

HB

196

STATE OF ALASKA
THE LEGISLATURE

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

May, 1988

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

Mary Van Nimwegen

House Transportation:

3-30-87

4-01-87

Alaska State Legislature



House of Representatives

Committee on Transportation

Rep. Bette Cato, Chairman

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

April 1, 1987

FOR TODAY'S MEETING YOU HAVE:

A FOLDER ON HB 196 THAT INCLUDES:

- * a copy of HB 196
- * an amendment offered by the Dept. of Commerce & Economic Development
- * a fiscal note from the Dept. of Commerce
- * a copy of the statutes impacted by HB 196
- * a sectional analysis

A FOLDER ON HB 101 THAT INCLUDES:

- * a copy of HB 101
- * a sectional analysis
- * a fiscal note and position paper from DOT/PF
- * a copy of the statutes impacted by HB 101
- * a letter of support from the City of Whittier
- * a resolution from the Alaska Municipal League
- * a newspaper article

* a map of the proposed toll road

A status report on the DOT/PF capital project cleanup

Original sponsor: Transportation Committee

1 IN THE HOUSE

BY THE TRANSPORTATION COMMITTEE

2 CS FOR HOUSE BILL NO. 196 (Transportation)

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 enplanements, enforcement of
7 compliance with financial responsibility and certi-
8 ficate of compliance requirements for air carriers,
9 penalties, issuance and display of certificates of
10 compliance, and the definition of aircraft; and
11 providing for an effective date."

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

13 * Section 1. AS 02.15.050 is amended by adding a new subsection to
14 read:

15 (g) The department may acquire data on passenger enplanements
16 from air carriers; however, the department may not obtain passenger
17 manifests.

18 * Sec. 2. AS 42.30.200(c) is amended to read:

19 (c) The department may authorize department personnel to enforce
20 this section and may adopt procedural regulations necessary to imple-
21 ment this section. Upon finding a violation the department may issue
22 a stop use order.

23 * Sec. 3. AS 42.30.200(e) is amended to read:

24 (e) A person who violates [(a) OF] this section is guilty of a
25 class A [B] misdemeanor and is punishable by a fine of not less than
26 \$1,000 [\$500] or more than \$5,000 for each day of violation but not to
27 exceed \$10,000 for each violation [\$1,000].

28 * Sec. 4. AS 42.30.225(a) is amended to read:

1 obtaining an annual certificate of compliance for that aircraft from
2 the department. The department may issue a certificate of compliance
3 for one aircraft or a fleet of two or more aircraft. The department
4 shall issue or renew a certificate of compliance upon application and
5 presentation of

6 (1) proof of financial responsibility required under AS
7 42.30.200;

8 (2) proof of compliance with Federal Aviation Adminis-
9 tration requirements, and, where applicable, federal certification for
10 scheduled airline service.

11 * Sec. 5. AS 42.30.225(b) is amended to read:

12 (b) The annual fee for a certificate of compliance is \$50 per
13 calendar year for one aircraft and \$100 per calendar year for a fleet
14 of two or more aircraft. The department shall prorate the fee for a
15 certificate of compliance issued after the beginning of the calendar
16 year [. THE CERTIFICATE IS VALID FOR A PERIOD OF 12 MONTHS FOLLOWING
17 THE DATE OF CERTIFICATION]. The certificate shall be [DISPLAYED ON
18 THE AIRCRAFT SO THAT IT IS] visible to boarding passengers.

19 * Sec. 6. AS 42.30.225(b) is repealed and reenacted to read:

20 (b) The annual fee for a certificate of compliance for one
21 aircraft and for a fleet of two or more aircraft shall be set by the
22 department by regulation. The certificate is valid for a calendar
23 year. The certificate shall be visible to boarding passengers.

24 * Sec. 7. AS 42.30.225(e) is amended to read:

25 (e) The department may authorize department personnel to enforce
26 this section and may adopt procedural regulations necessary to imple-
27 ment thi section. Upon finding a violation the department may issue
28 a stop use order.

