

ALASKA STATE LEGISLATURE
SENATE TRANSPORTATION STANDING COMMITTEE

February 19, 2008

2:30 p.m.

MEMBERS PRESENT

Senator Albert Kookesh, Chair
Senator John Cowdery, Vice Chair - via teleconference
Senator Donald Olson
Senator Bill Wielechowski

MEMBERS ABSENT

Senator Gary Wilken

COMMITTEE CALENDAR

SENATE BILL NO. 190

"An Act requiring minors 13 through 17 years of age who are not traveling accompanied by a parent or guardian to present identification and to have authorization from a parent or guardian before receiving a ticket from an airline employee."

HEARD AND HELD

SENATE BILL NO. 189

"An Act making special appropriations for bridge repairs and construction and road construction; and providing for an effective date."

HEARD AND HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 190

SHORT TITLE: MINORS TRAVELING ALONE BY AIR

SPONSOR(s): SENATOR(s) THERRIAULT

01/16/08	(S)	PREFILE RELEASED 1/4/08
01/16/08	(S)	READ THE FIRST TIME - REFERRALS
01/16/08	(S)	TRA, JUD
02/19/08	(S)	TRA AT 2:00 PM BUTROVICH 205

BILL: SB 189

SHORT TITLE: APPROP.: BRIDGES, SERVICE ROADS, TRAILS

SPONSOR(s): SENATOR(s) THERRIAULT

01/16/08	(S)	PREFILE RELEASED 1/4/08
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01/16/08 (S) READ THE FIRST TIME - REFERRALS
01/16/08 (S) TRA, FIN
02/19/08 (S) TRA AT 2:00 PM BUTROVICH 205

WITNESS REGISTER

SENATOR GENE THERRIAULT
Alaska State Capitol
Juneau, AK 99801-1182

POSITION STATEMENT: Sponsor of SB 190 and SB 189.

AVES THOMPSON, Executive Director
Alaska Trucking Association
Anchorage, AK

POSITION STATEMENT: Supported SB 189.

JOHN DUFFY, Borough Manger
Matanuska-Susitna Borough
Wasilla, AK

POSITION STATEMENT: Supported SB 189.

ACTION NARRATIVE

CHAIR ALBERT KOOKESH called the Senate Transportation Standing Committee meeting to order at [2:30:46 PM](#). Present at the call to order were Senators Wielechowski, Olson, Cowdery - via teleconference, and Kookesh.

SB 190-MINORS TRAVELING ALONE BY AIR

[2:30:46 PM](#)

CHAIR ALBERT KOOKESH announced SB 190 to be up for consideration.

SENATOR GENE THERRIAULT, sponsor of SB 190, said the intent of SB 190 is to provide protection for minor children by keeping their parents or guardians in the loop when it comes to air travel in the state of Alaska. He introduced this when a news report revealed that an Alaskan female under the age of 18 was able to obtain a ticket, board an aircraft and leave the state without the consent or knowledge of her parent's. He stated:

In this age of child Internet predators and the constant possibility that a young person may be encouraged to travel to meet somebody who intends to inflict harm upon them, the protections in SB 190 need to be seriously considered. In researching the

regulations and policies of various air carriers, there appears to be no clear and consistent ticket travel policy for children between the ages of 13 and 18 years old. SB 190 seeks to establish such a policy in a statute.

He pointed out that the original bill exemptions for minors under the authority of the state agencies was not included, so he encouraged the committee to look favorably on the amendment the Department of Health and Social Services (DHSS) will propose to correct this.

SENATOR THERRIAULT said even though the federal government is the main setter of policy for operations of airports and airlines in the U.S., he thought the issue warranted discussion in the Alaska legislature so that parents might be a little bit more in the loop and perhaps in control of their minor children traveling.

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SENATOR WIELECHOWSKI asked if he was aware of any preemption issues the airlines would have from federal rule. He was wondering how this would actually work and if airline computer systems have to be changed.

SENATOR THERRIAULT replied the federal law is primarily directed at asking for an ID when going through security and he thought there might be some issues there, but he has tried to target the point of receiving a ticket from the employee. He didn't know what could be done about someone purchasing a ticket in cash or on line.

SENATOR WIELECHOWSKI asked how "receiving a ticket" is defined. He buys his tickets by credit card on line and when he gets to the airport he goes to a kiosk to actually get his ticket.

SENATOR THERRIAULT replied the best they can do is hope that a kid doesn't have a credit card or that they have parental permission.

SENATOR OLSON asked how he came up with the age of 17 as being the break off point.

SENATOR THERRIAULT replied that the drafter came up with the federal government's parameters of having to show ID to get into the secure part of the airport.

SENATOR OLSON asked what about kids going to college who are under 17.

SENATOR THERRIAULT asked if they were going to college, why wouldn't the parents give their permission. Most college bound students are 17 or 18 years of age and would be past the threshold for approval anyhow.

SENATOR OLSON asked how air taxi operators would be treated in rural Alaska where the parents may not be in any kind of contact with them.

