

ALASKA LEGISLATURE COMMITTEE FILES, 2003-2004 8672

11274 SENATE LABOR & COMMERCE



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February 3, 2004

The Honorable Carl Gatto  
Alaska House of Representatives  
State Capitol Building  
Juneau, Alaska 99801

RE: House Bill 351, relating to the devices, including carbon monoxide detection devices, required in dwelling

Dear Representative Gatto,

The Alaska Association of REALTORS with over 1,100 members statewide supports House Bill 351, which relates to requirement of carbon monoxide detection devices installed and maintained in qualifying dwelling units in Alaska.

The Association is in favor of carbon monoxide devices in rental units in which the tenant is responsible for maintaining the device in working condition and the landlord responsible for replacement of the device.

The Alaska Association of REALTORS encourages the passage of House Bill 351.

Sincerely,

Kathryn Clark  
President





# State of Alaska

Department of Public Safety  
Division of

## Fire Prevention

Frank H. Murkowski, Governor  
William Tandeske, Commissioner

Testimony to HB 351

January 23, 2004

I was asked to provide help on sections 1(a), 4(d)(3)(A), and provide an explanation of how our office promoted the smoke detector law throughout the state in 1984.

HB 351

Section 1(a). Issue: Address the requirement of installing carbon monoxide detectors in all hotel and motel rooms.

Discussion: 1. There is no data that supports the evidence of loss of life or injury in hotels or motels from carbon monoxide. There are no exceptions to address hotels and motels that have carbon based fuel systems but heat their rooms by an indirect method such as hydronic in-floor or baseboard hot water.

Discussion: 2. Section 4(d)(1) defines Dwelling Unit according to A.S. 34.03.360. It is my opinion this definition only approaches "homes" and does not address hotels and motels (There are some exceptions). Carbon monoxide detectors, unlike smoke detectors, are not addressed in the building code. When the smoke detector law was put into place it was written to address those locations that the building code did not cover. As written, hotels and motels would require additional language in this legislation to be addressed because the requirement is not identified in the building or fire code. We generally support the installation of carbon monoxide detectors in hotels and motels that utilize carbon-based fuel but have no data to document the loss of life or injury as we can in single or multiple unit dwellings.

Section 4(d)(3)(A). Issue: Address the inclusion of all fuel types that emit carbon monoxide.

Proposal: contains or is serviced by a carbon based fueled appliance or device that produces by-products of combustion.

Discussion: This change in wording incorporates all fuel types that can produce carbon monoxide and eliminates any product, device or fuel type loophole.

Office of the Director

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Implementation discussion: When the smoke detector requirement was written into law the Division of Fire Prevention sent out mailers, had contests, spoke at community functions and traveled the state to educate the public on the benefits and requirements of installing smoke detectors in their homes. Fortunately today we have more efficient methodologies to "get the word out" without all the associated costs of the past.

Under the existing budget and time constraints the Division of Fire Prevention would maximize the use of public safety announcements and press releases through the department's Public Information Office. Other sources, such as media interviews and free brochures from federal, private and manufacturer's sources for public distribution are already available. Additionally, local fire departments, private business partnerships and the use of the internet would be used to educate the public. The Division of fire prevention would work with other state agencies to identify potential grant programs and resources to address the new requirement and address the selection, placement and maintenance of the detectors through the manufacture's recommendations. Availability and variety of the carbon monoxide detectors should increase dramatically as market conditions respond to the public's increase in demand.

Other considerations: Enforcement of the new law will be problematic if not impossible by the Division of Fire Prevention or local authorities in deferred jurisdictions. The bill is directed toward private homes and tenant spaces. A person's home is their castle, although we can ask to check if an appropriate carbon monoxide detector has been placed in the home, access can be denied.

I believe that fiduciary requirements and insurance carriers will carry greater impetus to install these detectors, once adopted as law, than any regulatory agency.

Kelly Nicoletto  
Assistant State Fire Marshal

## Our Children at Risk Task Force

December 11, 2003

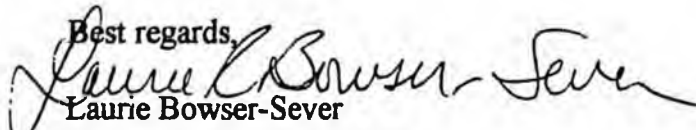
Representative Max F. Gruenberg, Jr.  
House of Representatives  
Alaska State Legislature  
Alaska State Capitol  
Juneau, AK 99801-1182

Dear State Representative Gruenberg,

Recently, you and members of your staff requested information on carbon monoxide legislation from the Children At Risk Task Force based on meetings with folks at the National Conference of State Legislators. Hopefully you received the packet of information that included copies of recent state legislation, codes and/or amendments from New York and New Jersey that require carbon monoxide alarms in residential dwellings and that you found it useful.

I personally wanted to give you a heads up that there was an unfortunate carbon monoxide poisoning incident in Anchorage over the weekend in which an entire family was fatally poisoned. One person is still hospitalized from what I recall, but several family members perished, including a few children. Anchorage Mayor Mark Begich is currently conducting a fundraising campaign to solicit donations of CO alarms to donate to low-income families there with the hopes of preventing another CO tragedy. He seems to be very affected by this incident, is very passionate about this issue and may be a great supporter if you are still looking at sponsoring a bill at the state level (note that I haven't spoken with him regarding your interest on this issue). This would also be a solid example in your own backyard that might heighten awareness of the need for CO legislation in Alaska.

If you need further information, please don't hesitate to contact me.

Best regards,  
  
Laurie Bowser-Sever  
Communications Manager  
Phone: 919-304-8312

children  
**RISK**

See me  
—

July 10, 2003

Dear NCSL attendee:

Several years ago, I lost two of my three sons, Zachary and Nicholas (16 months and four years of age) to carbon monoxide poisoning from a furnace malfunction that nearly wiped out our entire family. Since the death of my sons, I have become an advocate for the use of carbon monoxide alarms in *all* homes.

Carbon monoxide is known as the "Silent Killer" for a very good reason – you don't know it is there. CO attacks without warning – you can't see it, smell it or taste it and symptoms mimic the flu. CO is the #1 cause of accidental poisoning deaths in the U.S. and accounts for 40,000 emergency room visits, 20,000 health-related injuries and 2,000 deaths annually.

I can assure you that my family was no different than yours or families in your district. We simply didn't know what CO was or that we were at risk. As someone who survived a deadly carbon monoxide incident, I can tell you that you don't know what's happening to you – until it's too late. Only an alarm can alert you to the presence of carbon monoxide before it becomes life threatening.

Carbon monoxide is a natural by-product of combustion in fuel burning appliances. A toxic spill can happen at any time due to a faulty furnace, blocked chimney, cracked vent pipe or clothes dryer with a blocked vent. Electric-only homes are just as susceptible to this household threat because a car left idling in an attached garage, a gas-powered generator used during a power outage or a charcoal grill brought indoors or operated too close to the home can cause hazardous consequences.

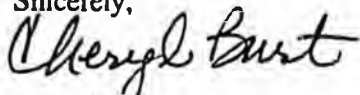
Smoke alarm legislation has been successful in reducing the number of fire-related deaths in our communities. Now, it is time to look at carbon monoxide alarms in the same way – as a critical piece of home safety equipment that belongs in every household, rental property and lodging facility.

New York, New Jersey and Rhode Island are three states with laws requiring carbon monoxide alarms in homes, lodging facilities and rental properties. Many other cities and towns have similar requirements. By sponsoring carbon monoxide legislation, you can help your state and its constituents save lives and prevent injuries, especially among younger family members who are at greater risk to carbon monoxide exposure.

Your help is urgently needed *today!* I urge you to stop by booth 837 at the National Conference of State Legislators meeting July 23-25 in San Francisco where members of the Our Children at Risk Task Force, including myself, will be available to discuss the importance of passing carbon monoxide legislation in your state. We can provide model legislation and any additional information you may need to aid in this important effort.

If you'd like further information prior to the conference, please don't hesitate to contact us. I look forward to meeting you.

Sincerely,



Cheryl Burt

Chairperson, Our Children at Risk Task Force



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April 16, 2004

Senator Con Bunde  
Chairman, Senate Labor and Commerce Committee  
State Capitol, Room 506  
Juneau, Alaska 99801-1182

Dear Senator Bunde,

The American Lung Association of Alaska enthusiastically supports House Bill 351, requiring carbon monoxide detectors in Alaskan homes. ALAA is the lead agency in Alaska in the fight for lung health and has been active in educating the public about the importance of CO detectors, especially during the winter months.

ALAA views this legislation as an important step for Alaskans to protect their families from carbon monoxide poisoning, the leading cause of accidental poisoning in the United States. Tragically, nearly 300 Americans die every year and thousands more seek medical attention from carbon monoxide exposure in their homes.

However, we can protect ourselves from what can become a deadly problem. Requiring carbon monoxide detectors in our homes is a simple step toward preventing any more tragedies like we've seen this winter in Anchorage and we urge your support.

Sincerely,

Christie Garbe, CEO  
American Lung Association of Alaska

# Frequently Asked Questions About Carbon Monoxide Detectors

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## What is carbon monoxide (CO) and why do I need a carbon monoxide detector?

Carbon monoxide is a colorless, odorless, tasteless and toxic gas produced as a by-product of combustion. Any fuel burning appliance, vehicle, tool or other device has the potential to produce dangerous levels of carbon monoxide gas. Examples of carbon monoxide producing devices commonly in use around the home include:

- Fuel fired furnaces (non-electric)
- Gas water heaters
- Fireplaces and woodstoves
- Gas stoves
- Gas dryers
- Charcoal grills
- Lawnmowers, snowblowers and other yard equipment
- Automobiles

The Consumer Products Safety Commission (CPSC) reports that approximately 200 people per year are killed by accidental CO poisoning with an additional 5000 people injured. These deaths and injuries are typically caused by improperly used or malfunctioning equipment aggravated by improvements in building construction which limit the amount of fresh air flowing in to homes and other structures.

While regular maintenance and inspection of gas burning equipment in the home can minimize the potential for exposure to CO gas, the possibility for some type of sudden failure resulting in a potentially life threatening build up of gas always exists.

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## What are the medical effects of carbon monoxide and how do I recognize them?

Carbon monoxide inhibits the blood's ability to carry oxygen to body tissues including vital organs such as the heart and brain. When CO is inhaled, it combines with the oxygen carrying hemoglobin of the blood to form carboxyhemoglobin. Once combined with the hemoglobin, that hemoglobin is no longer available for transporting oxygen. How quickly the carboxyhemoglobin builds up is a factor of the concentration of the gas being inhaled (measured in parts per million or PPM) and the duration of the exposure. Compounding the effects of the exposure is the long half-life of carboxyhemoglobin in the blood. Half-life is a measure of how quickly levels return to normal. The half-life of carboxyhemoglobin is approximately 5 hours. This means that for a given exposure level, it will take about 5 hours for the level of carboxyhemoglobin in the blood to drop to half its current level after the exposure is terminated.

The following table describes the symptoms associated with a given concentration of COHb:

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<i>% COHb</i>	<i>Symptoms and Medical Consequences</i>
10%	No symptoms. Heavy smokers can have as much as 9% COHb.
15%	Mild headache.
25%	Nausea and serious headache. Fairly quick recovery after treatment with oxygen and/or fresh air.
30%	Symptoms intensify. Potential for long term effects especially in the case of infants, children, the elderly, victims of heart disease and pregnant women.
45%	Unconsciousness.
50%+	Death.

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Since one can't easily measure COHb levels outside of a medical environment, CO toxicity levels are usually expressed in airborne concentration levels (PPM) and duration of exposure. Expressed in this way, symptoms of exposure can be stated as follows:

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<i>PPM CO</i>	<i>Time</i>	<i>Symptoms</i>
35 PPM	8 hours	Maximum exposure allowed by OSHA in the workplace over an eight hour period.
200 PPM	2-3 hours	Mild headache, fatigue, nausea and dizziness.
400 PPM	1-2 hours	Serious headache- other symptoms intensify. Life threatening after 3 hours.
800 PPM	45 minutes	Dizziness, nausea and convulsions. Unconscious within 2 hours. Death within 2-3 hours.
1600 PPM	20 minutes	Headache, dizziness and nausea. Death within 1 hour.
3200 PPM	5-10 minutes	Headache, dizziness and nausea. Death within 1 hour.
6400 PPM	1-2 minutes	Headache, dizziness and nausea. Death within 25-30 minutes.
12,800 PPM	1-3 minutes	Death.

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As can be seen from the above information, the symptoms vary widely based on exposure level, duration and the general health and age on an individual. Also note the one recurrent theme that is most

significant in the recognition of carbon monoxide poisoning- headache, dizziness and nausea. These 'flu like' symptoms are often mistaken for a real case of the flu and can result in delayed or misdiagnosed treatment. When experienced in conjunction with the sounding of a carbon monoxide detector these symptoms are the best indicator that a potentially serious buildup of carbon monoxide exists. This comment will be returned to later.

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## What are the different types of carbon monoxide detectors and how do they work?

There are a number of different types and brands of carbon monoxide detectors on the market today; They can be most easily characterized by whether they operate on household current or batteries. Underlying this, in most cases, is the type of sensor employed in the detectors operation. Detectors using household current typically employ some type of solid-state sensor which purges itself and resamples for CO on a periodic basis. This cycling of the sensor is the source of its increased power demands. Detectors powered by batteries typically use a passive sensor technology which reacts to the prolonged exposure to carbon monoxide gas.

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## Are some types of detectors better than others? How do I select the best detector for me?

Regardless of the type of sensor used all detectors sold on the market today should conform to minimum sensitivity and alarm characteristics. These characteristics have been defined and are verified by Underwriters Laboratory in their standard for carbon monoxide detectors UL 2034. This standard was most recently revised in June of 1995 and went into effect in October of 1995. This revision specified additional requirements regarding identification of detector type, low-level (nuisance) alarm sensitivity and alarm silencing. Under no circumstances should one purchase a detector that is not UL listed.

Each of the two types of detectors mentioned previously has applications in the home along with associated advantages and disadvantages. The proper detector for each application or installation should be chosen based on the application requirements and the products specifications. The following are the principle advantages and disadvantages of the two different type detectors:

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<i>Characteristic</i>	<i>Household Current</i>	<i>Battery Operated</i>
Cost	\$30-50	\$30-50
Ease of Installation	More difficult- requires outlet near detector or 'hard wiring'.	Less difficult. Can be placed anywhere needed.
Maintenance	No maintenance required during life of product (5-10 years). Detector sensor becomes more sensitive with age.	Requires periodic replacement of battery/sensor module every 2-3 years at a cost of ~\$20.
Reaction Time/Exposure	Gives continuous display	Reaction time depends

Level Display	of CO levels updated every few minutes.	on concentration level and duration of exposure. Display information is limited.
Reset Time	Will reset immediately once CO problem is corrected.	Reset time depends on exposure concentration and duration. May require removal of sensor pack. A silence button, however, is now provided/required.

## How many carbon monoxide detectors should I have and where should I place them?

The Consumer Product Safety Commission recommends a detector on each floor of a residence. At a minimum, a single detector should be placed on each sleeping floor with an additional detector in the area of any major gas burning appliances such as a furnace or water heater. Installation in these areas ensures rapid detection of any potentially malfunctioning appliances and the ability to hear the alarm from all sleeping areas. In general, carbon monoxide detectors should be placed high (near the ceiling) for most effective use. Detectors should also not be placed within five feet of gas fueled appliances or near cooking or bathing areas. Consult the manufacturers installation instructions for proper placement of a detector within a given area.

## What are the most common causes of carbon monoxide detector alarms?

There are many conditions which can cause a carbon monoxide detector to alarm. Most are preventable and few are actually life threatening. Ideally through proper placement of the detector and education of the users the number of preventable calls can be minimized and activation will only occur in the more serious situations.

Preventable causes of CO alarm activation and the recommended preventive action are as follows:

<i>Cause</i>	<i>Preventive Action</i>
Inadequate fresh air venting of the home.	Have a heating contractor install a fresh air makeup system in the home
Running gas powered equipment or automobiles in a home or garage	Gas powered equipment or vehicles should never be operated within a home or garage- even if the garage door is open. Since most homes are typically at a lower pressure relative to outside air, the gas can

Charcoal grilling in the home or garage.	actually be drawn into the home. Charcoal grilling is a tremendous producer of carbon monoxide gas. Charcoal grills should never be operated in the home.
Malfunctioning appliances or equipment in the home.	All fuel burning appliances or equipment in the home needs periodic inspection and preventive maintenance. While all fuel burning appliances will produce some CO gas, regular preventive maintenance can keep this to a minimum.
Malfunctioning or overly sensitive alarm.	Buy only UL Listed alarms conforming to the latest revision (June 1995) of UL standard 2034. This revision includes new requirements to minimize nuisance alarms.

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While many causes can be prevented others can not and may occur unpredictably. Not only are these problems harder to predict but they also tend to be more serious in nature. Examples of these type problems are:

- Cracked furnace heat exchanger.
- Malfunctioning furnace or water heater.
- Blocked chimney.
- Other unpredictable events- vehicle left running in garage, gas powered device placed near fresh air vent to home, etc.

Minimizing preventable events allows everyone to take other less preventable and predictable events more seriously.

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## What should I do when my carbon monoxide detector goes off?

First and foremost, stay calm. As mentioned previously most situations resulting in activation of a carbon monoxide detector are not life threatening and do not require calling 911. To determine the need to call 911, ask the following question of everyone in the household:

"Does anyone feel ill? Is anyone experiencing the 'flu-like' symptoms of headache, nausea or dizziness?"

If the answer to the above by anyone in the household is true, evacuate the household to a safe location and have someone call 911. Failure to evacuate immediately may result in prolonged exposure and worsening effects from possible carbon monoxide gas. The best initial treatment for carbon monoxide gas exposure is fresh air.

If the answer to the above by everyone in the household is no, the likelihood of a serious exposure is greatly diminished and one probably does not need to call 911. Instead, turn off any gas burning appliances or equipment, ventilate the area and attempt to reset the alarm. If the alarm will not reset or resounds, call a qualified heating and ventilating service contractor to inspect your system for possible problems. If at any time during this process someone begins to feel ill with the symptoms described above evacuate the household to a safe location and have someone call 911.

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## What can I expect to happen if I call 911?

What to expect when calling 911 is based on the policies and procedures of the public safety agencies serving your community and will vary from area to area. Most public safety agencies are, however, recognizing the dangers posed by carbon monoxide gas and are adopting similar procedures to the ones described below. These procedures are based on information developed by the International Association of Fire Chiefs (IAFC) and other national and regional associations. The objective of these procedures is to quickly determine the severity of the situation and provide the proper emergency response. The following is a summary of what one can expect to happen if the call 911 because a carbon monoxide detector is sounding:

When initially calling 911 be prepared to provide the following information:

- Your address.
- The type of detector that is sounding.
- Whether or not anyone is feeling ill with 'flu-like' symptoms as previously described.
- Whether or not everyone has evacuated the residence.
- The reading on the detector (if known or available)

The dispatcher will determine the response required based on the answers to the above- most significantly whether or not anyone is feeling ill.

If anyone is feeling ill and/or you can not or have not been able to evacuate everyone, law enforcement, medical and fire personnel will be assigned to the call on an emergency basis. Law enforcement to assist with the immediate evacuation of individuals, medical to treat any victims and fire to monitor for CO gas and assist with the other activities.

If no one is feeling ill, you may be advised to contact your local heating contractor or gas company to assist you or, more likely, fire personnel will be dispatched on a routine basis to monitor for CO gas and advise if a 'real' carbon monoxide problem exists.

As mentioned previously, response policies vary by community and you may wish to call your local fire or police non-emergency number to ask what their particular policies are. An example standard operating procedure for CO alarms is attached. This policy is based on the IAFC model procedures and has been adopted by the Hennepin County Fire Chiefs Association as their 'standard' policy for fire departments which are part of that association.

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## Where can I get further information concerning carbon monoxide detectors?

Several manufacturers of carbon monoxide detectors offer toll free numbers for additional information regarding their products. These numbers are as follows:

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<i>Manufacturer</i>	<i>Number</i>
American Sensors	800-387-4219
Enzone	800-448-0535
First Alert	800-323-9005
Jameson	800-779-1719
Nighthawk	800-880-6788
Quantum	800-432-5599
Radio Shack	Contact your local store
S-Tech	800-643-5377

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Additional information with product ratings is contained in the July 1995 Consumer Reports issue on home safety products. One word of note regarding the ratings in this issue- the products tested have probably since be replaced by updated models conforming to the revised UL 2034 standard which took effect in October 1995. Check with the manufacturer for current information.

