

ALABAMA SENATE, 2004

12004 SENATE RESOURCES

1 (e) Except as provided under AS 16.05.092 or AS 16.20 or under regulations
2 adopted by the Board of Fisheries under AS 16.05.251(a) or the Board of Game under
3 AS 16.05.255(a) or (e), the commissioner may not manage, improve, or manipulate
4 land or water or otherwise alter, or restrict access to, habitat occupied or used by fish,
5 wildlife, or aquatic plant resources of the state.

6 (f) Notwithstanding other provisions of law, a plan, strategy, guideline, or
7 similar document that establishes a policy for the management of fish or game that is
8 prepared by the department shall be submitted to the appropriate board for the board's
9 approval before the department implements the policy.

10 (g) Notwithstanding AS 37.07.080(e), the commissioner may not transfer
11 more than \$10,000 between projects, objects of expenditures, or allocations without
12 the approval of the office of management and budget and review by the Legislative
13 Budget and Audit Committee under the procedures set out under AS 37.07.080(h)(1) -
14 (3).

15 (h) Notwithstanding (g) of this section, the commissioner may not expend
16 funds appropriated from revenue from the sale of hunting, trapping, and sport fishing
17 licenses, tags, stamps, and permits or from federal funds received under the Pittman -
18 Robertson or Dingell - Johnson/Wallop - Breaux programs for a purpose for which the
19 revenue or funds may not be used under AS 16.05.130.

20 (i) The commissioner may not enter into an agreement with another
21 governmental or nongovernmental entity for co-management of fish, game, non-game,
22 or wildlife in the state without the prior approval of the legislature by law.

23 * Sec. 4. AS 16.05.090(a) is amended to read:

24 (a) The commissioner may [, WITH THE APPROVAL OF THE
25 GOVERNOR,] establish a departmental division of commercial fisheries, a
26 departmental division of sport fisheries, a departmental division of game, and other
27 departmental administrative and organizational units [DIVISIONS] as are
28 approved by the governor under AS 44.17.020 [NECESSARY].

29 * Sec. 5. AS 16.05.094 is amended to read:

30 **Sec. 16.05.094. Duties of section of subsistence hunting and fishing.** The
31 section of subsistence hunting and fishing shall

1 (1) compile existing data and conduct studies to gather information,
 2 including data from subsistence users, on the use of fish and game resources by
 3 subsistence users and on compliance with state fishing, hunting, and trapping
 4 licensing requirements by subsistence users [ALL ASPECTS OF THE ROLE OF
 5 SUBSISTENCE HUNTING AND FISHING IN THE LIVES OF THE RESIDENTS
 6 OF THE STATE];

7 (2) quantify the amount, nutritional value, and extent of dependence on
 8 food acquired through subsistence hunting and fishing;

9 (3) make information gathered available to the public, appropriate
 10 agencies, and other organized bodies;

11 (4) provide information to [ASSIST] the department, the Board of
 12 Fisheries, and the Board of Game regarding [IN DETERMINING] what uses of fish
 13 and game, as well as [WHICH USERS AND] what methods and means, are allowed
 14 for [, SHOULD BE TERMED] subsistence uses [, USERS, AND METHODS];

15 (5) EVALUATE THE IMPACT OF STATE AND FEDERAL LAWS
 16 AND REGULATIONS ON SUBSISTENCE HUNTING AND FISHING AND,
 17 WHEN CORRECTIVE ACTION IS INDICATED, MAKE RECOMMENDATIONS
 18 TO THE DEPARTMENT];

19 (5) [(6)] make recommendations to the Board of Game and the Board
 20 of Fisheries regarding [ADOPTION, AMENDMENT, AND REPEAL OF
 21 REGULATIONS AFFECTING] subsistence hunting and fishing;

22 (6) assist [(7) PARTICIPATE WITH] other divisions in the
 23 preparation of statewide and regional management plans [SO THAT THOSE PLANS
 24 RECOGNIZE AND INCORPORATE THE NEEDS OF SUBSISTENCE USERS OF
 25 FISH AND GAME].

26 * Sec. 6. AS 16.05.110(a) is amended to read:

27 (a) The fish and game fund shall be made up of the following money and other
 28 money the legislature appropriates, which shall be deposited and retained in the fund
 29 until expended in accordance with appropriations made by the legislature:

30 (1) money received from the sale of state sport fishing, hunting, and
 31 trapping licenses, tags, stamps, and special permits, waterfowl conservation tags

1 purchased by hunters, and anadromous salmon tags purchased by fishermen;

2 (2) proceeds received from the sale of furs, skins, and specimens taken
3 by predator hunters and other employees;

4 (3) money received in settlement of a claim or loss caused by damage
5 to the fish and wildlife [GAME] resources of the state;

6 (4) money received from federal, state, or other governmental unit, or
7 from a private donor for fish, [AND] game, or non-game purposes;

8 (5) money received as hunting permit deferral fees;

9 (6) [(5)] interest earned upon money in the fund;

10 (7) [(6)] money from any other source.

11 * Sec. 7. AS 16.05.110(b) is amended to read:

12 (b) Except for money received as fisheries fines or forfeitures in settlement of
13 a claim or loss caused by damage to the fish resources of the state that is appropriated
14 to or through the division of commercial fisheries management and development,
15 subject to AS 16.05.130, appropriations of money from the fish and game fund and of
16 money received by the state under the federal aid acts described under AS 16.05.140
17 shall be made to the division of wildlife conservation or the division of sport fish. The
18 division of wildlife conservation or the division of sport fish may use money
19 appropriated under this subsection to acquire administrative and other services from
20 other agencies if the division acquires the services through reimbursable services
21 agreements that are approved by the legislature. The division of wildlife
22 conservation and the division of sport fish shall include as part of their budgets
23 prepared under AS 37.07.050

24 (1) a listing of each [THE] reimbursable services agreement
25 [AGREEMENTS] that is [ARE] to be funded with money appropriated from the fish
26 and game fund or from federal funds received by the state [UNDER THIS
27 SUBSECTION];

28 (2) a description of the services to be provided under those
29 agreements; and

30 (3) a listing of the entities that are parties to those agreements.

31 * Sec. 8. AS 16.05.120 is amended by adding a new subsection to read:

1 (b) The additional receipts generated by the license, tag, permit, and stamp
2 fees, application fees, and hunting permit deferral fees established or increased by this
3 Act shall be separately accounted for by the department. The additional receipts
4 generated by this Act shall be deposited in the fish and game fund and may not be
5 expended by the department unless the receipts are appropriated by the legislature.
6 For any fiscal year in which the ratio of fixed cost expenditures of the division of
7 wildlife conservation exceeds 50 percent of the division's budgeted expenditures for
8 the fiscal year, the division may not expend funds derived from the additional receipts
9 generated by the license, tag, permit, and stamp fees and application fees established
10 or increased by this Act until, or unless, the legislature has expressly authorized the
11 expenditure of the funds. In this subsection, "fixed cost expenditures" means
12 expenditures for personnel, telecommunications, telephones, copiers, indirect costs, all
13 reimbursable service agreements, state equipment fleet, utilities, federal grants for
14 sport fish and wildlife programs and matching fish and game funds, and watchable
15 wildlife funds and matching fish and game funds; "fixed cost expenditures" do not
16 include expenditures of money received from grants, federal grants for sport fish and
17 wildlife programs, and watchable wildlife grants that are not required to be matched
18 with money from the fish and game fund.

19 * Sec. 9. AS 16.05.130(a) is amended to read:

20 (a) Except as provided in (c) of this section, money accruing to the state from
21 sport fishing, hunting, and trapping licenses, tags, stamps, application fees, or permit
22 fees may not be diverted to a purpose other than the protection, propagation,
23 investigation, and restoration of sport fish and game resources and the expenses of
24 administering the sport fish and wildlife conservation [GAME] divisions of the
25 department. To ensure that revenue from the sale of hunting, trapping, and sport
26 fishing licenses, tags, stamps, and permits and that the federal funds received
27 under the Pittman - Robertson and Dingell - Johnson/Wallop - Breaux programs
28 are not diverted to purposes other than those authorized under this section, the
29 budget of the department prepared under AS 37.07.050 must account for funding
30 and expenditures for projects that directly benefit purchasers of hunting,
31 trapping, and sport fishing licenses separately from funding and expenditures for

1 projects that do not directly benefit purchasers of hunting, trapping, and sport
2 fishing licenses. Revenue deposited into the fish and game fund from the sale of
3 hunting, trapping, and sport fishing licenses, tags, stamps, and permits, from
4 application fees, and from federal funds received under the Pittman - Robertson
5 and Dingell - Johnson/Wallop - Breaux programs and expenditures of the
6 revenue and funds may not be combined or commingled with expenditures of
7 other revenue or funds, or used to provide matching funds, for projects that do
8 not directly benefit purchasers of hunting, trapping, and sport fishing licenses.
9 Notwithstanding other provisions of this subsection, money appropriated from
10 the fish and game fund may be expended to match federal sport fish and wildlife
11 grant funds if the money from the fish and game fund, other state matching
12 funds, and the federal sport fish and wildlife grant funds are expended for the
13 management of either fish or game species for which the Board of Fisheries or
14 the Board of Game have adopted general human consumptive use regulations.

15 * Sec. 10. AS 16.05.130(b) is amended to read:

16 (b) Money accruing to the state from waterfowl conservation tag fees from
17 hunters may not be diverted to a purpose other than (1) the conservation and
18 enhancement of waterfowl; (2) the acquisition, by lease or otherwise, of wetlands that
19 are important for waterfowl and consumptive [PUBLIC] use of waterfowl in the state;
20 (3) waterfowl related projects approved by the Board of Game and the
21 commissioner; (4) the administration of the waterfowl conservation program; and (5)
22 waterfowl conservation emergencies in the state as determined by the commissioner
23 or the Board of Game [GOVERNOR]. The department shall maintain a state
24 waterfowl conservation tag fee account within the fish and game fund to permit
25 separate accounting records for the receipt and expenditure of money derived from the
26 sale of waterfowl conservation tags. The department shall prepare a report before
27 April 15 of each [EVEN-NUMBERED] year for the public and the legislature on the
28 use of money derived from waterfowl conservation tags and limited edition prints.
29 The department shall provide the report to [NOTIFY] the legislature [THAT THE
30 REPORT IS AVAILABLE].

31 * Sec. 11. AS 16.05.130(d) is amended to read:

1 (d) Revenue from the sale of [GENERAL] hunting, trapping, and sport
2 fishing licenses, [AND] tags, stamps, and permits, and application fees together
3 with the federal matching funds from Pittman - Robertson and J Dingell -
4 Johnson/Wallop - Breaux programs shall be allocated by the department only to
5 projects that [PROGRAMS INTENDED TO] directly benefit [LICENSE] purchasers
6 of [GENERAL] hunting, trapping, and sport fishing licenses in participating in the
7 activities for which the licenses were purchased and may not be used to provide
8 matching funds for, or otherwise support, projects that do not directly benefit
9 purchasers of hunting, trapping, and sport fishing licenses unless approved by
10 the legislature by appropriation. The department shall prepare an annual report by
11 project of expenditures from the fish and game fund and provide the report to
12 [NOTIFY] the legislature [THAT THE REPORT IS AVAILABLE]. The report
13 must contain a separate accounting of the expenditures of all projects funded
14 from the fish and game fund and of all wildlife and noncommercial fish projects
15 that do and do not directly benefit purchasers of hunting, trapping, and sport
16 fishing licenses. The report must include an accounting of the costs of each
17 project and a description of the source of funds, including federal and other
18 funds, expended for each project.

19 * Sec. 12. AS 16.05.130 is amended by adding a new subsection to read:

20 (e) In this section, "project" means an activity that has a single purpose for
21 which the department expends funds or administrative, material, personnel, or other
22 department resources.

23 * Sec. 13. AS 16.05.251 is amended by adding new subsections to read:

24 (i) The Board of Fisheries shall accord a priority to the conservation,
25 development, and utilization of those fish species which the board has authorized to be
26 taken for consumptive uses and may determine on an area by area basis the level of
27 priority assigned to each species for which consumptive uses are authorized. The
28 board shall accord a subordinate priority to the conservation, development, and
29 utilization of species for which consumptive uses have not been authorized by the
30 board. Except for fish species or subspecies determined by the board to be endangered
31 under AS 16.20.190, the board may not amend or repeal regulations authorizing the

1 consumptive use of a fish species, including regulations relating to methods, means,
2 and seasons of harvest, bag limits, access, and similar matters, based on the level of
3 abundance of a population of a finfish, aquatic invertebrate, or amphibian species
4 which the board has not authorized to be taken for consumptive uses.

5 (j) The Board of Fisheries shall adopt by regulation all plans, strategies,
6 guidelines, and similar documents that establish a policy for the management of fish in
7 the state. The department shall submit each plan, strategy, guideline, or similar
8 document prepared by the department that establishes a policy for the management of
9 fish for the approval by the board before the policy is implemented by the department.

10 * Sec. 14. AS 16.05.255(a) is amended to read:

11 (a) The Board of Game may adopt regulations it considers necessary
12 [ADVISABLE] in accordance with AS 44.62 (Administrative Procedure Act) for

13 (1) setting apart game reserve areas, refuges, and sanctuaries in the
14 water or on the land of the state over which it has jurisdiction, subject to the approval
15 of the legislature;

16 (2) establishing open and closed seasons and areas for the taking of
17 game;

18 (3) establishing the means and methods employed in the pursuit,
19 capture, taking, and transport of game, including regulations, consistent with resource
20 conservation and development goals, establishing means and methods that may be
21 employed by persons with physical disabilities;

22 (4) setting quotas, bag limits, harvest levels, and sex, age, and size
23 limitations on the taking of game;

24 (5) classifying game as game birds, song birds, big game animals, fur
25 bearing animals, predators, or other categories;

26 (6) methods, means, and harvest levels necessary to control predation
27 and competition among game in the state;

28 (7) watershed and habitat improvement, and management,
29 conservation, protection, use, disposal, propagation, and stocking of game;

30 (8) prohibiting the live capture, possession, transport, or release of
31 native or exotic game or their eggs;

1 (9) establishing the times and dates during which the issuance of game
2 licenses, permits, and registrations and the transfer of permits and registrations
3 between registration areas and game management units or subunits is allowed;

4 (10) regulating sport hunting and subsistence hunting as needed for the
5 conservation, development, and utilization of game;

6 (11) taking game to ensure public safety;

7 (12) regulating the activities of persons licensed to control nuisance
8 wild birds and nuisance wild small mammals.

9 * Sec. 15. AS 16.05.255(e) is amended to read:

10 (e) The Board of Game shall adopt regulations to provide for intensive
11 management programs to restore the abundance or productivity of identified big game
12 prey populations as necessary to achieve human consumptive use goals of the board in
13 an area where the board has determined that

14 [(1)] consumptive use of the big game prey population is a preferred
15 use and, based on information provided by the department, or another reliable
16 source, that would lead a reasonable person who is knowledgeable about wildlife
17 management in this state to form an opinion that

18 (1) [; (2)] depletion of the big game prey population or reduction of
19 the productivity of the big game prey population has occurred and may result in a
20 significant reduction in the allowable human harvest of the population; and

21 (2) [(3)] enhancement of abundance or productivity of the big game
22 prey population is reasonably [FEASIBLY] achievable utilizing recognized and
23 prudent active management techniques.

24 * Sec. 16. AS 16.05.255(g) is amended to read:

25 (g) The Board of Game shall establish population goals based on historic
26 high population levels consistent with the maximum carrying capacity of the
27 habitat of the population and establish harvest goals to provide for high levels of
28 human harvest. The board shall establish [AND] seasons for intensive
29 management of identified big game prey populations to achieve a high level of human
30 harvest. the board shall annually review the effectiveness of intensive
31 management programs established under (e) of this section to determine whether

1 the abundance, productivity, population, and harvest goals of the board have
2 been achieved. If the abundance, productivity, population, and harvest goals of
3 the board have not been achieved, the board shall adjust the intensive
4 management plan as necessary to specifically address the cause or reason for the
5 failure of the intensive management program, to achieve the goals established by
6 the board.

7 * Sec. 17. AS 16.05.255(j)(2) is amended to read:

8 (2) "high level of human harvest" means the allocation of at least one-
9 third [A SUFFICIENT PORTION] of the harvestable surplus of the post-calving
10 population of a big game prey population to achieve a high probability of success for
11 human harvest of the [GAME] population [BASED ON BIOLOGICAL
12 CAPABILITIES OF THE POPULATION AND CONSIDERING HUNTER
13 DEMAND];

14 * Sec. 18. AS 16.05.255 is amended by adding new subsections to read:

15 (k) The Board of Game shall accord a priority to the conservation,
16 development, and utilization of species of game and may determine on an area by area
17 basis the level of priority assigned to each species for which consumptive uses are
18 authorized. The board shall accord a subordinate priority to the conservation,
19 development, and utilization of species that the board has not authorized to be taken
20 for consumptive uses. Except for a species or subspecies determined by the board to
21 be endangered under AS 16.20.190, the board may not amend or repeal regulations
22 authorizing consumptive uses of a game species, including regulations relating to
23 methods, means, and seasons of harvest, bag limits, access, and similar matters, based
24 on the level of abundance of a population of a mammal, bird, reptile, insect, or other
25 animal species for which the board has not adopted general regulations authorizing the
26 taking of that species for human consumptive uses.

27 (l) The Board of Game shall adopt by regulation all plans, programs,
28 strategies, guidelines, and similar documents that establish a policy for the
29 management of game and non-game in the state. The department shall submit each
30 plan, program, strategy, guideline, or similar document prepared by the department
31 that establishes a policy for the management of game and non-game for the approval

1 by the board before the policy is implemented by the department.

2 (m) The Board of Game may adopt regulations for the management of non-
3 game by the department that the board considers necessary for the conservation,
4 development, and utilization of non-game in the state.

5 * Sec. 19. AS 16.05.258 is amended by adding a new subsection to read:

6 (g) A person who engages in subsistence fishing or subsistence hunting shall
7 possess a valid resident sport fishing license or a valid resident hunting license, as
8 appropriate, issued under AS 16.05.340, unless the person is exempt from the sport
9 fishing license or hunting license requirement, as appropriate, under AS 16.05.330 -
10 16.05.430.

