

HB

30

FISCAL NOTE

No. 2
 Bill Version: CSHB 30(L&C)
 (H) Publish Date: 1/31/97

STATE OF ALASKA
 1997 LEGISLATIVE SESSION

BILL NO.

Title: CIVIL LIABILITY FOR
STATE BOARDING
 Sponsor: REP. MULDER
 Requestor: L & C

Dept. Affected NONE
 BRU: _____
 Components: _____
 Serial #: _____

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
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	0.0	0.0	0.0	0.0	0.0	0.0

FUNDING: (THOUSANDS OF DOLLARS)

General Fund	0.0	0.0	0.0	0.0	0.0	0.0
Federal Fund	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	0	0	0	0	0	0
Part-Time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

See attached analysis

Prepared by:

Approved By:

Agency:

Tim Sullivan Staff = Rep. Mulder
John Mulder 27 JAN 97
 LEGISLATORS

Date: 27 JAN 97

Phone: 465-2647

Phone: 465-2647

FISCAL NOTE

STATE OF ALASKA
 1997 LEGISLATIVE SESSION

Revision Date: _____ Dept. Affected: Alaska Court System
 Title: Civil liability for skateboarding BRU: Trial Courts
 Component: _____
 Sponsor: Rep. Mulder
 Requestor: House Labor & Commerce COMPONENT SERIAL NO. 768

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
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 EXPENDITURES						
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CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

Fund Source (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 97) cost: None

Positions

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: C. S. Christensen III, Staff Counsel *CS* Phone: 264-8228
 Agency: Alaska Court System Date: 01/28/97
 Approved by: Arthur H. Snowden, II, Administrative Director *AS* Date: 01/28/97
 Agency: Alaska Court System

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

COPY



Parks and Recreation

City of Petersburg
(907) 772-3392 Community Gym
772-3304 Swimming Pool
772-4224 Director



March 20, 1997

RECEIVED MAR 24 1997

Senator Robin Taylor, Chair
Senate Judiciary Committee
Alaska State Legislature
State Capital (MS 3100)
Juneau, Alaska 99801-1182

Dear Senator Taylor:

House Bill No. 30, introduced by Representative Mulder, has passed the House and now I understand that it has been referred to Senate Judiciary and Labor & Commerce Committees for review. The issue of liability for claims arising from the hazards inherent in skateboarding, in-line skating, cycling and other non-motorized wheel-based activities is becoming increasingly important for municipalities around the state. I would like to voice my strong support for the passage of this legislation.

Many municipalities are trying to create areas for these activities to happen in a constructive manner and eliminate the conflicts that occur on sidewalks, parking lots and other public places. Passage of legislation such as this, that will limit a municipality's exposure to liability for providing these facilities, will help us to expand positive recreational opportunities for the youth of our community.

In considering the HB 30, one section concerns me and I support the following proposed amendment:

Sec. 05.50.040 Duties of Municipalities. (c) A municipality shall clearly delineate the boundaries of a municipal skating or cycling facility with fencing or another type of enclosing or surrounding structure.

PROPOSED AMENDMENT:

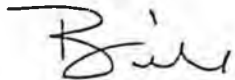
Sec 05.50.040 Duties of Municipalities. (c) A municipality shall clearly delineate the boundaries of a municipal skating or cycling facility.

109 Charles W Street
P.O. Box 329, Petersburg, Alaska 99833
FAX (907) 772-3759

I believe that each municipality should have the ability to determine what is needed to separate the facility from conflicting uses or hazardous conditions in their situation. In Petersburg, for example, there are a limited number of concrete or asphalt locations suitable for skating and most have delineated borders already. Fencing or an enclosing structure is not necessary in these locations and may actually become more of a hazard to the participants. Municipalities need to be given the flexibility to determine what, if any, fencing is required to provide a safe experience for their community. I strongly urge you to support House Bill No. 30 with this amendment.

If you have any questions or need further information, please don't hesitate to contact me.

Sincerely,



William J. Musson, Director
Petersburg Parks and Recreation Department

cc: Linda Snow, City Manager
Parks & Recreation Advisory Board
Representative Kubina
Representative Mulder
Nancy Robb, Valdez

March 22, 1997

Senator Robin Taylor
State Capital
Juneau, AK 99801-1182

Dear Mr. Taylor:

Representative Mulder has introduced House Bill No. 30 - "An Act relating to civil liability for certain skating and cycling activities". The issue of liability for claims arising from the hazards inherent in skateboarding, in-line skating, cycling and other nonmotorized wheel-based activities is becoming increasingly important for municipalities around the state. The Wrangell Park, Recreation and Youth Board, and the Park and Recreation Department supports the passage of this legislation.

Many municipalities are trying to create areas for these activities to happen in a constructive manner and eliminate the conflicts that occur on sidewalks, parking lots and other public areas. Passage of legislation such as this, that will limit a municipality's exposure to liability for providing these facilities, will help us to expand positive recreational opportunities for the youth of our community.

The Wrangell, Park, Recreation and youth Board, the Park and Recreation Department would like to support an amendment to the following Section of House Bill No. 30:

Sec. 05.50.040 Duties of Municipalities. (c) A Municipality shall clearly delineate the boundaries a municipal skating or cycling facility with fencing or another type of enclosing or surrounding structure.

PROPOSED AMENDMENT:

Sec. 05.50.040 Duties of Municipalities. (c) A municipality shall clearly delineate the boundaries of a municipal skating or cycling facility.


Each municipality should have the ability to determine what is needed to separate the facility from conflicting uses or hazardous conditions in their situations. At the present time we, the Park Board, department and Teen Center are trying to coordinate the construction of a covered playground. Once completed this area would be used for a number of recreational activities, one of which would be a skate board park. With the "tight" dollar, additional cost would prohibit the completion of this much needed facility. Municipalities need to be given the flexibility to determine what, if any, fencing is required to provide a safe experience for their community.

page 2

The City of Wrangell, the Park, Recreation and Youth Board, the Park and Recreation Department and those youths who have been working so hard in our community to build a facility, strongly urges you to support House Bill No. 30 with this amendment.

If you have any questions or need further information, please don't hesitate to contact me.

Sincerely,



Ron Koch
Director of Park and Recreation

cc: Representative Gene Kubina
State Capitol Rm. 406
Juneau, AK 99801-1182

5/4/97

FAX: Senator Robin Taylor 465-3922

RE: HB 30

FROM: Linda Egan

Following are brief notes to you encouraging your support of HB 30. These messages were written at a Youth Involvement Day held in Juneau in April. (These notes were just given to me; I realize they may have been more timely two weeks ago, however, wanted to pass them along to you.)

Your support is crucial to the success of the skateboard project mentioned in these messages.

Thank you for your consideration.

Dear Sen. Taylor,

I am a voting citizen
of Juneau, and whole heartedly
support youth in our community.
In order to promote healthy
alternatives to violence &
apathy — Please! consider
allowing House Bill 30 to
pass. They need this in
order to make the skatepark
which 81% of youth would
use. A waiver is a normal
practice in professional
recreation settings. *Alexandra N. Lopez*

4/11/97

Dear Senator Taylor —
After sitting thru
a presentation of the JDS
Skateboard Park students
I am compelled to ask
you to move HB 30 out of
Committee. These kids
need your support to get
their project underway,
given their willingness to
waive their liability. I
think we should
support it!

Thanks for your
consideration.

Josh Guffey
3100 Glenwood Dr. Juneau

Senator Taylor,

As a member of SAGA /
Americorps, I've become involved
with the youth in Juneau
through the High School and
community. I've been hearing
about the need for an alternative
to hanging out at the mall.

Please consider helping this
project succeed.

Jennifer Perry
Jennifer Perry

Hello Hello,

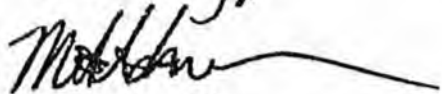
Right on... do it! When the
youth in any community become
bored and tired of their surroundings,
they become restless.

Give it to the youth... the
youth are our future.

John Smith

I think that the skate
Park is a great idea. It
will give more opportunities
for skaters/rollerbladers/
BMXers. I support this
group 100%. In order
to do this we need to
pass HB 30, so please,
you can help pass
HB 30.

Sincerely,



P.S. PLEASE!!!!

Robin Taylor -
If you would please
pass on the insurance
so us kids are able
to rollerblade/skate board/
bike ride and I feel
that this would be a good
idea so we won't be
bothering the tourist.

