

HB

1

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
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POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

May, 1986

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS date base CM 14. In order to save space copies of minutes have not been left in the files.

Jeanie Henry

House Transportation Committee 1/22/1985 7:00am

Alaska State Legislature




House of Representatives House Judiciary Committee

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4990

MEMO: March 25, 1985

TO: Sen. Jack Coghill
Chairman, Senate Transportation Committee

FROM: Rep. M. Mike Miller (Juneau) 

RE: HB 1/Free ferry transport of goods for charities
Request for hearing in Senate Transportation Committee

You have in your committee CSHB 1(Transportation), which would allow the Alaska Marine Highway System to provide occasional free transport of essential goods -- food, clothing and furnishings -- for charitable (free) donations to the poor living in outlying communities served by the ferry system.

I would appreciate the early scheduling of a hearing on this bill by your committee if it can be arranged. There would be no fiscal impact on the ferry system as the bill is currently written, as transportation would be on a space-available basis, thereby not causing revenue losses from paying passengers.

The CS adopted by the House Transportation Committee and later passed by the House is an improvement of my original bill. It tightens eligibility requirements for charities to receive this privilege and prevents abuses. In addition to providing this limited privilege for charities, the bill also provides authority for the Marine Highway System to transport needed goods in declared disasters and emergencies, an authority that is unclear under existing statutes. Although the ferry system did provide emergency transport to Tenekee Springs following 1984's Thanksgiving Day storm and the resulting declared disaster by the Governor, the ferry system does not have statutory authority to do so. The bill would make that authority specific.

If you have any questions about the bill, or about the requested hearing, please contact me. For the information of your staff who may be researching the bill, the staff person handling the bill for me is Bob Speed (x-4990). He will be glad to provide any assistance or information required prior to hearings.

MAR 26 1985

April 9, 1985

MEMORANDUM

To: Committee members
From: Committee staff
Re: Background on CS HB 1(Trans)

Tomorrow, the committee will take up CS HB 1(Trans), which proposes to allow free transportation of clothing and household goods for charitable organizations on board the Alaska Marine Highway ferries. This service would be used to move charitable items, primarily by the Salvation Army, from places where they have a surplus, like Juneau, to outlying villages where there is a distinct need. Salvation Army personnel testified to House Transportation hearings that they would likely use the free ferry ride to each of the Southeastern communities they serve two or three times each year.

As it was originally introduced, HB 1 was opposed by DOT/PF as it might be potentially easily-abused, and could create additional administrative work for the department. The department also anticipated problems loading and unloading free vans and trucks, which could increase the amount of time the ferries would be in port. Most of their concerns have been addressed in the committee substitute that was passed by the House, however, the department is still not wildly enthusiastic about the bill.

IDENTIFICATION	BILL NAME "An Act Authorizing the ferry system to transport certain items without charge."	BILL NUMBER CS HB 1
		DATE INTRODUCED 3/4/85
		RELATED BILLS PENDING
	SPONSOR(S) M. Mike Miller	None Finance
		REFERRALS
INITIAL RESEARCH	INITIAL SUMMARY COMPLETED Yes	LEGAL DIVISION SUMMARY No
	SPONSOR CONTACTED FOR BACKUP MATERIALS Yes-supplied	DEPT OF LAW SUMMARY No
	AGENCY RESPONSE DOT objected to original bill less objection to CS (see Summary)	FISCAL NOTE Yes (DOT)
		OTHER INTERESTED LEGISLATORS NOTIFIED
BACKGROUND RESEARCH	SIMILAR BILLS INTRODUCED IN PREVIOUS LEGISLATURES None known	OTHER STATE OR FEDERAL PRECEDENTS, REGULATIONS, ETC None known
	RESPONSES FROM INTERESTED PERSONS AND/OR GROUPS Salvation Army (see minutes 4/10/85) Marine Highway " "	
HEARING PREPARATION	CHAIRMAN BRIEFED Yes	DATE & PLACE SET 4-10-85
	STAFF MEMO TO COMMITTEE Yes	TELECONFERENCE No
	BACKGROUND MATERIAL DISTRIBUTED Yes	PSA/PRESS RELEASE No
	LIST OF WITNESSES Lt. Bradford Russell - Salvation Army M M Miller - Prime Sponsor Josephine Emery - Alaska Marine Hwy	SUGGESTED AMENDMENTS/CS DRAFTED House CS Passed 4-10-85

Hein
1/30/85✓

Original sponsors: M.M.Miller, Goll,
Sund and Duncan

1 IN THE HOUSE

BY THE TRANSPORTATION COMMITTEE

2 CS FOR HOUSE BILL NO. 1 (Transportation)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act authorizing the ferry system to transport
7 certain items without charge."