11 * Sec. 20. AS 16.05.340(a)(2) is amended to read:

12 (2) Resident hunting license 50 [25]

13 * Sec. 21. AS 16.05.340(a)(3) is amended to read:

14 (3) Resident hunting and trapping license 79 [39]

15 * Sec. 22. AS 16.05.340(a)(4) is amended to read:

16 (4) Resident trapping license 30 [15]

17 * Sec. 23. AS 16.05.340(a)(5) is amended to read:

18 (5) Resident hunting and sport fishing license 64 [39]

19 * Sec. 24. AS 16.05.340(a)(6) is amended to read:

20 (6) Resident hunting, trapping, and sport fishing license 94 [53];

21 (A) however, the fee is \$5 for an applicant who

22 (i) is receiving or has received assistance during the
23 preceding six months under any state or federal welfare program to aid
24 the indigent; or

25 (ii) has an annual family gross income of less than
26 \$8,200 for the year preceding application;

27 (B) a person paying \$5 for a resident hunting, trapping, and
28 sport fishing license shall [MUST] provide proof of eligibility under this
29 paragraph when purchasing the license [REQUESTED BY THE
30 DEPARTMENT].

31 * Sec. 25. AS 16.05.340(a)(9) is amended to read:

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(9) Nonresident hunting license 150 [85]

* Sec. 26. AS 16.05.340(a)(11) is amended to read:

(11) Nonresident hunting and trapping license 300 [250]

* Sec. 27. AS 16.05.340(a)(15) is amended to read:

(15) Nonresident big game tags

A nonresident, including a nonresident alien, may not take a big game animal without previously purchasing a numbered, nontransferable, appropriate tag, issued under this paragraph. The tag must be affixed to the animal immediately upon capture and must remain affixed until the animal is prepared for storage, consumed, or exported. A tag issued but not used for an animal may be used to satisfy the tagging requirement for an animal of any other species for which the tag fee is of equal or less value.

(A) Bear, black, each 325 [225]

A nonresident is not required to have a nonresident black bear tag to take a black bear in a game management unit if the Board of Game has adopted an intensive management program under AS 16.05.255 for all or a portion of the game management unit.

(B) Bear, brown or grizzly, each 750 [500]

(C) Bison, each 1000 [450]

(D) Caribou, each 425 [325]

(E) Deer, each 200 [150]

(F) Elk, each 500 [300]

(G) Goat, each 750 [300]

(H) Moose, each 500 [400]

(I) Sheep, each 750 [425]

(J) Wolf, each 50 [30]

A nonresident is not required to have a nonresident wolf tag to take a wolf in a game management unit if the Board of Game has adopted an intensive management program under AS 16.05.255 for all or a portion of the game management unit.

(K) Wolverine, each 250 [175]

1 (L) Musk ox [OXEN], each 1,500 [1,100]

2 * Sec. 28. AS 16.05.340(a)(17) is amended to read:

3 (17) Waterfowl conservation tag 10 [5]

4 (A) A person may not engage in waterfowl hunting without
5 having the current year's waterfowl conservation tag in the person's actual
6 possession, unless that person

7 (i) qualifies for a \$5 license fee under (6) of this
8 subsection;

9 (ii) is a resident under the age of 16;

10 (iii) is 60 years of age or older and is a resident;

11 (iv) is a disabled veteran eligible for a free license under
12 AS 16.05.341.

13 (B) The Board of Game shall by regulation exempt the
14 requirement of a waterfowl conservation tag for waterfowl hunting in area of
15 the state not likely to benefit from programs described in AS 16.05.130(b)(2) -
16 (4).

17 * Sec. 29. AS 16.05.340(a)(19) is amended to read:

18 (19) Nonresident small game hunting license 50 [20]

19 * Sec. 30. AS 16.05.340(a)(20) is amended to read:

20 (20) Nonresident alien hunting license 450 [300]

21 A nonresident alien may not take a big game animal without previously purchasing a
22 numbered, nontransferable, appropriate nonresident big game tag, issued under (15) [(21)] of
23 this subsection. [THE TAG MUST BE AFFIXED TO THE ANIMAL IMMEDIATELY
24 UPON CAPTURE AND MUST REMAIN AFFIXED UNTIL THE ANIMAL IS
25 PREPARED FOR STORAGE, CONSUMED, OR EXPORTED. A TAG ISSUED BUT NOT
26 USED FOR AN ANIMAL MAY BE USED TO SATISFY THE TAGGING
27 REQUIREMENT FOR AN ANIMAL OF ANY OTHER SPECIES FOR WHICH THE TAG
28 FEE IS OF EQUAL OR LESS VALUE.]

29 * Sec. 31. AS 16.05.340(a) is amended by adding a new paragraph to read:

30 (27) Resident small game hunting license 25.

31 * Sec. 32. AS 16.05.340(d) is amended to read:

1 (d) Members of the military service on active duty who are permanently
2 stationed in the state, and their dependents, who do not qualify as residents under
3 AS 16.05.415, may obtain special nonresident military small game and sport fishing
4 licenses at the rates for resident small game hunting and sport fishing licenses, but
5 may not take a big game animal without previously purchasing a regular nonresident
6 hunting license and a numbered, nontransferable appropriate tag, issued at one-half of
7 the nonresident rate, under (a)(15) of this section.

8 * **Sec. 33.** AS 16.05.340 is amended by adding new subsections to read:

9 (j) By regulation, the commissioner may authorize a reduction, not to exceed
10 five percent, in the fee for a license, permit, stamp, or tag issued under AS 16.05.330 -
11 16.05.430 that is purchased through the department's Internet web site.

12 (k) In addition to the fee for a hunting, trapping, or sport fishing license set
13 under (a) of this section, the department shall collect an access surcharge on each
14 individual or combined hunting, trapping, or sport fishing license sold. The amount of
15 the surcharge is \$1 for each individual or combined resident hunting, trapping, or sport
16 fishing license sold and \$5 for each individual or combined nonresident hunting,
17 trapping, or sport fishing license sold. The proceeds of the surcharge must be
18 separately accounted and are intended to be appropriated for the acquisition of
19 easements, rights-of-way, and land to provide access to fish and game for holders of
20 hunting, trapping, and sport fishing licenses.

21 * **Sec. 34.** AS 16.05.346(a) is amended to read:

22 (a) If the Board of Game establishes an open season for musk oxen and has
23 not reduced or eliminated the \$500 resident tag fee under AS 16.05.340(a)(16), the
24 department shall conduct a drawing for permits to take the musk oxen. If the Board of
25 Game establishes an open season for musk oxen for which the Board of Game has
26 reduced or eliminated the resident tag fee, the department shall issue permits to take
27 the musk oxen in the order in which applications are received by the department. A
28 person is not eligible for more than one musk oxen permit a year. The department
29 may not charge a fee for an application for a musk oxen permit for an open season in
30 which the Board of Game has reduced or eliminated the resident tag fee under
31 AS 16.05.340(a)(16). In all other cases the application fee for a musk oxen permit is

1 \$7.50 [\$10].

2 * **Sec. 35.** AS 16.05.346(b) is amended to read:

3 (b) The application fee for a drawing permit issued by the department for the
4 hunting of bison is \$7.50 [\$10].

5 * **Sec. 36.** AS 16.05.346(c) is amended to read:

6 (c) Except as provided in (a) and (b) of this section, the permit application fee
7 for all species for which a limited drawing is conducted is \$7.50 [\$5].

8 * **Sec. 37.** AS 16.05.346 is amended by adding new subsections to read:

9 (e) The application fee for a hunting permit issued by the department under
10 AS 16.05.258(b)(4), known as a tier II hunting permit, is \$7.50. A person is exempt
11 from the payment of the application fee for a tier II hunting permit if the person is

- 12 (1) blind;
- 13 (2) under the age of 16;
- 14 (3) 60 years of age or older; or
- 15 (4) a disabled veteran eligible for a free license under AS 16.05.341.

16 (f) The application fee for an annual registration hunt stamp is \$7.50. A
17 person shall obtain an annual registration hunt stamp before participating in a hunt for
18 which a registration stamp is required by regulation of the Board of Game. A person
19 is exempt from the payment of the annual registration hunt stamp application fee if the
20 person is

- 21 (1) blind;
- 22 (2) under the age of 16;
- 23 (3) 60 years of age or older; or
- 24 (4) a disabled veteran eligible for a free license under AS 16.05.341.

25 * **Sec. 38.** AS 16.05 is amended by adding a new section to read:

26 **Sec. 16.05.348. Deferral of issuance of hunting permits to take brown or**
27 **grizzly bear or wolf.** The Board of Game may establish a hunting permit deferral
28 program in areas adjacent to or near state game sanctuaries established under
29 AS 16.20 and federal national parks. If, upon review of current biological information
30 and historical harvest records for a brown or grizzly bear population or wolf
31 population in an area, the board has authorized the issuance of a fixed number of

1 hunting permits to take brown or grizzly bear or wolf in the area, the board may
2 establish a hunting permit deferral program for that species in that area. The board
3 shall give special consideration to the establishment of permit deferral programs in
4 areas where the management of a brown or grizzly bear population or wolf population
5 is affected by the habituation of brown or grizzly bears and wolves to the presence of
6 humans at popular wildlife viewing locations. Upon the establishment of a hunting
7 permit deferral program for an area, the commissioner may defer the issuance of
8 brown or grizzly bear hunting permits for up to 50 percent of the allowable harvest of
9 brown or grizzly bear for the area for a calendar year or wolf hunting permits for up to
10 50 percent of the allowable harvest of wolf for the area for a calendar year when the
11 appropriate permit deferral fee is received. Notwithstanding AS 16.05.080, the Board
12 of Game shall set the amount of the hunting permit deferral fee at an amount that
13 reasonably reflects the amount of the fee for the brown or grizzly bear hunting permit
14 or wolf hunting permit that would not be issued and the value to the state economy
15 attributable to the expenses incurred by a person to take the brown or grizzly bear or
16 wolf for which the hunting permit would otherwise be issued. The permit deferral fee
17 may be paid by an individual, a group of individuals, or any legal entity. The
18 commissioner shall deposit the proceeds from the permit deferral fee in the fish and
19 game fund.

20 * **Sec. 39.** AS 16.05.350(a) is amended to read:

21 (a) Licenses, permits, stamps, and tags required under AS 16.05.330 -
22 16.05.430, except biennial licenses, triennial licenses, the nonresident sport fishing
23 licenses, the resident trapping license, the nonresident anadromous king salmon tags,
24 the waterfowl conservation tag, and permits having a different specified expiration
25 date, expire at the close of December 31 following issuance.

26 * **Sec. 40.** AS 16.05.360(a) is amended to read:

27 (a) The commissioner or the commissioner's designee [AN AUTHORIZED
28 DEPUTY] shall issue each license, [AND] tag, permit, stamp, certificate, or other
29 document issued by the department that is required by law as a prerequisite to
30 engaging in an activity authorized by the Board of Fisheries or Board of Game to
31 a qualified person under written application containing such reasonable information as

1 required by the commissioner. The commissioner shall designate the [LICENSE
2 AND TAG] form or type of the document. The document [FORM OR TYPE] must
3 be sufficient to identify and locate the applicant and establish the applicant's status as
4 to residency and citizenship. Each application shall be subscribed by the applicant.

5 * Sec. 41. AS 16.05.380 is amended to read:

6 **Sec. 16.05.380. Commissioner may appoint agents.** The commissioner may
7 appoint state employees or other persons to take applications, issue licenses, permits,
8 stamps, and tags, and collect fees. The commissioner is not liable for defalcation or
9 failure to account for the fees collected by any person so appointed, but the
10 commissioner shall require a bond in an adequate sum, conditioned upon faithfully
11 accounting for all money collected. However, the commissioner may waive the bond
12 requirements of an instrumentality of the United States or its agents and employees
13 when the instrumentality or its agents or employees sell licenses, permits, or tags
14 primarily to persons in the armed forces. Each person, upon appointment by the
15 commissioner, may administer oaths on applications for licenses, permits, stamps, and
16 tags.

17 * Sec. 42. AS 16.05.390(a) is amended to read:

18 (a) Except as provided in (e) of this section, an agent appointed by the
19 commissioner under AS 16.05.380 to sell licenses, permits, stamps, and tags is
20 entitled to

21 (1) retain five percent of the fee that is charged for a license, permit,
22 stamp, or tag or 25 cents for each license, permit, stamp, or tag sold, whichever is
23 greater; and

24 (2) compensation of \$50 a [PER] year or \$1 for each license, permit,
25 stamp, or tag sold during the year, whichever is greater.

26 * Sec. 43. AS 16.05.390(b) is amended to read:

27 (b) Each agent appointed to sell licenses, permits, stamps, or tags under
28 AS 16.05.380 shall, as directed by the commissioner, transmit the proceeds from the
29 sales of licenses, permits, stamps, and tags, except the amount authorized to be
30 retained under (a)(1) of this section, together with a report of the sales, to the
31 commissioner for deposit in the fish and game fund or the general fund.

1 * **Sec. 44.** AS 16.05.390(c) is amended to read:

2 (c) On March 31, June 30, September 30, and December 31 of each year, the
3 commissioner shall calculate the compensation earned by an agent under (a)(2) of this
4 section, minus the penalties assessed under (g) of this section. If the compensation
5 due exceeds \$50, the commissioner shall pay the compensation not later than 30 days
6 after the date for which the compensation was calculated. If the compensation due is
7 \$50 or less, the commissioner shall pay the compensation not later than January 30 of
8 the year following the year in which the compensation was earned. The commissioner
9 shall pay compensation only for sales of licenses, permits, stamps, or tags for which
10 the commissioner has received the report and proceeds required to be transmitted
11 under (b) of this section.

12 * **Sec. 45.** AS 16.05.390(e) is amended to read:

13 (e) The provisions of (a) of this section do not apply to a state employee
14 appointed by the commissioner under AS 16.05.380 to sell licenses, permits, stamps,
15 and tags.

16 * **Sec. 46.** AS 16.05.390(f) is amended to read:

17 (f) Proceeds and reports under (b) of this section shall be transmitted to the
18 commissioner by the last day of the month following the month in which the licenses,
19 permits, stamps, and tags are sold, unless an alternative reporting schedule has been
20 established by contract.

21 * **Sec. 47.** AS 16.05.405 is amended by adding new subsections to read:

22 (g) Notwithstanding (a) - (f) of this section and AS 16.05.420(c), a resident
23 who has a valid hunting license to take big game or who is exempt from the hunting
24 license requirement under AS 16.05.400 may take a big game animal on behalf of
25 another resident who has a permit, tag, or other written authorization issued by the
26 department under AS 16.05.346 or under regulations of the department or Board of
27 Game to take the animal, if the resident is physically present in the field with the other
28 resident who has the permit, tag, or other written authorization to take the animal and
29 the other resident has provided written authorization for the resident to take the
30 animal.

31 (h) Notwithstanding (a) - (f) of this section and AS 16.05.420(c), a resident

1 may affix a permit, tag, or other written authorization issued by the department under
2 AS 16.05.346 or under regulations of the department or Board of Game that is
3 required to be affixed to a big game animal when the animal has been taken to a big
4 game animal taken by another resident if the resident is physically present in the field
5 with the other resident and has the permission of the other resident who took the big
6 game animal.

7 * Sec. 48. AS 16.05.407(a) is amended to read:

8 (a) Except as provided under AS 16.05.781, it [IT] is unlawful for a
9 nonresident to hunt, pursue, or take brown bear, grizzly bear, mountain goat, or sheep
10 in this state, unless personally accompanied by

11 (1) a person who is licensed as

12 (A) a registered guide or a master guide under AS 08.54 and
13 who is providing big game hunting services to the nonresident under a contract
14 with the nonresident; or

15 (B) a class-A assistant guide or an assistant guide under
16 AS 08.54 and who is employed by a registered guide or a master guide who
17 has a contract to provide big game hunting services to the nonresident; or

18 (2) a resident over 19 years of age who is

19 (A) the spouse of the nonresident; or

20 (B) related to the nonresident, within and including the second
21 degree of kindred, by marriage or blood.

22 * Sec. 49. AS 16.05.408(a) is amended to read:

23 (a) Except as provided under AS 16.05.781, it [IT] is a class A misdemeanor
24 for a nonresident alien to hunt, pursue, or take a big game animal as defined by the
25 Board of Game unless personally accompanied by

26 (1) a registered guide or a master guide licensed under AS 08.54 who
27 is providing big game hunting services to the nonresident alien under a contract with
28 the nonresident alien; or

29 (2) a class-A assistant guide or an assistant guide licensed under
30 AS 08.54 who is employed by a registered guide or a master guide who has a contract
31 to provide big game hunting services to the nonresident alien.

1 * **Sec. 50.** AS 16.05.420 is amended to read:

2 **Sec. 16.05.420. License, tag, permit, stamp, and registration violations.**

3 (a) A false statement of a material fact in an application for a license, tag, permit,
4 stamp, and sport fishing vessel registration issued under AS 16.05.330 - 16.05.430
5 voids the license, tag, permit, stamp, or registration for which the application is made.

6 (b) A person may not make a false statement, or omit a material fact, in an
7 application for a license, tag, permit, stamp, or sport fishing vessel registration issued
8 under AS 16.05.330 - 16.05.430. A person who with or without any culpable mental
9 state makes a false statement as to the person's identity or residency in an application
10 for a license, tag, permit, stamp, or sport fishing vessel registration issued under
11 AS 16.05.330 - 16.05.430 is guilty of a violation and upon conviction is punishable by
12 a fine of not more than \$300. [A PERSON WHO KNOWINGLY VIOLATES THIS
13 SUBSECTION IS GUILTY OF A CLASS A MISDEMEANOR.]

14 (c) A person to whom a license, permit, tag, stamp, or sport fishing vessel
15 registration has been issued under this chapter may not alter, change, loan, or transfer
16 the license, permit, tag, stamp, or sport fishing vessel registration. A person may not
17 use a license, permit, tag, stamp, or sport fishing vessel registration that has been
18 issued under this chapter to another person.

19 * **Sec. 51.** AS 16.05 is amended by adding a new section to read:

20 **Sec. 16.05.781. Taking of black bear and brown or grizzly bear.** (a) If,
21 under AS 16.05.255(c) or (f), the Board of Game has identified predation by bear as a
22 cause of the depletion of a big game prey population or reduction of the productivity
23 of a big game population that is a basis for the establishment of an intensive
24 management program in a game management unit or subunit or for the declaration of
25 the biological emergency in a game management unit or subunit, bear may be taken in
26 the game management unit or subunit under (b) - (h) of this section. The department
27 shall provide notice to the public of when and where (b) - (h) of this section are in
28 effect. The taking of bear under this section is subject to provisions of this title,
29 applicable to the taking of bear, and to regulations governing the method, manner,
30 means, bag limit, or other matters adopted by the Board of Game that do not conflict
31 with (b) - (h) of this section.

1 (b) Subject to (a) of this section, a person may take bear with the use of bait
2 without registration and may relocate viscera and nonedible parts of legally taken
3 game or commercially purchased material for use as bait for bear.

4 (c) Subject to (a) of this section, a person who is airborne may assist another
5 person who is not airborne to locate a bear.

6 (d) Subject to (a) of this section, a person may use an electronic predator call
7 device and other electronic equipment as an aid to take bear.

8 (e) Subject to (a) of this section, a person may take bear on the same day that
9 the person has been airborne.