Thank you,
Yvonne Harris

I think the idea
 of a skatepark is
 a great idea.
 It will cut down
 the amount
 of tickets police
 give out for
 people skating
 downtown, the
 tourists will be
 friendlier, and
 all the hot guys
 will be in the same
 place ~~and~~

HELLO
 I think that
 this skating
 idea because
 crime lower rate. and gives
 people (youth) another thing
 to do on Juneau. plus
 keeps downtown running
 into park. tourists in marine
 park.

John Funn

Hello,
 I'm writing to say
 that I think building a
 skate park would be very
 good. Not only will it keep
 skaters from destroying
 downtown sidewalks, it will
~~also~~ also help the youth of
 Juneau busy, which my
 lower gang problems. I
 think the skate park is
 a wonderful idea!

Erica Leegard
 780-4021

To Robin Taylor-

I am writing on behalf of
 House Bill 30, specifically with
 regard to the folks who are
 approaching you about the skate
 park. This skate park is very
 important to a lot of people in
 this town. It is time for the
 youth to be heard as well as
 become a vital part of Juneau. I
 urge you to allow this park to
 proceed. Pass House Bill 30 so that
 the right to sue is waived.

Thank you.

Julie Oster - a concerned
 citizen and a voter.

ROBIN TAYLOR

IF YOU COULD
PLEASE PASS THE INSURANCE
CODE FOR US WE WOULD
REALLY APPRECIATE IT
BECAUSE WE NEED A
PLACE TO HANG OUT
AND ROLLER BLADE/
SKATE/BIKE SO WE
DO NOT DISTURB THE
"PEACE" AND THE TOURISTS.

THANKS FOR
YOUR TIME,

Aliera
BUTTRIE.

Hello,
I'm very happy to
hear about a skate park,
I think that were been needing
a skatepark for a while now. It's
illegal to skate almost everywhere
in Junco. Skating is not a crime,
& it shouldn't be treated like one.
It's fun, exhilarating, and a good
use of time. I think a ~~skate~~
skate park would be a great thing
in Junco. A legal place to
skate in Junco where fun was
prohibited by law.

Aliera Buttrie

Ryan Williams
let us
build this
skate park

Sen Robin Taylor,

Please consider the skate
board park idea. We need your
support and encourage you
to help make this a
possibility. Lots of kids
have been working hard to
make this dream a reality.

I feel this will really
be a positive step in
helping youth see that
they can make a difference
in the community.

Thank you,

MAYA Raschel

I think there should be a skaters park. + in order of this to happen we need HB 30 for this to happen. In doing this you bring the kids together. So I am writing for you ~~pass~~ have pass HB 30.

Thanks Sen. Taylor

Don J. [Signature]

Senator Robin Taylor -

Hi, My name is Brittany Etheridge and I'm a student who attends Jones Dumas High School. I would like to say that as a Teenager, Rollerblading and skateboarding parks would be helpfull to everyone in the community. This would help lots of the people that brake the curfew laws and other laws. Along with helping keep them off the streets.

Thank You

Brittany S. Etheridge



STATE OF ALASKA
LEGISLATIVE AFFAIRS AGENCY
DIVISION OF PUBLIC SERVICES

RECEIVED MAY 5 1997

DATE: April 30, 1997

Please accept the enclosed original(s) of written testimony for the Senate Judiciary teleconference hearing that was scheduled on April 30, 1997.

A copy of this testimony was transmitted to your committee via fax on April 30, 1997.

Thank you,

M. J. Prispance



ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the Senate Judiciary
 Committee on Senate Bill 102 Committee Name Dated 4-30-77
Bill / Subject

I urge you to take favorable action on SB 102 and companion HB 153 if and when it reaches you. This keeps in place the eligibility rules for elderly and disabled assistance and Medicaid, for legal immigrants who entered the U.S. before August 1996.

These are legal immigrants who ~~followed~~ ^{followed} the rules to get here. We should not change the rules retroactively.

Congress, although disallowing SSI, has given its approval to states to continue cash assistance and Medicaid - and as I understand it, the U.S. will pay its share of the Medicaid costs if ~~the~~ the state so chooses for this group. We should hold Congress to this commitment.

Those potentially eligible are a relatively small group, and a closed group, which will shrink rather than grow over time.

As a matter of fundamental fairness I ask you to act favorably. Thank you for this opportunity.

SIGNED:

Arthur King

Testifier

Representing

4624 Seward Drive Fairbanks AK 99709

Address / Phone Number



Alaska State Legislature

Please enter into the record my testimony to the SENATE JUDICIARY COMMITTEE
 committee name
 committee on HB 30, dated APRIL 30, 1997
 bill/subject

I SUPPORT THIS BILL BECAUSE IT ENCOURAGES COMMUNITIES TO DEVELOP SKATE PARKS AND SERVE A SIGNIFICANT NUMBER OF THEIR YOUTH. SKATEBOARDING AND IN-LINE SKATING ARE GROWING SPORTS AMONG OUR YOUTH, NOT ONLY IN KODIAK AND ALASKA BUT ALSO ACROSS THE COUNTRY. SKATING GIVES KIDS A NON-STRUCTURED, SPONTANEOUS, RELATIVELY INEXPENSIVE ACTIVITY IN WHICH TO PARTICIPATE. CURRENTLY THE MANY KIDS WHO ENJOY THIS SPORT ARE OFTEN TREATED AS OUTLAWS FOR SKATING ON THE LIMITED AMOUNT OF PAVING, ESPECIALLY IN RURAL COMMUNITIES.

PERHAPS THERE IS A PERCEIVED RISK WITH SKATING COMPARED TO OTHER TRADITIONAL SPORTS BECAUSE IT IS NEW. THAT IS WHY WE NEED THIS BILL: TO SUPPORT COMMUNITIES TO BUILD THE WAY THEY DEVELOP FACILITIES FOR OTHER DANGEROUS BUT TRADITIONAL SPORTS LIKE SWIMMING POOLS, HOCKEY RINKS, SKI AREAS, BALLFIELDS.

Signed: Susan Jeffrey SUSAN JEFFREY

Testifier

MYSELF

Representing (Optional)

P.O. Box 3363, KODIAK, AK. 99615

Address

907-486-3227 (W) 486-4712 (H)

Phone No.

**SENATE CS FOR CS FOR HOUSE BILL NO. 30(JUD)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTIETH LEGISLATURE - FIRST SESSION**

BY THE SENATE JUDICIARY COMMITTEE

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVE MULDER

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to civil liability for certain skating and cycling activities; and**
2 **providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1. AS 09.65 is amended by adding a new section to read:**

5 **Sec. 09.65.075. Municipal indemnification for skating or cycling activities.**

6 (a) **If final judgment awarding compensatory damages is entered against a**
7 **municipality in an action resulting from an injury occurring at a municipal skating or**
8 **cycling facility, the state shall, subject to appropriation, reimburse the municipality for**
9 **any funds paid by the municipality as required by the final judgment.**

10 (b) **In this section,**

11 (1) **"facility" does not include a trail used for skating or cycling;**

12 (2) **"injury" means property damage, personal injury, or death;**

13 (3) **"skating or cycling" means skateboarding, cycling, coasting, roller-**
14 **skating, or in-line skating or a combination of those activities.**

- 1 * Sec. 2. APPLICABILITY. This Act applies to a civil action that accrues on or after the
2 effective date of this Act.
3 * Sec. 3. This Act takes effect July 1, 1997.

ALASKA STATE LEGISLATURE



Sen. Robin Taylor, Chair
Sen. Drue Pearce, Vice Chair
Sen. Mike Miller
Sen. Sean Parnell
Sen. Johnny Ellis

State Capitol
Juneau, AK 99801-1182
(907) 465-3717
Fax: (907) 465-3922

Senate Judiciary Committee

INFORMATION RELATED TO: HB 30

Distributed to Senate Judiciary Committee Members

April 18, 1997



Senator Robin Taylor
State Capitol Building, Room 30
Juneau, AK 99801-1182

Dear Senator Taylor:

Please support House Bill 30 - Civil Liability for Certain Skating and Cycling Activities. Many of us here in Valdez would like to build a Skate park but the City won't allow us to build it on their property because of liability. Right now the only place we have to skate is on the sidewalks, streets and the concrete steps in front of the Museum. These areas are not very safe and we're often told not to ride in these places.

As the Valdez skating club, we ask you to support House Bill 30 so the City will help us develop a safe area of our own.

