

HB

256

# Alaska State Legislature

## House of Representatives

### Committee on Transportation



Rep. Bette Cato, Chairman

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

April 24, 1987

#### COMMITTEE CALENDAR:

HB 256: "An Act relating to driving motor vehicles in the vicinity of the James Dalton Highway; providing penalties for violations of motor vehicle laws; and providing for an effective date."

HCR 8: Relating to levels of service by the Alaska Marine Highway System.

#### FOR THIS MEETING YOU HAVE:

A folder on HB 256 that includes:

- \* a copy of HB 256
- \* a fiscal note from ~~the Governor's office~~ **DOT/PF**
- \* a fiscal note and position paper from the Department of Public Safety
- \* a letter from the Governor
- \* a copy of the statutes impacted by HB 256

A folder on HCR 8 that includes:

- \* copy of HCR 8
- \* fiscal note from DOT/PF
- \* correspondences of support
- \* a report on the Alaska Marine Highway System commissioned by the Southeast Conference

STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE

REQUEST: 3-23-87

Bill Version: HB 256  
Publish Date: HOUSE 4/8/87

Revision Date: \_\_\_\_\_  
Title: Motor vehicles near Dalton Hwy

Agency Affected: \_\_\_\_\_  
BRU: \_\_\_\_\_

Sponsor: Administration  
Requestor: Governor's Office

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-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

This proposed legislation would not have a fiscal impact on the Department of Transportation and Public Facilities.

Prepared by: H. Glenzer Jr. (signed)  
Division: Regional Director, Northern Region

Phone: 451-2210  
Date: 3/26/87

Approved by Commissioner: *M. L. S. III*  
Agency: Transportation & Public Facilities

Date: 3/27/87

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

STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE

REQUEST  
Revision Date: \_\_\_\_\_  
Title: An Act relating to driving  
in the vicinity of the James Dalton..  
Sponsor: Rules Comm./Governor  
Requestor: House Transportation

Bill Version: HB 256  
Publish Date: \_\_\_\_\_  
Agency Affected: Public Safety  
BRU: Fish & Wildlife Protection  
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
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact is anticipated.

Prepared by: Kathy Niles, Administrative Ass't  
Division: Commissioner's Office

Phone: 465-4336  
Date: 4/22/87

Approved by Commissioner: [Signature]  
Agency: Public Safety

Date: 4/24/87

Distribution (by preparer):

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

JNA  
4/24/87

BILL NO: HB 256

DATE: 4/22/87

TITLE: "An Act relating to driving CONTACT: motor vehicles in the vicinity of the James Dalton Highway..."

James D. Vaden  
Deputy Commissioner  
465-4322

DEPARTMENT OF  
PUBLIC SAFETY

The bill establishes penalties for violating a provision in existing law which prohibits driving a vehicle within five miles of the James Dalton Highway (the North Slope haul road). Existing law, while prohibiting such conduct, does not specify a penalty for violation of the law. Because of this apparently inadvertent omission, there is no practical way to ensure compliance with the law.

HB 256 broadens the prohibition from "off-road vehicles" (a term that is not defined in AS 19) to all "motor vehicles" as defined under AS 28.40.100. It further clarifies, and slightly expands, the exceptions to the general prohibition.

This bill makes violation of the statute a "strict liability" offense. This means that the state need not prove that the offender intended to break the law, only that he voluntarily committed an act that did violate the law. Under the bill, the offense is classified as a "violation," punishable by a maximum fine of \$300; no jail time may be imposed. If it can be proved that the offender acted with "criminal negligence," however -- that is, his conduct was a gross deviation from the standard of care that a reasonable person would observe in the situation (see AS 11.81.900(a)(4)) -- his conduct would constitute a class B misdemeanor offense, punishable by up to 90 days in jail, up to a \$1,000 fine, or both.

This bill also amends AS 19.45.002 to explicitly provide that the penalties set out in that section apply not only to violations of the designated chapters of the statute, but to regulations adopted under those chapters. This clarification is needed to allow the state to regain the ability to enforce existing regulations regarding commercial vehicle width, height, and weight. Although these regulations have been in effect for many years, and have been enforced under the authority of AS 19.45.002 since at least 1972, the new "bail schedule" contained in the "Vehicle and Traffic Offenses" booklet issued by the Alaska Court System on January 1, 1987 states that 17 AAC 25.020 -- 17 AAC 25.060 and 17 AAC 25.100, regarding vehicle width, height, load, road closures and restrictions, etc., "are not enforceable because there is no penalty in the statutes (AS 19) for violation of the regulations." Vehicle Booklet at 27. The new bail schedule does not include a bail amount for violations of these regulations, effectively precluding enforcement of the existing regulations. The absence of any enforceable vehicle weight, height, or width limits, or road closure provisions, will have a devastating effect on highway safety and the protection of the roadway surfaces in Alaska; this problem should be addressed as quickly as possible.

The language of AS 19.45.002 is also updated by making a violation of the designated provisions a "class B misdemeanor" offense, a cross-reference to the

Position Paper  
HB 256  
Page 2

classification and penalty structures contained in Alaska's revised criminal code. The substance of the new subsec. (b) was taken from existing AS 28.40.050(e), and makes clear that, notwithstanding the general penalty provision, the penalty for a violation of a vehicle weight limit is a fine of five cents for each pound of weight over the authorized limit.

Passage of this bill would help to protect the state's roadway surfaces and the frozen terrain along the Dalton Highway.

The Department of Public Safety supports this legislation.

  
\_\_\_\_\_  
Arthur English  
Commissioner

STEVE COWPER  
GOVERNOR



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

JRB 256

April 7, 1987

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

Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that cures some serious technical problems with the penalty provisions in AS 19 (highway laws).

The bill establishes penalties for violating a provision in existing law which prohibits driving a vehicle within five miles of the James Dalton Highway (the North Slope haul road). Existing law, while prohibiting such conduct, does not specify a penalty for violation of the law. Because of this apparently inadvertent omission, there is no practical way to ensure compliance with the law.

