

H B

169

# COMMITTEE REPORT

## HOUSE

2/17/81

(5)

FURTHER:

Date: 2-10-82

Mr. Speaker:

The Committee on LABOR & COMMERCE has had HB 169

"An Act relating to motor carriers."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for \_\_\_\_\_  same title
- new title
- and recommends \_\_\_\_\_
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the Transportation Committee

**MEMBERS SIGNING**

**DO PASS**

Do Pass signed - Terry Minter

H. ...

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**MEMBERS HAVING**

**OTHER RECOMMENDATIONS:**

Bruce Rogers Do Pass if amended

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Terry Minter

**CHAIRMAN**

Introduced 2-17-81

Comm. hearing  
action

2-10-82

Reported to Transportation Committee  
taken to Clerk's Office 3:45 P.M.

✓ Letter from  
Comm of Public Safety

Notified  
Public Safety  
Paul Conner to get  
position papers & F/N  
people who were to  
testify are up in  
Arch for hearing on  
budget - requested  
no action. Will take for  
now & bring up at  
a later date.

Motor  
Carriers

HOUSE BILL NO. 169, by Reps. Randolph and Fanning. Amends definition of "common carrier" (AS 42.10.420(2)(B)) to read: "(2) 'common carrier' included (B) a person who leases, rents, or provides a motor vehicle for the use of another in transporting property, and who provides, procures, or arranges for, directly or indirectly, or by course of dealing, a person other than himself to operate [DRIVER OR OPERATOR FOR] the motor vehicle or the necessary authority for the use of it on a public highway, except when the motor vehicle is leased to an authorized common carrier or contract carrier or by a construction contractor as defined in (12) of this section to another construction contractor as so defined, under rules and regulations to be prescribed by the commission;". Amends definition of "private carrier" (AS 42.10.420(7)) by addition of a new subparagraph which states "(7) 'private carrier' is (C) a person who rents, leases, or otherwise provides a motor vehicle for the use of others in transporting passengers or property upon the condition that he be employed to operate the vehicle;". Does not provide for an effective date.

Introduced February 17 and referred to Labor & Commerce.

Municipal Code HOUSE BILL NO. 170, by the Rules Committee by Request of the  
Revision Legislative Council (for the Title 29 Revision Commission).  
(See SB 180, page 254, identical).

page 295

Introduced February 17 and referred to Community & Regional Affairs.

Lear ✓

Q - referred to Transportation Comm. + Dept. of Public Safety

Original sponsors: Randolph and Fanning

1 IN THE HOUSE

BY THE LABOR AND COMMERCE COMMITTEE

2 CS FOR HOUSE BILL NO. 169 (L&C)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to motor carriers."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 \* Section 1. AS 42.10.420(7) is amended by adding a new subparagraph to  
9 read:

10 (C) a person who rents, leases, or otherwise provides a  
11 motor vehicle for the use of his employer in transporting passengers  
12 or property and who operates the vehicle as an employee, if the  
13 employer compensates that person with separate disbursements for  
14 wages and for the use of the vehicle;

15 nullified 42.20; this establishes a "special group"  
16 common carrier??

19 suggested

THE LEGISLATURE OF THE STATE OF ALASKA

TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Committee Substitute for House Bill 726 (L & C)

Title "An Act providing an exemption from the Alaska Employment Security Act . . . ."

Requested by House Labor and Commerce Committee Date 3/5/82

II. FISCAL DETAIL

Agency Affected labor

Program Category Affected Social Services

BRU, Program, or Subprogram(s) Affected Employment Security

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	0	0	0	0	0	0
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The provisions of this bill would not have a measurable effect on the administrative costs for unemployment insurance nor employer rates for purposes of the Unemployment Insurance Trust Fund.

IV. DATE 3/5/82

PREPARED BY Nico Bus

AGENCY Department of Labor

PHONE 465-2720

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

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 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)  
EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY8C	FY87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
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IV. DATE 3/5/82 PREPARED BY *Nico Bus*  
 AGENCY Department of Labor  
 PHONE 465-2720  
 Original: Legislative Finance  
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700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	0	0	0	0	0	0
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section II)

The provisions of this bill would not have a measurable effect on the administrative costs for unemployment insurance nor employer rates for purposes of the Unemployment Insurance Trust Fund.

