

HB

256

per: Gail Horetski  
HB 256

- Pull out Sec. 3

Says this is house keeping.  
No controversy  
Should pass whether  
Highway is open yr. round  
or not

---

Roger McKay HB 115

# STATE OF ALASKA

## DEPARTMENT OF FISH AND GAME

### DIVISION OF BOARDS

STEVE COWPER, GOVERNOR

BOX 3-2000  
JUNEAU, ALASKA 99802  
PHONE (907) 465-4110

JAN 27 1988

January 22, 1988

The Honorable Steve Cowper  
Governor, State of Alaska  
P. O. Box A  
Juneau, AK 99811-0101

Dear Governor Cowper:

The past several years the Alaska Board of Game has received a number of requests to change its regulations for hunting in the Dalton Highway Corridor. In November 1987, the board received two more requests to change the corridor regulations. The requests focus on two main issues. The use of firearms for subsistence hunting and access for off-road vehicles (ORV) through the corridor for hunting.

The Alaska State Legislature prohibits hunting with the use of firearms within the Dalton Highway Corridor (AS 16.05.789). The corridor extends five miles on either side of the highway from the Yukon River north to Prudhoe Bay. In keeping with this statute, the board adopted regulations allowing only bow and arrow hunting in the corridor. The village of Wiseman is within the corridor and residents of that village are restricted to hunting with bow and arrow while in the corridor. A resident of Wiseman has requested that villagers be allowed to use firearms for subsistence hunting.

The legislature also closed the highway corridor to the use of ORVs (AS 19.040.210). There is an exception that allows access along certain trails to mining claims by ORV. Therefore, it is against the law for everyone but miners to use ORVs in the corridor. However, the legislature did not add a penalty clause to the law so it is not enforceable. The board banned the use of motorized vehicles, except boats, aircraft, and licensed highway vehicles, for hunting in the corridor. This action made the ban on ORVs in the corridor enforceable when they are used for hunting since there is a penalty for violating game regulations. Residents of Fairbanks have requested that they be allowed access through the corridor at specified points so they can hunt beyond the corridor.

In light of the current statutes, the board does not feel it appropriate to abandon its regulations. However, the board requests that the legislature consider the effects of the current statutes that control use within the Dalton Highway Corridor.

Sincerely,

*Brenda Johnson /bos*

Brenda Johnson, Chairman  
Board of Game

cc: Sen. Jack Coghill  
Sen. Bettye Fahrenkamp  
Sen. Ken Fanning  
Rep. Mark Boyer  
Rep. Mike Davis  
Rep. Steve Frank  
Rep. Niilo Koponen  
Rep. Mike Miller  
Rep. Richard Shultz  
Rep. Kay F. Wallis  
C. H. Rowe

BETH: FYI

1-27-88

CALL FROM MR. C.H. ROWE (AFTER LISTENING TO AGBABA SHOW  
LAST NIGHT.)

- A. SUPPORTS BEING ABLE TO HUNT ALONG DALTON HWY.
- B. CONCERNS ABOUT BEING ABLE TO USE VARIOUS VEHICLES FOR HUNTING ALONG DALTON HWY. TURNED INTO SEN. FAHRENKAMP LAST YEAR. SHE SAID A LOCAL MEETING WOULD BE HELD, APPARENTLY SHE DID NOT HOLD A LOCAL MEETING,
- C. IF CANNOT OPEN UP ROADS & TRAILS FOR HUNTING, THEN CAN RS 2477 BE USED FOR HUNTING ?
- D. HIS THOUGHT THAT WITH NEW GAME BOARD RULE, ONLY HUNTERS USING GUIDES WITH AIRCRAFT COULD HUNT. LOCAL HUNTERS WHO DO NOT USE GUIDES WOULD BE ELIMINATED FROM HUNTING THE CORRIDOR.

Bob



Petition directed to the Alaska Game Board to ask them to let hunters and fishermen use the already existing roads and trails along the Dalton Highway to cross over the five mile corridor to hunt or fish.

NAME	ADDRESS	ALASKA RESIDENT
Dwight G Gosnell	3116 Glenview DR AK	99504 yes/234
J Lowell J Thompson III	3800 Gray Wolf Drive	99687 YES/174
Thomas W. Wilhelmsen	615 FISCHER ST ANCH. AK	99518 YES/104
THOMAS W. WILHELMSEN	615 FISCHER ST ANCH AK	99518 YES/64
PATRICK G. COLFS	2810 BROOKRIDGE ANCH. AK.	99504 205/134
Robert Adams Robert E	416 <sup>D</sup> Beluga ST	FT. RICK AK 99505 2







Petition directed to the Alaska Game Board to ask them to let hunters and fishermen use the already existing roads and trails along the Dalton Highway to cross over the five mile corridor to hunt or fish.