10 (f) Subject to (a) of this section and notwithstanding AS 16.05.782, a person
11 may take a bear within one-half mile of a solid waste disposal facility.

12 (g) Subject to (a) of this section, there is no closed season on bear.

13 (h) Subject to (a) of this section and notwithstanding AS 16.05.407 and
14 AS 16.05.408, a nonresident or a nonresident alien who has successfully completed a
15 big game hunter safety course administered by the department under (i) of this section
16 may take a bear if the nonresident or nonresident alien is accompanied by a resident
17 who is over 19 years of age, who has hunted big game in the state during three or more
18 calendar years, who has successfully completed a big game hunter safety course
19 administered by the department under (i) of this section, and who does not receive any
20 remuneration for accompanying the nonresident or nonresident alien to take a bear. A
21 resident may not accompany more than two nonresidents, regardless of whether they
22 are aliens or not, during a calendar year to take a bear under this subsection.

23 (i) The department shall provide a big game hunter safety course for
24 nonresidents and nonresident aliens who intend to hunt for bear under (h) of this
25 section and for residents who intend to accompany a nonresident or nonresident alien
26 to take bear under (h) of this section. The big game hunter safety course must include
27 information on applicable hunting laws and on the hazards of dangerous animals,
28 rugged terrain, weather, and other conditions found in the state. The department shall
29 provide the course materials for the course at each of its offices and through the
30 department's Internet website. The department shall authorize agents to distribute
31 course materials. The department shall offer the test for completion of the hunter

1 safety course at each of its offices. The department may also administer the test for
2 completion of the hunter safety course by mail or through the Internet. The
3 department shall issue a big game hunter safety certificate to each person who
4 successfully completes the course. The department may charge a fee not to exceed
5 \$50 to take the test for completion of the hunter safety course.

6 (j) In this section, "bear" means black bear and brown or grizzly bear.

7 * Sec. 52. AS 16.05.930 is amended by adding a new subsection to read:

8 (h) This chapter does not prohibit the purchase, sale, resale, barter, or other
9 transfer for value of a mount, trophy, or part of a lawfully taken fish or game animal.
10 The commissioner, Board of Fisheries, and Board of Game may not prohibit the
11 purchase, sale, resale, barter, or other transfer for value, or the advertising for the
12 purchase, sale, resale, barter, or other transfer for value, of a mount, trophy, or part of
13 a lawfully taken fish or game animal.

14 * Sec. 53. AS 16.05.935 is amended to read:

15 **Sec. 16.05.935. Restrictions on cooperation with federal government.** (a)

16 In recognition of the fact that the state has not assented to federal control of fish and
17 wildlife [GAME] in Glacier Bay National Park and Preserve or the navigable waters
18 within or adjoining the park and preserve, that the power to control the management of
19 fish and wildlife [GAME] within the boundaries of the state is an incident of state
20 sovereignty, and that the federal government cannot commandeer the lawmaking
21 processes of the states to compel the state to enact and enforce a federal regulatory
22 program, an agency, employee, or agent of the state may not expend funds to adopt or
23 enforce the implementation of any [THE] federal regulatory program or a part of the
24 program for control of fish and wildlife [GAME] in the park and preserve or the
25 navigable waters within or adjoining the park and preserve that is in conflict with a
26 state statute or regulation regarding management of fish or wildlife [GAME] within
27 the park or preserve. This subsection does not prohibit an agency, employee, or agent
28 of the state from

- 29 (1) taking action necessary to protect life or property;
30 (2) commenting on proposed federal statutes or regulations;
31 (3) collecting data relating to claims of economic harm arising from

1 the closure of the park and preserve to commercial fishing; or

2 (4) participating in or cooperating with a federal program established
3 under 16 U.S.C. 703 - 712 (Migratory Bird Treaty Act); 16 U.S.C. 773 - 773k
4 (Northern Pacific Halibut Act of 1982); 16 U.S.C. 1361 - 1421h (Marine Mammal
5 Protection Act); 16 U.S.C. 1531 - 1544 (Endangered Species Act); 16 U.S.C. 1801 -
6 1883 (Magnuson-Stevens Fishery Conservation and Management Act); 16 U.S.C.
7 3631 - 3644 (Pacific Salmon Treaty Act of 1985).

8 (b) Nothing in this title authorizes the department or a board to enter into an
9 agreement with a department or agency of the federal government that cedes state
10 authority for the management of fish or wildlife [GAME] in the state to the federal
11 government. In this subsection, "management" means the regulation of the method,
12 manner, means, time, or place of taking of fish or wildlife [GAME] or the regulation
13 of the amount of fish or wildlife [GAME] that may be taken.

14 * Sec. 54. AS 16.05.940(12) is amended to read:

15 (12) "fish" means any species of aquatic finfish, invertebrate, or
16 amphibian, in any stage of its life cycle, found in or introduced into the state, for
17 which the Board of Fisheries has adopted regulations authorizing consumptive
18 use or that the Board of Fisheries has authorized the department to manage;
19 "fish" [, AND] includes any part of such aquatic finfish, invertebrate, or amphibian;

20 * Sec. 55. AS 16.05.940(19) is amended to read:

21 (19) "game" means any species of bird, reptile, or [AND] mammal,
22 including a feral domestic animal, found or introduced in the state, except domestic
23 birds and mammals, for which the Board of Game has adopted regulations
24 authorizing consumptive use or that the Board of Game has authorized the
25 department to manage [; AND GAME MAY BE CLASSIFIED BY REGULATION
26 AS BIG GAME, SMALL GAME, FUR BEARERS OR OTHER CATEGORIES
27 CONSIDERED ESSENTIAL FOR CARRYING OUT THE INTENTION AND
28 PURPOSES OF AS 16.05 - AS 16.40];

29 * Sec. 56. AS 16.05.940(34) is amended to read:

30 (34) "take" means [TAKING, PURSUING,] hunting, fishing, trapping,
31 or in any manner [DISTURBING,] capturing [,] or killing or attempting to take,

1 [PURSUE,] hunt, fish, trap, or in any manner capture or kill fish or game;

2 * Sec. 57. AS 16.05.940 is amended by adding new paragraphs to read:

3 (38) "non-game" means any species of bird, reptile, or mammal that
4 the Board of Game has authorized the department to manage but for which the Board
5 of Game has not adopted regulations authorizing consumptive use;

6 (39) "wildlife" means game, non-game, and any other species of bird,
7 reptile, or mammal, including a feral domestic animal, found or introduced in the state,
8 except domestic birds and mammals.

9 * Sec. 58. AS 16.20.180 is amended to read:

10 **Sec. 16.20.180. Declaration of purpose.** The legislature recognizes that [,
11 DUE TO GROWTH AND DEVELOPMENT,] certain [SPECIES OR SUBSPECIES
12 OF] fish and game and non-game animals [WILDLIFE] are now and may in the
13 future be in danger of [THREATENED WITH] extinction. The purpose of
14 AS 16.20.180 - 16.20.210 is to establish a program for their continued conservation,
15 protection, restoration, and propagation.

16 * Sec. 59. AS 16.20.185 is amended to read:

17 **Sec. 16.20.185. Protection of habitat.** On land under their respective
18 jurisdictions, the commissioner of fish and game and the commissioner of natural
19 resources shall take measures to preserve the natural habitat of species or subspecies
20 of fish and game and non-game [WILDLIFE] that are determined to be endangered
21 under AS 16.20.190 [RECOGNIZED AS THREATENED WITH EXTINCTION].

22 * Sec. 60. AS 16.20.190 is amended to read:

23 **Sec. 16.20.190. Determining endangered species.** (a) A species or
24 subspecies of fish, game, or non-game [WILDLIFE] is considered endangered when
25 the Board of Fisheries or the Board of Game, as appropriate, [COMMISSIONER
26 OF FISH AND GAME] determines that its numbers have decreased to such an extent
27 as to indicate that the species or subspecies is in danger of extinction [ITS
28 CONTINUED EXISTENCE IS THREATENED]. In making this determination the
29 board [COMMISSIONER OF FISH AND GAME] shall consider

30 (1) the destruction, drastic modification, or severe curtailment of its
31 habitat;

- 1 (2) its overutilization for commercial or sporting purposes;
2 (3) the effect on it of disease or predation;
3 (4) other natural or man-made factors affecting its continued existence.

4 (b) After making a determination under (a) of this section, the board
5 [COMMISSIONER OF FISH AND GAME] shall, in accordance with AS 44.62
6 (Administrative Procedure Act), publish a list of the species or subspecies of fish and
7 wildlife that are endangered. The board [COMMISSIONER] shall, at least once
8 every two years thereafter, conduct a thorough review of the list to determine what
9 changes have occurred concerning the species or subspecies listed. Consideration of
10 existing species or subspecies of fish and wildlife for listing under this section shall be
11 made on a continuing basis. The review of listed species or subspecies conducted
12 under this section shall be submitted in writing to the governor and the legislature and
13 shall be made available to the public.

14 (c) In making the determination and review under (a) and (b) of this section,
15 the board [COMMISSIONER OF FISH AND GAME] shall seek the advice and
16 recommendation of interested persons and organizations [, INCLUDING BUT NOT
17 LIMITED TO ORNITHOLOGISTS, ICHTHYOLOGISTS, ECOLOGISTS, AND
18 ZOOLOGISTS].

19 * **Sec. 61.** AS 16.05.050(a)(1) is repealed.

20 * **Sec. 62.** AS 16.05.340(a)(21) is repealed.

21 * **Sec. 63.** The uncodified law of the State of Alaska is amended by adding a new section to
22 read:

23 TRANSITION: BIG GAME HUNTER SAFETY COURSE. (a) Notwithstanding
24 AS 16.05.781(h), added by sec. 51 of this Act, a nonresident or a nonresident alien who is
25 accompanied by a resident in accordance with AS 16.05.781(h), added by sec. 51 of this Act,
26 may take a bear without having successfully completed a big game hunter safety course
27 administered by the Department of Fish and Game under AS 16.05.781(i), added by sec. 51 of
28 this Act, until 30 days after the course materials for the big game hunter safety course have
29 been published and distributed to each of the offices of the department and through the
30 department's Internet website.

31 (b) Notwithstanding AS 16.05.781(h), added by sec. 51 of this Act, a resident who is

1 over 19 years of age and who has hunted big game in the state during three or more calendar
2 years, may accompany a nonresident or a nonresident alien to take a bear in accordance with
3 AS 16.05.781(h), added by sec. 51 of this Act, without having successfully completed a big
4 game hunter safety course administered by the Department of Fish and Game under
5 AS 16.05.781(i), added by sec. 51 of this Act, until 30 days after the course materials for the
6 big game hunter safety course have been published and distributed to each of the offices of
7 the department and through the department's Internet website.

8 * Sec. 64. Sections 1, 20 - 37, 39 - 46, 50, and 62 of this Act take effect January 1, 2006.

9 * Sec. 65. Except as provided in sec. 64 of this Act, this Act takes effect July 1, 2005.

SB

1990

**SB 190
&
HB 292**

Marine Park Islands

Aaron
Battleship
Benjamin
Bird
Coghlan
Cohen
Gull

Indian
Lincoln
Little
North
Portland
Ralston
Suedla



Marine Park Islands

SB190 / HB292

The recreational areas in the Juneau area are heavily used. The steep mountains and the water restrict available space for land recreation. As Juneau's population grows the demand for recreational areas will also grow. The logical place to expand availability to the public is through the marine park.

According to the State of Alaska, Division of Motor Vehicles, there are 4,800 boats in the Juneau Area.

According to the US Census Bureau:

In 1980 the Juneau population was 19,528.

In 1990 the Juneau population was 26,751, an increase of 7,223 people.

In 2000 the Juneau population was 30,711, an increase of 3,960 people.

There will continue to be an increased demand for recreational areas in the Juneau area. By converting these state island lands into parklands, we can keep them open to the public and manage them for public use.

Most of these islands are currently popular with boaters. Shelter Island is usually listed in the Fish and Game weekly fish reports under 'hot spots' for kings, slivers and halibut. Shelter Island and Lincoln Island, are popular places for deer hunters. Both Shelter and Lincoln have nice beaches for landing a boat, camping and picnicking.

The North Pass between Shelter and Lincoln currently is a valuable commercial area for whale watching boats. Benjamin Island also has a high commercial value for tourism because of the sea lion haul-out area.

Kayakers use both Gull and Benjamin islands. They are popular places to kayak to and camp. Both are close to the road system and so offer even the novice an opportunity to visit the islands.

Just north of Benjamin Island is North Island. Benjamin is about half a mile from the main land off Glacier Highway and North Island is about one mile. Whales swim between the islands and the mainland. People who drive out the road will stop by the cliffs and watch for whales off the two islands.

Coghland Island has nice beaches for camping and picnicking. Suedla is near by it. Both are in sheltered waters that allow canoes, kayaks and small boats access to them.

Ralston Island is a small but beautiful island that is next to Lincoln Island. At low tide it becomes part of Lincoln. Just north of Ralston is Little Island, an island with just a few acres.

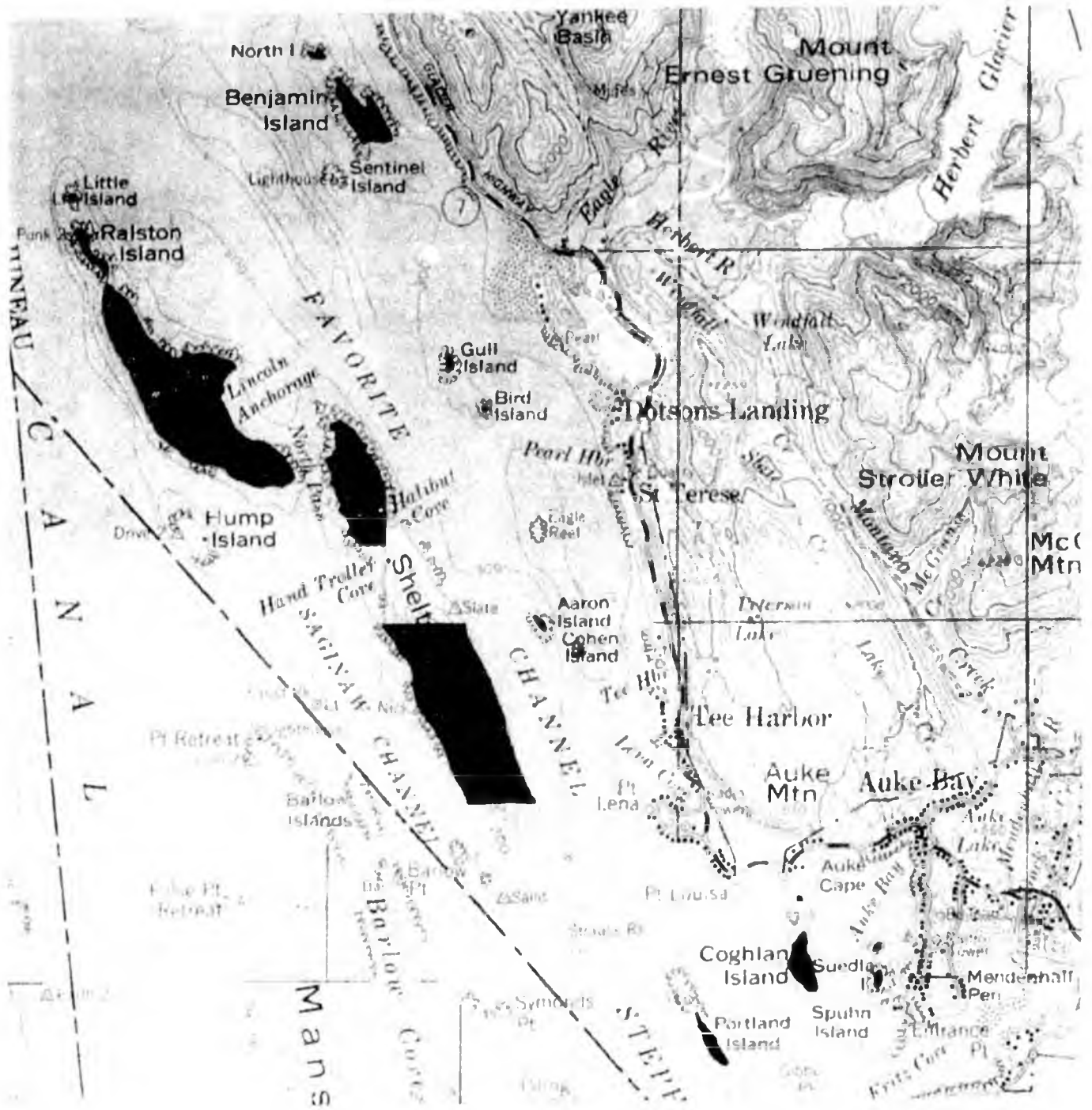
Portland has a campground and picnic site with tables and an outhouse. It has three beaches and a rustic trail.

These islands are precious jewels. By transferring them from the Division of Mining, Land & Water to the Division of Parks and Outdoor Recreation, they be will be kept open to the public for hunting, camping, picnicking and hiking. Please support the creating of this marine park.

Gary Miller, Juneau Area State Parks Advisory Board
907-789-3757 gmiller_juneauak@hotmail.com

Copied from
US Geological Survey map
Juneau, Alaska

Marine Park



SB

203



ALASKA STATE LEGISLATURE
SENATOR GRETCHEN GUESS

Sponsor Statement

Senate Bill 203:

"An Act relating to adoption and use of a unified permit application form by the natural resource agencies; and providing for online permit applications."

The intent of this legislation is to create a functional statewide one-stop, online permitting system to ensure efficient user-friendly permitting.

A unified online application will simplify and streamline the permitting process for both state agencies and applicants, saving everyone involved valuable time and energy. This revision of Alaska's permitting processes is a significant task and should be completed in two phases.

Phase 1: Development of a single, complete, and reviewable unified application

The three primary state permitting agencies, Department of Natural Resources (DNR), Department of Environmental Conservation (DEC), and Department of Fish and Game (DF&G) will cooperate to develop a "unified permit application" suitable for use in applying for all of their permits. The application will be available online from all three Departments, and will also be made available in paper form. All three Departments will accept copies of this application for any permit(s) they administer. Phase one will be complete by July 1, 2007.

Phase 2: Development of an online system for submission and review of applications

DNR, DEC, and DF&G will cooperate to develop a website for submission of the unified application and all application information. The website will be accessible from any of the three Department's websites and will provide the following services.

- The unified application.
- A system to provide a username and password so applicants can check the status of their application and update project or applicant information.
- A system to provide the following: (1) immediate notification to each Department when a new application is filed online and when an applicant updates project or applicant information; (2) easy department access to update the application fields or format; and, (3) the ability for departments to download application information directly into their database systems.

To motivate use of the more efficient online process, departments will grant a 20 percent discount on all permit fees for applicants who use only the online application system. The departments will also continue to make the paper unified permit application available for those who choose to use it. Phase two will be completed by July 1, 2008.

