

HOUSE SPECIAL CONCURRENT RESOLUTION NO. 3

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES PHILLIPS, Vezey, G.Davis, Barnes, Brice, Sitton, Mulder

Introduced: 2/2/94

Referred: Rules

A RESOLUTION

1 **Disapproving Executive Order No. 89.**

2 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 **WHEREAS** the Governor, under the authority of art. III, sec. 23, Constitution of the
4 State of Alaska, has proposed to transfer the authority to enforce size, weight, and load
5 standards for vehicles operating on the state highway system and the authority to issue
6 overweight or oversize permits from the Department of Commerce and Economic
7 Development to the Department of Transportation and Public Facilities; and

8 **WHEREAS** the Department of Transportation and Public Facilities currently has the
9 authority to adopt standards governing the size, weight, and loads of vehicles operating on the
10 state highway system and responsibility for construction and maintenance of the state's
11 highways; and

12 **WHEREAS** the Department of Commerce and Economic Development currently has
13 the authority to administer and enforce all weight and measure standards in the state; and

14 **WHEREAS** transferring the commercial vehicle enforcement functions to another
15 department would not necessarily lead to efficiency; and

16 **WHEREAS** the creation within the Department of Transportation and Public Facilities
17 of a unit to enforce size, weight, and load restrictions would require more administrative and

1 operating overhead than would be the case if a consolidated division with those responsibilities
2 is retained in the Department of Commerce and Economic Development; and

3 **WHEREAS** effective enforcement of the size, weight, and load standards for vehicles
4 operating on the state highway system and the efficient issuance of oversize or overweight
5 permits and the ability to provide optimum coverage for the commercial vehicle enforcement
6 program has been enhanced by fostering a professional and open relationship between the
7 Department of Commerce and Economic Development, the trucking industry, local officials
8 within the Railbelt, the Department of Public Safety, and the Department of Transportation
9 and Public Facilities without compromising the integrity of the commercial vehicle
10 enforcement program and the trucking industry; and

11 **WHEREAS** the powers and duties proposed for transfer affect a large number of
12 citizens and have a direct effect on intrastate and interstate commerce; and

13 **WHEREAS**, before any transfer of authority is made, the implications and effects of
14 the transfer should be carefully analyzed by the legislature;

15 **BE IT RESOLVED** that the Alaska State Legislature disapproves Executive Order
16 No. 89.