Sincerely,

William Hildebrand

Thomas J. [unclear]

Jessie Kay Powers

Chelsea Lynn Laip

Jennie L. Sodergren

Christina Thibodeaux

Chris [unclear]

Justin Engel [unclear]

Sam O. [unclear]

[unclear]

Members of the Valdez Skate club

Chad [unclear]

M.S. [unclear]

Jerome Fouts

Shaun Good

Kathy [unclear]

DETHERRY

Katie [unclear]

Lara Schwicht

Jason [unclear]

Yuri [unclear]

Aura [unclear]

[unclear]

Mattison

Megan E. Beck

Joseph [unclear]

Emily Kellist

Orate Crab

Michelle [unclear]

Ben [unclear]

Michael [unclear]

Sam [unclear]

Joe [unclear]

Jennifer [unclear]

John [unclear]

David [unclear]

Michelle [unclear]

Ben [unclear]

Michael [unclear]

Sam [unclear]

Joe [unclear]

Jennifer [unclear]

David [unclear]

Facsimile Cover Sheet

To: *Senator Robin Taylor*
Company: *CC: Rep. Eldon Mulder*
Phone:
Fax: *465-3922*

From: *Robert Dindinger*
Company: Alaska Travel Adventures
Phone: 907-789-0052
Fax: 907-789-1749

Date: *4-23-97*

Pages including this cover page: *4*

SENT BY:

4-24-97 ; 7:38 ; AK TRVL ADVENTURE-

9074653922;# 2/ 4

0-LS0192A

Robin
 Senator, I know this is a hard issue for you, but this type of recreation opportunity will die without your help & support!
 Thank You!

HOUSE BILL NO. 30

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

Bob Dindinger

BY REPRESENTATIVE MULDER

Introduced: 1/13/97

Referred: Labor and Commerce, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to civil liability for skateboarding; and providing for an effective



ANCHORAGE 626 F Street, Suite 100 ■ Anchorage, Alaska 99501 ■ Tel (907) 258-2625 ■ Fax (907) 279-3615

JUNEAU 217 Second Street, Suite 200 ■ Juneau, Alaska 99801 ■ Tel (907) 586-3222 ■ Fax (907) 463-5480

April 21, 1997

The Honorable Senator Robin Taylor, Chairman
Senate Judiciary Committee
State Capitol
Juneau, Alaska 99801-1182

Dear Senator Taylor:

As the creator of the AML/JIA enabling legislation, you obviously understand the motivation and needs that led to the development of the pool. And you certainly understand why the AML/JIA prides itself on not acting like an insurance company.

The AML/JIA Board of Trustees, comprised of municipal leaders, is under the same pressure all municipalities face from business owners, private landholders, and the recreational public to get skaters off the streets and into a safer, more appropriate place to skate. That is why the AML/JIA Board of Trustees decided it was necessary to remove the skateboard exclusion from our general liability coverage.

The Board of Trustees expected that Rep. Mulder's bill would pass this year, and recognizing that it would take some time to actually build a skateboard park, the AML/JIA Board wanted the ability to provide coverage for skateboard parks.

If house bill 30 fails to pass the legislature this session, the AML/JIA Board of Trustees will have to reconsider their decision to cover skateboard parks.

No matter what the Board of Trustees ultimately decides regarding this coverage, non-member municipalities are still faced with high costs for coverage. Ketchikan, Petersburg, Sitka, Juneau, Valdez, Homer, Anchorage, Fairbanks, and others all confront the same issue of expensive or unobtainable skateboard coverage in the conventional market.

The bill as it is currently written provides a measure of comfort for municipalities. As long as cities or boroughs construct and maintain a safe facility, they will not be held responsible for the injuries of patrons who ride beyond their ability level, or fail to wear the basic personal protective gear that is required. Everyone, especially the users of a facility like this, recognize that skating and trick-bike riding are inherently dangerous activities. House bill 30 codifies this.

Please support municipalities' efforts to protect our citizens, our visitors, and our young people. Please support house bill 30.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rick Gifford', written in a cursive style.

Rick Gifford, Chairman
AML/JIA Board of Trustees



April 10, 1997

RECEIVED APR 21 1997

Senator Robin Taylor
State Capitol Building, Room 30
Juneau, AK 99801-1182

Dear Senator Taylor:

I am writing to express my support for House Bill 30 - Civil Liability for Certain Skating and Cycling Activities. This bill, which is currently before your Judiciary Committee for consideration, will enable communities to expand positive recreational opportunities for our youth.

Young people throughout Alaska are competing with cars and pedestrians to use streets, sidewalks, parking lots and other public areas for their skating activities. These conditions are not only unsafe, but create conflicts with building owners and damage public property that is not intended for this type of use. The risks inherent in skateboarding, in-line skating and other nonmotorized wheel-based activities, are currently being assumed by the individual in these hazardous settings. House Bill 30 will allow municipalities to create safe, special-use recreational areas designed for the enjoyment and safety of the participants.

The City of Valdez urges you to take positive action on behalf of the youth of our community and support House Bill 30.

Sincerely,

Nancy M. Robb, Director
Valdez Parks and Recreation Dept.

March 22, 1997

RECEIVED MAR 26 1997

Senator Robin Taylor
State Capital
Juneau, AK 99801-1182

Dear Mr. Taylor:

Representative Mulder has introduced House Bill No. 30 - "An Act relating to civil liability for certain skating and cycling activities". The issue of liability for claims arising from the hazards inherent in skateboarding, in-line skating, cycling and other nonmotorized wheel-based activities is becoming increasingly important for municipalities around the state. The Wrangell Park, Recreation and Youth Board, and the Park and Recreation Department supports the passage of this legislation.

Many municipalities are trying to create areas for these activities to happen in a constructive manner and eliminate the conflicts that occur on sidewalks, parking lots and other public areas. Passage of legislation such as this, that will limit a municipality's exposure to liability for providing these facilities, will help us to expand positive recreational opportunities for the youth of our community.

The Wrangell, Park, Recreation and youth Board, the Park and Recreation Department would like to support an amendment to the following Section of House Bill No. 30:

Sec. 05.50.040 Duties of Municipalities. (c) A Municipality shall clearly delineate the boundaries a municipal skating or cycling facility with fencing or another type of enclosing or surrounding structure.

PROPOSED AMENDMENT:

Sec. 05.50.040 Duties of Municipalities. (c) A municipality shall clearly delineate the boundaries of a municipal skating or cycling facility.

Each municipality should have the ability to determine what is needed to separate the facility from conflicting uses or hazardous conditions in their situations. At the present time we, the Park Board, department and Teen Center are trying to coordinate the construction of a covered playground. Once completed this area would be used for a number of recreational activities, one of which would be a skate board park. With the "tight" dollar, additional cost would prohibit the completion of this much needed facility. Municipalities need to be given the flexibility to determine what, if any, fencing is required to provide a safe experience for their community.

*add - state indemnification
costs*

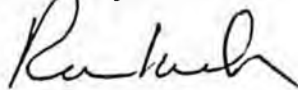
page 2

Box 531

The City of Wrangell, the Park, Recreation and Youth Board, the Park and Recreation Department and those youths who have been working so hard in our community to build a facility, strongly urges you to support House Bill No. 30 with this amendment.

If you have any questions or need further information, please don't hesitate to contact me.

Sincerely,



Ron Koch
Director of Park and Recreation

cc: Representative Gene Kubina
State Capitol Rm. 406
Juneau, AK 99801-1182

CITY OF SEWARD

P.O. BOX 167
SEWARD, ALASKA 99664

April 18, 1997

Senator Robin Taylor
State Capital Building, Room 30
Juneau, AK 99801-1182



- Main Office (907) 224-3331
- Police (907) 224-3338
- Harbor (907) 224-3138
- Fire (907) 224-3445
- Telecopier (907) 224-3248

Dear Senator Taylor:

The City of Seward supports House Bill Number 30, "An Act relating to civil liability for certain skating and cycling activities." The issue of liability for claims arising from the inherent hazards of skateboarding, in-line skating, bicycling and other non-motorized, wheel-based activities is important to all municipalities.

In Seward we have a reputation for caring for our youth. Last year we constructed a skate park for two reasons. We wanted to give the kids a designated, safe, visible place to practice their chosen sport. We also needed to move the users out of busy pedestrian areas like sidewalks, parking lots and community plazas. We felt we did a great thing when we built the park.

However, the restrictions placed on the users by our insurance carrier limit their attendance. Kids who may otherwise enjoy the park stay away because they are required to wear 4 pieces of safety gear and sign a detailed Use Agreement. Unfortunately, we are still not providing a requested recreation site to the users who asked. I am positive that House Bill No. 30 - as amended - will reduce the battles our community daily faces among skateboarders, bikers, city officials and concerned citizens.

