

**ALASKA STATE LEGISLATURE**  
**SENATE TRANSPORTATION STANDING COMMITTEE**

March 20, 2007

1:07 p.m.

**MEMBERS PRESENT**

Senator Albert Kookesh, Chair  
Senator John Cowdery, Vice Chair  
Senator Donny Olson  
Senator Bill Wielechowski  
Senator Gary Wilken

**MEMBERS ABSENT**

All members present

**OTHER LEGISLATORS PRESENT**

Representative John Coghill

**COMMITTEE CALENDAR**

SENATE BILL NO. 105

"An Act relating to reimbursement to municipalities by the Department of Transportation and Public Facilities for debt incurred by those municipalities for certain capital projects; and providing for an effective date."

MOVED CSSB 105(TRA) OUT OF COMMITTEE

SENATE BILL NO. 68

"An Act requiring motor vehicle insurers to provide to the commissioner of administration a database listing vehicle insurance policy information that will allow the commissioner to verify whether mandatory motor vehicle insurance has been obtained, limiting access to the database, establishing methods for proving that mandatory motor vehicle insurance is in place, allowing the additional penalties of suspending registration and vehicle impoundment and forfeiture for failure to have mandatory motor vehicle insurance, and authorizing hearings after suspension of registration for failure to have mandatory motor vehicle insurance."

SCHEDULED BUT NOT HEARD

HOUSE BILL NO. 102

"An Act relating to vacating lanes or slowing down for certain vehicles stopped along the side of a road."

MOVED HB 102 OUT OF COMMITTEE

**PREVIOUS COMMITTEE ACTION**

BILL: SB 105

SHORT TITLE: REIMBURSEMENT FOR MUNICIPAL DEBT

SPONSOR(S): SENATOR(S) HOFFMAN

03/05/07 (S) READ THE FIRST TIME - REFERRALS  
03/05/07 (S) TRA, FIN  
03/20/07 (S) TRA AT 1:00 PM BUTROVICH 205

BILL: HB 102

SHORT TITLE: PASSING STATIONARY VEHICLES

SPONSOR(S): REPRESENTATIVE(S) COGHILL

01/22/07 (H) READ THE FIRST TIME - REFERRALS  
01/22/07 (H) TRA, JUD  
02/15/07 (H) TRA AT 1:30 PM CAPITOL 17  
02/15/07 (H) Moved Out of Committee  
02/15/07 (H) MINUTE(TRA)  
02/19/07 (H) TRA RPT 4DP  
02/19/07 (H) DP: JOHNSON, DOOGAN, SALMON, NEUMAN  
02/26/07 (H) JUD AT 1:00 PM CAPITOL 120  
02/26/07 (H) Moved Out of Committee  
02/26/07 (H) MINUTE(JUD)  
02/28/07 (H) JUD RPT 6DP  
02/28/07 (H) DP: GRUENBERG, LYNN, DAHLSTROM,  
SAMUELS, HOLMES, RAMRAS  
03/01/07 (H) TRANSMITTED TO (S)  
03/01/07 (H) VERSION: HB 102  
03/02/07 (S) READ THE FIRST TIME - REFERRALS  
03/02/07 (S) TRA  
03/20/07 (S) TRA AT 1:00 PM BUTROVICH 205

**WITNESS REGISTER**

John Weise  
Staff to Senator Lyman Hoffman  
Alaska State Capitol  
Juneau, AK

**POSITION STATEMENT:** Presented SB 105

Ray Gillespie, lobbyist  
Unalaska, AK

**POSITION STATEMENT:** In support of SB 105

Carl Moses, representing himself  
Sand Point, AK  
**POSITION STATEMENT:** In support of SB 105

Chris Hladick, City Manager  
City of Unalaska  
Unalaska, AK  
**POSITION STATEMENT:** In support of SB 105

Frank Kelty, resource analyst  
City of Unalaska  
Unalaska, AK  
**POSITION STATEMENT:** In support of SB 105

Stephen Boardman  
Army Corps of Engineers  
Unalaska, AK  
**POSITION STATEMENT:** Available for questions on SB 105

Shirley Marquardt, Mayor  
City of Unalaska  
Unalaska, AK  
**POSITION STATEMENT:** Available for questions on SB 105

Daniel Hoffman, Chief of Police  
Fairbanks, AK  
**POSITION STATEMENT:** Available for questions on HB 102

**ACTION NARRATIVE**

**CHAIR ALBERT KOOKESH** called the Senate Transportation Standing Committee meeting to order at [1:07:53 PM](#). Present at the call to order were Senators Wielechowski, Wilken, Olson, Cowdery, and Chair Kookesh.