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This information provided as a public service by the Hamel Volunteer Fire Department.

Comments or questions concerning this document should be directed to:

*H. Brandon Guest, Chief  
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Hamel, Minnesota 55340  
(612) 723-5400  
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## Consumer Product Safety Commission

# Carbon Monoxide Questions and Answers

CPSC Document #466

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### 1. What is carbon monoxide (CO) and how is it produced in the home?

Carbon monoxide (CO) is a colorless, odorless, poisonous gas. It is produced by the incomplete burning of solid, liquid, and gaseous fuels. Appliances fueled with natural gas, liquified petroleum (LP gas), oil, kerosene, coal, or wood may produce CO. Burning charcoal produces CO. Running cars produce CO.

### 2. How many people are unintentionally poisoned by CO?

Every year, over 200 people in the United States die from CO produced by fuel-burning appliances (furnaces, ranges, water heaters, room heaters). Others die from CO produced while burning charcoal inside a home, garage, vehicle or tent. Still others die from CO produced by cars left running in attached garages. Several thousand people go to hospital emergency rooms for treatment for CO poisoning.

### 3. What are the symptoms of CO poisoning?

The initial symptoms of CO poisoning are similar to the flu (but without the fever). They include:

- Headache
- Fatigue
- Shortness of breath
- Nausea
- Dizziness

Many people with CO poisoning mistake their symptoms for the flu or are misdiagnosed by physicians, which sometimes results in tragic deaths.

### 4. What should you do to prevent CO poisoning?

- Make sure appliances are installed according to manufacturer's instructions and local building codes. Most appliances should be installed by professionals. Have the heating system (including chimneys and vents) inspected and serviced annually. The inspector should also check chimneys and flues for blockages, corrosion, partial and complete disconnections, and loose connections.
- Install a CO detector/alarm that meets the requirements of the current UL standard 2034 or the requirements of the IAS 6-96 standard. A carbon monoxide detector/alarm can provide added protection, but is no substitute for proper use and upkeep of appliances that can produce CO. Install a CO detector/alarm in the hallway near every separate sleeping area of the home. Make sure the detector cannot be covered up by furniture or draperies.
- Never burn charcoal inside a home, garage, vehicle, or tent.
- Never use portable fuel-burning camping equipment inside a home, garage, vehicle, or tent.
- Never leave a car running in an attached garage, even with the garage door open.
- Never service fuel-burning appliances without proper knowledge, skills, and tools. Always refer to the owner's manual when performing minor adjustments or servicing fuel-burning appliances.
- Never use gas appliances such as ranges, ovens, or clothes dryers for heating your home.
- Never operate unvented fuel-burning appliances in any room with closed doors or windows or in any

room where people are sleeping.

- Do not use gasoline-powered tools and engines indoors. If use is unavoidable, ensure that adequate ventilation is available and whenever possible place engine unit to exhaust outdoors.

#### **5. What CO level is dangerous to your health?**

The health effects of CO depend on the level of CO and length of exposure, as well as each individual's health condition. The concentration of CO is measured in parts per million (ppm). Health effects from exposure to CO levels of approximately 1 to 70 ppm are uncertain, but most people will not experience any symptoms. Some heart patients might experience an increase in chest pain. As CO levels increase and remain above 70 ppm, symptoms may become more noticeable (headache, fatigue, nausea). As CO levels increase above 150 to 200 ppm, disorientation, unconsciousness, and death are possible.

#### **6. What should you do if you are experiencing symptoms of CO poisoning?**

If you think you are experiencing any of the symptoms of CO poisoning, get fresh air immediately. Open windows and doors for more ventilation, turn off any combustion appliances, and leave the house. Call your fire department and report your symptoms. You could lose consciousness and die if you do nothing. It is also important to contact a doctor immediately for a proper diagnosis. Tell your doctor that you suspect CO poisoning is causing your problems. Prompt medical attention is important if you are experiencing any symptoms of CO poisoning when you are operating fuel-burning appliances. Before turning your fuel-burning appliances back on, make sure a qualified serviceperson checks them for malfunction.

#### **7. What has changed in CO detectors/alarms recently?**

CO detectors/alarms always have been and still are designed to alarm before potentially life-threatening levels of CO are reached. The UL standard 2034 (1998 revision) has stricter requirements that the detector/alarm must meet before it can sound. As a result, the possibility of nuisance alarms is decreased.

#### **8. What should you do when the CO detector/alarm sounds?**

Never ignore an alarming CO detector/alarm. If the detector/alarm sounds: Operate the reset button. Call your emergency services (fire department or 911). Immediately move to fresh air -- outdoors or by an open door/window.

#### **9. How should a consumer test a CO detector/alarm to make sure it is working?**

Consumers should follow the manufacturer's instructions. Using a test button, some detectors/alarms test whether the circuitry as well as the sensor which senses CO is working, while the test button on other detectors only tests whether the circuitry is working. For those units which test the circuitry only, some manufacturers sell separate test kits to help the consumer test the CO sensor inside the alarm.

#### **10. What is the role of the U.S. Consumer Product Safety Commission (CPSC) in preventing CO poisoning?**

CPSC worked closely with Underwriters Laboratories (UL) to help develop the safety standard (UL 2034) for CO detectors/alarms. CPSC helps promote carbon monoxide safety awareness to raise awareness of CO hazards and the need for regular maintenance of fuel-burning appliances. CPSC recommends that every home have a CO detector/alarm that meets the requirements of the most recent UL standard 2034 or the IAS 6-96 standard in the hallway near every separate sleeping area. CPSC also works with industry to develop voluntary and mandatory standards for fuel-burning appliances.

#### **11. Do some cities require that CO detectors/alarms be installed?**

On September 15, 1993, Chicago, Illinois became one of the first cities in the nation to adopt an

ordinance requiring, effective October 1, 1994, the installation of CO detectors/alarms in all new single-family homes and in existing single-family residences that have new oil or gas furnaces. Several other cities also require CO detectors/alarms in apartment buildings and single-family dwellings.

#### 12. Should CO detectors/alarms be used in motor homes and other recreational vehicles?

CO detectors/alarms are available for boats and recreational vehicles and should be used. The Recreation Vehicle Industry Association requires CO detectors/alarms in motor homes and in towable recreational vehicles that have a generator or are prepped for a generator.

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Brad Rittwig/KTUU

The Arts did have a carbon monoxide detector, but was unplugged.

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## Stores sell out of carbon monoxide detectors after tragedy

Dan Fagan

Anchorage, Alaska, Dec. 7 - An Anchorage mother was fighting for her life Sunday after losing her husband and three children.

Thirty-three-year-old Rita Arts is the only member of her family to survive high carbon monoxide levels in their Hillside home. The four deaths of her husband and three kids had people rushing to hardware stores Sunday to buy carbon monoxide detectors.

At Home Depot, employees began to see the rush to buy CO detectors the moment the doors opened. The demand was so high, people forced the store to move all remaining detectors to a display in the front.

Stores like Home Depot are reporting the sales increase of CO detectors after the four deaths at 8100 Robert Dr. in Bear Valley. Saturday, firefighters found the bodies of 42-year-old David Arts and his three kids Taylor, Ann Marie and Willem, ages 11, 8 and 3, respectively.

They found Rita Arts unconscious in the hallway next to her daughter, Ann Marie.

Alaska Regional Hospital has reported Rita Arts in critical condition and is being treated in a hyperbaric chamber every eight hours.

The fire department has not determined why the Arts home had such high levels of the carbon monoxide poison and does not suspect foul play.

The family has a CO detector, but it was apparently left unplugged.

Many that stormed home improvement stores for the CO detectors did so to prevent such a tragedy from striking their family. One such man, Mark Stevens, bought three detectors.

"I saw it on the news. I thought I would pick one up for each floor of my house...I'll pick up three," said Stevens.

NEXT STORY >>

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Afghanistan on Saturday, mistakenly killing nine children, officials said.



AP/WIDE WORLD

## AFGHANISTAN: U.S. strike may have missed terrorist

Continued from A-1

Brig. Gen. Lloyd Austin, has appointed a team of military policemen, doctors, a lawyer and a nurse to investigate the deaths, Hillferty said. The military will also provide aid to the village, he said.

The deaths of so many children shocked Afghans and foreign officials. The United Nations has called for an investigation and for the findings to be made public. The U.N. spokesman in Kabul, Manoel de Almeida e Silva, said the deaths would have a "negative impact" on the population, which is already unhappy with the presence of foreign military.

The U.N. secretary general, Kofi Annan, expressed "profound sadness" at the deaths and warned that the fight against terrorism "cannot be won at the expense of innocent lives."

His special envoy in Afghanistan, Lakhdar Brahimi, said that the incident followed similar incidents and

contributed to a sense of insecurity and fear in the country.

Operation Avalanche, in southern and eastern Afghanistan, "is the largest we have ever designed," Hillferty said at the coalition military headquarters at Bagram, north of the capital, Kabul. The enemy "isn't going to know when we hit. He isn't going to know what we're doing."

"Right now, I'd say there's four infantry battalions involved" of around 500 men each, Hillferty said. Some Afghan National Army and militia forces also will be involved, he said.

Hillferty gave no details about the operation, including when it started or what provinces were targeted.

Taliban fighters have stepped up attacks — particularly against aid workers and civilians — in provinces near the Pakistani border and in Ghazni and Zabul provinces south of the capital.

On Monday, one Pakistani engi-

neer was shot dead and his Afghan driver was wounded when gunmen attacked their vehicle on the main Kabul-Kandahar highway in Ghazni province. A second Pakistani engineer was missing, and two escaped.

A French U.N. worker was guillotined last month in Ghazni, and three international workers were kidnapped in past weeks.

The wave of Taliban attacks against aid workers, U.S. soldiers and Afghan government officials has belied American claims that it is winning the war to stabilize the country. Two years after the fall of the Taliban, 11,700 soldiers, mainly American, remain in Afghanistan on combat missions against the Taliban and their allies, remnants of al-Qaida and followers of renegade warlord Gulbuddin Hekmatyar.

But Saturday's airstrike highlighted the risk that a heavy U.S. military hand may only alienate Afghan civilians.

"Every innocent who is killed has brothers, uncles, sisters and nephews, and behind them the tribe," said Sadokhan Ambarkhill, deputy governor of Paktika, one of the most dangerous provinces for coalition troops and their Afghan allies. "If 10 people are killed, how many people are saddened?"

The push announced Monday follows Operation Mountain Resolve, which involved about 1,000 troops to stabilize a remote northeastern region bordering Pakistan. That operation, which was launched Nov. 7 and ended this weekend, saw only minor skirmishes.

The number of U.S. troops in Operation Avalanche appeared to be bigger than the March 2002 Operation Anaconda, one of the heaviest battles in the U.S.-led campaign in Afghanistan, in which 2,000 American and allied Afghan forces participated.

■ The New York Times contributed to the story.

## FURNACE: Cause

Continued from A-1

A manager at Lowe's Home Improvement Warehouse on Tudor Road said his store has sold more than 29 of the devices in the past two days. There are still some in stock — ranging from \$27 to \$40 — and the store put in a rush order for more, he said. Sales also were up at Wal-Mart, said Marty Howard, a manager at the South Anchorage store.

Mayor Mark Begich's press secretary, Julie Hasquet, said the mayor is asking for donations for carbon monoxide detectors for a giveaway next week. Some corporate sponsors have stepped up, she said. Donations can be made to the Red Cross and dropped off at its headquarters at 235 E. Eighth Ave.

"Everybody here is devastated," Hasquet said. "The mayor was very upset and we all talked about what could we do, and that's how we came up with the idea."

Tami Powell, who has known the Artses for about 12 years and lives near their home, said Dave Arts used to be the Bear Valley Community Council president and Rita Arts was formerly in charge of the local Parent Teacher Association. The Artses would pitch in to keep the restricted access roads in Bear Valley plowed and would help anyone who got stuck in the snow, she said.

"Three years ago when my husband broke his hip, Dave came over to sit with my husband and care for my husband," Powell said. "They were just so warm and loving and caring to everyone. They would have helped anyone in need."

Powell said the accident has been difficult for everyone in Bear Valley.

"I don't know how anyone could go to work today," she said. "They were very well loved by their neighborhood."

Powell said the tragedy has to be particularly hard for Bear Valley Elementary, where the Artses' two daughters went to school and Rita was the former PTA president.

Anchorage School District spokesman Roger Fiedler said counselors were on hand at the school Monday to talk to parents, students and staffers and will stay throughout the week. "It's a very close community out there."

Officials said neighbors told them the Artses had a carbon monoxide detector in their home but it was unplugged because they were remodeling and getting ready to move.

Dave Arts, a cargo pilot for Cathay Pacific Airways since 2000, was about to move to Hong Kong, the airline's hub city, to take a job as a passenger pilot, friends and airline officials said.

Nationwide, about 500 people a year die from accidental exposure to carbon monoxide, according to federal statistics. Kempton said the Anchorage Fire Department has responded to 144 carbon monoxide alarms so far this year. Last winter, six people, including three children, were saved at an Anchorage trailer park after a 911 dispatcher realized a caller and her family were suffering from carbon monoxide poisoning during the call.

"The only sure way to make sure that something like this doesn't happen is to have a carbon monoxide detector," Kempton said. He recommended buying one with an Underwriters Laboratory rating on the packaging.

FOR MORE safety tips, visit the National Gas Co. Web site via LINKS

## YEE: Captain faces a total of 13 years if convicted

Continued from A-1

secure container — at the time and confined in solitary in a naval brig for nearly three months while the military completed its investigation. When the investigation was finished last month and he was released, the military's new charges involved keeping pornography on his government computer and having an extramarital affair, both violations of the military code of justice.

The military does not contend that either of those offenses are related to any security breaches but that they were violations discovered in the course of the investigation. But Yee's civilian defense lawyer, Eugene Fidell, has said the charges were added vindictively as part of an effort to cover up the military's mistake and overreaction.

"I think it is quite disgraceful that this officer's reputation was tarnished in a way that can never be repaired," Fidell said Monday. He hopes the presiding judge will recommend dismissal of the charges, which he characterized as "trivial and in-

consequential they might be, the testimony of Wallace on Monday produced great anguish for Yee and his family and probably for the lieutenant. Under questioning by a prosecutor and the judge, Wallace, who testified under a grant of immunity from prosecution for her own behavior, said the relationship was social and romantic.

"Was it sexual?" asked Col. Dan Trimble, the presiding officer. "Yes, sir," she replied.

"What does it mean to have a sexual relationship?" Trimble asked. "We had sex together," she said, estimating having done so about 20 times at his quarters and hers. She said that she knew he was married because he told her.

Yee's wife, who was born in Syria and wore a Muslim head covering and a long black coat, went outside the courtroom and began sobbing on a bench. When Wallace walked out, Yee's wife, who went after her with her daughter in her arms, sobbed.

"You happy now?" shouted Yee inches from Wallace. "Destroying a family?"

her and said: "You know what? You need to speak with him."

Yee walked back to the courtroom and shouted an epithet at Wallace.

The court also heard testimony from law enforcement officials at Jacksonville who had detained Yee on Sept. 10. One, a customs inspector, testified via telephone that he had been told to scrutinize Yee when he got off the flight from Jacksonville because he might be carrying classified information. Fidell, Yee's lawyer, said that such testimony showed that the discovery of any suspicious papers was not a result of a random search. Yee's friends have suggested that the authorities at Guantanamo resented him because of the way he ministered to and looked out for the interests of the mostly Muslim prison population there.

At the end of the hearing, Trimble is supposed to make a recommendation from a list of options that range from a general court martial to an acquittal. Yee looked up to 13 years in prison if tried

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State Edition

# Anchorage Daily News

Tuesday, December 9, 2003

ALASKA'S NEWSPAPER

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## Carbon monoxide traced to poorly vented furnace

■ **BEAR VALLEY:** Four members of Arts family died; mother still in hospital.

By **TATABOLINE BRANT**  
Anchorage Daily News

An improperly vented gas furnace caused a Bear Valley home to fill with carbon monoxide over the weekend, killing a man and his three children and leaving the mother of the family in critical condition, officials

said Monday. Anchorage Fire Department spokesman Tom Kempton said investigators determined that the fresh-air intake vent on David and Rita Arts' furnace had been intentionally blocked, perhaps to keep cold air from getting in to the house.

Kempton did not immediately know what blocked the vent. But, he said, as the temperatures dropped outside and the furnace worked harder, the blocked vent caused fumes to be drawn from

the furnace room into the living areas of the home.

Authorities were called to the residence on Robert Drive around noon Saturday by a concerned neighbor who went to check on the family after they missed some appointments.

Firefighters found David Arts, 42, in his bed on the third floor. Wilem, 3, and his sister Taylor, 11, were found in their beds in a shared room on the second floor. Ann Marie, 8, and Rita, 33, were discovered together in a hallway out-

side the children's bedroom. Everyone but Rita was dead, officials said. She was rushed to Alaska Regional Hospital, where she remained Monday. Her condition was not released.

Initial carbon monoxide readings in the Artses' home showed more than 700 parts per million. Levels of 150 ppm are sufficient to kill.

Kempton said investigators did not find any evidence that a vehicle parked in an attached garage was the source of the carbon monoxide. The car was

not running when authorities arrived Saturday and it still had about a quarter of a tank of gas, he said. There was no soot stain near the vehicle's exhaust, which would have been consistent with an idling engine, he said. The car did not have a remote starter.

The tragedy has shocked Anchorage and Bear Valley, and many residents have rushed out to buy carbon monoxide detectors for their homes.

See Back Page, FURNACE

## Panel looks at limiting pull-tabs

■ **SENATORS:** Should \$25.2 million operation just serve charities?

By **SEAN COCKERHAM**  
Anchorage Daily News

**JUNEAU** — Think pull-tab charitable gaming permits in Alaska just go to charities?

Well, you're wrong. Sure, the American Lung Association of Alaska, the Special Olympics of Alaska and various youth sports programs all have state pull-tab permits. But so do groups like Home Builders Association of Juneau, the Fairbanks Area Sheet Metal Workers, the Alaska Democratic Party and the Anchorage Republican Women's Club.

On Monday, a legislative subcommittee took on whether to

## ON THE LOOKOUT AT FORT RICHARDSON



## Afghan postwar assault begins

■ **OPERATION AVALANCHE:** U.S. targets those who target rebuilding.

By **STEPHEN GRAHAM**  
The Associated Press

**KABUL, Afghanistan** — The U.S. military launched its largest postwar offensive against Taliban and al-Qaida insurgents Monday, sending 2,000 soldiers into a lawless swath of Afghanistan to put down a wave of attacks.

# DEATHS: Neighbor found bodies, called police

Continued from A-1

in his bed. Taylor on a mattress next to the bed. Ann Marie, 8, and her mother, Rita Arts, 33, were found lying side by side in a hallway outside the children's room.

"I don't know if that means anything or not," paramedics battalion chief Kurt Sorensen said.

Fire and utility officials Saturday night were still trying to determine the source of the carbon monoxide.

The first firefighter inside "found the mother with some signs of life and got her out of the house immediately," Kempton said.

"This is a very horrible tragedy to have happen anytime of the year, let alone Christmas," Kempton said.

Officials said a concerned relative or friend who lives nearby went to check on the Arts family Saturday because they had missed several appointments. The woman had a key to the house, a home with a spectacular view of the mountains, and let herself in, Kempton said. The woman found the bodies and called 911.

Carbon monoxide, a byproduct of combustion, is lethal if inhaled for an extended period. It gets into the blood and robs the blood of oxygen. Early symptoms of exposure include headache, fatigue, shortness of breath, nausea and confusion.

Kempton said carbon monoxide can come from a variety of sources, such as a malfunctioning furnace, a gas-burning generator or an idling car. Carbon monoxide tends to concentrate on upper floors in homes because it is lighter than air, Sorensen said.

Initial carbon monoxide readings at the Artses' home came back at 715 parts per million, Kempton said. "That's very high."

Levels of 150 to 200 ppm are sufficient to kill, according to a Consumer Product Safety Commission publication. More than 200 people die every year in the United States from carbon monoxide produced by fuel-burning appliances, according to the publication.

Rita Arts was rushed to a local hospital

## Carbon monoxide

**WHAT IS IT:** A poisonous, colorless, odorless and tasteless gas that results from the incomplete burning of natural gas and other material containing carbon, such as gasoline, kerosene, oil, propane, coal or wood.

**COMMON SOURCES:** idling vehicles, malfunctioning or improperly used fuel-burning

appliances such as ovens, space heaters and furnaces.

**SYMPTOMS:** Headache, fatigue, nausea, shortness of breath, confused thinking. Can cause death if exposed for extended periods of time.

