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STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : HB 555
 Title : An Act Relating to State Toll Facilities
 Sponsor : Cato
 Requestor : House Transportation
 Date of Request : 2-26-86

FISCAL DETAIL

Agency Affected : DOT&PF
 BRU : Design and Construction
 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	0.0	0.0
CAPITAL		0.0	0.0	0.0	0.0	0.0
REVENUE		0.0	0.0	0.0	0.0	0.0

FUNDING : (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL		0.0	0.0	0.0	0.0	0.0

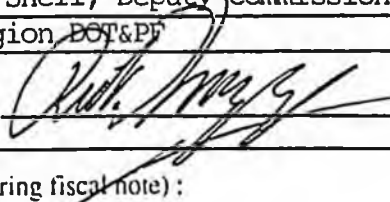
POSITIONS :

FULL-TIME		0.0	0.0	0.0	0.0	0.0
PART-TIME		0.0	0.0	0.0	0.0	0.0
TEMPORARY		0.0	0.0	0.0	0.0	0.0

ANALYSIS : Attach a separate page if necessary

There is no fiscal impact in adding tunnels to existing toll authority. The specific fiscal impacts of a Whittier Toll Road would be subject to AS 37.15.730.

Prepared by : William R. Snell, Deputy Commissioner (Signed) Phone : 266-1440
 Division : Central Region DOT&PF Date : _____

Approved by Commissioner :  Date : 2/1/86
 Agency : DOT&PF

Distribution (by Agency preparing fiscal note) :

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




Dept. of Transportation & Public Facilities

Position Paper

BILL NO: HB 555

TITLE: An Act Relating to State
Toll Facilities

APPROVED: 
R. J. Knapp
Commissioner

DATE: 3/1/86

The Department of Transportation and Public Facilities supports expanding the current toll facility authority to include tunnels. In addition, we support the addition of the Whittier Toll Road facility to AS 37.15.730. This legislation reinforces the desire to ensure that projects such as this are financially feasible and able to produce revenues to cover their costs whenever possible.

The Department is currently conducting an economic analysis and financial plan for transportation access to Whittier. A key part of this financial plan, which will be available in mid-March, will be to look at funding the project through the use of revenue bonds generated from tolls.

Introduced: 2/10/86
Referred: Transportation
and Finance

1 IN THE HOUSE

BY CATO AND SZYMANSKI

2

HOUSE BILL NO. 555

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to state toll facilities."

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

8 * Section 1. AS 19.05.040(11) is amended to read:

9 (11) establish, levy, and collect tolls, fees, charges, and
10 rentals for the use of state roads, highways, bridges, tunnels, cross-
11 ings, and causeways; and

12 * Sec. 2. AS 37.15.720 is amended to read:

13 Sec. 37.15.720. STATE TOLL FACILITIES. The state is authorized
14 to acquire, construct, equip, and maintain toll bridges, tunnels,
15 highways, roads, crossings, and causeways found to be necessary by the
16 commissioner of transportation and public facilities.

17 * Sec. 3. AS 37.15.730 is amended to read:

18 Sec. 37.15.730. KNIK ARM CROSSING AND WHITTIER TOLL ROAD. Not-
19 withstanding the provisions of AS 37.15.720 the following state toll
20 facilities [FACILITY] to be financed under AS 37.15.610 - 37.15.760
21 are [IS] the Knik Arm Crossing and the Whittier Toll Road near
22 Anchorage if the following conditions are met:

23 (1) the department submits to the governor and the legisla-
24 ture a feasibility study for each project that finds that the project
25 [CROSSING] is financially feasible and able to produce revenue ade-
26 quate to repay the bonds with which it is financed;

27 (2) if financing in addition to revenue bonds is antici-
28 pated, the department submits to the governor and legislature a fi-
29 nance plan for each project that includes [TO INCLUDE] an estimate of

1 the total cost of each [THE] project and a description of the sources
2 of money that will be used to finance the total cost of each [THE]
3 project; and

4 (3) the office of management and budget reviews the fea-
5 sibility studies [STUDY] and the finance plans [PLAN], if required,
6 and reports its findings and recommendations to the governor and
7 legislature not later than 90 days after the studies [STUDY] and plans
8 [PLAN] are received by the office.

9 * Sec. 4. AS 37.15.730 is amended by adding a new subsection to read:

10 (b) If the conditions are met for only one of the listed facil-
11 ities, only that facility may be financed under (a) of this section.

12 * Sec. 5. AS 37.15.760(7) is amended to read:

13 (7) "toll facilities" means highways, roads, bridges,
14 tunnels, crossings, and causeways upon which tolls, charges, rentals,
15 or other user fees are placed by the commissioner of transportation
16 and public facilities.

PRESS RELEASE (January 29, 1986):

SB 374

Senator Edna DeVries (R-District E) today submitted legislation that would amend Alaska State Statutes to allow for the establishing of the Whittier Toll Road authority and the construction of a new tunnel through Mt. Maynard. At this time, only the Alaska Railroad tunnel provides land access to Whittier.

The Statutes presently give the Knik Arm Crossing priority as the first State Toll Facility to be funded. DeVries' amendment stipulates that either or both project(s) may be funded depending upon the communities' abilities to meet the legal criteria for a comprehensive feasibility study and a financial plan for repaying the bonds with which the facility is funded.

DeVries feels that the Toll Authority may represent an alternative to direct funding of capital projects. Without such an alternative, she said, facilities such as the Whittier Road will fall victim to the revenue decline. DeVries urged that proposals such as this one be seriously entertained by the Legislature.

This project, according to DeVries, is the essential key to the development of Prince William Sound infrastructure. She feels that the resulting tourism, recreation opportunity, transportation and commercial fishing industries would not only provide a strong financial base for the Whittier-Prince William Sound area but would benefit the rest of the State as well.

A very strong statement of support for the project has come from various professional and administrative groups and individuals that serve the Chugach area, State of Alaska and interstate commerce as well as the local residents. DeVries received a petition signed by 108 of the 338 residents of Whittier asking that she sponsor this legislation.

FEB 24 1986

WHITTIER BOAT OWNERS ASSOCIATION
907/278-3615

February 21, 1986

Alaska State Legislature
House Transportation Committee
Box V (MS 3100)
Juneau, Alaska 99811

Dear Committee:

I am writing as Vice President of Whittier Boat Owners Association. WBOA is an organization of owners of boats and slips in Whittier, currently numbering 398 persons. A copy of a recent Newsletter is enclosed for your information.

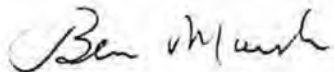
WBOA supports SB 374 (also HB 555), which would designate the Whittier Access Road, including tunnel, as a State Foll Facility. We support the Shotgun Cove Road project as well. We understand a hearing will be held shortly on SB 374, and we would like to be advised of the date.

It is our position that improved access into Whittier is badly needed, and inevitable. Every year sees an escalation of the automobile traffic in and out of Whittier. Also, the number of cruise ship landings is expected to increase from 18 to 40 in 1986. There are 362 boats tied up in the Whittier Small Boat Harbor, and 300 more are on the wait list for slips. Prince William Sound is in many ways south central Alaska's most important recreational area.

We are also strongly supportive of Senate Bill 390, "An Act establishing additional marine parks". We would like to know the dates of any hearings on this bill as well.

Sincerely,

WHITTIER BOAT OWNERS ASSOCIATION



Bernard L. Marsh
Vice President



THE CITY OF WHITTIER

January 17, 1986

JAN 28 RECD

The Honorable Edna DeVries
P.O. Box 321
Palmer, AK 99645

Dear Senator DeVries,

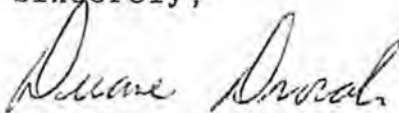
The enclosures of this letter are the result of a project that was undertaken by our city council and other community members at the close of last summer. Through administrative oversight, these documents were not distributed in a timely fashion; however, the Whittier City Council felt it would be a shame to lose the efforts of so many people. Therefore, the City of Whittier humbly submits a petition, a resolution, and a state information guide that was used as a basis for our discussions of a toll authority for the Whittier area.

We hope that you may find time to share our information and our concerns with your colleagues in Juneau. We realize the economics of funding access is not very favorable at present. Yet, we feel strongly that a toll would, in the long run, provide a large measure of revenue toward amortizing a project of the type proposed to link Whittier with the greater Anchorage area.

To live and work in Whittier is to know just what this location can mean to the rest of the state. With our physical proximity to the largest economic and population center in the state, Anchorage, we are aware almost daily of the potential for increased freight handling and recreation opportunities for the entire region.

If there is any further information that you require, please call our city office at 472-2327, or FAX 472-2404. Thank you for your attention.

Sincerely,


Duane Dvorak
City Clerk, Whittier



WHITTIER BOAT OWNERS ASSOCIATION
907/278-3615

FEB 24 1986

February 21 1986

Alaska State Legislature
Representative Bette Cato
Box V (MS 3100)
Juneau, Alaska 99811

Bette:
Dear ~~Representative Bette Cato~~:

I am writing as Vice President of Whittier Boat Owners Association. WBOA is an organization of owners of boats and slips in Whittier, currently numbering 398 persons. A copy of a recent Newsletter is enclosed for your information.

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We are also strongly supportive of Senate Bill 390, "An Act establishing additional marine parks". We would like to know the dates of any hearings on this bill as well.

Sincerely,

WHITTIER BOAT OWNERS ASSOCIATION

Ben
Bernard L. Marsh
Vice President

Denali Towers North*2550 Denali Street*Suite 1608*Anchorage, Alaska 99503

1 IN THE SENATE

BY DEVRIES

2 SENATE BILL NO.

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state toll facilities."

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

8 * Section 1. AS 37.15.720 is amended to read:

9 Sec. 37.15.720. STATE TOLL FACILITIES. The state is authorized
10 to acquire, construct, equip, and maintain toll bridges, tunnels,
11 highways, roads, crossings, and causeways found to be necessary by the
12 commissioner of transportation and public facilities.

13 * Sec. 2. AS 37.15.730 is amended to read:

14 Sec. 37.15.730. KNIK ARM CROSSING AND WHITTIER TOLL ROAD. Not-
15 withstanding the provisions of AS 37.15.720 the first two state toll
16 facilities [FACILITY] to be financed under AS 37.15.610 - 37.15.760
17 are [IS] the Knik Arm Crossing and the Whittier Tol' Road near
18 Anchorage if the following conditions are met:

19 (1) the department submits to the governor and the legisla-
20 ture a feasibility study for each project that finds that the crossing
21 and toll road are [IS] financially feasible and able to produce
22 revenue adequate to repay the bonds with which each [IT] is financed;

23 (2) if financing in addition to revenue bonds is antici-
24 pated, the department submits to the governor and legislature a fi-
25 nance plan for each project that includes [TO INCLUDE] an estimate of
26 the total cost of each [THE] project and a description of the sources
27 of money that will be used to finance the total cost of each [THE]
28 project; and

29 (3) the office of management and budget reviews the

1 feasibility studies [STUDY] and the finance plans [PLAN], if required,
2 and reports its findings and recommendations to the governor and
3 legislature not later than 90 days after the studies [STUDY] and plans
4 [PLAN] are received by the office.

5 * Sec. 3. AS 37.17.730 is amended by adding a new subsection to read:

6 (b) If the conditions are met for only one of the listed facil-
7 ities, only that facility may be financed under (a) of this section.
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Alaska State Legislature

Senate

Official Business

Pouch V
State Capitol
Juneau, Alaska 99811

MEMORANDUM

January 29, 1986

TO: Representative Bette Cato
FROM: Senator Edna DeVries *Edna*
SUBJECT: Whittier Toll Road (SB 374)

SB 374 will be read across on the Senate floor tomorrow. Thank you for your patience. I'm sorry for the delay.

Senator Jan Faiks will be co-sponsoring this legislation with me. I appreciate your support in the House.

I am attaching the back-up information that we have received from Whittier in case you have not, as yet, received your copies.

If there is anything else that I can do to assist you please let us know.

God bless you.

Edna

ED:mal

SR 574

MEASURE HISTORY

PAGE 01 OF 01

AN ACT RELATING TO STATE TOLL FACILITIES.

PRIME SPONSOR: DEVRIES
CO-SPONSORS: FAIKS

CURRENT STATUS: (S) FIN

DATE		PAGE	ACTION
01/30/87	(S)	1679	READ THE FIRST TIME -- REFERRAL(S)
02/05/87	(S)	1734	SPONSOR SUBSTITUTE INTRODUCED
02/13/86	(S)	1827	TRSP RPT 4DP WITH AMENDMENT FINANCE RULES

Introduced: 1/30/86
Referred: Transportation
and Finance

1 IN THE SENATE

BY DEVRIES AND FAIKS

2

SENATE BILL NO. 374

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

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18 Anchorage if the following conditions are met:

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20 ture a feasibility study for each project that finds that the crossing
21 and toll road are [IS] financially feasible and able to produce
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24 pated, the department submits to the governor and legislature a fi-
25 nance plan for each project that includes [TO INCLUDE] an estimate of
26 the total cost of each [THE] project and a description of the sources
27 of money that will be used to finance the total cost of each [THE]
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2 and reports its findings and recommendations to the governor and
3 legislature not later than 90 days after the studies [STUDY] and plans
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5 * Sec. 3. AS 37.17.730 is amended by adding a new subsection to read:

6 (b) If the conditions are met for only one of the listed facil-
7 ities, only that facility may be financed under (a) of this section.

WORK ORDER REQUEST FORM

14-1713

KEYWORDS: highways

ASSIGNED TO Cook

REQUEST FOR: BILL RESOLUTION RESEARCH OTHER

SUBJECT Toll Facilities

REQUESTED FOR Rep. Cato BY Thonds EXT. 4858

* DELIVER TO Rep. Cato TAKEN BY Cook

INSTRUCTIONS, EXPLANATIONS _____

House duplicate of SSSB 374, relating to state toll facilities.

2.6.86 duplicate SB374 but add "tunnel" to description

OBTAIN

SPECIAL DRAFTING INSTRUCTIONS ATTACHED

AUTHORIZED TO CONFER WITH _____

RETURN _____

_____ TO REQUESTER

APPROVED: TBO Director, Legal Services

REVIEWED _____

IN 2/3/86 DUE _____

TYPED - Draft _____ DATE _____

Final _____ DATE _____

PROOFED _____ DELIVERED _____

SPECIAL INSTRUCTIONS TO TYPIST/PROOFREADER

DRAFT

FINAL

Please Note!