Please help us give the youth exactly what they have asked for. Right now, we either have a few kids who sneak onto the court, or we have city officials drop by to chase them off the facility because they are not properly attired (and refuse to wear the free gear we have purchased for them) and have not had a Use Agreement signed by their parents. It's a sad circumstance to have come so close to a solution, but to have failed. We know from experience that the athletes who choose these sports are already knowledgeable about the inherent risks. They purposefully choose to participate without a park, thus are already assuming their personal liability.

The City of Seward strongly urges you to support House Bill Number 30 as amended. We thank you for your thoughtful consideration of this important youth issue.

Sincerely,

Louis A. Bencardino, Mayor
City of Seward

SEWARD, ALASKA

Post-It™ brand fax transmittal memo 7571

of pages 1

To Seward Taylor	From
Co.	Co.
Dept. cc - Rep [unclear]	Phone #
Fax # 465-3722	Fax #

CITY OF SEWARD

P.O. BOX 167
SEWARD, ALASKA 99664



- Main Office (907) 224-3331
- Police (907) 224-3338
- Harbor (907) 224-3138
- Fire (907) 224-3445
- Fax (907) 224-3248

March 24, 1997

Senator Robin Taylor Majority Leader, Judiciary
State Capital Room 30
Juneau, AK 99801-1182

1-907-465-3922

Dear Senator Robin Taylor:

Representative Mulder introduced House Bill Number 30, "An Act relating to civil liability for certain skating and cycling activities." The issue of liability for claims arising from the inherent hazards of skateboarding, in-line skating, bicycling and other non-motorized, wheel-based activities is important to all municipalities. The City of Seward supports the passage of this legislation.

Many communities are researching the issues in an attempt to create areas for these activities to serve users in a constructive manner which would eliminate the conflicts which presently occur on sidewalks, parking lots and community plazas. When the State of Alaska passes House Bill Number 30, it will place a limit to a municipality's exposure to liability for providing these facilities. Then communities can expand positive recreational opportunities for the youth and active adults in our cities and towns across the state.

The City of Seward supports an amendment to the following section of House Bill No. 30:

Sec. 05.50.040 Duties of Municipalities. (c) A municipality shall clearly delineate the boundaries of a municipal skating or cycling facility with fencing or another type of enclosing or surrounding structure.

PROPOSED AMENDMENT:

Sec. 05.50.040 Duties of Municipalities. (c) A municipality shall clearly delineate the boundaries of a municipal skating or cycling facility.

Each municipality must have the ability to determine what, if anything, is required to separate the facility from conflicting uses or hazardous conditions. For example, in Seward, our skate court has been designed into an existing recreational area. Trees, hills, physical distance and other such planning separates the court from the horse shoe pit, picnic pavilion, and outdoor volleyball court. A new playground is planned for this Adams Street Recreation Area later this spring. Our design allows for a very smooth transition into the well-used bike path. The current proposed requirement would limit the bike path access, require a non-budgeted fence, detract from the view of Resurrection Bay, upset the balance of the recreation design and cause community discord.

House Bill No. 30 / Recreation Indemnification

Page 2

Local government has the expertise to safely provide recreation opportunities; they must be provided the flexibility to determine the park boundaries.

The City of Seward strongly urges you to support House Bill Number 30 with this amendment. Attached please find a copy of City of Seward Resolution No. 96-077, Authorizing the Development of a Skate Park and Appropriating Funds and City of Seward Resolution No. 96-150, Establishing Priorities for the State Legislative Program. Resolution 96-150 includes priority number nine, Support for Recreation Facility Indemnification Bill.

If you have any questions or need further information, please feel free to contact me.

Sincerely,



Karin Sturdy, Director
Seward Parks & Recreation Department

SEWARD, ALASKA

Attachments

Karin Sturdy
PO Box 0167
Seward, AK 99664-0167
(907) 224-4057
fax 224-4053

CITY OF SEWARD

P.O. BOX 167
SEWARD, ALASKA 99664



- Main Office (907) 224-3331
- Police (907) 224-3338
- Harbor (907) 224-3138
- Fire (907) 224-3445
- Telecopier (907) 224-3248

April 18, 1997

Senator Robin Taylor
State Capital Building, Room 30
Juneau, AK 99801-1182

Dear Senator Taylor:

Representative Mulder introduced House Bill Number 30, "An Act relating to civil liability for certain skating and cycling activities." The issue of liability for claims arising from the inherent hazards of skateboarding, in-line skating, bicycling and other non-motorized, wheel-based activities is important to all municipalities. The City of Seward supports this legislation.

Many communities are researching the issues in an attempt to create areas for these activities to serve users in a constructive manner which would eliminate the conflicts which presently occur on sidewalks, parking lots and plazas. When the State of Alaska passes House Bill Number 30, it will limit a municipality's exposure to liability for providing these facilities. Then communities can expand positive recreational opportunities for the youth and active adults in our cities and towns across the state. Athletes already assumed their own risks and liabilities when they decided to purchase a skateboard, bike and rollerblades. Help towns simply provide a place to recreate.

In Seward, our skate court has been designed into a recreational area. The restrictions placed upon the users by our insurance carrier limit their attendance. Kids who may otherwise enjoy the park stay away because they are required to wear 4 pieces of safety gear and sign a detailed Use Agreement. Unfortunately, we are still not providing a requested recreation site to the users who asked. I am positive that House Bill No. 30 - as amended - will reduce the battles our community daily faces among skateboarders, bikers, city officials and concerned citizens. Please help us give the youth exactly what they have asked for.

The City of Seward strongly urges you to support House Bill Number 30 as amended. Attached please find a copy of City of Seward Resolution No. 96-077, Authorizing the Development of a Skate Park and Appropriating Funds and City of Seward Resolution No. 96-150, Establishing Priorities for the State Legislative Program. Resolution 96-150 includes priority number nine, Support for Recreation Facility Indemnification Bill. If you have any questions or need further information, please feel free to contact me.

Sincerely,


Karin Sturdy, Director
Seward Parks & Recreation Department

SEWARD, ALASKA
Attachments

Post-It™ brand fax transmittal memo 7671		# of pages: 1
To: <i>Senator Taylor</i>	From:	
Co:	Co:	
Dept. or Rep: <i>Rep Mulder</i>	Phone #:	
Fax # <i>465-3722</i>	Fax #:	

Sponsored by: Garzini**CITY OF SEWARD, ALASKA
RESOLUTION NO. 96-150****A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SEWARD, ALASKA, ESTABLISHING PROJECTS AND
PRIORITIES FOR THE STATE LEGISLATIVE PROGRAM**

WHEREAS, the administration has provided the projects and priorities list for the 1997 State Legislative session; and

WHEREAS, following a work session held by the Council on November 4, 1996, it was determined that the following projects are the City's priorities for the upcoming legislative session:

1. Alaska Railroad Dock Improvements
2. Spring Creek Correctional Center Expansion
3. North Forest Acres Road
4. East Harbor Expansion - Matching Funds for Design
5. Support of Marine Fuel Tax Designation to Marina/Port Maintenance
6. Alaska Railroad Dock North Access Road
7. Support of Capital Projects Matching Grants Program
8. Seward Life Action Council Facility Construction Funds
9. Support for Recreation Facility Indemnification Bill

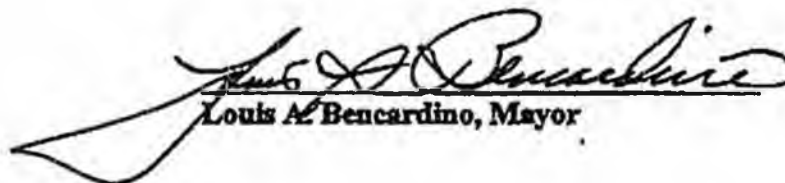
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEWARD, ALASKA, that:

Section 1. The list of legislative projects is hereby declared to be the official legislative priority list for the City of Seward for the 1997 Legislative Session.

Section 2. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by the City Council of the city of Seward, Alaska, this 25th day of November, 1996.

THE CITY OF SEWARD, ALASKA


Louis A. Bencardino, Mayor

RECREATION FACILITY INDEMNIFICATION BILL

Public agencies that sponsor recreation programs and facilities face liability from legal actions related to personal injury by those using programs and/or facilities. Apart from public costs involved in replacing playground equipment items that may have safety flaws which reduce public liability, agencies are being asked to provide new types of facilities for high-risk activities such as skaters' parks for in-line skaters and skateboarders.

In previous year's legislative session, a bill was sponsored to relieve public agencies of liabilities from injuries sustained at such facilities as skater's parts. The bill progressed through the legislative process yet was not completed for adoption before the session ended.

Recommendation:

That the City support any legislative action that allows levels of liability protection from personal injury claims for use of high-risk sports facilities.