The passage of motorized vehicles over the fragile terrain that surrounds the Dalton Highway can cause significant and long-term environmental damage. Recognizing this problem, this bill broadens the prohibition from "off-road vehicles" (a term that is not defined in AS 19) to all "motor vehicles" as defined under AS 28.40.100. The bill also clarifies, and slightly expands, the exceptions to the general prohibition.

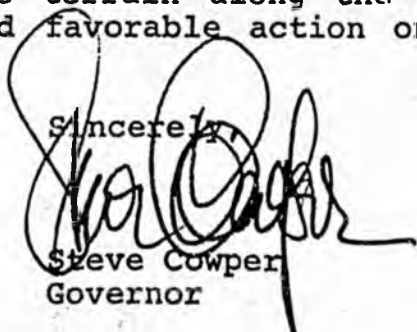
Because it may be difficult at times to prove a person's intent to violate this law, the attached bill makes violation of the statute a "strict liability" offense. This means that the state need not prove that the offender intended to break the law, only that he voluntarily committed an act that did violate the law. Under the bill, the offense is classified as a "violation," punishable by a maximum fine of \$300; no jail time may be imposed. If it can be proved that the offender acted with "criminal negligence," however -- that is, his conduct was a gross deviation from the standard of care that a reasonable person would observe in the situation (see AS 11.81.900(a)(4)) -- his conduct would constitute a class B misdemeanor offense, punishable by up to 90 days in jail, up to a \$1,000 fine, or both.

The bill also amends AS 19.45.002 to explicitly provide that the penalties set out in that section apply not only to violations of the designated chapters of the statute, but to regulations adopted under those chapters. This clarification is needed to allow the state to regain the ability to enforce existing regulations regarding commercial vehicle width, height, and weight. Although these regulations have been in effect for many years, and have been enforced under the authority of AS 19.45.002 since at least 1972, the new "bail schedule" contained in the "Vehicle and Traffic Offenses" booklet issued by the Alaska Court System on January 1, 1987 states that 17 AAC 25.020 -- 17 AAC 25.060 and 17 AAC 25.100, regarding vehicle width, height, load, road closures and restrictions, etc., "are not enforceable because there is no penalty in the statutes (AS 19) for violation of the regulations." Vehicle Booklet at 27. The new bail schedule does not include a bail amount for violations of these regulations, effectively precluding enforcement of the existing regulations. The absence of any enforceable vehicle weight, height, or width limits, or road closure provisions, will have a devastating effect on highway safety and the protection of the roadway surfaces in Alaska; this problem should be addressed as quickly as possible.

The language of AS 19.45.002 is also updated by making a violation of the designated provisions a "class B misdemeanor" offense, a cross-reference to the classification and penalty structures contained in Alaska's revised criminal code. The substance of new subsec. (b) was taken from existing AS 28.40.050(e), and makes clear that, notwithstanding the general penalty provision, the penalty for a violation of a vehicle weight limit is a fine of five cents for each pound of weight over the authorized limit.

To protect the state's roadway surfaces, the people who travel on them, and the fragile terrain along the Dalton Highway, I urge your prompt and favorable action on this measure.

Sincerely,



Steve Cowper  
Governor

# Alaska Statutes

## Title 19. Highways and Ferries.

### Chapter

- 05. Administration (§§ 19.05.020, 19.05.040, 19.05.046, 19.05.080)
- 10. State Highway System (§§ 19.10.060, 19.10.070, 19.10.072, 19.10.160 — 19.10.210)
- 20. Cooperation by and with the State (§ 19.20.015)
- 25. Protection and Use of State Highways and Roads (§§ 19.25.020, 19.25.040, 19.25.200)
- 30. Access Roads (§§ 19.30.070, 19.30.080, 19.30.127, 19.30.131, 19.30.141, 19.30.161, 19.30.241, 19.30.260 — 19.30.320)
- 40. James Dalton Highway (§§ 19.40.020, 19.40.100, 19.40.200, 19.40.210)
- 45. Miscellaneous Provisions (§ 19.45.001)
- 60. Ferry Terminal Facilities (§ 19.60.010, 19.60.070)
- 65. Alaska Marine Highway System (§ 19.65.010)

### Chapter 05. Administration.

#### Article

- 1. Department of Transportation and Public Facilities (§§ 19.05.020, 19.05.040, 19.05.046)
- 2. Acquisition of Property (§ 19.05.080)

#### Article 1. Department of Transportation and Public Facilities.

##### Section

- 20. Regulations
- 40. Powers of department

##### Section

- 46. Accounting and disposition of receipts from nonstate entities

**Sec. 19.05.020. Regulations [Effective July 1, 1987].** The department shall adopt regulations necessary to carry out the purpose of AS 19.05 — AS 19.25. The regulations may not conflict with AS 36.30 (State Procurement Code) or regulations adopted by the Department of Administration to implement that chapter. (§ 1 art III title I ch 152 SLA 1957; am § 10 ch 106 SLA 1986)

**Effect of amendments.** — The 1986 amendment, effective July 1, 1987, added the second sentence.

**Sec. 19.40.200. Disposal of land or materials.** (a) The state may not dispose of state land under AS 38 which is within five miles of the right-of-way of the highway.

(b) The prohibition on disposal of state land under (a) of this section does not apply to a disposal necessary for

(1) an oil and gas lease under AS 38.05.180;

(2) exploration, development, production, or transportation of oil and gas north of 68 degrees north latitude; or

(3) a state lease or materials sale for exploration, development, production, or transportation of oil and gas or reconstruction or maintenance of the highway north of 68 degrees north latitude.

(c) Before the sale of materials under (b)(3) of this section to a private entity or person or to a state agency the state shall give due consideration to the availability of materials from private sources in the area where the materials are needed. (§ 5 ch 177 SLA 1980; am § 1 ch 77 SLA 1985)

**Revisor's notes.** — By judgment dated March 19, 1981, in Alaska Legislative Council v. Hammond, case no. 4FA-80-1689, the superior court for the fourth judicial district upheld the validity of the enactment of ch. 177, SLA 1980. The attorney general's opinion cited in the legislative history note to this section in the main pamphlet should be disregarded.

**Effect of amendments.** — The 1985 amendment added subsections (b) and (c).

**Editor's notes.** — Section 3, ch. 77, SLA 1985 made the 1985 amendments to this section retroactive to October 5, 1980.

