

SS FOR 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, Finkelstein

Introduced: 2/28/94

Referred: Labor & Commerce

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 is inconsistent with the need to reduce

1 the cost of government because it would require more administrative and operating overhead
2 than would be the case if a consolidated division with those responsibilities is retained in the
3 Department of Commerce and Economic Development; and

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

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

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

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