REPRESENTATIVE ELDON MULDER

DISTRICT 23 MULDOON-Ft. RICHARDSON



ALASKA STATE LEGISLATURE

HOUSE OF REPRESENTATIVES

SPONSOR STATEMENT SCS CS HB 30 (L&C)

by

Representative Eldon Mulder

HB 30 was introduced at the request of the Municipality of Anchorage.

The Municipality of Anchorage, City and Borough of Juneau and several other municipalities would like to create skating and cycling parks so skaters and cyclers will have a place to ride, rather than using areas designed for pedestrians. The municipalities are willing to develop areas suitable for skating and cycling if they can be insulated from liability for claims arising from hazards inherent in skating and cycling.

The intent of HB 30 is to encourage municipalities to proceed with development of areas for outdoor recreation without increasing their liability unnecessarily. This bill applies only to municipal skating and cycling parks.

This bill is patterned after the legislation passed providing this limited protection to ski areas. The protection from liability relates to inherent dangers and risks of skating and cycling. The municipality is required to post signs warning that there are inherent risks to skating and cycling and the liability rests with the skater and cyclist.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

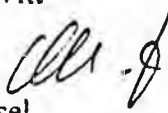
130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

January 23, 1997

SUBJECT: Sectional Summary of HB 30

TO: Representative Eldon Mulder
Attn: Dennis DeWitt

FROM: Michael F. Ford 
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1

Sec. 05.50.010. - Prohibits a person from bringing a lawsuit against a municipality, for an injury resulting from an inherent danger and risk of skateboarding at a municipal skateboarding facility.

Sec. 05.50.020. - Describes the effect of a violation of AS 05.50. A municipality or other person who violates AS 05.50 is negligent and civilly liable to the extent the violation causes injury or property damage. Provides that if an injury occurs and an inherent danger and risk of skateboarding was a contributory factor or the injured person violated a provision of AS 05.50, that a municipality is not liable unless the municipality also violated a provision of AS 05.50.

Sec. 05.50.030. - Sets out the duties of a person who uses a municipal skateboarding facility.

Sec. 05.50.040. - Requires that municipalities maintain a sign system for protection and instruction of skateboarders.

Sec. 05.50.050. - Sets out the duties and responsibilities of a skateboarder who uses a municipal skateboarding facility.

Representative Eldon Mulder

January 23, 1997

Page 2

Sec. 05.50.060. - Requires that a municipality must allow a person participating in a skateboard competition to visually inspect the course or area. Provides that a person participating in a skateboard competition assumes certain risks and cannot hold the municipality liable for the assumed risks.

Sec. 05.50.100. - Definitions.

Section 2. Applicability section.

Section 3. Effective date.

MFF:jdr

97-042.jdr

SENATE COMMITTEE REPORT

DATE: 3/18/97

FURTHER: Judiciary

DATE TURNED
IN TO OFFICE: 4-4-97

Labor and Commerce Committee considered

CS FOR HOUSE BILL NO. 30(FIN)

"An Act relating to civil liability for certain skating and cycling activities; and providing for an effective date."

PH & 1/2's

and recommends:

- be replaced with SON CS HB 30 (LTC)
- adopt previous CS ()
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

- Senate Bill: same title
- new title
- House Bill: same title
- technical change
- new: SCR

SCS

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS ^{HOUSE} FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
<i>Legislature</i>	<i>3/1/97</i>	✓	
<i>Law</i>	<i>3/1/97</i>	✓	

Previous Committee Report(s)

ATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

ALASKA STATE LEGISLATURE
HOUSE BILL NO. 30

HISTORY IN THE HOUSE

1997
Read first time and referred to:
4/13 LEC JUD FIN

4/31 LEC RPT CS(LEC) New Title
2 DP 0 DNP 2 NR 0 AM
FN 2 OFN Previous FN

3/15 JUD RPT CS(JUD) New Title
3 DP 0 DNP 1 NR 0 AM
FN OFN 2 Previous FN 0

3/16 FIN RPT CS(FIN) New Title
7 DP 0 DNP 0 NR 0 AM
FN OFN 2 Previous FN 0

3/14 Read second time
CS(FIN) Adopted

Amended

3/14 Advanced

3/14 Read third time

Return to second for specific amendment

3/14 PASSED EFD Same or
Yeas 39 Yeas
Nays 0 Nays
Excused 1 Excused
Absent 0 Absent

Intent adopted

Reconsideration
Reconsideration not taken up

PASSED ON RECON. EFD Same or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Intent adopted

3/14 Reported correctly engrossed
Signed by Speaker, to the Senate
Signatures
Chief Clerk of the House

HISTORY IN THE SENATE

1997
Read first time and referred to:
3/18 LEC JUD

4-9 LEC RPT() CS 4 DP NR DNP AM
New Title Same Title Previous FN
FN OFN To Jud

RPT CS DP NR DNP AM
New Title Same Title Previous FN
FN OFN To

RPT() CS DP NR DNP AM
New Title Same Title Previous FN
FN OFN To

Rules Calendar() CS AM Other
New Title Same Title Previous FN
FN OFN

Read second time

CS Adopted () New Title
Amended Advanced

Read third time

Letter of Intent adopted
Return to second for specific amendment

PASSED EFD Same or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reconsideration
Reconsideration not taken up

PASSED EFD Same or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reported correctly engrossed
Signed by President, to the House
Secretary of the Senate



ANCHORAGE 626 F Street, Suite 100 ■ Anchorage, Alaska 99501 ■ Tel (907) 258-2625 ■ Fax (907) 279-3615

JUNEAU 217 Second Street, Suite 200 ■ Juneau, Alaska 99801 ■ Tel (907) 586-3222 ■ Fax (907) 463-5480

April 16, 1997

The Honorable Senator Robin Taylor, Chairman
Senate Judiciary Committee
State Capitol
Juneau, Alaska 99801-1182

Dear Senator Taylor:

The Alaska Municipal League Joint Insurance Association (AML/JIA) supports SCS CSHB 30(L&C), "An Act relating to civil liability for certain skating and cycling activities; and providing for an effective date."

Municipalities are under pressure from business owners, private land holders, and skateboarders themselves to provide a safe, healthful place for skating. Still, they are afraid to do so for fear of liability. Presently, skateboarders ride in illegal or inappropriate areas and have no legal recourse in case of injury. Municipalities are rightfully concerned about assuming the liability for designating a place to skate that is challenging enough to attract skaters. House bill 30 benefits everyone by enabling municipalities to provide a safer place for kids to skate and making the streets safer for pedestrians and private land holders.

Although originally thought to be a fad in the 1960's, skateboarding is more popular than ever. There are more than 6.2 million skateboarders in the U.S. according to the International Association of Skateboard Companies. In-line skating is even more popular: industry estimates are that nearly 30 million people will be in-line skaters this year.

Skateboarding took a major turn in the late 1970's, when the "Ollie" was born (the ability to turn the board in mid-air). Now, skateboarders get their board off the ground and onto benches, planters, curbs, walls, steps, handrails, and other common features of the urban environment.

This kind of skating is especially dangerous, posing threats to people and property. Disregarding for the moment the obvious hazards to themselves, consider the collisions with bikers, pedestrians, and cars that kill and seriously injure skateboarders and others. In addition, property damage to municipal and private property can be substantial, when skaters find a really cool spot to ply their sport.

Skater's realize that the sport is inherently dangerous, and are supportive of measures to provide safer, less obtrusive places to ride. Insurers also recognize the inherent dangers associated with skating. At present, every commercial general liability package for municipalities or school districts I am aware of specifically exclude skateboard parks. According to Gallagher-Heffernan Insurance, separate policies are available at a cost of \$10,000 to \$20,000 depending on deductible levels. This is consistent with other figures I have seen from other sources.

Because of this skateboard park exclusion, the high cost of stand alone endorsements, and the general paranoia surrounding skateboard parks, municipalities are afraid to provide these facilities for their citizens.

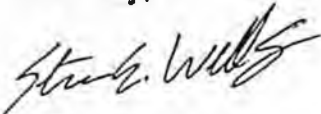
As you know, the AML/JIA is a member-driven self-insurance pool, and as such is typically less conservative than a commercial insurance company when providing coverage. In July of last year, the AML/JIA Board of Trustees, feeling the same pressures that other municipalities are feeling, wrestled with whether or not to remove the skateboard exclusion. Expecting that Rep. Mulder's bill would pass this year, and recognizing that it would take some time to actually build a skateboard park, the AML/JIA Board chose to provide the coverage. The board realized they could reconsider their decision and exclude skateboarding again if the bill failed to pass.

