

ALASKA STATE LEGISLATURE
HOUSE COMMUNITY AND REGIONAL AFFAIRS STANDING COMMITTEE

March 13, 2014
8:05 a.m.

MEMBERS PRESENT

Representative Gabrielle LeDoux, Co-Chair
Representative Benjamin Nageak, Co-Chair
Representative Neal Foster
Representative Bob Herron
Representative Sam Kito III

MEMBERS ABSENT

Representative Kurt Olson
Representative Lora Reinbold

COMMITTEE CALENDAR

HOUSE CONCURRENT RESOLUTION NO. 24
Recognizing, honoring, supporting, and encouraging support for
dog mushing and dog mushers in the state.

- MOVED HCR 24 OUT OF COMMITTEE

HOUSE BILL NO. 317
"An Act relating to official traffic-control devices at schools
and in school zones."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HCR 24

SHORT TITLE: SUPPORTING DOG MUSHING
SPONSOR(S): COMMUNITY & REGIONAL AFFAIRS

03/03/14	(H)	READ THE FIRST TIME - REFERRALS
03/03/14	(H)	CRA
03/11/14	(H)	CRA AT 8:00 AM BARNES 124
03/11/14	(H)	Moved Out of Committee
03/11/14	(H)	MINUTE(CRA)
03/13/14	(H)	CRA AT 8:00 AM BARNES 124

BILL: HB 317

SHORT TITLE: TRAFFIC CONTROL DEVICES NEAR SCHOOLS
SPONSOR(s): TUCK

02/19/14 (H) READ THE FIRST TIME - REFERRALS
02/19/14 (H) CRA, TRA
03/13/14 (H) CRA AT 8:00 AM BARNES 124

WITNESS REGISTER

REPRESENTATIVE CHRIS TUCK
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Spoke as the sponsor of HB 317.

CONNIE MCKENZIE, Legislative Liaison
Office of the Commissioner
Department of Transportation & Public Facilities
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing of HB 317.

KENDRA KLOSTER, Staff
Representative Chris Tuck
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing of HB 317.

JESSICA ULLRICH
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 317.

CORRINE OSBORNE
North Las Vegas, Nevada

POSITION STATEMENT: Testified in support of HB 317 at the request of Representative Tuck.

SUSANNA ORR
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 317.

ROBERT BOYLE, Superintendent
Ketchikan Gateway Borough School District
Ketchikan, Alaska

POSITION STATEMENT: Testified during the hearing of HB 317.

LUKE HOPKINS, Mayor

Fairbanks North Star Borough
Fairbanks, Alaska

POSITION STATEMENT: Suggested amending HB 317.

BOB PRISTASH, Lead Engineer
Design and Construction
City of Fairbanks
Fairbanks, Alaska

POSITION STATEMENT: Testified during the hearing of HB 317.

KIMBERLY CLARK
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 317.

KATHIE WASSERMAN, Executive Director
Alaska Municipal League
Juneau, Alaska

POSITION STATEMENT: Expressed her concern about the structure of HB 317.

ACTION NARRATIVE

[8:05:27 AM](#)

CO-CHAIR GABRIELLE LEDOUX called the House Community and Regional Affairs Standing Committee meeting to order at 8:05 a.m. Representatives Foster, Kito III, Nageak, LeDoux were present at the call to order. Representative Herron arrived as the meeting was in progress.

HCR 24-SUPPORTING DOG MUSHING

[8:05:58 AM](#)

CO-CHAIR LEDOUX announced that the first order of business would be HOUSE CONCURRENT RESOLUTION NO. 24, Recognizing, honoring, supporting, and encouraging support for dog mushing and dog mushers in the state.

[8:06:32 AM](#)

CO-CHAIR NAGEAK moved to rescind the committee's action on 3/11/14 in reporting HCR 24 from committee. There being no objection, HCR 24 was again before the committee.

[8:06:45 AM](#)

CO-CHAIR NAGEAK moved to report HCR 24, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HCR 24 was reported out of the House Community and Regional Affairs Standing Committee.

[8:07:11 AM](#)

The committee took an at-ease from 8:07 a.m. to 8:08 a.m.