We messed up! These two changes are not on our bill. We couldn't get the correction made before reading it across this morning. We have prepared a ~~change~~ Sponsor Substitute

1/30/86

Marquet

1 accomplish the purposes of AS 37.15.610 - 37.15.760.

2 Sec. 37.15.760. DEFINITIONS. In AS 37.15.610 - 37.15.760,
3 unless the context requires otherwise

4 (1) "bond redemption fund" means the toll facilities reve-
5 nue bond redemption fund created by AS 37.15.640, including any ac-
6 counts that are created in that fund after the effective date of this
7 Act;

8 (2) "bond resolution" means the resolution authorizing the
9 issuance of bonds, adopted by the committee under AS 37.15.660;

10 (3) "bonds" means the toll facilities revenue bonds autho-
11 rized by AS 37.15.610 - 37.15.760;

12 (4) "committee" means the state bond committee created by
13 AS 37.15.110, or any other committee, body, department, or officer of
14 the state that or who succeeds to the rights, powers, duties, and
15 obligations of the state bond committee by act of the legislature;

16 (5) "construction fund" means the toll facilities construc-
17 tion fund created by AS 37.15.620;

18 (6) "revenue fund" means the toll facilities revenue fund
19 created by AS 37.15.630;

20 (7) "toll facilities" means highways, roads, bridges,
21 crossings, and causeways upon which tolls, charges, rentals, or other
22 user fees are placed by the commissioner of transportation and public
23 facilities.

24 * Sec. 2. AS 19.05.040 is amended to read:

25 Sec. 19.05.040. POWERS OF DEPARTMENT. The department may
26 (1) acquire property;

27 (2) exercise the power of eminent domain;

28 (3) take immediate possession of real property, or any
29 interest in it under a declaration of taking or by other lawful means;

1 (4) acquire rights-of-way for present or future use;

2 (5) control access to highways;

3 (6) regulate roadside development;

4 (7) preserve and maintain the scenic beauty along state
5 highways;

6 (8) dispose of property acquired for highway purposes;

7 (9) accept and dispose of federal funds or property avail-
8 able for highway construction, maintenance, or equipment;

9 (10) enter into contracts or agreements relating to highways
10 with the federal government, municipalities, a political subdivision,
11 or with a foreign government, if the contract is approved by the
12 federal government; (AND)

13 (11) establish, levy, and collect tolls, fees, charges, and
14 rentals for the use of state roads, highways, bridges, crossings, and
15 causeways; and *Add Tunnel*

16 (12) exercise any other power necessary to carry out the
17 purpose of AS 19.05 - 19.25.

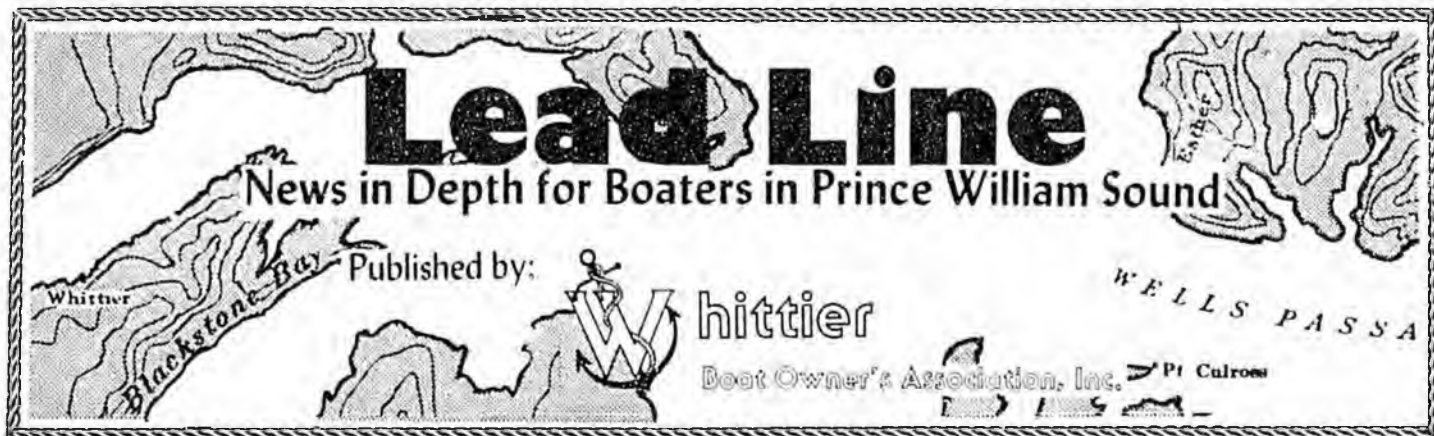
18 * Sec 3. AS 44.88.010(a) is amended to read:

19 (a) The legislature finds, determines and declares that
20 (1) there exist areas of the state in which seasonal and
21 nonseasonal unemployment exist;

22 (2) this unemployment is a serious menace to the health,
23 safety and general welfare, not only to the people in those areas, but
24 also to the people of the entire state;

25 (3) the state lacks the basic manufacturing, industrial,
26 and business enterprises and the other facilities referred to in (5)
27 of this subsection necessary to permit adequate development of its
28 natural resources and the balanced growth of its economy;

29 (4) the establishment and expansion of industrial,



VOLUME 2 NUMBER 1

JANUARY 1986

JANUARY'S MEETING

Our January meeting will be at 7:00 p.m., Thursday, January 9, 1986, in the Wendler Junior High Multi-purpose Room.

Our scheduled program was to be on Sea birds of P.W.S., by David Irons. However, our speaker had to cancel, and we have re-scheduled a later program. Our program in January will be on "Hazard Obstacles in Prince William Sound". Each member will be invited to report on the location and nature of any hazards he or she has encountered while cruising the Sound, and all the other members can mark their charts appropriately. So bring a chart to the meeting, if you can.

COAST GUARD CUTS

We have received a letter from Congressman Don Young informing us that the Coast Guard budget for next fiscal year [starting Oct. 1, 1986] has been targeted for reduction by the United States Senate. If successful, 25% of Coast Guard aircraft will be grounded, 40% of the cutters will be tied up, and 20% of the positions lost. Coast Guard capabilities in Alaska will be severely curtailed. Congressman Young is trying to get the cuts restored in the House or the Conference Committee. A letter will be going to our Senators from W.B.O.A., but individual protests

are very important, too. You may direct telegrams and mail to your area representative, Congressman Don Young, House of Representatives, Washington, D.C. 20515, and Senators Ted Stevens and Frank Murkowski, The Senate, Washington, D.C., 20510.

On the plus side, if a normal level of Coast Guard Service is provided in P.W.S., there will be a 95' cutter stationed in Whittier next summer.

REMINDER



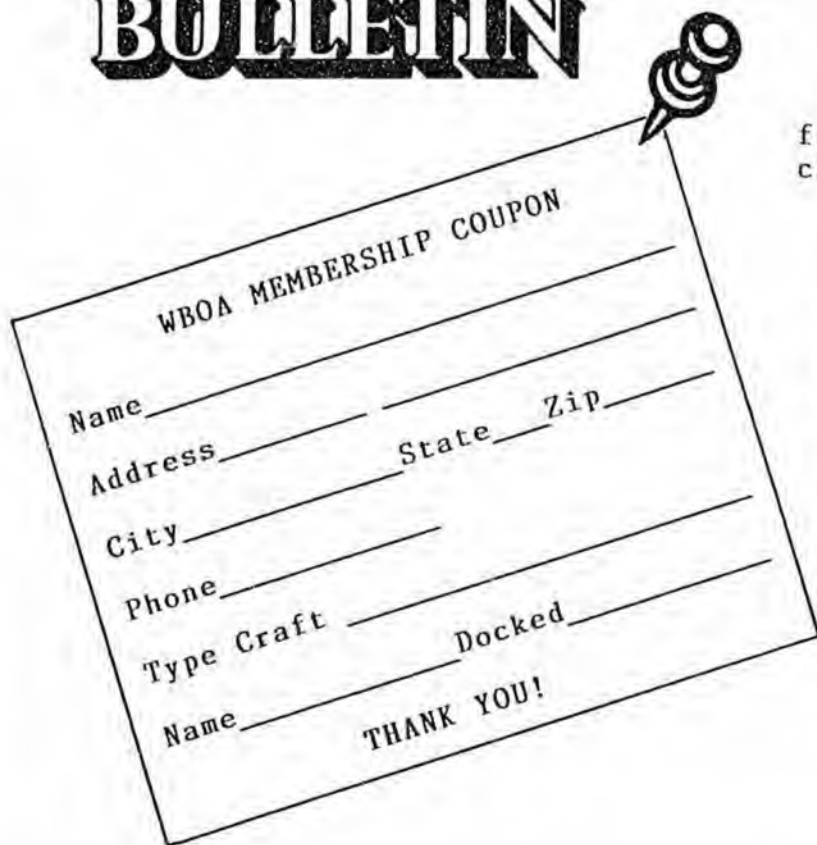
1986 BOAT SHOW

Remember to mark your new 1986 calendars. The 1986 Boat Show will take place at the Northway Mall Thursday, January 30, through Sunday, February 2. We hope to see you there. This show promises to be interesting, informing, ... and alot of FUN.

Come support our association by purchasing one of our sweat shirts with WBOA's attractively imprinted name and logo. They will be available at the WBOA/Coast Guard Auxiliary Booth.



BULLETIN



WBOA MEMBERSHIP COUPON

Name _____

Address _____

City _____ State _____ Zip _____

Phone _____

Type Craft _____

Name _____ Docked _____

THANK YOU!

Mail the membership coupon to the following address along with your check for a \$25 one year membership.

Whittier Boat Owners Association
2440 East Tudor Road
Box 168
Anchorage, Alaska 99504



MARINER'S TRIVIA

"The victory of Australia II in the 1983 America's Cup race snapped a 132-year continuous victory streak by American 12-meter yachts. The end of U.S. yachting supremacy came on September 26th. in an unprecedented seventh race in the best-of-seven finals.

Australia II was the first challenger to win the 33-1/2-inch silver cup since the schooner America won the inaugural race around England's Isle of Wight in 1851. AUSTRALIA IS PLANNING ITS FIRST DEFENSE OF THE AMERICA CUP TROPHY MOST LIKELY IN 1987."

... from The 1986 Information Please Almanac, p.920, published by Houghton Mifflin Company. Check your local bookstore for this handy book.

THE PRESIDENT'S CORNER



BOATERS' ALMANAC

President Kent Wohl intends to author a Prince William Sound Boaters' Almanac. It will contain information on availability of marine services, radio and marine telephone information, uncharted hazards, boat harbor policies, and the like. He is accepting contributions from members.



Exciting News

SEARCH AND RESCUE

At the December meeting a motion was passed for W.B.O.A. to donate \$500 to Whittier Search and Rescue. This is a volunteer group that has little prospect of government funding in the coming year. They need equipment, and we need for them to have equipment.

MEMBERSHIP AND DUES COLLECTION

Treasurer Jamie Wilson reports that we now have 71 paid members. The Newsletter was mailed to 398 persons in January, of which 10 were returned as undeliverable. Apparently 317 members have yet to pay their dues. However, dues or no dues, we are becoming an important organization, one with a great deal political clout. Also, our meeting attendance has grown from less than 20 to over 50 in December.



COAST GUARD AUXILIARY

The next Coast Guard Auxiliary Boating Safety and Skills Course will be held January 13, at West High. For further information, contact Evan Fatland at 563-6623.

SWEAT SHIRT PROJECT

Vickie Honchen reports that our sweat shirts are promised in time for the January meeting. If they arrive, we will have them on hand at the meeting.

GET "PUBLISHED"

WBOA's LEAD LINE publisher, Writing Etc., is interested in your black and white photos, captions, and articles related to boating the SOUND. Tidbits of interest can even be called in to Writing Etc., phone [907] 694-5894. Ask for Steve. This is your chance to be "published."

This LOW cost

ADVERTISEMENT SPACE

could target approximately
400 potential customers
for
YOUR COMPANY

Call WRITING ETC., 694-5894
for details



OFFICERS

President: Kent Wohl,
2701 Cutwater Circle,
Anch., AK. 99516
Phone: 345-3192

Vice President: Ben Marsh
2550 Denali, Suite 1600,
Anch., AK. 99503
Phone: 278-3615

Secretary: Vickie Honchen
201 E. 56th, Suite 220
Anch., AK. 99518
Phone: 562-3929

Treasurer: Janie Wilson
or Mrs. Robert H.
Ph: ~~266-1517~~ days, 243-7437 eve
786-6361

Membership Committee:
Vacant

YOUR AD HERE
reaches 400 potential customers
call 694-5894 for details

CALENDAR OF EVENTS

WBOA meets second Thursday of each month at 7:00 p.m., Wendler Jr. High multi-purpose room

- Jan. 9 Hazardous Obstacles in Prince William Sound
- Feb. 13 Marine Parks System in Prince William Sound by Neil Johannsen
- Mar. 13 Shipwrecks in Prince William Sound by Kevin Hekerdle
- Apr. 10 Boating Safety by the U.S. Coast Guard.
- May 8 Mini-programs: by U.S. Forest Ser., Alaska Dept. of Fish and Game, Alaska Railroad, Alascom, etc.

 **Whittier**
Boat Owners Association, Inc.
2440 E. Tudor, Box 168
Anchorage, Alaska 99507

U.S. POSTAGE
PAID
Eagle River, AK
Permit No.88
ZIP Code 99577

File HB 555

WHITTIER BOAT OWNERS ASSOCIATION
907/278-3615

February 21, 1986

2/24

Alaska State Legislature
Representative Mike Szymanski
Box V (MS 3100)
Juneau, Alaska 99811

Mike!
Dear Representative ~~Mike Szymanski~~:

I am writing as Vice President of Whittier Boat Owners Association. WBOA is an organization of owners of boats and slips in Whittier, currently numbering 398 persons. A copy of a recent Newsletter is enclosed for your information.

WBOA supports SB 374 (also HB 555), which would designate the Whittier Access Road, including tunnel, as a State Foll Facility. We support the Shotgun Cove Road project as well. We understand a hearing will be held shortly on SB 374, and we would like to be advised of the date.

It is our position that improved access into Whittier is badly needed, and inevitable. Every year sees an escalation of the automobile traffic in and out of Whittier. Also, the number of cruise ship landings is expected to increase from 18 to 40 in 1986. There are 362 boats tied up in the Whittier Small Boat Harbor, and 300 more are on the wait list for slips. Prince William Sound is in many ways south central Alaska's most important recreational area.

We are also strongly supportive of Senate Bill 390, "An Act establishing additional marine parks". We would like to know the dates of any hearings on this bill as well.