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SENATOR THERRIAULT replied they would be covered under this bill. A child coming home for Christmas from Mt. Edgecumbe, for instance, would have parental approval. Small carriers would have to check for parental approval at the time of ticket purchase at the counter.

SENATOR OLSON said kids buying tickets with cash would always say they have their parents' approval and asked if he had heard of any opposition to this bill from the transportation sector.

SENATOR THERRIAULT replied no one had contacted his office yet.

SENATOR OLSON asked what the penalty for the airlines is if they don't do this.

SENATOR THERRIAULT replied the bill doesn't talk about penalties, but he's open to it.

SENATOR OLSON asked how many other states have adopted this type of legislation.

SENATOR THERRIAULT replied he was not aware of any.

SENATOR WIELECHOWSKI asked what type of photo ID is available for 14 years olds and under.

SENATOR THERRIAULT answered school IDs and state IDs.

SENATOR WIELECHOWSKI asked if an airline allows a 14 year old on its plane, do they have any obligation to check the written authorization from the parent to confirm it and if they don't do that is the airline liable in some way if something happens to the child.

SENATOR THERRIAULT replied he didn't think there would be any more liability than exists now.

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SENATOR WIELECHOWSKI asked what would happen in emergency situations and could this requirement be waived for a medical emergency when a minor doesn't have time to get consent from his parents. He might be visiting with relatives, for instance.

SENATOR THERRIAULT replied if he was visiting with a relative, that relative could be the guardian. If the minor has to be medivaced, he didn't know if the patient or the medical facility purchased the ticket.

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SENATOR OLSON said this would be very cumbersome for air taxi operators and either wanted to wait to from them or an exemption. SENATOR OLSON said he had flown plenty of medivacs and none of them paid in advance.

SENATOR WIELECHOWSKI agreed and said he thought the bill had good intentions, but needed some work.

SENATOR THERRIAULT said he thought the committee might want to consider an exemption for rural Alaskans traveling, since a lot of children travel without their parents' permission there, and he didn't know if luring children to a hub in Alaska was a problem versus luring them out of state.

CHAIR KOOKESH asked if he intended to target young people trying to leave the state of Alaska on the major airlines rather than the small airlines that Senator Olson was talking about. He didn't think it was a problem in rural Alaska and language in the bill already said a young person traveling on a return portion into the state is exempt.

SENATOR THERRIAULT said he would welcome language to address that concern.

SENATOR COWDERY asked if the airlines have any position on this bill.

CHAIR KOOKESH said he would ask the airlines between now and the next hearing.

SENATOR COWDERY asked if that would include the ferry system and the cruise ships.

CHAIR KOOKESH replied they weren't talking about boats; they were talking about airline tickets specifically.

SENATOR COWDERY asked how the bill deals with the foreign airlines.

SENATOR THERRIAULT replied that it would affect any foreign airlines coming to Alaska. He had some discussion with his staff about ferries and cruise ships and decided that the separation between the modes of transportation is if his teenager snuck out of the house at mid-night he could be in Florida by the time he woke up in the morning. If he got on a ferry, he wouldn't get too far by the next morning.

SENATOR THERRIAULT asked if staff was going to work on a CS, because he wanted them to consider the issue of minors in state custody.

CHAIR KOOKESH set SB 190 aside and work on some of the issues.

SB 189-APPROP.: BRIDGES, SERVICE ROADS, TRAILS

[2:52:40 PM](#)

CHAIR KOOKESH announced consideration of SB 189.

SENATOR THERRIAULT, sponsor of SB 189, said it was introduced to spur some discussion in the legislature on capital needs for road infrastructure and bridge infrastructure in particular. The second section addresses concerns from Department of Transportation and Public Facilities (DOTPF) design professionals. It was spurred by the collapse of a major bridge in Minnesota last year and the fact that bridge infrastructure all across the nation is in serious need of repair.

He explained that appropriations for road infrastructure are dealt with by the Finance Committee because those are capital appropriations. However, he thought the subject of road and bridge infrastructure needed discussion specifically in the Transportation Committee. He asked the drafter to make that discussion the focus of the bill and didn't expect it to really "get legs" and shoot through the system. He suggested a figure of \$25 million for bridge infrastructure on the state highway network. In addition, he heard from a number of DOTPF design professionals about the desire to refund a program that has been on the state books for 20-30 years called the Local Service Roads and Trails Program that divvies up general funds into all

regions of the state to care for smaller basic transportation needs. It is 100 percent state funding.

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SENATOR THERRIAULT remembered back to when he was an aide in the legislature, he would routinely ask DOTPF about a little road connector that was between road projects that just made sense or a particular intersection that needed a little work. He was always amazed, in going through the federal system, at the length of time it took to design a project and the ultimate expense of building it when it seemed to be fairly minor. This fall he spoke to a number of DOTPF design professionals in Fairbanks and couple of them said they were also frustrated by that and the fact that because the state was depending on a 90 percent match from the federal government for its road money, it had to jump through all their hoops and that drove the expense up even more. So they indicated to him that they didn't need to reinvent the wheel and that a program was already on the books, but it just hadn't been funded for over 10 years. It would dole money out through a formula to all the regions of the state to do these little fixes in a much timelier and less costly manner. Section 2 of SB 189 speaks to this fund.