NAME	ADDRESS	ALASKA RESIDENT
<del>Ed Luther</del> ED LUTHER	2938 DONNINGTON DR ANCH AK	15 YEARS
James Weber	8710 DIVISIA DR Anch AK	15
<del>L.L. Goodrow</del> L.L. Goodrow	19052-1st St Eagle River AK 99577	21 yrs
<del>Thomas T. Clements</del> Thomas T. Clements	SR. A BV 6229-6 Palmer AK 99645	5 yrs
<del>Frank A Smith</del> FRANK A SMITH	PO Box 333 Houston AK 99694	7 yrs
<del>Frank A Smith</del> FRANK A SMITH	2117 Dobson Sp 200 Anch AK 99508	17 yrs
<del>Frank A Smith</del> FRANK A SMITH	12970 Safford Ave Anch AK 99515	17
<del>Frank A Smith</del> FRANK A SMITH	4221 RESURRECTION DR ANCH AK 99504	10 yrs
RAY MURPHY	3537 MCKENZIE Anch AK 99517	7 yrs
Dorothy Mincher	3537 McKenzie Anch AK 99517	5 yrs
Don Gray	425 N. Bliss - Anch AK	18 yrs



Petition directed to the Alaska Game Board to ask them to let hunters and fishermen use the already existing roads and trails along the Dalton Highway to cross over the five mile corridor to hunt or fish.

NAME

ADDRESS

ALASKA  
RESIDENT

NAME	ADDRESS	ALASKA RESIDENT
William R. L...	1806 Providence Dr. Anch.	Yes 12 years.
Joseph Abrahamson	3320 Orlut Dr. Anch. AK 99517	Yes - 27 yrs.
Charles A. W...	217 E. 1st St. Anch. AK 99501	Yes 9 yrs
George B...	3709 Kinnear Cir. Anch. AK 99504	Yes 31 years
...	1111 S 1st	... 15
Ann Doyle	131582 Kenai	30 years
Keith Abraham	2900 Brandenwice Hlch Anch AK 99507	12 yrs
Tom Stott	100 Boniface Sp #16 J. Anch. AK. 99504	17 yrs
Bob Henderson	4901 ... Anch AK 99507	20 yrs
Bill Trudner	631 W 88th Anch AK 99502	10 yrs
Mark McCallum	600 W 76th Ave Anch AK 99518	15 yrs
...	1000 ... Anch AK 99523	...
Kimbridge	540 E. 76th #112 Anch AK 99518	13 yrs
Tim Miller	3920 Brentwood Cir. Anch. AK 99502	14 years
Charles Johnston	913E 2nd APT D ANCHORAGE AK 99501	7 yrs
John ...	1207 E 76th Ave Anch AK 99518	6 yrs
...	...	...
Frank ...	4331 ... Anch AK 99517	4 yrs
...	1200 W D... Anch. AK. 99515	...
Mr. ...	19727 Big ... Anch. AK 99517	5 yrs
...	6631 Warner Dr # D Anch AK. 99502	6 yrs
...	...	...

# Alaska State Legislature

## Senate Resources Committee



Sen. John B. (Jack) Coghill, Chairman  
Sen. Paul Fischer, Vice-Chairman  
Sen. Lloyd Jones  
Sen. Arliss Sturgulewski  
Sen. Jim Duncan  
Sen. Fred Zhatoff  
Sen. Dick Eliason

Box V  
Juneau, Alaska 99811  
(907) 465-4907

February 18, 1988

Mr. C.H. Rowe  
2013 30th Ave.  
Fairbanks, Alaska 99701

Dear Mr. Rowe:

Thank you for writing my office regarding the use of the Dalton Highway corridor for access to other trails. Presently there are two bills introduced that deal with the public use of the Dalton Highway. HB 115, sponsored by Representative Frank is moving in the House and should pass over to the Senate soon. This bill can be amended to allow access across the corridor.

Of course, if the bill is amended in the Senate, the House must agree to the amendments. I can not guarantee that the amendments will stay in the final version, but we will give it our best shot.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jack", written in black ink.