29 * Sec. 8. AS 42.30.225 is amended by adding a new subsection:

1 (g) A person who violates this section is guilty of a class B
2 misdemeanor and is punishable by a fine of not less than \$500 or more
3 than \$1,000.

4 * Sec. 9. AS 42.30.380(3) is amended to read:

5 (3) "aircraft" means a propeller, rotor, or jet-powered
6 device used or designed for flight in the air;

7 * Sec. 10. Notwithstanding AS 42.30.225(b), as amended by sec. 5 of
8 this Act, a certificate of compliance issued by the Department of Commerce
9 and Economic Development and in effect on the day before the effective date
10 of sec. 5 of this Act is valid for the period issued.

11 * Sec. 11. AS 42.30.225(c) and 42.30.225(d) are repealed.

12 * Sec. 12. Section 6 of this Act takes effect January 1, 1989.
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A M E N D M E N T

Offered in the HOUSE

By Cato

TO: HB 196

Page 1, line 10, following "aircraft":

Insert "; and providing for an effective date"

Page 2, lines 11 - 15:

Delete all material and insert:

"(b) The annual fee for a certificate of compliance is \$50 per calendar year for one aircraft and \$100 per calendar year for a fleet of two or more aircraft. The department shall prorate the fee for a certificate of compliance issued after the beginning of the calendar year [. THE CERTIFICATE IS VALID FOR A PERIOD OF 12 MONTHS FOLLOWING THE DATE OF CERTIFICATION]. The certificate shall be [DISPLAYED ON THE AIRCRAFT SO THAT IT IS] visible to boarding passengers."

Page 2, following line 15:

Insert a new bill section to read:

"* Sec. 6. AS 42.30.225(b) is repealed and reenacted to read:

(b) The annual fee for a certificate of compliance for one aircraft and for a fleet of two or more aircraft shall be set by the department by regulation. The certificate is valid for a calendar year. The certificate shall be visible to boarding passengers."

Renumber following bill sections accordingly.

Page 2, following line 27:

Insert a new bill section to read:

"* Sec. 10. Notwithstanding AS 42.30.225(b), as amended by sec. 5 of this Act, a certificate of compliance issued by the Department of Commerce and Economic Development and in effect on the day before the effective date of sec. 5 of this Act is valid for the period issued."

Renumber following bill section accordingly.

Page 2, following line 28:

Insert a new bill section to read:

"* Sec. 12. Section 6 of this Act takes effect January 1, 1989."

STATE OF ALASKA 1987 LEGISLATIVE SESSION FISCAL NOTE

REQUEST: _____ Bill Version: HB 196
 _____ Publish Date: _____
 Revision Date: _____ Agency Affected: DCED
 Title: Act relating to air carriers BRU: Consumer Protection
 Sponsor: House Transportation Components: Measurement Standards
 Requestor: _____

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-
REVENUE	-0-	-19,000	19,000	-19,000	-19,000	-19,000

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						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Joe Swanson, Director Phone: 345-7750
 Division: Measurement Standards Date: March 31, 1987
 Approved by Commissioner: J. Anthony Smith Date: March 31, 1987
 Agency: Commerce and Economic Development

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

Sectional Analysis - House Bill 196

Section 1 This specifically authorizes DOT/PF to collect the data necessary for the State to receive federal aid to airports. The provision was suggested last year by Commissioner Knapp, and is still deemed desirable by DOT/PF this year. Passenger enplanement statistics mean the number of passengers arriving or departing at a given airport, but does not include a list of passenger names.

Section 2: This section clarifies existing law by specifically authorizing the department (Commerce) to prevent a commercial carrier from flying passengers for hire on a plane which has not been insured for liability at the State minimum level.

Section 3: This section increases the penalties for flying passengers for hire without obtaining the minimum required level of liability insurance.

Section 4: This allows the department (Commerce) to issue a single certificate of insurance for a fleet of aircraft instead of for each individual aircraft. Many air carriers obtain a fleet insurance policy rather than individual plane policies. This would simplify the existing administrative procedure.