**SB 105-REIMBURSEMENT FOR MUNICIPAL DEBT**

CHAIR KOOKESH announced the consideration of SB 105.

[1:08:47 PM](#)

JOHN WEISE, staff to Senator Lyman Hoffman, sponsor of SB 105, said that the bill addresses the delay of debt repayment for various harbor projects, only one of which, in Unalaska, will not be able to meet the repayment date. The entire project in question is for a two-part harbor, the outer section of which must be completed before the state-funded inner portion can be

started. The inner harbor will cost \$12.9 million, of which state debt reimbursement will total \$5 million.

CHAIR KOOKESH asked Mr. Weise to expand on the main object of the bill.

MR. WEISE said that SB 105 tries to name the only small boat harbor still owing repayment from the original bill. There hasn't been any change in other parts of the bill.

[1:12:20 PM](#)

SENATOR WIELECHOWSKI asked if the money was previously appropriated and the bill will simply be extending the date of debt repayment.

MR. WEISE replied that was correct.

SENATOR WIELECHOWSKI asked if the fiscal note is zero.

MR. WEISE replied in the affirmative.

SENATOR OLSON asked how many boats will be served by the harbor.

MR. WEISE said that final capacity will be 75 boats; there's already another harbor in Unalaska that holds 60 to 65 but is currently overfull, so once the new harbor is completed it will already be full.

SENATOR OLSON asked who owns the existing harbor, and if they charge for the slips.

MR. WEISE replied that the city owns the harbor, and he doesn't know if they charge for the slips; he pointed out a map showing the location of the future harbor.

SENATOR KOOKESH asked if all the permits for the inner harbor have already been obtained.

MR. WEISE said that the permits for the outer harbor have all been obtained, but he was unsure as regards the inner harbor.

SENATOR OLSON asked if there will be a waiting list for slips once the harbor is completed.

MR. WEISE replied that the harbor will be first come first serve, but that many boats need a place to have safe harbor in bad weather.

[1:15:59 PM](#)

RAY GILLESPIE, lobbyist for the city of Unalaska, said that he was prepared to answer questions about the harbor and described the poster showing the harbor construction.

SENATOR KOOKESH asked Carl Moses if he would like to make any comments on the bill.

CARL MOSES, former state representative, said that the project has been delayed and is over 40 years overdue. It will provide safe harbor to many boats in the busiest fishery in the United States.

SENATOR WILKEN wished Mr. Moses well.

MR. MOSES thanked him.

CHRIS LADDOCK, Unalaska City Manager, said that the slips will have a rental fee, as in the existing harbor. There's currently a wait list of 30-45 boats, and at under two-thirds capacity the harbor will already be self-supporting. There have been problems in congress with continuing authorization for project bidding; it's unsure whether the project will be included in this year's budget.

SENATOR WIELECHOWSKI asked for an estimate on how much the project will cost.

MR. LADDOCK said that the total cost will be \$27 million.

SENATOR WIELECHOWSKI asked for the amount for which the debt reimbursement extension is being requested.

MR. LADDOCK replied that the amount is \$5 million.

SENATOR WIELECHOWSKI commented that the bill seems open-ended in terms of debt reimbursement, and asked if there are cost control measures in place.

MR. LADDOCK replied that the original appropriation was for \$5 million, and the city has contributed funding for cost overruns.

SENATOR OLSON asked for the operating and maintenance plan, and means of payment for such, for the harbor.

MR. LADDOCK said that he doesn't anticipate any problems in paying for operational and maintenance costs.

SENATOR OLSON asked if there are safety provisions for shipping of cargo containers.

MR. LADDOCK said that the harbor department takes care of security issues, and almost all the vessels coming through the harbor are registered with the federal government.

SENATOR WIELECHOWSKI said that the bill doesn't refer to the harbor alone in terms of debt repayment extension, and asked if it's the only project the bill would apply to.