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He said DOTPF has provided a list of bridges along with some pictures. The pictures showed that some of the bridges have major structural failures. He said keeping up with maintenance seemed to be a human failing whether it's our own personal infrastructure or the state infrastructure.

SENATOR COWDERY said lots of heavy modules are built in Anchorage and maybe hundreds had been hauled up to the North Slope this year. They have a route to follow, but they are far heavier than anything else that travels the road.

SENATOR THERRIAULT said he sensed that DOTPF keeps in mind that it needs at least one route between the state's ports and the North Slope to make sure these heavy modules can be transported. They need to be mindful of having a strong transportation system ready to support building a natural gas pipeline. "Investment in our bridge infrastructure now would be money well spent."

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SENATOR OLSON asked who would contribute to this pot of money.

SENATOR THERRIAULT replied because it talks about the state road network it would all come from general funds; it would also

relieve the DOTPF personnel from jumping through the extra hoops required to get federal money. He said he would also consider adding a separate pot of money to help municipalities deal with some of their bridge infrastructure that is not part of the state network if the committee wanted to have some kind of a match.

SENATOR COWDERY asked if he had a list of Anchorage roads that are state roads and municipal roads in MatSu.

SENATOR THERRIAULT replied that DOTPF could better address the question of state roads and John Duffy, MatSu Borough Manager, could address MatSu roads.

He said the \$25 million in the bill talks about bridges specifically, but the second section of the bill proposes a separate pot of money that could be used by DOTPF to fund improvements to the state road network. He offered to work with DOTPF to get a complete list of the state road network.

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AVES THOMPSON, Executive Director, Alaska Trucking Association, supported SB 189 and stated, "The simple truth is that if you got it, a truck brought it." In the normal course of their business, highways and bridges are the important link that allows them to move freight. In light of the potential for a gasline, the association identified improvement of the state's infrastructure as one of the most important projects to insure that highways and in particular, bridges, are ready to allow the transport of the hundreds if not thousands of loads. He has found through experience, that one old or substandard bridge can be the weak link in an entire system; timing is everything and it's critical to move forward to eliminate any "choke points" in the state's transportation system. Further, he said, it's clear that federal funding will not meet Alaska's transportation infrastructure needs in neither the short nor the long term. So, Alaska needs to invest some of its dollars in it; he felt that given the enormous need, the appropriation should be even higher.

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JOHN DUFFY, Borough Manger for the Matanuska-Susitna Borough, supported SB 189. He was encouraged that they are considering developing a long-term funding solution for the state's transportation system. He hoped along with considering funding for bridge maintenance, they would consider the creation of a local bridge appropriation program to address non-state bridges

that are an important part of the state's overall transportation system. They are willing to provide a local match for such a program, and he said the MatSu Borough Assembly had already appropriated funds for such improvements.

He stated:

An effective and efficient transportation system is a basic requirement for growing economies. Without adequate roads and bridges, our transportation system will be hampered by congestion which results in higher costs of doing business through the long travel-time delays. Other problems associated with poor bridges include higher fatalities and injury rates that result in higher health costs and higher insurance costs, low work productivity....

He said the cost of living increases with an aging infrastructure. For example, many bridges in the Matsu Borough have been "D" rated because of their structural conditions. As a result, commercial vehicles such as fuel trucks, building delivery trucks, freight delivery vehicles, ambulances and fire trucks are not able to use these bridges. They are unable to clear the bridges of snow because of the weight restrictions. Citizens now rely on pickup trucks to plow snow and snow machines and sleds to move these close when an emergency occurs. Many citizens must provide their own fire response.

MR. DUFFY said other communities throughout Alaska share this situation and face similar challenges. He said the MatSu Borough presently maintains about 40 bridges and this is paid for by local taxpayers. The existing bridge inspection program is conducted by the State DOTPF for bridges of 25 ft. or longer while the borough completes inspections on roads less than 25 ft. Inspections are conducted by both parties every two years.

MR. DUFFY said the MatSu Borough taxpayers pay about \$11.2 million for these improvements and much of these funds are dedicated to day-to-day maintenance. The Assembly recently appropriated \$400,000 for bridge repair, but unfortunately, their bridge repair needs are about \$3.6 million.

He concluded by again putting forward his request for funding local bridge repair with a provision or requirement for local match in the form of cash, materials such as gravel, right-of-way and in-kind which would encourage local governments to match state funds.

SENATOR COWDERY asked if the MatSu Borough charges for gravel on the state's road system.

MR. DUFFY replied that most gravel for local projects is donated if it makes economic sense. He said the MatSu Borough donated all of the gravel used on the Pt. MacKenzie project. On state projects, if a gravel source is available, they would work with DOTPF to come to some reasonable agreement.

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CHAIR KOOKESH found no further questions or comments and said he intended to pass SB 189 out at the next meeting.

There being no further business to come before the committee, Chair Kookesh adjourned the meeting at [3:16:17 PM](#).