Projects with *De Minimus* impact or those requiring only a standard condition of approval are exempt from this legislation. For example, the processes for getting a fishing license or renting a cabin will not change.

Thank you for your consideration.

SENATE RESOURCES PACKET

FEB. 13, 2006

SB 203 Packet – Sponsor Materials

- Cover Sheet _____ 1 page
- Sponsor Statement _____ 1 page
- SB 203 _____ 9 pages

- Total Pages _____ 11 pages

NOTE: the fiscal notes will be presented at the meeting.

ADOPTED 2-13-06 NO OBJECTION

24-LS0137\F.1
Bullock
2/10/06

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR GUESS

TO: SB 203

- 1 Page 1, line 4, through page 2, line 22:
- 2 Delete all material.
- 3
- 4 Page 2, line 23:
- 5 Delete "Sec. 5"
- 6 Insert "Section 1"
- 7
- 8 Renumber the following bill sections accordingly.
- 9
- 10 Page 9, following line 6:
- 11 Insert a new paragraph to read:
- 12 "(3) a limited entry permit under AS 16.43;"
- 13
- 14 Renumber the following paragraphs accordingly.

Alaska Department of Natural Resources Division of Geological & Geophysical Surveys



Mineral Resources Program

Robert Swenson
Acting Director & State Geologist
Division of Geological & Geophysical Surveys

*<http://www.dggs.dnr.state.ak.us>
<http://akgeology.info>*

February 7, 2006



Alaska Department of Natural Resources



Division of Geological & Geophysical Surveys

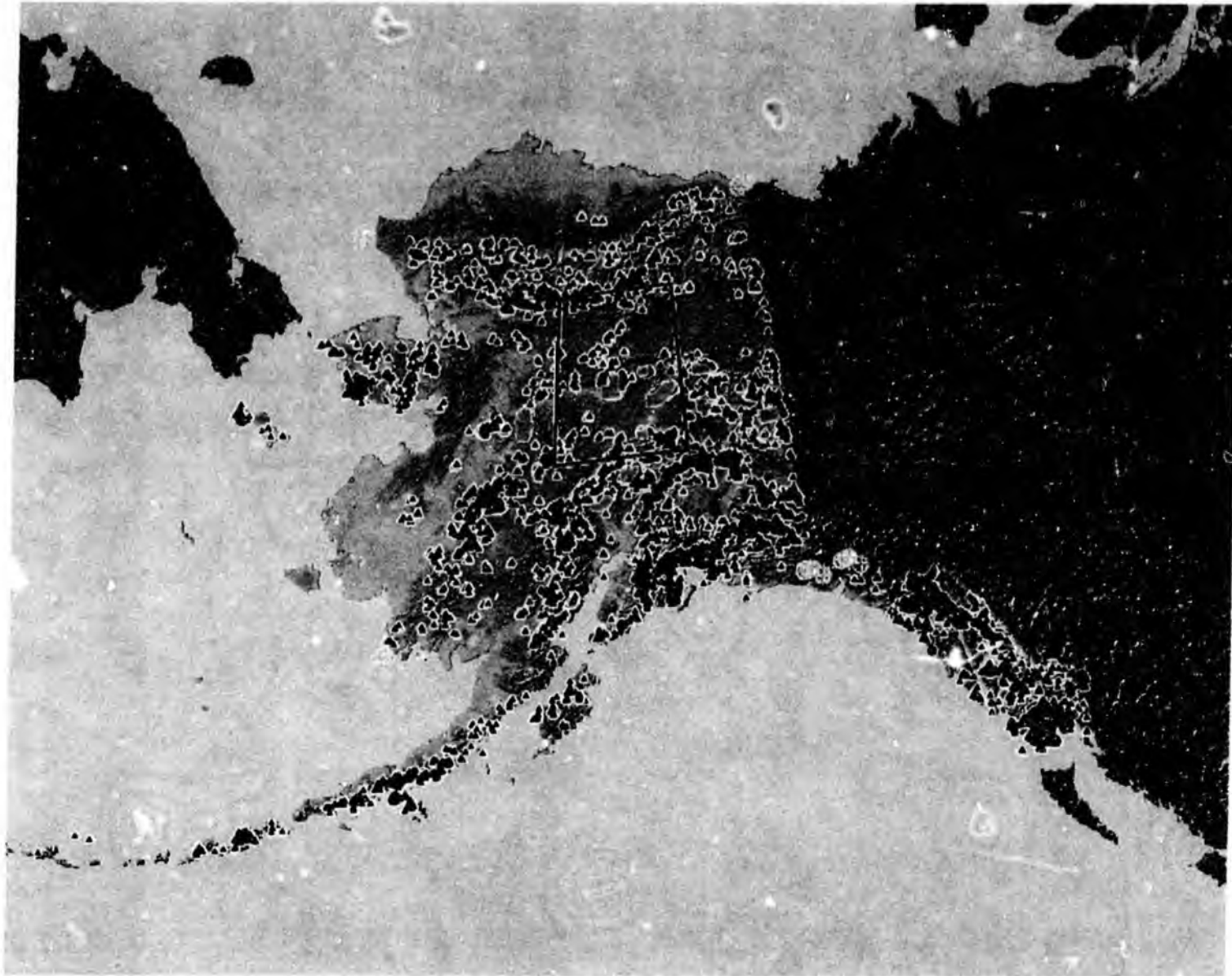
MISSION STATEMENT

Alaska Statutes 41.08.020

Conduct geological and geophysical surveys to determine the potential of Alaskan land for production of metals, minerals, fuels, and geothermal resources; the locations and supplies of groundwater and construction materials; and the potential geologic hazards to buildings, roads, bridges, and other installations and structures.



DGGS Mineral Resource Program Challenge



Mineral Resource Program

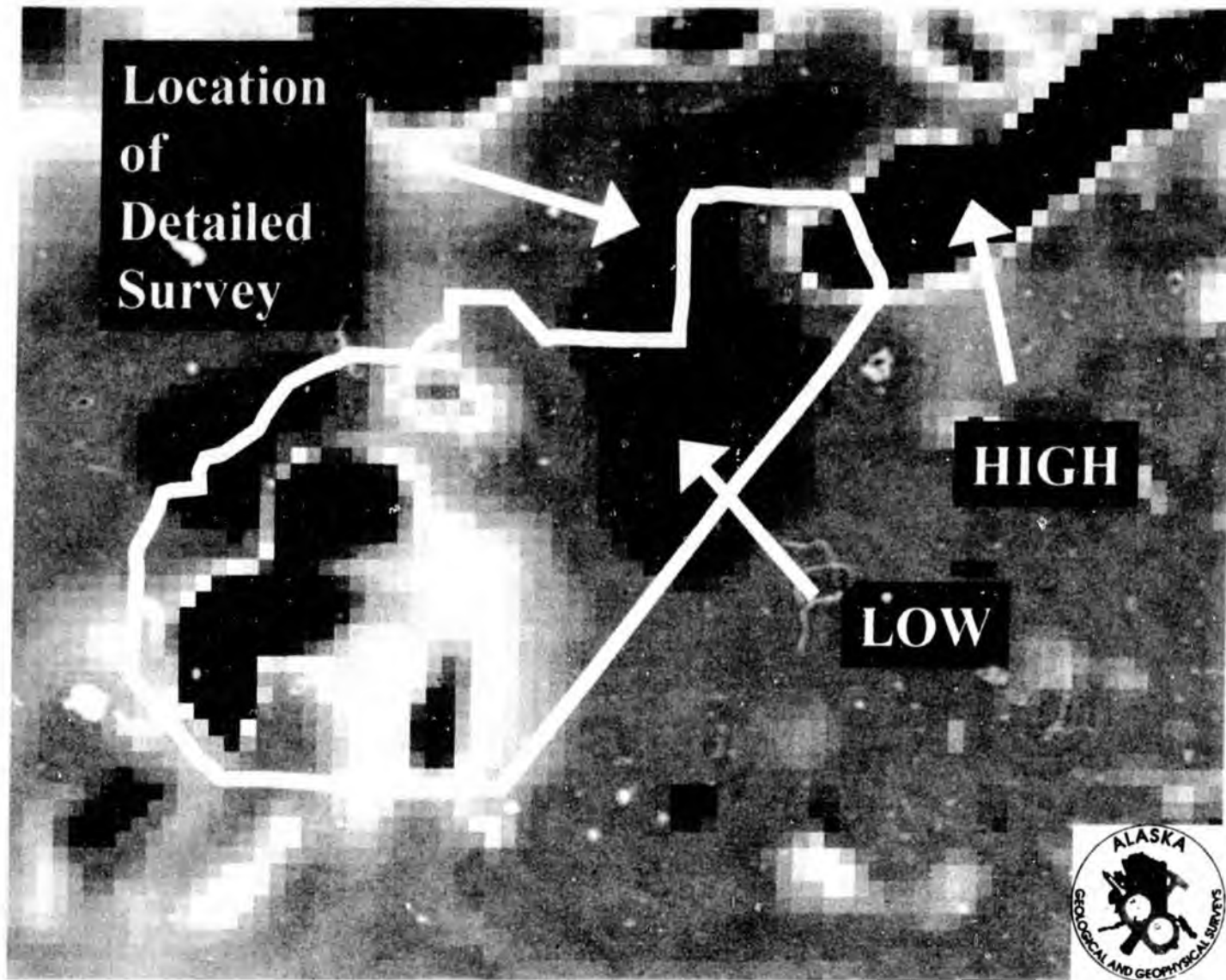
Statistics

- **\$1.7 mm Federal Matching Funds for Geologic Mapping since 1993**
- **6.1 mm acres (9,531 sq. mi) of high resolution geophysics state funded, 3.7 mm acres (5,781 sq. mi) BLM funded**
- **40 million acres (62,500 sq. mi) currently identified as high potential**
- **Geophysics cost about \$575/sq. mile (\$0.90/acre) currently**
- **Over 3 Million Acres (4,700 sq. mi) of 1:63,360 Detailed Geologic Mapping completed and published using High Resolution Geophysics**

Mineral Resource Program Benefit

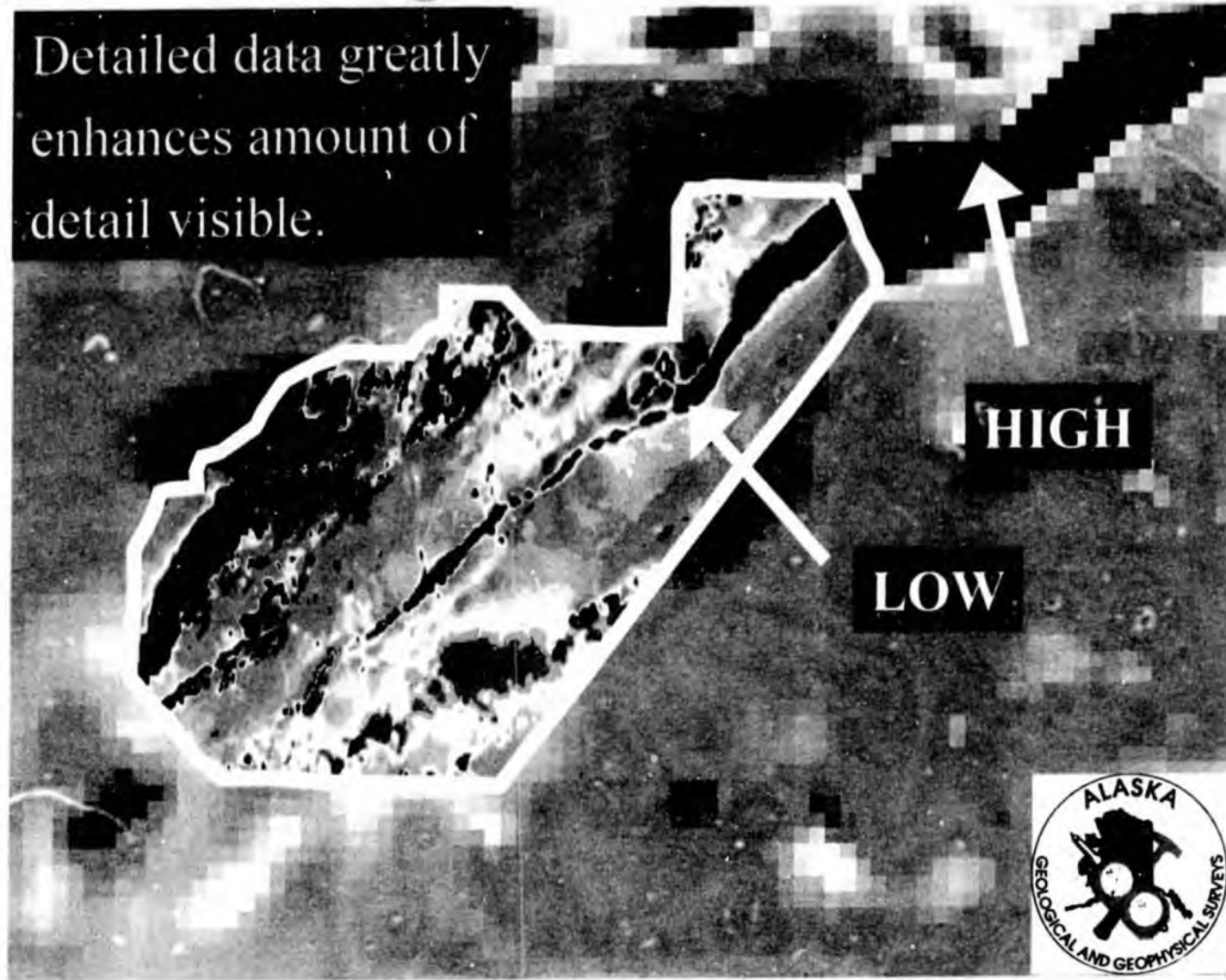
- **Better assessment of State's resource base**
- **Keeps high-resolution data in public realm**
- **Viable prioritization of land selections and transfers**
- **Stepping-off point for explorers**
- **Critical data for infrastructure and community planners and**

Regional Magnetics – Chulitna Area

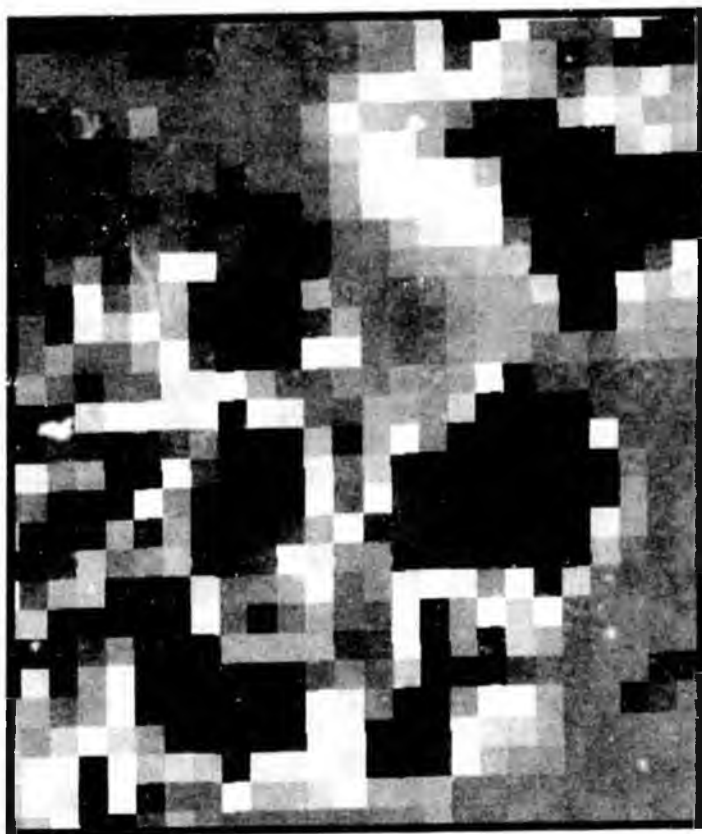


Detailed Magnetics – Chulitna Area

Detailed data greatly enhances amount of detail visible.