HB 317-TRAFFIC CONTROL DEVICES NEAR SCHOOLS

[8:08:58 AM](#)

CO-CHAIR LEDOUX announced that the final order of business would be HOUSE BILL NO. 317, "An Act relating to official traffic-control devices at schools and in school zones."

[8:09:19 AM](#)

REPRESENTATIVE CHRIS TUCK, Alaska State Legislature, speaking as the sponsor of HB 317, said the safety and well-being of Alaska's children should be its top priority. Representative Tuck noted that school zones are essential, regardless of the type of school or the funding it receives. Charter schools are public schools, but mandatory school zones are not required around charter school buildings. In response to public and parental concerns, HB 317 brings increased safety precautions to all schools, to ensure the well-being of every child, by requiring installation of school zones for all public, private, and religious schools, while still allowing the discretion of the municipality on the location and placement of signs, speed zones, lights, or other measures. Drivers should be alerted to all areas where children will be present in large numbers, and requiring school zone markings at all school locations will slow traffic, improve student safety in the vicinity of schools, and may prevent tragic accidents. In addition, the bill also requires signage to indicate school zones are drug-free zones. Representative Tuck read in part from the bill on page 1, line 4, as follows:

The regulations adopted by the department under (a) of this section must include provisions for the posting of official traffic-control devices at schools and in school zones. In this subsection, "school" has the meaning given in AS 28.01.010(k).

REPRESENTATIVE TUCK continued to explain that section 2 amends [AS 28.01.010(d)] to direct that municipalities post official

traffic-control devices at schools and in school zones. Section 3 defines "school" to mean a public school established under AS 14, a "charter school" as defined in [AS 14.03.290], a private school" as defined in [AS 14.45.200], and a "religious school" as defined in AS [14.45.200].

REPRESENTATIVE FOSTER asked for information regarding any fiscal notes attached to the bill.

REPRESENTATIVE TUCK responded that the fiscal notes address annual maintenance costs, regional operating costs, and capital expenditures for signage.

[8:12:44 AM](#)

CONNIE MCKENZIE, Legislative Liaison, Office of the Commissioner, Department of Transportation & Public Facilities, explained that the Department of Transportation & Public Facilities (DOT&PF) has prepared three fiscal notes because the state is divided into three regions. The department's traffic engineers have calculated that about 30 percent of all schools affected by the proposed bill are located on state-owned roads, and further calculated that in some areas school zone signage already exists, but schools would need school zone signs and flashers installed, and some areas need "the full assembly" of signage.

CO-CHAIR LEDOUX asked whether DOT&PF currently has signage around all neighborhood public schools on state-owned roads, but does not put up signage around charter schools.

MS. MCKENZIE said no. However, there are not necessarily school zone signs for every neighborhood school; the department works with school districts and municipalities to determine the location and type of signage that is necessary.

CO-CHAIR LEDOUX asked whether the current status is simply "discriminating against charter schools."

MS. MCKENZIE said, "I'm not aware of, I don't know if there's signage at charter schools or not, I don't know if any charter schools have been evaluated to have signage."

REPRESENTATIVE FOSTER surmised the cost of the bill is not a cost to the school, but a cost to DOT&PF.

MS. MCKENZIE said correct.

REPRESENTATIVE FOSTER asked whether the fiscal notes include the cost of signage for schools in villages that may not be located on state-owned roads.

MS. MCKENZIE responded that DOT&PF estimated that 30 percent of schools are on state-owned roads, and thus are the state's responsibility.

[8:16:34 AM](#)

REPRESENTATIVE KITO III asked if the department identified schools that already have signage, so those schools were not inadvertently included in the cost estimate.

MS. MCKENZIE explained that 139 schools would need "some sort" of signage, but an analysis was not done on every school.

CO-CHAIR LEDOUX observed the cost to municipalities is not included in the fiscal notes; however, if the cost to the state is \$20 million for 30 percent of the signs, would the cost to municipalities be upwards of \$40 million, because 70 percent of schools are located on municipal roads.

MS. MCKENZIE said she was unable to answer that question.