Senator John B. Coghill

February 1, 1988

Senator Coghill  
Pouch V  
Juneau, Alaska 99811

FEB 3 -- 1988

Dear Senator Coghill,

I talked with one of the people in your Juneau office last week and we decided it would be a good idea for me to send you a copy of this petition concerning the Dalton Highway Corridor. Three of us circulated these petitions around Fairbanks for a couple of days and got this many signatures without posting the petitions in any sporting goods stores, etc.

Although most of the people who signed would like to see the Corridor opened completely we decided to try and get just access across it as a happy medium for everyone. I hope this will show there is alot of support from here to support your efforts. Also a friend of mine from Anchorage will be sending you a copy of the same petition that he circulated around Anchorage, and it shows there is support from there also.

I have worked some with Betty Farencamp's office on this and I have also attended some of the Game Board meetings where this has been discussed, including the ones in Anchorage last November. The result of these last meetings was the letter sent out to a number of Legislators, including yourself, which in a round about way says the Game Board won't change their ruling until the Legislature does something.

As I told the Game Board, the way it stands now, only licensed highway vehicles, boats, or airplanes can be used inside the Corridor. This means the area is locked up except to non-residents for hunting. Local people and residents don't use Guides but non-residents do. They can drive a licensed vehicle up the highway to where a Guide is based, get in an airplane and go hunting. We have nothing against the Guiding Industry, but we feel there is room for all of us.

As our petition says, we would like to be able to use our A.T.V.'s or O.R.V.'s on at least the existing trails and roads, like the Old Hickie Highway, etc. for access off the Dalton Highway as well as being able to to hunt as we go or along the highway itself, as we can South of the Yukon River. If I can be of any help in any way, please contact me.

Thank You,



C. H. Rowe

Petition directed to the Alaska Game Board to ask them to let hunters and fishermen use the already existing roads and trails along the Dalton Highway to cross over the five mile corridor to hunt or fish.

NAME	ADDRESS	ALASKA RESIDENT
Kenneth H. Marshall	mile 175 Dalton Hwy, Coldfoot	YES
John E. Schank	P.O. Box 10685 FAIRBANKS 99710	YES
Dick Mackey	mile 175 Dalton Hwy, Coldfoot	YES
Rick Rochiz	P.O. Box 10264 FAIRBANKS 99710	YES
Tom the Grumpy	P.O. Box 56602 North Pole	yes
Wes Perkins	P.O. Box 10402 Fairbanks AK	yes
Mac Howe	#45 Gold Rush Fairbanks AK	yes
Mike Jensen	1228 Clear St. Fairbanks AK	yes
Bob BIRT	P.O. # 61597 FAIRBANKS AK	YES
Dianne Dickel	961 Clear St. North Pole	yes
Will Fosberg	Box 670 McKinley Pl. Fairbanks 99755	YES
William Fisher	1132 Joyce Ln Fairbanks AK	yes
Earl W. Foxe	3 mile 175 Dalton Hwy Coldfoot	yes
Tommy Tessler	Box 56391, North Pole AK	yes
John King	2835 PARKS HWY FAIRBANKS AK	YES
John Smith	129 Carnegie Way, Fairbanks, AK	Yes
Frank Hill	1613 North, Id FAIRBANKS AK	YES
Steven Clapp	9450 S. Coldfoot AK.	YES ✓
Gregory Fisher	P.O. Box 9074 COLDFOOT AK.	YES
Paul Shedd		
Bill Mackey	Wise man Alaska	yes
Tom Hoff	mile 175 Dalton Hwy	yes
Katey Quisenberry	Yon Del, Coldfoot	yes
David Decker	Yon Del, Coldfoot	yes
F. W. Jennings	Fairbanks, AK.	yes

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NAME	ADDRESS	ALASKA RESIDENT
C. H. Rau	2013-30 <sup>TH</sup> AVE. FBX, AK.	YES
Steve Douglas	3859 Venture Rd. FBX AK 99709	yes
Bill Smallwood	1917 Harmonia Dr FBX AK 99709	YES
Jim Kautz	1515 Fols. Rd Yutl' Pol. AK 99711	Yes
Ken Kautz	" " " " " "	Yes
DUANE CHRISTENSEN	PO BOX 9151 Coldfoot AK 99701	YES
Dave Smallwood	3874 Patten Rd. FBX AK 99709	YES
Scott Smallwood	3278 Orion Cir Anch AK	Yes
Pete Riquelme	1110 J Kalina Rd FBX AK	YES
Chris Armstrong, Jr	1091 Grace Ave NP AK	Yes
LPE CHRISTENSEN	1303 O'Connor FBX AK	YES