**MORE INFO, INCLUDING SAFETY TIPS:** [www.cpsc.gov/cpsc/pub/pubs/466.html](http://www.cpsc.gov/cpsc/pub/pubs/466.html)

and then moved to a facility with a pressurized chamber, Kempton said. "The only way to treat this is to force more oxygen into the body by higher pressure," Kempton said.

Sorensen said investigators were told that there was a carbon monoxide detector in the house but that it had been unplugged while the Arts family remodeled their home to get ready to move.

Friends of the Artses' stopped by the home Saturday while fire investigators, firefighters, police and Anstar officials worked inside trying to determine where the carbon monoxide came from.

"What happened? What happened?" asked one frantic woman, who showed up with a man. The woman began to cry. The couple said they had been trying to contact the family since the evening before.

Friends said the Artses were getting ready to move overseas. Walter Yankauskas, who lives across the street, said Dave Arts was a cargo pilot for Cathay Pacific Airways. He was about to start work as a passenger pilot and needed to move to Hong Kong, the airline's hub city, he said. Cathay Pacific Airways could not be reached Saturday.

The Artses planned a party next weekend to mark their move. The invitation was posted on a neighbor's refrigerator.

Dave Arts was known in the Bear Valley neighborhood for plowing his neighbors' driveways and for keeping Robert Drive passable for everyone.

"You notice how it's 40 feet wide up here and it's 15 feet wide down there?" Yankauskas said, gesturing down the steep, snowy

## Family members die from carbon monoxide poisoning



road. "That's because of Dave." "They were just great people," Yankauskas said.

Kempton encouraged all Anchorage residents to install carbon monoxide detectors in their homes.

"They're readily available at almost all hardware stores," he said. "They're not very expensive. They even make combined smoke and carbon monoxide detectors now."

Six people, including three children, were saved in an Anchorage trailer park last winter after a 911 dispatcher realized a caller and her family were suffering from carbon monoxide poisoning during the call.

Del., news reporter Catherine Brant can be reached at [brant@alaska.com](mailto:brant@alaska.com) or 257-4321.

# SCDORIS: Disqui

Continued from A-1

about trail dangers ahead. The board had previously rejected her request to run with one or two visual interpreters on snowmachines.

On Saturday, Sedoris' father, Jerry Sedoris, said the decision not to run next March was based on several factors.

Using a dog sled instead of a snowmachine doubled the team's original budget, estimated at \$40,000 to \$50,000, Sedoris said. A snowmobile manufacturer also pulled its sponsorship, he said. "That's about a \$40,000 turnaround right there."

His daughter, a veteran of several stage races in the Lower 48, also needs to get accustomed to relying on a visual interpreter on a sled rather than on a snowmobile, he said.

Rachael Sedoris was the only rookie of a record 50 entered in the race who did not attend a mandatory meeting Saturday at the Millennium Alaskan Hotel. She did not officially withdraw by Saturday, but she is no longer eligible to race because attendance at the meeting was required of all rookie mushers, said race marshal Mark Nordman.

Sedoris' absence on Saturday caught some of her peers by surprise.

"I looked for her, and I didn't see her. I seen her picture in the paper a few times, and I thought, well, I'd probably meet her there," said Gary McKellar, a 46-year-old Wasilla musher running the race for the first time.

Sedoris' bid to race gained national attention after the

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Del Daily News

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# RESCUE: Pilot spends a night in the cold after crashing plane into

Continued from A-1

A nurse at Providence Alaska Medical Center said Strahan would stay in the hospital as long as it took for him to warm up.

He declined to speak to the media but could be heard through the curtain of the hospital room describing his ordeal to friends and family members. Strahan's rescue came roughly 24 hours after he left Merrill Field on Friday afternoon on a solo flight in his Cessna 172.

He did not file a flight plan. Strahan's wife apparently called firefighters when her husband was overdue. The Alaska National Guard and Civil Air Patrol started searching after interviewing Strahan's wife about places her husband typically flew to.

The resulting search area was 2,400 square miles that encompassed Eklutna Lake, the Chugach Range, Lake George, Knik, and Big Lake, said Major Chris Kobi, senior rescue controller with the Guard.

"It would have made everybody's life so much easier if we'd had a flight plan," Kobi said.

Strahan told rescue officials that the plane crashed about 3 p.m. Friday while he was attempting to land at Bidli Airstrip on the lake's east end.

"He was doing a touch and go to pack a route on the airstrip and test the airstrip to see how solid it was," said Amyot,

who added that Strahan's plane had wheels, not skis.

"It sounds like the third or fourth time he tried to make a landing, his wheels started sinking in and things got a little tipsy," Amyot said.

"He started to take off again, but it slowed him down a little bit and he hit a stump of driftwood that got washed up in late fall."

Amyot said the plane then apparently skidded across the lake shore and plunged through the ice. The plane sank.

"He had to swim about 150 feet to shore," Amyot said.

Strahan etched the word "help" in the shoreline snow. He saw rescue helicopters overhead but didn't get their attention, Amyot said.

He found the Eklutna Alex Cabin nearby and spent the night there.

The tiny log trapper's cabin was supposed to be removed several years ago by the Eklutna Corp., Amyot said. It has no stove or fireplace.

"He broke a bunch of spruce bows and set up a little bed in there," Amyot said.

The National Weather Service doesn't take an official reading in the Eklutna area, but a forecaster there said that it couldn't have been warmer than 10 degrees Friday night and early Saturday.

"Our winters are unforgiving in Alaska," Kobi said. Strahan "ought to go play the lottery



Rescuers escorted Wade Strahan, a battalion chief in the Anchorage Fire Department, to a helicopter at the Eklutna Ranger Station. The man on the left gave Strahan his own socks to wear. Strahan had landed at the Eklutna airstrip and when he tried to take off again the plane crashed into the lake. Strahan got out of the plane, swam to shore and spent the night in a nearby cabin.

right now."

Strahan on Saturday set out walking. He had gone eight miles when, less than two miles from the ranger station, he encountered several skiers.

The skiers text messaged police on a cell phone and sited to the ranger station, where they found Amyot and the caretaker, Chandra Caleet.

The pair hopped on snowmachines and headed for Strah-

an. Amyot taking the lower trail and Caleet taking the upper route. Caleet found him about 1:30 p.m., Amyot said.

They got Strahan back to the ranger station and gave him hot tea and patched a phone call through to his wife.

Police arrived soon, as did an Alaska Air National Guard HH-60G Pavehawk helicopter crew from Kulis Air National Guard Base.

James Conley, a police officer on scene, was amazed by Strahan's ordeal. He said the firefighter had on wet, faded bluejeans, boots, and "a couple layers on top." One of the guardsmen took off his own warm socks to give to Strahan, Conley said.

"He didn't have a chance to get anything out of the aircraft, he told me," Conley said. "It's an incredible story in terms of

# IRAQ: Many Iraqis in Sunni triangle find tactics 'absolutely humili

Continued from A-1

their cars through the line. Over to one side, an Iraqi man named Tariq muttered in anger.

"I see no difference between us and the Palestinians," he said. "We didn't expect anything like this after Saddam fell."

The practice of destroying buildings where insurgents are suspected of planning or mounting attacks has been used for decades by Israeli soldiers in

recently traveled to Israel to glean lessons learned from their counter-terrorist operations in urban areas.

Vane is the deputy chief of staff for doctrine concepts and strategy, at the U.S. Army Training and Doctrine Command.

American officers here say their new hard-nosed approach reflects a more realistic appreciation of the military and political realities faced by U.S. soldiers in the Sunni triangle, the area

hitting back pretty hard. We've forced them to slow down the pace of their operations."

In that way, the new American approach seems to share the successes of the Israeli military, at least in the short term; Israeli officers contend that their heavy-handed strategy regularly stops catastrophes like suicide bombings from taking place.

"If you do nothing, they will just get stronger" said Martin van Creveld

The grenade went straight into the sergeant's chest. With the Bradley still smoldering, the soldiers of the 1st Battalion, 8th Infantry, part of the 4th Infantry Division, surrounded Abu Hishma and searched for the guerrillas. Soldiers began encasing the town in razor wire.

The next day, an American jet dropped a 500-pound bomb on the house that had been used to attack them. The Americans arrested 10

guerrillas.

In Tikrit, rehome they said American tanks ready left, they

"I watched that house," said lives down the ri

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# Anchorage Daily News

Sunday, December 7, 2003 ALASKA'S NEWSPAPER

## CARBON MONOXIDE POISONING



Friends arrived at Dave and Rita Arts' Hillside residence Saturday after unsuccessful attempts to contact them. Four family members were found dead inside the Bear Valley home, all victims of carbon monoxide poisoning.

# Gas kills four at home

### Father, three children perish on Hillside; mother fighting for life

By TATABOLINE BRANT and ZAZ HOLLANDER  
Anchorage Daily News

A father and his three children died after carbon monoxide saturated the air in their Bear Valley home, fire officials said Saturday.

Anchorage firefighters found the four dead in bedrooms and a hallway of the three-story Robert Drive home when they were summoned to the scene shortly after noon Saturday by a neighbor. The mother was found unconscious in a hallway, was rushed to the hospital and was fighting for her life late Saturday night.

Firefighters did not know how long the family had been dead. Police said some victims were still in their nightclothes.

David Arts, 42, was found dead in his bed on the third floor, Anchorage Fire Department spokesman Tom Kempton said.

Wilem, 3, and his sister Taylor, 11, were found in their shared room on the second floor, Wilem

See Back Page, DEATHS



The Arts family lived at 8100 Robert Drive. David Arts, 42; daughters Ann Marie, 8, and Taylor, 11; and son Wilem, 3, died. Rita Arts was taken to Alaska Regional Hospital.

# New tactics make U.S. troops safer, anger Iraqis

■ **GET-TOUGH:** Strategy similar to approach Israel uses in occupied territories.

By DEXTER FILKINS  
The New York Times

ABU HISHMA, Iraq — As the

have begun imprisoning the relatives of suspected guerrillas in hopes of pressuring the insurgents to turn themselves in.

The Americans embarked on their get-tough strategy in early November, the deadliest month yet for U.S. forces in Iraq, with 61 soldiers

### INSIDE

■ **ATTACK KILLS CHILDREN:** U.S.-led attack against suspected terrorist in Afghanistan killed nine children as well as the intended target.

Page A-8

lacks on American troops, Iraqi civilians line up to go in and out, slipping through an American-guarded checkpoint, each carrying an identification card printed in English only.

"If you have one of these cards, you can come and go," coaxed Lt. Col. Nathan Sassaman, the battal-

# No race for b must

■ **IDITAROD:** Rachael misses mandatory n

By ZAZ HOLLANDER  
Anchorage Daily News

After pressuring Id rod Trail Sled Dog Race officials to allow her to run special concessions, a le ly blind woman from Ore failed to show up for a mandatory rookies meeting Sunday and will not compete next year's race.

Rachael Sedoria, a year-old musher from Be Ore, waged an aggressive high-profile campaign this to get race officials to b rules banning outside accommodations.

Sedoris suffers from genital achromatopsia, a hereditary condition that pairs her central vision makes it hard for her to the front of her team. critics feared the condition could threaten her safety that of her dogs and pose other mushers.

In September, race officials voted to let her run Iditarod with help from a sustant on a separate dog who would radio warn

See Back Page, SCOO

# Plane s man sp night in

■ **EKLUTNA:** He stay cabin overnight, wa

By KATIE PEBZNECKER  
Anchorage Daily News

An Anchorage firefighter plane into Eklutna Lake swim to shore, spent a firefighter's cabin, then walked ers stumbled upon him as said Saturday.

Battalion Chief Wade age Fire Department's Silence Alaska Medical night, dehydrated, cold as Col. Steve Politsch, an Alaska spokesman.

Dan Amyot, the park ra that when they initially fr urday walking along the fighter was mildly to mad and "a little bit out of it," snowmachine to the raug



**SAFETY PRECAUTIONS  
FOR  
CARBON MONOXIDE  
(Continued)**

**How do You Reduce or Eliminate Production of CO?**

There are many ways to eliminate or reduce the production of CO in your home and the environment. Here are some ways to accomplish this:

- #1. Have your gas or oil burning appliances and chimneys inspected by a certified technician annually.
- #2. Provide adequate ventilation when using appliances in confined spaces such as your home, garage, camper, motor home, ice fishing house or tent. It is also important to remember that any combustion process uses up oxygen which can result in asphyxiation and promote the production of Carbon Monoxide.
- #3. Insure the proper amount of combustion air is available and return air is sufficient for the proper operation of your appliances.
- #4. Insure you have no exhaust leaks in your chimney's auto exhaust system.
- #5. Have your appliances, vehicles and internal combustion engine equipment tuned up on a regular basis.
- #6. Check your appliance pilot lights to insure proper combustion. Refer to your owners manual for proper flame height and color, or consult a certified technician.
- #7. Insure proper chimney height and diameters on all heaters and stoves.

**Carbon Monoxide Monitors:**

It is advisable to install CO Monitors in all areas where CO could be produced. Remember CO is lighter than air and travels up in the air column. Due to air flow in buildings it is not advisable to install CO monitors on a wall or ceiling closer than 8-10 inches from their intersection. There are battery powered, hard wired and color coded monitors available at most hardware or safety supply stores.

If you suspect that you have a CO problem in your heating system or appliance, contact a certified technician for an inspection. If you are experiencing signs and symptoms of CO exposure leave the involved area and contact your local emergency services.

Sourdough Fuel Heating Division will be glad to assist you in any way possible to insure the proper operation of your heating system. Call 456-7798 for information or assistance.



1555 Van Horn Rd  
Fairbanks, AK  
456-7798



## SAFETY PRECAUTIONS FOR CARBON MONOXIDE

### What is Carbon Monoxide?

Carbon Monoxide (commonly referred to as CO) is a colorless, odorless, toxic, flammable, lighter than air gas. It is produced by an incomplete combustion process that can be witnessed in an air tight wood stove or propane burning appliance. It can also be present during any internal combustion process including vehicle engines, heaters and stoves. Even camp fires and smoking tobacco products produce CO.

### Carbon Monoxide Properties

CO is colorless and odorless. Therefore it is almost impossible to detect without proper monitoring devices. It has a very wide Flammable Range with a Lower Explosive Limit of 12.5% and an Upper Explosive Limit of 74%. This means that when CO is mixed with air it will ignite in the presence of an ignition source when mixed with air by volume at 12 % through 74% CO concentrations. CO is lighter than air, it is about .97 compared to air at 1 in weight. It will rise to the upper levels of an enclosure then bank down to the floor levels if not ventilated by natural or mechanical means. CO is a toxic gas. When breathed in it combines with blood much more quickly than oxygen. This can cause toxic reactions and possible death. The amount of CO considered toxic to the human body as well as signs and symptoms of exposure can be found on the attached Material Safety Data Sheet, commonly referred to as an MSDS.



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## Carbon-Monoxide Primer

HOW TO MONITOR YOUR HOME AND PROTECT YOUR FAMILY FROM THE DEADLY GAS

BY KEN TEXTOR

For the first 6,000 years of human civilization, carbon monoxide wasn't a big problem in the home — unless, perhaps, you lived next door to a volcano. To be sure, the deadly gas has always been around and in the general atmosphere to some degree. And even cave dwellers with a fire near their rocky shelter's entrance got a bit of extra carbon-monoxide gas from the incomplete burning of hydrocarbons (i.e., the wood). So humans have been breathing carbon monoxide to a negligible degree since the dawn of civilization. But it wasn't until housing became more and more airtight in the last hundred years or so, and fossil fuels became an increasingly popular means of heating, cooking and traveling, that carbon-monoxide poisoning became a serious threat in the home.

Now the odorless, colorless gas seems to be everywhere, and in increasingly dangerous amounts. From walking behind the lawnmower or stripping paint from the living-room baseboards to using space heaters, aging furnaces and gas cooking stoves, we live with more and more carbon-monoxide gas (also known as CO gas) nearly every day. Even the morning commute to work gives many people a dose of the toxic gas, particularly if you sit for long periods of time in bump-

er-to-bumper traffic. So the list of organizations concerned about CO-gas overdoses has gotten longer and longer.

"We got our start in the early 1980s," says Melissa Heeke, spokeswoman for the Chimney Safety Institute of America in Plainfield, Ind. "That's when the issue of wood-burning stoves made it necessary for people to be more aware of chimney safety issues," notes Heeke, whose organization certifies chimney sweeps.

Indeed, regardless of fuel type, proper venting of appliances is foremost among the CO-gas issues facing modern-day homeowners. Depending on whose statistics you read, anywhere from 200 to 1,600 annual accidental deaths are attributable to CO poisoning, making the problem significant enough for the average homeowner to take steps to prevent a mishap. But first it's important to understand the enemy.

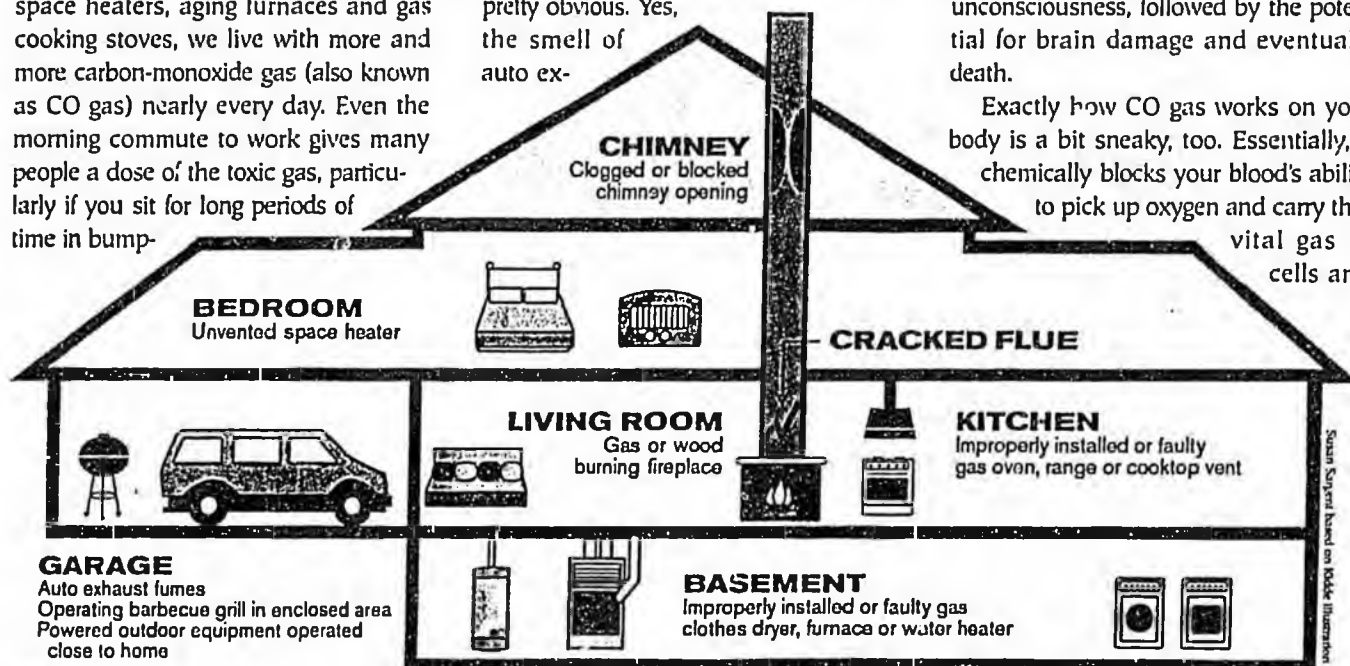
### CO Stealth

Carbon-monoxide gas is pretty deceptive, even though most people think it's pretty obvious. Yes, the smell of auto ex-

haust fumes — the best-known source of CO gas — is easily identifiable. But what you smell is not CO gas, which is actually odorless. Likewise, charcoal grills give off plenty of CO gas, and do so long after the smell of lighter fluid disappears. But again, you can't smell it. Many paint strippers also pump CO gas into the air as their chemicals react with the paint. But apart from the smell of the stripper, most people don't know they are inhaling CO gas.

The symptoms of CO-gas exposure are also misleading. Headache, drowsiness and a feeling of malaise or irritability are the preliminary signals. But after a couple of hours in afternoon commuter traffic, most drivers may attribute those symptoms to the stress of endless stop-and-go movement or encounters with road-raged drivers. Likewise, the nausea and a rundown feeling associated with winter flu bugs may actually come from a malfunctioning heating system or even the gas cookstove in the kitchen. The advanced symptom of CO poisoning is unconsciousness, followed by the potential for brain damage and eventually death.

