS 7391  
Section 25: Lot 8  
Section 26: N1/2, excluding USS 7391  
Section 27: N1/2, excluding USS 2065  
Township 4 North, Range 2 West, Seward Meridian  
Section 6: Lots 1 and 2, excluding ASLS 85-399, and  
that portion conveyed under ADL 201307  
Tract D of ASLS 85-339  
Township 4 North, Range 3 West, Seward Meridian  
Section 1: Tract D of ASLS 85-339  
Township 5 North, Range 2 West, Seward Meridian  
Section 31: Tracts A, B, C, and D of ASLS 85-339  
Township 5 North, Range 3 West, Seward Meridian  
Section 25: That portion of Tract A of USS 5105 lying  
south of the Sterling Highway right-of-way  
Section 26: That portion of Tract A of USS 5105 lying  
south of the Sterling Highway right-of-way, excluding  
PLO 829  
Section 27: That portion of Tract A of USS 5105 lying  
south of the Sterling Highway right-of-way and west  
of USS 2521 Tract A  
That portion of Tract A of USS 5105 lying south of  
the Sterling Highway right-of-way and west of USS  
2934 and south and east of ASLS 80-103  
Section 34: That portion of Tract B of USS 5105 lying  
east of ASLS 79-126 and between the north side of  
Snug Harbor Road and the south side of Kenai Lake

1 Section 36: Tracts B and E of ASLS 85-339  
 2 That portion of Tract A of USS 5105 within the  
 3 NW1/4 lying south and west of the Sterling  
 4 Highway right-of-way, excluding ASLS 85-339  
 5 (C) Quartz Creek Lowlands  
 6 Township 5 North, Range 2 West, Seward Meridian  
 7 Section 15: S1/2N1/2  
 8 Section 16: S1/2N1/2, NE1/4NW1/4, NW1/4NE1/4  
 9 excluding Unit 408A of the Kenai Area Plan, N1/2S1/2  
 10 (D) Upper and Lower Trail Lakes  
 11 Township 4 North, Range 1 East, Seward Meridian  
 12 Section 6: Lots 1 - 6, 8, 9, SE1/4SW1/4, SW1/4SE1/4  
 13 Section 7: Lots 1, 2, 5, 6, NW1/4NE1/4, NE1/4NW1/4  
 14 Section 18: Lots 1 - 3  
 15 Township 4 North, Range 1 West, Seward Meridian  
 16 Section 1: Lots 1, 4 - 8, and that portion of Lot 3 within  
 17 the SE1/4  
 18 Section 12: Lots 1 - 4, 7, 8, 11, 12, Those portions of  
 19 Lots 5 and 6 as shown on state status plats  
 20 Section 13: Tract B of ASLS 86-6  
 21 Lot 1  
 22 That portion of USS 1778 and USS 7391 lying within  
 23 the N1/2SE1/4  
 24 Township 5 North, Range 1 East, Seward Meridian  
 25 Section 5: S1/2SW1/4  
 26 Section 7: Lot 1, SE1/4 of Lot 2, Lots 5, 7, 9 - 14  
 27 Section 8: N1/2NW1/4  
 28 Section 18: Lots 2 - 7  
 29 Section 19: Lot 2  
 30 Section 31: That portion within the W1/2 of Lots 1, 2, 5  
 31 Lot 6