MR. WEISE replied that it is.

[1:25:18 PM](#)

FRANK KELTY, resource analyst for the City of Unalaska, urged the committee to move the bill, and said that it's an important and long-overdue project. Unalaska is the largest fishing port in the nation, and has many vessels trying to seek port there. The weather in Unalaska is intense, and vessels need to be properly moored. The project should be supported, and it will help the community grow economically.

STEPHEN BOARDMAN, with the Army Corps of Engineers, said that the 2007 work plan was received that morning and funding was not included for the harbor construction.

SENATOR OLSON asked for detail on what the lack of funding will mean for the harbor.

MR. BOARDMAN said that the Corps has notified Congress of its capability of executing the project, and hopefully funding will be received by next year.

SENATOR OLSON asked if the city is expecting to see construction begin in 2009.

MR. BOARDMAN said that he hopes to see congress includes the project in its budget in 2008, which means it will be begun later that year.

SENATOR WIELECHOWSKI said that his only concern is that there's a number of projects listed in the section of the bill concerning the harbor, and the bill should only be applied to this one project.

SENATOR WILKEN remarked that the bill appears not to extend beyond a certain list of harbors.

SENATOR KOOKESH said that the committee would officially recognize Senator Wielechowski's clarification of the intent of bill.

SHIRLEY MARQUARDT, mayor of the city of Unalaska, said that the city will do everything in its power to move the project forward as soon as possible. Congress has approved the project and all the documents are in order, so the city wants to move forward as soon as the Army Corps of Engineers receives additional funding.

SENATOR WILKEN commented that line ten of the bill could be interpreted as an open-ended ruling for many DOT projects, and that perhaps the bill should be made more restrictive.

CHAIR KOOKESH restated that the committee would officially recognize the previously discussed clarification of the bill.

[1:35:50 PM](#)

SENATOR OLSON moved to adopt the proposed committee substitute (CS) to SB 102, labeled 25-LS0707\M, as the working document of the committee. There being no objection, the motion carried.

SENATOR COWDERY motioned to report CS for SB 105 from committee with individual recommendations and accompanying fiscal notes. There being no objection, CSSB 105(TRA) moved from committee.

### **HB 102-PASSING STATIONARY VEHICLES**

[1:39:00 PM](#)

CHAIR KOOKESH announced that the committee would be holding SB 68 for future consideration. He then announced HB 102 to be under consideration.

REPRESENTATIVE COGHILL, sponsor of HB 102, said that the bill was inspired by an encounter with a constituent. The current law doesn't designate a clear procedure for pulling over for emergency vehicles, so the bill cleans up current law.

SENATOR COWDERY said that enforceability is an obvious problem, and asked if the bill fully addresses the problem.

REPRESENTATIVE COGHILL said that he worked with policemen to form the bill, and that it covers the different procedures for single- and double-lane highways.

DANIEL HOFFMAN, Chief of Police for the City of Fairbanks, said that the basic problem is the way the initial statute was written; it provided an unclear choice between slowing down and moving over. The current bill will allow slowing down if there's no option to move into another lane and stop.

SENATOR OLSON asked if the bill only applies to municipal or state roads, or all roads.

REPRESENTATIVE COGHILL said that it applies to all roads where safety is an issue, thus all roads where safety officers can enforce law.

SENATOR OLSON said that North Slope Borough roads aren't state or municipality roads, and asked how they would fit under the law.

REPRESENTATIVE COGHILL replied that anywhere where there is a police force, the law can be enforced.

SENATOR COWDERY asked how the bill would function in a particular situation.

REPRESENTATIVE COGHILL replied that if pulling into a particular lane wasn't safe, then slowing down and proceeding would be allowed.

MR. HOFFMAN said that the bill only applies to roads with two or more lanes in the same direction.

REPRESENTATIVE COGHILL referenced lines four to seven of the bill to show how the bill treats smaller roads.

[1:47:29 PM](#)

CHAIR KOOKESH said that he intended to move the bill from committee.

SENATOR COWDERY made a motion to move HB 102 from committee with individual recommendations and attached fiscal note(s). There being no objection, the motion carried.

There being no further business to come before the committee, Chair Kookesh adjourned the meeting at [1:48:09 PM](#).