**Legislative history reports.** — For Senate letter of intent relating to (b)(3) of this section, see 1985 Senate Journal, page 264, which refers to identical language in an earlier version of the bill.

**Sec. 19.40.210. Prohibition of off-road vehicles.** Off-road vehicles are prohibited on land within five miles of the right-of-way of the highway. However, this prohibition does not apply to off-road vehicles necessary for oil and gas exploration, development, production, or transportation or to a person who holds a mining claim in the vicinity of the highway and who must use land within five miles of the right-of-way of the highway to gain access to the mining claim. (§ 5 ch 177 SLA 1980; am § 2 ch 77 SLA 1985)

**Effect of amendments.** — The 1985 amendment, in the second sentence inserted "to off-road vehicles necessary for oil and gas exploration, development, production, or transportation or" and substituted "the" for "his" following "access to."

**Editor's notes.** — Section 3, ch. 77, SLA 1985 made the 1985 amendments to this section retroactive to October 5, 1980.

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# Alaska Statutes

## Title 28. Motor Vehicles.

### Chapter

- 05. Administration (§§ 28.05.021, 28.05.091, 28.05.141)
- 10. Vehicle Registration and Title (§§ 28.10.011, 28.10.021, 28.10.041, 28.10.051, 28.10.101, 28.10.105, 28.10.107, 28.10.108, 28.10.111, 28.10.181, 28.10.321, 28.10.411, 28.10.421, 28.10.423, 28.10.431, 28.10.502)
- 15. Drivers' Licenses (§§ 28.15.041, 28.15.046, 28.15.051, 28.15.071, 28.15.171, 28.15.221, 28.15.231, 28.15.271)
- 17. Commercial Driver Training Schools (§ 28.17.051)
- 20. Motor Vehicle Safety Responsibility Act (§ 28.20.440)
- 22. Motor Vehicle Liability Insurance (§§ 28.22.010, 28.22.100, 28.22.200, 28.22.600)
- 32. Commercial Motor Vehicle Safety Inspections (§§ 28.32.010 — 28.32.900)
- 33. Commercial Motor Vehicle Financial Responsibility (§ 28.33.010)
- 35. Miscellaneous Provisions (§§ 28.35.031, 28.35.032, 28.35.045, 28.35.145, 28.35.251, 28.35.253, 28.35.255)
- 37. Driver License Compact (§§ 28.37.010 — 28.37.190)
- 40. General Provisions (§ 28.40.100)

### Chapter 05. Administration.

#### Article

- 1. Powers and Duties of Department of Public Safety (§ 28.05.021)
- 2. Vehicle Equipment Standards (§ 28.05.091)
- 3. Subpoenas, Notices and Hearings (§ 28.05.141)

#### Article 1. Powers and Duties of Department of Public Safety.

#### Section

- 21. Commissioner to enter compacts and reciprocal agreements

**Sec. 28.05.021. Commissioner to enter compacts and reciprocal agreements.** (a) The commissioner may, under terms and conditions best calculated to promote the interests of the state, enter into a compact or agreement with an authorized representative of another jurisdiction in a matter relating to driver licensing, vehicle registration, or other activity authorized under this title. A compact or agree-

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No. 478  
(1985).

**Sec. 28.40.100. Definitions for title.** (a) Unless otherwise specifically defined or unless the context otherwise requires, in this title and in regulations adopted under this title

(1) "cancel" means the annulment or termination by formal action of the department of a certification, registration, license, permit or privilege issued or allowed under this title or regulations adopted under this title, because of an error or defect in the document issued or the application for issuance or because the person holding the document is no longer entitled to it;

(2) "commissioner" means the commissioner of public safety;

(3) "department" means the Department of Public Safety;

(4) "driver" means a person who drives or is in actual physical control of a vehicle;

(5) "driver's license", or "license" when used in relation to driver licensing, means a license, permit or privilege, whether or not a person holds a valid license issued in this or another jurisdiction, to drive a motor vehicle under the laws of this state;

(6) "highway" means the entire width between the boundary lines of every way that is publicly maintained when a part of it is open to the public for purposes of vehicular travel, including but not limited to every street and the Alaska state marine highway system but not vehicular ways or areas;

(7) "motor vehicle" means a vehicle which is self-propelled except a vehicle moved by human or animal power;

(8) "motorcycle" means a vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground; the term does not include a tractor;

(9) "motor-driven cycle" means a motorcycle, motor scooter, motorized bicycle, or similar conveyance with a motor attached and having an engine with 50 or less cubic centimeters of displacement;

(10) *[Repealed, § 88 ch 74 SLA 1985, effective January 1, 1986.]*

(11) "official traffic-control device" means a sign, signal, marking, or other device not inconsistent with this title, placed or erected by authority of a state or municipal agency or official having jurisdiction, for the purpose of traffic regulating, warning and guiding;

(12) "owner" means a person, other than a lienholder, having the property in or title to a vehicle, including but not limited to a person entitled to the use and possession of a vehicle subject to a security interest in another person, but exclusive of a lessee under a lease not intended as security;

(13) "revoke" means the termination by formal action of the department or a court of a certification, registration, license, permit or privilege issued or allowed under this title or regulations adopted under this title; the certification, registration, license, permit or privilege may not be reissued, renewed or restored during the time for which revoked; however, after that time, an application for a new certificate, registration, license, permit or privilege may be made;

(14) "roadway" means that portion of a highway designed or ordinarily used for vehicular travel, exclusive of the sidewalk, berm, or shoulder, even though the sidewalk, berm, or shoulder is used by persons riding bicycles or other human powered vehicles; and in the event that a highway includes two or more separate roadways, the term refers to each roadway separately but not to all such roadways collectively;

(15) "suspend" means the temporary withdrawal by formal action of the department or a court of a certificate, registration, license, permit or privilege issued or allowed under this title or regulations adopted under this title, effective for a period of time which must be specifically designated by the department or court;

(16) "traffic" means pedestrians, ridden or herded animals, vehicles and other conveyances either singly or together while using a highway or vehicular way or area which is open to public use for purposes of travel;

(17) "underinsured motor vehicle" means a motor vehicle licensed for highway use with respect to ownership, operation, maintenance, or use for which there is a bodily injury or property damage insurance policy or a bond applicable at the time of an accident and the amount of insurance or bond

(A) is less than the limit for uninsured and underinsured coverage of the insured's policy; or

(B) has been reduced by payments to persons other than an insured, injured in an accident, to less than the limit for uninsured and underinsured coverage of the insured's policy;

(18) "vehicle" means a device in, upon, or by which a person or property may be transported or drawn upon or immediately over a highway or vehicular way or area except devices used exclusively upon stationary rails or tracks; and

(19) "vehicular way or area" means a way, path or area, other than a highway or private property, which is designated by official traffic control devices or customary usage and which is open to the public for purposes of pedestrian or vehicular travel, and which way or area may be restricted in use to pedestrians, bicycles, or other specific types of vehicles as determined by the department or other agency having jurisdiction over the way, path or area.