Section 5: Maintains the existing fee for a single certificate of insurance and establishes the fee for a fleet certificate. It also allows carriers to display certificates of insurance at the counter, gate, or other location rather than on the aircraft itself.

Section 6: This specifically authorizes the department (Commerce) to issue a stop use order for plane carrying passengers for hire when the carrier has not obtained a certificate of insurance from the State.

Section 7: This section establishes a penalty for the violation described in Section 6. It is a lesser penalty than for violations under Section 3, as flying without a State certificate of insurance is not as serious a violation as flying without liability insurance at the established minimum level.

Section 8: Adds helicopters to the aircraft covered under this bill. This was an oversight in 1985 when this statute was passed.

Section 9: Repeals existing 42.30.225(c) which is superseded by Sections 2 and 6 in this bill

Repeals existing 42.30.225(d) which was a transitional provision of the 1985 statute, and is no longer meaningful.

STATE OF ALASKA
THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March ~~MAR~~, 1 1987

SUBJECT: Certificate of compliance requirements for
air carriers (Work Order 5-0472)

TO: Representative Bette Cato

FROM: George Utermohle *GU*
Legislative Counsel

Enclosed is a draft bill incorporating SCS CSHB 611(Fin)
(Fourteenth Legislature) and additional proposed changes to
AS 42.30.200 and 42.30.225.

The draft bill deletes the amendments to 42.30.200(c) and
42.30.225(e) contained in SCS CSHB 611(Fin) allowing the
department to authorize its employees to investigate com-
pliance with each of these sections. These amendments are
not necessary because the authority to enforce these
sections includes the authority to conduct investigations
necessary for enforcement purposes.

Similarly the draft bill does not contain language authoriz-
ing department employees to seek the aid of state troopers
in enforcing AS 42.30.220 and AS 42.30.225. The department
already has the authority to request assistance from the
state troopers in enforcing these statutes by virtue of the
department's responsibility for enforcement and the authority
of the state troopers to investigate violations of criminal
laws under AS 18.65.080.

If I have overlooked a compelling reason for these pro-
visions please contact me, so that I can address those
issues.

GU:mkr
m9/124

Enclosure

*
* DELIVER TO: LTCCGTG
*
* ORIGINAL
* SENT: 03/30/87 TIME: 15:14
* FROM: LIOCBET
* SUBJECT: FINAL STATS
* PRINT DATE: 03/30/87 TIME: 15:15
*

MAR 31 1987

EMAIL #2

FINAL STATS

124 HOUSE TRANSPORTATION
SUBJECT:
LEG.WORK SESSION HB-196 -HB 173 AIR CARRIER REGS.
DATE: 3/30/87
SITE:
BETHEL
TIME IN/OUT:
MODERATOR:
HELEN EDGE

OBSERVER: 1. CINDY ANDRECHECK, ALASKA AIR CARRIER ASSOC. BOX
976 BETHEL, ALASKA 543-3280

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*
* DELIVER TO: LTCCGTG
*
* ORIGINAL
* SENT: 03/30/87 TIME: 15:25
* FROM: LTCCFBX
* SUBJECT: 3/30 H.TRANS. T/C
* PRINT DATE: 03/30/87 TIME: 15:25
*
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FINAL STATS

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DATE: MARCH 30, 1987
SITE: FAIRBANKS
SPONSOR: HOUSE TRANSPORTATION
SUBJECT: LEG.WORK SESS.:HB196 AIR CARRIER REGS;HB173 AIRPORT AUTH.
MODERATOR: MELBA J. OESTER

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*****
TESTIFY:
NAME\REPRESENTING ADDRESS PHONE:#
( ) - 0 -

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*****
OBSERVE:
NAME\REPRESENTING ADDRESS PHONE #
( ) - 0 -

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*****
TESTIFIED: 0 TIME START: 1:30 P.M.
OBSERVED: 0 TIME END: 3:00 P.M.
TOTAL: 0