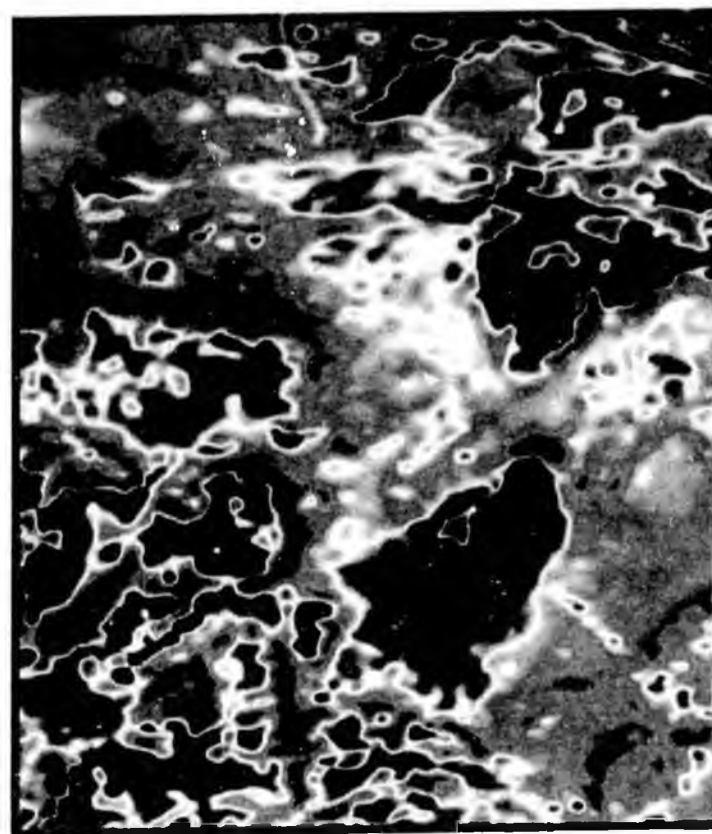


REGIONAL AEROMAGNETICS



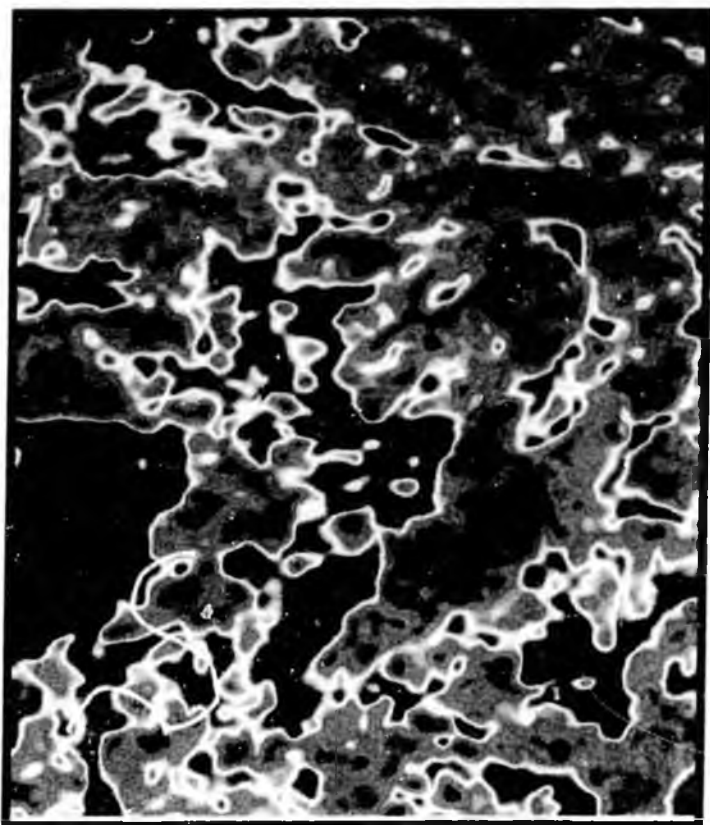
Eagle A-2 Quadrangle

DETAILED AEROMAGNETICS



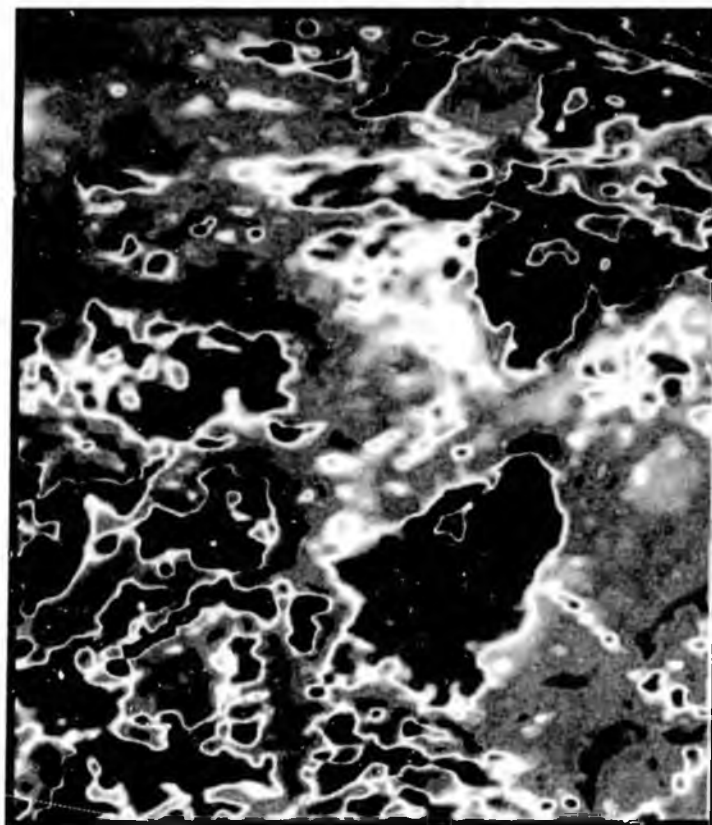

5 Miles

7200 HZ RESISTIVITY



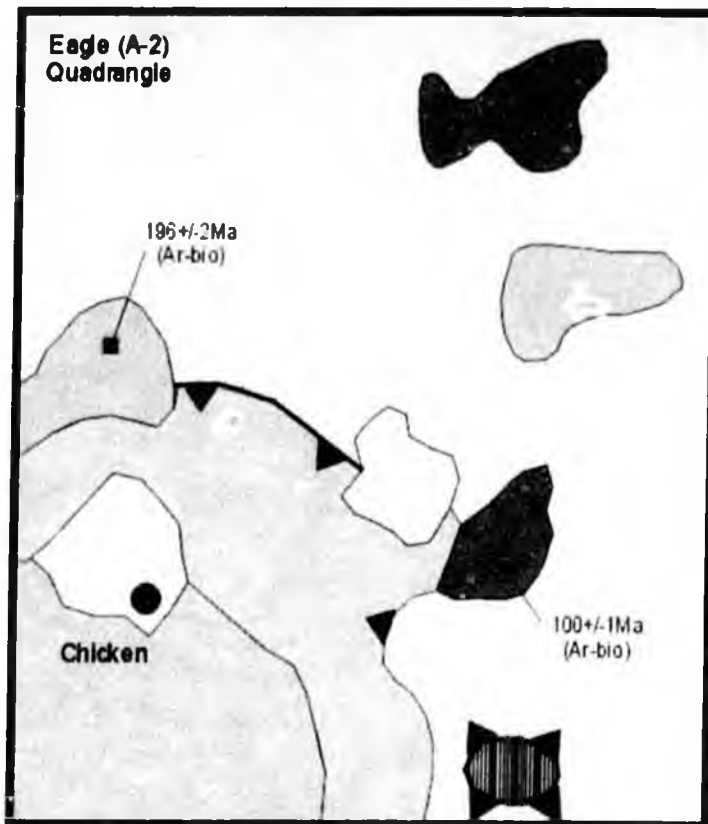
Eagle A-2 Quadrangle

DETAILED AEROMAGNETICS




5 Miles

GEOLOGY WITHOUT GEOPHYSICS



GEOLOGY WITH GEOPHYSICS

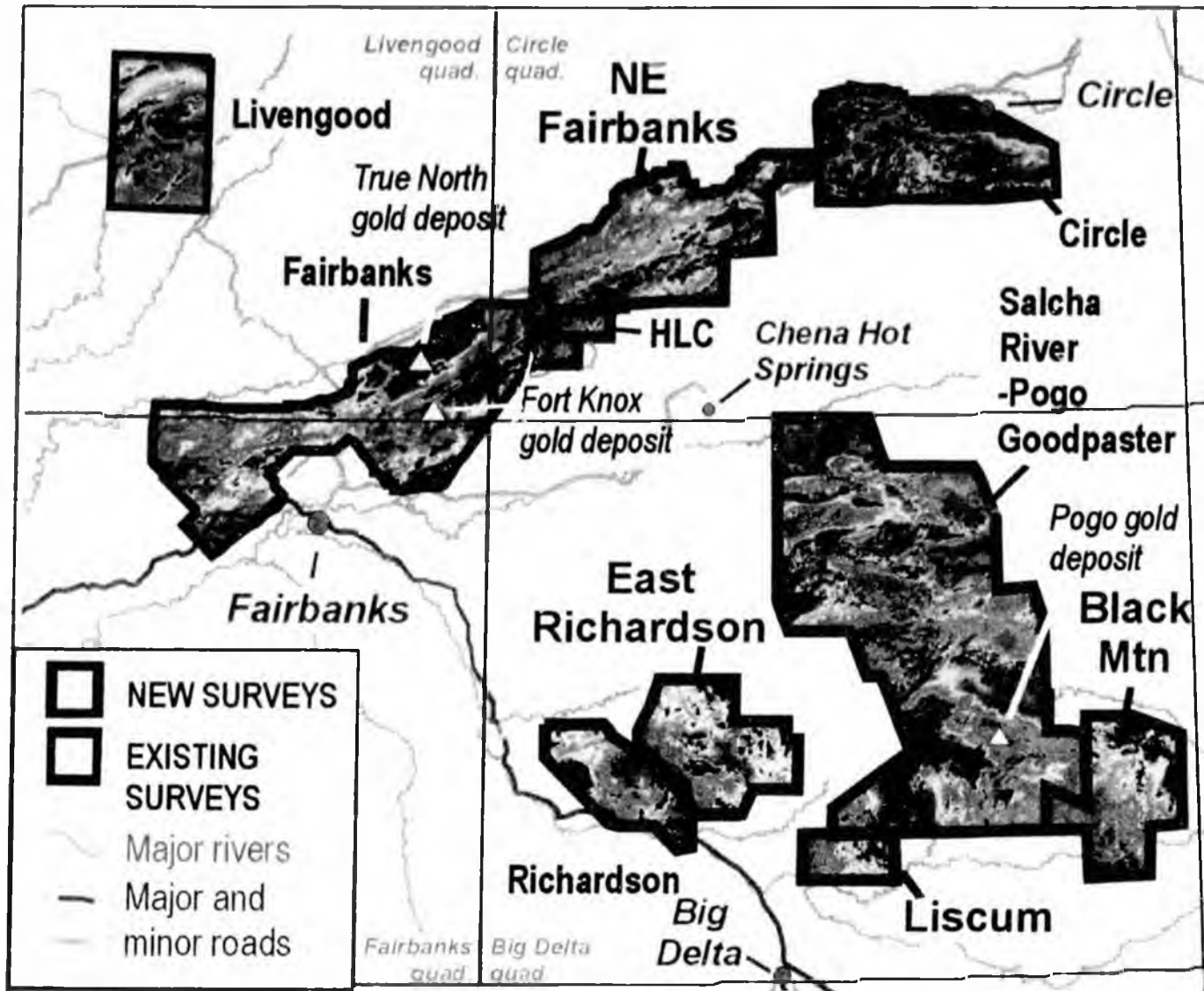


Eagle A-2 Quadrangle



Fort Knox Footprint ■ Pogo Footprint

Alaska Geophysical/Geological Mineral Inventory Program



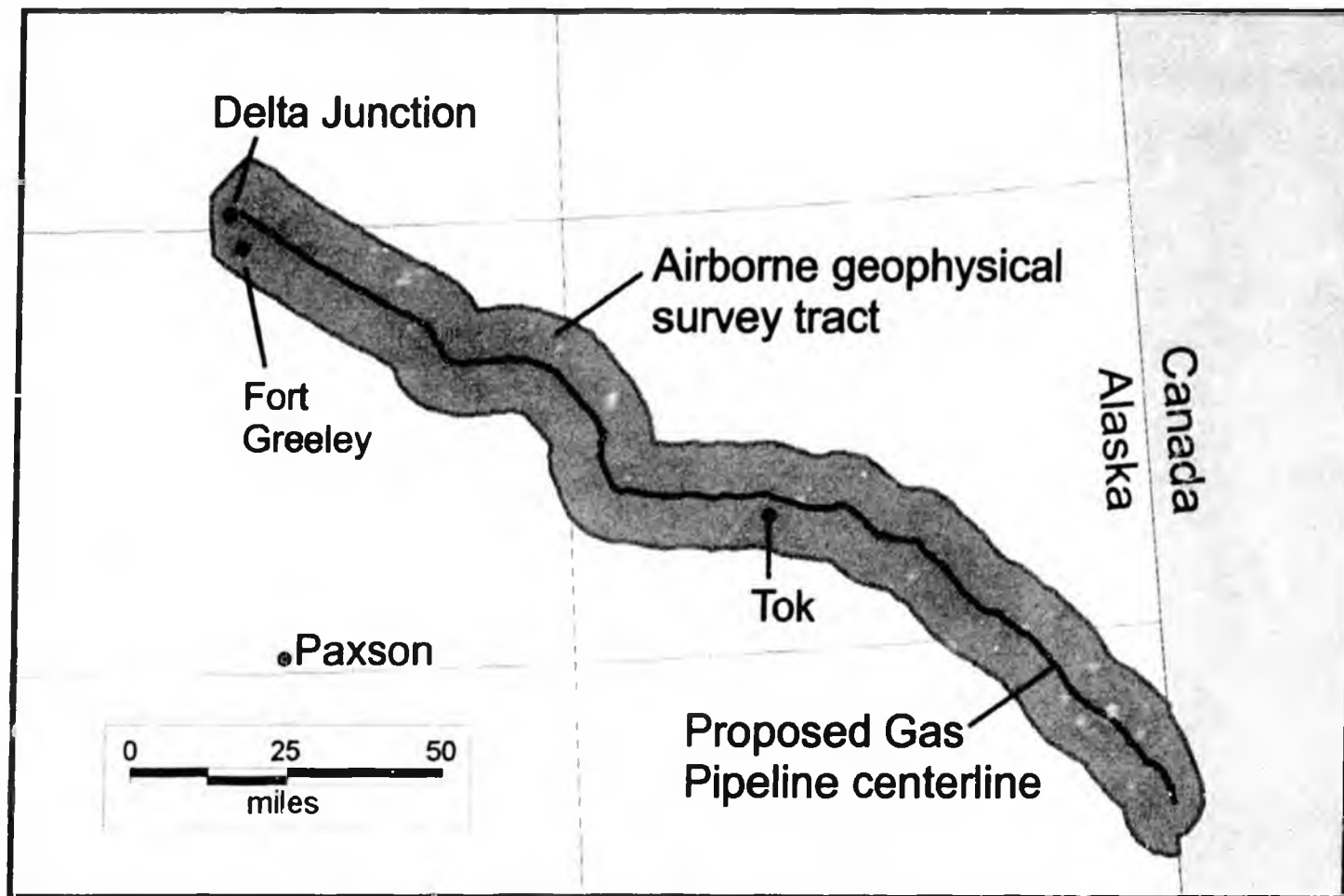
NE Fairbanks

E. Richardson

Liscum

Black
Mountain

Airborne Geophysical Survey of the Proposed Gas Pipeline Corridor, Interior Alaska: First Phase of Geologic Hazards and Resource Evaluation

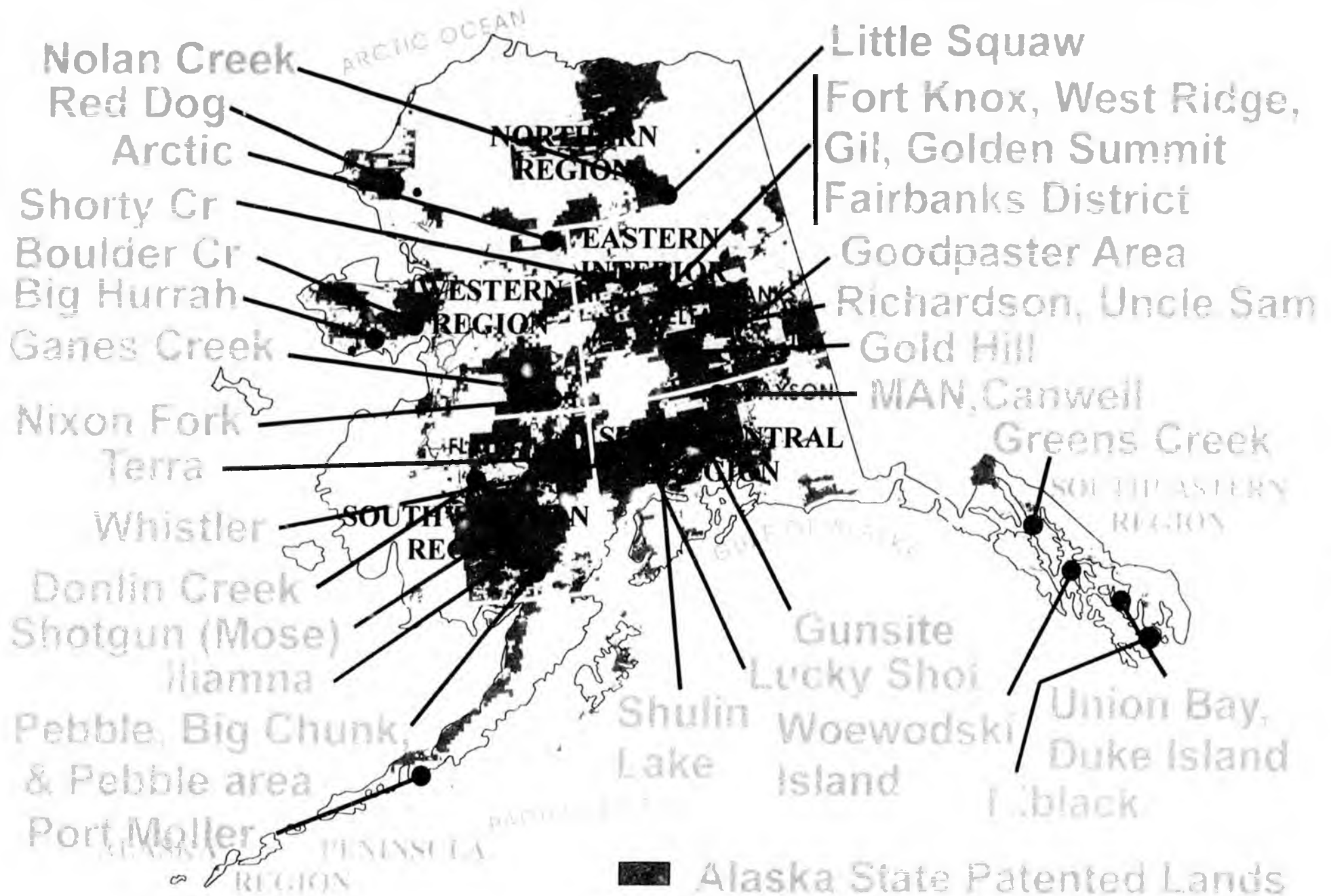


Geophysics Release

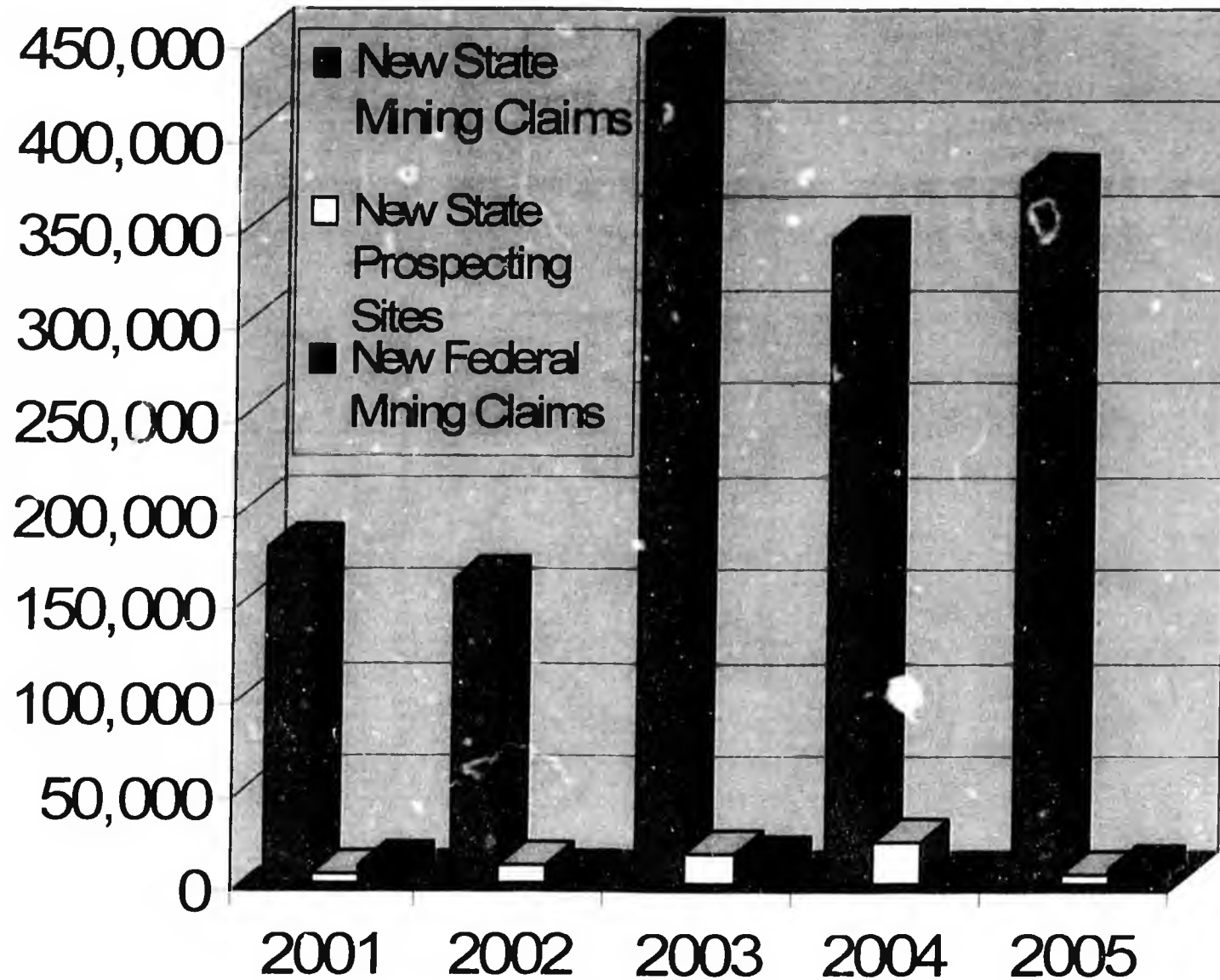
January 2006 -- Vancouver, Fairbanks, Anchorage