Exactly how CO gas works on your body is a bit sneaky, too. Essentially, it chemically blocks your blood's ability to pick up oxygen and carry that vital gas to cells and



organs. Thus, with doses of CO gas, you are slowly and gently asphyxiated. The process works much more quickly on people with cardiovascular or pulmonary diseases and conditions. For people with heart and lung problems, a dose of CO gas can trigger a heart attack, dangerous coughing spasms, or both.

#### CO Prevention

With all this in mind, it's a good idea to take steps to prevent CO gas from getting into your living space. "That's why we recommend you have your chimney and furnace flues inspected by a chimney professional at least once a year," says Heeke of the CSIA. She notes chimneys and furnace flues can be blocked during the warmer months by industrious birds or during the heating season by soot and creosote buildups. As these deposits accumulate, it gets harder and harder for combustion by-products to escape, increasing the likelihood of CO gas building up in the house.

Bathroom and cooking range fans can be another reason CO gas will build up within the living space. In modern, tightly sealed houses, a bathroom or cooking-range fan can create *negative pressure* in the house. Although that may sound like a New Age term, it actually means the air being forced out of the house by the fan is being replaced by air coming into the house via the furnace flues and chimney. That air often contains CO gas, particularly during the winter, when all the windows are closed tightly and the furnace runs regularly. To prevent negative pressure, you should crack open a window near the fan while the fan is running.

Indoor space heaters and nonelectric cooking stoves can also be a source of CO gas. The combustion standards for older space heaters and nonelectric cooking stoves (generally speaking, before 1985) were not as stringent as they are today. Likewise, even today's indoor fossil-fuel appliances must be run according to manufacturer specifications, which may include an annual inspection by an appliance technician. You can also roughly check out your appliance's capacity to burn at top efficiency (and thereby reduce CO-gas emissions) by a visual inspection of the flame. Gas appliances must burn with a blue flame

throughout. Any yellow in the flame is an indication of incomplete combustion, possible CO-gas emissions and a good reason for a call to an appliance repair technician. In wood-burning appliances, any smell of smoke, soot buildup on viewing ports or the fire dying out on its own is an indication of trouble. Again, contact the appliance's manufacturer or a furnace expert for advice.

Garages are also notorious for introducing CO gas into the living space. Unless your garage is completely detached from the house, there is usually a chance of CO-gas infiltration simply from starting the car in the morning. Obviously, letting a car, lawn mower, generator or other gasoline-burning device run continuously in the garage is a bad idea. Also, burning a charcoal grill, using large amounts of paint stripper or even running the gas grill in the garage is unwise.

To make an attached garage safer, start with blocking off any second-story passageways between the house and the garage. Frequently, even when a builder installs airtight doors between the garage and house on the first floor, the attic spaces are left open. The two buildings should be sealed off from each other. Also be sure to open the garage door before you start your car and, once started, immediately pull the vehicle out. Unlike cars of 20 years ago, today's modern vehicles don't need warm-up time to protect internal engine parts.

Open windows also can be a source of CO gas. Idling lawn mowers, emergency generators and misplaced exhaust ports from chimney-less furnaces have all been

sources of CO gas that entered the building and overcame occupants. Prevention in these cases is a matter of exercising a bit of extra caution and/or following manufacturer installation and operation guidelines for the appliance.

#### CO Detectors

Even if you take all steps possible to prevent CO gas from entering your home, accidents do happen. That's where a CO detector comes in.

"We think every home in America should have at least one carbon-monox-



*Homeowners are able to detect potential CO hazards, such as blocked chimneys, themselves, but they should rely on professionals to remedy such conditions.*



Image courtesy CSIA

ide detector," says Ken Giles, a spokesman for the Consumer Product Safety Commission. He says about 20 percent of homes today have a CO detector in them, compared with 90 percent of homes having one or more smoke alarms in them. "We'd like to see CO detectors as common as smoke detectors," Giles says.

Indeed, some states and municipalities are making CO detectors part of their building-code requirements. New Jersey,

### CARBON MONOXIDE LEVELS & SYMPTOMS

Concentration*	Symptom
0 - 10	Usually no symptoms
10 - 20	Headache, angina in heart patients
20 - 30	Throbbing headache, nausea, irritability, difficulty concentrating
30 - 40	Severe headache, dizziness, fatigue, confusion
40 - 50	Rapid breathing and heartbeat, fainting
50 - 60	Respiratory failure (collapse), seizures (collapse)
60 - 70	Severe respiratory failure, low blood pressure, fatal coma
70 +	Rapidly fatal coma

\*Percent of hemoglobin carrying CO

Source: BOCA, March/April 1993

## Carbon Monoxide - continued

### About Carbon Monoxide Alarms:

Carbon monoxide alarms should meet Underwriters Laboratories, Inc. standards, have a long-term warranty, and be easily self-tested and reset to ensure proper operation. Some carbon monoxide alarms may have dual functions, such as smoke and carbon monoxide alarms. If these dual units were to go into alarm, do not wrongly assume they are malfunctioning in the absence of smoke.

Battery powered devices should have the batteries changed yearly (pick a date that you will remember, such as birthdays or holidays for changing batteries). The Consumer Products Safety Commission recommends that a carbon monoxide detector be placed on each level of your home, with a minimum of one near each sleeping area.

### What to Do if the CO Alarm Goes Off:

- Check to see if any member of the household is experiencing symptoms of CO poisoning. If they are have them leave the home and see a physician immediately or call 911.
- If no one is feeling symptoms, open windows and doors to allow fresh air in and notify your fuel supplier. Make sure to turn off all potential sources of CO—your oil or gas furnace, gas water heater, gas range and oven, gas dryer, gas or kerosene space heater and any vehicle or small engine.
- Have a qualified technician inspect your fuel burning appliances and chimneys to make sure they are operating correctly and that there is nothing blocking the fumes from being vented out of the house.

### Helpful websites:

- Centers for Disease Control and Prevention (CDC): <http://www.cdc.gov>
- Environmental Protection Agency (EPA): <http://www.epa.gov/iaq>
- Consumer Products Safety Commission (CPSC): <http://www.cpsc.gov>
- Alaska Housing Finance Corporation (AHFC): <http://ahfc.state.ak.us/>



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1-800-LUNGUSA

[www.aklung.org/HealthHouse](http://www.aklung.org/HealthHouse)

## Carbon Monoxide

You can't see or smell carbon monoxide, but at high levels it can kill. Carbon monoxide (CO) is a colorless, odorless, tasteless, and toxic gas. It is produced as a by-product of all combustion processes. Any fuel-fired appliance, vehicle, tool or other device has the potential to produce dangerous levels of CO. When appliances are kept in good working condition, they produce little CO. Improperly maintained or operated appliances, however, can produce fatal CO concentrations in your home. The Consumer Products Safety Commission reports that more than 200 people in the United States die from CO poisoning every year. When carbon monoxide is inhaled, it bonds with part of the red blood cells called hemoglobin. This results in a lack of oxygen to the blood cells. The brain and the heart require large amounts of oxygen and quickly suffer from any oxygen shortage. Because carbon monoxide reduces oxygen delivery to the brain, persons with elevated levels of carbon monoxide do not think clearly and may not even recognize the warning signs. High concentrations of carbon monoxide can kill in less than five minutes. Continued exposure can cause irreversible damage to the nervous system, personality deterioration and severe memory loss.

### Health Effects:

CO poisoning symptoms may mimic flu symptoms. Common symptoms include headache, fatigue, nausea, dizziness and confusion. Continued exposure can lead to vomiting, weakness and difficulty breathing. High exposure may result in loss of consciousness, convulsions and death. Presence of CO may worsen underlying heart disease by causing heart irregularity and muscle weakness. Because the symptoms mimic so many illnesses, CO poisoning is often misdiagnosed.

### What to Do in an Emergency:

If you believe that you are suffering from CO poisoning:

- Open doors and windows and leave the vicinity immediately.
- Notify your fuel supplier or a competent mechanical contractor.
- Inform your primary health provider that you were exposed to CO. CO poisoning can often be diagnosed by a blood test, if done soon after the exposure.

### Tips:

- Never burn charcoal inside a home, garage, vehicle, or tent.
- Never use unvented fuel-burning camping equipment inside a home, garage, vehicle, or tent.
- Never leave a vehicle running in an attached garage, and minimize the amount of time the vehicle is in the garage when you start it each morning, even with the garage door open. Move the vehicle out as soon as possible after starting.
- Have a competent contractor service your fuel-fired appliances on a regular basis (every 1 to 2 years).
- Never use gas appliances such as ranges, ovens, or clothes dryers for heating your home.
- Never operate unvented fuel-burning appliances in any room without adequate ventilation or in any room where people are sleeping.
- Do not use, or service, gasoline-powered tools and engines indoors or in attached garages.

continued on back

*Tips for Clean Indoor Air is a set of guidelines for use in maintaining or renovating your existing home with the goal of improving the quality of the air you breathe indoors. This project is funded by Alaska Housing Finance Corporation. American Lung Association of Alaska and Alaska Housing Finance Corporation are not to be held liable and do not make any guarantees regarding the outcome of consumer implementation of these guidelines. Tips are not intended to be construed as medical advice or replace the consultation of a physician or specialist in any way.*

### Helpful websites:

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## The New York Times

Sunday, November 10, 2002

Special:  
Manhattan  
Real Estate Offerings

# Real Estate

Section 11

### INSIDE

Your Home

## Monitoring Levels Of Carbon Monoxide

Starting Nov. 30, all newly constructed one- or two-family homes and co-op and condominium apartments in New York must have carbon monoxide alarms installed. By Jay Romano

### YOUR HOME

# Monitoring Carbon Monoxide

By JAY ROMANO

**U**NDER a new state law that takes effect in New York on Nov. 30, all newly constructed one-family homes, two-family homes and co-op and condominium apartments must have carbon monoxide alarms installed. The law also requires existing homes and apartments to have carbon monoxide alarms installed before they can be sold.

And in New Jersey, where existing state law requires carbon monoxide alarms in multifamily dwellings, rooming houses and hotels, legislation introduced in the State Senate last month would require carbon monoxide alarms in all newly constructed one- and two-family homes and in existing homes when they are sold if a certificate of occupancy is required for the sale.

The increasing attention to the dangers of carbon monoxide comes after at least nine people in the region — four family members in a home in Colonia, N.J.; a 76-year old woman in Carteret, N.J.; a husband and wife in Queens; and an 80-year old woman and her daughter in a Brooklyn apartment building — died of accidental carbon monoxide poisoning within the last month.

"Reports of entire families killed in their homes by carbon monoxide poisoning highlights the importance of this legislation," said State Senator Joseph Palia, a Republican from Ocean Township, sponsor of the proposed legislation in New Jersey. "Inexpensive carbon monoxide detectors could have prevented those tragedies."

In New York, Assemblyman Joseph Morelle, a Democrat from Irondequoit, the sponsor of the law that will take effect at the end of this month, said the proven success of smoke detector laws inspired him to push for a law requiring carbon monoxide detectors and alarms. "As smoke alarm laws were enacted, more of these life safety devices went into homes and death rates from fire have declined," Mr. Morelle said. "It's now time to look at carbon monoxide alarms the same way."

Dr. Edward P. Krenzelok, director of the poison center in the Children's Hospital of Pittsburgh, said carbon monoxide is a natural byproduct of combustion whenever an organic fuel is burned. "We're talking about wood, natural gas, heating oil and gasoline, to name a few," Dr. Krenzelok said. "And once you have produced carbon monoxide, you need to vent it out to the environment."

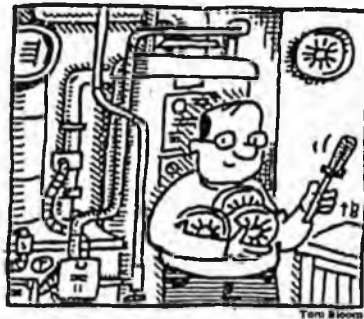
While most people know that it is extremely dangerous to allow an automobile to run in a closed garage, he said, people generally do not realize that any number of combustion appliances in a house can result in dangerously high levels of carbon monoxide if they are not properly vented.

Moreover, Dr. Krenzelok said, people made ill from carbon monoxide often are not aware of the cause of their illness. "Carbon monoxide poisoning is called 'the great imitator,'" he said, explaining that the symptoms of carbon monoxide poisoning — headache, nausea and muscle weakness — are the same symptoms commonly associated with the flu.

While most people who are exposed to nonlethal levels of carbon monoxide fully recover, about 10 percent of those who are exposed to the gas, which is tasteless, colorless and odorless, develop delayed neurological and behavioral problems like memory loss and behavior change.

Infants, the unborn and elderly people are at greater risk than the general population. "A fetus is particularly vulnerable because fetal hemoglobin holds onto carbon monoxide five times longer than the mother's blood," Dr. Krenzelok said. "And a senior citizen with pre-existing heart disease could be more at risk for a heart attack because the carbon monoxide may limit the amount of oxygen being released to the heart."

Dr. Krenzelok pointed out that there are



### Under a new law in New York, carbon monoxide alarms must be installed before a home is sold.

generally two ways to prevent accidental carbon monoxide poisoning.

The first is to ensure that carbon monoxide is not allowed to build up in a house, and the second is to alert occupants if it does.

Robert Bellini, president of Variety Plumbing, Heating and Air Conditioning in Flushing, said homeowners who use any organic fuel to heat their house — including wood, oil, gas and coal — should make sure that the products of combustion are being properly vented to the exterior.

"All it takes is for a bird or a squirrel to build a nest in your chimney, and you can end up with dangerous gases backing up into your home," Mr. Bellini said. He said that even if a chimney is only partially obstructed by an abandoned nest, the obstruction could reduce the ability of the chimney to vent gases from the house. And on windy days, Mr. Bellini said, the wind may create a back draft in the chimney that pushes combustion gases back into the house.

"The most common cause of carbon monoxide in a house is faulty heating equipment," Mr. Bellini said, pointing out that cracked or improperly sealed vent pipes from the furnace or boiler could allow carbon monoxide to escape into living areas.

And warm air furnaces — which use what is known as a heat exchanger to heat air that is then circulated throughout the house — occasionally develop cracks that result in carbon monoxide being distributed by the heating system itself.

Accordingly, Mr. Bellini said, homeowners should consider hiring

a professional to inspect their heating system — using devices that can detect even small amounts of carbon monoxide — at the beginning of each heating season.

Other potential sources of carbon monoxide in the home are improperly vented gas-fueled water heaters and clothes dryers, gas- or wood-fueled fireplaces and stoves, kerosene heaters and even gas-fueled cooking stoves and ovens.

In fact, there are so many potential sources of carbon monoxide in many homes, the only way to be sure that dangerous levels of the gas are not building up is to install a carbon monoxide detector and alarm.

Ed LeBlanc, president of the residential and commercial divisions of Kidde, a Mebane, N.C., manufacturer of home safety products, said there are a number of different carbon monoxide detectors and alarms on the market, costing about \$18 to \$50.

Detectors that have been approved by Underwriters Laboratories, Mr. LeBlanc said, sound an alarm when specific levels of carbon monoxide are present for certain amounts of time. For example, he said, when levels reach 70 parts per million, the alarm must sound between 60 and 240 minutes after the carbon monoxide is first detected. At 400 parts per million, the alarm sounds between 4 minutes and 15 minutes. The lag time before the alarm sounds, Mr. LeBlanc said, is to prevent it from sounding unnecessarily when relatively small amounts of carbon monoxide are present for relatively short periods of time.

"Even low levels of carbon monoxide can be dangerous over long periods of time," he said. "But when you reach 400 parts per million, you're into a very dangerous situation."

He added that it is also possible to purchase a digital carbon monoxide alarm that provides a continuous readout of the carbon monoxide level and stores in memory the "peak levels" that were recorded.

"That means that if you go away on vacation, you can come back into the home and push the peak level button and it will tell you the maximum level of carbon monoxide you've had since you last turned the unit on," Mr. LeBlanc said. He added that since carbon monoxide mixes readily with room air — instead of rising to the ceiling or falling to the floor — carbon monoxide detectors can be installed anywhere in the room. In fact, Mr. LeBlanc said, some models are designed to be set on a table or bed stand.

Generally speaking, he said, carbon monoxide detectors should be installed anywhere there is a source of combustion. "The closer you have them to the source, the better off you are," he said.

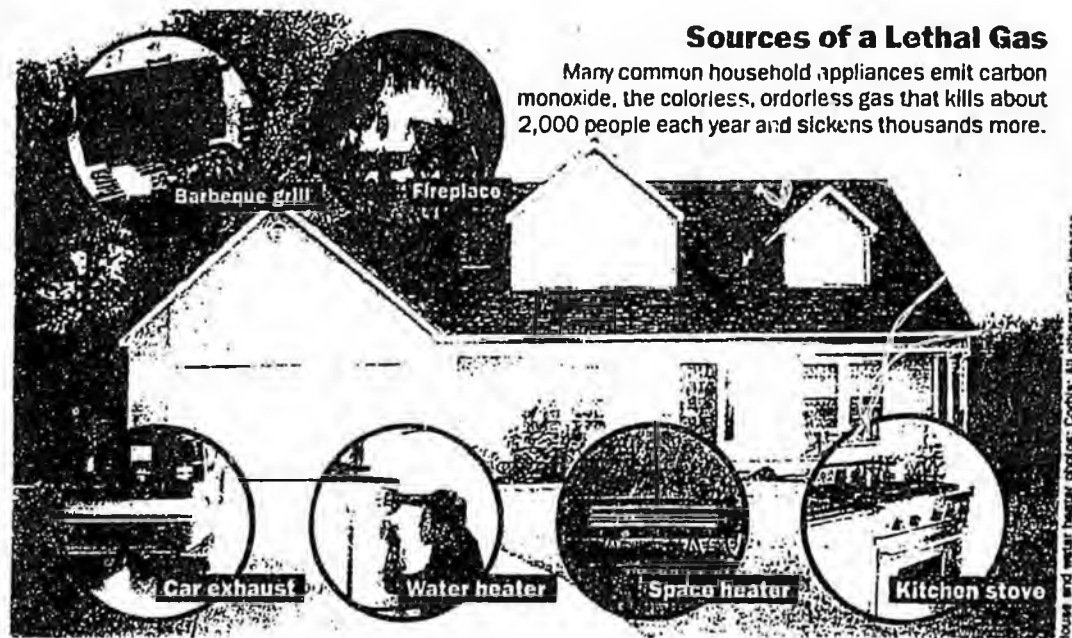
Mr. LeBlanc said some manufacturers — including Kidde — make a combination smoke and carbon monoxide alarm that provides a voice warning when unacceptable levels of either substance are detected. Kidde's model, called the Nighthawk, priced at \$35, emits a piercing 85-decibel alarm when activated and also alerts homeowners to the source of the problem by announcing either "Fire" or "Warning! Carbon Monoxide."

Dr. Krenzelok of Children's Hospital of Pittsburgh said he considers carbon monoxide detectors so important that he gives them to friends as presents. "They make great housewarming gifts," he said.

# THE WALL STREET JOURNAL.

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## Sources of a Lethal Gas

Many common household appliances emit carbon monoxide, the colorless, odorless gas that kills about 2,000 people each year and sickens thousands more.

House and water heater photos: Cobos; All others: Getty Images

## More States Force Homeowners to Install Devices That Monitor Deadly Carbon Monoxide

By ANDREA PETERSON

**A** GROWING NUMBER of states and cities are requiring homes to install a device that detects the presence of carbon monoxide, a dangerous gas that kills 2,000 people a year and sickens many times that number.

Surprising to most homeowners, carbon monoxide is the leading cause of accidental poisoning in the U.S. Detectors have been available for almost a decade, to alert people to the gas—odorless and colorless—spewed out by faulty furnaces,

stoves and even barbecue grills. However, fewer than one-third of American homes have these inexpensive devices, according to industry surveys.

Just as laws requiring smoke alarms spurred nearly every household to install them during the past 20 years or so, legislators and doctors are hopeful that the new carbon-monoxide detector requirements will have the same effect.

Starting next month, most homes sold in New York state—new or resale—must have a carbon-monoxide monitor. Similar laws have already passed in Rhode Island, New Jersey and West Virginia. A number of other states are contemplating legislation. Action is being taken at the local level too: Cities such as Chicago and St. Louis have ordinances requiring detectors.

"A detector can save families from something they can not control," says Stephen Gladstone, vice president of the American Society of Home Inspectors. "If somebody doesn't have a carbon-monoxide alarm and their heating system malfunctions, they might just not wake up." Nearly a decade ago, tennis star Vitas Gerulaitis died of carbon-monoxide poisoning from a faulty heater.