(b) The commissioner shall adopt regulations to define other terms which are used in this title and in regulations adopted under this title. (§ 50-1-1 ACLA 1949; am § 3 ch 81 SLA 1973; am §§ 13, 14 ch 241 SLA 1976; am § 1 ch 135 SLA 1977; am § 14 ch 70 SLA 1984; am § 1 ch 13 SLA 1985; am § 88 ch 74 SLA 1985)

# Alaska Statutes

## Title 11. Criminal Law.

### Chapter

- 41. Offenses Against the Person (§§ 11.41.443, 11.41.445)
- 46. Offenses Against Property (§§ 11.46.200, 11.46.480, 11.46.484, 11.46.630, 11.46.740, 11.46.985, 11.46.990)
- 51. Offenses Against the Family (§§ 11.51.125, 11.51.130)
- 56. Offenses Against Public Administration (§§ 11.56.340, 11.56.350, 11.56.805, 11.56.810, 11.56.815, 11.56.820)
- 61. Offenses Against Public Order (§ 11.61.125)
- 71. Controlled Substances (§§ 11.71.030 — 11.71.070, 11.71.120, 11.71.305, 11.71.900)
- 81. General Provisions (§§ 11.81.250, 11.81.410, 11.81.900)

### Chapter 16. Parties to Crime.

#### Sec. 11.16.100. Legal accountability based upon conduct.

##### NOTES TO DECISIONS

Cited in Dailey v. State, Ct. App. Op.  
No. 329 (File No. 7128), 675 P.2d 657  
(1984).

#### Sec. 11.16.110. Legal accountability based upon the conduct of another: Complicity.

##### NOTES TO DECISIONS

Cited in Dailey v. State, Ct. App. Op.  
No. 329 (File No. 7128), 675 P.2d 657  
(1984).

#### Sec. 11.16.120. Exemptions to legal accountability for conduct of another.

##### NOTES TO DECISIONS

Quoted in Kott v. State, Sup. Ct. Op.  
No. 2774 (File No. 5570), 678 P.2d 386  
(1984).

**Sec. 11.81.627. Effect of ignorance or mistake upon liability.****NOTES TO DECISIONS**

Quoted in *Afcan v. State*, Ct. App. Op. No. 572 (File No. A-703), 711 P.2d 1198 (1986).

Cited in *Gerlach v. State*, Ct. App. Op. No. 468 (File No. A-501), 699 P.2d 358 (1985).

**Sec. 11.81.630. Intoxication as a defense.****NOTES TO DECISIONS**

Excluding lay testimony on alcoholic blackouts. — The trial court did not err in rejecting lay testimony which defendant offered to establish the existence of alcoholic blackouts. *Stael v. State*, Ct. App. Op. No. 454 (File No. A-78), 697 P.2d 1050 (1985).

Applied in *Fox v. State*, Ct. App. Op. No. 394 (File No. 7483), 685 P.2d 1267 (1984); *Abruska v. State*, Ct. App. Op. No. 502 (File No. 7672), 705 P.2d 1261 (1985).

Cited in *Baden v. State*, Ct. App. Op. No. 285 (File No. 6832), 667 P.2d 1275 (1983).

**Article 6. Definitions.****Section****900. Definitions**

**Sec. 11.81.900. Definitions.** (a) For purposes of this title, unless the context requires otherwise,

(1) a person acts "intentionally" with respect to a result described by a provision of law defining an offense when the person's conscious objective is to cause that result; when intentionally causing a particular result is an element of an offense, that intent need not be the person's only objective;

(2) a person acts "knowingly" with respect to conduct or to a circumstance described by a provision of law defining an offense when the person is aware that the conduct is of that nature or that the circumstance exists; when knowledge of the existence of a particular fact is an element of an offense, that knowledge is established if a person is aware of a substantial probability of its existence, unless the person actually believes it does not exist; a person who is unaware of conduct or a circumstance of which the person would have been aware had that person not been intoxicated acts knowingly with respect to that conduct or circumstance;

(3) a person acts "recklessly" with respect to a result or to a circumstance described by a provision of law defining an offense when the person is aware of and consciously disregards a substantial and unjustifiable risk that the result will occur or that the circumstance exists; the risk must be of such a nature and degree that disregard of it constitutes a gross deviation from the standard of conduct that a reasonable person would observe in the situation; a person who is

unaware of a risk of which the person would have been aware had that person not been intoxicated acts recklessly with respect to that risk;

(4) a person acts with "criminal negligence" with respect to a result or to a circumstance described by a provision of law defining an offense when the person fails to perceive a substantial and unjustifiable risk that the result will occur or that the circumstance exists; the risk must be of such a nature and degree that the failure to perceive it constitutes a gross deviation from the standard of care that a reasonable person would observe in the situation.

