

HB

41

HFIN

FILE

FISCAL NOTE

No. 5

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO : _____
Bill Version: CSHB 41 (L&C)
(H) Publish Date: 2/10/93

Revision Date: _____
Title: "An Act relating to civil liability
for skiing accidents..."
Sponsor: Representatives Phillips, Hudson, Porter
Requestor: Representative Phillips

Department Affected: Labor
BRU: Labor Standards & Safety
Component: Mechanical Inspection
COMPONENT SERIAL NO. 346

EXPENDITURES/REVENUES:

(Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE FUND SOURCE:						
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FUNDING:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipt						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact: \$ None

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Donald G. Study, Director Phone: 465-6003
Division: Labor Standards and Safety Date: 1/22/93

Approved by Commissioner: Charles W. Mahlen
Agency: Department of Labor Date: 1/25/93

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FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

No. 4
Bill Version: CSHB 41 (L&C)
(H) Publish Date: 2/10/93

Revision Date: January 22, 1993
Title: "... relating to liability for skiing accidents, operations of ski areas..."
Sponsor: Representative Phillips
Requestor: House Labor & Commerce

Department Affected: Department of Law
BRU: Legal Services
Component: Operations
COMPONENT SERIAL NO. 0093

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
FUND SOURCE:						

FUNDING:

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

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

Estimate of current year (FY93) impact: -0-

ANALYSIS: (Attach a separate page if necessary.)
Please see the attached analysis.

Richard I. Pegues

Prepared by: Richard I. Pegues, Director
Division: Administrative Services Division
Approved by Commissioner: Charles E. Cole, Attorney General
Agency: Department of Law

Phone: 465-3672
Date: January 22, 1993

Date: January 22, 1993

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FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HB 41(L+C)
No. 4

ANALYSIS (Continued):

This bill adds a new chapter to AS 05 that defines the responsibilities of ski area operators and defines the responsibilities of skiers using ski areas. The bill further defines the liabilities of both ski operators and skiers, and the bill excludes comparative negligence or comparative fault analysis where an injury is the result of an inherent risk of skiing. The bill has the effect of reversing Hiibschman v. City of Valdez. The bill should not have a direct fiscal impact on the Department of Law, because the state is not a ski area operator in the sense of commercially or municipally operated ski areas.

It should be noted, however, that dedicated trails on state lands, or in state parks, may fall within the definition of ski area when the trails are used for cross country skiing. The bill does require ski area operators to extensively mark skiing routes with signs. It is doubtful that the Department of Natural Resources will have adequate funds for staff to comply with this requirement. Failure to do so could result in liability for the state in the event of an accident. Consequently, the Department of Law could be called upon to defend such liability claims at some time in the future. The department's defense costs are passed on to the Division of Risk Management in cases involving personal injury claims. We cannot predict these possible costs at this time, because information is not available which would indicate the number or severity of future claims.

FISCAL NOTE

No. 3

STATE OF ALASKA
1993 LEGISLATIVE SESSION

Bill Version: CSHB 41(L&C)

(H) Publish Date: 2/10/93

Revision Date: _____

Department Affected: Commerce and Economic Development

Title: An Act relating to civil liability for skiing accidents

BRU: Insurance

Component: Insurance Operations

Sponsor: Reps. Phillips, Hudson, Porter

Requestor: Labor and Commerce, Judiciary, Finance

COMPONENT SERIAL NO. 354

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING:

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

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

Estimate of current year (FY93) impact: 0.0

ANALYSIS: (Attach a separate page if necessary.)
No fiscal impact.

Prepared by: Dave Walsh

Phone: 465-2515

Division: Insurance

Date: January 21, 1993

Approved by Commissioner: Paul Fuhs

Agency: Commerce and Economic Development

Date: 1-22-93

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STATE OF ALASKA
1993 LEGISLATIVE SESSION

FISCAL NOTE

No. 2

Bill Version: CSHB 41 (L&C)

(H) Publish Date: 2/10/93

Revision Date: _____ Department Affected: Alaska Court System
 Title: An Act relating to civil liability for BRU: Trial Courts
skiing accidents... Components: _____
 Sponsor: Phillips
 Requestor: Labor & Commerce COMPONENT SERIAL NO. 000 | 000 | 000 | 768

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUNDS	0.0	0.0	0.0	0.0	0.0	0.0
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: C. S. Christensen III, Staff Counsel *CS* Phone: 284-8228
 Division: Alaska Court System Date: 01/22/93

Approved by: Arthur H. Snowden, II, Administrative Director *AS* Date: 01/22/93
 Agency: Alaska Court System

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FISCAL NOTE

No. 1

STATE OF ALASKA
1993 LEGISLATIVE SESSION

Version: CSHB 41 (L&C)
(H) Publish Date: 2/10/93

Revision Date: 9-Feb-93 Department Affected: Natural Resources
Title: Ski Liability, Safety and Responsibility BRU: Resource Development
Components: Land Development
Sponsor: Representative Phillips
Requestor: House Labor and Commerce Committee Component Serial No. 431

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND&STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS,CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE fund source:	N/A	N/A	N/A	N/A	N/A	N/A

FUNDING: (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME	NONE	NONE	NONE	NONE	NONE	NONE
PART-TIME	NONE	NONE	NONE	NONE	NONE	NONE
TEMPORARY	NONE	NONE	NONE	NONE	NONE	NONE

Estimate of current year (FY93) Impact: \$ No fiscal impact anticipated

ANALYSIS:

The only additional DNR responsibilities proposed under the bill (and this was proposed by DNR) is that DNR employees can enforce the six specific listed violations. No additional fiscal impacts are anticipated if the bill is approved.

Prepared by: Ron Swanson, Director Phone: 762-2692
Division: Land Development Date: 9-Feb-93
Approved by Commissioner: Glenn A. Olds Date: 9-Feb-93
Agency: Department of Natural Resources

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