- **Barrick Gold Corp.** (the world's largest gold mining company) – purchase
- **Kennecott Exploration Co.** (a subsidiary of Rio Tinto Co., the world's 2nd largest mining company) – purchase
- **Phelps Dodge Corp.** (one of the world's (top 5) largest copper producers, world's largest molybdenum producer) – questions, etc.
- **AngloGold Ashanti Ltd.** (one of world's largest gold producers, employs 60,000 worldwide) – purchase/paid for part of survey costs
- **Rimfire Minerals Corp.** (Canadian junior mining company with major claim holdings in the Pogo area) – purchase
- **Geoinformatics Exploration Inc.** (Canadian junior mining company in worldwide strategic alliance with Kennecott Mining Co.; working on Uncle Sam area near Delta Junction and Nixon Fork Mine near McGrath) – purchase
- **Select Resources Corp.** (U.S. junior mining company with Alaskan holdings in Livengood and Richardson mining districts, recently purchased Calder marble mine in Southeastern Alaska from SeaAlaska Corp.) – purchase
- **Tanya Strate** (Australian geophysicist moving to North America) – purchase
- **Nicholas Van Wyck** (Alaskan certified professional geologist) – purchase
- **Avalon Development** (Alaskan mineral exploration company) – purchase
- **Interior Landscaping** (Alaskan company) – purchase

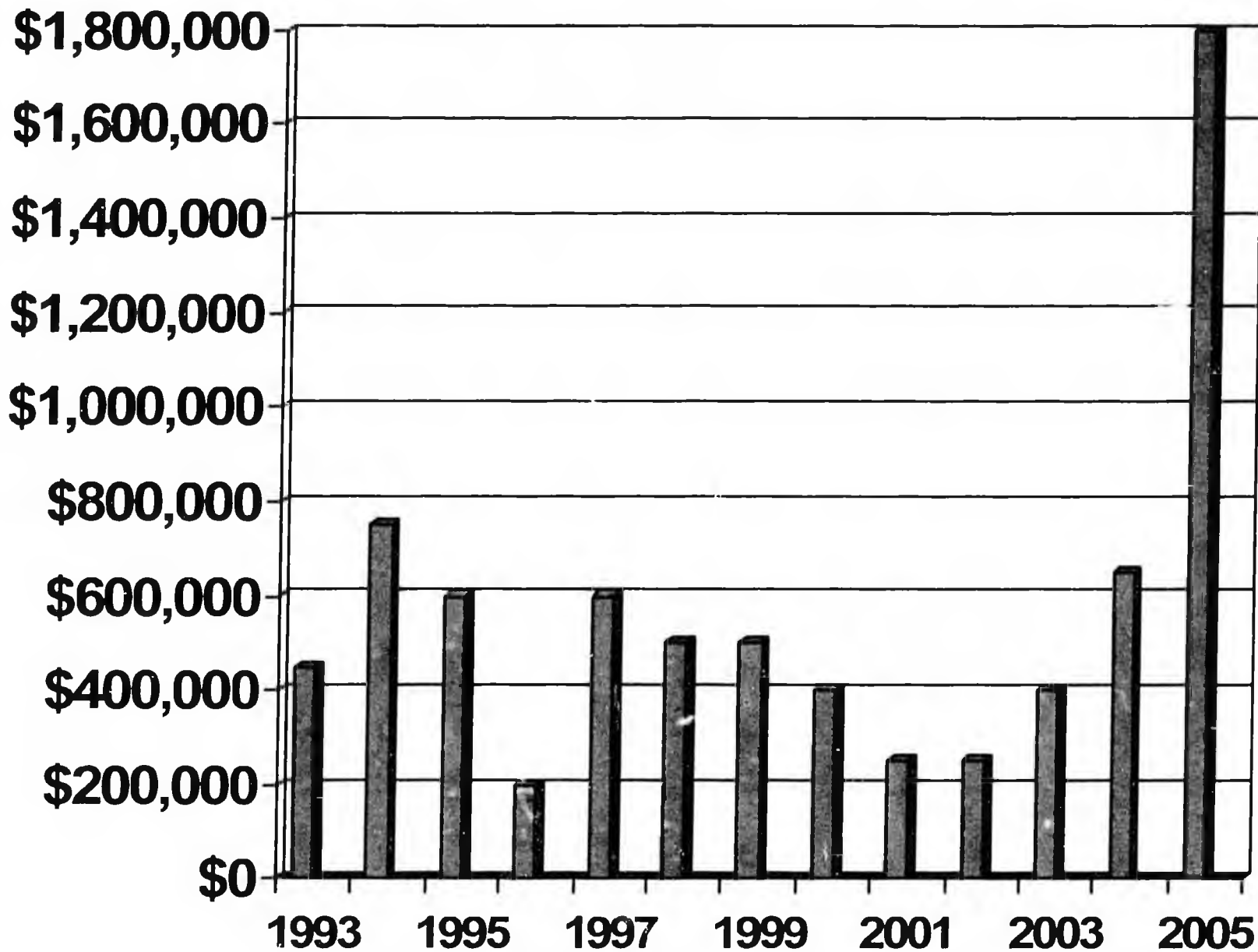
2004 & 2005 Alaska Exploration



Acreage of New Mining Claims Staked Per Year



Historic Funding of Program



Benefits of Stable Funding

- **Ability to negotiate long-term contract**
- **Cost savings on mobilization /demob**
- **Increased coverage of geophysics and high-resolution geologic mapping on state land**
- **Understanding the state's resource base**



ALASKA STATE LEGISLATURE
SENATOR GRETCHEN GUESS

Memorandum

Date: 2/13/06

To: Senate Resource Committee members

Senator Wagoner
Senator Seekins
Senator Stevens, B
Senator Dyson
Senator Stedman
Senator Elton
Senator Kookesh

From: Senator Gretchen Guess

Re: SB 203 bill packet materials

Senator Wagoner,

Today I referenced two documents in my presentation to the committee on SB 203 which were not in your packet of information. I apologize for this oversight and wanted to get the documents to you as soon as possible. They are a letter from the Alaska Miners Association and a Legislative Research Report on permitting statistics. Please let me know if I can provide any other information.

Thank you,

A handwritten signature in cursive script, appearing to read "Gretchen Guess".



ALASKA MINERS ASSOCIATION, INC.

3305 Arctic Blvd., #105, Anchorage, Alaska 99503 • (907) 563-9229 • FAX: (907) 563-9225 • www.alaskaminers.org

January 11, 2006

Honorable Gretchen Guess
Alaska State Senate
State Capitol
Juneau, AK 99801

Dear Senator Guess,

Enclosed for your consideration is the Alaska Miners Association position paper titled **Issues of Concern to the Mining Industry for 2006**. This paper outlines our concerns and views on some of the topics that will likely come before the second session of the 24th Alaska State Legislature.

Many past actions by the Legislature and Administration have provided a positive business climate that has encouraged mineral exploration and development. As a result, we are seeing increased investments in mineral exploration and new mineral deposits are being found. There is worldwide competition for mineral development dollars and Alaska must continue its efforts to attract the attention and investments of these companies.

Regarding the budget, we would note that mineral exploration projects and mining require various permits and that the agencies that process these permits, inspect the operations, etc. need to be funded at a level that will provide for a core of qualified personnel. Without such a core group of personnel in each Department, it will not be possible to obtain permits in a timely manner, if at all.

Thank you for helping create a climate where the minerals industry can create new jobs and economic opportunities for Alaska.

Sincerely,

Steven C. Borell, P.E.
Executive Director

enclosure

LEGISLATIVE RESEARCH REPORT

MARCH 29, 2004



REPORT NUMBER 04.086

PERMIT STATISTICS FOR THE DEPARTMENTS OF NATURAL RESOURCES, ENVIRONMENTAL CONSERVATION, AND FISH AND GAME

PREPARED FOR SENATOR GRETCHEN GUESS

BY CHERIE NIENHUIS, LEGISLATIVE ANALYST

You asked about permits issued by the State of Alaska. Specifically, you asked us to provide statistics regarding the number and types of permits issued, the length of time to issue permits, and the number of applicants who seek permits each year. You asked that we gather such statistics from the departments of Natural Resources (DNR), Environmental Conservation (DEC), and Fish and Game (ADF&G).

Each of these three departments processes tens of thousands—and in some cases, hundreds of thousands—of permits each year. Within each department, divisions separately review and issue permits relevant to the resource the division oversees. For example, within the Department of Natural Resources, the Division of Mining, Land and Water issues permits—or, as officials at DNR call them, "resource authorizations"—for mining claims and shore fishery leases, the Division of Parks and Outdoor Recreation issues authorizations for cabin rentals and camping fees in State Parks, and the Division of Forestry issues authorizations for timber sales and burn permits. We estimate that these three departments alone process and issue in excess of 350 different types of permits.¹

In order to gather the permit statistics you requested, we asked officials at DNR, DEC, and ADF&G to provide us with the name, address, type of permit, and date of application for all persons who applied for a permit during the calendar year 2002. Our intention was to combine the data we received from the three departments into one database file from which we could query and analyze the information. Unfortunately, we found that each department—and at ADF&G, each division—has its own method of tracking permit issuance. Although DNR and DEC each provided us with a single database of permits, the two departments treat the applicant name information field differently, and cross-matching data based on the name field was, therefore, not

¹ This estimate is merely an educated, but conservative guess based on the data we received from the three departments. The number may, in actuality, be substantially higher.

possible.² Officials at ADF&G had an especially difficult time complying with our request, perhaps because they do not appear to have a standardized permit system. The information ADF&G provided to us was split up among 51 spreadsheets representing the different types of permits issued.³ There was very little uniformity among the ADF&G data, and even less among the three reporting departments. Additionally, due to the recent transfer of the Habitat Division from ADF&G to DNR, officials were unable to provide information about the permits that division processes annually.

As a consequence, the amount of useful information we gathered through this process is limited. Table 1 provides the types and number of permits sought by applicants from DNR during 2002. Table 2 provides the same information for DEC. In Table 3, we attempt to compile the information from ADF&G into a similar format, but we do so with reservations because of the fragmented form in which the data arrived.

Since you also asked about the length of time to process and issue permits, we are attaching summaries provided by officials at DNR and DEC on the subject.⁴ As you may expect, department personnel report that there is no "average" time to process permits, and that delays are often the result of an applicant's failure to provide information when needed.

We are also attaching a Legislative Research Report prepared in 1994 on coordination of state permitting activities. The report highlights the Washington Environmental Coordination Procedure Act as a model of coordinated environmental permitting. It also briefly discusses Alaska's Division of Governmental Coordination, a division originally established within the Office of the Governor, whose role was to coordinate the consistency review for coastal projects requiring permits from more than one agency.⁵

We also include, as Attachment D, suggested state legislation provided by the Council of State Governments in 2001. The model legislation, based on a Florida law, encourages states to establish one-stop expedited Internet permitting systems.

I hope you find this information useful. Please do not hesitate to contact us if you have questions or need additional information.

² DNR used separate fields for the applicant's first and last name. DEC put the applicant's first and last name in the same field together.

³ Although data from ADF&G were clearly more unorganized and disaggregated, perhaps reflecting the lack of a standardized system of accounting for permits, we recognize the efforts made by Kevin Brooks, Administrative Services Director, and Kristin Wright, Licensing Supervisor at ADF&G, to comply with our request.

⁴ The summary from DNR is included as Attachment A, DEC's is Attachment B. We did not request this information of ADF&G since their system of permit activity was so fragmented.

⁵ Certain functions of the Division of Governmental Coordination have been combined with other permitting functions and now reside with the Office of Project Management and Permitting in the Department of Natural Resources.

**Table 1: Department of Natural Resources, Types of Permits and
Number of Applications Received in 2002**

| Type of Permit | Number of Applications |
|---|---------------------------|
| TIMBER SALE | 5 |
| TIDELANDS LEASE COMP | 3 |
| AQUATIC FARM PERMIT/LEASE | 9 |
| NEG LEASE NON-COMP | 7 |
| P & C USE LEASE NON-COMP | 5 |
| TIDELANDS LSE NON-COMP | 7 |
| SHORE FISHERY LEASE | 10 |
| OTHER LEASE NON-COMP | 2 |
| MATERIAL SALE | 46 |
| AG REVOLV LN DISPOSAL | 4 |
| DISPOSAL OF ACCRETED LAND | 4 |
| DLWM PERMIT | 199 |
| PUBLIC EASEMENT | 46 |
| PRIVATE EASEMENT | 20 |
| MINING PROSPECTING SITE | 61 |
| MINING CLAIM | 1563 |
| MINING LEASE NON-COMP | 2 |
| ANNUAL PLACER MINING APLN | 295 |
| OIL & GAS LEASE NON-COMP | 2 |
| OIL & GAS LEASE COMP | 266 |
| WATER RIGHTS | 185 |
| TEMP WATER USE PERMITS | 123 |
| AGRICULTURAL RLF LOAN | 26 |
| — CHUGACH SECOND DAILY PARKING DECALS - ANNUAL | 81 |
| — CHUGACH SECOND DISABLED AK VETERAN CAMPING DECALS | 1 |
| — CHUGACH SECOND CAMPING DECALS - ANNUAL | 19 |
| — CHUGACH PARK PROGRAM ATTENDANCE | 1 |
| — CHUGACH DAILY PARKING DECALS - ANNUAL | 175 |
| — CHUGACH DAILY PARKING | 179 |
| CHUGACH SALE OF MERCHANDISE | 1 |
| — CHUGACH BOAT LAUNCH DECALS | 1 |
| CHUGACH COMMERCIAL USE PERMIT | 28 |
| CHUGACH SPECIAL USE PERMIT | 36 |
| — CHUGACH CABIN RENTALS | 195 |
| — CHUGACH CAMPING FEES | 67 |
| STUMPAGE SALES - PALMER | 26 |
| STUMPAGE SALES - COPPER RIVER | 21 |
| STUMPAGE SALES - DELTA | 11 |
| STUMPAGE SALES - FAIRBANKS | 12 |
| STUMPAGE SALES - HAINES | 1 |
| STUMPAGE SALES - TOK | 3 |
| — KENAI SECOND DAILY PARKING DECALS - ANNUAL | 11 |
| — KENAI DAILY PARKING DECALS - ANNUAL | 116 |
| — KENAI DAILY PARKING | 440 |
| KENAI BOAT LAUNCH DECALS | 22 |
| KENAI COMMERCIAL USE PERMIT | 472 |
| KENAI SPECIAL USE PERMIT | 85 |

Table 1: Department of Natural Resources, Types of Permits and Number of Applications Received in 2002

| Type of Permit | Number of Applications |
|---|------------------------|
| KENAI CABIN RENTAL | 612 |
| KENAI CAMPING FEES | 477 |
| KENAI BOAT RAMPS | 148 |
| KENAI SEWAGE DISPOSAL | 18 |
| KODIAK MONASHKA BAY PARK MAINTENANCE | 11 |
| SALE OF LAND PLANS PUBLICATIONS - RESTRICTED RECEIPTS | 58 |
| LIMITED MATERIAL PERMITS | 23 |
| MAT-SU/COPPER SECOND DAILY PARKING DECALS - ANNUAL | 9 |
| MAT-SU/COPPER SECOND CAMPING DECALS - ANNUAL | 8 |
| SALE OF PUBLICATIONS MINING - RESTRICTED RECEIPTS | 39 |
| MAT-SU/COPPER DONATIONS | 1 |
| MAT-SU/COPPER DAILY PARKING DECALS - ANNUAL | 54 |
| MAT-SU/COPPER DAILY PARKING | 63 |
| MAT-SU/COPPER SALE OF FIREWOOD | 10 |
| MAT-SU/COPPER BOAT LAUNCH DECALS | 19 |
| MAT-SU/COPPER COMMERCIAL USE PERMIT | 61 |
| MAT-SU/COPPER SPECIAL USE PERMIT | 19 |
| MAT-SU/COPPER CABIN RENTAL | 1082 |
| MAT-SU/COPPER CAMPING FEES | 102 |
| MAT-SU/COPPER GUIDED TOURS | 5 |
| MAT-SU/COPPER BOAT RAMPS | 23 |
| NORTHERN SECOND DAILY PARKING DECALS - ANNUAL | 1 |
| NORTHERN SECOND BOAT LAUNCH DECALS - ANNUAL | 3 |
| NORTHERN SECOND DISABLED AK VETERAN CAMPING DECALS | 5 |
| NORTHERN SECOND CAMPING DECALS - ANNUAL | 8 |
| NORTHERN DONATIONS | 3 |
| NORTHERN DAILY PARKING DECALS - ANNUAL | 4 |
| NORTHERN DAILY PARKING | 1 |
| NORTHERN SALE OF MERCHANDISE | 23 |
| NORTHERN SALE OF FIREWOOD | 74 |
| NORTHERN BOAT LAUNCH DECALS | 90 |
| NORTHERN COMMERCIAL USE PERMIT | 29 |
| NORTHERN SPECIAL USE PERMIT | 46 |
| NORTHERN CABIN RENTAL | 866 |
| NORTHERN CAMPING FEE | 154 |
| NORTHERN CONCESSION FEES | 7 |
| NORTHERN BOAT RAMPS | 56 |
| NORTHERN SEWAGE DISPOSAL | 18 |
| SALE OF PUBLICATIONS PARKS - RESTRICTED RECEIPTS | 47 |
| LITTLE-SU DAILY PARKING DECALS - ANNUAL | 3 |
| LITTLE-SU DAILY PARKING | 16 |
| LITTLE-SU SALE OF FIREWOOD | 5 |
| LITTLE-SU BOAT LAUNCH DECALS | 25 |
| LITTLE-SU COMMERCIAL USE PERMIT | 19 |
| LITTLE-SU CAMPGROUND FEES | 16 |
| LITTLE-SU BOAT RAMPS | 16 |
| LITTLE-SU SEWAGE DISPOSAL | 4 |