(b) In this title, unless otherwise specified or unless the context requires otherwise,

(1) "affirmative defense" means that

(A) some evidence must be admitted which places in issue the defense; and

(B) the defendant has the burden of establishing the defense by a preponderance of the evidence;

(2) "benefit" means a present or future gain or advantage to the beneficiary or to a third person pursuant to the desire or consent of the beneficiary;

(3) "building", in addition to its usual meaning, includes any propelled vehicle or structure adapted for overnight accommodation of persons or for carrying on business; when a building consists of separate units, including apartment units, offices, or rented rooms, each unit is considered a separate building;

(4) "cannabis" has the meaning ascribed to it in AS 11.71.900(10), (11), and (14);

(5) "conduct" means an act or omission and its accompanying mental state;

(6) "controlled substance" has the meaning ascribed to it in AS 11.71.900(4);

(7) "correctional facility" means premises, or a portion of premises, used for the confinement of persons under official detention;

(8) "credit card" means any instrument or device, whether known as a credit card, credit plate, courtesy card, or identification card or by any other name, issued with or without fee by an issuer for the use of the cardholder in obtaining property or services on credit;

(9) "crime" means an offense for which a sentence of imprisonment is authorized; a crime is either a felony or a misdemeanor;

(10) "culpable mental state" means "intentionally", "knowingly", "recklessly", or with "criminal negligence", as those terms are defined in (a) of this section;

(11) "dangerous instrument" means any deadly weapon or anything which, under the circumstances in which it is used, attempted to be used, or threatened to be used, is capable of causing death or serious physical injury;

(12) "deadly force" means force which the person uses with the intent of causing, or uses under circumstances which he knows create a substantial risk of causing, death or serious physical injury; "deadly force" includes intentionally discharging or pointing a firearm in the direction of another person or in the direction in which another person is believed to be and intentionally placing another person in fear of imminent serious physical injury by means of a dangerous instrument;

(13) "deadly weapon" means any firearm, or anything designed for and capable of causing death or serious physical injury, including a knife, an axe, a club, metal knuckles, or an explosive;

(14) "deception" means to knowingly

(A) create or confirm another's false impression which the defendant does not believe to be true, including false impressions as to law or value and false impressions as to intention or other state of mind;

(B) fail to correct another's false impression which the defendant previously has created or confirmed;

(C) prevent another from acquiring information pertinent to the disposition of the property or service involved;

(D) sell or otherwise transfer or encumber property and fail to disclose a lien, adverse claim, or other legal impediment to the enjoyment of the property, whether or not that impediment is a matter of official record; or

(E) promise performance which the defendant does not intend to perform or knows will not be performed;

(15) "defense", other than an affirmative defense, means that

(A) some evidence must be admitted which places in issue the defense; and

(B) the state then has the burden of disproving the existence of the defense beyond a reasonable doubt;

(16) "drug" has the meaning ascribed to it in AS 11.71.900(9);

(17) "dwelling" means a building that is designed for use or is used as a person's permanent or temporary home or place of lodging;

(18) "explosive" means a chemical compound, mixture, or device that is commonly used or intended for the purpose of producing a chemical reaction resulting in a substantially instantaneous release of gas and heat, including dynamite, blasting powder, nitroglycerin, blasting caps, and nitrojelly, but excluding salable fireworks as defined in AS 18.72.050, black powder, smokeless powder, small arms ammunition, and small arms ammunition primers;

(19) "felony" means a crime for which a sentence of imprisonment for a term of more than one year is authorized;

(20) "fiduciary" means a trustee, guardian, executor, administrator, receiver, or any other person carrying on functions of trust on behalf of another person or organization;

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(21) "firearm" means a weapon, including a pistol, revolver, rifle, or shotgun, whether loaded or unloaded, operable or inoperable, designed for discharging a shot capable of causing death or serious physical injury;

(22) "force" means any bodily impact, restraint, or confinement or the threat of imminent bodily impact, restraint, or confinement; "force" includes deadly and nondeadly force;

(23) "government" means the United States, any state or any municipality or other political subdivision within the United States or its territories; any department, agency, or subdivision of any of the foregoing; an agency carrying out the functions of government; or any corporation or agency formed under interstate compact or international treaty;

(24) "highway" means a public road, road right-of-way, street, alley, bridge, walk, trail, tunnel, path, or similar or related facility, as well as ferries and similar or related facilities;

(25) "includes" means "includes but is not limited to";

(26) "incompetent person" means a person who is impaired by reason of mental illness or mental deficiency to the extent that the person lacks sufficient understanding or capacity to make or communicate responsible decisions concerning that person;

(27) "intoxicated" means intoxicated from the use of a drug or alcohol;

(28) "law" includes statutes and regulations;

(29) "leased" includes "rented";

(30) "metal knuckles" means a device that consists of finger rings or guards made of a hard substance and designed, made, or adapted for inflicting serious physical injury or death by striking a person;

(31) "misdemeanor" means a crime for which a sentence of imprisonment for a term of more than one year may not be imposed;

(32) "nondeadly force" means force other than deadly force;

(33) "offense" means conduct for which a sentence of imprisonment or fine is authorized; an offense is either a crime or a violation;

(34) "official detention" means custody, arrest, surrender in lieu of arrest, or confinement under an order of a court in a criminal or juvenile proceeding, other than an order of conditional bail release;

(35) "official proceeding" means a proceeding heard before a legislative, judicial, administrative, or other governmental body or official authorized to hear evidence under oath;

(36) "omission" means a failure to perform an act for which a duty of performance is imposed by law;

(37) "organization" means a legal entity, including a corporation, company, association, firm, partnership, joint stock company, foundation, institution, government, society, union, club, church, or any other group of persons organized for any purpose;

(38) "peace officer" means a public servant vested by law with a duty to maintain public order or to make arrests, whether the duty extends to all offenses or is limited to a specific class of offenses or offenders;

(39) "person" means a natural person and, when appropriate, an organization, government, or governmental instrumentality;

(40) "physical injury" means a physical pain or an impairment of physical condition;

(41) "police dog" means a dog used in police work under the control of a peace officer;

(42) "possess" means having physical possession or the exercise of dominion or control over property;

(43) "premises" means real property and any building;

(44) "propelled vehicle" means a device upon which or by which a person or property is or may be transported, and which is self-propelled, including automobiles, vessels, airplanes, motorcycles, snow machines, all-terrain vehicles, sailboats, and construction equipment;

(45) "property" means an article, substance, or thing of value, including money, tangible and intangible personal property including data or information stored in a computer program, system, or network, real property, a credit card, a domestic pet or livestock regardless of value, choses-in-action, and evidence of debt or of contract; a commodity of a public utility such as gas, electricity, steam, or water constitutes property but the supplying of such a commodity to premises from an outside source by means of wires, pipes, conduits, or other equipment is considered a rendition of a service rather than a sale or delivery of property;