- 1 Township 5 North, Range 1 West, Seward Meridian  
 2 Section 13: Lots 1 - 4, E1/2NE1/4NE1/4,  
 3 S1/2SW1/4NE1/4, NW1/4SE1/4  
 4 Section 22: Lot 2, S1/2NE1/4SE1/4  
 5 Section 23: S1/2 of Lot 1, Lots 2 - 5, S1/2SE1/4NW1/4  
 6 Section 24: Lots 1 - 3, 6 - 8, portions of Lots 4 and 5 as  
 7 shown on state status plats  
 8 Section 25: Lots 1, 2, 6 - 9, 14  
 9 Tract I of USS 2529  
 10 Block 7 of USS 2676  
 11 Section 26: That portion of Lot 2 USS 7371 within state  
 12 selection NFCG 192  
 13 Lot 3 of USS 7371  
 14 Section 27: Lot 1, NW1/4NE1/4  
 15 Section 36: Lot 4  
 16 Those portions of Lots 1, 5, and 6 excluding a  
 17 lakeshore buffer 200 feet from the line of ordinary  
 18 high water of Upper Trail Lake  
 19 (6) all state-owned shorelands and water known as Trail River and  
 20 Upper and Lower Trail Lakes within the following parcels:  
 21 Township 4 North, Range 1 East, Seward Meridian  
 22 Sections 6, 7, 18  
 23 Township 4 North, Range 1 West, Seward Meridian  
 24 Sections 1, 12, 13, 24, 25  
 25 Township 5 North, Range 1 East, Seward Meridian  
 26 Sections 7, 18, 19, 31  
 27 Township 5 North, Range 1 West, Seward Meridian  
 28 Sections 13, 22 - 27, 36  
 29 (7) all state-owned shorelands and water within the riparian corridor of  
 30 the state-owned land 200 feet landward from the line of ordinary high water on each  
 31 side of each of the following waterways:

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(A) Cooper Creek  
Township 5 North, Range 3 West, Seward Meridian  
Section 31

(B) Bean Creek  
Township 5 North, Range 3 West, Seward Meridian  
Sections 29, 30

(C) Shackelford Creek  
Township 5 North, Range 3 West, Seward Meridian  
Section 34

(D) Quartz Creek  
Township 5 North, Range 2 West, Seward Meridian  
Sections 19, 20, 29, 30  
Township 5 North, Range 3 West, Seward Meridian  
Section 36

(E) Daves Creek  
Township 5 North, Range 2 West, Seward Meridian  
Sections 19, 20

(F) Crescent Creek  
Township 5 North, Range 2 West, Seward Meridian  
Sections 29, 30

(G) Dry Creek  
Township 5 North, Range 2 West, Seward Meridian  
Sections 30, 31

\* Sec. 4. AS 41.21.502(a)(5) is amended by adding a new subparagraph to read:

(E) Additional Trail River lands  
Township 4 North, Range 1 West, Seward Meridian  
Section 13: Portions of lots 4, 5, and 7 that are east of  
the Seward Highway right-of-way and west of Lower  
Trail Lake; Portions of Lots 7, 8, and 9 that are within  
the 200 feet of the Trail River ordinary high water line  
or within the 100-year flood boundary for the river,

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whichever is greater;  
Section 24: Portions of lots 3, 4, 7, 8, and 11 within 200 feet of the Trail River ordinary high water line or within the 100-year flood boundary for the river, whichever is greater;

Lots 2, 5, and 10

Section 25: Portions of lots 3 and 5 that are within 200 feet of the Trail River and Kenai Lake ordinary high water lines or within the 100-year flood boundary for the river and lake, whichever is greater; in this subparagraph, the 100-year flood boundary is that shown on the Federal Emergency Management Agency Flood Boundary and Floodway Map for this area, dated May 19, 1981;

\* Sec. 5. AS 41.21.502(c) is amended to read:

(c) The mineral estate in the state-owned land and water described in (a) of this section is open to [EXCEPT FOR] oil and gas leasing under AS 38.05.180. The [, THE] mineral estate in the state-owned [STATE-OWNED] land and water described in (a)(1) - (4) [(a)] of this section is closed to mineral entry under AS 38.05.181 - 38.05.275.

\* Sec. 6. Sections 1 - 3 and 5 of this Act take effect immediately under AS 01.10.070(c).

\* Sec. 7. Section 4 of this Act takes effect on the date that the commissioner of natural resources notifies the revisor of statutes and the lieutenant governor that the selection by the Kenai Peninsula Borough of the land added to the Kenai River Special Management Area by sec. 4 of this Act has been denied or relinquished under AS 29.65.