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NAME	ADDRESS	ALASKA RESIDENT
Neil W. Abrahams	875 UNIVERSITY AVE FAI	Yes
DEIRDRE THOMPSON	1548 BUCKLEY RD	YES
Diana P. Wood	1401 E. Still Valley North Pole 99704	YES Registered Voter
Robert Anderson	PO Box 61036	YES
DA Stewart	880 MEMORY FBKS	YES
Phyllis A. Berman	PO Box 73269 FBKS 99707	YES
Randy Larson	288 Rambling Rd. #23 FBKS. 99712	Yes
Susan Larson	" " " "	Yes
Mike Watson	1/2 mi. Brock Rd. FBKS	Yes
WOLFGANG ZASTROW	4 mile Rapp Rd # NPAK	YES
Mike Harrington	283 <sup>RD</sup> MED. DET. FAI Ft. Belknap	YES & Registered Voter
DANNY RIGGS	283 <sup>RD</sup> MED-DET (HA) Ft. Wainwright	YES + Registered Voter
Alice Shirey	1504 W. DENALI ST	YES / Land Dept
Mike Michel	2702 Kuskokwain	YES
Rebecca Chapman	309 Rainbow TR PK	YES
Bill Bostic	1738 HARTZOG	YES
Bill Zito	PO Box 50949 College AK 99708	YES
Richard Webb	PO Box 61531 FBKS AK	YES
James D. Millburn	5245 G Broadway EAFB AK	Yes
Hean Allen	1213 27th AVE FBKS AK	Yes
Judith Millburn	5245 G Broadway Dickson AFB	Yes
Roy Helmer	1452 Noble St	YES
Fanny Dickson	1100 KOYUKUK	YES
Richard Helmer	519 ESTER DR	Yes
Mark Helmer	1172 PUEBLO ST N/Pros	YES

Petition directed to the Alaska Game Board to ask them to let hunters and fishermen use the already existing roads and trails along the Dalton Highway to cross over the five mile corridor to hunt or fish.

NAME ADDRESS ALASKA RESIDENT

NAME	ADDRESS	ALASKA RESIDENT
Richard Pellet	2925 Freeman North Pole, Ak	yes
Sam Randall	2500 Miller bus North Pole Ak	yes
Tom [unclear]	540 Greenwood North Pole AK	yes
John [unclear]	500 Starbuck North Pole AK	yes
Don [unclear]	1211 B 19th Fairbanks Alaska	yes
Carol [unclear]	P.O. Box 61582 Fairbanks AK 99706	yes
Robert [unclear]	30210 [unclear] 417th [unclear] Fairbanks	yes
Clark P. Simpson	P.O. Box 60457 Fairbanks	yes
Stanley Paul [unclear]	#23 R. [unclear] Fairbanks AK	yes
Carl [unclear]	453 [unclear] Fairbanks AK	yes
Judith C. Knight	P.O. Box 61619 Fairbanks AK 99709	YES
Uran E. [unclear]	656 Fairbanks SE 13 Fairbanks AK 99701	yes
[unclear]	4636 [unclear] Fairbanks AK 99701	yes
[unclear]	121 Carnegie Hwy Fairbanks AK 99709	yes
William Eric	121 Carnegie Hwy Fairbanks AK 99709	yes
Louis Petit	1419 Moore St Fairbanks AK 99701	Yes
Art Petit	1419 Moore St Fairbanks AK 99701	Yes
Mike Roman	1401 LAUREN Fairbanks	YES
Walter [unclear]	P.O. Box 61582 Fairbanks 99706	yes
Tom Wickas	P.O. Box 61600 Fairbanks 99706	yes
Walter [unclear]	478 SPRUCEWOOD RD Fairbanks AK 99709	YES
[unclear]	Handy Park Fairbanks	Yes
Burleigh M. Horton	5111 Decathlon St Fairbanks AK 99701	yes
Donald E. Sicks	3038 Victoria Circle North Pole, AK	Yes
Lewis [unclear]	1517 EILSON ST Fairbanks AK	YES



