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HOUSE COMMITTEE REPORT

(7)

Date referred: 3/2/87

FURTHER REFERRALS: Transportation

DATE: 3-13-87

The State Affairs Committee has considered CSSB 4(SA)
"An Act relating to outdoor advertising."

RECOMMENDS:

- replace with CS SB 4 (am) the same title
 attached amendment(s) a new title
- do pass
 do not pass
 no recommendation
 individual recommendations
 additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s):

- fiscal impact same as previous fiscal note published _____
 zero fiscal note same as previous zero fiscal note published _____
 zero with analysis

SIGNING DO PASS:

[Signature]
Cliff Davidson
Terry Thurston
B.C. Boucher
Chris Mendenhall

SIGNING OTHER RECOMMENDATIONS:

[Signature]
Chairman's signature

Original sponsor: Fahrenkamp

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE
 2 HOUSE CS FOR CS FOR SENATE BILL NO. 4 (State Affairs)
 3 IN THE LEGISLATURE OF THE STATE OF ALASKA
 4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to outdoor advertising."

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

8 * Section 1. AS 19.25.105(a) is amended to read:

9 (a) Outdoor [NO OUTDOOR] advertising may not be erected or
 10 maintained within 660 feet of the nearest edge of the right-of-way and
 11 visible from the main-traveled way of the interstate, primary, or
 12 secondary highways in this state except the following:

13 (1) directional and other official signs and notices which
 14 include, but are not limited to, signs and notices pertaining to
 15 natural wonders, scenic and historic attractions, which are required
 16 or authorized by law, and which shall conform to federal standards for
 17 interstate and primary systems;

18 (2) signs, displays, and devices advertising the sale or
 19 lease of property upon which they are located or advertising activi-
 20 ties conducted on the property;

21 (3) signs determined by the state, subject to concurrence
 22 of the United States Department of Transportation, to be landmark
 23 signs, including signs on farm structures, or natural surfaces, of
 24 historic or artistic significance, the preservation of which would be
 25 consistent with the provisions of this chapter;

26 (4) directional signs and notices pertaining to schools;

27 (5) advertising on bus benches or bus shelters if the state
 28 determines that the advertising conforms to local, state, and federal
 29 standards for interstate and primary highway systems.

CSSB 4 An Act relating to outdoor advertising by Senator Fahrenkamp

Background

Commercial advertising is commonly found on the sides of buses and on bus shelters and bus benches along bus routes within municipal right of ways. Typically, an advertising firm will supply the benches and shelters at no cost to the municipality in return for the privilege of placing them at bus stops and along bus routes and selling advertising space on them. In this manner a public need and convenience is fulfilled at no cost to government.

However, under existing state law, DOT/PF cannot allow such transit related advertisement to be placed near state right of ways along interstate, primary, and secondary highways. There are strict state and federal restrictions on advertising along roadways, dating back to the federal Beautification Act and the Federal Aid Highway Act. The Federal Highway Administration is responsible for enforcing the laws and regulations pertaining to outdoor advertising. The Highway Administration has approved bench and shelter advertising along federal aid highways in those states that authorize it. FHWA recognized that this form of advertising is an attractive fiscal proposition for local governments and in the interest of promoting mass transit as a way of making it more convenient and thus more appealing.

Purpose

CSSB 4 amends AS 19.25.105 LIMITATIONS ON OUTDOOR ADVERTISING to include a new exception to allow advertising along state right-of-ways on bus benches and bus shelters. Current law does not make an exception for this form of advertising.

Sectional Analysis

Section 19.25.105 LIMITATIONS ON OUTDOOR ADVERTISING Subsection (a) is reworded to state the limitation in a more clear manner.

Subsection (a)(5) is added to allow "advertising on bus benches or bus shelters if the state determines that the advertising conforms to state and federal standards for interstate and highway systems." Standards will be set by DOT/PF to insure conformity with federal requirements so no federal funding would be in jeopardy.