# FISCAL NOTE

**STATE OF ALASKA**  
**2002 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: CSHB165(RES)  
 ( ) Publish Date: \_\_\_\_\_  
 Dept. Affected: Natural Resources  
 BRU: Parks & Recreation Mgt  
 Component: Parks Management  
 Component Number: 452

Revision Date/Time (Note if correction): 05/01/02  
 Title: Kenai River Special Management Area  
 Sponsor: Reps. LANCASTER, Scalzi  
 Requester: (S) STA

**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						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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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)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2002) cost: None  
 Check this box if funding for this bill is included in the Governor's FY2003 budget proposal: [ ]

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

This bill transfers management of the listed parcels from Division of Mining, Land & Water to Division of Parks as additions to the Kenai Special Management Area. These additions were envisioned in both the 1997 Revised Kenai River Comprehensive Management Plan, adopted by DNR in 1997, and the Kenai Area Plan adopted by DNR last year. There is no fiscal impact on this division.

Prepared by: Jim Stratton, Director Phone 269-8700  
 Division: Parks and Outdoor Recreation Date/Time 1-May-02  
 Approved by: Pat Pourchot Date 1-May-02  
 Agency: Natural Resources

For distribution information, call the Governor's Legislative Office

Column for Peninsula Clarion, 3/30/01

#### LOCKING UP LAND FOR PUBLIC USE

by Les Palmer

Rep. Ken Lancaster recently introduced HB 165, a bill that would add state-owned lands along the Kenai River and its tributaries to the Kenai River Special Management Area (KRSMA).

This idea was hatched 15 years ago, but couldn't be put forward until state and borough land selections had been completed. That accomplished, it's time to protect these lands.

In 1985, the Lands Subcommittee of the KRSMA Advisory Board met 38 times, part of the long process of writing the first comprehensive management plan for the river. As a member of that body, I well remember why we wanted those lands in the special management area. Left alone, they would be administered by the Department of Natural Resources.

Unfortunately, DNR historically has been less than a perfect landlord. Only after squatters' cabins had proliferated on state lands along Cook Inlet and in the Caribou Hills did this agency take notice that anything was amiss. Judging by its dismal record -- and it's not likely to change -- "DNR" could well mean "Department of No Responsibility."

The inclusion of state-owned lands in the special management area would give them at least minimal protection. Such enforcement as would be necessary would be administered by State Parks, which has year-round staff on the peninsula.

The best reasons for including these additional lands can be found in the 1984 act establishing the Kenai River Special Management Area, in Section 1, Findings: "The river's fishery and wildlife are its most important resources. The highest priority uses of the river and its adjacent land derive from its fishery and wildlife resources, which must be protected and preserved to ensure their renewability and continued usefulness."

Since the Kenai River Special Management Area is in effect a state park, some people will no doubt object to "locking up" more land. To that I say, if you're locking up lands for public fishing, hunting and recreation, lock away! That's the kind of locking up we need more of. The grim alternative is privatization, a true lock-up.

Water quality is another, even more important, reason for protection of these lands. Pollutants in the upper watershed pollute the entire Kenai River. A chemical spill in the Trail lakes or upper Kenai Lake could become a disaster beyond measure.

While serving on the Lands Committee, I was also a real estate broker and developer of recreational properties. At the time, my first thought about those lands along Kenai Lake and the Trail lakes was that they would make nice future home or cabin sites. But I had second thoughts. I decided such development wasn't worth the risk.

The lower 50 miles of the Kenai had already been allocated to private development, along with quite a lot of the upper watershed and lands

*Peninsula Clarion 3/30/01*

along several important tributaries. The Lands Subcommittee concluded that the state lands in the upper watershed should be added to the special management area, which would protect them from most kinds of development, but leave them open for public recreation. Both the Lands Subcommittee and the Kenai River Advisory Board unanimously adopted this recommendation.

That was 15 years ago. The reasons for including those lands are even more important today.

We can't allow ourselves to forget the importance of the Kenai. We must not allow ourselves to take it for granted. Those of us who love the Kenai must regularly remind one another and our elected officials that the river is valuable, but also vulnerable. Protecting the lands along the Kenai is an investment in the river's future.