Table 1: Department of Natural Resources, Types of Permits and Number of Applications Received in 2002

| Type of Permit | Number of Applications |
|---|------------------------|
| - SOUTHEAST DAILY PARKING DECALS - ANNUAL | 1 |
| - SOUTHEAST DAILY PARKING | 1 |
| SOUTHEAST SALE OF FIREWOOD | 3 |
| SOUTHEAST BOAT LAUNCH DECALS | 12 |
| SOUTHEAST COMMERCIAL USE PERMIT | 28 |
| SOUTHEAST SPECIAL USE PERMIT | 23 |
| - SOUTHEAST CABIN RENTAL | 304 |
| - SOUTHEAST CAMPING FEE | 35 |
| SOUTHEAST GUIDED TOURS | 38 |
| SOUTHEAST BOAT RAMPS | 27 |
| WOOD-TIKCHIK ALEKNAGIK RENTAL RECEIPTS | 11 |
| WOOD-TIKCHIK BOAT LAUNCH DECALS | 6 |
| WOOD-TIKCHIK COMMERCIAL USE PERMIT | 25 |
| WOOD-TIKCHIK CONCESSION FEES | 2 |
| WOOD-TIKCHIK BOAT RAMPS | 1 |
| MATERIAL SALE FILING FEE, RESTRICTED RECEIPTS | 4 |
| MATERIAL SALES (PROGRAM RECEIPTS) | 10 |
| MATERIAL SALE - MINERAL MANAGEMENT (BLM) | 2 |
| TIMBER BOND | 6 |
| TIMBER DEPOSIT | 5 |
| LOG BRAND REGISTRATION | 30 |
| TIMBER & STUMPAGE SALE | 2 |
| GUIDE & OUTFITTER APPLICATION FEES | 10 |
| PERMIT- GUIDE & OUTFITTER LAND USE | 34 |
| SALE OF SEEDLINGS | 9 |
| GRAND TOTAL | 9904 |

Notes: Permits names are exactly as coded by the Department of Natural Resources. If you would like additional information on one or more types of permits, please let us know.

Source: John Cacy, Analyst Programmer, Department of Natural Resources, (907) 269-8827.

Permits / No Review ≈ 5,112

Table 2: Department of Environmental Conservation, Types of Permits and Number of Applications Received in 2002

| Type of Permit | Number of Applications |
|--|------------------------|
| Construction Permit | 51 |
| GP Authorization, NPDES | 24 |
| GP Authorization, State | 27 |
| GP3 -Asphalt Plant General Permit (NSPS) | 3 |
| GP4 -Soil Remediation Unit General Permit | 1 |
| GP9 -Subpart OOO General Permit | 2 |
| IP, State | 24 |
| NPDES Individual Permit | 2 |
| NPDES Linewide Permit | 18 |
| Operating Permit | 44 |
| Owner Requested Limit | 4 |
| Permit by Rule Drill Rigs | 6 |
| Pre-Approved Limit | 3 |
| CANNERY - BIG >5,000/DAY | 16 |
| CANNERY - SMALL <5,000/DAY | 7 |
| Domestic Wastewater | 3 |
| FE-1 School Food Service | 10 |
| FE-3 School Fundraiser | 3 |
| FF-1 Food Service | 63 |
| FF-2 Church/Institution Food Service | 1 |
| FF-4 Labor Camp Food Service | 12 |
| FF-5 Seafood Processor Galley/Mess Hall | 1 |
| FF-6 Deli/Takeout/Drive-in Food Service | 8 |
| FF-7 Food Service and Caterer | 3 |
| FISHING BOAT <65 FT | 300 |
| FIXED LAND - BIG >5,000/DAY | 44 |
| FIXED LAND - SMALL <5,000/DAY | 26 |
| FM-1 Convenience Store | 17 |
| FM-2 Grocery Store | 2 |
| FM-6 Retail Meat Market | 3 |
| FM-7 Retail Seafood Market | 3 |
| FM-8 Retail Mobile Vendor | 6 |
| FM-9 Warehouse | 2 |
| FN-1 Limited Food Service | 54 |
| FN-2 Mobile Food Serv-not self contained | 8 |
| FN-3 Mobile Food Service-self contained | 15 |
| FN-4 Tavern/Bar | 9 |
| FN-4A Bar/Tavern w/Limited Food Service at the Bar | 1 |
| FN-5 Caterer | 2 |
| FN-6 Kiosk | 11 |
| FN-7 Other Food Establishments | 1 |
| FP-1 Bakery | 5 |
| FP-4 Bottled Beverages | 2 |
| FP-5 Jam/Jelly/Syrup/Confectionary | 2 |
| FP-6 Other Food Processing | 12 |
| FW-1 Food Service | 8 |

Table 2: Department of Environmental Conservation, Types of Permits and Number of Applications Received in 2002

| Type of Permit | Number of Applications |
|---|------------------------|
| FW-2 Institution/Child/Residential Care | 2 |
| FW-4 Public Accommodation Food Service | 5 |
| FX-3 Seafood Permit Exemption | 1 |
| General Permits - Coal ash monofill | 3 |
| General Permits - One-Time C&D Disposal | 4 |
| General WW Discharge | 2 |
| Municipal Class 2 | 3 |
| Municipal Class 3 (camp) | 1 |
| Municipal Class 3 (village) | 4 |
| Non-domestic Wastewater | 7 |
| Non-Municipal Monofill | 10 |
| Non-Municipal Treatment | 2 |
| SHELLFISH HARVESTER | 62 |
| SHELLFISH PACKER | 9 |
| SHELLFISH SHIPPER | 22 |
| VESSEL >65 FT | 65 |
| Surface Oiling | 10 |
| Surface Road Oil | 5 |
| Grand Total | 1146 |

Notes: Permit names are exactly as coded by the Department of Environmental Conservation. If you would like additional information on one or more types of permits, please let us know.
Source: Melanie Lesh, Legislative Liaison, Department of Environmental Conservation, (907) 465-5290

Table 3: Department of Fish and Game, Types of Permits and Number of Applications Received in 2002

| Type of Permit | Number of Applications |
|--|------------------------|
| Resident Sport Fishing License | 112828 |
| Resident Blind Sport Fishing License | 78 |
| Resident Hunting License | 18992 |
| Resident Hunting/Trapping License | 720 |
| Resident Trapping License | 704 |
| Resident Hunt/Sport Fishing License | 46702 |
| Resident Hunt/Trap/Fish License | 5775 |
| Resident Low Income License | 14366 |
| Nonresident 14-Day Fish License | 24214 |
| Nonresident 7-Day Fish License | 82615 |
| Nonresident 3-Day Fish License | 51261 |
| Nonresident 1-Day Fish License | 103562 |
| Nonresident Sport Fishing License | 11655 |
| Nonresident Hunting License | 10173 |
| Nonresident Small Game License | 1345 |
| Nonresident Hunt/Trap License | 26 |
| Nonresident Alien Hunt License | 217 |
| Nonresident Military Fish License | 4007 |
| Nonresident Military Small Game License | 255 |
| Nonresident Military Small Game/Fish License | 265 |
| Duplicate License/Tag/Stamp | 450 |
| Duplicate Low Income License | 423 |
| Resident Brown/Grizzly Bear Tag | 7317 |
| Resident Muskox - Bull Tag | 45 |
| Resident Muskox - Cow Tag | 80 |
| Nonresident Brown/Grizzly Tag | 2128 |
| Nonresident Military Brown/Grizzly Tag | 3 |
| Nonresident Alien Brown/Grizzly Tag | 123 |
| Nonresident Black Bear Tag | 2737 |
| Nonresident Military Black Bear Tag | 34 |
| Nonresident Alien Black Bear Tag | 50 |
| Nonresident Bison Tag | 1 |
| Nonresident Military Bison Tag | 0 |
| Nonresident Alien Bison Tag | 0 |
| Nonresident Caribou Tag | 4832 |
| Nonresident Military Caribou Tag | 27 |
| Nonresident Alien Caribou Tag | 50 |
| Nonresident Deer Tag | 991 |
| Nonresident Military Deer Tag | 11 |
| Nonresident Alien Deer Tag | 1 |
| Nonresident Elk Tag | 45 |
| Nonresident Military Elk Tag | 0 |
| Nonresident Alien Elk Tag | 0 |
| Nonresident Goat Tag | 211 |
| Nonresident Military Goat Tag | 0 |
| Nonresident Alien Goat Tag | 8 |
| Nonresident Moose Tag | 3424 |

Table 3: Department of Fish and Game, Types of Permits and Number of Applications Received in 2002

| Type of Permit | Number of Applications |
|--|------------------------|
| Nonresident Military Moose Tag | 16 |
| Nonresident Alien Moose Tag | 53 |
| Nonresident Muskox Tag | 1 |
| Nonresident Military Muskox Tag | 0 |
| Nonresident Alien Muskox Tag | 0 |
| Nonresident Sheep Tag | 631 |
| Nonresident Military Sheep Tag | 0 |
| Nonresident Alien Sheep Tag | 22 |
| Nonresident Wolf Tag | 2604 |
| Nonresident Military Wolf Tag | 5 |
| Nonresident Alien Wolf Tag | 58 |
| Nonresident Wolverine Tag | 78 |
| Nonresident Military Wolverine Tag | 0 |
| Nonresident Alien Wolverine Tag | 3 |
| Resident King Salmon Stamp | 80997 |
| Nonresident 1-Day Salmon Stamp | 46687 |
| Nonresident 3-Day Salmon Stamp | 28991 |
| Nonresident 7-Day Salmon Stamp | 28221 |
| Nonresident 14-Day Salmon Stamp | 5154 |
| Nonresident Annual Salmon Stamp | 2392 |
| Nonresident Military Salmon Stamp | 1511 |
| Duplicate Salmon Stamp | 1157 |
| Waterfowl Conservation Stamp | 10487 |
| Resident Crewmember License | 10207 |
| Nonresident Crewmember License | 9111 |
| Resident Crewmember License - Child | 61 |
| Nonresident Crewmember License - Child | 5 |
| Chitina Dipnet Permit | 8397 |
| Resident Senior Citizen License | 4905 |
| Resident Disabled Veteran's License | 612 |
| Catcher/Seller Permit | 668 |
| Commercial Fish Transporter | 10 |
| Fish Resource Permit | 102 |
| Fish Transport Permit | 64 |
| Private Nonprofit Salmon Hatchery Permit | 0 |
| Aquatic Farm Permit | 14 |
| Aquatic Stock Acquisition and Transport Permit | 39 |
| Miscellaneous Shellfish Harvesting Permit | 0 |
| Subsistence and Personal Use Salmon Fishery Permit | 3591 |
| King Crab Personal Use Fishery Permit | 3273 |
| Herring Roe on Kelp Permit | 0 |
| Eulachon in the Unik River Permit | 0 |
| Personal Use Shrimp Trawl Permit | 0 |
| Miscellaneous Groundfish Permit | 0 |
| Miscellaneous Shellfish Permit | 0 |
| Aquatic Plants Permit | 0 |
| Deepwater Tanner Crab Permit | 0 |

Table 3: Department of Fish and Game, Types of Permits and Number of Applications Received in 2002

| Type of Permit | Number of Applications |
|---|------------------------|
| Herring Bait Pound Permit | 0 |
| Herring Winter Food and Bait Permit | 0 |
| NSEI Sablefish Fishing Outside of Season Permit | 0 |
| Red Sea Urchin On-Board Processing Permit | 0 |
| Shrimp Floating Processor Permit | 0 |
| Hardshell Clams Permit | 0 |
| Scallop Permit | 0 |
| Skate Permit | 0 |
| Salmon Personal Use Permit | 1769 |
| Trawl Shrimp Permit | 0 |
| Sablefish Permit | 0 |
| Pollock Permit | 0 |
| Subsistence Shellfish Permit | 0 |
| Yukon Bridge Area Subsistence Permit | 86 |
| Yukon Circle/Eagle Area Subsistence Permit | 94 |
| Yukon Lower Tanana River Subsistence Permit | 77 |
| Yukon Kantishna River Subsistence Permit | 5 |
| Yukon Tolovana River Drainage Subsistence Permit | 119 |
| Yukon Upper Tanana River Drainage Subsistence Permit | 38 |
| Yukon Upper Tanana River Drainage Whitefish/Sucker Permit | 2 |
| Yukon Rampart Village Area Subsistence Permit | 0 |
| Yukon Sou* & Middle Forks Koyukuk River/Dalton Hwy Subsistence Permit | 0 |
| Yukon Personal Use Tanana Salmon Permits | 60 |
| Yukon PU S & M Forks Koyukuk River/Dalton Whitefish/Sucker Permit | 0 |
| Colville River Commercial Whitefish Gill Net Permit | 0 |
| Yukon Miscellaneous Commissioner's Permit - Lamprey | 0 |
| Yukon Miscellaneous Commissioner's Permit - Whitefish/Sucker | 0 |
| Norton Sound Subsistence Nome Tier I Salmon Subsistence Permit | 232 |
| Norton Sound Subsistence Nome Tier II Subsistence Permit | 38 |
| Norton Sound Subsistence Crab Permit | 107 |
| *Miscellaneous Nome Subdistrict Non-Salmon Net Permit | 0 |
| Norton Sound Miscellaneous Commissioner's Permit - Char | 0 |
| Norton Sound Miscellaneous Commissioner's Permit - Pike | 0 |
| Norton Sound Miscellaneous Commissioner's Permit - Burbot | 0 |
| Norton Sound Miscellaneous Commissioner's Permit - Whitefish | 0 |
| Norton Sound Miscellaneous Commissioner's Permit - Tom Cod | 0 |
| Pilgrim River Subsistence Salmon Permit Gillnet/Hook and Line Permit | 0 |
| Kotzebue/Port Clarence Misc. Comissr's Permit - Gill Net - Herring Sac Roe | 0 |
| Kotze/Port Clarence Misc. Comissr's Permit - Gill Net - Herring Food & Bait | 0 |
| Kotzebue/Port Clarence Misc. Comissr's Permit - Gill Net - Pike | 0 |
| Kotzebue/Port Clarence Misc. Comissr's Permit - Gill Net - Sheefish | 2 |
| Kotzebue/Port Clarence Misc. Comissr's Permit - Gill Net - Whitefish | 0 |
| King and Tanner Crab Lithodes Couesi Permit | 0 |
| Fishing Seasons for Reg. Area K | 0 |
| Fishing Seasons for Reg. Area M | 0 |
| Fishing Seasons for Reg. Area O | 0 |
| Fishing Seasons for Reg. Area T | 0 |

Table 3: Department of Fish and Game, Types of Permits and Number of Applications Received in 2002

| Type of Permit | Number of Applications |
|---|------------------------|
| Fishing Seasons for Reg Area Q | 0 |
| Permit for Tanner and Angulatus Tanner Crab in Area J | 0 |
| Bering Sea/Aleutian Island King and Tanner Crab Permit | 213 |
| AFA Bergin Sea and Bristol Bay Crab Permit | 0 |
| Gear for Clam Permit | 0 |
| Permit for Octopi, Squid, Hair Crab, Sea Urchins, Cucumbers & Other | 7 |
| Alaska Scallop Fishery Permit | 0 |
| Fishing Seasons for Sea Cucumbers in Reg Area J | 25 |
| Fishing Seasons for Sea Urchins in Reg Area J | 0 |
| Fishing Seasons for Hair Crab in Reg Area J | 0 |
| Annual Chignik Mgt Area Coop Purse Seine Salmon Fishery Permit | 1 |
| Chignik Salmon Leads Permit | 1 |
| Chignik Salmon Fish Pen Permit | 3 |
| Chignik Salmon Running Fish Ticket Permit | 0 |
| Dutch Harbor Herring Permit to Use Larger Gill Net Mesh | 13 |
| Kodiak Subsistence Salmon/Herring/Shellfish | 2266 |
| Chignik Subsistence Salmon | 21 |
| Alaska Peninsula Salmon | 165 |
| Unalaska/Dutch Harbor Salmon and Shellfish | 227 |
| Adak Salmon | 6 |
| McNeil River Commercial Operator Permit | 14 |
| Southeast King Crab Permit | 3273 |
| Fur Farming Permit | 62 |
| McNeil River Viewing Permit | 154 |
| Walrus Island Camping Permit | 20 |
| Walrus Island Daily Use Permit | 39 |
| Stan Price Daily Use Permit | 1241 |
| Rabbit Creek Rifle Range Daily Use Permit | 20106 |
| Rabbit Creek Rifle Range Annual Use Permit | 1100 |
| Rabbit Creek Hunter Education Students | 383 |
| Fairbanks Indoor Rifle Range Hourly Use | 2933 |
| Fairbanks Indoor Rifle Range 7-Hour Use Punch Card | 119 |
| Hunter Education Partner Non-Youth Live-Fire Range Hourly Use | 1960 |
| Hunter Education Partner Youth Live-Fire Range Hourly Use | 3540 |
| Fairbanks Indoor Rifle Range Hunter Education Students | 383 |
| Juneau Indoor Rifle Range Basic Hunter Education Class | 2523 |
| Grand Total | 813311 |
| <p>Notes: Because ADF&G does not maintain a central repository for license and permit applications, the information in the above table is a compilation of various division reports, and is likely incomplete</p> <p>Source: Kristin Wright, Licensing Supervisor Alaska Dept. of Fish and Game, (907) 465-6091</p> | |

Attachment A

Department of Natural Resources,
Summary Memo on Average Permit
Processing Timelines

1/23/04 Response to Legislative Research Services Request

Cherie,

In response to the legislative request you requested from DNR, John Cacy sent a data extraction for the authorizations you requested. In addition you requested some information concerning cycle times for various authorizations. The difficulty is that with most authorizations, there is a substantial range of processing cycle times depending on complexity and other factors.