(46) "public place" means a place to which the public or a substantial group of persons has access and includes highways, transportation facilities, schools, places of amusement or business, parks, playgrounds, prisons, and hallways, lobbies, and other portions of apartment houses and hotels not constituting rooms or apartments designed for actual residence;

(47) "public record" means a document, paper, book, letter, drawing, map, plat, photo, photographic file, motion picture, film, microfilm, microphotograph, exhibit, magnetic or paper tape, punched card or other document of any other material, regardless of physical form or characteristic, developed or received under law or in connection with the transaction of official business and preserved or appropriate for preservation by any agency, municipality, or any body subject to the open meeting provision of AS 44.62.310, as evidence of the organization, function, policies, decisions, procedures, operations, or other activities of the state or municipality or because of the informational value in it; it also includes staff manuals and instructions to staff that affect the public;

(48) "public servant" means each of the following, whether compensated or not, but does not include jurors or witnesses:

(A) an officer or employee of the state, a municipality or other political subdivision of the state, or a governmental instrumentality of the state, including legislators, members of the judiciary, and peace officers;

(B) a person who participates as an advisor, consultant, or assistant at the request or direction of the state, a municipality or other political subdivision of the state, or a governmental instrumentality;

(C) a person who serves as a member of the board or commission created by statute or by legislative, judicial, or administrative action by the state, a municipality or other political subdivision of the state, or a governmental instrumentality;

(D) a person nominated, elected, appointed, employed, or designated to act in a capacity defined in (A) — (C) of this paragraph, but who does not occupy the position;

(49) a "renunciation" is not "voluntary and complete" if it is substantially motivated, in whole or in part, by

(A) a belief that circumstances exist which increase the probability of detection or apprehension of the defendant or another participant in the criminal enterprise, or which render more difficult the accomplishment of the criminal purpose; or

(B) a decision to postpone the criminal conduct until another time or to transfer the criminal effort to another victim or another but similar objective;

(50) "serious physical injury" means

(A) physical injury caused by an act performed under circumstances that create a substantial risk of death; or

(B) physical injury that causes serious and protracted disfigurement, protracted impairment of health, protracted loss or impairment of the function of a body member or organ, or that unlawfully terminates a pregnancy;

(51) "services" includes labor, professional services, transportation, telephone or other communications service, entertainment, including cable, subscription, or pay television or other telecommunications service, the supplying of food, lodging, or other accommodations in hotels, restaurants, or elsewhere, admission to exhibitions, the use of a computer, computer time, a computer system, a computer program, a computer network, or any part of a computer system or network, and the supplying of equipment for use;

(52) "sexual contact" means

(A) the defendant's

(i) knowingly touching, directly or through clothing, the victim's genitals, anus, or female breast; or

(ii) knowingly causing the victim to touch, directly or through clothing, the defendant's or victim's genitals, anus, or female breast;

(B) but "sexual contact" does not include acts

(i) that may reasonably be construed to be normal caretaker responsibilities for a child, interactions with a child, or affection for a child; or

(ii) performed for the purpose of administering a recognized and lawful form of treatment that is reasonably adapted to promoting the physical or mental health of the person being treated;

(53) "sexual penetration" means

(A) genital intercourse, cunnilingus, fellatio, anal intercourse, or an intrusion, however slight, of an object or any part of a person's body into the genital or anal opening of another person's body;

(B) but "sexual penetration" does not include acts performed for the purpose of administering a recognized and lawful form of treatment that is reasonably adapted to promoting the physical health of the person being treated;

(C) each party to any of the acts defined as "sexual penetration" is considered to be engaged in sexual penetration;

(54) "solicits" includes "commands";

(55) "threat" means a menace, however communicated, to engage in conduct described in AS 11.41.520(a)(1) — (7) but under AS 11.41.520(a)(1) includes all threats to inflict physical injury on anyone;

(56) "violation" is a noncriminal offense punishable only by a fine, but not by imprisonment or other penalty; conviction of a violation does not give rise to any disability or legal disadvantage based on conviction of a crime; a person charged with a violation is not entitled

(A) to a trial by jury; or

(B) to have a public defender or other counsel appointed at public expense to represent the person;

(57) "voluntary act" means a bodily movement performed consciously as a result of effort and determination, and includes the possession of property if the defendant was aware of the physical possession or control for a sufficient period to have been able to terminate it. (§ 10 ch 166 SLA 1978; am §§ 29 — 32 ch 102 SLA 1980; am §§ 12 — 14 ch 45 SLA 1982; am §§ 12 — 15 ch 143 SLA 1982; am § 2 ch 54 SLA 1983); am § 5 ch 79 SLA 1984; am § 3 ch 114; am §§ 1, 2 ch 116 SLA 1984)

**Effect of amendments.** — The first 1984 amendment inserted "the use of a computer, computer time, a computer system, a computer program, a computer network, or any part of a computer system or network" in paragraph (51) of subsection (b).

The second 1984 amendment inserted

"including cable, subscription, or pay television or other telecommunications service" in paragraph (51) of subsection (b).

The third 1984 amendment, in paragraph (52) of subsection (b), inserted present subparagraph (A), added presented subparagraph (B), and, in subparagraph (A), divided the formerly undivided

# Alaska Statutes

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## Title 12. Code of Criminal Procedure.