And our future.

\* \* \*

Want to learn more about the Kenai River and how you can help it to remain one the best salmon-producing streams on earth? Visit the Kenai River Center, 514 Funny River Road; or call 260-4882; or, visit the river center on the Internet at:  
[www.borough.kenai.ak.us/KenaiRiverCenter](http://www.borough.kenai.ak.us/KenaiRiverCenter)

Les Palmer is a freelance writer who lives in Sterling.

Introduced by:	Navarre
Date:	02/02/99
Action:	Adopted
Vote:	7 Yes, 2 No

<b>KENAI PENINSULA BOROUGH</b>
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<b>RESOLUTION 99-013</b>
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**A RESOLUTION URGING THE ALASKA STATE LEGISLATURE  
INCLUDE ADDITIONAL STATE LAND INTO THE  
KENAI RIVER SPECIAL MANAGEMENT AREA**

**WHEREAS**, the Alaska State Legislature established the Kenai River Special Management Area in 1984 to preserve and protect important fish and wildlife habitat and resources and to provide for recreational opportunities; and

**WHEREAS**, the Alaska Department of Natural Resources in cooperation with the Kenai River Special Management Area Advisory Board developed the 1986 Kenai River Comprehensive Management Plan; and

**WHEREAS**, in December 1997 a revised Kenai River Comprehensive Management Plan was adopted by the Commissioner of Natural Resources based on recommendations from the Kenai River Special Management Area Advisory Board; and

**WHEREAS**, the revised plan has recommended the additional State-owned lands and tributaries adjacent to the Kenai River be included in the boundary of the Kenai River Special Management Area; and

**WHEREAS**, Goal 3.9 of the Kenai Peninsula Borough Comprehensive Plan is to provide quality outdoor recreational areas and opportunities for Borough residents and visitors; and

**WHEREAS**, Goal 4.3 of the Kenai Peninsula Borough Coastal Management Program recommends public lands be retained for public open space or recreation areas; and

**WHEREAS**, the addition of these State lands and tributaries meets the goals and objectives of these Borough plans;

**NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:**

**SECTION 1.** The Kenai Peninsula Borough Assembly supports the addition of State land adjacent to the

Kenai River and the addition of Kenai River tributaries into the boundaries of the Kenai River Special Management Area.

**SECTION 2.** The Alaska State Legislature is urged to introduce legislation to amend Alaska Statute 41.21.500 and to expand the boundaries of the Kenai River Special Management Area to include the 9,681 acres identified in the 1997 Kenai River Comprehensive Management Plan.

**SECTION 3.** That copies of this resolution shall be provided to The Honorable Tony Knowles, Governor, State of Alaska; the Honorable John Shively, Commissioner of Alaska Department of Natural Resources; the Honorable Brian Porter, Speaker of the House, Alaska House of Representatives; the Honorable Drue Pearce, Senate President, Alaska State Senate; Representative Gary Davis, Representative Hal Smalley, Representative Scott Ogan, Representative Jerry Sanders, Senator John Torgerson, and Senator Jerry Ward.

**SECTION 4.** This resolution shall take effect immediately upon adoption.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 2ND DAY OF FEBRUARY, 1999.**

## **New Proposed Land Additions For the Kenai River Special Management Area**

### **Background**

During public meetings to revise the Kenai River Comprehensive Management Plan and subsequent review of DNR's Kenai Area Plan, comments clearly suggested that the State should manage the Kenai River as a watershed system. The health of the entire Kenai River system, including its many communities, depends upon sustaining adequate water quality and quantity, and healthy riparian fish and wildlife habitat throughout the watershed's basin. The region's economy depends on the \$37 million in direct spending by non-locals visiting the Kenai River. River guides, RV Park owners, motels, B&B and restaurant operators, car and boat rental dealers, and many other local Kenai Peninsula businesses depend upon a healthy Kenai River for economic sustainability.