Sincerely,

WHITTIER BOAT OWNERS ASSOCIATION

Bar

Bernard L. Marsh

Bernard L. Marsh
Vice President

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST
Bill/Resolution No: SB 374
Title: State Toll Facilities

FISCAL DETAIL
Agency Affected: State Bond Committee
BRU: _____

Sponsor: DeVries
Requestor: Senate Transportation
Date of Request: February 11, 1986

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
OPERATING						
PERSONAL SERVICES	-	-	-	-	-	-
TRAVEL	-	-	-	-	-	-
CONTRACTUAL	-	-	-	-	-	-
SUPPLIES	-	-	-	-	-	-
EQUIPMENT	-	-	-	-	-	-
LANDS & STRUCTURES	-	-	-	-	-	-
GRANTS, CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	-	-	-	-	-	-
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	-	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
TOTAL	-	-	-	-	-	-

POSITIONS:

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

ANALYSIS: No estimate of debt service is possible until feasibility study and finance plan is submitted to Governor and legislature.

Prepared By: Milt Barker *MB*
Division: Treasury

Phone: 465-2350
Date: February 12, 1986

Approved by Commissioner: *Mary G. Hurdale*
Agency: Department of Revenue

Date: 2/14/86

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget

Impacted Agency(ies)

14-1713
Cook
2/6/86 ✓

1 IN THE HOUSE

BY CATO

2 HOUSE BILL NO.

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state toll facilities."

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

8 * Section 1. AS 19.05.040(11) is amended to read:

9 (11) establish, levy, and collect tolls, fees, charges, and
10 rent 's for the use of state roads, highways, bridges, tunnels, cross-
11 ings, and causeways; and

12 * Sec. 2. AS 37.15.720 is amended to read:

13 Sec. 37.15.720. STATE TOLL FACILITIES. The state is authorized
14 to acquire, construct, equip, and maintain toll bridges, tunnels,
15 highways, roads, crossings, and causeways found to be necessary by the
16 commissioner of transportation and public facilities.

17 * Sec. 3. AS 37.15.730 is amended to read:

18 Sec. 37.15.730. KNIK ARM CROSSING AND WHITTIER TOLL ROAD. Not-
19 withstanding the provisions of AS 37.15.720 the first two state toll
20 facilities [FACILITY] to be financed under AS 37.15.610 - 37.15.760
21 are [IS] the Knik Arm Crossing and the Whittier Toll Road near
22 Anchorage if the following conditions are met:

23 (1) the department submits to the governor and the legisla-
24 ture a feasibility study for each project that finds that the project
25 [CROSSING] is financially feasible and able to produce revenue ade-
26 quate to repay the bonds with which it is financed;

27 (2) if financing in addition to revenue bonds is antici-
28 pated, the department submits to the governor and legislature a fi-
29 nance plan for each project that includes [TO INCLUDE] an estimate of

1 the total cost of each [THE] project and a description of the sources
2 of money that will be used to finance the total cost of each [THE]
3 project; and

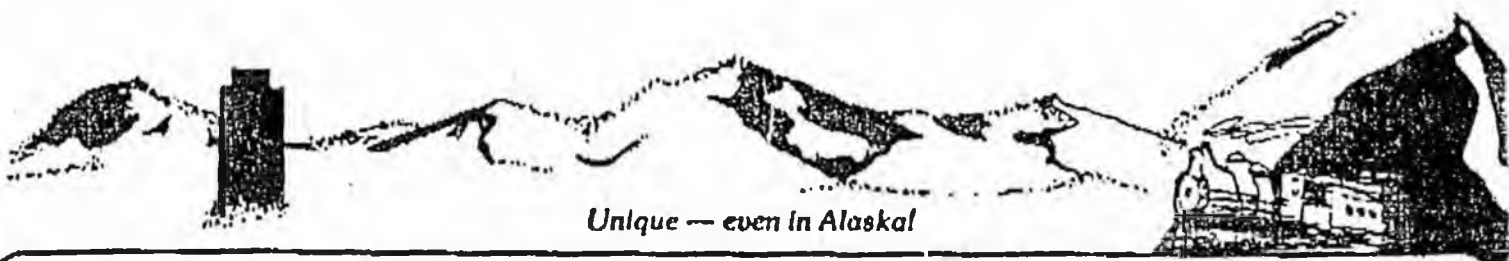
4 (3) the office of management and budget reviews the fea-
5 sibility studies [STUDY] and the finance plans [PLAN], if required,
6 and reports its findings and recommendations to the governor and
7 legislature not later than 90 days after the studies [STUDY] and plans
8 [PLAN] are received by the office.

9 * Sec. 4. AS 37.17.730 is amended by adding a new subsection to read:

10 (b) If the conditions are met for only one of the listed facil-
11 ities, only that facility may be financed under (a) of this section.

12 * Sec. 5. AS 37.17.760(7) is amended to read:

13 (7) "toll facilities" means highways, roads, bridges,
14 tunnels, crossings, and causeways upon which tolls, charges, rentals,
15 or other user fees are placed by the commissioner of transportation
16 and public facilities.



THE CITY OF WHITTIER

TELECOPIER COVER LETTER

DATE: 1-28-86

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: Edna De Vries 4989

FIRM: U.S. Senate

CITY: Tuneau Ak

TELEPHONE NO: _____ TELECOPY NO. 465-3700

FROM: City of Whittier

DESCRIPTION OF MATERIAL: Information letter in support of Highway Toll Authority

TOTAL NUMBER OF PAGES (INCLUDING COVER LETTER): 9

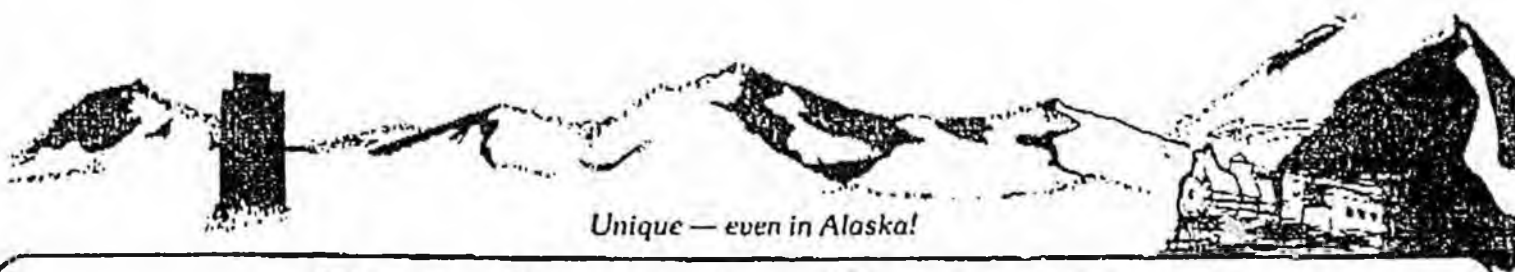
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THE CITY OF WHITTIER

January 27, 1986

The Honorable Edna DeVries
Pouch V
Juneau, AK 99811
Mail Stop 3100

Dear Senator DeVries,

Thank you for your inquiry of January 27, 1986, regarding information on the request from the City of Whittier for a Highway Toll Authority. Before considering this, perhaps some of the City's goals can be discussed. Overall, the City plans an orderly development program to encourage and support tourism, recreation, transportation and commercial fishing. (including fish processing)

To facilitate this program an overall goal has been established to improve access from Portage Valley to Shotgun Cove. Admittedly, this is an expensive undertaking, but it is supported by a willingness to require users to pay associated costs over an extended time period. Hence, our inquiry into the establishment of a toll authority to cover the entire length of the Access route. This will be discussed further in this letter.

Before the City can accommodate much of an increase in vehicular traffic, space must be developed for them. This has led to development of a proposal to divide access improvements into segments, with supporting facilities being developed simultaneously.

LANDS

A major factor which could influence growth in Whittier stems from the recent acquisition by the State of about 4800 acres of what was previously federal land. Of this land grant, 600 acres has already been designated as an entitlement to the city of Whittier. Another 418 acres has been designated as settlement to the Chugach Native Corporation. Out of the remaining lands, several areas in the Whittier vicinity have been designated by the State for potential disposal into private hands.



Edna DeVries
January 27, 1986
Page 2

These areas are, Pigot Bay, 295 acres; Poe Bay 440 acres; Logging Camp, 325 acres and Billings Creek for a yet unknown amount of acreage. These areas will eventually require service from Whittier and will support user funded access when it is realized.

SHOTGUN COVE - WHITTIER SUBDIVISION

According to the Shotgun Cove Steering Committee, a joint organization of Whittier and the Chugach Native Corporation, the first stage of development in support of improved access should be the Shotgun Cove Road. Total cost of this will be 19.5 million dollars, based on the existing engineering design. This project may be broken into two parts with a requirement of approximately 10 million dollars needed to build the road from Whittier to Trinity point beginning in 1986.

If the road can be started this year, the City will advertise a request for proposals to develop 200 acres of Municipal Entitlement Land known as the Whittier Subdivision. This could be by a private developer with the lands being furnished by the City of Whittier. Application for these lands has been filed with the Alaska Department of Natural Resources and a letter of entry is expected before the coming spring.

A preliminary site plan indicates approximately 197 residential lots can be developed. In addition, the Chugach Alaska Corporation owns approximately 318 acres adjacent to the proposed subdivision. This is proposed for residential and commercial development through private capital. At a density of about 2 people per acre this combined development could support up to 1030 people depending on the actual form development may take.

Before the summer of 1986, the City of Whittier and Chugach Alaska Corporation will, through a joint venture, select an additional 400 acres of Municipal Entitlement Land and 100 acres of Corporation Land in Shotgun Cove. The Shotgun Cove Steering Committee has recommended that a request for proposals for private development should be advertised soon after the land selection has been finalized. While the ultimate form of development is unknown, it has been agreed that the RFP will include some high density residential development, harbor facilities, commercial enterprises and improved marine freight handling and passenger facilities as standards for the project. If future population density were to reach 4 people per acre, not an exceptionally high figure, the combined development could support about 2000 residents.

Edna DeVries
January 27, 1986
Page 3

Again, this aspect of future development could easily be accomplished with private capital, with a long range benefit to the City being a stable tax base. The Chugach Alaska Corporation has mentioned on occasion the potential for winter recreation facilities they could develop. If followed through, this would result in a year round influx of recreational enthusiasts. Access to the area would cost another 9.5 million dollars in road construction as it is currently engineered.

Once the Whittier Subdivision and Shotgun Cove projects are under way, access improvement from Portage Valley to Whittier, via a toll road, could easily be supported by the increased traffic generated by the developments.

We understand that a report is forthcoming to this legislature from the Alaska Department of Transportation evaluating the feasibility of financing alternatives for Whittier access based on various studies completed in the past. This study is apparently due about February 15, 1986. We have deep concerns that this study will reflect only traffic projections to Whittier at it's existing level of development and not what the potential will be with development as proposed above. However, we believe that access from Portage to Whittier should be user paid. The best way to provide for this would be to charge those who derive the most benefit from the development. In order to establish this as a possible alternative however, will require ammendment of the toll authority established for the proposed Knik Arm Crossing.

Obviously the above proposals are quite ambitious. However, we are certain they are reasonable. We have collected some information which supports our position. The following will show some of the diverse considerations that are operative in our area which may not have been adequately adressed elsewhere.

HARBOR FACILITIES

Harbor facilities, or the lack thereof, is a major concern. The existing harbor was constructed in 1972. It was full the following year. In 1980 the size was doubled. It was again immediately over subscribed.

At present, there are 332 slips in the harbor. Of these, 279 are permanently assigned. 53 are held open for transient vessels.

Presently, 86 transient vessels are spending the Winter

Edna DeVries
January 27, 1986
Page 4

moored in the harbor. This is a 29% increase over the same period last year. The only problem is, They are large vessels which occupy most of the slips for the larger size classes. It is getting more difficult to accomodate winter use primarily from fishing vessels.

In the summer, from April 15, through September 15, the situation becomes chaotic. There was an approximate increase of 15% use in the harbor. With July 1985 being an example, there was 279 assigned berths with an average of 227 transient boats in the harbor for and average of 506 boats in the harbor designed for 332 boats. On five occasions in 1985, the Harbormaster broadcasted to all boats entering the harbor that there was no more space available. Up to 105 boats were on the priority list awaiting permission to enter the harbor. Some were anchored up for three days before space could be make available. The need for additional harbor space is desparate. Shotgun Cove can provide it.

In the analysis of the reason for this demand the following facts can be verified.

1. 87% of the vessels using the harbor are from Anchorage and Eagle River.
2. 3% are from th Mat-Su Borough.
3. 1% are from Whittier.
4. 7% are from either Seward, Homer, Cordova or Valdez.
5. 2% are from other areas including out of state.

Arthur Young and Associates has prepared a summary of various studies conducted between 1979 and 1983 to prepare a demand analysis of boating requirements for Anchorage and the Kenai Penninsula. It was concluded that 1 in every 13 people in that area require boating facilities.

If the population of Anchorage is approximately 244,000, as mentioned in the 1985 Municipal Officials directory, then there is a demand for 18,769 slips to satisfy Anchorage alone. Less than a third of these are available in the Anchorage/Kenai Penninsula area.

Whittier is only 60 miles from this demand; compared to over twice that distance to Seward and over four times that

Edna DeVries
January 27, 1986
Page 5

distance to Homer. In addition Whittier is a major gateway to prince William Sound, which contains some of the best recreational waters in the state. All that prevents it from being used to its potential is access and facilities.

The U.S. Army Corps of Engineers is nearing completion of the feasibility study for a harbor in Shotgun Cove. This report is due for completion by the Spring of 1986. The Preliminary draft shows definite feasibility. There are two viable alternatives for construction. One alternative is for approximately 832 slips. The other, approximately 790 slips for a total of 1622 spaces which could ultimately be developed. While this does not meet all of the Anchorage needs, it would certainly help.

If the State is unable to help in construction of a new harbor in Shotgun Cove, then perhaps a private corporation could develop it. For example part of the slips could be sold into private ownership on a condo arrangement to recover a large part of the investment.

MARITIME ACTIVITIES

In 1986 there are 34 Cruise Ship dockings scheduled into the Port of Whittier. Each of these ships carry about 800 passengers to and from Alaska. This adds up to a total of 27,200 people entering and 27,200 departing for a total of 54,000 passengers that will pass through Whittier and Anchorage next season. In addition each ship carries approximately 200 crew members for a total of 6800 crew person visits to the city. This is a considerable contribution to the economy of Alaska. It constitutes a tremendous impact on the City however, which provides EMS, Fire and Police support, in addition to water and sanitation services.