### Chapter

- 05. Jurisdiction (§ 12.05.010)
- 10. Limitations of Actions (§§ 12.10.010 — 12.10.040)
- 20. Bars to Actions (§§ 12.20.010 — 12.20.060)
- 25. Arrest (§§ 12.25.010 — 12.25.230)
- 30. Bail (§§ 12.30.010 — 12.30.080)
- 35. Search and Seizure (§§ 12.35.010 — 12.35.120)
- 36. Disposition of Recovered or Seized Property (§§ 12.36.010 — 12.36.090)
- 40. Grand Jury (§§ 12.40.010 — 12.40.100)
- 45. Trial (§§ 12.45.010 — 12.45.160)
- 47. Insanity and Competency to Stand Trial (§§ 12.47.010 — 12.47.130)
- 50. Witnesses (§§ 12.50.010 — 12.50.101)
- 55. Sentencing and Probation (§§ 12.55.005 — 12.55.185)
- 60. Prevention of Crimes (§§ 12.60.020 — 12.60.240)
- 61. Rights of Victims (§§ 12.61.010 — 12.61.020)
- 62. Criminal Justice Information Systems Security and Privacy (§§ 12.62.010 — 12.62.070)
- 65. Coroner's Inquest (§§ 12.65.010 — 12.65.110)
- 70. Uniform Criminal Extradition Act (§§ 12.70.010 — 12.70.290)
- 75. Habeas Corpus (§§ 12.75.010 — 12.75.230)
- 80. Miscellaneous Provisions (§§ 12.80.010 — 12.80.050)
- 85. General Provisions (§§ 12.85.010 — 12.85.020)

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Revisor's notes. — The provisions of this title were redrafted in 1984 to remove personal pronouns pursuant to § 4, ch. 58, SLA 1982 and to make other, minor word changes.

For a review of the sources of some of Alaska law, see Brown, *The Sources of the Alaska and Oregon Codes* (pts. 1 and 2), 2 UCLA — Alaska L. Rev. 15, 87 (1972-1973).

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## Chapter 05. Jurisdiction.

### Section

- 10. Crime commenced outside state but consummated inside

within paragraphs (4), (5) or (6) of subsection (g) the court may not impose a concurrent sentence. However, if the defendant's conduct falls within paragraphs (1), (2) or (3) of subsection (g) the court is authorized to impose concurrent sentences. (*Griffith v. State*, Ct. App. Op. No. 331 (File No. A-47), 675 P.2d 662 (1984).

Where defendant's various check forgery cases violated similar societal interests, he could therefore receive concurrent sentences. *Winfree v. State*, Ct. App. Op. No. 378 (File No. A-156), P.2d (1984).

*Sec. 12.55.030. Discharge of indigents imprisoned for nonpayment of fine. [Repealed, § 16 ch 53 SLA 1973.]*

**Sec. 12.55.035. Fines.** (a) Upon conviction of an offense, a defendant may be sentenced to pay a fine as authorized in this section or as otherwise authorized by law. In determining the amount and method of payment of a fine, the court shall take into account the financial resources of the defendant and the nature of the burden its payment will impose. No defendant may be imprisoned solely because of inability to pay a fine.

(b) Upon conviction of an offense, a defendant who is not an organization may be sentenced to pay, unless otherwise specified in the provision of law defining the offense, a fine of no more than:

(1) \$75,000 for murder in the first or second degree, sexual assault in the first degree, kidnapping, or misconduct involving a controlled substance in the first degree;

(2) \$50,000 for a class A, B, or C felony;

(3) \$5,000 for a class A misdemeanor;

(4) \$1,000 for a class B misdemeanor;

(5) \$300 for a violation.

(c) Upon conviction of an offense, a defendant that is an organization may be sentenced to pay a fine not exceeding the greater of

(1) \$100,000; or

(2) an amount which is three times the pecuniary gain realized by the defendant as a result of the offense.

(d) If a defendant is sentenced to pay a fine, the court may grant permission for the payment to be made within a specified period of time or in specified installments. (§ 12 ch 166 SLA 1978; am § 17 ch 45 SLA 1982; am § 26 ch 143 SLA 1982)

**Cross references.** — For classification of offenses, see AS 11.81.250; for sentences of imprisonment for felonies, see AS 12.55.125; for sentences of imprisonment for misdemeanors, see AS 12.55.135; for sentences for violations, see AS 12.55.140.

**Effect of amendments.** — The first 1982 amendment, in subsection (b)(1), deleted "or" preceding "kidnapping" and

added "or misconduct involving a controlled substance in the first degree."

The second 1982 amendment inserted "sexual assault in the first degree" in paragraph (1) of subsection (b).

While neither 1982 amendment gave effect to the other, both have been given effect in paragraph (b)(1), set out above.

# Alaska Statutes

## Title 1. General Provisions.

### Chapter

10. Laws and Statutes (§§ 01.10.030, 01.10.055, 01.10.060, 01.10.070)

### Chapter 05. Alaska Statutes.

#### Sec. 01.05.006. Adoption of Alaska Statutes.

**Cross references.** — For exception to provision that section headings are not a part of the law, see AS 45.01.109.

#### NOTES TO DECISIONS

Cited in *Schnabel v. State, Ct. App. Op. No. 250* (File No. 7273), 663 P.2d 960 (1983).

#### Sec. 01.05.031. Revision of statutes.

#### NOTES TO DECISIONS

Quoted in *Schnabel v. State, Ct. App. Op. No. 250* (File No. 7273), 663 P.2d 960 (1983).

## Chapter 10. Laws and Statutes.

### Article

2. General Rules of Statutory Construction (§§ 01.10.030, 01.10.055, 01.10.060)  
3. Effect of Statutes (01.10.070)

### Article 1. Common Law.

#### Sec. 01.10.010. Applicability of common law.

#### NOTES TO DECISIONS

Quoted in *Wells v. State, Ct. App. Op. No. 401* (File Nos. 7479, 7663), 687 P.2d 917 (1984); *Beran v. State, Ct. App. Op. No. 506* (File Nos. A-535, A-629, A-630, A-679), 705 P.2d 1280 (1985); *Balentine v. State, Ct. App. Op. No. 538* (File No. A-381), 707 P.2d 922 (1985); *State v. Burke, Ct. App. Op. No. 583* (File No. A-908), 714 P.2d 374 (1986).  
Cited in *Jackson v. State, Ct. App. Op. No. 211* (File No. 6664), 657 P.2d 405 (1983); *Stiegele v. State, Ct. App. Op. No. 382* (File No. A-399), 685 P.2d 1255 (1984).