Legislation seems to have life-saving effects: Cities with ordinances that require carbon-monoxide detectors have much lower death rates from exposure to the gas than those that don't, according to a study published last year in the American Journal of Emergency Medicine. In Chicago, for example, which does require carbon-monoxide detectors, 8.4% of those exposed to the substance during the time of the study died. In Los Angeles, 18% of those exposed died.

While fires and automobiles are the top producers of carbon monoxide, a typical family home has myriad possible culprits. Furnaces, kitchen stoves, water heaters, fireplaces, generators, camping stoves and charcoal barbecues—anything that burns fossil fuels such as gasoline, diesel fuel, wood and kerosene—can produce dangerous levels of the gas.

One June day three years ago, Thad Dohrn turned on the air conditioner in his three-bedroom house in Ames, Iowa, for the first time that summer. The next morning his wife, Stephanie, complained of a headache. As he walked to the bathroom to check on her, he passed out. He came to, but then Stephanie passed out. "She came to and

## New Laws Require Home Carbon-Monoxide Detectors

Continued From Page D1

we walked outside. I was crying on the phone to our neighbors and was all confused," says Mr. Dohrn, now an associate athletic director at Columbia University in New York.

Mr. and Mrs. Dohrn were taken to the hospital and diagnosed with carbon-monoxide poisoning. The cause: A mechanical malfunction caused the air conditioner and the heat to be on simultaneously. The system didn't have proper ventilation either. And the Dohrns didn't have a carbon-monoxide monitor.

Carbon monoxide is produced when these fossil fuels don't burn completely. Incomplete or "dirty" burning can occur if rust or grime falls into a furnace burner, if equipment cracks or rusts, if gas pressure is out of adjustment or if there isn't proper ventilation for these devices. Health officials have seen carbon-monoxide poisoning occur after people warm up their cars in their garages, even for a few minutes.

"It can be produced so easily and it can spill into a home so easily," says Tom Greiner, an Iowa human-housing engineer who is pressing for a law in his state to require detectors.

Today's carbon-monoxide detectors don't go off anytime they sense the gas. Earlier versions of the device (those made before 1998) did that and were tripped off so easily—a car pulling into the garage could cause it to go off—that many consumers saw them as an annoyance and were inclined to ignore them.

### Detecting Deadly Gas

Here are a few of the many carbon monoxide alarms on the market.

DETECTOR	CONTACT	PRICE
First Alert Intercessor Protection	800-323-9005 BRK Brands, Inc. Aurora, Ill.	About \$50
Kiddie's Nighthawk combo alarm	800-634-9877 Kiddie Plc. London	Generally available for \$40 to \$50
Senco Model One	800-850-0158 Senco Sensors, Inc. Vancouver, B.C.	\$49.95

New models go off when they sense a certain level of gas over a period of time. The detectors measure how many molecules of carbon monoxide are present in one million molecules of air (parts per million). Government regulations state that 50 parts per million is the maximum concentration a healthy adult should sustain over an eight-hour period. (A concentration of 400 parts per million can be life-threatening within three hours.)

Consumers can choose from inexpensive no-frills monitors that simply beep and cost around \$15 to fancier \$50 devices that have digital displays and flash the concentration detected. There are also combination smoke and carbon-monoxide alarms. Safety experts recommend that

an alarm be placed outside bedrooms and on each floor of the house. Some also suggest putting a detector near carbon-monoxide-producing devices such as furnaces. Manufacturers suggest that people replace their alarms every seven years since sensors can degrade and electronics can fail. Companies that sell detectors include U.K.-based Kiddie PLC ([www.kiddiesafety.com](http://www.kiddiesafety.com)) and BRK Electronics' First Alert ([www.firstalert.com](http://www.firstalert.com)).

Symptoms of carbon-monoxide poisoning vary depending on the concentration of gas in the air. Mild carbon-monoxide exposure often mimics the flu or food poisoning—with headaches, nausea, vomiting and fatigue—and is thus commonly misdiagnosed. Higher concentrations of carbon monoxide can cause almost immediate dizziness and nausea and can lead to convulsions, coma and death within a few hours, or even minutes at extremely high concentrations. Small children and those with heart and respiratory conditions are most at risk. And some patients complain of neurological symptoms months and even years after exposure.

Carbon monoxide suffocates the cells of the body: It enters the bloodstream and prevents the release of oxygen to the tissue. The only treatment for carbon-monoxide poisoning is to immediately leave the source of the gas and to administer oxygen. Some patients with severe exposure are placed in hyperbaric oxygen chambers (the same treatment for scuba divers with the "bends").



Medical  
& Other News

To print: Select File and then Print from your browser's menu

Title: **Children Are at Greater Risk of Injury or Death From Carbon Monoxide Poisoning**

URL: <http://www.pslgroup.com/dg/CF62.htm>

Doctor's Guide

October 14, 1996

CHICAGO, Oct. 14, 1996 -- Children, infants and unborn babies are more vulnerable to carbon monoxide (CO) poisoning than healthy adults, according to toxicologists and medical professionals. Younger family members are particularly susceptible due to their higher metabolic rates -- meaning they require more oxygen and use it faster than adults. Carbon monoxide even in small amounts works to restrict oxygen in the bloodstream, thus starving a child's tissues and organs of what is needed to function and develop properly.

"Carbon monoxide poisoning can cause neurological problems, learning disabilities, memory loss and personality changes in children and can lead to miscarriage or stillbirth for women exposed during pregnancy," said Dr. Marc Bayer, medical director, Connecticut Poison Control Center. "Because of the higher oxygen requirements of smaller bodies, carbon monoxide's interference with oxygen delivery can lead to permanent damage to a child's developing nervous system," he said.

Young children are also vulnerable to misdiagnosis because they cannot fully explain the onset, progression and severity of their symptoms. Additionally, because children spend most of their time in the home, they are more likely to be exposed to carbon monoxide produced by gas, oil, wood or propane burning appliances and heating systems.

"Because this toxin is invisible to human senses and the early poisoning symptoms look like other common problems such as the flu, the best way to know if a leak is present is to equip the home with carbon monoxide detectors that have an audible alarm," said Bayer.

To provide an early warning of carbon monoxide dangers, First Alert(R), the nation's leading brand of carbon monoxide detectors, has developed a UL listed, extra-sensitive battery-powered detector that will sense carbon monoxide at lower concentrations than plug-in models are designed to detect. The detector will continue to operate in the event of a power outage, a time when alternative heat sources are commonly used and can be mounted out of reach of little fingers -- important to children with families.

Families with children, pregnant women, elderly people or anyone with heart or lung disorders may want the added protection of the First Alert bio-sensor technology. The elderly and people with heart and lung disorders are at greater risk of injury or death from carbon monoxide because CO can aggravate a pre-existing condition of restricted oxygen flow in the

bloodstream.

The Consumer Product Safety Commission (CPSC) recommends that every home in America install at least one carbon monoxide detector with an audible alarm, located near the sleeping area. Additional detectors on every level provide an extra measure of safety.

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## CARBON MONOXIDE DETECTORS REQUIRED AS OF JANUARY 1, 2002

In 2001, the Rhode Island General Assembly enacted a new law, which will require most new and existing single family homes and other residential properties to be equipped with both a working smoke detector and carbon monoxide detector prior to transfer of the property or issuance of a certificate of occupancy as of January 1, 2002.

### QUESTIONS AND ANSWERS

**When will the new carbon monoxide detector law go into effect?** January 1, 2002.

**What properties are covered?** The law will apply to existing, occupied single-family homes and other residential buildings which are transferred on or after January 1, 2002. The law will also apply to new single-family homes and other residential buildings with gas utilities which are constructed or converted for residential occupancy on or after January 1, 2002. Residential buildings which are required to have a fire alarm system are exempt.

**What kind of carbon monoxide detectors must be installed?** Carbon monoxide detector emit an audible signal with a minimum rating of eighty-five decibels at a distance of ten feet and have a "power on" indicator. The detectors must be listed and/or approved by Underwriters Laboratories Inc., Factory Mutual, or some other nationally recognized testing laboratory approved by the state fire marshal and installed according to the manufacturer's specifications.

**How expensive are carbon monoxide detectors?** Prices typically range from \$25 - \$70 per detector.

**Where must the carbon monoxide detectors be placed?** An approved smoke and approved carbon monoxide detector must be installed in the access space immediately adjacent to bedrooms or sleeping rooms, and in bedrooms, or sleeping rooms, which are separated by other use areas, such as kitchens or living rooms, but not bathrooms. If a bedroom opens directly into the kitchen, a smoke detector must be installed in the bedroom, and a carbon monoxide detector must be installed in the kitchen, located in accordance with manufacturer's specifications in relation to fuel burning appliances. All carbon monoxide detectors must be mounted in accordance with manufacturer's specifications.

**Who will inspect the carbon monoxide detector?** Inspections will be performed by the same department in each town or city which performs smoke detector inspections. Typically, this will be the fire department.

**How much will a carbon monoxide detector inspection cost?** The cost of a carbon monoxide detector inspection will be \$30, which will be the same price as a smoke detector inspection beginning on January 1, 2002. However, a town or city may charge an additional fee of \$30 if the detectors must be reinspected due to improper installation, wrong location, improper wiring, or the owner's failure to keep his inspection appointment.

**Must a carbon monoxide certificate be recorded?** Yes, a carbon monoxide detector certificate must be recorded with the town or city clerk's office in the same way that a smoke detector certificate is recorded.

**When must the inspection be completed?** The inspection must be completed within sixty days prior to

closing, or, in the case of new construction or conversion to residential occupancy, prior to the issuance of a certificate of occupancy, and the seller must provide the buyer with smoke detector and carbon monoxide detector certificates at the time of the transfer of title.

**What happens if inspection does not occur before closing?** If the carbon monoxide detector is not inspected prior to closing, the seller may complete an affidavit stating that the real property being conveyed by this instrument had working smoke and carbon monoxide detectors within fourteen days of the date of this instrument, and that an inspection has been requested.

**Must the carbon monoxide certificate be recorded?** Yes, a carbon monoxide detector certificate must be recorded with the town or city clerk's office in the same way that a smoke detector certificate is recorded.

**What responsibility does a real estate broker or salesperson have?** The new law requires only the property owner to assume legal responsibility for installing the carbon monoxide detectors and ensuring that they are working.

**Where can I get a copy of this law?** Members of the Rhode Island Association of REALTORS can obtain a copy of the law from <http://www.statewidemls.com>.

Posted: 10/5/01

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Equal Housing Opportunity

## NYS Department of State

### **FOR IMMEDIATE RELEASE**

December 30, 2002

**Contact:** Theresa Smolen  
Assistant Secretary of State  
for Public Affairs  
(518) 474-4752

## **New York State Will Enter 2003 With New Fire Prevention, Building Codes in Effect**

**ALBANY – (December 30, 2002) – Transition Period Ends In December, Codes of New York State Supersede Current Provisions**

As New Yorkers ring in the New Year, new fire prevention and building codes will take effect that supersede the existing codes and bring updated technology, products, safety standards and flexibility that will provide a major incentive for new investment, construction and economic development across the state, Governor George E. Pataki today announced.

"New York State will now have a set of requirements that are consistent with the rest of the country," said Governor Pataki. "The new codes will ensure that our homes and workplaces are safe and energy efficient, while spurring development and creating job opportunities across the State."

The new model codes were adopted by a unanimous vote of the State Fire Prevention and Building Code Council in March, culminating a four-year process of reviewing the International Codes and making modifications for New York State in an effort to replace the current outdated code. A 180 day transition period has been in effect since July, during which time the current code or the new code could be used.

"Many building permits submitted during the transition period utilized the new code over the old one. The feedback has been positive and reflects our belief that new codes will not only be easier to comply with and enforce, but will provide an incentive for new investment and economic development as well," said Secretary of State Randy A. Daniels, whose Department oversees Codes Enforcement and Administration.

The Governor directed the Department of State to undertake the code review process in 1998. Since that time, the Code Council established technical subcommittees to review the International Family of Codes, which includes the building, fire, residential, plumbing, mechanical, fuel gas, property maintenance and energy conservation codes.

The adoption of the International Codes also gives New York State a voice in the code development process at the national level. New York State's Code will be updated on a regular schedule consistent with the International Codes three-year cycle.

Secretary Daniels is Chair of the State Fire Prevention and Building Code Council. The Code Council is a 17-member body comprised of representatives from several disciplines, including architects, engineers, builders, trade unions, people with disabilities, fire prevention, local governments and state agencies.

All construction in the state is governed by the Uniform Fire Prevention and Building Code, which addresses issues such as fire prevention, life safety, structural stability and accommodation for people with disabilities. The code applies to all communities across New York, except New York City which has its own building code. NYC is covered by the energy conservation code, which took effect in July.

###

NEW YORK STATE ASSEMBLY  
MEMORANDUM IN SUPPORT OF LEGISLATION  
submitted in accordance with Assembly Rule III, Section 1 (e)

(x) Memo on original draft of bill  
( ) Memo on amended bill

BILL NUMBER: Assembly

Senate

SPONSORS: Member (s) of Assembly: Joseph D. Moralle  
Senator (s):

TITLE OF BILL:

AN ACT to amend the executive law, in relation to requiring the installation of carbon monoxide detectors.

PURPOSE OR GENERAL IDEA OF BILL:

The purpose of this bill is to require the installation of carbon monoxide detectors in multiple dwellings, hotels, motels, and lodging houses.

SUMMARY OF SPECIFIC PROVISIONS:

Section one would amend subdivision 5-a of section 378 of the executive law by adding multiple dwellings to the type of dwellings that are required to have carbon monoxide detectors installed if the dwelling is constructed or sold after this law takes effect.

Section two of this bill amends subdivision 8 of section 378 of the executive law by adding carbon monoxide detectors as a required device to be installed in hotels, motels and lodging houses. Currently only smoke detectors are required.

Section three would only require such carbon monoxide detectors in dwellings that contain or are serviced by gas-fueled or oil-fueled devices, a wood stove or has an attached garage.

Section 4 sets the effective date.

JUSTIFICATION:

As with smoke detectors/fire alarms many years ago, carbon monoxide detectors have earned the respect of the fire service as a valuable tool in the saving of lives.

Everyone recognizes that carbon monoxide kills if not responded to immediately. The most serious quality of CO<sub>2</sub> is that, unlike smoke, it is virtually undetectable, even when someone is awake and alert. Chapter 257 of the laws of 2002 required carbon monoxide detectors be installed in one and two family dwellings and in condominiums and cooperatives that are constructed or sold in order to prevent the loss of life.

This bill requires multiple dwelling units and hotels, motels and lodging houses to install carbon monoxide detectors *as well.*

PRIOR LEGISLATIVE HISTORY:

New legislation.

FISCAL IMPLICATIONS:

Undetermined.

EFFECTIVE DATE:

This act shall take effect on the one hundred twentieth day after it shall have become law, provided, however, that effective immediately, the addition, amendment and/or repeal of any rules or regulations by the secretary of state necessary for the implementation of the foregoing sections of this act on its effective date is authorized and directed to be made and completed on or before such effective date.

# CARBON MONOXIDE (CO): THE SILENT KILLER

## HISTORY OF CO LEGISLATION

1992: The first U.S. city to adopt a law requiring CO alarms was Kingston, New York. The law was adopted November 10, 1992.

1994: In March of 1994, the City of Chicago became the second and largest U.S. municipality to enact a CO alarm law.

1998: In 1998, West Virginia became the first state to adopt a statewide CO alarm law.

2002: Rhode Island enacted a statewide CO law in the year 2002.

2003: New York and New Jersey enacted statewide carbon monoxide laws in the spring of 2003.

Present: Current states working to pass statewide CO legislation include Massachusetts and Pennsylvania.

## CO FACTS

- Carbon monoxide is the leading cause of accidental poisoning deaths in America, claiming more than 2,100 lives per year, according to a study published in the Journal of the American Medical Association.
- CO accounts for 40,000 emergency room visits and 20,000 health-related injuries annually, according to the American Association of Poison Control Centers. **Yet according to safety industry estimates, 88 percent of homes remain unprotected because they do not have at least one CO alarm.**
- CO is known as the "Silent Killer" since it is invisible to the human senses. It is odorless, tasteless, colorless and non-irritating, so without a CO alarm's warning there is no way to know that you are being poisoned. CO mimics the flu or food poisoning and symptoms include headache, nausea, fatigue and dizziness.
- In fact, studies performed at the University of Illinois Hospital at Chicago found that five to ten percent of patients presented to the emergency room with flu-like symptoms actually had CO poisoning.
- CO is a by-product of combustion produced by common household appliances such as gas or oil furnaces, water heaters, space heaters and clothes dryers. Other potential sources include barbecue grills, fireplaces, wood-burning stoves, gas ovens and fumes entering a home from an attached garage.
- Once in the bloodstream, CO suffocates the body from the inside out, preventing life-sustaining oxygen from reaching vital organs in the body such as the brain and heart.
- The level of exposure to carbon monoxide and the amount of damage done is greater in children than adults. For example an adult breathes 12 times within a minute, while a child will take 20-30 breaths during that same time. If carbon monoxide is present, the child is metabolizing more of the deadly gas at a faster pace, resulting in a more severe poisoning.

- Children, infants and the unborn cannot articulate pain or other symptoms associated with carbon monoxide poisoning, which often prolongs their exposure and increases their risk for serious injuries and death. Effects of exposure can include brain damage, heart defects, cerebral palsy and death.

## EXPERT TESTIMONIALS

**Bill Webb**

**Executive Director, Congressional Fire Services Institute**

*"There's a mantra in the fire service that saving lives starts with prevention. We have seen that with smoke detectors. By installing smoke detectors we have saved thousands of lives. We can do the same if we install carbon monoxide detectors."*

**Assemblyman Joseph Morelle (D)**

**Irondequoit, New York – Sponsored a statewide CO law that went into effect in March of 2003.**

*"We have evidence from other places including the cities of Chicago and St. Louis, that CO laws have helped reduce fatalities in those communities. We have a great example here, as smoke alarm laws were enacted, more of these life safety devices went into homes and death rates from fire have declined. It's time now to look at carbon monoxide alarms the same way."*

**Steve Gladstone,**

**President-elect, American Society of Home Inspectors (ASHI)**

*"If people don't have a carbon monoxide detector in their house, at almost any point in the life of their equipment, it can fail and it can become a lethal environment. So if they don't have a carbon monoxide detector, they won't know and they could die in that environment. We're talking about a small investment, and god forbid something terrible happens, you'll never forgive yourself for the rest of your life."*

**Dr. Jerrold B. Leikin**

**Director of Medical Toxicology, Evanston Northwestern Healthcare-OMEGA**

*"Carbon monoxide has no odor, and is not irritating at all, and targets the brain for its poisoning capabilities, so that you can be overcome by carbon monoxide and not even know it...carbon monoxide detectors are just like seat belts and motorcycle helmets in that they save lives. And especially they save lives from traumatic accidents that can occur all of a sudden with nobody in the household knowing they've been exposed to these deadly gases."*

**Hal and Kathy Ketofsky**

**Carbon Monoxide Survivor Family, New Jersey**

*"I used to feel the same way most people feel about carbon monoxide – unconcerned. But I have a different opinion now. It's clear that the difference between life and death is as simple as having an alarm and not having one."*

## PREVENTION

The Consumer Product Safety Commission and the International Association of Fire Chiefs recommend every home have at least one carbon monoxide alarm with an audible warning signal installed near sleep areas.

**For more information about carbon monoxide, contact the Our Children at Risk Task Force at 1-877-COFACTS.**

Municipality of  
Anchorage



P.O. Box 196650  
Anchorage, Alaska 99519-6650  
Telephone: (907) 343-4431  
Fax: (907) 343-4499  
Email : [www.muni.org](http://www.muni.org)  
*Mark Begich, Mayor*

**FOR IMMEDIATE RELEASE**  
**December 15, 2003**  
**2003-46**

**Contact: Julie Hasquet**  
**343-7103**

**DONORS FUND CO DETECTORS FOR AWARENESS CAMPAIGN**  
***\$31,000 raised buys carbon monoxide detectors for low income families***

Mayor Mark Begich announced today that through the support of several local companies and organizations, \$31,000 has been raised to purchase 1,140 carbon monoxide detectors for distribution to low and moderate income families.

The Mayor's office launched a fundraising effort last week following the deaths of an Anchorage family poisoned by carbon monoxide. All five members of the Arts family died after the accidental poisoning in their home on Dec. 6.

"As we grieve the deaths of the Arts family, we have reached out to the community and they are responding," said Mayor Begich. "While this CO detector giveaway cannot take away our pain, we can raise awareness about this deadly gas and how we can prevent future tragedies."