Regardless of whether or not the AML/JIA provides this coverage, many non-member municipalities are still faced with steep costs for coverage. Ketchikan, Petersburg, Sitka, Juneau, Valdez, Homer, Anchorage, and Fairbanks, just to name a few – all face the same problem of no coverage or expensive coverage.

Skating on the streets represents a hazard to everybody. Alaska's youth need safe places to recreate. Municipalities and schools want to provide these opportunities. Everybody, including the user groups, recognize the inherent dangers of skateboarding and in-line skating. Please support this bill, which will help all of us accomplish this.

Either myself or Kevin Smith, AML/JIA Juneau Branch Manager, is available to answer questions on this issue.

Sincerely,



Steve E. Wells
Executive Director

cc Rick Gifford, AML/JIA Board of Trustees
Rep. Eldon Mulder, Alaska State House
Kevin Ritchie, AML Executive Director

Municipality
of
Anchorage



P.O. Box 196650
Anchorage, Alaska 99519-6650

Rick Mystrom, Mayor

DEPARTMENT OF CULTURAL AND RECREATIONAL SERVICES

April 11, 1997

Senator Robin Taylor
State Capital Building, Room 30
Juneau, Alaska 99801-1182

Dear Senator Taylor,

This letter is in support of House Bill 30 - Civil Liability for Certain Skating and Cycling Activities. This bill, which is currently before your Judiciary Committee, would allow the Municipality of Anchorage to construct new and varied recreational activities for youth.

This bill will not excuse cities or municipalities from liability. As far as the Municipality of Anchorage is concerned, construction, maintenance and upkeep of a facility whether a skateboard park or multi-use trail is our responsibility and we would continue to accept that liability with passage of this bill.

The Municipality of Anchorage urges you to approve House Bill 30 on behalf of the youth of Anchorage. Attached are resolutions from the Anchorage Assembly, the Anchorage Chamber of Commerce and the Anchorage Youth Commission who also endorse passage of House Bill 30.

Thank you for your consideration. If you or your staff have any questions on the above please do not hesitate to call me at 343-4480.

Sincerely,

Constance R. Jones
Director, Cultural & Recreational Services

cc: Representative Mulder
Representative Kubina

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Submitted by: Assemblymembers MEYER, Abney,
Begich, Bell, Carlson, Von Gemmingen,
and Wohlforth

Prepared by: Assembly Policy and Budget Office
For reading: March 25, 1997

CLERK'S OFFICE
APPROVED

Date: 3-25-97

ANCHORAGE, ALASKA
AR NO. 97- 63

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY SUPPORTING AND ENCOURAGING PASSAGE OF HOUSE BILL NO. 30, "AN ACT RELATING TO CIVIL LIABILITY FOR SKATEBOARDING AND PROVIDING FOR AN EFFECTIVE DATE"

WHEREAS, the youth population in Anchorage is growing at twice the rate of the overall population; and statistics have shown that juvenile crime is also increasing; and

WHEREAS, identifying activities for our youth can assist in eliminating the opportunities to commit crimes; and

WHEREAS, like alpine skiing, skateboarding is an active and growing sport, in which many of our youth are participating; and

WHEREAS, there is significant community interest in the construction of a Municipal skateboarding park; and

WHEREAS, skateboarding includes numerous unchallengeable risks of injury that the Municipality of Anchorage can be held liable for; and

WHEREAS, during the First Session of the Twentieth Legislature, Representative Mulder introduced House Bill No. 30, which would insulate municipalities from claims arising from hazards inherent in skateboarding; and

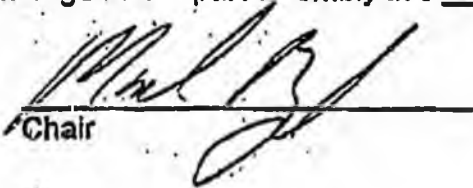
WHEREAS, on February 25, 1997, the Anchorage Youth Advisory Commission passed a resolution requesting that House Bill 30 be approved "without delay."

NOW, THEREFORE, the Anchorage Assembly resolves:

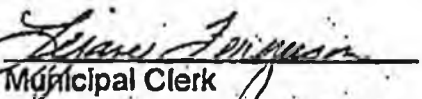
Section 1: That the Municipality of Anchorage supports and encourages passage of House Bill No. 30 relating to civil liability for skateboarding.

Section 2: That a copy of this resolution be forwarded to the Alaska State Legislature and the Governor upon passage and approval.

PASSED AND APPROVED by the Anchorage Municipal Assembly this 25th day of March, 1997.


Chair

ATTEST:


Municipal Clerk

Municipality
of
Anchorage



P.O. Box 196650
Anchorage, Alaska 99519-6650
Telephone: (907) 343-4906
Fax: (907) 343-4583

Rick Mystrom, Mayor

ANCHORAGE YOUTH ADVISORY COMMISSION

**A RESOLUTION IN SUPPORT OF HOUSE BILL 30
RELATING TO CIVIL LIABILITY FOR SKATEBOARDING**

WHEREAS, the Municipality of Anchorage and the State of Alaska report that the population of children and youth is growing at twice the rate of the overall population, and

WHEREAS, youth need a variety of safe and accessible recreational opportunities in our communities, and

WHEREAS, youth need positive actions from their elected officials which reflect the value our leaders place on the needs of youth, and

WHEREAS, skateboarding is growing in popularity and is a recognized and accepted sport, and

WHEREAS, House Bill 30 will encourage local governments to construct safe skateboard parks for their youth.

Now, therefore, the Anchorage Youth Advisory Commission resolves:

Section 1. That the House and Senate approve without delay the provisions of House Bill 30, "An Act relating to civil liability for skateboarding; and providing for an effective date."

Passed and approved by the Anchorage Youth Advisory Commission this 25th day of February, 1997.

Melissa Kassin

Chair



Anchorage - Star of the North
Chamber of Commerce

**Anchorage Chamber of Commerce
Resolution 96/97-13
In Support of House Bill 30
"An Act Relating to Civil Liability For Skateboarding"**

WHEREAS, the Anchorage Chamber of Commerce's mission is to "Make Anchorage a better place to live, work and do business profitably through the promotion of economic, civic and social development of our city", and

WHEREAS, achieving the mission, in part, depends upon the availability of a variety of recreational and cultural opportunities that appeal to all age groups in our community, and

WHEREAS, it is important to increase the number of positive and healthy activities that our youth can enjoy and participate in, and

WHEREAS, skateboarding has become an increasingly popular and accepted sport in our community, and

WHEREAS, Municipal funding for a proposed skateboard park in Anchorage will be matched by donations from the private sector in the form of materials and labor, and

WHEREAS, House Bill 30 would insulate municipalities from claims arising from hazards associated with skateboard parks, and

WHEREAS, both the Anchorage Youth Commission and the Anchorage Assembly have passed resolutions endorsing the passage of House Bill 30;

THEREFORE BE IT RESOLVED that the Board of Directors of the Anchorage Chamber of Commerce supports the passage of House Bill 30. "An Act Relating To Civil Liability For Skateboarding."

Approved: April 4, 1997

Tom Williams, 1996/97 Chair

Carol Heyman, President

Municipality
of
Anchorage



P.O. Box 196650
Anchorage, Alaska 99519-6650
Telephone: (907) 343-4431
Fax: (907) 343-4499
<http://www.ci.anchorage.ak.us>

Rick Mystrom, Mayor

OFFICE OF THE MAYOR

January 23, 1997

Representative Eldon Mulder
Alaska State Legislature
Juneau, Alaska 99801-1182

Re: House Bill No. 30. "An Act relating to civil liability for skateboarding"

Dear Eldon:


There is significant community interest in a municipal skateboard park and our 1997 Capital Improvement Budget includes plans for construction of one.

Like alpine skiing, skateboarding is an active sport that includes numerous inherent risks of injury. Before construction of a municipal skateboard park, the Municipality of Anchorage desires adoption of a statute that would insulate it from claims arising from the hazards inherent in skateboarding.

House Bill 30 helps fulfill that need and will eliminate a roadblock to the completion of this long awaited facility.

Thank you for your assistance with this legislation.