REPRESENTATIVE KITO III requested a breakdown of the fiscal notes.

MS. MCKENZIE stated that capital costs for the Northern, Central, and Southeast Regions total approximately \$19 million; the total operating costs are estimated at \$200,000.

REPRESENTATIVE TUCK confirmed the overall [capital] cost is [\$19.701.6] for the state.

[8:19:23 AM](#)

CO-CHAIR LEDOUX reiterated her presumption of the cost to municipalities.

REPRESENTATIVE TUCK agreed, although many public schools already have signage except for charter schools, religious schools, and private schools. He said he could not estimate the percentage of schools without signage, but stressed that currently there is nothing in statute that requires signage for schools of any

type, and the bill ensures that - where practicable - safety zones would be established.

[8:20:34 AM](#)

KENDRA KLOSTER, Staff, Representative Chris Tuck, addressed the costs in the fiscal notes and pointed out that DOT&PF has included the installation of flashing lights; however, the language in the bill states "as [far as] practicable," because some villages may not need flashing lights and many schools would only need school zone signs 30 feet from the entrance to the school. Also, of the 139 schools identified by DOT&PF, some already have flashing lights. Ms. Kloster related that the bill sponsor has been contacted by charter schools that only have walking routes, and municipalities will not post signage at schools that have no school buses. Some of the charter schools in Anchorage are located on very busy roads but have received no help from the municipality to slow down traffic, and that is one of the reasons for the bill. She remarked,

We don't have to put up big, expensive flashing lights where they're not needed. This cost that DOT has is definitely the very top that you could reach, but in many of these communities you're not going to need something that expensive.

CO-CHAIR LEDOUX asked whether there are communities that don't need signage.

MS. KLOSTER opined the intent of the bill is to ensure that individuals are aware of the location of schools and the need to slow down. It is appropriate in all areas to have signage to warn drivers of the proximity of schools and to proceed with caution.

CO-CHAIR LEDOUX gave the example of a village of 50 people, where the location of the school could not be missed.

MS. KLOSTER clarified that the proposed legislation affects cities, boroughs, and municipalities.

REPRESENTATIVE TUCK added that private and religious schools are often located in business areas where schools aren't normally located, and they also don't look like traditional schools. The bill will ensure that people are aware of all school facilities.

[8:24:34 AM](#)

REPRESENTATIVE KITO III cautioned that the cost could be a significant overestimate because in some municipalities there would be a small number of schools in need of signage.

CO-CHAIR NAGEAK recalled visiting a small school in his constituency which was located in a busy traffic area and that would benefit from signage.

REPRESENTATIVE FOSTER noted that the bill is directed to charter schools. He referred to the language in the bill [on page 1, line 9], and inquired as to who decides "what's practicable;" for example, whether an official would dictate to a village what signage is required, and if it conforms to the bill.

REPRESENTATIVE TUCK explained that DOT&PF has existing state and federal guidelines on signage. In Anchorage, the municipality looks at walking routes within a radius of about one-half mile from a school and determines the best location; however, not all areas can have a school zone because of certain dangers. The determination on signage is made on a case-by-case situation, with the community and school district involved.

[8:27:48 AM](#)

CO-CHAIR LEDOUX opened public testimony on HB 317.

[8:28:09 AM](#)

JESSICA ULLRICH informed the committee she was the parent of two children who attend the Alaska Native Cultural Charter School in Anchorage. She said her children's school moved to a new building last fall and after she investigated, she found that the Municipality of Anchorage Traffic Division conducted an assessment and determined there was no need for 20 mile per hour (mph) traffic signs. The school is located off of Bragaw [Street], which is a four-lane road, with a speed limit of 35 mph, and with a hill obstructing vision at the one entrance to the school. Ms. Ullrich said signage is "very much needed" to protect children as they are walking and driven to school. She was told by the Traffic Division that it places a lot of emphasis on the number of children they observe walking to school and, at the time of its assessment, only nine children were seen walking to and from school. Ms. Ullrich suggested that more students would walk to school if the walk were safer. She also questioned whether the assessment adequately considered the effect of the hill on drivers' vision, and whether the

process was subjective when the municipality assesses [the need for] and pays for signage. Further, she expressed her concern with the future scheduled changes in the road system that will lead to increases in traffic flow in the area. She stated her support for HB 317 as the bill removes the question of discrimination by the municipality, and described her continuing efforts in this regard as children's safety is the bottom line.