### **Proposal**

The Kenai River Special Management Area (KRSMA), under the direction from the Alaska Legislature (AS 41.21.500), is managed as a unit of the Alaska State Park system by the Division of Parks and Outdoor Recreation. To provide the protection and management called for in the management plan revision, 7938 acres of general state lands, 11 upper Kenai River or Kenai Lake tributaries, and the waters of Upper and Lower Trail Lakes are proposed to be legislatively added to the boundary of KRSMA. This includes almost all of the public lands and waters that contribute to sustaining the Kenai River's important fish, wildlife and recreational resources. The level and consistency of management to adequately protect the valuable resources of these lands and waters is currently not possible without KRSMA designation. Existing park staff assigned to KRSMA is adequate to cover additional management responsibilities.

### **Where are these lands?**

The largest blocks of proposed lands are on the south side of Kenai Lake along Snug Harbor Road and up to Cooper Lake, and around much of Upper and Lower Trail Lakes, and Trail River. Of key importance are numerous tributary streams draining into the upper Kenai River and Kenai Lake. These are important contributors to the watershed's fishery and water resources. A 200-foot corridor has been retained along each side of most of the tributaries and is proposed for KRSMA addition, along with each tributary.

### **Why now?**

During the creation of the KRSMA in 1984, the State had not yet received title from the federal government to lands surrounding Upper and Lower Trail Lakes, Trail River, and adjacent lands around the upper Kenai River and Kenai Lake. The original Kenai River Comprehensive Management Plan directed the State to designate these lands for the KRSMA once they became available. Since that time, these lands have been conveyed to the State. The recent plan revision re-emphasizes the intent that these important habitat and recreation lands and waters should be included in the boundaries of the Special Management Area.

*Background*

**Future Management:** Facility development for most of the new land additions would not be consistent with KRSMA's intent: to preserve and protect the important fish and wildlife resources and habitat of the river and adjacent area. However, the KRSMA enabling legislation has directed Parks to manage and to provide for quality recreation. Some recreational development, primarily improved access, is appropriate, but the exact sites have not been selected. Recreational demands and user conflicts already occur on several access sites within the proposed additions. Examples of such areas include the Upper Trail Lake boat launch (also known as the "Ball Diamond"), and the Kenai Lake "Snail-a-thon Beach." Conceptually, the Division could enter into cooperative management agreements with the Cooper Landing and Moose Pass communities to care for these popular sites with minimal cost to the State. Basic sanitary facilities are greatly needed at these sites along with a clear management presence to deter negative behavior by some visitors. Without the lands being legislatively added to KRSMA, no solutions can be pursued to solve some of the most immediate problems at specific sites.

# New Proposed Land Additions for the Kenai River Special Management Area

## Background

During public meetings to revise the Kenai River Comprehensive Management Plan (KRCMP) and subsequent public review of the Kenai Area Plan, comments clearly suggested that the State should manage the Kenai River as a watershed system. The health of the entire Kenai River system, including its many communities, depends on sustaining adequate water quality and quantity, and healthy riparian fish and wildlife habitat throughout the watershed's basin. The region's economy depends on the \$37 million in direct spending by non-locals visiting the Kenai River. River guides, RV Park owners, motels, B&B and restaurant operators, car and boat rental dealers, and many other local Kenai Peninsula businesses depend upon a healthy Kenai River for economic sustainability.



## Proposal

The Kenai River Special Management Area (KRSMA), under direction from the Alaska Legislature (AS 41.21.500), is managed as a unit of the Alaska State Park system by the Division of Parks and Outdoor Recreation, Department

of Natural Resources. To provide the protection and management called for in the management plan revision, 7938 acres of general state lands, 11 upper Kenai River or Kenai Lake tributaries, and the waters of Upper and Lower Trail Lakes must be legislatively added to the boundary of KRSMA. This includes almost all the public lands and waters that contribute to sustaining the Kenai River's important fish, wildlife, and recreational resources. The level and consistency of management to adequately protect the valuable resources of these lands and waters is currently not possible without KRSMA designation. Existing park staff assigned to KRSMA is adequate to cover additional management responsibilities. No new facilities are planned for the proposed additional lands.