In addition to the above, 18,066 passengers were accomodated by private cruise ship between Whittier and Valdez. This number will increase significantly in 1986 with the addition of two more vessels of about ninety foot in length, catering to the demand. It is concievable that this number will triple in the next two years.

This is in large part due to lack of capacity on the Marine Highway System (M.V. Bartlett) which operates at over capacity during the summer months. This vessel in 1984 transported about 22,000 walk on passengers between Whittier and Valdez and about 5000 automobiles and recreational vehicles. It can accomodate no more. Perhaps it is only proper that additional demand be met by the private sector. However, moorage must be provided for the private vessels.

Edna DeVries
January 27, 1986
Page 6

The City port facilities are already over taxed. Added harbor facilities in Whittier and Shotgun Cove will help provide the necessary moorage facilities and passenger services which are now totally lacking.

Another form of maritime activity is the amount of rail barge freight which passes through Whittier every year. An estimate from the largest of the rail barge companies serving Whittier, Alaska Hydro Train, places a figure of over 500,000 tons on the amount of freight which is shipped northbound alone through Whittier. The Alaska Railroad has plans to expand their capabilities to handle rail barge traffic by upgrading their second slip, which is now used only for staging. This project has been slated to begin in the Spring of 1986.

ALASKA RAILROAD

The Alaska Railroad and the other transportation companies plan on moving more freight through Whittier to Anchorage than ever before. Present summer passenger and vehicle shuttles are increasingly coming into conflict with the movement of freight. Additionally it is well documented that rail passenger service does not pay for itself when the tourist season and the off season are averaged together. More passengers are showing up each year than the Alaska Railroad cares to handle between Portage and Whittier in the summer.

According to Alaska Railroad conductor estimates, about 160,000 people rode the shuttle in 1985. In addition, 22,000 vehicles, including buses, motor homes, van trucks and personal vehicles were transported. When considered on the basis of train days, or the number of day per year that the train makes at least one regularly scheduled shuttle run, it appears that an average of 615 passengers were served each day. Since the train runs every day for the four months of summer, that equals 120 train days. In the 8 winter months the train runs three days a week or 15 days a month also equal to 120 train days.

Obviously the people moved in 1984 were not all Whittier residents of Whittier. In 1985 Whittier had only 338 residents, based on revenue sharing information filed with the state. If the projection for the 1986 cruise ship schedule and the actual number of people served by public and private ferry service in 1985, are subtracted from the 1985 railroad figures, the average daily figure for activity on the train would still nearly equal the population of Whittier or about 334 passengers a day.

Edna DeVries
January 27, 1986
Page 7

U.S. ARMY PETROLEUM TANK FARM

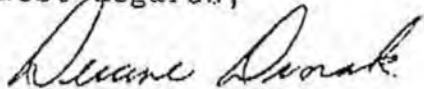
While there is not a lot of information available, the U. S. Army Petroleum Tank Farm is continuing its program to expand and upgrade facilities. This is bound to have an effect on Whittier. They will complete three new tanks in summer of 1986 and this may require either more rail tank service or more tanker ship service to be brought to the area.

CONCLUSION

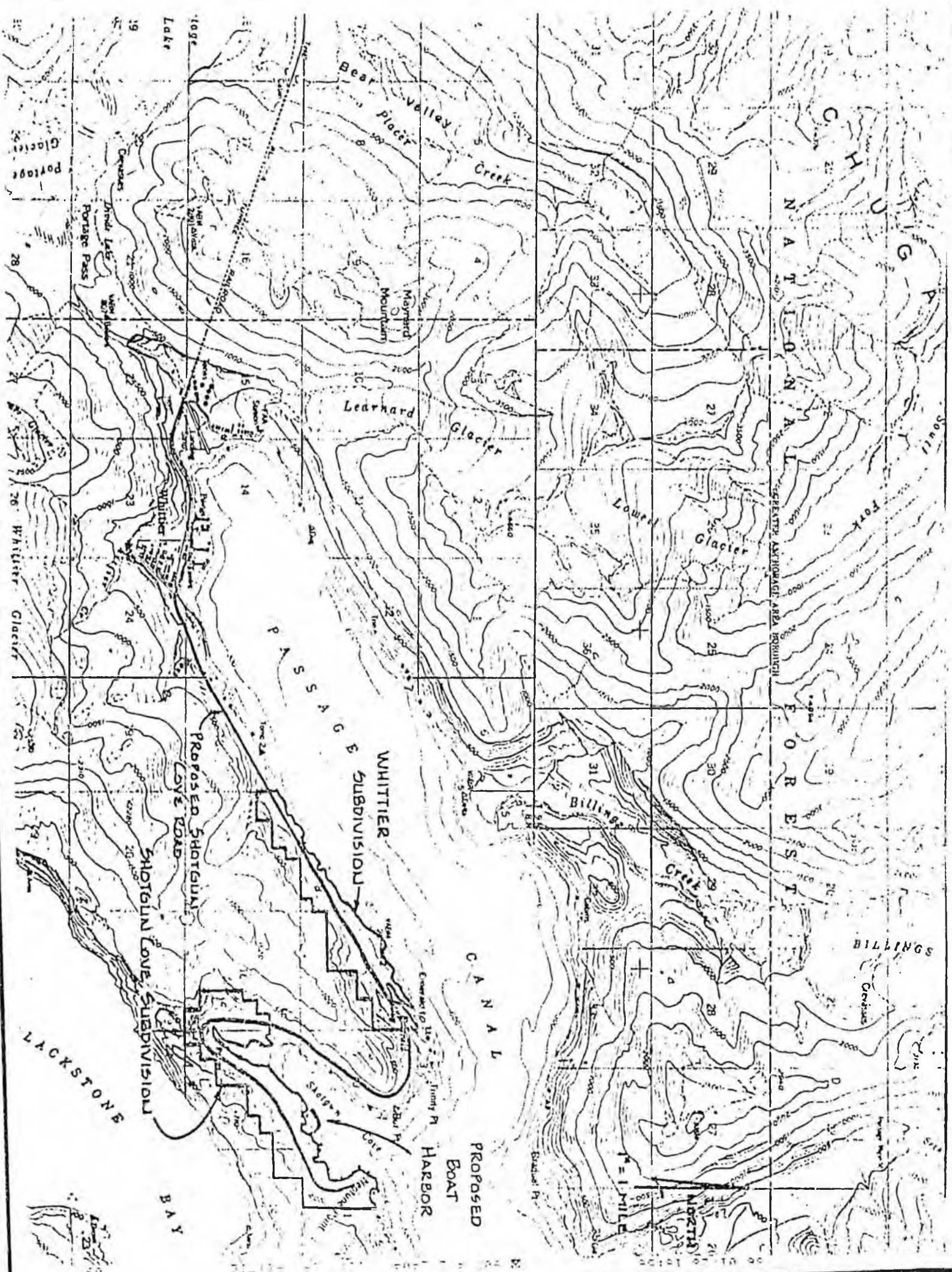
We of the City of Whittier visualize a great future for our community. The potential is here. To realize it, your support and assistance is badly needed. The demand exists for what we can offer. If we do not guide our growth, it will happen in a manner which will not reflect well on our city or the state. The major key is providing access and facilities on a timely basis.

We are asking for help from the legislature and administration in making it happen.

Best Regards,



Duane Dvorak
Acting City Manager, Whittier



REPTER AVIOMAGI ARPA INQUINCH

1" = 1 MILE

LACKSTONE BAY

PROPOSED SHOTGUN BOAT CANAL

WHITTIER SUBDIVISION

PROPOSED SHOTGUN LOVE ROAD

SHOTGUN LOVE SUBDIVISION

PORTAGE PASS

GLACIER

LAKE

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for your
info. I'll file
or whatever
when you're
done

Rep. Pignatelli has provided you with a proposal for a Mat-Su-Anchorage-Kenai-Whittier transportation network. It is the creation of a private architectural and engineering firm in Anchorage

This firm put together some ideas & their costs to help illustrate the buying power of three-fourths billion dollars (which is what it would cost for a deep water crossing near downtown Anchorage). In other words instead of the Knik Arm project, these are ideas they came up with.

Included in their ideas are:

→ 7 mile connector Road to Hope (2 lane) for \$14 million

DOT says it would really be more like \$20 million: DOT has not studied this concept but assumes it would require a study similar to the Knik Arm Study. That cost would be about \$5 million. The Hope Road connector, DOT says, is based on the fact the terrain around Hope is difficult for construction so costs would be high.

→ Upgrade Seward Highway to Whittier \$20 million

DOT says it's zero but...

The Seward Highway has been widened to a 40

The only section to be widened is from Bird Point to Girdwood. DOT is "studying" this section to determine which alignment should be used - the current alignment or that along the railroad tracks. Yet, they expect "approval" of "preferred" alternative in 1987.

Construction estimate \$50 million (what happened to it)

→ Weather Tunnel and Port Improvements \$80 million

DOT says \$100 million for vehicle tunnel only

Shotgun Cove estimate remains at \$19.2 million

Small boat harbor \$50 million

FEB 10 1986



Official Business

Alaska State Legislature

House

2/17

Pouch V
State Capitol
Juneau, Alaska 99811

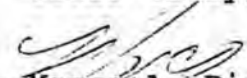
February 4, 1986

Dear Colleague:

Enclosed is a proposal for a Matsu-Anchorage-Kenai-Whittier transportation network. It is the creation of a private architectural and engineering firm in Anchorage. There is also a response from the Department of Transportation.

I send it to you only to let you know that there exist other creative and economic alternatives to the DOT's Knik Arm Crossing proposal.

Yours truly,


Marco A. Pignalberi
Representative

MAP:mep
enc.

MATSU-ANCHORAGE-KENAI-WHITTIER
TRANSPORTATION NETWORK PLAN

Recent Knik Arm crossing studies have shown that the cost of a deep water crossing near downtown Anchorage can be as high as three fourths billion dollars.

This sum of money is a little difficult for the average citizen to understand. However, when compared with other potential capital projects it can be put into proper perspective.

To help illustrate the buying power of this large sum, a logical road transportation plan has been developed which will benefit the Matsu Borough, Kenai Borough, Anchorage, Whittier and more indirectly other areas such as Fairbanks, Cordova and Valdez.

This plan is detailed on the attached map with element cost breakdowns also attached.

Any transportation plan needs a reason for every element with the bottom line giving the most benefit to the most people at the lowest cost.

The plan shown has the following key positive aspects.

1. It alleviates significant critical east-west/north-south traffic and interchange conflict in Anchorage.
2. It provides a traffic bypass to Anchorage or major parts of Anchorage. Bypasses can also assist inner city traffic movements.
3. Shorter access distance is provided to Fairbanks, Point Mackenzie and the future Beluga Coal Fields as well as the Willow area.
4. Traffic congestion from Willow will be lessened and traffic merged with Eagle River traffic through a full interchange.
5. A short route to the Kenai is realized which bypasses avalanche hazards and mountainous roads as well as looping existing access.
6. Badly needed recreational access is provided to Prince William Sound via Whittier and the Kenai.
7. Whittier ferry access to Cordova, Valdez and other points is improved.
8. Railroad access can readily parallel all routes envisioned.
9. Key port locations at Whittier and Pt. MacKenzie will have needed access.
10. Construction does not need the total 3/4 billion dollar committment as with the downtown crossing, but can be built in reasonable sections.
11. The land needed for potential development is expanded many times over other alternatives.

PRELIMINARY COST ESTIMATE
Matsu-Anchorage-Kenai-Whittier
Transportation Network

<u>PRIMARY ELEMENTS</u>	<u>\$ MILLION COST</u>
A. 20 mile road (4 lane) (Houston to Knik Arm Crossing)	40
B. 3.5 mile causeway fill	185
C. 1.0 mile bridge (4 lane)	80
D. 6 mile road connect to Glenn Highway (4 lane)	18
E. Glenn highway Full Interchange	4
F. Anchorage Bypass Interchange	5
G. 8 mile bypass (6 lane) to Dowling Interchange and one Interchange on bypass	45
H. Tudor, Dowling, Dimond, O'Malley Interchange Improvements to full Interchange	20
I. 7 miles 4 lane Road Upgrade to Turnagain Crossing	21
J. Interchange	4
K. 3.5 mile Fill Causeway	185
L. 1.0 mile Bridge (4 lane)	80
M. 7 mile Connector Road to Hope (2 lane)	14
N. 30 mile (2 lane) Highway to Sterling Highway	30
O. Upgrade Seward Highway to Whittier	20
P. Whittier Tunnel and Port Improvements	<u>80</u>
Total	831 m

BILL SHEFFIELD, GOVERNOR

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

POUCH Z
JUNEAU, ALASKA 99811
PHONE: (907) 465-3900

OFFICE OF THE COMMISSIONER

April 19, 1985

'APR 19 1985'

The Honorable Marco Pignalberi
Alaska State House of Representatives
Pouch V
Juneau, Alaska 99811

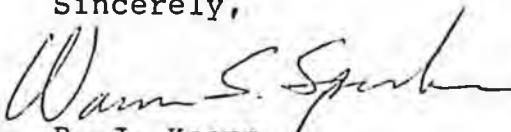
Dear Representative Pignalberi:

Thank you for providing us with the opportunity to comment on the Transportation Corridor plan submitted by your constituent. This individual has obviously given the transportation network in Anchorage a good deal of thought.

The attached fact sheet addresses each of the projects. Some corridors have been studied by the Department of Transportation and Public Facilities (DOT&PF), and are currently in the design phase. Others are being studied, or require more information before specific recommendations for construction can be made. Wherever possible, we have commented on potential costs, or provided our own ball park estimates.

Please contact me if you have questions on our analysis.

Sincerely,


R. J. Knapp
for Commissioner

cc: Susan Fleischhauer, Legislative Liaison, Commissioner's
Office
Ray Gillespie, Director, Legislative Relations, Governor's
Office
George J. Janssen, Deputy Commissioner, Central Region

Enclosure

REVIEW
 TRANSPORTATION ELEMENTS
 MATANUSKA/SUSITNA-ANCHORAGE-KENAI-WHITTIER

TRANSPORTATION NETWORK
 SUBMITTED BY REPRESENTATIVE MARCO PIGNALBERI

<u>PRIMARY ELEMENTS</u>	<u>PLAN</u> <u>\$MILLIONS</u>	<u>CURRENT</u> <u>COST</u> <u>\$MILLIONS</u>
A. 20 Mile Road (4-lane) (Houston to Knik Arm Crossing)	40.0	43.0
B. 3.5 Mile Causeway Fill	185.0	500.0
C. 1.0 Mile Bride (4-lane)	80.0	
D. 6 Mile Road Connect to Glenn Hwy (4-lane)	18.0	35.0
E. Glenn Highway Full Interchange	4.0	

Elements A, B, C, D, & E were investigated during the Knik Arm Crossing Environmental Investigation. The Final Corridor Alternatives Analysis (2/5/85) resulted in these elements being deleted from further consideration. We are enclosing a copy of that report which documents the reasons for deletion.