[8:32:57 AM](#)

CORRINE OSBORNE said she used to live in Anchorage and was asked by Representative Tuck to testify. On October 6, 2003, her 13-year-old daughter was hit by a car on her way to school and died two days later. Her daughter was hit in front of the school by a car going 45 mph, which was the legal speed limit, and there were no school zone designations or warnings to slow drivers down. For the next year, Ms. Osborne fought to designate the area a school zone with a posted speed limit of 25 mph, to add crosswalks, and to add on-demand stoplights, but was met with lots of resistance from the city and DOT&PF because of the cost, the street was an arterial road, and the children had other options. Eventually, all of the improvements were implemented a year later, and there have been no accidents or injuries to children since then. She acknowledged that this is a political issue, but she is a mother who lost her child due to a preventable accident. The proposed bill to establish school zones and install signs at the charter school also has resistance from DOT&PF, and she strongly urged that before voting, the committee think of the safety of all of Alaska's children, and vote to approve the bill.

[8:37:04 AM](#)

SUSANNA ORR informed the committee she was speaking as a concerned parent. She expressed her support of HB 317 and urged the committee to support the proposed legislature to install better signage and speed regulations in areas surrounding schools and community centers that are frequented by children. Ms. Orr related her recent personal experience in which her father and her daughter were traveling in a car that was hit by another car. It is unknown whether the driver who hit them exceeded the speed limit because the posted speed limit on O'Malley Road is 50 mph. As a working parent, she noted that the peak traffic times at her child's school are from 8:45-9:00 a.m., and 3:30-3:45 p.m., when about 150 vehicles enter and exit from O'Malley Road. Due to the location of their home, her daughter does not qualify for transportation by school bus which

would drop her off in an area with less traffic, and she is transported by her grandparent. O'Malley Elementary School is located off of Rockridge Drive, about one block south of O'Malley Road, and the speed limit on Rockridge is marked by 20 mph and school signs. There are many students who walk to school, but there are no sidewalks or road shoulders on either O'Malley or Rockridge. There is a stop sign on Rockridge at the intersection with O'Malley, but no signage indicating the proximity of a school except one sign. The accident her family was involved in was at a location where many accidents have occurred because of the lack of signage and a speed zone. Ms. Orr urged the committee to support HB 317 in order to protect children across the state who do not have appropriate signage at their school. She also expressed her fervent hope that this issue is not rolled into a larger debate of school funding as this is not an educational issue but one of basic public safety.

CO-CHAIR LEDOUX asked whether Ms. Orr's daughter attends a neighborhood school or a charter school.

MS. ORR responded that she attends a neighborhood public school. In further response to Co-Chair LeDoux, she explained that her school is located on a residential street, and there is signage within 30 feet of the school, but no signage on the adjacent state road. Furthermore, on O'Malley Road, the speed limit is 50 mph.

[8:44:20 AM](#)

ROBERT BOYLE, Superintendent, Ketchikan Gateway Borough School District, said [Part 7 of the Alaska Traffic Manual Supplement to the Manual on Uniform Traffic Control Devices, Federal Highway Administration, U. S. Department of Transportation (USDOT)], Chapter 7: Traffic Control for School Areas, establishes school routes and the requirements for posting signs around school zones. Urban and rural traffic control matrixes are presented on tables 7A.100-7A.101, found on page 130, and establish the criterion that USDOT should follow in the routes to schools, however, in many cases it fails to do so. In fact, DOT&PF has adopted an international program called the Safe Routes to School Program which is designed to encourage walking and biking to school by establishing safe routes. An examination of this program in Alaska reveals no mention of charter schools. On the other hand, the State of New Jersey specifically includes charter schools in the traffic control signage that is required by its department of transportation. Mr. Boyle related the Municipality of Anchorage has a school