(10) "property" includes real and personal property;

(11) "real property" is coextensive with land, tenements, and hereditaments;

(12) "signature" or "subscription" includes the mark of a person who cannot write, with the name of that person written near the mark by a witness who writes the witness's own name near the name of the person who cannot write; but a signature or subscription by mark can be acknowledged or can serve as a signature or subscription to a sworn statement only when two witnesses so sign their own names to the sworn statement;

(13) "state" means the State of Alaska unless applied to the different parts of the United States and in the latter case it includes the District of Columbia and the territories;

(14) "writing" includes printing. (§ 4 ch 62 SLA 1962; am § 2 ch 66 SLA 1965; am § 10 ch 117 SLA 1968; am § 19 ch 74 SLA 1985)

Revisor's notes. — Reorganized in 1985 to alphabetize the defined terms. Effect of amendments. — The 1985 amendment added paragraph (4).

NOTES TO DECISIONS

Quoted in Hull v. Alaska Fed. Sav. & Loan Ass'n, Sup. Ct. Op. No. 2605 (File No. 6346), 658 P.2d 122 (1983).

Article 3. Effect of Statutes.

Section

70. Time statutes become law and take effect

Sec. 01.10.070. Time statutes become law and take effect. (a) All bills passed by the legislature become law upon the governor's signature or upon the governor's veto being overridden or, when the governor allows a bill to become law without signature, on the day after expiration of the period allowed for gubernatorial action by art. II, § 17 of the Alaska Constitution. Acts become effective 90 days after becoming law, unless the legislature, by concurrence of two-thirds of the membership of each house, provides for another effective date.

(b) The actual effective date of an Act having no effective-date provision is determined by starting with the day after it is signed by the governor or the day after the governor's veto is overridden or the day after expiration of the period allowed for gubernatorial action by art. II, § 17 of the Alaska Constitution, and counting 90 calendar days, the Act becoming effective at 12:01 a.m., Alaska Standard Time on the 90th day.

(c) The actual effective date and time of an Act having an immediate-effective-date provision is 12:01 a.m., Alaska Standard Time, on

the day after the governor's veto is overridden or, when the governor allows a bill to become law without signature, on the day after expiration of the period allowed for gubernatorial action by art. II, § 17 of the Alaska Constitution.

(d) An Act becomes law at 12:01 a.m., Alaska Standard Time, on the 90th day after the day after the governor's veto is overridden or the day after expiration of the period allowed for gubernatorial action by art. II, § 17 of the Alaska Constitution.

(e) When an Act becomes law, the governor's signature is not required. The date the Act becomes law is the date the Act becomes law.

(f) In this section, "Act" means a bill.

(1) "Act"

(2) "bill"

(3) "become law"

does not mean the two will date provision; (4) "become law"

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Effect of amendment "cific" near the

Applied in State, Sup. Ct. (S-52), 666 P.

Sec. 01.

Quoted in v. Tundra T

the day after it is signed by the governor or on the day after the governor's veto is overridden or on the day after expiration of the period allowed for gubernatorial action by art. II, § 17 of the Alaska Constitution.

(d) An Act which specifies a definite effective date becomes effective at 12:01 a.m., Alaska Standard Time on the date specified.

(e) When the governor allows a bill to become law without signature, the governor shall give written notice of that fact to the legislature. The date of this notice has no effect upon the date the bill becomes law nor upon the date the Act takes effect.

(f) In this section

(1) "Act" means a bill which has become law;

(2) "bill" means a legislative document proposing an Act;

(3) "becomes effective" means becomes applicable; "effective date" does not mean date of enactment (or date of becoming law), although the two will coincide when a bill which has an immediate-effective-date provision is allowed to become law without the governor's signature;

(4) "becomes law" means is enacted; "enactment" occurs when any one of the following takes place:

(A) a bill which is passed by the legislature is signed by the governor;

(B) the period specified in art. II, § 17 of the Alaska Constitution expires without gubernatorial action;

(C) the legislature overrides the governor's veto of a bill;

(5) "passed by the legislature" means that the required majority of each house of the legislature has taken final action in approving the same version of a bill. (§ 5 ch 62 SLA 1962; am § 8 ch 126 SLA 1966; am § 1 ch 115 SLA 1974; am §§ 1-3 ch 6 SLA 1984)

Effect of amendments. - - The 1984 amendment substituted "Alaska" for "Pacific" near the end of subsection (b), near the beginning of subsection (c), and in subsection (d).

NOTES TO DECISIONS

Applied in Atlantic Richfield Co. v. State, Sup. Ct. Op. No. 2695 (File No. S-52), 666 P.2d 1031 (1985).

Sec. 01.10.080. Computation of time.

NOTES TO DECISIONS

Quoted in Fairbanks N. Star Borough v. Tundra Tours, Inc., Sup. Ct. Op. No. 3052 (File Nos. S-524, S-554), P.2d (1986).

STATE OF ALASKA  
THE LEGISLATURE

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

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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

H. TRANS.

4-24-87

1:30p.m.

# HOUSE COMMITTEE REPORT

(7)

Date referred: 4/8/87

FURTHER REFERRALS: Judiciary

DATE: April 24, 1987

The Transportation Committee has considered HB 256

"An Act relating to driving motor vehicles in the vicinity of the James Dalton Highway; providing penalties for violations of motor vehicle laws; and providing for an effective date."

**RECOMMENDS:**

- replace with \_\_\_\_\_  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:**

**SIGNING OTHER RECOMMENDATIONS:**

*Bob Boucher*  
 \_\_\_\_\_  
*Bill Hurd*  
 \_\_\_\_\_  
*Heinrich Sprunger*  
 \_\_\_\_\_  
*Bette Cato*  
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*Bette Cato*  
Chairman's signature



Official Business

**COMMITTEE:**

House Transportation Committee

**DATE:** April 24, 1987

**SIGN-IN**

**Subject of meeting:**

- \* HB 256: Dalton Hwy Use & Other Motor Vehicle Laws
- \* HCP 8: Winter Service; Alaska Marine Highway

**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?	
Deputy Comm. Stin Vaded	Boyn Juvenau	4322	Dept. of Public Safety	Yes	HB 256
Special Asst. Gretchen Deur	P.O. Box N. Juneau 99811	465-4300	<del>Criminal Division</del> DPS HB 256	No	
GATLE HORETSKI	BOX KC JUNEAU 204 N. Franklin Juneau 99801	465-3428 5160	Criminal Division DEPT. OF LAW	HB 256 YES	256
John Vincent Roscamp		586-2315	Alaska Environmental Cobby	Yes	256

\* indicates first public hearing