Sincerely,



Rick Mystrom
Mayor

"City of Lights and Flowers"

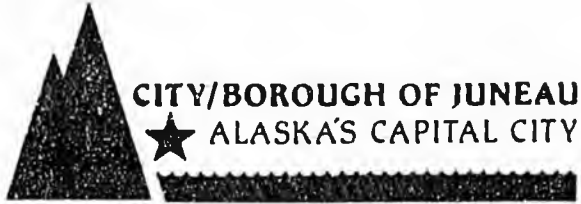
**MUNICIPALITY OF ANCHORAGE
1997 LEGISLATIVE PROGRAM**

LEGISLATIVE ISSUES

TITLE: Immunity from Civil Liability for Skateboarding Accidents

In an effort to broaden recreational opportunities, the Municipality of Anchorage may construct a skateboarding facility. However, given the significant inherent risks of skateboarding, the Municipality believes that immunity from lawsuits arising out of these risks should be adopted by state statute. The Municipality supports immunity language, such as that contained in HB 291 in the last session, which proposes amending Title 5, Chapter 50 to specifically address liability associated with skateboarding accidents; this proposed legislation is similar to the immunity which already exists for ski area operators. Additionally, HB 291 would impose duties upon skateboarders to protect themselves from injury.

Contact: Ann Waller Resch
Deputy Municipal Attorney
Phone: 343-4545



OFFICE OF THE MAYOR

January 27, 1997

The Honorable Eldon Mulder
Representative
Alaska State Legislature
Alaska State Capital, Rm 501
Juneau, Alaska 99801-1182

RE: House Bill 30

E. Mulder
Dear Representative Mulder:

On behalf of the City & Borough of Juneau Assembly, I am writing to express our support for House Bill 30, pending legislation limiting municipal liability for skate park operation. The introduction of this bill is timely for Juneau's youth; a group of students from Juneau Douglas High School has undertaken a class project to construct a skate facility on borough land. Of concern to the Borough Assembly is liability for skate park operation.

In their proposal for the skate park, the youth included a summary of survey data substantiating the need for the facility. From the data they gathered at three schools, we learned that over 80% of our youth roller skate, in-line skate, skate board or BMX bike. We suspect that recreation patterns in Juneau are similar to those in other Alaskan communities. Like other municipalities, we have no facility to accommodate these activities. An Alaska law limiting a municipality's exposure to liability for park operation will go a long way towards enabling us to accommodate our youth without breaking the budget.

Please contact me if I can provide additional information regarding our efforts to provide a venue for skating in Juneau. Thank you for your effort on behalf of Alaskan skaters.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dennis Egan", is written over a faint, circular embossed seal or watermark.

Dennis Egan
Mayor



CITY OF KODIAK
POST OFFICE BOX 1397, KODIAK, ALASKA 99615

February 12, 1997

Representative Eldon Mulder
Alaska State Legislature
Alaska State Capital, Rm 501
Juneau, Alaska 99801-1182

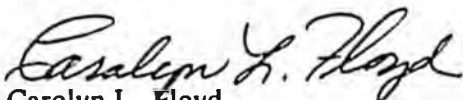
Dear Representative Mulder:

The City of Kodiak, not unlike many Alaska communities, has an active group of young people needing a place to skateboard. One of the major hurdles to building a facility has been the liability. House Bill 30 would remove some of the concern and permit consideration of such a facility on its merits. These young people have felt that it was a lack of interest or caring when in reality it was a fear of being sued for an inherently dangerous activity.

Your concern and efforts are recognized and appreciated.

Sincerely,

CITY OF KODIAK


Carolyn L. Floyd
Mayor

CITY OF SEWARD

P.O. BOX 167
SEWARD, ALASKA 99664



- Main Office (907) 224-3331
- Police (907) 224-3338
- Harbor (907) 224-3138
- Fire (907) 224-3445
- Fax (907) 224-3248

February 12, 1997

Representative Eldon Mulder
Alaska State Legislature
Alaska State Capital, Rm 501
M/S 3100
Juneau, Alaska 99801-1182

RE: House Bill 30

Dear Representative Mulder:

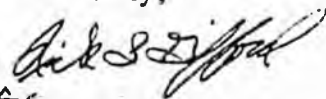
The City of Seward is in support of HB 30, relating to civil liability for skateboarding. Municipalities and taxpayers are deeply impacted by rising costs associated with claims. Since 1986, insurance and claim costs have been a major factor in municipal tax increases and have, in some cases, influenced communities to limit or eliminate recreation and other public services.

We are concerned for our youth, yet due to the increase in public liability, municipalities are reducing and/or eliminating recreational facilities and activities, such as skateboard parks, that would provide our youth with constructive activities instead of idle time which causes many of our youth to get in trouble in their communities.

Skateboarding, like alpine skiing, is an active sport that includes numerous inherent risks of injury. The sport is very popular among the youth in Seward and if we don't provide them a place to use, they will continue to use the streets, sidewalks, harbor and other public facilities that not only endanger the youth, but also the public who are using those facilities.

Thank you for your assistance with this legislation!

Sincerely,


for Ronald A. Garzini,
City Manager

RAG:rg

cc: Governor Tony Knowles
Senator John Torgerson
Representative Gary Davis
Seward Mayor and Council Members
Alaska Municipal League
Alaska Municipal League Joint Insurance Association

**CITY OF SEWARD, ALASKA
RESOLUTION NO. 96-077**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SEWARD, ALASKA, AUTHORIZING THE DEVELOPMENT
OF A SKATE PARK AND APPROPRIATING FUNDS**

WHEREAS, it is the City's desire to provide a place for interested skate boarders and in-line skaters to recreate; and

WHEREAS, a skate park facility was the Youth Advisory Board's number two priority for 1995; and

WHEREAS, although state legislation which would have assisted municipalities with the heavy and often unclear liability and insurance issues associated with municipally-sponsored skate facilities did not make it through committee during the recently completed legislative session, a bill reforming tort legislation is currently awaiting the Governor's signature; and

WHEREAS, it is in the public interest to provide skaters and skate boarders with a safe skating area off the city's streets and public rights-of-way; and

WHEREAS, funds for this project are available from funds set aside for the renovation of the Community Center;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEWARD, ALASKA, that:

Section 1. The City Manager is hereby authorized to proceed with the design and bid of a skate park to be located adjacent to the volleyball court north of the Adams Street Pavilion.

Section 2. The sum of \$21,025 is hereby appropriated from Account No. 101-0000-3041, designated for Community Center Renovations, to Account No. 101-14XX-5XXX, Parks and Recreation Department Operating Budget, and the Fiscal Year 1997 budget is amended accordingly.

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by the City Council of the city of Seward, Alaska, this 10th day of June, 1996.



City and Borough of Sitka

100 LINCOLN STREET • SITKA, ALASKA 99835

March 26, 1997

Representative Eldon Mulder
Alaska State Legislature
Alaska State Capitol
Juneau, AK 99801-1182

RE: CSHB 30 (FIN) — Civil Liability for Certain Skating and Cycling Activities

Dear Representative Mulder:

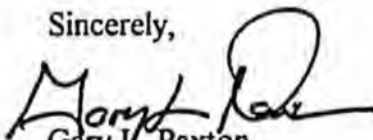
The City and Borough of Sitka supports CSHB 30 (FIN), which has direct application to the City and Borough of Sitka. For several years, Sitka's youth and adult supporters have attempted to develop a skateboard park. The biggest single hurdle was to overcome the excessive liability posed by the inherent danger and risk of using such a facility. In order to finally proceed with the facility, which will be located on municipally owned land, the Municipality was forced to purchase increased insurance at significant additional expense.

With passage of this legislation and proper posting of signs warning that there are inherent risks, the Municipality would be pleased to be able to limit its liability and have the liability rest with the skateboarder. Sitka's skateboarders are willing to assume their own liability, but there has been no legal means to do so. The Municipality's insurance premiums would no doubt be reduced.

The City and Borough of Sitka is eager to provide recreational opportunities for its youth, especially for a popular project which has much volunteer support. There is clearly a need for a skateboard facility in Sitka. We support other communities also being able to provide similar facilities without undue worry over liability issues.

Thank you for your sponsorship of this legislation.

Sincerely,


Gary L. Paxton
Administrator

cc: Representative Ben Grussendorf
Senator Robin Taylor



Parks and Recreation

City of Petersburg
(907) 772-3392 Community Gym
772-3304 Swimming Pool
772-4224 Director



March 20, 1997

Senator Robin Taylor, Chair
Senate Judiciary Committee
Alaska State Legislature
State Capital (MS 3100)
Juneau, Alaska 99801-1182

Dear Senator Taylor:

House Bill No. 30, introduced by Representative Mulder, has passed the House and now I understand that it has been referred to Senate Judiciary and Labor & Commerce Committees for review. The issue of liability for claims arising from the hazards inherent in skateboarding, in-line skating, cycling and other non-motorized wheel-based activities is becoming increasingly important for municipalities around the state. I would like to voice my strong support for the passage of this legislation.

Many municipalities are trying to create areas for these activities to happen in a constructive manner and eliminate the conflicts that occur on sidewalks, parking lots and other public places. Passage of legislation such as this, that will limit a municipality's exposure to liability for providing these facilities, will help us to expand positive recreational opportunities for the youth of our community.