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NAME	ADDRESS	ALASKA RESIDENT
Bill Hansen III	1018 Jackson #105 FBKS AK	YES
Don Linn	7292 Ptarmigan Way N.P. AK 99705	Yes
Steve Farley	PO Box 75148 FBKS AK 99707	YES
JAMES C. KINISON	894 Henniss Rd N. Pole AK 99705	YES
Pick Frantz	P.O. Box 56900 N.P. AK 99705	YES
Harold W. Hedden	1109 Linnwood Terrace FAI 99701	YES
Clarence A. Hillman	416 Ellacoon Ave Toka 99701	YES
Robert H. Marble	Box 1104	Yes
Eddie Gilbert	2925 Truman Rd N.P.	Yes
Verg Deane	15 Farewell #305 FBKS AK 99701	YES
Frank Thomas	Box 1017 Fairbanks AK 99706	yes
Elmer Dowd	1619 Reading Rd N.P. AK 99705	YES
Bruce W. Canady	1945 Athena N.P. AK 99705	YES
H. T. Smith	1516 Havelock St N.P.	Yes
Bill Binn	PO # 61597 Fairbanks Alaska 99706	99706
Rudy Linn	1668 Keana Fairbanks Alaska 99709	99709
John S. ...	PO # 61597 Fairbanks Alaska 99706	99706
John B. ...	PO # 61597 Fairbanks Alaska 99706	99706
John Harrison	P.O. Box 81586 FBKS AK 99708	Yes
Dennis Felson	P.O. Box 84755 FBKS AK 99708	YES
1776 ...	14106 Birchwood FBKS	Yes
Tom McKee	PO Box 60650 FBKS	Yes
Jeff Curtis	4410 Woodriver Dr FBKS	Yes
Mark Sanders	1854 Tunnel Rd N.P.	YES
Bob Southard	149 Concord Ave Fairbanks	YES





Petition directed to the Alaska Game Board to ask them to let hunters and fishermen use the already existing roads and trails along the Dalton Highway to cross over the five mile corridor to hunt or fish.

NAME	ADDRESS	ALASKA RESIDENT
Joseph Rowle	2013 30th Ave, FBKS. AK	Yes
Doug Curtis	989 Willow Course FAIRBANKS	YES
Bran Anderson	285 P.O. H.S.R. Fairbanks	YES
Dick Gallian	PO BOX 87379 FBKS AK 99708	YES
Frank Baker	P.O. Box 55414 North Pole AK 99705	YES
Matt Uurensen	1201 Lee Lane North Pole 99705	YES
G. J. Robinson	2141 Marshall Blvd North Pole, Ak.	Yes
Kyle Bauman	900 Joure Dr FBKS AK 99701	YES
Keith E. Busch	P.O. Box 2556 FBKS AK 99707	YES
Jack Papp	1937 B. D. D. Limited FBKS AK 99707	YES
Kenneth R. August	P.O. Box 84191 FAIRBANKS AK 99709	YES
H. Boggs	P.O. Box 73115 Fairbanks, Ak	Yes
MICHAEL W. ANSELIN	805 AUSTIN FBKS AK	YES

# HUNTERS & FISHERMAN

Petition directed to the Alaska Game Board to ask them to let hunters and fishermen use the already existing roads and trails along the Dalton Highway to cross over the five mile corridor to hunt or fish.

NAME	ADDRESS	ALASKA RESIDENT
Allen P. Papp	PO Box <del>84</del> <sup>11-305</sup> FBX AK	YES
Margaret Taylor	P.O. Box 10305 FBX AK	yes
Tina Kottel	1419 Moore St FBX AK	YES
Donald Baker	2519 Aster Dr. N Pole, AK	YES
Frank D. Bennett	7531 MARGARET CA ANCH AK	YES
Ken Mosler	PO Box 10519 Steese FBks 99710	yes
Martin Hartley	1394 E. 5th Rd. FBks. AK. 99716	YES
Jim Johnson	2505 Mangold Rd North Pole	yes
Toni Sorenson	1048 Wanda Dr Fbks 99712	yes
Roger M. ...	51780 ...	yes
Norm R. ...	300 Howard Rd North Pole	yes
Ken ...	22 ...	yes
Theresa ...	1510 ...	yes
Barbara ...	2611 ... Rd ...	yes
James ...	...	yes
Dave ...	P.O. ... 202 ... AK	yes
Bill ...	...	yes
Betty ...	PO Box 73685 - FBK	yes
Bill ...	" " " " "	"
MARKS ...	...	yes
Bob ...	...	yes
...	...	yes
...	...	yes
Jack D. Johnson	PO Box 81576 - FBks 99708	yes

# Hunters & Fisherman

Petition directed to the Alaska Game Board to ask them to let hunters and fishermen use the already existing roads and trails along the Dalton Highway to cross over the five mile corridor to hunt or fish.