In the report, Element "A" is identified as the north approach "Houston Corridor"; the estimated cost in 1983 was \$43 million. Elements "B&C" are identified as the Eagle River Bridge - Causeway; the estimated cost in 1983 was \$494.0 million. Elements "E&D" are identified as the south approach "Eagle River Corridor"; the estimated cost in 1983 was \$35.0 million.

The process which identified preferred alternatives for the Knik Arm Crossing has been made through public involvement and is well documented. The "Final Corridor Alternatives Analysis" will provide you with the rationale behind the alternatives.

	<u>PLAN</u> <u>\$MILLIONS</u>	<u>CURRENT</u> <u>COST</u> <u>\$MILLIONS</u>
F. Anchorage Bypass Interchange	4.0	16.0
G. 8 Mile Bypass (6 lane) to Dowling Interchange	5.0	16.0

Elements "F&G" were called the East City Bypass by the Anchorage Metropolitan Area Transportation Study (AMATS) in 1983 when the project was being considered for inclusion in the Transportation Improvement Program (TIP).

AMATS rejected the concept of the East City Bypass because of lack of projected need, and the fact the Bicentennial Park designation of an area south of Tudor Road prohibited construction of a road through the park.

This concept has been replaced by the Northside Corridor and the Seward Highway Corridor which will connect in the 4th Avenue/Ingra Street Area. This Corridor will provide a limited access freeway system. The "ball park" estimate for the Northside Corridor and Seward Highway Corridor is about \$310.0 million.

	<u>PLAN</u> \$MILLIONS	<u>CURRENT COST</u> \$MILLIONS
H. Tudor, Dowling, Dimond, O'Malley Interchange Improvements to full interchange	20.0	46.0

The interchanges at Tudor, Dowling, Dimond and O'Malley are in place. The Rabbit Creek/DeArmoun Interchange is currently being designed, and estimated cost for construction is \$46.0 million.

	<u>PLAN</u> \$MILLIONS	<u>CURRENT COST</u> \$MILLIONS
I. 7 miles 4-lane Road Upgrade to Turnagain Crossing	21.0	0

The Seward Highway was been upgraded to a 40 foot paved width from Anchorage to Bird Point. The highway is expected to handle traffic for a number of years. We do not anticipate a four lane highway in the future.

	<u>PLAN</u> \$MILLIONS	<u>CURRENT COST</u> \$MILLIONS
J. Interchange	4.0	25.0
K. 3.5 Mile Fill Causeway	185.0	
L. 1.0 Mile Bridge (4-lane)	80.0	500.0
M. 7 Mile Connector Road to Hope (2-lanes)	14.0	20.0

Elements "J, K, L and M" pertain to the concept of a road link across to Hope from the Seward Highway. The department has not studied this concept, and cannot make any substantial evaluation of costs other than to assume a project of this type would require a study similar to the Knik Arm Study. The cost would be in the same price category of \$5.0 million.

We have suggested some estimates based on what we know of the projects. An interchange in 1985 costs approximately \$25.0 million. The causeway bridge concept and figures are taken from the Knik Arm study. The cost for the Hope Road connector is based on the fact the terrain around Hope is difficult for construction, and costs would be high, hence the \$20.0 million estimate.

	<u>PLAN</u> <u>\$MILLIONS</u>	<u>CURRENT</u> <u>COST</u> <u>\$MILLIONS</u>
N. 30 Mile (2-lane) Highway to Sterling Highway	30.0	45.0

The estimate for the Sterling Highway connector from the Turnagain Crossing to the Sterling Highway is \$60.0 million.

	<u>PLAN</u> <u>\$MILLIONS</u>	<u>CURRENT</u> <u>COST</u> <u>\$MILLIONS</u>
O. Upgrade Seward Highway to Whittier	20.0	0.0

The Seward Highway has been widened to a 40 paved width from Anchorage to Bird Point and Girdwood south. The only section to be widened is the section from Bird Point to Girdwood. The department is studying this section to determine which alignment should be used, the current alignment or that along the railroad tracks. We expect approval of preferred alternative in 1987.

Construction estimate for this section is \$50.0 million.

	<u>PLAN</u> <u>\$MILLIONS</u>	<u>CURRENT</u> <u>COST</u> <u>\$MILLIONS</u>
P. Whittier Tunnel and Port Improvements	80.0	100.0

The department currently has a preliminary engineering project to determine the preferred alignment into Whittier. The Whittier Access study is expected to be completed in 1986. Early construction estimate for a vehicle tunnel is \$100.0 million.

The Shotgun Cove Road has been designed and is estimated to

cost \$19.2 million. The City of Whittier is advocating construction of a small boat harbor at Shotgun Cove. Early cost estimated for the harbor is \$50.0 million.

HCR 55

The State Affairs Committee considered HOUSE CONCURRENT RESOLUTION NO. 55 (eighteenth annual Girls' State) and a majority of the committee recommended do pass. The report was signed by Senator Abood, Chairman and concurred in by Senators DeVries, Vic Fischer and Ray.

HOUSE CONCURRENT RESOLUTION NO. 55 was referred to the Rules Committee.

HCR 56

The State Affairs Committee considered HOUSE CONCURRENT RESOLUTION NO. 56 (twentieth annual Boys' State) and a majority of the committee recommended do pass. The report was signed by Senator Abood, Chairman and concurred in by Senators DeVries, Vic Fischer and Ray.

HOUSE CONCURRENT RESOLUTION NO. 56 was referred to the Rules Committee.

SR 8

The Rules Committee considered SENATE RESOLUTION NO. 8 (use of Alaskan wood) and recommended calendar March 12. The report was signed by Senator Kelly, Chairman and concurred in by Senators Faiks, Josephson, Bennett and Coghill.

SENATE RESOLUTION NO. 8 is on the calendar.

SB 374 *file*

The Rules Committee considered SPONSOR SUBSTITUTE FOR SENATE BILL NO. 374 (state toll facilities) and recommended calendar March 12. The report was signed by Senator Kelly, Chairman and concurred in by Senators Faiks, Josephson, Bennett and Coghill.

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 374 is on the calendar.

HB 144

The Rules Committee considered CS FOR HOUSE BILL NO. 144 (JUD) (title am) (lists of political campaign contributions) and a majority of the committee recommended calendar March 12. The report was signed by Senator Kelly, Chairman and concurred in by Senators Coghill and Bennett.

CS FOR HOUSE BILL NO. 144 (JUD) (title am) is on the calendar.

CONSIDERATION OF THE CALENDAR

SECOND READING OF SENATE BILLS

SB 374

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 374 (state toll facilities) was read the second time.

Senator Coghill moved and asked unanimous consent for the adoption of the Transportation Committee amendment offered on page 1827. Without objection, Amendment No. 1 was adopted.

Senator Halford moved and asked unanimous consent that SPONSOR SUBSTITUTE FOR SENATE BILL NO. 374 am be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 374 am was read the third time.

The question being: "Shall SPONSOR SUBSTITUTE FOR SENATE BILL NO. 374 am (state toll facilities) pass the Senate?" The roll was taken with the following result:

SSSB 374 AM 3RD

Yeas: 19 Abood, Bennett, Coghill, DeVries,
Eliason, Fahrenkamp, Faiks,
Ferguson, Fischer Paul,
Fischer Vic, Halford, Josephson,
Kerttula, Ray, Rodey, Sackett,
Sturgulewski, Zharoif, Ziegler

Nays: 0

Absent: 1 Kelly

and so, SPONSOR SUBSTITUTE FOR SENATE BILL NO. 374 am passed the Senate.

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 374 am was referred to the Secretary for engrossment.

SECOND READING OF HOUSE BILLS

HB 144

CS FOR HOUSE BILL NO. 144 (JUD) (title am) (lists of political campaign contributions) was read the second time.

Approved by the Executive Committee
on January 30, 1986 for transmittal
to the Policy Committee.

The AASHTO DBE Task Force, by majority vote, recommends that the Executive and Policy Committees consider adopting the following amendment to the AASHTO 1986 Transportation Policy Book:

Amend Policy Statement T-16, "AASHTO Policy Statement on MBE," to read as follows:

T16 - AASHTO Policy Statement on [MBE] DBE

The action of Congress in enacting Section 105(f) of the Surface Transportation Assistance Act of 1982, setting as a requirement that not less than 10% of the amounts authorized to be appropriated under the Act shall be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals as defined by Section 8(d) of the Small Business Act (DBE's) except to the extent that the Secretary of Transportation determines otherwise, is acknowledged.

The member departments of AASHTO have been and remain committed to increasing the participation of socially and economically disadvantaged individuals in programs of their departments. The requirement of Section 105(f) is accepted as both a challenge and a minimum goal, in the spirit it was enacted by the Congress. The member departments of AASHTO commit themselves to taking

every reasonable action within their command to meet this challenge and goal by the earliest possible date, including engaging in efforts to locate, develop and encourage socially and economically disadvantaged individuals and their business enterprises, and extending assistance so that they can achieve satisfactory levels of participation. In meeting this commitment, every effort will also be made to treat all persons with fairness and equity.

The underlying purpose of Congress in enacting Section 105(f) was to increase the participation of small business concerns owned and controlled by socially and economically disadvantaged individuals in highway and transportation business activity, toward where their share of this activity is fair and reasonable under the laws of the nation and the principles accepted by the American society. AASHTO believes that given this underlying purpose, the Section 105(f) program must be considered as temporary, and that it should be terminated once that purpose has been achieved. In order to facilitate achievement of Section 105(f), the Association believes that every member department should work toward transitioning to a time when DBE's will function as full fledged participants in the free enterprise system, capable of capturing their fair and reasonable share of transportation business activity funded by the departments. The Association should help the member departments develop and implement strategies to accomplish this transition, and

the federal government should support the member departments' efforts. Further, the member departments and the federal government should continually monitor the DBE situation to determine when the underlying purpose of Section 105(f) has been achieved, and then act to terminate the program.

While recognizing and pledging a commitment toward meeting the provisions and intent of Section 105(f), the member departments recognize that not all states will be capable of achieving the stated level of participation. [at least not in the immediate future.] This will be true despite the best good faith effort on the part of those departments, because of shortages of business enterprises operated by socially and economically disadvantaged individuals both within the state's borders and within reasonable geographic proximity thereto, institutional and legal barriers that will take time to alleviate or remove, and similar factors. Accordingly, it is the position of AASHTO that where a state fails to achieve its participation goal in any given year due to these factors, despite a true and complete best faith effort, the Secretary of Transportation should utilize the discretion provided under Section 105(f) and not financially penalize that state for its failure to achieve the goal. Further, should a state choose to seek a waiver, AASHTO urges that prompt and favorable consideration be accorded thereto where it is evident that a good faith effort to meet the statutory goal is being made.

It is further the position of AASHTO that the Federal Highway Administration should provide all reasonable assistance to the member departments in support of their efforts to achieve set participation goals, including providing necessary supporting services to aid in minority business development activities.

In particular, the Congress should provide funding to the member departments adequate for achieving a transition from the Section 105(f) program and the DBE-related regulations of the U.S. Department of Transportation should support related transition strategies, all to assure achieving the underlying purpose of Section 105(f) by the earliest possible date.

Finally, it is also the position of AASHTO that the U.S. Department of Transportation and its modal agencies should adopt regulations for administering Section 105(f) that are in keeping with Congressional intent, and which clearly acknowledge that states will not be financially penalized when they fail to achieve an established goal after making a truly best effort attempt to do so.

[] Indicates Deletions

_____ Indicates Additions

Revised Draft
AASHTO Toll Policies

18555

1. State transportation agencies should be permitted to develop NEW toll highways in conjunction with use of federal funds on federally aided projects, as they are now permitted to do with regard to toll bridges and tunnels.¹ FOR EXISTING NON-INTERSTATE HIGHWAYS STATES SHOULD BE ALLOWED TO ESTABLISH TOLLS FOR THE PURPOSE OF HIGHWAY RECONSTRUCTION OR ACQUISITION OF ANY TOLL FACILITY.² FOR EXISTING INTERSTATE HIGHWAYS where *unusually* UNUSUALLY high maintenance, construction, or reconstruction costs exist, the Secretary of Transportation should be granted the authority to allow the imposition of tolls *on/federal/aid highways/ and/ bridges.*³

2. WHEN FEDERAL FUNDS PARTICIPATE IN THE CONSTRUCTION, RECONSTRUCTION OR ACQUISITION OF ANY EXISTING OR NEW TOLL FACILITY, there should be no obligation to EITHER REMOVE THE TOLLS ONCE THE COST OF CONSTRUCTION HAS BEEN REPAID OR TO repay the federal-aid/highway funds *which/may/have/been/expended/on/the/facility.*⁴ THE USE OF TOLL REVENUES BEYOND THOSE REQUIRED FOR THE CONSTRUCTION, RECONSTRUCTION, OPERATIONS, AND MAINTENANCE OF THE TOLL FACILITY SHOULD BE LIMITED TO OTHER PUBLIC HIGHWAYS.⁵

¹This statement is supported by Option #2.

²This statement is supported by Options #7 and #12.

³This statement is supported by Option #3.

⁴This statement is supported by Options #4, 8, and 9.

⁵This statement is supported by Option #5.

TABLE 1

TOLL FACILITY OPTIONS

1. Allows use of federal aid on toll bridges and tunnels only. Once non-federal share is repaid, tolls must be eliminated unless federal share is paid back (Sec. 129 of Title 23).
2. Federal-Aid can be used to develop toll bridges, tunnels, and highways (AASHTO Policy).
3. Tolls can be imposed on federal-aid highways and bridges where uniquely high maintenance, construction, or reconstruction costs exist (AASHTO Policy).
4. Section 129 should be amended so that there should be no obligation to repay federal-aid highway funds which may have been expended on the toll facility (AASHTO Policy; Chiles S.1488).
5. If federal-aid is used on a facility, toll revenues in excess of those needed to retire bonds and maintain the facility can be used for other ground transportation projects (Chiles S. 1488).
6. Federal contribution to toll facility construction may not exceed 50% (Rowland H.R. 3473; Chiles S.1488).
7. Tolls can be imposed on federal aid highways for the purpose of:
 - a) new construction of highway
 - b) reconstruction of highways
 - c) reconstruction of highways to relieve congestion
 - d) construction or acquisition of any toll bridge or tunnel (Rowland H.R. 3473; Chiles S.1488)
8. Existing highway tolls may stay or once the non-federal share of the facilities are repaid (S.1488).
9. Existing highway tolls may stay on once the collection of tolls sufficient to liquidate the cost of the toll road or any bonds outstanding constituting a valid lien against (other).
10. There should be a special federal fund to modify geometrics and capacity when tolls are removed (other).
11. Allow states to establish tolls on the existing interstate highway system, at their option (other).
12. Allow states to establish tolls on other major highways, at their option (other).