The companies and organizations who have given financial donations to the awareness campaign include Allstate, BP Exploration, ConocoPhillips, Enstar, Tote, Horizon Lines, the Anchorage Homebuilders Association, the Anchorage Police Department Employees Association, and the International Association of Fire Fighters, Local 1264.

The effort has also been greatly supported by the American Red Cross of Alaska, Home Depot, which has offered the detectors at cost, and Federal Express, which is picking up the cost of flying the large order of CO detectors to Anchorage from Fresno, California.

According to the Journal of the American Medical Association, carbon monoxide poisoning claims the lives of 1,500 to 2,000 people in the United States every year. It is the leading cause of accidental poisoning deaths in America, and hospitalizes another 10,000 people annually.

Having a working carbon monoxide detector on every level of a home and in sleeping areas is considered a key part of preventing accidental poisonings.

## CO Detectors

Page 2 of 2

The carbon monoxide detectors purchased through the fundraising effort will be available to families who need them through the GIFT program in Anchorage this week. Sponsored by Catholic Social Services, Lutheran Social Services, The Salvation Army and the United Way of Anchorage, GIFT is a community outreach event that provides holiday gift and food assistance to thousands of low to moderate income families.

The distribution runs December 17-19 in the ACS Garage at 650 Telephone Ave. The detectors will be available until the supply runs out. The Red Cross office at 235 E 8<sup>th</sup> Avenue will have a small supply as well.

The shipment of 1,140 carbon monoxide detectors from a Kidde distributor in Fresno is expected to arrive in Anchorage, via Federal Express, on Tuesday.

"I am overwhelmed by the generous spirit of our local companies and organizations," said Mayor Begich. "I would also like to thank our city firefighters, police officers and other emergency personnel who had to respond to this terrible tragedy."

In a separate program, the Municipality's Department of Health and Human Services Weatherization Program provides CO detectors to low income families each year. Priority is given to elderly, the disabled, and families with children under the age of six years. The program is available to both homeowners and renters, and qualifying requires meeting income eligibility guidelines and the home must be inspected.

Funding for the program is provided by The Federal Department of Energy and Alaska Housing Finance Corporation. Those who are interested in the Weatherization Program can call 343-6630 for more information.

###

## Alaska CO Incidents

March 27, 2003

Evacuations, Rescues, CPR, 911; Citizens Honored for Lifesaving Acts  
"Jean Schulte and Ron Harper, who evacuated 3 people suffering from serious carbon monoxide poisoning from an Anchorage house in December 2002."  
-Anchorage Daily News

December 17, 2002

Headlines – Anchorage - Carbon monoxide injures 3  
"Three people were rushed to the hospital Monday afternoon for carbon monoxide poisoning, the second such incident in Anchorage in less than a week. The three people were discovered inside 9203 Campbell Terrace Drive around noon by an employer who had gone to the home because one of the people had not shown up to work, said Anchorage Fire Department spokesman, Tom Kempton. All 3 individuals were incoherent and disoriented, he said. A cracked heat exchanger in a furnace is believed to be the cause of the carbon monoxide leak."  
-Anchorage Daily News

December 13, 2002

6 Saved From Gas Poisoning  
"Six people, including 3 children, were rescued early Thursday morning after a 911 dispatcher realized a caller and her family were suffering carbon monoxide poisoning during the call, fire officials said." -Anchorage Daily News

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NEXT STORY >>



The Arts did have a carbon monoxide detector, but was unplugged.

## Stores sell out of carbon monoxide detectors after tragedy

Dan Fagan

Anchorage, Alaska, Dec. 7 - An Anchorage mother was fighting for her life Sunday after losing her husband and three children.

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Thirty-three-year-old Rita Arts is the only member of her family to survive high carbon monoxide levels in their Hillside home. The four deaths of her husband and three kids had people rushing to hardware stores Sunday to buy carbon monoxide detectors.

At Home Depot, employees began to see the rush to buy CO detectors the moment the doors opened. The demand was so high, people forced the store to move all remaining detectors to a display in the front.

Stores like Home Depot are reporting the sales increase of CO detectors after the four deaths at 8100 Robert Dr. in Bear Valley. Saturday, firefighters found the bodies of 42-year-old David Arts and his three kids Taylor, Ann Marie and Willem, ages 11, 8 and 3, respectively.

They found Rita Arts unconscious in the hallway next to her daughter, Ann Marie.

Alaska Regional Hospital has reported Rita Arts in critical condition and is being treated in a hyperbaric chamber every eight hours.

The fire department has not determined why the Arts home had such high levels of the carbon monoxide poison and does not suspect foul play.

The family has a CO detector, but it was apparently left unplugged.

Many that stormed home improvement stores for the CO detectors did so to prevent such a tragedy from striking their family. One such man, Mark Stevens, bought three detectors.

"I saw it on the news. I thought I would pick one up for each floor of my house...I'll pick up three," said Stevens.

NEXT STORY >>

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#### MORE LOCAL NEWS ON MSNBC

- Against the odds, Wasilla soldier gets home for Christmas
  - Some soldiers get holiday break, others still in Middle East
  - Alaska celebrates 50 years of TV, and story of 2 friends
  - Adopt-a-Cat shelter needs funds to feed felines
  - Alaska among 24 states with severe flu outbreaks
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## Toxic leak blamed for man's death, wife's poisoning

Police and fire vehicles responded to the scene on Spruce Brook Street, where toxic fumes had been reported in the second house from the right. (Photo by Brian Blockcolsky/KTUU)

**By Steve MacDonald**

KTUU-TV

Updated: 1:00 a.m. ET Feb. 26, 2004

Feb. 25 - A South Anchorage man is dead and his wife is in critical condition after a toxic gas leaked into their home. Fire investigators say it appears carbon monoxide poisoned the couple, but they are still conducting tests to confirm their suspicions.

The husband and wife, whose names haven't been released yet, were found at about 12:30 p.m. Wednesday by an Anchorage police officer. Police went to the home on Spruce Brook Street after the couple's son in New York told police he hadn't been able to reach them.

"The son had reported that he had been trying to contact his parents for three days without success, and the male victim had not shown for work in three days," said Tom Kempton of the Anchorage Fire Department.

Officer Jackie Valdez broke into the home to find the woman unconscious downstairs and dragged her outside to safety. The man's body was found upstairs.

According to the fire department, Valdez complained of feeling dizzy and was also hospitalized. A police spokesman says both women are conscious and are expected to recover.

The fire department says it suspects a car in the home's attached garage may have been the source of the poisoning. Investigators say the keys were in the ignition, and the ignition was in the on position.



### MORE LOCAL LINKS

- What's Cookin' with Chef Al
- Market View
- Channel 2 News Webcast
- Alaska's Fiveday Forecast
- The Forgotten War
- Alaska Event Calendar
- The Snowmachine Report



### REGIONAL NEWS

- Kenai
- Juneau
- Other Citites

HB

356

# SENATE COMMITTEE REPORT

DATE: 2/20/04

FURTHER:

DATE TURNED  
IN TO OFFICE: \_\_\_\_\_

Labor and Commerce Committee considered HOUSE BILL NO. 356

## HB 356 EXTEND ALCOHOL DELIVERY SITE SUNSET

"An Act relating to operation of alcoholic beverage delivery sites; and providing for an effective date."

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

**Senate Bill:**  
 Same Title  
 New Title

**House Bill:**  
 Same Title  
 Technical Title Change  
 New Title w/ SCR # \_\_\_\_\_

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	Indet.	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	Indet.	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>Ralph Jenkins</i>			X	
<i>Betty Davis</i>			X	
<i>[Signature]</i>	X			
<i>[Signature]</i>			X	
CHAIR: <i>A. Bunde</i>			✓	

# FISCAL NOTE

**STATE OF ALASKA**  
**2004 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HB356-DPS-ABC-2-9-04  
 () Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Public Safety  
 Title Extend Alcohol Delivery Site Sunset RDU Statewide Services  
 Component ABC Board  
 Sponsor Rep. Joule  
 Requester H. Labor & Commerce Component No. 2690

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
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--Do not abbreviate)						
<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 (FY2004) cost: 0.0  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** *(Attach a separate page if necessary)*  
 In 2001, as part of (SCS CSHB 132(FIN)) enacted as CH. 63, SLA 01, the state was permitted to designate and operate an alcohol community delivery site. This provision found in AS 04.11.491(f), sunsets on July 1, 2004 as does AS 04.11.494 which sets out how these community delivery sites are to be operated. HB 356 seeks to extend the sunset provisions in AS 04.11.494 until July 1, 2008.  
  
 No fiscal impact is anticipated to the Department of Public Safety.

Prepared by: LeeAnn Lucas, Special Assistant Phone 465-2649  
 Division Office of the Commissioner Date/Time 2/8/04 12:00 AM  
 Approved by: Commissioner William Tandeske Date 2/9/2004  
 Agency Department of Public Safety

During Session:  
Alaska State Capitol  
Juneau, Alaska 99801-1182  
(907) 465-4833  
Fax (907) 465-4586  
1-800-782-4833

Representative\_Reggie\_Joule@legis.state.ak.us



During Interim:  
P.O. Box 673  
Kotzebue, Alaska 99752  
(907) 442-3880  
Fax (907) 442-3022

Alaska State Legislature  
REPRESENTATIVE REGGIE JOULE

To: Labor and Commerce Committee Members

From: Representative Reggie Joule *RJ*

Date: January 28, 2004

Re: Sponsor Statement

I am sponsoring House Bill 356 entitled, "An Act relating to alcohol beverage delivery sites; and providing for an effective date." HB 356 merely extends the sunset date on this bill from July 1, 2004 to July 1, 2008. The legislation itself provides communities with the option to monitor the inflow of alcohol into their community through a locally operated distribution center. To date Barrow is the only community that has opted to utilize this option but has found it helpful in controlling alcohol consumption and bootlegging in the area. I believe it is important to extend the sunset date on this legislation giving communities more options to deal with problems on the local level. Thank you for your consideration of this matter.

SPONSOR STATEMENT

**NORTH SLOPE BOROUGH****POLICE DEPARTMENT**

P.O. Box 470

Barrow, Alaska 99723

Phone: 907-852-0311

Fax: 907-852-0318



February 6, 2004

Representative Regie Joule  
State Capitol, Room 405  
Juneau, AK 99801-1182

Re: Barrow Alcohol Distribution Center

Dear Representative Joule:

Alcohol abuse and alcohol related crime continue to be significant Public Safety and Public Health problems in rural Alaska. Directly related to the magnitude of these problems is the amount of alcohol available in a community and the ease at which it may be obtained.

Prior to the implementation of Barrow's Alcohol Distribution Center, a person could easily obtain 6 to 8 cases of distilled liquor each month by simply ordering each case from a different liquor store. The result was that persons involved in the illegal sales of alcohol and the importation of alcohol into dry communities had a ready supply of product.

Barrow's Distribution Center and the manner in which it is operated by the City of Barrow changed this. Persons are now limited in the amount of alcohol that can be brought into the community. All legal alcohol shipments must be delivered to the Distribution Center which tracks how much alcohol a person has received. Amounts of alcohol in excess of what is allowable are returned. Additionally, the residency requirements make it difficult for a person from a dry village to have liquor shipped to Barrow and then import it into the village.

Alcohol distribution centers are a positive step for communities that wish to control the amount of alcohol brought into the community. The Distribution Center in Barrow has had a positive affect on the level of disorder in Barrow and the communities served by Barrow as a transportation hub.

Barrow is a community that has been deeply divided over the issue of controlling alcohol. In local option elections, taking place over the span of several years, citizens of Barrow repeatedly changed the local option status of the community. The implementation of the Alcohol Distribution Center addressed the concerns of those on both sides of the issue. This "happy medium", while not punishing persons who are responsible drinkers, has limited the amount and availability of alcohol.

I support legislation that would allow communities to continue to utilize alcohol distribution centers as a method for controlling the amount of alcohol imported.

Sincerely,

*Paul A. Carr*  
Paul A. Carr  
Chief of Police

THE  
FOLLOWING  
DOCUMENT(S)  
ARE  
POOR  
ORIGINAL  
COPIES



P.O. Box 46  
Kotzebue, Alaska 99752

City Hall  
442-3401

Police Dept.  
442-3351

Fire Dept.  
442-3404

Public Works  
442-3401

February 9, 2004

**VIA FAX TO (907) 465-4586/ORIGINAL MAILED**

Representative Reggie Joule  
Alaska State Legislature  
State Capitol -- Room 405  
Juneau, Alaska 99801-1182

Re: House Bill No. 356, "An Act Relating to the Operation of Alcoholic Beverage Delivery Sites; and, Providing for an Effective Date."

Dear Representative Joule:

In 2001, the Alaska Legislature enacted Alaska Statute 04.11.494, "Operation of Delivery Sites," as §5 of Chapter 63 of the Session Laws of Alaska 2001. Under §15 of Chapter 63, §5 of Chapter 63 of the Session Laws of Alaska 2001 is scheduled to be repealed July 1, 2004. House Bill No. 356 proposes to extend the sunset date for this section to July 1, 2008.

Although the City of Kotzebue has considered and rejected the delivery site option for the residents of Kotzebue, it is good public policy to have this approach available for other communities that might favor such an option. Therefore, the City of Kotzebue would support extending the sunset date for §5 of Chapter 63 of the Session Laws of Alaska 2001, until July 1, 2008.

Respectfully,

A handwritten signature in dark ink, appearing to read "Herman Reich".

Herman Reich, City Manager  
City of Kotzebue

cc: Mayor and City Council Members  
Nancy Mercer, City Clerk  
Joe Evans, City Attorney



# CITY OF BARROW

*"farthest north incorporated city"*

February 6, 2004

Honorable Rep. Reggie Joule  
State Capitol (MS 3100)  
Juneau, Alaska 99801-1182

*Hello Rep. Joule*

Dear Honorable Rep. Joule,

Thank you for introducing House Bill 356 an act to extend alcohol delivery site sunset to July 1, 2008.

After several local opinion elections here in Barrow going back and forth between damp and dry, Mayor Jim Vorderstrasse began to explore the possibility of using a delivery site. Ordinance 99-1, establishing a Local Delivery Site for Alcohol Beverage Brought into the City of Barrow was introduced in February 25, 1999, public hearing for the ordinance 99-1 was held on March 25, 1999 and ordinance 99-1 was adopted by the Council on April 22, 1999. The administration worked out the deals and put it out for bid and Resolution 11-99 was adopted July 22, 1999 to the successful operator.

I am enclosing a copy of ordinance 99-1 which is the same as Chapter 8.15 title Alcohol Delivery Site.

Since the delivery site was established we have issued 1713 permits to date. Each permit must be renewed annual. This number does not reflect that they are all current, some may have moved away. We work very closely with North Slope Borough Public Safety Department on criminal background checks, which are requirement in order to obtain a permit. The safety our families are a priority and anyone who has been involve with crime involving domestic violence, as that term is defined under AS 18.66.990, or violating a protective order under AS 11.56.740 is denied a permit or his/her permit can be revoked. As statistic show that a lot of the cases before our judicial system arc alcohol related. We also have begun to work with the public defenders office, district attorney office and the 2<sup>nd</sup> Judicial District Court to help insure that our families remain safe.

Under section 8.15.060 are importation limits per month. Within any calendar month, a person may not import into the city more that 13.5 gallons of malt beverages = 6 cases, twenty liters of wine, or 4.5 liters of distilled spirits. With these limitations per calendar month I strongly believe it has impacted us here in Barrow in a positive way. Before a delivery site was establish anyone could order without any limits. This helps us control the amount of alcohol that is coming into our community.

I am encouraging you as legislature of the 23<sup>rd</sup> Legislature Session to pass House Bill 356 so that the City of Barrow can continue to operate our delivery site beyond June 30, 2004. By passing House Bill 356 the City of Barrow will be able to keep ordinance 99-1 in tack.

If you have any questions please do not hesitate in giving me a call at 907-852-5211 or emailing me at [barrowmayor@nuvuk.net](mailto:barrowmayor@nuvuk.net).

Sincerely,



Edith A. Vorderstrasse  
City of Barrow Mayor

Cc: Senator Donald Olson  
Files

LL04-030

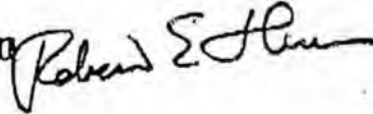


# CITY OF BETHEL

P.O. Box 1388 Bethel, Alaska 99559  
907-543-2047  
FAX # 543-4171

## MEMORANDUM

**To:** Representative Reggie Joule  
Alaska House of Representatives

**From:** Bob Herron   
City Manager

**Re:** HB356: "An Act relating to operation of alcoholic beverage delivery site; and providing for an effective date."

**Date:** February 6, 2004

---

I support extending the sunset of this provision of "Title 4 local options" and respectfully request your and fellow committee members' favorable consideration.

It is a valuable "tool in the toolbox" for communities who are willing to address their local issues and problems themselves. Though this option or "tool", as far as I know currently, is only utilized in one community in our state, it allows people to measure the possibilities for and against all other "tools" that are available to our communities.

The community of Bethel has considered this alternative three times over the years since this option was added to state law. The most recent past public discussion began in the late 1990s with the Bethel City Council's Public Safety Committee and interested members of the public working on a draft ordinance for the Council's deliberation.

A several-month carefully researched approach to the delivery site concept was introduced as an ordinance in August 1999 and debated for seven months until the final narrow vote (3 yea-4 no) in March 2000. (This Bethel ordinance was used as a model for the alcohol delivery site ordinance passed in Barrow)

In August 2000, the same Bethel City Council passed Ordinance #00-21 placing the issue of an alcohol delivery site on the October 2000 municipal election ballot seeking input from the Bethel citizens because of the narrow council vote outcome. The option to use

the alcohol delivery site concept "tool" was to appropriately "gauge" the wishes of their constituents. The result was a vote against an alcohol delivery site.

In the last 60 days, the alcohol delivery site issue and public discussion within region in the "dry" communities surrounding the regional hub of Bethel has surfaced with resolutions to the Bethel City Council.

I will not attempt to explain their discussions or expectations as I have attached the resolutions for your review. However, it is apparent that these communities see it as a valuable "tool".

If there are questions concerning this memorandum, please call at your convenience.

Thank you.

# *Akiak Native Community*

## *Akiak IRA Council*

*P.O. Box 52127*

*PH (907) 765-7112*

*Akiak, AK 99552*

*FAX (907) 765-7512*

*January 14, 2004*

*The Honorable Mayor Hugh Short*

*City of Bethel*

*P. O. Box 1388*

*Bethel, Alaska 99559*

*Dear Honorable Mayor Hugh Short:*

*This letter is written to transmit a resolution adopted by the Akiak IRA Council numbered 03-12-33 supporting the joint resolution of the Tribal Councils of Kasigluk, Atmauthluak, and Nunupitchuck numbered 03-02-02 concerning a need for an alcohol delivery site located in Bethel, Alaska. The Tuluksak Tribal Council also adopted a similar resolution supporting the three communities and their desire to control the flow of the illegal alcohol into dry communities. The resolution of the four Tribal Council is calling on the City of Bethel to consider establishing an alcohol delivery site in Bethel to assist nearby villages in controlling alcohol that is illegally imported to dry communities in the Bethel area.*

*The Akiak IRA Council agrees with and understands the results of illegally imported alcohol and the violence that results is disrupting the peaceful community way of life in villages. The final resolved section of the Akiak IRA Council resolution supports the efforts of the villages and their interest in establishing an alcohol delivery site in the community of Bethel and calls upon the City of Bethel, State of Alaska, and the Federal Government and their agencies to assist in combating the ravages of alcohol that is ruining youth, families, and communities in the Yukon-Kuskokwim delta area.*

*We wish you success and pray that you and your council will consider this resolution that will assist the surrounding village councils in their efforts to improve and preserve life in small communities. Wishing you a belated Happy Holidays and a Happy New Year to you, the Bethel City Council members, administration, and your families.*

*Sincerely,*

*MOSES OWEN, CHIEF*



*Ivan M. Ivan  
Executive Director*

*cc: Tribal Councils of Kasigluk, Atmauthluak, Nunupitchuck, and Tuluksak*

# *Akiak Native Community*

## *Akiak IRA Council*

*P.O. Box 52127*

*Akiak, Ak 99552*

*PH. (907) 765-7112*

*FAX (907) 765-7512*

*Resolution 03-12-33*

*A RESOLUTION OF THE AKIAK IRA COUNCIL SUPPORTING UNIT 6 VILLAGE TRIBAL COUNCILS OF KASIGLUK, ATMAUTHLUAK, AND NUNAPITCHUK JOINT RESOLUTION NUMBERED 03-02-01 CONCERNING A NEED FOR AN ALCOHOL DELIVERY SITE IN BETHEL.*

*Whereas, the Akiak IRA Council is the federally recognized tribal governing body for the Native Village of Akiak, and;*

*Whereas, the Akiak IRA Council was established to represent, encourage, and promote the social well being and health of the Akiak Native Community members and citizens living in the Native Village of Akiak, and;*

*Whereas, Association of Village Council Presidents have embarked on a mission to improve the regional health, social well-being, and welfare of the member communities in the Yukon-Kuskokwim Delta region through a project called Kinguliamta Ciunerkaat, and;*

*Whereas, the tribal governments of Kasigluk, Atmauthluak, and Nunapitchuk have conducted a unit 6 joint meeting to explore ways and means to control the alcohol illegally imported to the three communities, and;*

*Whereas, the Unit 6 villages concluded that the illegal alcohol has caused great deal of youth, family, and community violence that is ruining community members and disrupt the community way of life, and;*

*Whereas, the Akiak IRA Council agrees and understands the results of illegally imported alcohol and the violence that is disrupting the peaceful community way of life in villages of the Yukon-Kuskokwim Delta region and including the community of Akiak, and;*

*NOW, THEREFORE BE IT RESOLVED THAT the Akiak IRA Council agrees with the proposed solution of controlling illegal alcohol imported to villages and the actions taken and recommended by Kasigluk, Nunapitchuk, Atmauthluak, and Tuluksak to establish an Alcohol Delivery Site in the City of Bethel to control alcohol illegally imported to dry communities in the Yukon-Kuskokwim delta villages, and,*

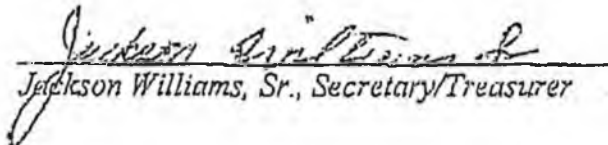
Page 2. Resolution 03-11-33, Support Unit 6 Alcohol Delivery Site

BE IT FURTHER RESOLVED THAT the Akiak IRA Council agrees, concurs, and supports the efforts of the Kasigluk, Nunapitchu, Atnauthluak, and Tuluksak interest in establishing an alcohol delivery site in the community of Bethel and calls upon the State and Federal agencies and the City of Bethel to assist in combating the ravages of alcohol that is ruining youth, families, and communities in the Yukon-Kuskokwim delta area.