NAME	ADDRESS	ALASKA RESIDENT
Danny Lee Bate	2613 Daviskd / Fols	Yes
Subray Builders	1010 College Rd Fols AK	yes
Shirley Phillips	1010 College Rd Fols 99701	yes
Dan Barrett	1603 27th Ave Fols	YES
Samuel H. Walker	PO Box 10341 Jk Ak	YES
V. Speer	#30-13030 O'Connor Fols 99701	Yes
Mike Jandrian	1229 Crown Pt. Fols 99705	yes
Tom R. Ems	30 Kensington N.P. AK 99705	Yes
Salinda Vignosa	1504 27th Ave. Fols. 99701	yes
James W. Kasper	3018 air way dr NP 99705	yes
Ken S. March	HCR 10 Fairbank AK 99701	Yes
William W. Korman	HCR 10 Fairbank, 99701	yes
Rechal J. Zeit	440 oldish Fairbank al. 99710	yes
Bonnie Lueck	PO Box 1408 FBKS 99707	yes
James Lueck	PO Box 1408 FBKS 99707	yes
Joseph Galath	1931 Badger Rd. N.P. 99705	Yes
Janet Galath	1931 Badger Rd. N.P. AK.	yes
Joseph Galath	1931 Badger Rd. N.P. 99705	yes
Ed Brown	2864 Soccer Ct. NP AK 99705	yes
Kellie J. Suggs	2864 Soccer Ct. N.P. AK	yes
JEFF MABIE	P.O. Box 10267 FBKS AK 99710	yes
Roy Lueck	P.O.B 9112 Cold Foot Ak.	Yes.
Michael Fowler	POB 74126 FBKS 99707	yes
J.P. Sullivan	POB 73591 FBKS 99707	Yes
Paul J. Morrison	3717 2nd Ave Fols. 99712	yes

# Hunters & Fisherman

Petition directed to the Alaska Game Board to ask them to let hunters and fishermen use the already existing roads and trails along the Dalton Highway to cross over the five mile corridor to hunt or fish.

NAME	ADDRESS	ALASKA RESIDENT
Lore Fitzgerald	2490 B Rinthelou St Fairbanks	99705 Yes
Marlene Orrick	1009 Shirley Turnaround North Pole	AK 99705 Yes
Puck Severson	1009 Shirley Turnaround N. P. 12	AK 99705 Yes
Greg Michacek	1844 Kenhill Dr N. Pole	AK 99705 Yes
Gary Bolter	1112 Lakeview	FB AK 99701 Yes
Ken Kelly	P.O. Box 10015	FB AK 99701 Yes
Bobby L. Malheur	526 Lignite	FB AK 99701 Yes
Fred Wilson	2245 Bramley Rd.	North Pole AK 99705 Yes
Dave Richardson	1612 CARR ST	FB AK 99701 Yes





STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

71B256

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.

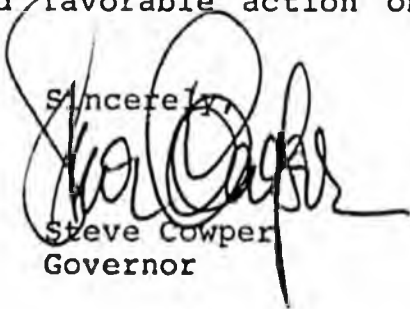
Because it may be difficult at times to prove a person's intent to violate this law, the attached bill makes violation of the statute a "strict liability" offense. This means that the state need not prove that the offender intended to break the law, only that he voluntarily committed an act that did 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

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

REQUEST: 3-23-87

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

Revision Date: \_\_\_\_\_

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

Title: Motor vehicles near Dalton Hwy

BRU: \_\_\_\_\_

Sponsor: Administration

Components: \_\_\_\_\_

Requestor: Governor's Office

**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. D. H.*  
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

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Tide: "An Act relating to driving in the vicinity of the James Dalton..."  
Sponsor: Rules Committee/Governor  
Requestor: Senate Transportation  
Agency Affected: PUBLIC SAFETY  
BRU: Fish & Wildlife Protection  
Components: Enforcement

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
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						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
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)  
No fiscal impact is anticipated.

JNR  
2/2/88

Prepared by: Captain Conrad Seibel, Operations Commander  
Division: Fish & Wildlife Protection

Phone: 269-5509  
Date: 1-28-88

Approved by Commissioner: Don H. Peterson  
Agency: PUBLIC SAFETY

Date: 2-2-88

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

STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE

Bill Version: HB 256  
Publish Date: HOUSE 4/27/87

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

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

JMA  
4/24/87