SUPPORT	NEUTRAL	OPPOSED
15	15	21
45	2	4
43	1	7
40	6	5
26	5	20
9	20	22
41	2	7
39	3	8
40	3	7
40	4	6
34	7	10
33	8	9
6	11	34
24	10	17
30	11	10

MAR 5 1986

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 * DELIVER TO: JPOM *
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 * ORIGINAL *
 * SENT: 03/05/86 TIME: 09:27 *
 * FROM: JEAN MILLER *
 * SUBJECT: POM *
 * PRINT DATE: 03/05/86 TIME: 09:27 *
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TO: REPRESENTATIVE CATO

file

FROM: BERNARD MARSH
 VICE PRESIDENT, WHITTIER BOAT OWNERS ASSOCIATION
 2550 DENALI STREET, SUITE 1608
 ANCHORAGE, AK 99503 PHONE: 278-3615

SUBJECT: HB 555 - STATE TOLL ROAD FACILITIES

THE WHITTIER BOAT OWNERS ASSOCIATION WITH 398 MEMBERS, STRONGLY SUPPORTS HB 555.

1

**HOUSE
COMMITTEE REPORT**

(7)

Date referred: 2/10/86

FURTHER REFERRALS: FINANCE

DATE: _____

The TRANSPORTATION Committee has considered HB 555

"An Act relating to state toll facilities."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with _____ same title
- replace with _____ 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:

Bete Cato
Adelheid Herrman
W. Furnace
Mike Dan
Mark Quil

SIGNING OTHER RECOMMENDATIONS:

Bete Cato
Chairman

CSHB 144(Jud)(title-am)

A message dated March 13, 1986, was read stating the Senate has passed COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 144 (Judiciary) (title amended) (relating to lists of political campaign contributions) with the following amendment:

Page 1, line 15, after "(a)." insert:

"The commissioner shall also mail a copy of the list to each of the candidates and groups which were recipients of those credited contributions."

And so, CSHB 144(Jud)amS is transmitted for consideration.

CSHB 144(Jud)(title am) will be taken up under Unfinished Business.

A message dated March 12, 1986, was read stating the Senate has passed the following and they are transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE RESOLUTIONSSJR 44

SENATE JOINT RESOLUTION NO. 44, by the Judiciary Committee:

Requesting the United States House of Representatives to approve the McClure-Volkmer Bill.

was read the first time and referred to the State Affairs and Judiciary Committees.

FIRST READING AND REFERENCE OF SENATE BILLSSSSB 374am

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 374 amended, by DeVries and Faiks, entitled:

"An Act relating to state toll facilities."

was read the first time and referred to the Transportation and Finance Committees.

COMMUNICATIONS

A notice was received March 12, 1986, from the Alaska Real Estate Commission, regarding adoption of regulations dealing with real estate brokers and salespersons. The notice is on file in the Speaker's office.

REPORTS OF STANDING COMMITTEES

The State Affairs Committee has reviewed the qualifications of Annie Laurie Howard for appointment to the Alaska Public Offices Commission and recommends approval. The report was signed by Hurley (Chair), Cato, Jenkins, Boucher and Collins.

HB 292

The Health, Education & Social Services Committee has considered HOUSE BILL NO. 292 (relating to credited service for noncertificated school employees who are members of the public employees' retirement system; effective date) and reports it back as follows: Koponen (Co-chair) recommends do pass; Hanley and Pettyjohn recommend do not pass; Gruenberg (Co-chair), Taylor, Hurley and Thompson have no recommendation.

A zero fiscal note with analysis appears in House Journal Supplement No. 97.

HB 292 was referred to the Finance Committee.

HB 301

The State Affairs Committee has considered HOUSE BILL NO. 301 (relating to truth in political campaign advertising; effective date), attaches the following amendment:

Page 2, line 1:

Delete "1986"
Insert "1987"

and reports it back as follows: Hurley (Chairman), Boucher, M.M. Miller and Navarre recommend do pass; Collins and Jenkins have no recommendation.

A fiscal note appears in House Journal Supplement No. 97.

HB 301 was referred to the Judiciary Committee.

Revenue Bonds.

Revenue bond debt service

purpose of providing by grants or other sale of revenue of not to exceed \$500,000,000, and install the additions, improvements, extensions, and facilities authorized in AS 37.15.720 and 37.15.730. The principal of and interest on these bonds are paid out of and secured by the gross revenues derived by the state from the ownership, use, and operation of the toll facilities, and out of any other revenue or money that the state legislature may provide exclusive of any state tax or license. Bonds may not be issued to assist in the acquisition, financing, or operation of projects without prior approval from the legislature. (§ 1 ch 162 SLA 1984)

0" for "\$62,825,000" changes.

service approved the principal, and outstanding revenue appropriated to the fund to the extent of principal, (1984)

Bonds.

Investments
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Sec. 37.15.610. Bond authorization. For the purpose of providing part or all of the money to be used, with or without any grants or other money that may become available, the issuance and sale of revenue bonds of the state in the total principal sum of not to exceed \$500,000,000 is authorized to acquire, construct, equip, and install the additions, improvements, extensions, and facilities authorized in AS 37.15.720 and 37.15.730. The principal of and interest on these bonds are paid out of and secured by the gross revenues derived by the state from the ownership, use, and operation of the toll facilities, and out of any other revenue or money that the state legislature may provide exclusive of any state tax or license. Bonds may not be issued to assist in the acquisition, financing, or operation of projects without prior approval from the legislature. (§ 1 ch 162 SLA 1984)

Sec. 37.15.620. Construction fund. (a) The toll facilities construction fund is established for deposit of proceeds of the sale of the bonds authorized by AS 37.15.610 and any grant or other money that is legally provided for the same purposes for which the bonds are authorized except for any accrued interest paid on the bonds by the purchaser. The money in the construction fund is used to pay the cost of acquiring, constructing, and equipping facilities authorized in AS 37.15.720 and 37.15.730 and costs incidental to those activities, including costs of the authorization, issuance, and sale of the bonds. To the extent allowed in the bond resolution, money in the construction fund may also be used for the payment of interest on the bonds during the time of actual construction, and for any additional time, not exceeding one year after construction is completed. Money in the construction fund may also be transferred to the bond redemption fund, as permitted by the bond resolution, to establish a reserve for the payment of the principal and interest on the bonds.

(b) The bond resolution may provide for the investment of money in the construction fund as the committee determines. The interest earned upon or any profit derived from the sale of the investment is deposited in the construction fund. (§ 1 ch 162 SLA 1984)

Sec. 37.15.630. Revenue fund. (a) The toll facilities revenue fund is established and shall be set apart from all other money of the state. The toll facilities revenue fund is a trust fund for the purposes under AS 37.15.610 — 37.15.760, where all revenue, fees, tolls, charges, and rentals are deposited that are derived by the state from the ownership, lease, use, and operation of the facilities authorized by AS 37.15.720 and 37.15.730. The revenue, fees, tolls, charges, and rentals may not include the proceeds of any state tax or license. The money in the revenue fund may only be used to

(1) pay or secure the payment of the principal of and interest on the toll facilities bonds and principal of and interest on any other revenue bonds issued by authorization of the legislature to provide money to acquire, construct, and equip facilities authorized by AS 37.15.720 and 37.15.730 and to be payable out of the revenue fund;

(2) pay the normal and necessary costs of maintaining and operating the facilities acquired, constructed, or equipped under AS 37.15.610 — 37.15.760;

(3) pay the costs of renewals, replacements, and extraordinary repairs to facilities acquired, constructed, or equipped under AS 37.15.610 — 37.15.760;

(4) redeem before their fixed maturities any and all revenue bonds issued for the purpose of acquiring, constructing, and equipping facilities authorized by AS 37.15.720 and 37.15.730;

(5) provide money to acquire, construct, and equip necessary additions and improvements to facilities authorized by AS 37.15.720 and 37.15.730; and

(6) provide money to pay any and all other costs relating to the ownership, use, and operation of the facilities.

(b) The investment of money in the revenue fund may be made as the committee determines. The interest earned upon or any profits derived from the sale of an investment under this subsection shall be deposited in the revenue fund. (§ 1 ch 162 SLA 1984)

Sec. 37.15.640. Bond redemption fund. The toll facilities revenue bond redemption fund is established for deposit in trust of money for paying and securing the payment of principal of and interest and redemption premium, if any, on bonds and is set apart from all other money of the state. The committee, on behalf of the state, shall obligate the state to set aside and pay into the bond redemption fund from the revenue fund an amount of money sufficient to pay the principal of and interest and redemption premium, if any, on the bonds as the payments become due and, if the committee considers it necessary, to set aside and maintain a reserve for this purpose. The bond redemption fund is drawn upon for the purpose of paying the principal of and interest and redemption premium, if any, on the bonds, and the bonds do not constitute a general obligation of the state. (§ 1 ch 162 SLA 1984)

MENT § 37.15.640

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§ 37.15.650

PUBLIC FINANCE

§ 37.15.650

Sec. 37.15.650. Bond terms. (a) The toll facilities bonds are sold in the amounts or series and at the time as determined by the committee. Before selling a series of bonds, the committee shall give notice inviting sealed bids. If satisfactory bids are received, the bonds offered for sale are awarded to the highest responsible bidder. If the committee determines that a bid received is not satisfactory as to price or responsibility of the bidder, the committee may reject the bid received. Bonds, or a series of bonds, may not be sold if the effective interest rate over the life of the bonds exceeds 11 percent per year or that rate of interest that is 125 percent of the rate of the Bond Buyer Index of 20 Municipal Bond Average Yields for the week previous to the date of sale of the bonds, whichever is higher. Interest is payable annually or semiannually.

(b) The bonds mature at the time fixed by the committee. The bonds may be subject to redemption before their fixed maturities as determined by the committee and with the premium fixed by the committee, but a bond may not be subject to redemption before its fixed maturity date unless the right to redeem that bond is expressly mentioned on the face of the bond. The bonds

(1) may be in denominations determined by the committee;

(2) may be issued in coupon form or in fully registered form, and may be registrable as to principal or both principal and interest, all under regulations and conditions the committee provides;

(3) are payable as to principal and interest at the place determined by the committee;

(4) shall be signed on behalf of the state by the governor and shall be attested to by the lieutenant governor, both of which signatures may be facsimile signatures, and each of the interest coupons attached to them shall be signed by the facsimile signatures of these officials;

(5) shall have the seal of the state impressed, printed, or lithographed on them; and

(6) shall be issued under and subject to the terms, conditions, and covenants, providing for the payment of the principal of and interest on the bonds and the other terms, conditions, covenants, and protective features safeguarding this payment and relating to the maintenance, operation, and improvement of the toll facilities as found necessary by the committee, which covenants may include a provision requiring the setting aside and maintenance of certain reserves to secure the payment of the principal and interest.

(c) If found reasonably necessary, the committee may select a trustee or trustees for the holders of the bonds or any series of the bonds, for the safeguarding and disbursement of any of the money in any of the funds created by AS 37.15.620, 37.15.630, and 37.15.640, or for the duties for authentication, delivery, and registration of the bonds as the committee may determine. The committee shall also fix the rights, duties, powers, and obligations of the trustee or trustees.

(d) In the committee's determination of all of the matters and questions relating to the issuance and sale of the bonds and the fixing of the maturities, terms, conditions, and covenants of the bonds as provided in (a) — (c) of this section, the decisions of the committee shall be those found to be reasonably necessary for the best interests of the state and its inhabitants, and those that will accomplish the most advantageous sale of the bonds, with due regard, however, (1) to necessary or normal costs of maintenance and operation; (2) to renewals and replacements of and repairs to the toll facilities; (3) to all improvements to toll facilities and property of toll facilities owned, used, operated, or leased in connection with toll facilities; and (4) to the future growth and expansion of all of the facilities and the possibility of additional revenue bond financing for toll facilities purposes. A decision of the committee, as expressed in any bond resolution, is final when any bonds have been issued under the bond resolution.

(e) A bond resolution may provide that the bonds issued contain a recital that they are issued under AS 37.15.610 — 37.15.760, and any bonds containing this recital are conclusively considered to be valid and to have been issued in conformity with AS 37.15.610 — 37.15.760.

(f) The validity of the authorization and issuance of bonds is not affected by any proceeding for the acquisition or construction of the additions, improvements, or facilities for which the bonds have been issued or by any contract in connection with the acquisition or construction. (§ 1 ch 162 SLA 1984)

Sec. 37.15.660. Bond resolution. The committee is authorized and directed to adopt the bond resolution and prepare all other documents and proceedings necessary for the issuance, sale, and delivery of the bonds or any part or series of them. The bond resolution shall fix the principal amount, denomination, date, maturities, place or places of payment, rights of redemption, if any, terms, form, conditions, and covenants of the bonds or each series of them. The committee shall also determine and provide for the date and manner of sale of the bonds, and shall provide whether the notice of sale is to be published elsewhere in addition to the publication required by AS 37.15.650. (§ 1 ch 162 SLA 1984)

§ 37.15.660

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§ 37.15.670

PUBLIC FINANCE

§ 37.15.700

Sec. 37.15.670. Enforcement by holder. The holder of any bonds or the trustee for the holders of the bonds or any series of them, may, by appropriate proceedings in the courts of record of the state, compel the transfer, setting aside, and payment of money and the enforcement of all of the terms, conditions, and covenants as required and provided in AS 37.15.610 — 37.15.760 and in the bond resolution. (§ 1 ch 162 SLA 1984)

Sec. 37.15.680. Amounts required for payments. The committee shall, before December 31 of each year, commencing with the year in which the bonds are issued, certify to the commissioner of revenue and the commissioner of transportation and public facilities the amounts required in the next ensuing calendar year by a bond resolution to be paid out of the revenue fund into the bond redemption fund and to be paid into and maintained in any reserve fund or account or any other fund or account created by a bond resolution. The committee shall also certify to the commissioners the last date upon which payments may be made. (§ 1 ch 162 SLA 1984)

Sec. 37.15.690. Bond negotiability. The bonds and the coupons attached to them are fully negotiable instruments under the laws of the state. (§ 1 ch 162 SLA 1984)

Sec. 37.15.700. Refunding. (a) The bonds or any part of them may be refunded at or before their maturity by the issuance of refunding revenue bonds of the state if in the opinion of the committee refunding is advantageous to and in the best interest of the state and its inhabitants.