zone policy manual and charter schools are not mentioned. Valley Park School in the Ketchikan Gateway Borough School District (KGBSD) contains two different charter schools and when construction changed the entrance to the two schools, KGBSD had a difficult time with DOT&PF rearranging the traffic control signs that indicated the school zone. He was unsure whether the problem was related to the fact that the schools were charter schools, but it was difficult to get DOT&PF to adhere to their requirements to put up signs and establish safe zones. He opined that the extensive costs for the proposed legislation can be rejected because the requirements for school zones already exist, and [locating and sizing] the traffic controls are already presented on the aforementioned tables. He remarked:

And so the [requirement] under House Bill 317 is simply a requirement that the department of transportation already has. This is not a new requirement - the rules, the regulations are there. The goals of the department are stated in their Safe Routes to School Program. And those already establish the routes and how the department should respond to the fact that charter schools exist. The bigger part of this bill that I see as important is the establishment of the fact that charter schools are indeed public schools. And we need to recognize charter as public schools within other organizations; in other words, we as a school district recognize the charter school - we think it's important for the establishment of charter schools as public schools within other organizations, so that they are not discounted.

[8:48:54 AM](#)

CO-CHAIR LEDOUX asked if the documents referenced by Mr. Boyle specifically exclude charter schools.

MR. BOYLE responded that charter schools are not mentioned, thus HB 317 "opens the platform" to ensure charter schools are included.

CO-CHAIR LEDOUX questioned why, if a document refers to public schools and it is widely known that charter schools are public schools, that charter schools would not be included, unless there is a specific exclusion.

MR. BOYLE clarified that his reference was to other states that explicitly state that charter schools are included; however, DOT&PF does not make that statement.

REPRESENTATIVE FOSTER said he represents over 60 rural communities and pointed out that on page 130 of the aforementioned manual the definition of rural is "a specially populated area, and rural schools have different traffic control than urban schools because there are generally fewer students that must walk to school." Representative Foster said that is sometimes true but in many parts of Alaska with villages, almost all of the students walk to school. Although the manual concludes that placing 20 mph school zones in rural areas is not always a good idea, Representative Foster pointed out that Alaska is a "very large and very diverse state."

MR. BOYLE recalled his experience as the superintendent of the Northwest Arctic Borough School District that had rural schools, but did not have charter schools. He stressed that HB 317 does not change the rules or regulations for rural areas, but ensures that charter schools are recognized with the same status as are other public schools.

[8:52:49 AM](#)

LUKE HOPKINS, Mayor, Fairbanks North Star Borough, informed the committee that the Fairbanks North Star Borough (FNSB) holds the responsibility for school construction, properties, and signage. He stated that he was struck by the power of earlier testimony. Mayor Hopkins noted that FNSB also utilizes the state Safe Routes to School Program and reviewed 16 of 34 schools for which FNSB is responsible. As a result, FNSB developed a large list of what was necessary to provide safe routes to schools; in fact, at one school FNSB is providing a section of sidewalk for children to walk to school that is costing \$500,000. Mayor Hopkins requested that the committee and the sponsor seriously consider amending HB 317 to include funds for the Safe Routes to School Program, because from that program individual municipalities can seek grants and matching funds. He pointed out that FNSB is very different from Anchorage - the borough has 104 road service areas and many have charter, private, and religious schools. Although the call for improved safety for schoolchildren and parents is understandable, a mandate calls for funds, and he restated his suggestion that funds should be appropriated to the Safe Routes to School Program. He expressed his belief that federal funds for the program were provided for three years but the state is not "picking up that funding

level." Mayor Hopkins asked that legislators give municipalities the opportunity to apply for grants from the Safe Routes to School Program. As an example [of possible expenses to a municipality], he said a seven-inch-high book of needs was the result of the analyses of just sixteen public schools. He agreed that safety is serious issue; however, DOT&PF's estimates may be low because "signs are not the only thing that get the children to have safe routes."

[8:57:17 AM](#)

CO-CHAIR LEDOUX asked if charter schools are considered when FNSB determines which schools get signage and which do not.