IV. DATE 3/5/82 PREPARED BY *Nico Bus*  
 AGENCY Department of Labor  
 PHONE 465-2720  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

STATE OF ALASKA  
**DEPARTMENT OF PUBLIC SAFETY****OFFICE OF THE COMMISSIONER**

POUCH N - JUNEAU 99311

February 10, 1982

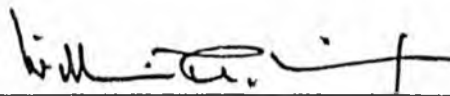
## POSITION PAPER - HB 169

Any program effects of this bill would be with the Alaska ~~Department of Public Safety~~, Transportation Commission.

The Department of Public Safety collects weight fees at time of vehicle registration. However, the determination of whether the vehicle is classed as a common carrier or private carrier is made by the Alaska Transportation Commission.

{ The reclassification which this bill requires would bring about a reduction of revenue to the state in reduced weight fees. An estimate of the amount of reduction would more appropriately be compiled by the Alaska Transportation Commission.

This bill as currently written would have no fiscal impact of the Department of Public Safety.



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William R. Nix  
Commissioner

MSG 82-00007144 PRTY 1 02/09/82 18:31:24 ORIG: LF01 IN= 0009 OUT= 015  
FROM: ANNIE IN FAIRBANKS TO: JUNEAU INFO.  
TARGET: LJH2 SUBJ: POM

PAGE 000

TO: REPS. BETTISWORTH, BROWN, FANNING, RANDOLPH, ROGERS AND SMITH,  
MARTIN, BYLSMA, AND GARDINER

FROM: DALE CRAIG NIELSEN, SELF OWNER OPERATOR, 1041 PEDRO ST., FAIRBANKS  
99701 456-4073

RE: HOUSE BILL 169

I SUPPORT THE PASSAGE OF HOUSE BILL 169. I ALSO REQUEST THAT FAIRBANKS  
BE INCLUDED ON THE TELECONFERENCE FOR DISCUSSION OF THIS BILL.

MSG 82-00007144 PRTY 1 02/09/82 18:31:24 ORIG: LF01 IN= 0009 OUT= 015  
FROM: ANNIE IN FAIRBANKS TO: JUNEAU INFO.  
TARGET: LJH2 SUBJ: POM

PAGE 000

TO: REPS. BETTISWORTH, BROWN, FANNING, RANDOLPH, ROGERS, SMITH, AND  
MARTIN, BYLSMA, AND GARDINER

FROM: GOVERNEUR H. BAYLESS, 212 COWLES ST., FAIRBANKS 99701 456-4970

RE: HOUSE BILL 169

AS AN OWNER/OPERATOR, I WOULD LIKE TO SEE THIS BILL PASS. I THINK I,  
WOULD ALLOW ME TO SEEK MORE WORK.

MSG 82-00007144 PRTY 1 02/09/82 18:31:24 ORIG: LF01 IN= 0009 OUT= 0152  
FROM: ANNIE IN FAIRBANKS TO: JUNEAU INFO.  
TARGET: LJH2 SUBJ: POM

PAGE 04

TO: REPS. BETTISWORTH, BROWN, FANNING, RANDOLPH, ROGERS, SMITH, MARTIN,  
BYLSMA, AND GARDINER

FROM: ALLEN L. KIRBY, MYSELF AS AN OWNER/OPERATOR, APT. #5 1617 LAURENE ST.,  
FAIRBANKS 99701 452-1860

RE: HOUSE BILL 169

I SUPPORT THE PASSAGE OF HOUSE BILL 169. I THINK IT'S A STEP IN FREE  
ENTERPRISE SYSTEM.

# TELEGRAM

ALASCOM, INC.  
PHONE: 286-6442  
DUNEL, AK 99802

12057 NL FAIRBANKS ALASKA 118 02-01 510P AST

PMS REP TERRY MARTIN CHAIRMAN LABOR COMMERCE COMM

JUN 0223

PRE HB16: WE ARE STRENUOUSLY OPPOSED TO THIS BILL WHICH IS BEING CONSIDERED BY YOUR COMMITTEE THE ULTIMATE CONSEQUENCES OF THIS BILL AND THEIR EFFECT ON THE TRANSPORTATION SYSTEM AVAILABLE FOR SHIPPERS OF THE STATE NEED TO BE EXAMINED CAREFULLY. LARGE VOLUME SHIPPERS WIN UNDOUBTEDLY BENEFIT AT THE EXPENSE OF SMALL BUSINESSMEN WHO WILL FIND SERVICES MORE EXPENSIVE AND PROBABLY LESS CONVENIENT. IT PLACES REGULATED CARRIERS AT THE DISADVANTAGE OF COMPETING WITH PRIVATE CARRIERS WHO WOULD NOW HAVE SIMILAR RIGHTS BUT WITHOUT THE OBLIGATIONS TO PROVIDE A VARIETY OF SERVICES OR WITHOUT HAVING TO BARE THE BURDEN OF REGULATED RATES, ROUTES AND REPORTS. WE URGE YOU TO TAKE A STRONG POSITION AGAINST THE PASSAGE OF HB169.