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*****
*
* DELIVER TO: LTCCGTG
*
* ORIGINAL
* SENT: 03/30/87 TIME: 15:27
* FROM: LIOCANC
* SUBJECT: S TRNSPRTN T-C: ANCH STATS
* PRINT DATE: 03/30/87 TIME: 15:27
*
*****

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*** FINAL TELECONFERENCE STATISTICS ***

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DATE: _____ MARCH 30, 1987 _____
SITE: _____ ANCHORAGE _____
SPONSOR: _____ SENATE TRANSPORTATION _____
SUBJECT: _____ HB 196; HB 173 -- AIRPORTS _____
LOCAL MODERATOR: _____ DAVID _____

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TESTIFIED:
NAME\REPRESENTING . ADDRESS PHONE #

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LISTEN ONLY

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OBSERVED:
NAME\REPRESENTING ADDRESS PHONE #

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DAVE JENSEN	REEVE ALEUTIAN AIRLINES	ANCH	243-4112
JACK BIRMINGHAM	ERA HELICOPTERS	ANCH	248-4422
NORM ISRAELSON	AV-TECH ALASKA	ANCH	345-4317

```

TESTIFIED: ___L\O___ START TIME: ___1:30___
OBSERVED: ___03___ END TIME: ___3:10PM___
TOTAL: ___03___

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HOUSE COMMITTEE REPORT

(7) -

Date referred: 3/20/87

FURTHER REFERRALS: Judiciary

DATE: April 1, 1987

The Transportation Committee has considered HB 196

"An Act relating to enplanements, enforcement of compliance with financial responsibility and certificate of compliance requirements for air carriers, penalties, issuance and display of certificates of compliance, and the definition of aircraft."

RECOMMENDS:

- replace with CS for HB 196 CS 115196 (Tvsp) 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:

[Handwritten signatures]

SIGNING OTHER RECOMMENDATIONS:

Bitte Cato

Chairman's signature



Official Business

COMMITTEE:

House Transportation Committee

DATE: March 30, 1987

SIGN-IN

Subject of meeting:

HB 173: International Airport Authority

HB 196: Regulation of Air Carriers

NAME Please include title **ADDRESS** Please use full address. Please include zip. **PHONE** **REPRESENTING** **DO YOU WANT TO TESTIFY?**

NAME Please include title	ADDRESS Please use full address. Please include zip.	PHONE	REPRESENTING	DO YOU WANT TO TESTIFY?	
✓ Lobbyist Wed Stoops	Box 1211 Juneau 99802	266-3380	AA ^{AK} Carriers Assoc.	Yes	196
Robert P. Mark Huber Doyle Ruff Lynn Michon		465-3700	DOT/PE	Yes	173
Fran Palmist Personnel Analyst	Box 0001 Juneau 99811	465-4430	DOT Div. of Personnel	Yes	173
Bus Man of Exec. Treas. ✓ AL J. BAFFONE	2510 ARIC BLVD 99503	276-7211	Public Employees Local #1 AF-CIO	Yes	173
✓ Cherie Shelley	3401 Franklin, Juneau	586-2334	APCA	Yes	173
✓ Sue Pearce				Yes	173
EXECUTIVE DIRECTOR Doyle Ruff	P.O. Box 60369 FAIRBANKS, AK 99706	474-2500 266-1400	DOT/PE	Yes	



Official Business

COMMITTEE:

House Transportation Committee

DATE: April 1, 1987

Subject of meeting:

HB 196: Air Carriers Regulations

*HB 101: "An Act relating to state toll facilities."

SIGN-IN

NAME Please include title ADDRESS Please use full address Please include zip. PHONE REPRESENTING DO YOU WANT TO TESTIFY?

NAME <small>Please include title</small>	ADDRESS <small>Please use full address Please include zip.</small>	PHONE	REPRESENTING	DO YOU WANT TO TESTIFY?
LoBBIST Paul Stoups	Box 1211 Juneau, AK	586-3340	AACTA	Yes
Beck Bear	Box 11 Juneau	468-2504	DCEIO	Yes

* indicates first public hearing