(b) The issuance of refunding bonds need not be authorized by an act of the legislature, and the committee shall adopt the resolution and prepare all other documents and proceedings necessary for the issuance, exchange or sale, and delivery of the bonds. All provisions of AS 37.15.610 — 37.15.760 applicable to revenue bonds are applicable to the refunding bonds and to the issuance, sale, or exchange of the bonds, except as otherwise provided in this section.

(c) Refunding bonds may be issued in a principal amount sufficient to provide money for the payment of all bonds to be refunded by them, and, in addition, for the payment of all expenses incident to the calling, retiring, or paying of the outstanding bonds, and the issuance of the refunding bonds. These expenses include the difference in amount between the par value of the refunding bonds and any amount less than par for which the refunding bonds are sold, any amount necessary to be made available for the payment of interest on the refunding bonds from the date of sale of them to the date of payment of the bonds to be refunded or to the date upon which the bonds to be

refunded will be paid under the call of the bonds or agreement with the holders of them, and the premium, if any, necessary to be paid in order to call or retire the outstanding bonds and the interest accruing on the outstanding bonds to the date of the call or retirement. (§ 1 ch 162 SLA 1984)

Sec. 37.15.710. Bonds as legal investments. Toll facilities bonds are legal investments for all banks, trust companies, savings banks, savings and loan associations, and other persons carrying on a banking business, all insurance companies and other persons carrying on an insurance business, and all executors, administrators, trustees, and other fiduciaries. The bonds may be accepted as security for deposits of all money of the state and its political subdivisions. (§ 1 ch 162 SLA 1984)

Sec. 37.15.720. State toll facilities. The state is authorized to acquire, construct, equip, and maintain toll bridges, highways, roads, crossings, and causeways found to be necessary by the commissioner of transportation and public facilities. (§ 1 ch 162 SLA 1984)

Sec. 37.15.730. Knik Arm Crossing. Notwithstanding the provisions of AS 37.15.720 the first state toll facility to be financed under AS 37.15.610 — 37.15.760 is the Knik Arm Crossing near Anchorage if the following conditions are met:

(1) the department submits to the governor and the legislature a feasibility study that finds that the crossing is financially feasible and able to produce revenue adequate to repay the bonds with which it is financed;

(2) if financing in addition to revenue bonds is anticipated, the department submits to the governor and legislature a finance plan to include an estimate of the total cost of the project and a description of the sources of money that will be used to finance the total cost of the project; and

(3) the office of management and budget reviews the feasibility study and the finance plan, if required, and reports its findings and recommendations to the governor and legislature not later than 90 days after the study and plan are received by the office. (§ 1 ch 162 SLA 1984)

§ 37.15.730

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PUBLIC FINANCE

§ 37.15.760

Sec. 37.15.740. Toll facility charges. The commissioner of transportation and public facilities shall fix and collect the fees, charges, tolls, and rentals derived by the state from the ownership, lease, use, and operation of the facilities authorized by AS 37.15.720 and 37.15.730 and improvements of the facilities as will provide revenues sufficient to comply with all of the covenants of the bond resolution. (§ 1 ch 162 SLA 1984)

Sec. 37.15.750. Statutory construction. AS 37.15.610 — 37.15.760 shall be liberally construed in order to carry out the purposes for which the provisions were enacted, and all existing laws in conflict with AS 37.15.610 — 37.15.760 are superseded as necessary to accomplish the purposes of AS 37.15.610 — 37.15.760. (§ 1 ch 162 SLA 1984)

Sec. 37.15.760. Definitions. In AS 37.15.610 — 37.15.760, unless the context requires otherwise

(1) "bond redemption fund" means the toll facilities revenue bond redemption fund created by AS 37.15.640, including any accounts that are created in that fund after October 4, 1984;

(2) "bond resolution" means the resolution authorizing the issuance of bonds, adopted by the committee under AS 37.15.660;

(3) "bonds" means the toll facilities revenue bonds authorized by AS 37.15.610 — 37.15.760;

(4) "committee" means the state bond committee created by AS 37.15.110, or any other committee, body, department, or officer of the state that or who succeeds to the rights, powers, duties, and obligations of the state bond committee by act of the legislature;

(5) "construction fund" means the toll facilities construction fund created by AS 37.15.620;

(6) "revenue fund" means the toll facilities revenue fund created by AS 37.15.630;

(7) "toll facilities" means highways, roads, bridges, crossings, and causeways upon which tolls, charges, rentals, or other user fees are placed by the commissioner of transportation and public facilities. (§ 1 ch 162 SLA 1984)

Alaska Statutes

Title 19. Highways and Ferries.

Chapter

- 1 Administration (§ 19.05.040)
- 2 State Highway System (§§ 19.10.060, 19.10.170)
- 3 Cooperation by and with the State (§ 19.20.015)
- 4 Access Loads (§§ 19.30.080, 19.30.127, 19.30.241, 19.30.260 — 19.30.320)
- 5 James Dalton Highway (§§ 19.40.100, 19.40.200, 19.40.210)
- 6 Ferry Terminal Facilities (§ 19.60.070)
- 7 Alaska Marine Highway System (§ 19.65.010)

Chapter 05. Administration.

Article

- 1 Department of Transportation and Public Facilities (§ 19.05.040)

Article 1. Department of Transportation and Public Facilities.

Section

- 1 Powers of department

Sec. 19.05.040. Powers of department. The department may

- 1) acquire property;
- 2) exercise the power of eminent domain;
- 3) take immediate possession of real property, or any interest in it under a declaration of taking or by other lawful means;
- 4) acquire rights-of-way for present or future use;
- 5) control access to highways;
- 6) regulate roadside development;
- 7) preserve and maintain the scenic beauty along state highways;
- 8) dispose of property acquired for highway purposes;
- 9) accept and dispose of federal funds or property available for highway construction, maintenance, or equipment;
- 10) enter into contracts or agreements relating to highways with the federal government, municipalities, a political subdivision, or with a foreign government, if the contract is approved by the federal government;
- 11) establish, levy, and collect tolls, fees, charges, and rentals for the use of state roads, highways, bridges, crossings, and causeways;

§ 37.15.415

Revenue Bonds.

Revenue bond debt ser-
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PUBLIC FINANCE

§ 37.15.630

Sec. 37.15.610. Bond authorization. For the purpose of providing part or all of the money to be used, with or without any grants or other money that may become available, the issuance and sale of revenue bonds of the state in the total principal sum of not to exceed \$500,000,000 is authorized to acquire, construct, equip, and install the additions, improvements, extensions, and facilities authorized in AS 37.15.720 and 37.15.730. The principal of and interest on these bonds are paid out of and secured by the gross revenues derived by the state from the ownership, use, and operation of the toll facilities, and out of any other revenue or money that the state legislature may provide exclusive of any state tax or license. Bonds may not be issued to assist in the acquisition, financing, or operation of projects without prior approval from the legislature. (§ 1 ch 162 SLA 1984)

Sec. 37.15.620. Construction fund. (a) The toll facilities construction fund is established for deposit of proceeds of the sale of the bonds authorized by AS 37.15.610 and any grant or other money that is legally provided for the same purposes for which the bonds are authorized except for any accrued interest paid on the bonds by the purchaser. The money in the construction fund is used to pay the cost of acquiring, constructing, and equipping facilities authorized in AS 37.15.720 and 37.15.730 and costs incidental to those activities, including costs of the authorization, issuance, and sale of the bonds. To the extent allowed in the bond resolution, money in the construction fund may also be used for the payment of interest on the bonds during the time of actual construction, and for any additional time, not exceeding one year after construction is completed. Money in the construction fund may also be transferred to the bond redemption fund, as permitted by the bond resolution, to establish a reserve for the payment of the principal and interest on the bonds.

(b) The bond resolution may provide for the investment of money in the construction fund as the committee determines. The interest earned upon or any profit derived from the sale of the investment is deposited in the construction fund. (§ 1 ch 162 SLA 1984)

Sec. 37.15.630. Revenue fund. (a) The toll facilities revenue fund is established and shall be set apart from all other money of the state. The toll facilities revenue fund is a trust fund for the purposes under AS 37.15.610 — 37.15.760, where all revenue, fees, tolls, charges, and rentals are deposited that are derived by the state from the ownership, lease, use, and operation of the facilities authorized by AS 37.15.720 and 37.15.730. The revenue, fees, tolls, charges, and rentals may not include the proceeds of any state tax or license. The money in the revenue fund may only be used to

(12) exercise any other power necessary to carry out the purpose of AS 19.05 — 19.25. (§ 2 art III title I ch 152 SLA 1957; am § 3 ch 3 SLA 1971; am § 2 ch 162 SLA 1984)

Effect of amendments. — The 1984 amendment deleted "and" at the end of paragraph (10), inserted present paragraph (11), and redesignated former paragraph (11) as present paragraph (12)

Chapter 10. State Highway System.

Article

- 1. Designation, Marking and Use (§ 19.10.060)
- 3. Construction (§ 19.10.170)

Article 1. Designation, Marking and Use.

Section

- 60. Regulation of weight and load of vehicles and use of highways during certain seasons

Sec. 19.10.010. Dedication of land for public highways.

NOTES TO DECISIONS

A utility may construct a powerline on an unused section line easement reserved for highway purposes under this section. Fisher v. Golden Valley Elec. Ass'n. Sup. Ct. Op. No. 2606 (File No. 5902), 658 P.2d 127 (1983).

AS 19.25.010 places Alaska among

those states which permit powerline construction by a utility as an incidental and subordinate use of a highway easement. Fisher v. Golden Valley Elec. Ass'n. Sup. Ct. Op. No. 2606 (File No. 5902), 658 P.2d 127 (1983).

Sec. 19.10.060. Regulation of weight and load of vehicles and use of highways during certain seasons. The department, with respect to highways under its jurisdiction, may

- (1) establish limitations on weight, size, and load of vehicles.
- (2) [Repealed, § 25 ch 144 SLA 1977.]
- (3) prohibit the operation or impose restrictions on vehicles used on highways during certain seasons of the year. (§ 5 art III title I ch 15 SLA 1957; am § 1 ch 55 SLA 1963; am § 25 ch 144 SLA 1977; am § 1 ch 77 SLA 1982)

Cross references. For the duties of the Department of Commerce and Economic Development to operate weighing stations and enforce weight and load limitations based upon directions of the Department

of Transportation and Public Utilities see AS 44.33.020(25).

Effect of amendments. — The 1977 amendment inserted "size" in paragraph (1).

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Revenue Bonds.

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PUBLIC FINANCE

§ 37.15.630

Sec. 37.15.610. Bond authorization. For the purpose of providing part or all of the money to be used, with or without any grants or other money that may become available, the issuance and sale of revenue bonds of the state in the total principal sum of not to exceed \$500,000,000 is authorized to acquire, construct, equip, and install the additions, improvements, extensions, and facilities authorized in AS 37.15.720 and 37.15.730. The principal of and interest on these bonds are paid out of and secured by the gross revenues derived by the state from the ownership, use, and operation of the toll facilities, and out of any other revenue or money that the state legislature may provide exclusive of any state tax or license. Bonds may not be issued to assist in the acquisition, financing, or operation of projects without prior approval from the legislature. (§ 1 ch 162 SLA 1984)

Sec. 37.15.620. Construction fund. (a) The toll facilities construction fund is established for deposit of proceeds of the sale of the bonds authorized by AS 37.15.610 and any grant or other money that is legally provided for the same purposes for which the bonds are authorized except for any accrued interest paid on the bonds by the purchaser. The money in the construction fund is used to pay the cost of acquiring, constructing, and equipping facilities authorized in AS 37.15.720 and 37.15.730 and costs incidental to those activities, including costs of the authorization, issuance, and sale of the bonds. To the extent allowed in the bond resolution, money in the construction fund may also be used for the payment of interest on the bonds during the time of actual construction, and for any additional time, not exceeding one year after construction is completed. Money in the construction fund may also be transferred to the bond redemption fund, as permitted by the bond resolution, to establish a reserve for the payment of the principal and interest on the bonds.

(b) The bond resolution may provide for the investment of money in the construction fund as the committee determines. The interest earned upon or any profit derived from the sale of the investment is deposited in the construction fund. (§ 1 ch 162 SLA 1984)

Sec. 37.15.630. Revenue fund. (a) The toll facilities revenue fund is established and shall be set apart from all other money of the state. The toll facilities revenue fund is a trust fund for the purposes under AS 37.15.610 — 37.15.760, where all revenue, fees, tolls, charges, and rentals are deposited that are derived by the state from the ownership, lease, use, and operation of the facilities authorized by AS 37.15.720 and 37.15.730. The revenue, fees, tolls, charges, and rentals may not include the proceeds of any state tax or license. The money in the revenue fund may only be used to

(1) pay or secure the payment of the principal of and interest on the toll facilities bonds and principal of and interest on any other revenue bonds issued by authorization of the legislature to provide money to acquire, construct, and equip facilities authorized by AS 37.15.720 and 37.15.730 and to be payable out of the revenue fund;

(2) pay the normal and necessary costs of maintaining and operating the facilities acquired, constructed, or equipped under AS 37.15.610 — 37.15.760;

(3) pay the costs of renewals, replacements, and extraordinary repairs to facilities acquired, constructed, or equipped under AS 37.15.610 — 37.15.760;

(4) redeem before their fixed maturities any and all revenue bonds issued for the purpose of acquiring, constructing, and equipping facilities authorized by AS 37.15.720 and 37.15.730;

(5) provide money to acquire, construct, and equip necessary additions and improvements to facilities authorized by AS 37.15.720 and 37.15.730; and

(6) provide money to pay any and all other costs relating to the ownership, use, and operation of the facilities.