Some factors that may cause longer or diverse processing cycle times:

- Public notice requirements imposed by statute or regulation. Typically public notice may take 30 days, and some authorizations require more than one public notice through the various stages of the process.
- Alaska Coastal Management Program consistency reviews are required on many projects within the coastal zones. Those reviews will take a minimum of 50 days.
- In certain authorizations external agency reviews or concurrences are required and may be delayed. For instance development of wetlands requires authorization from the Army Corps of Engineers.
- Appeal waiting period is typically 20 days after a decision is issued. If an appeal is received, the authorization processing time can increase.
- Often the process is slowed due to delays caused by the applicant. For instance, the applicant may change the scope of the project, fail to provide needed information in a timely fashion, fail to obtain required bonding or insurance in a timely fashion, or fail to complete a required survey or appraisal due to cost concerns. All of these may have profound effect on the authorization cycle times.
- Workload variance can substantially slow cycle times. Backlogs of unfinished authorizations, surges in application numbers, new programs introduced by the legislature, and shifted department or division priorities may all vary cycle times.

A general rule is that the smaller the bundle of rights we convey with the authorization, the shorter and more consistent the processing cycle time remains.

- Permits typically only authorize limited rights of use of state land or resources and are most often temporary in nature. Most permits, which are typically authorizations for 5 years or less, take anywhere from a day to several months to process.
- Leases are generally authorizing more of an exclusive use of an area and a greater bundle of rights. Many long term leases can be eventually converted into a land sale. Most leases, which provide either short term (less than 10 years) or long term (10 to 55 years) development of state land and typically require some sort of appraisal or survey, take from 1 to three years to process, depending on complexity.
- In some authorization types such as easements and leases, the use of the land by the applicant occurs before the final authorization is issued. DNR often issues an Early Entry Authorization (EEA) to allow activity before final authorization. For

instance, DNR may issue an EEA to a business constructing a pipeline on state land where the business has applied for an easement. The easement is not issued until after the construction and final survey is completed.

- DNR does not have an efficient reporting mechanism to determine actual cycle times for all types of authorization. When we can track the processing cycle time, the reporting does not capture why there was a short or long cycle time, nor does it account for EEAs. The Division of Mining, Land and Water, who issues the majority of the authorizations, is in the process of creating a system that will allow more efficient reporting of business process times.

I have provided a sampling of some of the authorizations. If this is insufficient information, please let me know.

| Authorization Type | Median Cycle Time | Certainty of Cycle Time |
|--|---|-------------------------|
| Upland and Tideland Permits | 2 months – 1 year | |
| Trapping Cabin Permits | 3 – 4 months | High |
| Commercial Recreation Permits | 1 day | High |
| Upland and Tideland Leases | 6 months – 1yr to EEA 1yr – 3 yrs to Lease | Low |
| Recreation Facilities Development Lease | 3 years (forecast) | Low |
| Aquatic Farm Lease | 7 months – 1 year | |
| Set Net Lease | 12-18 months | Low |
| Public and Charitable Use Lease & Sale | 1 – 2 years | Low |
| Water Rights | 2 months | |
| Temporary Water Use Permits | 3 weeks | High |
| Mining Claims | 2 weeks | High |
| Material Sales | New site 5 months–2 yrs Existing sites 1-12 months | |
| Burn Permit | 30 minutes | High |
| Limited Material Permit | 1-2 days | High |
| Firewood Cutting Permit | 30 min – 2 weeks | High |
| Parks Public Use Cabin Permit | 30 minutes | High |
| Commercial Recreation Day Use Registration | 30 minutes | High |
| Park Special Use Permit | 2 weeks 10 min – 1 yr+ spread | |

Attachment B

Department of Environmental Conservation,
Summary Memo on Average Permit
Processing Timelines

Subject: RE: DEC Research request #2

Date: Fri, 13 Feb 2004 14:04:03 -0900

From: "Lesh, Melanie" <Melanie_Lesh@dec.state.ak.us>

To: 'Cherie Nienhuis' <cherie_nienhuis@legis.state.ak.us>

Cherie Nienhuis

Legislative Research Services

Alaska State Legislature

Cherie,

You requested information on the average time frame from permit application to issuance for the following permits for the calendar year 2002:

1. Component: Water Quality
Purpose of Fee: Individual Permits, domestic wastewater
Regulation: 18 AAC 72.957(a)
Statute: AS 44.46.025

Our records are by FY2002:

State wastewater Individual Permits ("IP"): 234 days (34 permits)

State wastewater General Permit Authorizations: 17 days (51 authorizations)

State Certifications of Federal wastewater Individual Permits: 257 days (15 permits)

State Authorizations under Federal wastewater General Permits: 23-110 days (65 authorizations)

Overall Averages for time to issue FY02 wastewater permit actions:

- Wastewater Individual permits: 240 days (49 permits)

- Wastewater General permits: 38 days (116 permits)

2. Component: Food Safety and Sanitation
Purpose of Fee: Permit Fees, inspections, waivers

Regulation: 18 AAC 31.050

Statute: AS 44.46.025

Permit Fees.

Food safety permit processing activity is grouped by the type of applicant:

- Existing food establishments permits
- New/remodeled food establishments permits
- Temporary Food permits

Existing food establishments are required to have an annual permit to operate (see breakdown below). Each fall the program invoices existing food establishments. Upon receipt of payment, a permit is issued usually within one week. Application is implied by virtue of continued operation and the average processing time would be a week. The food safety program does not collect time based data for the permit process. The following is a breakdown of the numbers and type of existing permits that are issued for your information.

New or remodeled food establishments must submit an application along with a plan. The process has three basic parts; a completed application, a plan review and a pre-operational inspection. Potential applicants are requested to submit an application 30 days in advance of opening or the beginning of operations. The normal processing time is 30 days or less from receipt of an application. The variables that impact processing time are the completeness of the application submitted, the completeness and review time for the plan review and the pre-operational inspection time.

Temporary food permits have the same basic elements for the new food establishments but the turn around time is more compressed due to an abbreviated plan review and the fact that the temporary food permit operators have a propensity to submit applications close to the event. On average the processing time will be lower than for the new or remodeled food establishment group. Again, the food safety program does not collect time based data for the permit process.

I hope this responds to your request, if you have any questions please don't hesitate to contact me. I'll also reiterate that many of our departmental performance measures have been incorporated into our budget documents, pursuant to the efforts of the Administration and the Legislature to develop "Missions and Measures," and they may be useful to you in efforts to acquire information such as this

Melanie G. Lesh

Legislative Liaison

Department of Environmental Conservation

465-5290

Attachment D

Council of State Governments,
Suggested State Legislation,
"One-Stop Internet Permitting System and Expedited
Permitting Program"

One-Stop Internet Permitting System and Expedited Permitting Program

This Act is based on Florida law. It directs the state department of management services to create a system on the Internet that provides people and businesses with a central source of permit information from state and local agencies. Counties that are certified as using certain permitting best management practices can be designated as Quick Permitting Counties by the state, and thus become eligible for grants of up to \$50,000 to connect to the statewide Internet system.

Submitted as:

Florida

Chapter 99-244

Status: enacted into law in 1999.

Suggested Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Short Title*.] This Act may be cited as the "One-Stop Internet Permitting System and Expedited
2 Permitting Program Act."

3
4 Section 2. [*Legislative Intent*.] It is the intent of the [Legislature] to create a functional statewide one-
5 stop permitting system in order to make permitting in this state more user-friendly without diminishing
6 environmental, public health, or safety standards. In addition, the [Legislature] intends to encourage local
7 governments to expedite and streamline permitting, to adopt best management practices, and to integrate the
8 local permitting process with the statewide one-stop permitting process.

9
10 Section 3. [*One-Stop Permitting System*.]

11 (1) By [January 1, 2000], the [department of management services] must establish and implement an
12 Internet site for the [One-Stop Permitting System]. The [One-Stop Permitting System] Internet site shall
13 provide people and businesses with information concerning development permits; guidance on what develop-
14 ment permits are needed for particular projects; permit requirements; and who may be contacted for more
15 information concerning a particular development permit for a specific location. The [department] shall design
16 and construct the Internet site and may competitively procure and contract for services to develop the site. In
17 designing and constructing the Internet site, the [department] must solicit input from potential users of the site.

18 (2) The [department] shall develop the [One-Stop Permitting System] Internet site to allow an appli-
19 cant to complete and submit application forms for development permits to agencies and counties. The Internet
20 site must be capable of allowing an applicant to submit payment for permit fees and must provide payment
21 options. After initially establishing the Internet site, the [department] shall implement, in the most timely
22 manner possible, the capabilities described in this subsection. The [department] also shall develop a protocol
23 for adding to the [One-Stop Permitting System] additional state agencies and counties that agree to partici-
24 pate. The [department] may competitively procure and contract for services to develop such capabilities.

25 (3) As used in this section, the term "development permit" includes any state, regional, or local permits
26 or approvals necessary for the physical location or expansion of a business, including, but not limited to:

- 27 (a) Wetland or environmental resource permits,
28 (b) Surface water management permits,
29 (c) Stormwater permits,
30 (d) Site-plan approvals.

One-Stop Internet Permitting System and Expedited Permitting Program

- 31 (e) Zoning approvals and comprehensive plan amendments.
- 32 (f) Building permits.
- 33 (g) Transportation concurrency approvals.
- 34 (h) Consumptive water-use permits.
- 35 (i) Wastewater permits.

36 (4) The [One-Stop Permitting System] must initially provide access to the following state agencies,
37 water management districts and counties, with other agencies and counties that agree to participate.

- 38 (a) The [department of environmental protection].
- 39 (b) The [department of community affairs].
- 40 (c) The [department of management services].
- 41 (d) The [department of transportation], including district offices.
- 42 (e) The [water management district(s)].
- 43 (f) Selected counties that agree to participate.

44 (5) By [January 1, 2001], the following state agencies, and the programs within such agencies which
45 require the issuance of licenses, permits, and approvals to businesses, must also be integrated into the [One-
46 Stop Permitting System].

- 47 (a) The [department of agriculture and consumer services].
- 48 (b) The [department of business and professional regulation].
- 49 (c) The [department of health].
- 50 (d) The [department of insurance].
- 51 (e) The [department of labor].
- 52 (f) The [department of revenue].
- 53 (g) The [department of state].
- 54 (h) The [game and freshwater fish commission].
- 55 (i) Other state agencies.

56 (6) The [department] may add counties and municipalities to the [One-Stop Permitting System] as
57 such local governments agree to participate and develop the technical capability of joining the system.

58 (7) To the extent feasible, state agencies are directed to develop and implement online permitting
59 systems.

60 (8) Excepting the provisions listed under [insert citation], the time period for approving or denying a
61 completed application for any development permit or license issued under the [One-Stop Permitting System]
62 shall be [sixty (60)] days.

63 (9) Each agency shall maintain a record of the time required for that agency to process each application
64 that is filed using the [One-Stop Permitting System] and submit a report to the [president of the senate] and
65 the [speaker of the house of representatives] by [January 1] of each year which compiles such information.

66 (10) Notwithstanding any other provision of law or administrative rule to the contrary, the fee imposed
67 by a state agency or water management district for issuing a development permit shall be waived for a [six (6)]
68 month period beginning on the date the state agency or water management district begins accepting develop-
69 ment permit applications over the Internet and the applicant submits the development permit to the agency or
70 district using the [One-Stop Permitting System]. The [six (6)] month fee waiver shall not apply to development
71 permit fees assessed by the [Electrical Power Plant Siting Act], the [Transmission Line Siting Act], the state-
72 wide [Multi-purpose Hazardous Waste Facility Siting Act], the [Natural Gas Pipeline Siting Act], and the [High
73 Speed Rail Transportation Siting Act] as cited in [insert citations] of state law.

74 (11) A state agency or water management district is authorized to reduce a development permit fee by
75 [twenty-five (25)] percent for applicants who submit a complete application over the Internet when the appli-
76 cant is not required to submit additional information to the agency or water management district.

77

78 Section 4. [One-Stop Permitting System Grant Program]. There is created within the [department of
79 management services] the [One-Stop Permitting System Grant Program]. The purpose of the grant program is
80 to encourage counties to coordinate and integrate the development of the county's permitting process with the

One-S: Internet Permitting System and Expedited Permitting Program

81 [One-Stop Permitting System]. The [department] shall review grant applications and, subject to available funds,
82 if a county is certified as a [Quick Permitting County] under this Act, shall award a grant of up to [fifty thousand
83 (50,000)] dollars to provide for such integration. The [department] must review a grant application for consistency
84 with the purpose of the [One-Stop Permitting System] to provide access to development permit information
85 and application forms. Grants shall be issued on a first-come, first-served basis to qualified Quick Permitting
86 Counties. The grant may be used to purchase software, hardware, or consulting services necessary for the
87 county to create an interface with the [One-Stop Permitting System]. Grants may not be used to pay adminis-
88 trative costs. The grant application must specify what items or services the county intends to purchase using
89 the grant, the amount of each of the items or services to be purchased, and how the items or services are
90 necessary for the county to create an interface with the [One-Stop Permitting System].

91

92 Section 5 [Quick Permitting County Designation Program]

93 (1) There is established within the [department of management services] the [Quick Permitting County
94 Designation Program]. To be designated as a [Quick Permitting County], the chair of the board of county
95 commissioners of the applying county must certify to the [department of management services] that the
96 county meets the criteria specified in subsection (3).

97 (2) As used in this section, the term "development permitting" includes permits and approvals neces-
98 sary for the physical location of a business, including, but not limited to:

- 99 (a) Wetland or environmental resource permits.
- 100 (b) Surface-water management permits.
- 101 (c) Stormwater permits.
- 102 (d) Site-plan approvals.
- 103 (e) Zoning and comprehensive plan amendments.
- 104 (f) Building permits.
- 105 (g) Transportation concurrency approvals.
- 106 (h) Wastewater permits.

107 (3) In order to qualify for a [Quick Permitting County] designation, a county must certify to the [de-
108 partment] that the county has implemented the following best-management practices:

- 109 (a) The establishment of a single point of contact for a business seeking assistance in obtaining a
110 permit;
- 111 (b) The selection of high-priority projects for accelerated permit review;
- 112 (c) The use of documented pre-application meetings following standard procedures;
- 113 (d) The maintenance of an inventory of sites suitable for high-priority projects;
- 114 (e) The development of a list of consultants who conduct business in the county;
- 115 (f) The evaluation and elimination of duplicative approval and permitting requirements within the
116 county;
- 117 (g) The commitment to participate, through the entry of an interlocal agreement for individual
118 projects, in the expedited permit process set forth in section 7 of this Act;
- 119 (h) The development of a timetable for processing development permits and approvals, and
- 120 (i) The use of interagency coordination to facilitate permit processing.

121

122 Section 6 [Information Concerning the One-Stop Permitting System] The [office of tourism, trade,
123 and economic development] shall develop literature that explains the [One-Stop Permitting System] and iden-
124 tifies those counties that have been designated as Quick Permitting Counties. The literature must be updated
125 at least [once] each year. To the maximum extent feasible, state agencies shall distribute such literature and
126 inform the public of the [One-Stop Permitting System] and the Quick Permitting Counties.

127

128 Section 7 [Expedited Permitting: Comprehensive Plan Amendments]

129 (1) It is the intent of the [Legislature] to encourage and facilitate the location and expansion of those
130 types of economic development projects which offer job creation and high wages, strengthen and diversify the

131 state's economy, and have been thoughtfully planned to take into consideration the protection of the state's
132 environment. It is also the intent of the [Legislature] to provide for an expedited permitting and comprehen-
133 sive plan amendment process for such projects.

134 (2) As used in this section, the term:

135 (a) "Duly noticed" means publication in a newspaper of general circulation in the municipality or
136 county with jurisdiction. The notice shall appear on at least [two (2)] separate days, [one (1)] of which shall be
137 at least [seven (7)] days before the meeting. The notice shall state the date, time, and place of the meeting
138 scheduled to discuss or enact a memorandum of agreement as described in this Act, and the places within the
139 municipality or county where such proposed memorandum of agreement may be inspected by the public. The
140 notice must be [one-eighth of a page] in size and must be published in a portion of the paper other than the
141 legal notices section. The notice also shall advise that interested parties may appear at the meeting and be
142 heard with respect to the memorandum of agreement.

143 (b) "Jobs" mean permanent, full-time equivalent portions not including construction jobs.

144 (c) "Office" means the [office of tourism, trade, and economic development]

145 (d) "Permit applications" mean state permits and licenses, and at the option of a participating local
146 government, local development permits or orders.

147 (3) (a) The [governor], through the [office], shall direct the creation of regional permit action teams
148 for the purpose of expediting review of permit applications and local comprehensive plan amendments submitted
149 by:

150 (i) Businesses creating at least [one hundred (100)] jobs, or

151 (ii) Businesses creating at least [fifty (50)] jobs if the project is located in an enterprise zone, or
152 in a county having a population of less than [seventy-five thousand (75,000)] or in a county having a population
153 of less than [one hundred thousand (100,000)] which is contiguous to a county having a population of less than
154 [seventy-five thousand (75,000)], as determined by the most recent decennial census, residing in incorporated
155 and unincorporated areas of the county, or

156 (b) On a case by case basis and at the request of a county or municipal government, the [office]
157 may certify as eligible for expedited review a project not meeting the minimum job creation thresholds but
158 creating a minimum of [ten (10)] jobs. The recommendation from the governing body of the county or munici-
159 pality in which the project may be located is required in order for the [office] to certify that any project is
160 eligible for expedited review. When considering projects that do not meet the minimum job creation thresh-
161 olds but that are recommended by the governing body in which the project may be located, the [office] shall
162 consider economic impact factors that include, but are not limited to:

163 (i) The proposed wage and skill levels relative to those existing in the area in which the project
164 may be located;

165 (ii) The project's potential to diversify and strengthen the area's economy;

166 (iii) The amount of capital investment; and

167 (iv) The number of jobs that will be made available for people served by the [WAGES] Pro-
168 gram.

169 (c) At the request of a county or municipal government, the [office] or a [Quick Permitting County]
170 may certify projects located in counties where the ratio of new jobs per [WAGES] client, as determined by the
171 [workforce development board] of this state, is less than [one (1)] or otherwise critical, as eligible for the
172 expedited permitting process. Such projects must meet the numerical job creation criteria of subsection (3),
173 but the jobs created by the project do not have to be high wage jobs that diversify the state's economy.

174 (4) The [office] may delegate to a [Quick Permitting County] the responsibility for convening regional
175 permit teams and, in consultation with the [office], for certifying as eligible for expedited review projects that
176 meet the criteria of subsection (3) and that are consistent with the economic goals of the county. In order to
177 receive such a delegation, the [Quick Permitting County] must hold the public hearing required under subsec-
178 tion (9) and agree to execute a memorandum of agreement for each qualified project.

179 (5) The regional teams shall be established through the execution of memoranda of agreement be-
180 tween the [office] and the respective heads of the following departments and governmental units: