

**ALASKA STATE LEGISLATURE
HOUSE TRANSPORTATION STANDING COMMITTEE**

April 3, 2003

1:32 p.m.

MEMBERS PRESENT

Representative Jim Holm, Co-Chair
Representative Beverly Masek, Co-Chair
Representative Hugh Fate
Representative Vic Kohring
Representative Dan Ogg
Representative Mary Kapsner
Representative Albert Kookesh

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 213

"An Act relating to a provisional driver's license and to issuance of a driver's license; and providing for an effective date."

- HEARD AND HELD

SENATE BILL NO. 83

"An Act naming the Sven Haakanson, Sr. Airport at Old Harbor."

- MOVED SB 83 OUT OF COMMITTEE

CS FOR SENATE BILL NO. 71(TRA)

"An Act relating to funding for transportation projects; and providing for an effective date."

- HEARD AND HELD

PREVIOUS ACTION

BILL: HB 213

SHORT TITLE:PROVISIONAL DRIVER'S LICENSE

SPONSOR(S): REPRESENTATIVE(S)WEYHRAUCH

Jrn-Date	Jrn-Page		Action
03/26/03	0640	(H)	READ THE FIRST TIME -

			REFERRALS
03/26/03	0640	(H)	TRA, L&C
03/26/03	0640	(H)	REFERRED TO TRANSPORTATION
04/01/03		(H)	TRA AT 1:30 PM CAPITOL 17
04/01/03		(H)	Heard & Held
			MINUTE(TRA)
04/03/03		(H)	TRA AT 1:30 PM CAPITOL 17

BILL: SB 83

SHORT TITLE:SVEN HAAKANSON AIRPORT AT OLD HARBOR

SPONSOR(S): SENATOR(S) STEVENS G

Jrn-Date	Jrn-Page		Action
02/26/03	0274	(S)	READ THE FIRST TIME - REFERRALS
02/26/03	0274	(S)	TRA, STA
03/04/03		(S)	TRA AT 1:30 PM BUTROVICH 205
03/04/03		(S)	Moved Out of Committee
			MINUTE(TRA)
03/05/03	0354	(S)	TRA RPT 4DP
03/05/03	0354	(S)	DP: COWDERY, OLSON, THERRIAULT,
03/05/03	0354	(S)	LINCOLN
03/05/03	0354	(S)	FN1: ZERO(DOT)
03/13/03		(S)	STA AT 3:30 PM BELTZ 211
03/13/03		(S)	Moved Out of Committee
			MINUTE(STA)
03/17/03	0513	(S)	STA RPT 4DP
03/17/03	0513	(S)	DP: STEVENS G, HOFFMAN, DYSON, COWDERY
03/17/03	0514	(S)	FN1: ZERO(DOT)
03/17/03	0534	(S)	RULES TO CALENDAR 3/18/2003
03/18/03	0534	(S)	READ THE SECOND TIME
03/18/03	0534	(S)	ADVANCED TO THIRD READING
			UNAN CONSENT
03/18/03	0534	(S)	READ THE THIRD TIME SB 83
03/18/03	0535	(S)	PASSED Y18 N- E1 A1
03/18/03	0539	(S)	TRANSMITTED TO (H)
03/18/03	0539	(S)	VERSION: SB 83
03/19/03	0576	(H)	READ THE FIRST TIME - REFERRALS
03/19/03	0576	(H)	TRA, STA
03/19/03	0597	(H)	CROSS SPONSOR(S): LYNN
03/31/03	0722	(H)	CROSS SPONSOR(S): OGG
04/01/03		(H)	TRA AT 1:30 PM CAPITOL 17
04/01/03		(H)	Scheduled But Not Heard
04/03/03		(H)	TRA AT 1:30 PM CAPITOL 17

BILL: SB 71

SHORT TITLE:TRANSPORTATION ENHANCEMENT PROJECTS

SPONSOR(S): SENATOR(S) STEVENS B

Jrn-Date	Jrn-Page		Action
02/18/03	0204	(S)	READ THE FIRST TIME - REFERRALS
02/18/03	0204	(S)	TRA, FIN
02/27/03		(S)	TRA AT 1:30 PM BUTROVICH 205
02/27/03		(S)	Moved CSSB 71(TRA) Out of Committee MINUTE(TRA)
02/28/03	0295	(S)	TRA RPT CS 3DP 1NR 1AM NEW TITLE
02/28/03	0295	(S)	DP: COWDERY, OLSON, WAGONER;
02/28/03	0295	(S)	NR: THERRIAULT; AM: LINCOLN
02/28/03	0295	(S)	FN1: ZERO(DOT)
03/11/03		(S)	FIN AT 9:00 AM SENATE FINANCE 532
03/11/03		(S)	Moved CSSB 71(TRA) Out of Committee MINUTE(FIN)
03/12/03	0467	(S)	FIN RPT CS(TRA) 2DP 5NR
03/12/03	0467	(S)	DP: WILKEN, STEVENS B; NR: GREEN,
03/12/03	0467	(S)	TAYLOR, HOFFMAN, OLSON, BUNDE
03/12/03	0467	(S)	FN1: ZERO(DOT)
03/13/03	0491	(S)	RULES TO CALENDAR 3/13/2003
03/13/03	0491	(S)	READ THE SECOND TIME
03/13/03	0492	(S)	TRA CS ADOPTED UNAN CONSENT
03/13/03	0492	(S)	ADVANCE TO 3RD READING FAILED Y12 N7 E1
03/13/03	0492	(S)	ADVANCED TO THIRD READING 3/17 CALENDAR
03/17/03	0519	(S)	READ THE THIRD TIME CSSB 71(TRA)
03/17/03	0519	(S)	PASSED Y11 N7 E2
03/17/03	0519	(S)	EFFECTIVE DATE(S) ADOPTED Y18 N- E2
03/17/03	0519	(S)	LINCOLN NOTICE OF RECONSIDERATION
03/18/03	0539	(S)	RECONSIDERATION NOT TAKEN UP
03/18/03	0539	(S)	TRANSMITTED TO (H)
03/18/03	0539	(S)	VERSION: CSSB 71(TRA)
03/19/03	0576	(H)	READ THE FIRST TIME - REFERRALS

03/19/03	0576	(H)	TRA
03/19/03	0576	(H)	REFERRED TO TRANSPORTATION
03/19/03	0596	(H)	CROSS SPONSOR(S): LYNN
03/20/03	0603	(H)	CROSS SPONSOR(S):ROKEBERG#1, STOLTZE#2
04/01/03		(H)	TRA AT 1:30 PM CAPITOL 17
04/01/03		(H)	Scheduled But Not Heard
04/02/03	0748	(H)	FIN REFERRAL ADDED AFTER TRA
04/03/03		(H)	TRA AT 1:30 PM CAPITOL 17

WITNESS REGISTER

LINDA SYLVESTER, Staff
to Representative Bruce Weyhrauch
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented the proposed committee substitute for HB 213 on behalf of Representative Weyhrauch, the bill's sponsor.

DOUG LETCH, Staff
to Senator Gary Stevens
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented the sponsor statement for SB 83 on behalf of the sponsor, Senator Gary Stevens.

SENATOR BEN STEVENS
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As sponsor of SB 71, testified on the bill and answered questions from the members.

JEFF OTTESEN, Acting Director
Division of Statewide Planning
Department of Transportation and Public Facilities
Juneau, Alaska

POSITION STATEMENT: Testified on SB 71 and answered questions from the members.

COLLEEN NORMAN
Alaska Conservation Voters
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to SB 71.

NANCY WATERMAN
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to SB 71.

BILL LEIGHTY
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to HB 71 and answered questions from the members.

LAUREN ATTANAS
Fairbanks, Alaska

POSITION STATEMENT: Testified in opposition to SB 71.

JAMES ARMSTRONG, AMATS Coordinator
Municipality of Anchorage
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 71.

HEATHER GOTT
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to SB 71.

JAMES KING
Trail Mix, Inc.
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to SB 71.

ACTION NARRATIVE

TAPE 03-15, SIDE A

Number 0001

CO-CHAIR BEVERLY MASEK called the House Transportation Standing Committee meeting to order at 1:32 p.m. Representatives Masek, Holm, Fate, Ogg, and Kookesh were present at the call to order. Representatives Kohring and Kapsner arrived as the meeting was in progress.

HB 213-PROVISIONAL DRIVER'S LICENSE

CO-CHAIR MASEK announced that the first order of business would be HOUSE BILL NO. 213, "An Act relating to a provisional driver's license and to issuance of a driver's license; and providing for an effective date."

Number 0072

CO-CHAIR MASEK told the members she has serious reservations about this is kind of legislation. She said current Alaska law

allows teens to obtain a learner's [permit] at the age of 14. That gives a teen up to two years to learn how to drive before turning 16 years old, when he/she can obtain a license with parental consent. She said many teens do not obtain a license [permit] until they reach the age of 16 and are required to have a learner's [permit] for at least six months. She said that those existing provisions of law take care of the graduated criteria that this bill's sponsor is trying to establish. Co-Chair Masek said that this bill simply does not make any sense to her. She said the National Highway Traffic Safety Administration (NHTSA) study and statistics that the sponsor featured to justify the implementation of this bill cite three reasons for a large number of accidents for this age group. Those factors that work together to cause a high number of accidents among teens are inexperience, risk-taking behavior, and immaturity.

CO-CHAIR MASEK told the members that she believes there are only four [changes] worthy of considerations in amending current law related to teen drivers. She offered the following suggestions: [change] the age at which a student can get a learner's [permit] to 16 years old, change it so the permit is for one year rather than for six months, require driver's education classes for youths under 18 years old, and prohibit teen driving between the hours of midnight and 6 a.m. She also recommended revoking a driver's license for speeding or reckless endangerment. Co-Chair Masek said if there is a comparison between Alaska and the other states, it is not relevant in the rural areas where a lot of youths have to travel quite far to a job and do not have public transportation. It would be a huge burden on the parents to assume the role of getting kids to work, she said.

Number 0358

REPRESENTATIVE KOOKESH noted that one of the core components of the graduated license in most states is that youths [who have a provisional license] may not carry a person under the age of 21 years old [unless it is a parent or legal guardian]. He asked why the age requirement of 25 years old is used in this legislation.

Number 0380

LINDA SYLVESTER, Staff to Representative Bruce Weyhrauch, Alaska State Legislature, presented a proposed committee substitute for HB 213 [unspecified version] on behalf of Representative Weyhrauch, the bill's sponsor. She told the committee the

rationale for increasing the age from 21 to 25 years of age is that a person who is 21 years old is closer in age to a 16- or 17-year-old. It was decided that 25 years of age is really another age group.

REPRESENTATIVE KOOKESH stated that the sponsor is relying on data that is being presented from other states, and has adopted language that is almost verbatim from other state's [graduated driver's license] law, with the exception of changing the 21-year-old to 25-year-old passenger language. He told the committee he does not understand the rationale and is uncomfortable with this change.

MS. SYLVESTER replied that the idea behind selecting the age of 25 is to assure that a passenger in a car with a novice driver is someone akin to a parent. The idea is to have someone removed from the peer group who is a young adult. Ms. Sylvester said that this language would assure the greatest safety, but the sponsor is willing to consider a change in the age. She added that the [25-year-old] age requirement is part of Washington State's law.

Number 0538

REPRESENTATIVE FATE shared that he has raised four children who have all gone through the era of "inability to make a judgment." He said he fears this legislation will criminalize every 16-year-old who has a provisional license, because there probably is not a single 16-year-old who at some time or another have an [underage] passenger in the car in the first six months. Representative Fate said he believes that some of this language is too draconian. He told the committee if the state were to offer really good driver's education, he said he believes a 16-year-old could be responsible behind the wheel of a vehicle. Representative Fate summarized his comments by saying he has real concern about this bill.

Number 0653

CO-CHAIR MASEK announced that HB 213 will be held in committee, and a subcommittee may be appointed to work on the bill prior to the next hearing.

SB 83-SVEN HAAKANSON AIRPORT AT OLD HARBOR

CO-CHAIR MASEK announced that the next order of business would be SENATE BILL NO. 83, "An Act naming the Sven Haakanson, Sr. Airport at Old Harbor."

Number 0708

DOUG LETCH, Staff to Senator Gary Stevens, Alaska State Legislature, presented the sponsor statement for SB 83 on behalf of Senator Gary Stevens, the bill's sponsor. He provided the following testimony:

SB 83 is a bill that will name the state airport at Old Harbor, which is in Kodiak Island, in honor of Sven Haakanson, Sr. He passed away November 23rd of last year.

Sven was a lifelong resident of Old Harbor and served as the community's mayor for 27 years. I may be wrong, but I think that may be a record for tenure for mayor in Alaska. He also played an integral part in the community's public works and lobbied diligently for the airport's construction. He was well known on Kodiak Island and around Alaska, played a vital role in establishing corporations and associations that have become familiar and important in Alaska's corporate and nonprofit world.

He was one of the founders of the Kodiak Area Native Association (KANA), Koniag, Inc., and served on the boards of several corporations and organizations on Kodiak Island. Just this past year 2002, Sven was named the elder of the year by the Koniag Native Corporation.

Number 0795

As you can see in your bill packet, SB 83 is supported by the residents of Old Harbor, endorsed by the city council, the Old Harbor Tribal Council, and Koniag, Inc. Just the other day we also received a letter of support from Ouzinkie which I wasn't able to get into your packets at this time.

It is widely supported amongst residents of Kodiak Island and this bill, if passed, will recognize a man who gave so much of his time and energy to the

community, and will ensure that Sven Haakanson, Sr.'s memory will live on for generations to come.

REPRESENTATIVE FATE asked if anything else has been named after Sven Haakanson, Sr.

MR. LETCH replied that at this time, the community of Old Harbor had not named anything else after Sven Haakanson, Sr., but noted that there had been a legislative citation earlier in the session when Senator Gary Stevens had been a Representative.

REPRESENTATIVE FATE noted that support for naming the airport had been heard, and asked if there were any groups or individuals that were against the proposed naming.

MR. LETCH responded that to his knowledge there had not been any objection to this naming.

REPRESENTATIVE FATE added that in the past, he had named something precipitously and had to withdraw his support after he found out that certain things did not happen that he had been led to believe were the case.

Number 0903

CO-CHAIR HOLM referred to a scenario such as a pilot approaching the airport under adverse circumstances from Seattle, for example, and not knowing where the airport is nor having any idea who Sven Haakanson was. He suggested that the pilot would be looking for the airport, and in poor conditions, he/she would be more in need of being oriented to coordinates and correct location than worrying about the name of the airport. He added that he has heard it is better to have a small name for an airport than a large name. He directed his concern for making an appropriately safe choice regarding naming an airport to Representative Fate because of his experience as a pilot.

REPRESENTATIVE FATE reflected that the concern does not have much weight with pilots because before heading for an airport, the pilot knows, or certainly should know, the destination. He added that pilots use charts and usually, in a small community, there is only one airport. He said he thought that the issue might apply more to a layperson - one who does not pilot a plane.

REPRESENTATIVE KOOKESH commented that credibility should be acknowledged when the local organizations, groups, and

populations in the district offer support. He highlighted the importance of giving recognition to their choice for the name, whether the name has six or three syllables.

REPRESENTATIVE OGG said that he knew Sven Haakanson, Sr. for quite a while. He said Sven Haakanson, Sr. was mayor of Old Harbor while he was mayor of Kodiak Island Borough. Representative Ogg said they had fished competitively - adding that Mr. Haakanson was probably better, at times. He recalled that when he first arrived in Kodiak, Mr. Haakanson was on the Kodiak Island Borough assembly. He said that at that time, the state had set up a mechanism whereby the city would have two people on the assembly, and three people would be elected at-large. The two people from the city were appointed by the city council, and when handling budgetary matters, they had four votes - with an extra vote per person.

Number 1159

REPRESENTATIVE OGG told the members that he believed it was in 1974 or 1975 when the budget came up [for review] and Sven Haakanson, who was chair of the assembly, made a ruling that resulted in a lawsuit by the City of Kodiak against Kodiak Island Borough, the repercussions of which continue until today. Representative Ogg said the ruling has had an impact on government because people are no longer appointed to elected bodies in Kodiak, and perhaps not in the rest of the state as well. He highlighted that Sven Haakanson, Sr. was a great advocate for democracy.

REPRESENTATIVE OGG said he feels that Mr. Haakanson was a "swell person" with a great sense of humor. He has a wonderful family and if he had been alive today, he would have seen his grandson who was born perhaps two weeks ago to his son, Sven Haakanson, Jr. Representative Ogg said he agreed with Representative Kookesh's suggestion that people should not be penalized for the amount of syllables in their names, pointing out that there has not been a problem in naming airports "La Guardia, Kennedy, et cetera." He urged the committee to honor Sven Haakanson, Sr., who gave so much to the state and served his community.

MR. LETCH said that similar concerns have been brought up at hearings in the other body. He said Sven Haakanson Sr., and Sven Haakanson Jr. are in a National Geographic video called, "The Giant Bears of Kodiak Island." He added that Sven Haakanson Jr. is the curator of the Alutiiq Museum in Kodiak, and although he never had the opportunity to meet Sven

Haakanson, Sr., he believes he was a wonderful person from all of the accounts that he has heard.

Number 1265

REPRESENTATIVE FATE moved to report SB 83 out of committee with individual recommendations [and the accompanying fiscal note.] There being no objection, SB 83 was reported from the House Transportation Standing Committee.

SB 71-TRANSPORTATION ENHANCEMENT PROJECTS

CO-CHAIR MASEK announced that the final order of business would be CS FOR SENATE BILL NO. 71(TRA), "An Act relating to funding for transportation projects; and providing for an effective date."

Number 1320

The committee took a brief at-ease from 2:00 to 2:01.

Number 1331

SENATOR BEN STEVENS, Alaska State Legislature, as sponsor of SB 71, testified on the bill and answered questions from the members. He told the committee that this bill does three things. Section 1(a) reduces the funding from the TRAAK [Trails and Recreation Access for Alaska] program from 8 percent to 4 percent. He asked the members to look at the spreadsheet that is titled "Comparison of Minimum TE Expenditures Required Under Federal Law," which shows the last six years of TRAAK funding. He said the first column, labeled "TE Apportionment," shows the federal requirement of 10 percent of all surface transportation program monies. The column labeled "TE+Match" is the amount plus what the state provides. He said it is the minimum required under TEA-21 [Transportation Equity Act for the 21st Century]. Senator Stevens pointed out that amount is over \$43 million over last six years. In addition to that amount, the state has spent over \$150 million, he said. Senator Stevens explained that this bill would put in statute the requirement that the state would reduce funding down to 4 percent, which would still be above the amount required by federal law.

SENATOR BEN STEVENS explained that Section [1(b)] of the bill takes that 4 percent and steers it back into the community transportation program. He asked the members to turn to the pie chart [titled Distribution of Federal-Aid Transportation Formula

Funds Per 17 AAC 05.155-200]. Senator Stevens said the CTP (Community Transportation Program) is made up of TRAKK plus 33 percent of the CTP, and all that money goes to AMATS (Anchorage Metropolitan Area Transportation Study), FMATS (Fairbanks Metropolitan Area Transportation Study), and all other state and local road projects which are non-restricted. Senator Stevens explained that what Subsection (b) says is that 4 percent steers back to the CTP, but it does not change the overall amount going to the CTP. In other words, he said, the statewide CTP now goes to 37 percent, and TRAKK goes down to 4 percent.

SENATOR BEN STEVENS told the committee Section [1 Subsection (c)] relates to the other spreadsheet titled "Comparison of the Anchorage Metropolitan Area Transportation Solutions (AMATS) Enhancements Allocation at 10% and 15%". He explained that the top portion of the spreadsheet from 2000 through 2003 shows the total AMATS allocation from the STIP [Statewide Transportation Improvement Program] for Anchorage's share of the CTP. The column labeled "Actual" is the amount of money that was actually spent on the trails and enhancement program by AMATS. Currently, AMATS has a program that says 15 percent of all AMATS funding will go to transportation enhancements which includes pedestrians, landscaping, trails, interpretive waysides, and pullout, et cetera.

Number 1566

SENATOR BEN STEVENS pointed out that actually more money was spent because of an anomaly on the beginning of the Ship Creek Trail. He told the committee that an important part to understand about [Section 1, Subsection (c)] this bill is the difference between [2000] to [2003] then to the next one [2004] to [2006]. AMATS does a three-year plan, just as the state does with the STIP. It is important to consider that the AMATS share of the CTP has increased from 22 percent to 28 percent. In [2003] Anchorage got \$42 million, but as a result of the change in [2004] Anchorage will get \$56 million. This bill will provide that \$56 million at 15 percent would be \$8.4 million, or 10 percent would be \$5.6 million, which is similar to the previously planned 15 percent. Senator Stevens told the committee if they look at the long-term average over the next three years of the program versus the last four years of the program, the spending remains constant. He said it is his position and that of the other body that passed this bill that Anchorage faces a lot challenges, as do other areas of the state, with road needs and increased congestion. One of the ways to help alleviate some of these problems is to give an

increase in the amount of money and use it to address the problems related to roads. This would still maintain adequate funding to build new trails. He told the members the trails in Anchorage have been built with the same amount of money in the past and there is nothing to say this will not be adequate funding in the future to continue the construct of new trails. This money cannot be used for maintenance, he stated.

SENATOR BEN STEVENS commented that the National Recreational Trails Federation Program is in the state's capital budget for increased trails construction throughout the state. He told the members that the reason he included the capital requests in the appropriations bill is to show the members that there are other areas of funding that come forward to build recreational trails throughout the state. For instance, he referred to number 6854, where there is a request from the Department of Natural Resources for \$695,000 for recreational trail, trailhead development, and maintenance. Number 32552 is a request for \$675,000 for the acquisition and/or development of outdoor recreation areas and facilities such as soccer fields, campgrounds, tennis courts, boat launches, hiking trails, picnic areas, et cetera. Senator Stevens stated that this request has been funded since 1994. The previous request has been funded consistently for \$600,000 to \$700,000.

Number 1722

SENATOR BEN STEVENS pointed out that the National Park Service also spends money on trails in Alaska. He summarized his comments by saying there are many avenues to fund trails and it is his position that it is important to take the \$13 million from the TRAKK program and put it back in the STIP for communities to help address some of the backlog on construction projects for roads. He noted that there is a \$3.1 billion backlog for roads and an estimated \$300 million for trails, which is a 10-to-1 ratio. Senator Stevens told the members he believes this will help to address some of the problems facing communities.

REPRESENTATIVE FATE commented that Senator Ben Stevens said the state is still above the percentage of the required federal matching formula. He asked if it is possible to increase the percentage to communities, since there are other sources of funding for trails.

SENATOR BEN STEVENS responded that he had a difficult time determining how much the state was spending to meet the federal

requirement. The reason it was difficult is that each project approved under the STIP has built into it funds for pedestrian, wayside trails, landscaping, et cetera. Senator Stevens said that he has been unable to get a finite number on how much the state is spending on it. He said he probably could have come up with a higher percentage, but also believes that the TRAKK program is a good program and has done a great job. However, as the members can see the amount of money has gone out of control and needs parameters.

REPRESENTATIVE FATE clarified his question by asking if there could be more funds going to communities for roads, because the trails program has other funding sources.

SENATOR BEN STEVENS explained that the other funding sources is like mixing apples and oranges. These funds are for trails in recreational areas, but they are not under the surface transportation program that comes from the national highway funds.

Number 1872

CO-CHAIR HOLM noted that Senator Ben Stevens did not have any numbers for the FMATS; however, there are percentages in the breakout [document labeled "Distribution of Federal-Aid Transportation Formula Funds Per 17 AAC 05.155.200"] where it shows 27.8 percent for AMATS and 10.5 percent for FMATS. He asked if he is to conclude that if the \$56 million for 2004 would be 27.8 percent, then, if he used the 10.5 percent figure then he could determine what FMATS would get.

SENATOR BEN STEVENS replied that FMATS is not off and running yet, but under the forward STIP that is the FMATS share.

REPRESENTATIVE KAPSNER told the members she is concerned about the rural [areas of the state]. She explained that in her district there are no roads between communities, but in the winter villagers will stakeout trails for snow machine use so people do not get lost. The TRAKK system does help the communities fund this program and wonders if there is any protection for trail markers.

SENATOR BEN STEVENS pointed out that originally the TRAKK program was for small trail projects according to the intent in the administrative order that established the program. The first TRAKK program was a concept developed by Governor Hickel and then evolved in the next administration into the TRAKK

program that the state has now. He said his personal opinion is that the program diverted further to become part of highway projects and the projects evolved, became bigger, and became mega-projects. He explained that instead of having \$400,000 to \$800,000 projects for rural roads areas it became \$6 or \$7 million projects for building interpretive viewing facilities on the Seward Highway. This concept has become difficult to comprehend, so this legislation is intended to bring it back to what it was intended for, which is trails and winter access. Senator Stevens said he would like to see the bike trails, landscaping, viewing areas, et cetera to remain a part of highway projects. He stated that is the intent of this bill.

REPRESENTATIVE KAPSNER asked Senator Stevens if he would be comfortable stating this in his bill.

SENATOR BEN STEVENS responded that language is already in the administrative order. He pointed out that there is no statute revolving around TRAKK, the state is just directing funds for the program. The TRAKK regulations were established by administrative order not by statute.

Number 2030

JEFF OTTESEN, Acting Director, Division of Statewide Planning, Department of Transportation and Public Facilities, testified on SB 71 and answered questions from the members. He asked the members to look at the copy of a PowerPoint presentation in the bill packet.

CO-CHAIR MASEK asked Mr. Ottesen to address the issues discussed in the meeting.

MR. OTTESEN referred to the comments on the winter trail [markers]. He told the members that there has been a debate over the last few years in the department as to whether the winter trails are properly part of the TRAKK program or part of the highway program. He said that they have been included in both and have bounced back and forth between the two. Mr. Ottesen said that he checked with the Federal Highway Administration, after the same question came up in the Senate Finance Committee. He found that a winter trail in Alaska is being used as a road and more importantly it is being used by motorized transportation, and as such it needs to be in the highway program. The TRAKK program funding is not eligible for trails that are used by motorized vehicles under federal law. Mr. Ottesen said that the change in pushing the STIP from 33

percent to 37 percent would make more money available for winter trails as well as for all other road needs. He said winter trails are used to go between villages for a variety of reasons including shopping, medical services, or to visit family. The trails function as a road. Mr. Ottesen told the members that he has traveled to the villages in the winter and when villagers use the trails, it is the equivalent of an urban resident going to Costco in their pickup truck. He said the trail is used for services, not recreation.

Number 2109

REPRESENTATIVE KAPSNER told the members that if the funds are competitive, the [villages] will not be able to compete for the highway funds because people in the urban areas think of snowmobiles as recreational vehicles. She reiterated that she would like to see a preference or scoring boost for the winter trails for intercommunity travel.

MR. OTTESEN responded that the department has funded six winter trail projects since 1996, almost one per year, and there is another one scheduled to be done this year. He told the members that the department will look at the scoring criteria to make sure the rural areas do not fall through the cracks, but given the importance [rural trails] play, and as the department has been doing the area plans around the state, the villages are telling the department that these trails are their highest priority. These [trail markers] are saving lives and making winter travel possible in bad conditions, and bringing people home when they might have otherwise perished on the trail. Mr. Ottesen said that in every respect of the word, this is an important part of their transportation system.

MR. OTTESEN summarized his comments by saying that the Department of Transportation & Public Facilities had already recognized that the TRAKK program had grown out of control. In late December of last year, the department started looking for ways to shrink it and in STIP amendment 17, which was put out the third week in January, the department tried to drop it by \$10 million, but one job was ready for bid, so it was actually reduced by \$8 million. Mr. Ottesen told the members that the department agrees with the figures in this bill, and pointed out that this program at the 4 percent level would still be larger than the federal minimum by almost double. He assured the members that the TRAKK program is not going away, but it is a matter of the right funding level with respect to all other needs.

Number 2372

COLLEEN NORMAN, Alaska Conservation Voters, testified in opposition to SB 71. She told the members that Alaska Conservation Voters is a nonprofit organization dedicated to protecting Alaska's environment through public education and advocacy. The 34 member organizations represent 35,000 registered Alaska voters. All of those voters use projects that have been funded by the TRAKK program. To keep this funding in place for Alaskans, she asked the members to oppose SB 71. Ms. Norman commented that the department does feel that TRAKK funding is out of control; however, it is important to note that there has already been a funding cut this year. She said putting a 4 percent cap on funding will impede healthy infrastructure development in every district. Ms. Norman said that there will be competition for rural areas to obtain funding for trails if those funds go into highway funds. She said recreation supports a healthy lifestyle for all Alaskans. She asked where the funds will come from to maintain new roads that will be built if these funds are diverted to highways.

MS. NORMAN closed her comments by saying that many of the TRAKK projects help to encourage the economy with respect to the tourism industry. Ms. Norman wanted the members to look at Subsection [c] where it limits what municipalities can spend on transportation enhancement projects. By limiting the funding to 10 percent it does not allow the municipalities to decide what is most important to them. She said some of the projects that may be cut are Farmer's Loop, Chena Hot Springs all season trail connection, pathway connection along the Iditarod Trail up Crow Creek to Crow Pass, Sterling Highway beach access for beachcombing, clam digging, and commercial fishing, trails and trailheads in the Matanuska-Susitna Borough, pedestrian walkway from the airport to the high school trail in Bethel, et cetera.

TAPE 03-15, SIDE B

Number 2372

NANCY WATERMAN testified in opposition to SB 71. She told the members that she became involved in transportation decisions in Juneau in about 1991 when "ISTEA" [Intermodal Surface Transportation Efficiency Act] was passed and she realized that an individual could participate in some of the decisionmaking, especially at the community level. She told the members that she thinks this is an unnecessary layer of legislation and that Department of Transportation & Public Facilities has planning

processes including a 20-year plan and fiscally constrained state transportation plan that manages federal aid highway dollars. The public process is included and allows for community influence in community, regional, and state decision-making. Ms. Waterman said that caps on TRAKK mentioned in Subsection (a) and transportation enhancements in Subsection (c) are unnecessarily restrictive, and, therefore, she asked the committee not to pass this bill. She said that Mr. Ottesen already spoke to the administrative decision making that is already managing Department of Transportation & Public Facilities funding to parallel the velocity of citizens and the administration.

Number 2311

BILL LEIGHTY testified in opposition to HB 71 and answered questions from the members. He told the members he is a 30-year resident and small business owner in Juneau. He told the members that he is interested in community design, transportation, and the energy and security implications of how communities are designed. He said in contemplating any bill it is important to look at what the sponsor is trying to accomplish and, in this case, whether the bill will help or hinder it.

MR. LEIGHTY said that in the case of achieving community security, he would read a few words by author Jane Jacobs, as follows:

The problem of insecurity cannot be solved by spreading people out more thinly. There must be eyes upon the street; eyes belonging to those we might call the natural proprietors of the street.

MR. LEIGHTY commented that the analogy here of the street is actually the trails. If the objective of this bill might be to restrict the funding for trail building, with the idea that may keep undesirable people out of the neighborhoods, the opposite effect will happen. He said he believes it is important to have people of all kinds coming through our neighborhoods, whether it is an urban neighborhood in splendid isolation on the hillside or a small community, in order for there to be that interchange of contact. Mr. Leighty summarized by saying if that is one of the motives of the bill, it will probably have the opposite effect.

MR. LEIGHTY added that funds in the TRAKK program give Alaskan very good security value for the money invested; moving the

funds into road building projects, which tend to be very expensive, will encourage people to drive more, and will burn more fuel, decrease our security, and cause us to be in more isolation from each other. Finally, he said that it is not a good idea to be meddling unnecessarily at the state level in community decisions. He suggested the members not pass the bill because it may have the opposite effect of the author's intent.

Number 2205

REPRESENTATIVE FATE asked Mr. Leighty how overspending can jeopardize the security of anything. Would not security be looked at when the funds are allocated?

MR. LEIGHTY responded that what he thinks is being discussed is the reallocation of resources from a limited pie, the federal funding that can either go into TRAKK or be diverted into more road building priorities for the Anchorage area. It is not the size of the pie that is being discussed, but the allocation within the pie and the ability of the locality to have that decision-making power.

REPRESENTATIVE FATE replied that the size of the pie does have something to do with it because Mr. Leighty is talking about security. What happened is that TRAKK allocated enough money to get the job done, but then found that more was being spent than was projected. Representative Fate stated that he does not see how this bill will jeopardize anything, including the people along the trail or the trail itself.

MR. LEIGHTY commented that he wanted to make the point that for community security and national and global security, it is important that people encounter each other in the lowest cost possible, and that might be in building more trails through more neighborhoods to interconnect people at a more human social level.

REPRESENTATIVE FATE responded that Mr. Leighty's philosophy is one that could be debated a long time.

Number 2136

LAUREN ATTANAS testified in opposition to SB 71. She told the members that she believes she speaks for many people who live in Fairbanks who do not want their municipal allocation controlled by the state. She quoted Representative Kohring as saying "big tentacles of government interfering where they shouldn't have."

She said she thinks if SB 71 is passed, it could be characterized as Representative Kohring said. She said that she could not speak to the issues in Anchorage, since she is not from that area, but she told the members that she has great confidence in FMATS in determining its own spending priorities. Fairbanks would be impacted by this bill because TRAKKS has provided funds for quite an array of projects in the area including: a 48-mile snow machine trail that runs out near Chena Hot Springs; Creamer's Field Waterfowl Migratory Refuge [where she serves as a volunteer naturalist] which is used by the whole community from school children to tourists; Birch Hill Ski Area, which was just improved this year and was the site of the Junior Olympics, and the wood bridge that is being built over the Chena River downtown. Ms. Attanas said she looked at the draft STIP for FY 04 through FY 09 and concluded that Fairbanks will be hit very hard by the passage of this legislation. She said she found at least 8 proposed projects in Fairbanks that are in danger of losing funding including a trail that connects Farmer's Loop to Chena Hot Springs Road, renovation of the Nenana steamship, and sanitary facilities for Farmer's Loop dog mushers. She said that these are not just window dressing, but part of what makes Fairbanks home.

MS. ATTANAS asked the members if they do want to usurp power and control over enhancement projects by local communities. Hundreds of worthwhile projects have already been funded by TRAKK' and these improve the quality of life for countless Alaskans. But because of this bill, hundreds more may be cut or delayed indefinitely. In closing, Ms. Attanas told the members that one lane-mile of rural road in Alaska costs about \$1.5 million to construct, so ten miles of roads can be constructed with the money saved by cutting TRAKK funding in half. She asked if this is really worth it.

The committee took an at-ease from 2:45 p.m. to 2:46 p.m.

[End of Side B. Due to technical difficulties, the following testimony of James Armstrong was not taped, but was reconstructed from the recording secretary's log notes.]

JAMES ARMSTRONG, AMATS Coordinator, Municipality of Anchorage, testified in support of SB 71. Mr. Armstrong asked the members to review the letter in the bill packet dated March 3, 2003, from Mayor George Wuerch in support of SB 71.

TAPE 03-16, SIDE A
Number 0088

HEATHER GOTT testified in opposition to SB 71. She told the members she opposes the bill because it cuts funding to TRAKK program. She said she does not own a car and uses the bike trails and paths not only for recreation, but to get around town on a daily basis. However, because she lives in Anchorage, she is not nearly as dependent on the trails as many rural residents of the state, she commented. Across the state in rural areas that do not have road access villagers depend on snow machine, subsistence gathering, and dog mushing trails all of which are past examples of TRAKK's accomplishments, she said. Ms. Gott said she disagrees with the way SB 71 assumes state control takes over local power, by taking away the power of local governments to control the federal transportation money. In summary, she said, trails and recreation projects are important to Alaskans, especially in Alaska's special circumstances. It is totally appropriate for the state to commit more than the federally mandated minimum for transportation enhancement, she stated. Ms. Gott urged the members to vote against SB 71 and maintain a balanced transportation system in Alaska.

Number 0190

JAMES KING, Trail Mix, Inc. ("Trail Mix"), testified in opposition to SB 71. He told the committee that Trail Mix is a group that works on trails with the state, the U.S. Forest Service, and the city [City and Borough of Juneau] to help manage and improve trails. The TRAKK program has been a wonderful program for Alaska in improving the quality of life for many residents. The program has also addressed safety issues by removing barriers for many users and providing facilities that helps make this state such a wonderful place to live.

MR. KING mentioned that there was an earlier comment that many of these projects could be addressed as part of road improvement projects. He said that in many cases that is not true. For example, if there is a popular fishing place along a road where maybe there is a lot of congestion with parking from fishermen, the roadway may be fine, and therefore, there may be no need for a road project. However, but the TRAKK program can go in and pay for a parking facility, so the problem of cars on the roadway and the necessity of pedestrians walking along the road will significantly improve a poor safety situation. There are other examples where kids may be getting to school, other users may be walking, or biking along a roadway and these types of TRAKK projects can remove them from the roadway. He explained

that the trail may not exactly parallel the roadway, it may go off through a neighborhood, it may make some other connection and therefore, it is not part of a major roadway reconstruction or construction project. Mr. King pointed out that the TRAKK funds can catch many of these projects that are not part of road projects.

MR. KING told the committee he echoes the comment made earlier that the wisdom of Department of Transportation & Public Facilities (DOT&PF) and the municipalities that realize that times are tight and it is time to tighten our belt a little bit and cut back on these programs at the DOT&PF level. However, it does not make sense to make a statewide solution to all of this when DOT&PF has already been making those gestures. Mr. King said that when times change, and he said he believes they will, if funding is increased and the backlog of current road projects are reduced, there may be a desire for the municipalities and rural communities to decide the priorities themselves. This type of bill would tie their hands until another bill were to make it through the process again. Mr. King summarized that TRAKK has been a wonderful program and has helped to solve a lot problems and the administration is moving in this direction anyway, so he does not see a great benefit in creating a bill that ties the hands of the municipalities and DOT&PF to make those decisions.

Number 0460

CO-CHAIR MASEK ended testimony on SB 71 and announced that the bill would held in the House Transportation Standing Committee until the next meeting.

ADJOURNMENT

There being no further business before the committee, the House Transportation Standing Committee meeting was adjourned at 2:45 p.m.