(b) The investment of money in the revenue fund may be made as the committee determines. The interest earned upon or any profits derived from the sale of an investment under this subsection shall be deposited in the revenue fund. (§ 1 ch 162 SLA 1984)

Sec. 37.15.640. Bond redemption fund. The toll facilities revenue bond redemption fund is established for deposit in trust of money for paying and securing the payment of principal of and interest and redemption premium, if any, on bonds and is set apart from all other money of the state. The committee, on behalf of the state, shall obligate the state to set aside and pay into the bond redemption fund from the revenue fund an amount of money sufficient to pay the principal of and interest and redemption premium, if any, on the bonds as the payments become due and, if the committee considers it necessary, to set aside and maintain a reserve for this purpose. The bond redemption fund is drawn upon for the purpose of paying the principal of and interest and redemption premium, if any, on the bonds, and the bonds do not constitute a general obligation of the state. (§ 1 ch 162 SLA 1984)

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PUBLIC FINANCE

§ 37.15.650

Sec. 37.15.650. Bond terms. (a) The toll facilities bonds are sold in the amounts or series and at the time as determined by the committee. Before selling a series of bonds, the committee shall give notice inviting sealed bids. If satisfactory bids are received, the bonds offered for sale are awarded to the highest responsible bidder. If the committee determines that a bid received is not satisfactory as to price or responsibility of the bidder, the committee may reject the bid received. Bonds, or a series of bonds, may not be sold if the effective interest rate over the life of the bonds exceeds 11 percent per year or that rate of interest that is 125 percent of the rate of the Bond Buyer Index of 20 Municipal Bond Average Yields for the week previous to the date of sale of the bonds, whichever is higher. Interest is payable annually or semiannually.

(b) The bonds mature at the time fixed by the committee. The bonds may be subject to redemption before their fixed maturities as determined by the committee and with the premium fixed by the committee, but a bond may not be subject to redemption before its fixed maturity date unless the right to redeem that bond is expressly mentioned on the face of the bond. The bonds

(1) may be in denominations determined by the committee;

(2) may be issued in coupon form or in fully registered form, and may be registrable as to principal or both principal and interest, all under regulations and conditions the committee provides;

(3) are payable as to principal and interest at the place determined by the committee;

(4) shall be signed on behalf of the state by the governor and shall be attested to by the lieutenant governor, both of which signatures may be facsimile signatures, and each of the interest coupons attached to them shall be signed by the facsimile signatures of these officials;

(5) shall have the seal of the state impressed, printed, or lithographed on them; and

(6) shall be issued under and subject to the terms, conditions, and covenants, providing for the payment of the principal of and interest on the bonds and the other terms, conditions, covenants, and protective features safeguarding this payment and relating to the maintenance, operation, and improvement of the toll facilities as found necessary by the committee, which covenants may include a provision requiring the setting aside and maintenance of certain reserves to secure the payment of the principal and interest.

(c) If found reasonably necessary, the committee may select a trustee or trustees for the holders of the bonds or any series of the bonds, for the safeguarding and disbursement of any of the money in any of the funds created by AS 37.15.620, 37.15.630, and 37.15.640, or for the duties for authentication, delivery, and registration of the bonds as the committee may determine. The committee shall also fix the rights, duties, powers, and obligations of the trustee or trustees.

(d) In the committee's determination of all of the matters and questions relating to the issuance and sale of the bonds and the fixing of the maturities, terms, conditions, and covenants of the bonds as provided in (a) — (c) of this section, the decisions of the committee shall be those found to be reasonably necessary for the best interests of the state and its inhabitants, and those that will accomplish the most advantageous sale of the bonds, with due regard, however, (1) to necessary or normal costs of maintenance and operation; (2) to renewals and replacements of and repairs to the toll facilities; (3) to all improvements to toll facilities and property of toll facilities owned, used, operated, or leased in connection with toll facilities; and (4) to the future growth and expansion of all of the facilities and the possibility of additional revenue bond financing for toll facilities purposes. A decision of the committee, as expressed in any bond resolution, is final when any bonds have been issued under the bond resolution.

(e) A bond resolution may provide that the bonds issued contain a recital that they are issued under AS 37.15.610 — 37.15.760, and any bonds containing this recital are conclusively considered to be valid and to have been issued in conformity with AS 37.15.610 — 37.15.760.

(f) The validity of the authorization and issuance of bonds is not affected by any proceeding for the acquisition or construction of the additions, improvements, or facilities for which the bonds have been issued or by any contract in connection with the acquisition or construction. (§ 1 ch 162 SLA 1984)

Sec. 37.15.660. Bond resolution. The committee is authorized and directed to adopt the bond resolution and prepare all other documents and proceedings necessary for the issuance, sale, and delivery of the bonds or any part or series of them. The bond resolution shall fix the principal amount, denomination, date, maturities, place or places of payment, rights of redemption, if any, terms, form, conditions, and covenants of the bonds or each series of them. The committee shall also determine and provide for the date and manner of sale of the bonds, and shall provide whether the notice of sale is to be published elsewhere in addition to the publication required by AS 37.15.650. (§ 1 ch 162 SLA 1984)

§ 37.15.660

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§ 37.15.670

PUBLIC FINANCE

§ 37.15.700

Sec. 37.15.670. Enforcement by holder. The holder of any bonds or the trustee for the holders of the bonds or any series of them, may, by appropriate proceedings in the courts of record of the state, compel the transfer, setting aside, and payment of money and the enforcement of all of the terms, conditions, and covenants as required and provided in AS 37.15.610 — 37.15.760 and in the bond resolution. (§ 1 ch 162 SLA 1984)

Sec. 37.15.680. Amounts required for payments. The committee shall, before December 31 of each year, commencing with the year in which the bonds are issued, certify to the commissioner of revenue and the commissioner of transportation and public facilities the amounts required in the next ensuing calendar year by a bond resolution to be paid out of the revenue fund into the bond redemption fund and to be paid into and maintained in any reserve fund or account or any other fund or account created by a bond resolution. The committee shall also certify to the commissioners the last date upon which payments may be made. (§ 1 ch 162 SLA 1984)

Sec. 37.15.690. Bond negotiability. The bonds and the coupons attached to them are fully negotiable instruments under the laws of the state. (§ 1 ch 162 SLA 1984)

Sec. 37.15.700. Refunding. (a) The bonds or any part of them may be refunded at or before their maturity by the issuance of refunding revenue bonds of the state if in the opinion of the committee refunding is advantageous to and in the best interest of the state and its inhabitants.

(b) The issuance of refunding bonds need not be authorized by an act of the legislature, and the committee shall adopt the resolution and prepare all other documents and proceedings necessary for the issuance, exchange or sale, and delivery of the bonds. All provisions of AS 37.15.610 — 37.15.760 applicable to revenue bonds are applicable to the refunding bonds and to the issuance, sale, or exchange of the bonds, except as otherwise provided in this section.

(c) Refunding bonds may be issued in a principal amount sufficient to provide money for the payment of all bonds to be refunded by them, and, in addition, for the payment of all expenses incident to the calling, retiring, or paying of the outstanding bonds, and the issuance of the refunding bonds. These expenses include the difference in amount between the par value of the refunding bonds and any amount less than par for which the refunding bonds are sold, any amount necessary to be made available for the payment of interest on the refunding bonds from the date of sale of them to the date of payment of the bonds to be refunded or to the date upon which the bonds to be

refunded will be paid under the call of the bonds or agreement with the holders of them, and the premium, if any, necessary to be paid in order to call or retire the outstanding bonds and the interest accruing on the outstanding bonds to the date of the call or retirement. (§ 1 ch 162 SLA 1984)

Sec. 37.15.710. Bonds as legal investments. Toll facilities bonds are legal investments for all banks, trust companies, savings banks, savings and loan associations, and other persons carrying on a banking business, all insurance companies and other persons carrying on an insurance business, and all executors, administrators, trustees, and other fiduciaries. The bonds may be accepted as security for deposits of all money of the state and its political subdivisions. (§ 1 ch 162 SLA 1984)

Sec. 37.15.720. State toll facilities. The state is authorized to acquire, construct, equip, and maintain toll bridges, highways, roads, crossings, and causeways found to be necessary by the commissioner of transportation and public facilities. (§ 1 ch 162 SLA 1984)

Sec. 37.15.730. Knik Arm Crossing. Notwithstanding the provisions of AS 37.15.720 the first state toll facility to be financed under AS 37.15.610 — 37.15.760 is the Knik Arm Crossing near Anchorage if the following conditions are met:

(1) the department submits to the governor and the legislature a feasibility study that finds that the crossing is financially feasible and able to produce revenue adequate to repay the bonds with which it is financed;

(2) if financing in addition to revenue bonds is anticipated, the department submits to the governor and legislature a finance plan to include an estimate of the total cost of the project and a description of the sources of money that will be used to finance the total cost of the project; and

(3) the office of management and budget reviews the feasibility study and the finance plan, if required, and reports its findings and recommendations to the governor and legislature not later than 90 days after the study and plan are received by the office. (§ 1 ch 162 SLA 1984)

§ 37.15.730

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§ 37.15.740

PUBLIC FINANCE

§ 37.15.760

Sec. 37.15.740. Toll facility charges. The commissioner of transportation and public facilities shall fix and collect the fees, charges, tolls, and rentals derived by the state from the ownership, lease, use, and operation of the facilities authorized by AS 37.15.720 and 37.15.730 and improvements of the facilities as will provide revenues sufficient to comply with all of the covenants of the bond resolution. (§ 1 ch 162 SLA 1984)

Sec. 37.15.750. Statutory construction. AS 37.15.610 — 37.15.760 shall be liberally construed in order to carry out the purposes for which the provisions were enacted, and all existing laws in conflict with AS 37.15.610 — 37.15.760 are superseded as necessary to accomplish the purposes of AS 37.15.610 — 37.15.760. (§ 1 ch 162 SLA 1984)

Sec. 37.15.760. Definitions. In AS 37.15.610 — 37.15.760, unless the context requires otherwise

(1) "bond redemption fund" means the toll facilities revenue bond redemption fund created by AS 37.15.640, including any accounts that are created in that fund after October 4, 1984;

(2) "bond resolution" means the resolution authorizing the issuance of bonds, adopted by the committee under AS 37.15.660;

(3) "bonds" means the toll facilities revenue bonds authorized by AS 37.15.610 — 37.15.760;

(4) "committee" means the state bond committee created by AS 37.15.110, or any other committee, body, department, or officer of the state that or who succeeds to the rights, powers, duties, and obligations of the state bond committee by act of the legislature;

(5) "construction fund" means the toll facilities construction fund created by AS 37.15.620;

(6) "revenue fund" means the toll facilities revenue fund created by AS 37.15.630;

(7) "toll facilities" means highways, roads, bridges, crossings, and causeways upon which tolls, charges, rentals, or other user fees are placed by the commissioner of transportation and public facilities. (§ 1 ch 162 SLA 1984)

MAR 5 1986

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 * DELIVER TO: JPOM *
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 * ORIGINAL *
 * SENT: 03/05/86 TIME: 09:27 *
 * FROM: JEAN MILLER *
 * SUBJECT: POM *
 * PRINT DATE: 03/05/86 TIME: 09:27 *
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TO: REPRESENTATIVE CATO

FROM: BERNARD MARSH
 VICE PRESIDENT, WHITTIER BOAT OWNERS ASSOCIATION
 2550 DENALI STREET, SUITE 1608
 ANCHORAGE, AK 99503 PHONE: 278-3615

SUBJECT: HB 555 - STATE TOLL ROAD FACILITIES

THE WHITTIER BOAT OWNERS ASSOCIATION WITH 398 MEMBERS, STRONGLY SUPPORTS HB 555.

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : HB 555
 Title : An Act Relating to State Toll Facilities
 Sponsor : Cato
 Requestor : House Transportation
 Date of Request : 2-26-86

FISCAL DETAIL

Agency Affected : DOT&PF
 BRU : Design and Construction
 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	0.0	0.0
CAPITAL		0.0	0.0	0.0	0.0	0.0
REVENUE		0.0	0.0	0.0	0.0	0.0

FUNDING : (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL		0.0	0.0	0.0	0.0	0.0

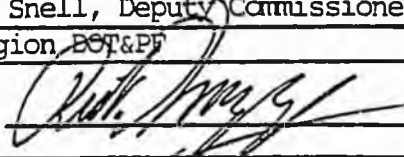
POSITIONS :

FULL-TIME		0.0	0.0	0.0	0.0	0.0
PART-TIME		0.0	0.0	0.0	0.0	0.0
TEMPORARY		0.0	0.0	0.0	0.0	0.0

ANALYSIS : Attach a separate page if necessary

There is no fiscal impact in adding tunnels to existing toll authority. The specific fiscal impacts of a Whittier Toll Road would be subject to AS 37.15.730.

Prepared by : William R. Snell, Deputy Commissioner (Signed) Phone : 266-1440
 Division : Central Region DOT&PF Date : _____

Approved by Commissioner :  Date : 3/1/86
 Agency : DOT&PF

Distribution (by Agency preparing fiscal note) :

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



Dept. of Transportation & Public Facilities

Position Paper

BILL NO: HB 555

TITLE: An Act Relating to State
Toll Facilities

APPROVED:

R. J. Knapp
Commissioner

DATE: 3/1/86

The Department of Transportation and Public Facilities supports expanding the current toll facility authority to include tunnels. In addition, we support the addition of the Whittier Toll Road facility to AS 37.15.730. This legislation reinforces the desire to ensure that projects such as this are financially feasible and able to produce revenues to cover their costs whenever possible.

The Department is currently conducting an economic analysis and financial plan for transportation access to Whittier. A key part of this financial plan, which will be available in mid-March, will be to look at funding the project through the use of revenue bonds generated from tolls.

WHITTIER BOAT OWNERS ASSOCIATION
907/278-3615

FEB 24 1986

February 21 1986

Alaska State Legislature
Representative Bette Cato
Box V (MS 3100)
Juneau, Alaska 99811

Bette:
Dear ~~Representative Bette Cato~~:

I am writing as Vice President of Whittier Boat Owners Association. WBOA is an organization of owners of boats and slips in Whittier, currently numbering 398 persons. A copy of a recent Newsletter is enclosed for your information.

WBOA supports SB 374 (also HB 555), which would designate the Whittier Access Road, including tunnel, as a State Foll Facility. We support the Shotgun Cove Road project as well. We understand a hearing will be held shortly on SB 374, and we would like to be advised of the date.

It is our position that improved access into Whittier is badly needed, and inevitable. Every year sees an escalation of the automobile traffic in and out of Whittier. Also, the number of cruise ship landings is expected to increase from 18 to 40 in 1986. There are 362 boats tied up in the Whittier Small Boat Harbor, and 300 more are on the wait list for slips. Prince William Sound is in many ways south central Alaska's most important recreational area.

We are also strongly supportive of Senate Bill 390, "An Act establishing additional marine parks". We would like to know the dates of any hearings on this bill as well.

Sincerely,

WHITTIER BOAT OWNERS ASSOCIATION



Bernard L. Marsh
Vice President

Denali Towers North*2550 Denali Street*Suite 1608*Anchorage, Alaska 99503

THE FOLLOWING DOCUMENT HAS
NOT BEEN FILMED BUT IS
AVAILABLE IN THE ORIGINAL
FILE