Provided by Senator Fahrenkamp's Office 3/11/87



Fairbanks North Star Borough

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Mayor: Juanita Helms

February 3, 1987

Senator Mitch Abood
Chairman
Senate State Affairs Committee
Room 423, Capitol Building
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Abood:

I support and urge the Alaska State Legislature to pass SB4, "An Act Relating to Outdoor Advertising".

A private enterprise is presently providing bus benches and bus shelters to the residents of the borough who use public transportation. This is a service used and appreciated by bus riders borough-wide. It is also a service that the borough government would not be able to provide.

I whole-heartedly support the concept of the public and private sectors collaborating to provide additional services to the public and additional opportunities for private enterprise to be successful. Passage of SB4 will allow this collaboration to continue.

Sincerely,

A handwritten signature in cursive script that reads "Juanita Helms".

Juanita Helms
Borough Mayor



Official Business

Alaska State Legislature

House

P.O. BOX V
State Capitol
Juneau, Alaska 99811

STATE AFFAIRS COMMITTEE

SENATE BILL 4

FILE CONTENTS

1. CS SB 4 (SA): AN ACT RELATING TO OUTDOOR ADVERTISING
2. LETTER FROM JUANITA HELMS, FAIRBANKS NORTH STAR BOROUGH MAYOR, TO SENATOR ABOOD, DATED FEBRUARY 3, 1987
3. BACKGROUND AND STATEMENT OF PURPOSE ON CS SB 4 BY SENATOR FAHRENKAMP
4. LETTER FROM LAWRENCE WILSON TO THE HOUSE STATE AFFAIRS COMMITTEE

FISCAL NOTE

- A. DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES: -0-

Lawrence G. Wilson
P.O. Box 876485
Wasilla, AK 99687

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To: House State Affairs Committee

Re: Senate Bill #4

In reference to Senate Bill No. 4 relating to outdoor advertising, it seems very ironic to me that we hear from our Governor and legislators how important it is for us to develop alaskan owned and operated businesses, especially tourism related businesses, and then we hear of a bill which appears to be designed to stifle the single most important source of revenue producing advertising for these businesses.

There are numerous, off the road, attractions, recreational opportunities, and services that the highway traveler can take advantage of, if they are aware of their existence.

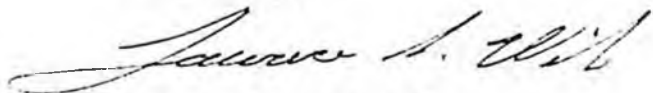
This bill will seriously damage existing lodges, campgrounds, RV parks, restaurants, recreational areas, guides, charter operators, resorts, gas stations etc. that are a little off the beaten path and rely in large part on highway advertising.

The expansion, development, and survival of alaskan owned businesses, particularly in tourism, which brings in outside revenue to the state should be promoted and supported by the state government.

In this light, a bill making state right of ways and highway easements available to alaskan businesses for the purpose of advertising would be more logical, appropriate, and consistent with state policy.

I don't think that the full implications of this bill have been considered. In my opinion, the passage of this bill would be a direct attack on the small alaskan business person.

Sincerely,



Lawrence G. Wilson

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

A

REQUEST: February 2, 1987
Revision Date: February 13, 1987
Title: An Act relating to Outdoor Advertising
Sponsor: _____
Requestor: Fahrenkamp

Bill Version: CS for Senate Bill No. 4
Publish Date: _____
Agency Affected: Transportation & Public Facilities
BRU: _____
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

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

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

There is no fiscal impact to the Department.

Milton W. Lentz 2/13/87
Director

Prepared by: Milton W. Lentz
 Division: Engineering & Operations Standards

Phone: 465-2985
 Date: 2/13/87

Approved by Commissioner: *Richard S. Lewis*
 Agency: Transportation & Public Facilities

Date: 2/17/87

- Distribution (by preparer):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)
 - Senate Secretary

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