CERTIFICATION

This resolution was reviewed and approved by the Akiak IRA Council in a duly called meeting with quorum present this 19<sup>th</sup> day of December, 2003. The votes to adopt this resolution were 3 for, 0 against, and 0 abstaining.

  
Moses Owen, Chief

  
Jackson Williams, Sr., Secretary/Treasurer

KINGULIAMTA CIUNERKAAT CONFERENCE  
UNIT 4  
KWETHLUK, ALASKA 99621

December 17, 2003

City of Bethel  
Bethel, Alaska 99559

To: Bethel City Council;

The delegates and staff of Kinguliamta Ciunerkaat in Unit 4 held a meeting here in Kwethluk and would like to ask City of Bethel and other organizations to support this Resolution 03-12-01 concerning the Alcohol delivery site. As we all know that Bethel is the Hub of all the surrounding villages whether be near or far and for the health and safety of our people we need this support from the City of Bethel to act upon this resolution and set it as a priority. Thank you for your time.

Unit 4 Delegates

Margaret E. Nege  
AKIACHAK

Andrew Ferguson  
AKIAK

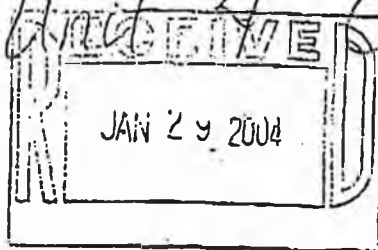
Annika Schindler  
KWETHLUK

John J. Bates  
TOLUKSAK

Bob Hemen -

1/29/04

These are from  
Unit 4 conferences.



- Vivian  
X7442

**Organized Village of Kwethluk**

**Kwethluk IRA Council**  
PO Box 11  
Kwethluk Alaska 99621  
Phone (907) 757-6714/6715  
Fax (907) 757-6328  
Herman J. Tribal Administrator

**Nick N. Epchook, Honorary Traditional Chief**  
**Martin Andrew, President**  
**James M. Nicori, Vice-President**  
**Max Olick, Sr., Secretary/Treasurer**  
**Oscar P. Larson, Council Member**  
**Herman Evyan, Council Member**  
Margaret Michael, Administrative Asst.

**DELIVERY SITE RESOLUTION**  
03-12-01

**WHEREAS**, the Organized Village of Kwethluk, Kwethluk IRA Council being a part of Unit 4 have come together to Address Local Option laws. Unit 4 villages of Akiak, Akiachak, Kwethluk, and Tuluksak would like a standing agreement to encourage Bethel City Council to open the Alcohol Delivery site, and


**WHEREAS**, the Organized Village of Kwethluk, Kwethluk IRA Council being a part of Unit 4 villages have seen the amount of alcohol being imported to the villages of Akiak, Akiachak, Kwethluk, and Tuluksak have voted to be "Dry" communities in Unit 4.

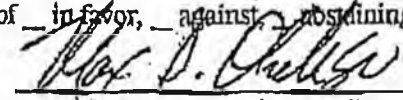
**NOW THEREFORE BE IT RESOLVED**, that the Organized Village of Kwethluk, Kwethluk IRA Council being a part of Unit 4, Akiak, Akiachak, Kwethluk, and Tuluksak stress the importance of constructing and maintaining the Alcohol Delivery Site as proposed by the previous Public Safety Commission volunteers.

**BE IT FURTHER RESOLVED THAT**, the Organized Village of Kwethluk, Kwethluk IRA Council supports the opening of the delivery site will Greatly reduce the amount of alcohol being brought into our region, to Prevent alcohol related violations.

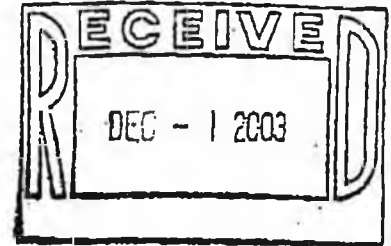
**CERTIFICATION**

It is hereby certified that on the \_\_\_ day of December 2003, a quorum of the Organized Village of Kwethluk, Kwethluk IRA Council was forr l, and did pass and adopt the preceding resolution by a vote of \_\_\_ in favor, \_\_\_ against, \_\_\_ abstaining, and \_\_\_ excused.

  
\_\_\_\_\_  
Martin Andrew, President

  
\_\_\_\_\_  
Attest: Max D. Olick, Sr., Secretary/Treasurer

Akiachak Native Community  
Akiachak Indian Reorganization Act Council  
P.O. Box 70  
Akiachak, Alaska 99551  
(907)825-4626  
Fax#825-4029



November 26, 2003

Bob Herron, City Manager  
City of Bethel  
P.O. Box 388  
Bethel, Alaska 99559

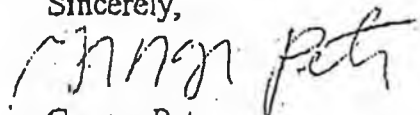
Re: Resolution #03-01

Dear Bob:

I would like for you to address the enclosed resolution during your earliest Council meeting. Remember that Akiachak is a dry village-this means that alcohol cannot be in Akiachak for human consumption. The best way to control the importation of alcohol to Akiachak (village) is for City of Bethel to erect a delivery site. For example, a person with a tribal ID card from Akiachak Native Community will be denied a delivery of alcohol.

If you have any questions, concerning the resolution, please let me know. I thank you in advance for your cooperation.

Sincerely,

  
George Peter  
Tribal Administrator

Akiachak Native Community  
Akiachak Indian Reorganization Act Council  
P.O. Box 70  
Akiachak, Alaska 99551

TRIBAL MEMBERSHIP ANNUAL MEETING  
NOVEMBER 20, 2003

RESOLUTION #03-01

**RE: DECLARATION OF WAR ON ABUSE OF ALCOHOL BY AKIACHAK  
NATIVE COMMUNITY**

WHEREAS, The Social problems caused by abuse of alcohol in Akiachak threatens our culture, our children, our own very survival, and cause infringement upon individual rights or the peace and dignity of the people of Akiachak; and

WHEREAS, The Akiachak Native Community members voted to become dry village and approved the Local Option Law which the importation, sale, and consumption of alcohol be prohibited within the jurisdiction of Akiachak Native Community which includes all lands within the exterior boundary of lands selected under the Alaska Native Claims Settlement Act by the ANSCA Village Corporation for Akiachak and all Native allotment and federal townsite lands within the exterior boundaries of such selected lands.

NOW THEREFORE BE IT RESOLVED that Akiachak Native Community declares war on alcohol abuse and will do everything within its power to lead by example, and

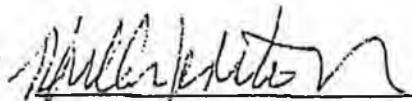
BE IT FURTHER RESOLVED that Akiachak Native Community demand the City of Bethel the importance of adopting regulation to control alcoholic, or intoxicating beverages commonly used for human consumption by eracting a Bethel Based Alcohol Delivery Site as proposed by the previous Public Safety Commission Volunteers, and

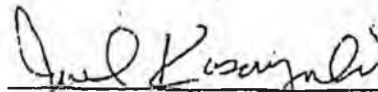
BE IT FURTHER RESOLVED that the Bethel Based Alcohol Delivery Site will demonstrate the City of Bethel's support in Akiachak Native Community's efforts to put an end to abuse of alcohol; and

BE IT FINALLY RESOLVED that Akiachak Indian Reorganization Act Council, the federally recognized tribe will hereby exercise it's sovereign authority to enforce local option law for all the safety and welfare of Akiachak Native Community once for all.

ADOPTED by the Akiachak Native Community tribal membership annual meeting on November 20, 2003 with a duly constituted quorum of 137 members present.

CERTIFICATION:

  
Phillip K Peter, Sr., Chairman

  
Joe Kasayulie, Secretary

Tuluksak Native Community  
P.O. BOX 95  
Tuluksak, AK 99679  
Phone: (907) 695-6420 Fax: (907) 695-6932

Date: November 8, 2003

City of Bethel  
Bethel Alaska 99559

To: Bethel City Council

Tuluksak Native Community, the Tribal Council Members and the Delegates of the KINGULIAMTA CIUNERKAAT of Unit 4 held a meeting on November 11, 2003, here in Tuluksak and are supporting Unit 6, Kasigluk on there resolution # 03-02-01 concerning the Alcohol Delivery Site based in Bethel.

As we all know that Bethel is the hub of all surrounding villages whether it be near or far and for the health and wellness as much as safety of our people, we need the support from the City of Bethel to act on this resolution and consider it as a priority.

QUYANA VERY MUCH!!!

Kinguliamta Ciunerkaat Student Delegate  
Joe Rice

*Lucy Napoka*  
Kinguliamta Ciunerkaat Elder Delegate

Lucy Napoka

*Joseph Alexie 10-11-03*  
Tribal president: Joseph Alexie

Tuluksak Native Community  
P.O. BOX 95  
Tuluksak, AK 99679  
Phone: (907) 695-6420 Fax: (907) 695-6932

Resolution 03-14-37

**Bethel Based Alcohol Delivery Site**

**WHEREAS:** Tuluksak Native Community and the Tribal Council Members of Tuluksak Unit 4 have come together on this 8<sup>th</sup> day of November 2003 to address Local Option Laws. Unit 4 village of Tuluksak would like a standing agreement to encourage Bethel City Council to open an Alcohol Delivery Site.

**WHEREAS:** Tuluksak Native Community has voted that our community be a dry village and the importation, sale, and consumption be prohibited.

**WHEREAS:** The Unit 4 village of Tuluksak has seen the amount of alcohol that is being imported into the dry village of Tuluksak.

**WHEREAS:** Alcohol that has come into our community illegally has been causing great deals of youth, family, and community violence. And ruining our communities way of life.

**THEREFORE BE IT RESOLVED:** The Unit 4 village of Tuluksak stress the importance of constructing and maintaining the Alcohol Delivery Site as proposed by the previous Public Safety Commission Volunteers.

**THEREFORE BE IT FURTHER RESOLVED:** The opening of the Delivery site will Greatly reduce the amount of alcohol being brought into our community. And this action will alert the proper agencies that the possibility of alcohol being illegally imported into a dry community.

**CERTIFICATION**

I, the undersigned, do hereby certify that the Tuluksak Tribal Council, which is composed of seven members, whom Four constitutes a quorum, were present at a meeting held on November 11, 2003 and 10 members voted yes and 0 voted no and 1 members were absent.

Signed:  
[Signature]  
President

Asst. By:  
[Signature]  
Secretary

Date 11-11-03

Date 11-11-03

**HB**

**409**

**SENATE COMMITTEE REPORT**

DATE: 2/27/04

FURTHER: Resources

DATE TURNED  
IN TO OFFICE: \_\_\_\_\_

Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 409(FSH)

**HB 409 SEINE VESSEL LENGTH**

"An Act relating to the maximum length of salmon seine vessels; and providing for an effective date."

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

<b>Senate Bill:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<b>House Bill:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

**NEW FISCAL NOTE(S):**

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	Indet.	FN#

Department	Date	Fiscal	Zero	Indet.	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>Bettye Davis</i>	✓			
<i>[Signature]</i>			X	
CHAIR: <i>[Signature]</i>			✓	

---

## Testimony of Scott McAllister

HB 408 Relating to the 58 foot seine boat limit.

---

Scott McAllister  
316 Distin Ave  
Juneau, Alaska 99801

Phone 907.463.5831  
Fax 907.586.6742  
Email scooski@aol.com

---

## Testimony of Scott McAllister

### HB 408 Relating to the 58 foot seine boat limit.

In support of HB 408, it is time to modernize Alaska's salmon harvest by providing for larger seine vessels so fishermen may increase the quality and value of their catch.

Better than half of all Alaska's commercial salmon harvest is caught by seiners. Most of these fish are processed into canned and crude frozen product forms that fetch low prices in today's market.

The development of seine fishing early in the last century centered around canned salmon and about the time of statehood, the sardine fleets of California were looking to Alaskan salmon fisheries as the sardine resources failed. To protect Alaskan fleets from an invasion of California sardine seiners, the 58 foot limit was instituted at this time.

Since then, over forty years ago, farm salmon has set new standards for quality in markets and canned salmon has a dwindling market share. Today the lack of space aboard Alaskan seine boats prevents proper handling of the majority of Alaska's harvest preventing the industry from moving beyond the can and into quality fresh and frozen markets. Providing more space for sorting and bleeding while fish are still alive and proper "rigor sensitive" stowing capacities is central to improving quality and returning seine fishermen higher ex-vessel prices. Lifting the 58 foot limit will provide for the necessary space to meet these needs.

The attached photos show the current layout and use of deck space and fish holding capacity on a typical Alaska limit seine boat. They are intended to demonstrate that the space aboard an Alaskan seiner is fully utilized and more space is needed for processing and holding so fishermen may improve quality and streamline the flow of salmon from the water into the processing plants.

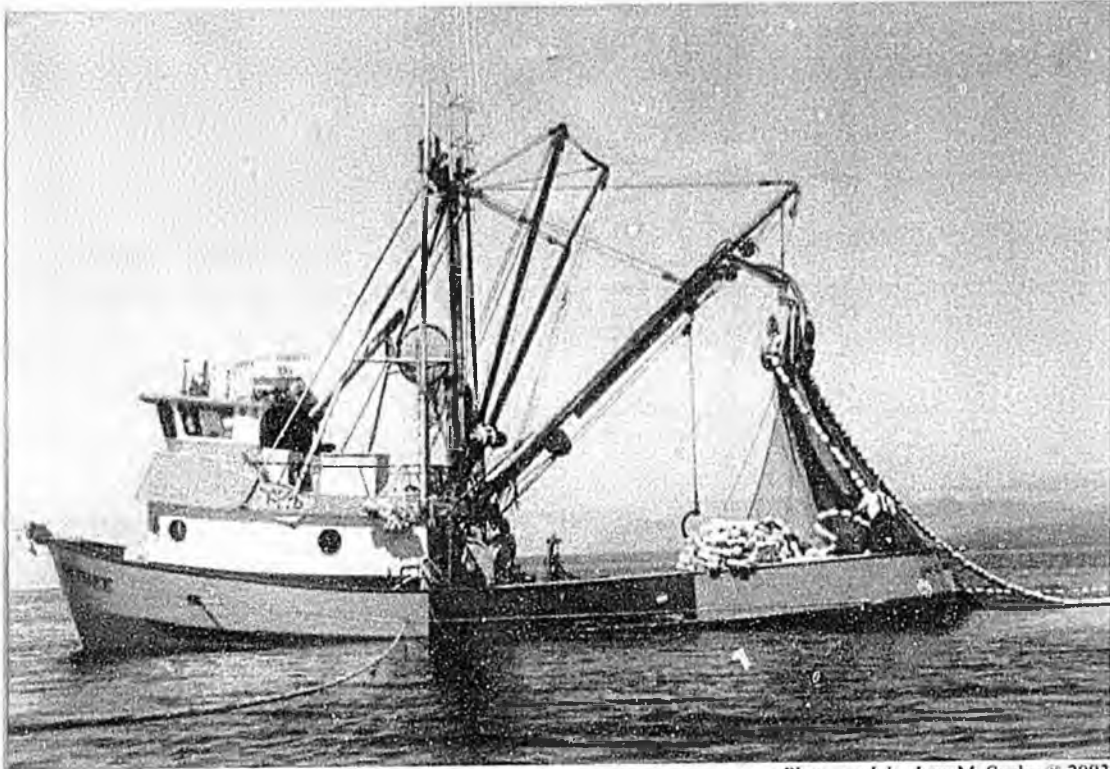
Thank you for your consideration in this matter.



Scott McAllister.