In considering the HB 30, one section concerns me and I support the following proposed amendment:

Sec. 05.50.040 Duties of Municipalities. (c) A municipality shall clearly delineate the boundaries of a municipal skating or cycling facility with fencing or another type of enclosing or surrounding structure.

PROPOSED AMENDMENT:

Sec 05.50.040 Duties of Municipalities. (c) A municipality shall clearly delineate the boundaries of a municipal skating or cycling facility.

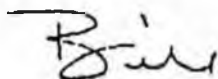
109 Charles W Street
P.O. Box 329, Petersburg, Alaska 99833
FAX (907) 772-3759

10-11-87 10:54 NO.007 P.03

I believe that each municipality should have the ability to determine what is needed to separate the facility from conflicting uses or hazardous conditions in their situation. In Petersburg, for example, there are a limited number of concrete or asphalt locations suitable for skating and most have delineated borders already. Fencing or an enclosing structure is not necessary in these locations and may actually become more of a hazard to the participants. Municipalities need to be given the flexibility to determine what, if any, fencing is required to provide a safe experience for their community. I strongly urge you to support House Bill No. 30 with this amendment.

If you have any questions or need further information, please don't hesitate to contact me.

Sincerely,



William J. Musson, Director
Petersburg Parks and Recreation Department

cc: Linda Snow, City Manager
Parks & Recreation Advisory Board
Representative Kubina
Representative Mulder
Nancy Robb, Valdez

March 21, 1997

Representative Eldon Mulder
State Capitol Rm 501
Juneau, AK 99801-1182

Dear Representative Mulder

Subject: House Bill No. 30 - "An act relating to civil liability for certain skating and cycling activities."

House Bill No. 30, which was introduced by Representative Mulder, provides a positive avenue by which municipalities can implement and expand recreational opportunities. As you know, liability claims concerning skating and cycling activities often restrict municipalities from providing these opportunities.

House Bill No. 30, however, will greatly minimize a municipality's exposure to potential liability resulting from such activities. The City of Kenai is one of several cities throughout the state that is striving to provide positive recreational opportunities for our youth. Without appropriate areas, and certainly legislation such as HB 30, youth will continue to utilize public sidewalks, parking lots, and other facilities that are unsafe.

The City of Kenai, however, would like to support an amendment to the following Section of House Bill No. 30:

Sec. 05.50.040 Duties of Municipalities. (c) A municipality shall clearly delineate the boundaries of a municipal skating or cycling facility with fencing or another type of enclosing or surrounding structure.

PROPOSED AMENDMENT:

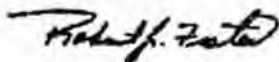
Sec. 05.50.040 Duties of Municipalities. (c) A municipality shall clearly delineate the boundaries of a municipal skating or cycling facility.

The proposed amendment is based clearly on the fact that each municipality should retain the right to determine what is needed in terms of creating safe boundaries. Site location, usage, and potential hazards are site specific for each community, and thus, each site will inherently dictate what type of boundary is needed. Communities should therefore have the flexibility in determining appropriate boundaries based on their needs.

The City of Kenai strongly urges you to support House Bill No. 30 with the above mentioned amendment.

Thank you for your attention concerning this matter and if you have any questions, please contact me.

Sincerely,



Robert J. Frates
Director, Kenai Parks & Recreation

cc: Representative Gene Kubina
State Capitol Rm 404
Juneau, AK 99801-1182



March 13, 1997

Representative Gene Kubina
State Capitol Rm 406
Juneau, AK 99801-1182

Dear Gene:

Representative Mulder has introduced House Bill No. 30 - "An Act relating to civil liability for certain skating and cycling activities". The issue of liability for claims arising from the hazards inherent in skateboarding, in-line skating, cycling and other nonmotorized wheel-based activities is becoming increasingly important for municipalities around the state. The City of Valdez supports the passage of this legislation.

Many municipalities are trying to create areas for these activities to happen in a constructive manner and eliminate the conflicts that occur on sidewalks, parking lots and other public areas. Passage of legislation such as this, that will limit a municipality's exposure to liability for providing these facilities, will help us to expand positive recreational opportunities for the youth of our community.

The City of Valdez would like to support an amendment to the following Section of House Bill No. 30:

Sec. 05.50.040 Duties of Municipalities. (c) A municipality shall clearly delineate the boundaries of a municipal skating or cycling facility with fencing or another type of enclosing or surrounding structure.

PROPOSED AMENDMENT:

Sec. 05.50.040 Duties of Municipalities. (c) A municipality shall clearly delineate the boundaries of a municipal skating or cycling facility.

Each municipality should have the ability to determine what is needed to separate the facility from conflicting uses or hazardous conditions in their situation. For example, in Valdez, our seasonal in-line hockey rink will be set up in an unused corner of our elementary school parking lot. The boundaries can easily be delineated with signs and other markers. Requiring a fence or other enclosing or surrounding structure is not necessary and the added financial burden would kill this project. Municipalities need to be given the flexibility to determine what, if any, fencing is required to provide a safe experience for their community.

The City of Valdez strongly urges you to support House Bill No. 30 with this amendment.

If you have any questions or need further information, please don't hesitate to contact me.

Sincerely,

Nancy M. Robb, Director
Parks and Recreation Department
(907) 835-2531



January 29, 1997

Representative Eldon Mulder
State Capital
Juneau, AK 99801

Dear Representative Mulder:

Thank you for introducing HB 30, relating to civil liability for skateboarding. This issue is becoming increasingly important for municipalities around the state and we support its passage.

As stated in the 1997 AML Policy Statement, which was adopted unanimously by AML members at their November conference:

C. Liability Issues

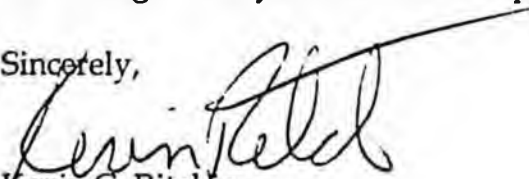
1. Liability for Injury in Recreational Activities: The League supports legislation that would limit the liability of a government, organization, volunteer, or private property owner providing recreational activities, facilities, and trail easements.

There is increasing pressure on local governments to provide additional recreational areas for young people, but they are reluctant to do so because of the unacceptable risk to their taxpayers. With passage of HB 30, those municipalities would be able to provide a safe place for skateboarders without putting the rest of the population at financial risk.

This issue is also a part of our 1997 Legislative Platform (attached). We believe providing recreational opportunities for youth will give communities more tools to help reduce youth crime.

Thanks again for your continued support.

Sincerely,



Kevin C. Ritchie
Executive Director

Attachment

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Alaska Municipal League &
Alaska Conference of Mayors
1997 Legislative Platform

1. Approval of the "Safe Communities" bill and maintain current funding for municipal revenue sharing to avoid further state generated local property tax increases. The "four legs" of the Safe Communities bill are:
 - Directs the funds to be used primarily for public safety and health services
 - Establishes a minimum sharing of \$40,000 for small municipalities
 - Removes the "hold harmless" to allow equal treatment to all municipalities
 - Distributes municipal funds on July 31 each year
2. Provide for the long term construction, operation, and maintenance of state and municipal airports, roads, and harbors, including revenue sharing programs for maintenance. Bring state harbors up to an adequate maintenance level through a statewide bond issue, or other funds, to prepare them for possible negotiated transfer to municipalities.
3. Approval of a Long Range Financial Plan that prohibits unfunded mandates and unfunded service responsibilities, adequately funds schools and maintenance of public infrastructure, reasonably reduces state expenses, protects the Permanent Fund, and phases in new tax revenue sources.
4. Actively encourage the construction of a natural gas pipeline with an emphasis on jobs for Alaskans.
5. Restore funding for Municipal Capital Matching Grant Program to \$20 million because local communities can most efficiently determine and meet local capital needs.
6. Create a permanent State/Local Government Partnership Council to negotiate methods to most efficiently provide public services at the lowest possible cost to taxpayers.
7. Provide long term funding of public safety and health services through the equitable sharing of increased statewide alcohol and tobacco taxes, and removing the current prohibition against municipalities voting for local special taxes on the sale or use of alcohol.
8. Reduce the state unfunded mandate for the Senior Citizen Property Tax exemption.
9. Adequately fund a program to construct efficient sanitation systems throughout Alaska.
10. Give communities more tools to reduce youth crime by limiting confidentiality of youth crime information to protect the community, allow municipalities the option of assuming greater jurisdiction over juvenile justice, and limit liability for providing recreational opportunities for youth, such as skateboard parks.