MAYOR HOPKINS answered that FNSB follows the traffic standards that have been referenced earlier in the hearing. The public works department makes recommendations to charter schools regarding signage for that school. He remarked:

A charter school goes out ... and steps into a leased property. They may or may not put up the signs because they don't have bus routes, everybody drives or the children walk. So again, they're not necessarily in areas where a sidewalk [is], so, it is true that it's not addressed in our codes. We don't, we don't have the depth of codes that, say, Anchorage does, but then we heard that Anchorage does not apply it to charter schools. So, there are issues that need to be addressed, that's true. I'm speaking to how we provide the funding for that operation.

[8:59:10 AM](#)

BOB PRISTASH, Lead Engineer, Design and Construction, City of Fairbanks, said he has been in his position for over 25 years. From an engineering prospective, he advised that more signage doesn't necessarily equate to greater safety. The Manual on Uniform Traffic Control Devices (MUTCD) indicates the size and location of signs, but does not indicate exactly at which intersections signs are needed; in fact, some intersections require a yield sign, a traffic signal, or no stop sign at all. Mr. Pristash expressed his concern that HB 317 requires the installation of devices at schools when [officials] really should be using engineering judgment, along with the need to follow the national standards as modified by the supplement [to MUTCD] which becomes the Alaska Traffic Manual. He noted that the City of Fairbanks has installed some devices based on the

classification of the roadway, the pedestrian trip generation, and traffic speeds; however, the most appropriate method to increase safety may not be devices but to improve a sidewalk, widen the road, or maintain the road. He cautioned that the bill is well-meaning but there may be unintended consequences.

[9:02:38 AM](#)

KIMBERLY CLARK stated she is the parent of a charter school student in Juneau. Ms. Clark related a recent event in which a family member was involved in a car accident very near her son's school. As a matter of fact, she was unaware of the location of the charter school herself until her son was enrolled there, because there are no signs identifying the school. She disagreed with a previous speaker because when she is driving, school signage does alert her to the presence of children and the need to be more aware. Ms. Clark said there is no price that can be put on the safety and the life of a child. She stressed that charter schools are part of the Juneau public school system, although many don't consider charter schools part of the [Juneau School] District. Moreover, charter schools do not have the funding to post signs. She said she fully supports HB 317.

REPRESENTATIVE KITO III observed that the charter school nearby [the Capitol] does not have a physical education facility and thus the students walk to the park to have physical education and recess, and are perhaps walking along the road quite often.

[9:06:18 AM](#)

KATHIE WASSERMAN, Executive Director, Alaska Municipal League, said she appreciated the intent of HB 317 and encouraged an ongoing discussion thereof; however, she expressed concern with the structure of the bill. The Alaska Municipal League (AML) represents the percentage of schools that are in other communities. The bill affects issues in larger communities, such as Anchorage, and another 161 municipalities as well. Her research on the bill did not reveal who defines what is practicable and what equipment is needed. Ms. Wasserman stressed that [budget] cuts are coming; there will be a huge deficit in the legislature even without an unfunded mandate, and in some communities it will be difficult to even plow the roads. She encouraged the committee to "look at the big picture," and opined that traffic control devices can be different in every community. In fact, in 50 percent of the smaller communities that are served by a Village Public Safety Officer (VPSO), there

is no local traffic ordinance, no ability to ticket an offender, and no court in which to prosecute an offender. She concluded that a sign is really just a warning that is unnecessary where the school is the center of the community. Ms. Wasserman expressed her concern that the bill holds an unfunded mandate for an unidentified cost.

[9:08:51 AM](#)

REPRESENTATIVE KITO III advised that according to the bill, existing statute refers to "practicable" and most municipalities provide school zone signage for most neighborhood schools. The intent is to add charter and religious schools "as schools that should be protected as well." There are 27 charter schools in the state, so the addition of 27 charter schools and [and unknown number of] private schools, to 400 [public neighborhood schools] doesn't seem overly burdensome for municipalities that are already providing traffic control signs for neighborhood schools.

REPRESENTATIVE FOSTER surmised that DOT&PF pays for the signage on state-owned roads; the municipality pays within its jurisdiction; and in a village, the state pays.