RICHARD GREGORY PRES SOURDOUGH EXPRESS INC

MSG 82-00007144 PRY 1 02/09/82 18:31:24 ORIG: LF01 IN= 0009 OUT= 0152  
FROM: ANNIE IN FAIRBANKS TO: JUNEAU INFO.  
TARGET: LJH2 SUBJ: POM PAGE 0001

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TO: REPS. BETTISWORTH, BROWN, FANNING, RANDOLPH, ROGERS, SMITH, AND  
MARTIN, BYLSMA, AND GARDINER  
FROM: TIMOTHY GUNDERSON, 14 SALCHA, FAIRBANKS 99701 479-5210 / 452-5814  
RE: HOUSE BILL 169

I HAVE CLOSELY EXAMINED HB169 AND BELIEVE THAT THIS WOULD GIVE ME AS AN  
OWNER/OPERATOR A MUCH BETTER POSITION IN THE OPERATION OF MY EQUIPMENT.  
TODAY, IN ALASKA, THE OWNER/OPERATOR WHO HAS A LARGE INVESTMENT IN HIS  
EQUIPMENT IS A CAPTIVE BUSINESSMAN OF THE PERMITTED CARRIERS. I URGE  
PASSAGE OF THIS BILL TO CORRECT THIS INEQUITY. I WOULD BE HAPPY TO  
DISCUSS THIS FURTHER AT EITHER PHONE NUMBER.

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MSG 82-00007144 PRY 1 02/09/82 18:31:24 ORIG: LF01 IN= 0009 OUT= 0152  
FROM: ANNIE IN FAIRBANKS TO: JUNEAU INFO.  
TARGET: LJH2 SUBJ: POM PAGE 0003

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TO: REPS. BETTISWORTH, BROWN, FANNING, RANDOLPH, ROGERS, SMITH, MARTIN,  
BYLSMA, AND GARDINER  
FROM: DON OLSON, SELF- OWNER/OPERATOR, 253 OLD RICHARDSON, FAIRBANKS 99701  
452-7753  
RE: HOUSE BILL 169

I URGE YOUR SUPPORT OF THE PASSAGE OF H.B. 169.

MSG 82-00007144 PRY 1 02/09/82 18:31:24 ORIG: LF01 IN= 0009 OUT= 0152  
FROM: ANNIE IN FAIRBANKS TO: JUNEAU INFO.  
TARGET: LJH2 SUBJ: POM PAGE 0006

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TO: REPS. BETTISWORTH, BROWN, FANNING, RANDOLPH, ROGERS, SMITH, MARTIN,  
BYLSMA, AND GARDINER  
FROM: GWEN SUITER, S. R. BOX 70653, FAIRBANKS 99701 488-6818 452-5814  
RE: HOUSE BILL 169

HOUSE BILL 169 HAS MY "WHOLE-HEARTED" SUPPORT! IT IS THE VERY TICKET FOR  
OWNER-OPERATORS MOVING IN A FREE ENTERPRISE SYSTEM. IT IS A STEP FORWARD  
IN A POSITIVE DIRECTION. I ALSO, URGE YOU TO INCLUDE FAIRBANKS ON THE  
TELECONFERENCE FOR DISCUSSION OF THIS BILL.

MSG 82-09005399 PRTY 1 02/02/82 15:31:07 ORIG: LA00 IN= 0009 OUT= 00  
FROM: JEAN, ANCH INFO TO: POM, JUNEAU INFO  
TARGET: LJH2 SUBJ: POM PAGE 00

TO: REPRESENTATIVES CATO AND MARTIN  
FROM: JOHN ORCHARD  
4 STAR TERMINALS-COMMON CARRIER  
P.O. BOX 6589  
ANCHORAGE 99502 (W) 349-4473

RE: HB 169

4 STAR TERMINALS AND IT'S MANAGEMENT OPPOSES HB-169 AS WE FEEL \*  
THAT IT IS NOT IN THE BEST INTEREST OF THE PUBLIC AND THE  
TRANSPORTATION INDUSTRY.

*Talk to ATC*