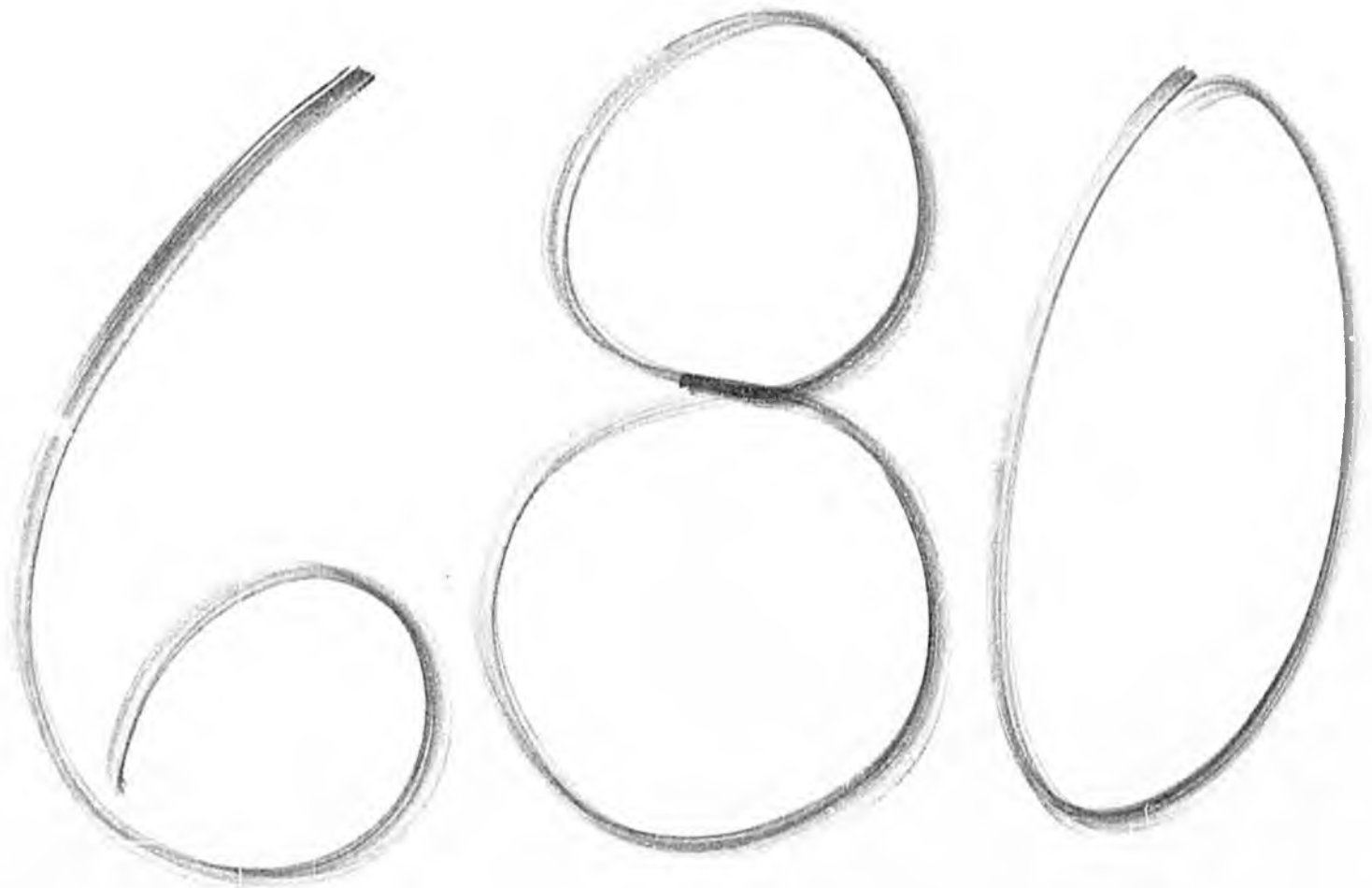


HB



**HOUSE
COMMITTEE REPORT**

(7)

Date referred: 2/17/86

FURTHER REFERRALS: JUDICIARY

DATE: 30 April 1986

The TRANSPORTATION Committee has considered HB 680

"An Act relating to penalties for driving motor vehicles in the vicinity of the James Dalton Highway."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CS HB 680 (TRSP) same title
- new title

and recommends _____

further referral to the _____ Committee

- and attaches:
- letter of intent
 - first fiscal note
 - new fiscal note
 - zero fiscal note

SIGNING DO PASS:

Bette Auto

SIGNING OTHER RECOMMENDATIONS:

M. Piquillen no rec

Dirk Shultz No Rec

ABERNATHY

ACM MARCOU Do Not Pass
PROMITS HUNTING, FISHING, DEVELOPMENT
IN TEN-MILE-WIDE CORRIDORS

Bette Auto

Chairman

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : HB 680
 Title : "An Act relating to penalties for driving motor vehicles in the vicinity of the James Dalton Highway."
 Sponsor : The Rules Committee
 Requestor : House Transportation
 Date of Request : _____

FISCAL DETAIL

Agency Affected : Public Safety
 BRU : Fish & Wildlife Protection

 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING : (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS :

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS : Attach a separate page if necessary

K. New
 Prepared by : Captain J. R. Nutgrass Phone : 269-5509
 Division : Fish & Wildlife Protection Date : 4/8/86
 Approved by Commissioner : [Signature] Date : 4/15/86
 Agency : Public Safety

Distribution (by Agency preparing fiscal note) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

BILL SHEFFIELD
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 19, 1986

The Honorable Ben Grussendorf
Speaker of the House
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Representative Grussendorf:

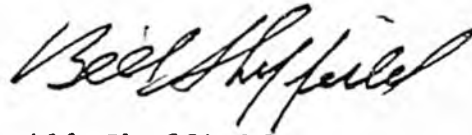
Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill establishing penalties for violating the law that prohibits driving a motor vehicle within five miles of the right-of-way of the James Dalton Highway (the North Slope haul road). Under existing law, there are no penalties for violating the law. Because of what appears to be a technical omission, no indication is given as to whether the legislature wanted this crime to be a violation, a misdemeanor, or a felony.

Due to the fact that it may be difficult at times to prove a person's intent to violate this law, we are recommending that the crime be established as a strict-liability offense and be classified as a "violation" -- which is only punishable by a maximum fine of \$300. No jail time may be imposed. Under a strict-liability theory, the state need not prove the existence of a culpable mental state -- just that the prohibited act was committed. However, if it can be proved that a culpable mental state did exist at the time the crime was committed (i.e., committed with "criminal negligence" as defined under AS 11.81.900(a)(4)), we are recommending that this crime be established as a class B misdemeanor (punishable by up to 90 days in jail or up to a \$1,000 fine or both). Commission of this crime can cause significant environmental damage. Thus, violators should be punished accordingly.

The bill also broadens the prohibition to all motor vehicles (as defined under AS 28.40.100), as distinct from just off-road vehicles (which term is not defined in Title 19).

To aid in the enforcement of this law by law enforcement officials and the courts, I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in cursive script, reading "Bill Sheffield". The signature is written in dark ink and is positioned above the typed name.

Bill Sheffield
Governor

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : 2-11-86

REQUEST

Bill/Resolution No. : _____
 Title : An Act relating to penalties for driving off-road vehicles in the vicinity of the James Dalton Highway.
 Sponsor : Governor
 Requestor : Department of Public Safety
 Date of Request : 2-11-86

FISCAL DETAIL

Agency Affected : Department of Public Safety
 BRU : Fish and Wildlife Protection
Alaska State Troopers
 Components : Enforcement

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING : (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS :

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS : Attach a separate page if necessary

Prepared by : James D. Vaden /W
 Division : Commissioner's Office

Phone : (907) 465-4322
 Date : 2-11-86

Approved by Commissioner : [Signature]
 Agency : Department of Public Safety

Date : 2-11-86

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

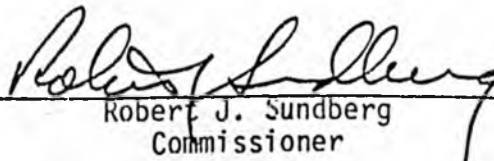
DEPARTMENT OF PUBLIC SAFETY

POSITION PAPER - HB 680

SUPPORT
April 6, 1986

House Bill No. 680 - "An Act relating to penalties for driving motor vehicles in the vicinity of the James Dalton Highway."

The Department of Public Safety supports HB 680., "An Act relating to penalties for driving motor vehicles in the vicinity of the James Dalton Highway."


Robert J. Sundberg
Commissioner

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 680
 Title: "An Act relating to penalties for driving motor vehicles in the vicinity of the James Dalton Highway."
 Sponsor: The Rules Committee
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FISCAL DETAIL

Agency Affected: Public Safety
 BRU: Fish & Wildlife Protection

Components: _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING : (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS :

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS : Attach a separate page if necessary

K. N. ...

Prepared by: Captain J. R. Nutgrass
 Division: Fish & Wildlife Protection

Phone: 269-5509
 Date: 4/8/86

Approved by Commissioner: [Signature]
 Agency: Public Safety

Date: 4/15/86

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)