## Why now?



During the creation of the KRSMA in 1984, the State had not yet received title from the federal government to lands surrounding Upper and Lower Trail lakes, Trail River, and adjacent lands around the upper Kenai River and Kenai Lake. The original Kenai River Comprehensive Management Plan directed the state to designate these lands for the KRSMA once they became available. Since that time, these lands have been conveyed to the state. The recent plan revision re-emphasizes the intent that these important habitat lands and waters should be included in the boundaries of the Special Management Area.

## Where are these lands?

The largest blocks of proposed lands are on the south side of Kenai Lake along Snug Harbor Road and up to Cooper Lake, and around much of Upper and Lower Trail lakes, and Trail River in the Moose Pass area. Of key importance are the numerous tributary streams draining into the upper Kenai River and Kenai Lake. These are important contributors to the watershed's fishery and water resources. A 200-foot corridor has been retained along each side of most of the tributaries and is proposed for KRSMA addition, along with each tributary. The mineral closing order for the KRSMA does not include those streams north of Cooper Creek.

Downstream from Skilak Lake are a few limited additions proposed, primarily lands acquired as habitat and recreation lands under the Exxon Valdez Oil Spill settlement funding, or isolated tracts of state land overlooked during the 1984 KRSMA legislation.



# Alaska State Legislature

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State Capitol  
Juneau, Alaska 99801-1182  
Phone (907) 465-2693  
Toll Free 800-463-2693  
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**INTERIM ADDRESS:**  
35477 Suite 101-B Spur Hwy  
Soldotna, Alaska 99669  
Phone 907-260-5236  
Fax 907-260-3044

## Representative Ken Lancaster District 8

Sponsor Statement  
For

HOUSE BILL 165

"An Act relating to the Kenai River Special Management Area;"

The Kenai River Special Management Area (KRSMA), under direction from the Alaska Legislature (AS 41.2.1500), is managed as a unit of the Alaska State Park system by the Division of Parks and Outdoor Recreation, Department of Natural Resources. To provide the protection and management called for in the management plan revision, 7,938 acres of general state lands, 11 upper Kenai River or Kenai lake tributaries, and the waters of Upper and Lower Trail Lakes must be legislatively added to the boundary of KRSMA. This includes almost all the public lands and waters that contribute to sustaining the Kenai River's important fish, wildlife, and recreational resources. The level and consistency of management to adequately protect the valuable resources of these lands and waters is currently not possible without KRSMA designation. Existing park staff assigned to KRSMA is adequate to cover additional management responsibilities. No new facilities are planned for the proposed additional lands.

The largest blocks of proposed lands are on the south side of Kenai Lake along Snug Harbor Road and up to Cooper Lake, and around much of Upper and Lower Trail lakes, and Trail River in the Moose Pass area. Of key importance are the numerous tributary streams draining into the upper Kenai River and Kenai Lake. These are important contributors to the watershed's fishery and water resources. A 200-foot corridor has been retained along each side of most of the tributaries and is proposed for KRSMA addition, along with each tributary. The mineral closing order for the KRSMA does not include those streams north of Cooper Creek.

Downstream from Skilak Lake there are a few limited additions proposed, primarily lands acquired as habitat and recreation lands under the Exxon Valdez Oil Spill settlement funding, or isolated tracts of state land overlooked during the 1984 KRSMA legislation.

This bill will transfer State lands to the Kenai River Comprehensive Management Area.

E-Mail: [Representative\\_Ken\\_Lancaster@legis.state.ak.us](mailto:Representative_Ken_Lancaster@legis.state.ak.us)

Cooper Landing • Bear Creek • Funny River • Hope • Moose Pass • Ridgeway • Seward • Soldotna • Sterling  
Listening to you – Getting things done.

*Alaska State Legislature*

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Fax 907-260-3044

*Representative Ken Lancaster*  
*District 8*

January 31, 2002

**MEMORANDUM**

**To:** <sup>Gene</sup> Senator Gene Therriault, Chairman  
Senate State Affairs Committee

**From:** <sup>Ken</sup> Representative Ken Lancaster

**Subject:** House Bill 165 – “An Act relating to the Kenai River Special Management Area”

I would like to request a committee hearing on House Bill 165. Enclosed for your information is a copy of the bill along with the back-up material. If you have any questions, please let me know.