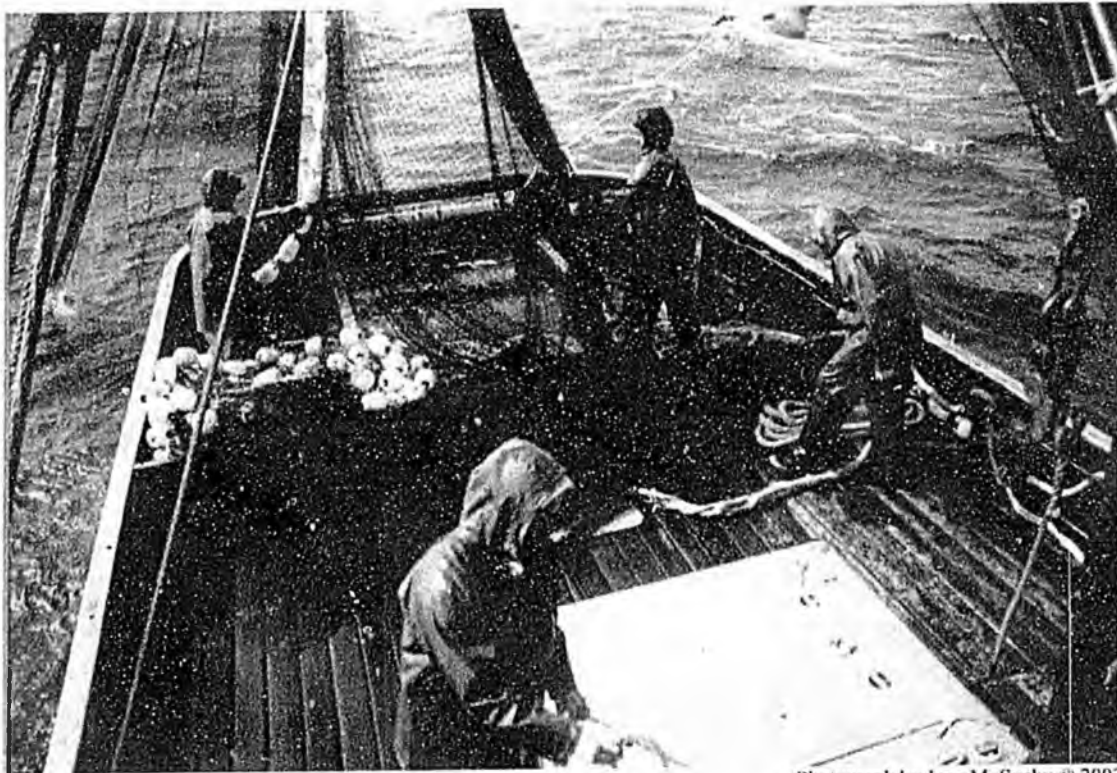
# THE DECKS OF A TYPICAL SEINER

Illustrations I-II



Photograph by Jana M. Suchy © 2003

Cabin deck | Work deck | Gear deck



Photograph by Jana M. Suchy © 2003

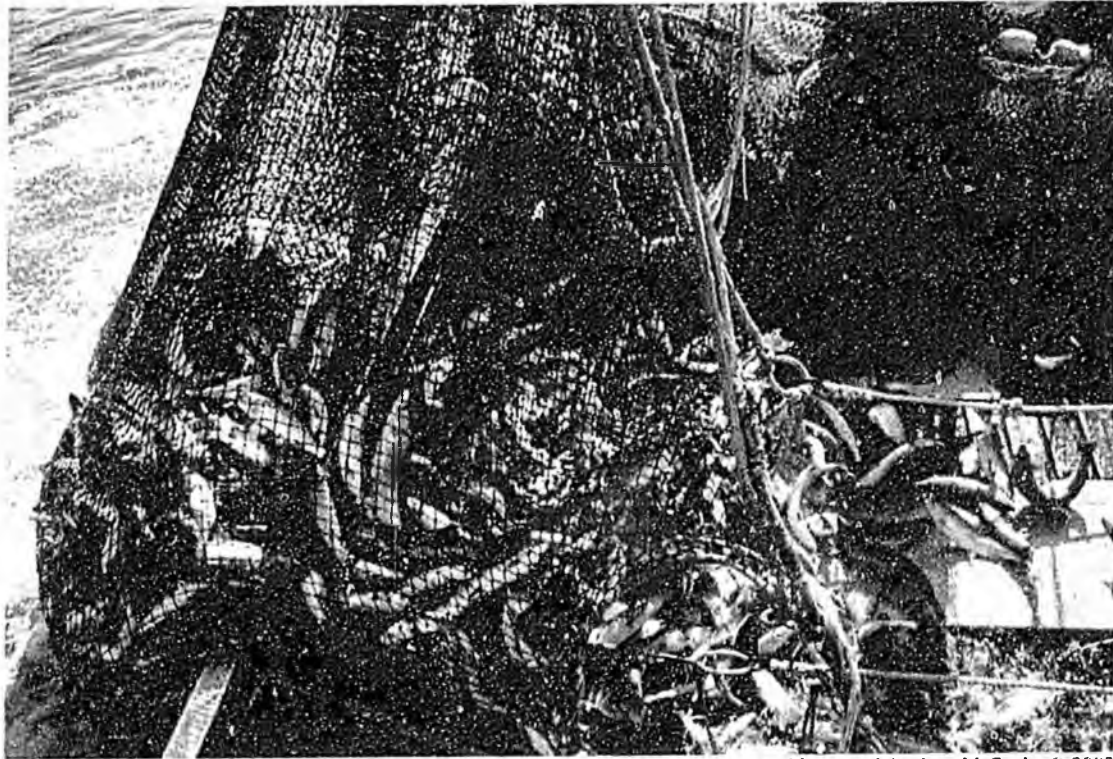
Gear deck

---

Work deck

# TYPICAL LOADING AND STOWING OF FISH ON A SEINER

Illustrations III-IV



Photograph by Jana M. Suchy © 2003

Rolling fish aboard and into the RSW fish hold.



Photograph by Jana M. Suchy © 2003

Bloody RSW

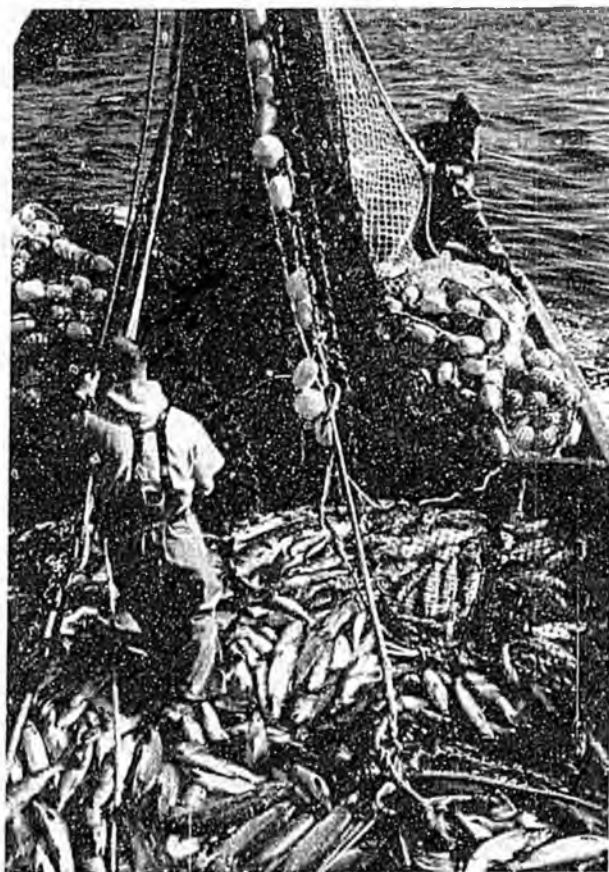
## THE WORK DECK OF A FULL SEINER

Illustrations V-VI



Photograph by Jana M. Suchy © 2003

Full RSW fish hold.



Photograph by Jana M. Suchy © 2003

Working over deck load.

## UNLOADING TO TENDER

Illustrations VII-VIII



Photograph by Jana M. Suchy © 2003

Sorting catch.

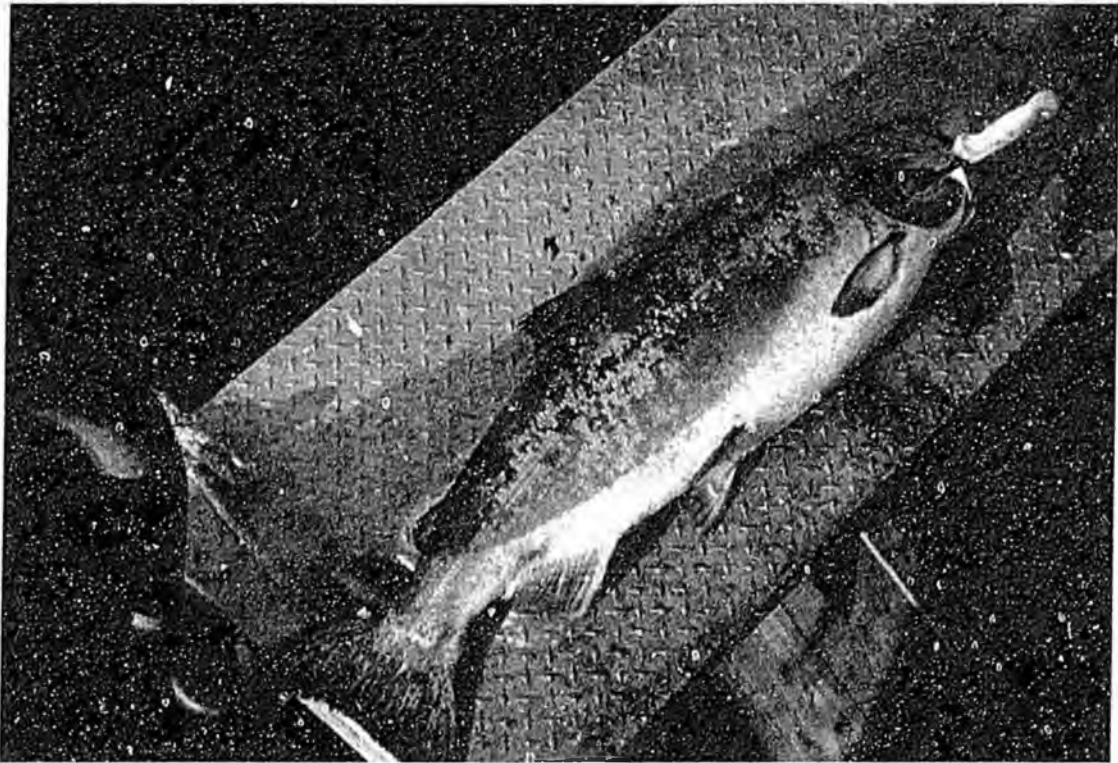


Photograph by Jana M. Suchy © 2003

Fish pump and sorting table.

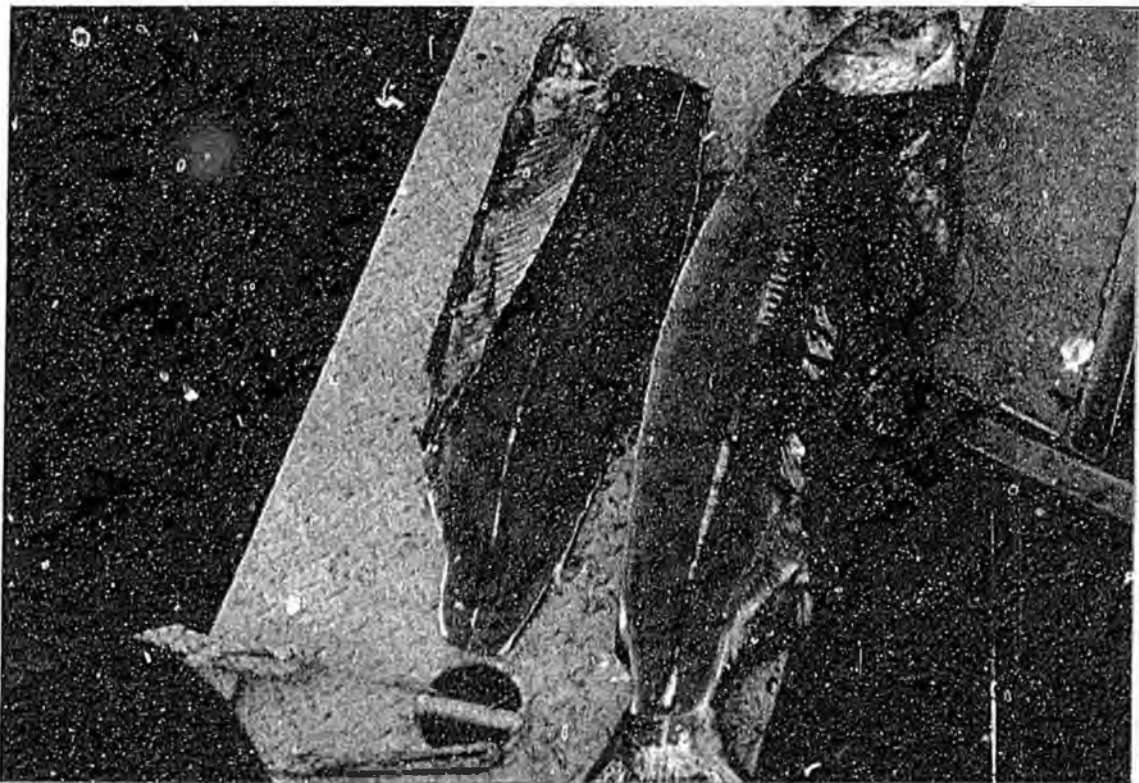
## QUALITY PROBLEMS

Illustrations IX-X



Photograph by Jana M. Suchy © 2003

20 lb. King after pumping and sorting.

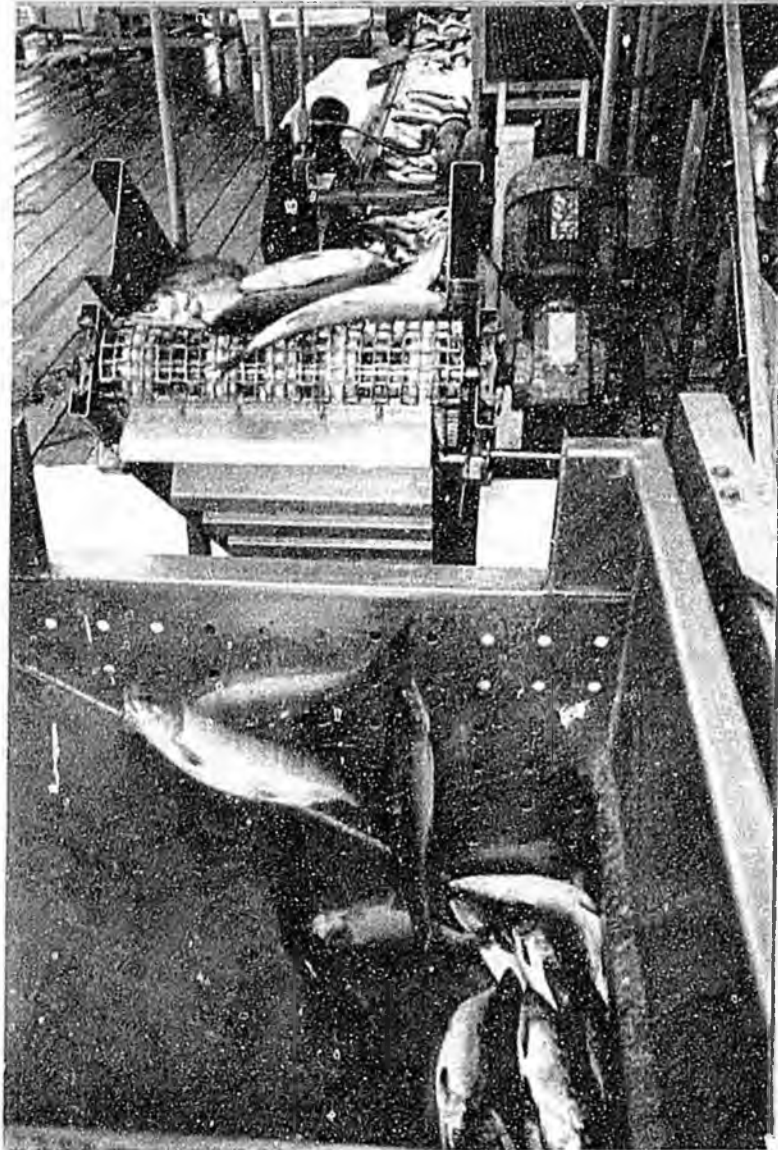


Photograph by Jana M. Suchy © 2003

Gaping and bruising.

## PROCESSOR DECK

Illustrations XI



Photograph by Jana M. Suchy © 2003

Rough handling on the dock.



# UNITED FISHERMEN OF ALASKA

March 9, 2004

211 Fourth Street, Suite 110  
Juneau, Alaska 99801-1172  
(907) 586-2820  
(907) 463-2545 Fax  
E-Mail: [ufa@ufa-fish.org](mailto:ufa@ufa-fish.org)  
[www.ufa-fish.org](http://www.ufa-fish.org)

Senator Con Bunde, Chairman  
Senate Labor and Commerce Committee  
Alaska State Legislature  
State Capitol (Mail Stop 3100)  
Juneau, AK 99801-1182

Dear Senator Bunde,

United Fishermen of Alaska supports HB 409 relating to the statute removal of the 58' length of salmon seine vessels. We strongly believe the maximum vessel length limit should be rendered under the authority of the Board of Fisheries allowing each salmon seine fishery to decide whether to pursue retaining or removing the 58' limit. As the limit is currently included in regulation, HB 409 will not cause immediate change.

United Fishermen of Alaska represents 33 Alaska Commercial fishing organizations and hundreds of individual fishermen and fishing related businesses, altogether representing over 10,000 Alaska fishermen. We support HB 409 and thank you for your consideration on this matter.

Sincerely,

Mark Vinsel  
Executive Director

CC: Representative Bill Williams

#### MEMBER ORGANIZATIONS

Alaska Crab Coalition • Alaska Druggers Association • Alaska Longline Fishermen's Association • Alaska Trollers Association • Armstrong Keta • At-sea Processors Association  
Bristol Bay Reserve • Chignik Regional Aquaculture Association • Chignik Seiners Association • Concerned Area "M" Fishermen • Cordova District Fishermen United  
Crab Rationalization and Buyback Group • Douglas Island Pink and Chum • Groundfish Forum • Konai Peninsula Fishermen's Association • Kodiak Regional Aquaculture Association  
Kodiak Seiners Association • North Pacific Fisheries Association • Northern Pacific Scallop Cooperative • Northern Southeast Regional Aquaculture Association  
Old Harbor Fisherman's Association • Petersburg Vessel Owners Association • Prince William Sound Aquaculture Corporation • Purse Seine Vessel Owners Association  
Seafood Producers Cooperative • Southeast Alaska Regional Dive Fisheries Association • Southeast Alaska Seiners Association • Southern Southeast Regional Aquaculture Association  
United Catcher Boats • United Salmon Association • United Southeast Alaska Gillnetters • Valdez Fisheries Development Association • Western Gulf of Alaska Fishermen

# Alaska State Legislature

Co-Chair  
House Finance Committee  
Subcommittee Chair  
Environmental Conservation  
Courts



*Representative William K. Williams*

During Session:  
State Capitol  
Juneau, AK 99801-1182  
(907) 465-3424  
Fax (907) 465-3793

In Ketchikan:  
50 Front Street, Suite 203  
Ketchikan, AK 99901  
(907) 247-4672  
Fax (907) 225-8546

## SPONSOR STATEMENT

### House Fisheries Committee Substitute for House Bill 409

**“An Act relating to the maximum length of salmon seine vessels; and providing for an effective date.”**

House Bill 409 removes the statutory prohibition for the length of salmon seine vessels and leaves the authority to the Alaska Board of Fisheries. The bill **does not** remove the 58-foot length limit; it simply gives the Board of Fisheries the authority to go through its normal public process to consider such a change.

This bill will put salmon seine vessels on the same footing as all other commercial fishing boats in the state. At present, the 58-foot limit on salmon seiners is the only length limit for salmon fisheries that is enshrined in statute. The length and size of all other fishing boats can be changed by the Board of Fisheries.

# FISCAL NOTE

STATE OF ALASKA  
2004 LEGISLATIVE SESSION

Fiscal Note Number: 1  
Bill Version: CSHB 409(FSH)  
(H) Publish Date: 2/18/04

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Fish and Game  
Title: Relating to the Maximum Length of RDU: Commercial Fisheries  
Salmon Seine Vessels Component: \_\_\_\_\_  
Sponsor: Representative Williams  
Requester: House Fisheries Component No. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
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>						
-----------------------------	--	--	--	--	--	--

<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--Do not abbreviate)						
<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 (FY2004) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

Passage of this legislation would have no fiscal impact.

Prepared by: Sarah Gilbertson Phone 465-6137  
Division: Legislative Liaison Date/Time 2/5/04 1:26 PM  
Approved by: Commissioner Kevin Duffy Date 2/5/2004  
Agency: Alaska Department of Fish & Game

**Subject: HB 409**

**Date: Thu, 5 Feb 2004 18:21:24 EST**

**From: Scooski@aol.com**

**To: Rep\_Paul\_Seaton@legis.state.ak.us**

**CC: Rep\_Bill\_Williams@legis.state.ak.us**

Dear Represe Seaton:

I support **HB, 409**. Meeting the challenges of today's markets requires modernizing our seine fleets. For the following reasons **HB, 409 the 58 foot limit bill** is good legislation at the right time.

**Abstract:**

Alaska's salmon net fisheries were tooled for a canned salmon industry that developed at the turn of the last century. Due to complex market conditions beyond the control of fishermen, old regulations such as the 58 foot seine boat limit, limits the potential of Alaska's seine fishermen to maximize the earning power of their operations. Providing for larger vessels will increase individual capacities for volume and improve quality.

**Specifically:**

**HB, 409** will provide fishermen enough deck space for primary processing -- sorting, grading and bleeding to improve quality for fresh and frozen salmon products. As seiners harvest the majority of Alaska's pink salmon, this bill will help move Alaska's pink salmon production out of cans and into other more modern product forms.

Thank you for your considerations in this matter.

Scott McAllister.  
Alaskan purseiner.  
316 Ave.  
Juneau, Alaska, 99801

# LEGAL SERVICES

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

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


State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

February 17, 2004

**SUBJECT:** Sectional Summary of CSHB 409(FSH); An Act relating to the maximum length of salmon seine vessels (Work Order No. 23-LS1328\Q)

**TO:** Representative Bill Williams  
Attn: Tim Barry

**FROM:** George Utermohle   
Legislative Counsel

You have requested a sectional summary of CSHB 409(FSH); an Act relating to the maximum length of salmon seine vessels.

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

Section 1 of the bill amends AS 16.05.835(a) to provide that the maximum length of a vessel that may be used in a salmon seine fishery in the state is 58 feet overall length (except for certain grandfathered vessels that fished in the state prior to January 1, 1962) unless the Board of Fisheries has authorized by regulation the use of a larger vessel in the fishery.

Section 2 of the bill provides that the bill takes effect January 1, 2005.

If I may be of further assistance, please advise.

GU:mdr  
04-050.mdr

Sectional Analysis