MS. WASSERMAN said that under Alaska law, some villages are municipalities and some are not.

REPRESENTATIVE FOSTER asked about the status of communities within a Regional Educational Attendance Area (REAA) that do not assess property taxes.

MS. WASSERMAN agreed that REAAs do not have a tax base because of Native land or other reasons, and HB 317 would result in a huge expense. Some communities are building smaller schools due to reduced funding. In further response to Representative Foster, she said she understood that the municipality within an REAA is responsible for providing the signage at its school under [proposed section 1, subsection] (d) of the bill.

[9:11:43 AM](#)

CO-CHAIR LEDOUX announced HB 317 would be held over. She said she would like to see charter schools covered to the extent that public schools are covered; however, the testimony suggested that not all public schools have [adequate] signage. Co-Chair LeDoux also questioned the fiscal notes attached to the bill and sought more information on estimated costs to municipalities.

REPRESENTATIVE TUCK stressed that current state statute does not include requirements for school zones. He then read from AS 28.01.010(d) [in part] as follows:

(d) A municipality shall erect necessary official traffic control devices on streets and highways within its jurisdiction that as far as practicable conform to the current edition of the Alaska Traffic Manual prepared by the Department of Transportation and Public Facilities.

REPRESENTATIVE TUCK pointed out that the term "practicable" is already in statute and has been used by municipalities to establish drug-free school zones. He continued to read from AS 28.01.010 (d) [in part] as follows:

The municipality (1) shall post a sign indicating that the school is a "drug-free school zone"

REPRESENTATIVE TUCK recalled the legislature established drug-free school zones to raise awareness, and it is even more important to raise awareness of school safety concerns. He turned to the issue of funding, and expressed his surprise that "money is more of a concern than the safety of our children. Because that's what it comes down to. And I think the fiscal note[s] [are] actually ... a little bit large ... but still very reasonable." He further elaborated that charter schools are handled differently within a municipality, because private and charter schools don't have a bus route system or good walking areas and thus were excluded from [the Municipality of] Anchorage's review of school zones. The discussion of HB 317 has strengthened the awareness that charter schools are public schools, however, making the public aware that they are also located in nontraditional facilities requires signage. The bill does not dictate traffic patterns, but raises awareness. Representative Tuck acknowledged that the Safe Routes to School Program is a worthy program, but its funding is not addressed in HB 317.

[9:16:17 AM](#)

REPRESENTATIVE FOSTER told of another student fatality in a school zone. He supported the spirit of the bill and will continue to measure its effect on villages. He said, "We're looking at safety of the children and so it's hard to put a dollar value on that."

REPRESENTATIVE HERRON observed there is signage throughout the state raising awareness of litter removal and of memorials at the site of accidents. He suggested the funding issue could be avoided by efforts from members of a community to find funding for "awareness" signs near public, private, and charter schools, and that would be a local effort. Through enabling legislation, this might be a way to get around a difficult funding issue and also result in the local community becoming more proactive.

REPRESENTATIVE TUCK returned to the issue of rural conditions, and noted that most federal traffic standards consider rural areas to be mostly farmland - where students would not walk to school - but that's not the case in Alaska. The bill is a proactive approach to make changes "before something happens." It is also proactive in that it does not put the [financial] burden on charter schools, which do not receive the same funding as other public schools, and rely in many ways on charter school families. He read [in part] from a letter written by a municipal traffic engineer [document not provided] as follows:

Because charter schools are not zoned like other district schools they do not provide busing or have defined school walking routes, which means they do not have specified school zones to be marked.

REPRESENTATIVE TUCK closed by saying we're asking that charter schools do have specified school zones. They do not have to meet all of the same standards, but they do need to be considered. A study of two locations in Anchorage have seen immediate results [from raising awareness].

[9:21:15 AM](#)

CO-CHAIR LEDOUX closed public testimony.

[HB 317 was held over.]

[9:21:25 AM](#)

ADJOURNMENT

There being no further business before the committee, the House Community and Regional Affairs Standing Committee meeting was adjourned at 9:21 a.m.