I look forward to having the legislation scheduled.

# FISCAL NOTE

**STATE OF ALASKA**  
**2001 LEGISLATIVE SESSION**

Fiscal Note Number: 2  
 Bill Version: CSHB 165(RES)  
 (H) Publish Date: 4/5/01  
 Dept. Affected: Natural Resources  
 BRU: Minerals, Land & Water Dev.  
 Component: Title Defense & Acquis.  
 Component Number: 2459

Revision Date/Time (Note if correction): \_\_\_\_\_  
 Title: Kenai River Special Management Area  
 Sponsor: Reps. LANCASTER, Scalzi  
 Requester: (H) RES

**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						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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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						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2001) cost: None  
 Check this box 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)

This bill transfers management of the listed parcels from Division of Mining, Land & Water to Division of Parks as additions to the Kenai River Special Management Area. These additions were envisioned in both the 1997 Revised Kenai River Comprehensive Management Plan, adopted by DNR in 1997, and the Kenai Area Plan adopted by DNR last year. There is no fiscal impact on this division.

Prepared by: Bob Locffler Phone 269-8600  
 Division: Mining, Land and Water Date/Time 23-Mar-01  
 Approved by: Pat Pourchot Date 23-Mar-01  
 Agency: Natural Resources

For distribution information, call the Governor's Legislative Office

# FISCAL NOTE

**STATE OF ALASKA**  
**2001 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: CSHB 165(RES)  
 (H) Publish Date: 4/5/01  
 Dept. Affected: Natural Resources  
 BRU: Parks & Recreation Mgt  
 Component: Parks Management  
 Component Number: 452

Revision Date/Time (Note if correction): \_\_\_\_\_  
 Title: Kenai River Special Management Area  
 Sponsor: Reps. LANCASTER, Scalzi  
 Requester: (H) RES

**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						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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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)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2001) cost: None

Check this box 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)

This bill transfers management of the listed parcels from Division of Mining, Land & Water to Division of Parks as additions to the Kenai Special Management Area. These additions were envisioned in both the 1997 Revised Kenai River Comprehensive Management Plan, adopted by DNR in 1997, and the Kenai Area Plan adopted by DNR last year. There is no fiscal impact on this division.

Prepared by: Jim Stratton, Director Phone 269-8700  
 Division: Parks and Outdoor Recreation Date/Time 23-Mar-01  
 Approved by: Pat Pourchot Date 23-Mar-01  
 Agency: Natural Resources

For distribution information, call the Governor's Legislative Office

**QUARTZ CREEK HOMEOWNERS' ASSOCIATION**  
P.O. Box 815, Cooper Landing, AK 99572  
907-595-2129

**RESOLUTION SUPPORTING HB 165**  
March 31, 2001

**Whereas, HB 165 will protect important land parcels adjacent to Quartz Creek Homeowners' Association (QCHA) properties, by including these parcels in the Kenai River Special Management Area, and**

**Whereas, the members of the QCHA have been stewards of the subject land parcels beginning as early as 1947, and following establishment of the QCHA in 1958, and**

**Whereas, the members of the QCHA now extend into the 4<sup>th</sup> generation, and have individually and collectively worked with the residents of Cooper Landing; and local, state, and federal agencies to plan for the future of the area; and**

**Whereas, the members of the QCHA understand that the natural setting and habitat of the alpine area around QCHA properties and Cooper Landing is very fragile and cannot be randomly developed without initiating undesirable and irreversible changes, which will greatly reduce property values and other personal values related to the natural setting, and**

**Whereas, inclusion of the important land parcels listed in HB 165, as parkland within the Kenai River Special Management Area will prevent loss of property values and other personal values related to the natural setting.**

**Therefore, the Quartz Creek Homeowners' Association strongly supports passage of HB 165.**