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

9 * Section 1. AS 19.65 is amended by adding new sections to read:

10 Sec. 19.65.030. TRANSPORTATION OF GOODS FOR CHARITABLE ORGANIZA-
11 TIONS. (a) To the extent that unsold space is available, the commis-
12 sioner of transportation and public facilities may provide to au-
13 thorized nonprofit charitable organizations free transportation of
14 vans and vehicles on Alaska marine highway system vessels between
15 Alaska ports only. A van or vehicle transported under this section
16 may contain only clothing and household furnishings that are to be
17 distributed without charge to needy individuals and families.

18 (b) The commissioner shall determine which organizations are
19 authorized to receive free transportation services under (a) of this
20 section and shall maintain a list of those organizations. Authoriza-
21 tion is limited to organizations that have been in existence at least
22 three years. The commissioner may establish additional criteria for
23 authorization. A nonprofit charitable organization not authorized
24 under this subsection may submit a written request for authorization.
25 The request shall include the organization's justification for au-
26 thorization.

27 (c) An organization may lose its authorization for failing to
28 comply with the provisions of this section or regulations adopted
29 under this section.

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Sec. 19.65.040. EMERGENCY TRANSPORTATION OF GOODS. The commis-
sioner of transportation and public facilities may provide for the
free transportation of goods on Alaska marine highway system vessels
during an emergency declared by the governor.

* Sec. 2. AS 19.65.030 is repealed three years after the effective date
of this Act.

Alaska State Legislature

House of Representatives



Rep. Bette Cato, Chairman

Committee on Transportation

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4858

DATE: 23 JANUARY 1985

TO: LEGAL SERVICES

FROM: Rhonda Cargill *Rhonda Cargill*
Committee Aide
House Transportation Committee

RE: HB 1

The following suggestions were made in our January 22nd committee meeting for possible amendments. Staff was instructed to forward them to Legal Services for implementation into the work draft for CSHB 1. I have also attached a copy of the minutes from that meeting for your information. Please give me a call should you need to discuss this further.

SUGGESTED AMENDMENTS

1. Have the Department of Transportation and Public Facilities develop a list of authorized organizations in order to narrow the number of charities which could use the system for free.
2. Additional charitable organizations must petition the Commissioner with written justification to be admitted to that list.
3. Violators or abusers of the law would be excluded from the list.
4. Declare emergencies - let the Marine Highway System transport goods for free during times of emergencies. (This should be a separate section making it separate and distinct from the eligibility list of requirements; this would give DOT the ability to deal with emergency situations legally--an ability which, as we understand it, they do not have at the present time.)
5. The charitable organizations must be in existence for 3 years.
6. This provision shall sunset after 3 years.

7. Line 17 add the "free" between "distributed" and "to".
8. Line 12 add the word "unsold" between the words "that" and "space".

As you can tell from the minutes, the Committee is concerned with the potential abuse of this proposed legislation. Any assistance you can offer with attempting to close any such loopholes appreciated.

cc: Transportation Committee Members

Offered: 2/1/85
Referred: Finance

Original sponsors: M.M.Miller, Goll,
Sund and Duncan

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6 of this Act.

Introduced: 1/14/85
Referred: Transportation and
Finance

BY M.M.MILLER,GOLL,SUND AND
DUNCAN

1 IN THE HOUSE

2 HOUSE BILL NO. 1

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

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STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revisor Date: _____

REQUEST

Bill/Resolution No.: HB 1
 Title: Transportation of goods for Charitable Organizations
 Sponsor: M. Miller, Goll. Sund & Duncan
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Dept. of Transn. & P.F.
 Program Category Affected: Transportation
 BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

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

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

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

It is assumed that those "Charitable Organizations" requesting free transportation for a van or vehicle containing clothing and household goods for distribution to needy persons certify this need by formal written request and that free passage will be granted by pass with no liability of the State to those organizations.

* - Historical information not available to calculate revenue loss.

Prepared By: Joe D. Camp, Deputy Commissioner
 Division: Alaska Marine Highway System

Phone: 465-3950
 Date: 01/18/85

Approved by Commissioner: _____
 Agency: DOT&PF

Date: 01/21/85

Distribution (by Agency preparing fiscal note):

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

ZERO FISCAL NOTE

7/1/84

us

HB 1: An Act authorizing the ferry system to transport certain items for charitable organizations without charge.

The Department of Transportation and Public Facilities is opposed to the transport of items for charitable organizations without charge. The multitude of charitable organizations in the state would inundate the Alaska Marine Highway with requests. According to Department of Labor statistics, there are 892 potential charitable organizations in the State. The investigation and processing of these requests would require administrative time that could evolve into a requirement for additional personnel.

Small communities usually have a low economic base therefore high ratio of needy individuals and families. With many it is a way of life preferred over urban dwelling. The free carriage of these items could have a definite effect on the economy of a small community and would compete with private industry both in transportation and local businesses.

Operationally it is not feasible to carry vans on a space available basis. Vans are required to be loaded prior to other vehicles.

However we believe that HB 1 should be amended to provide this assistance to needy individuals in communities that have been declared a disaster area by the Governor.