

**HB**

**523**

Alaska State Legislature  
Representative Carl E. Moses



**SESSION**  
State Capitol Building  
Juneau, Alaska 99801-1182  
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Member  
House Finance Committee

**INTERIM**  
P.O. Box 730  
Unalaska, Alaska 99685  
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**MEMORANDUM**

**DATE:** April 25, 2002

**TO:** Senator John Cowdery, Chairman  
Senate Transportation Committee

**FROM:** Rp. Carl E. Moses *CEM*  
House District 40

**SUBJ:** HB 523

Pending referral, I would like to respectfully request a hearing of CS HB 523 (TRA) that unanimously passed this morning's House Floor Session. This CS made a correction in the current name of the state airport at the City of Unalaska. During the House Transportation Committee meeting, this CS was amended to change the proposed name of the state airport at the City of Unalaska from the Charles Thomas Madsen, Sr. Airport to the Tom Madsen Airport.

The Unalaska City Council, surrounding communities and Tom Madsen's family all support this legislation. Please find attached the Sponsor Statement, Fiscal Note, and letter from Mayor Pam Fitch. If you need any further information, please do not hesitate to contact Susan Wells at 465-4451 in my office.

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SPONSOR STATEMENT

**CS HB 523 – Madsen Airport in Unalaska**

This bill will rename the state airport in the City of Unalaska in honor of Charles Thomas Madsen, Sr., who was tragically killed in Juneau on April 10<sup>th</sup>, 2002, in a plane accident. The Unalaska City Council and surrounding communities fully support this bill to honor a pilot that had given so much to the people of the Aleutian chain.

Thomas Madsen was a bush aviator for nearly twenty years through out the Aleutians and is well known for willingly jeopardizing his own life in order to save the lives of others. He was instrumental in many medical emergencies and search and rescues. He knowingly flew in extremely hazardous weather in order to transport persons with medical crises. If he had not acted selflessly, lives most certainly would have been lost. In one particular incident, he flew in 100 miles per hour winds with heavy snow and sleet in order to save the life of a toddler who had ingested a fatal amount of iron pills.

Thomas Madsen epitomizes the term "bush pilot" in selflessly putting others' needs above his own to meet the needs of humanity. The residents of the Aleutian chain will fondly remember him, both as the owner of Aleutian Air, and for his heroic acts. In so commemorating him with the renaming of the City of Unalaska airport, his memory will live on for generations to come.

22-LS1705\F  
Uternohle  
4/19/02

**CS FOR HOUSE BILL NO. 523( )**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-SECOND LEGISLATURE - SECOND SESSION**

**BY**

**Offered:**  
**Referred:**

**Sponsor(s): HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE**

**A BILL**  
**FOR AN ACT ENTITLED**

1 **"An Act naming the state airport at the City of Unalaska the Charles Thomas Madsen,**  
2 **Sr., Airport."**

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

4 **\* Section 1.** AS 35.40 is amended by adding a new section to read:

5 **Sec. 35.40.150. Charles Thomas Madsen, Sr., Airport.** The state airport at  
6 the City of Unalaska is named the Charles Thomas Madsen, Sr., Airport.

# FISCAL NOTE

**STATE OF ALASKA**  
**2002 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HB523  
 ( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: DOT&PF  
 Title An Act naming the state airport at BRU Highways and Aviation  
Dutch Harbor the Charles Madsen, Sr., Airport Component Central Region Highways and Aviation  
 Sponsor House C&RA  
 Requester House Transportation Component No. 564

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2002) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

Prepared by: Dennis R. Poshard, Assistant to Commissioner Phone 465-3904  
 Division Commissioner's Office Date/Time 4/22/02 10:19 AM  
 Approved by: Joseph L. Perkins, Commissioner Date 4/22/2002  
 Agency Alaska Department of Transportation and Public Facilities

**CITY OF UNALASKA**

P.O. BOX 610  
UNALASKA, ALASKA 99685-0610  
(907) 581-1251 FAX (907) 581-1417



April 15, 2002

Representative Carl Moses  
State Capitol, Room 500  
Juneau, Alaska 99801

RE: Renaming Unalaska/Dutch Harbor Airport

Dear Representative Moses,

This letter is in support of renaming the Unalaska/Dutch Harbor Airport to honor Tom Madsen.

Tom Madsen flew in the Aleutians for nearly 20 years. Throughout the years, Tom provided needed air services to Unalaska and many other Aleutian communities. He has been involved in many medical emergencies and search & rescues, often risking his own life for others by flying in severe weather conditions and darkness for people in need. Tom Madsen's skills as a pilot and his willingness to be involved have resulted in many lives being saved.

Tom Madsen is a pilot of the highest standards who does the term "bush pilot" proud. The City and community of Unalaska supports renaming our airport to honor this man who has touched so many lives in the Aleutians.

Sincerely,  
  
Pam Fitch  
Mayor

## Changes from SB 348 to CS SB 348 (TRA)

### Section 1

- (a) The original bill said that an insurer will provide a warranty *if requested*. It now says that an insurer shall warranty an aftermarket part *if installed*.

#### **Rationale:**

Originally provide a warranty if requested could mean the manufacturer of the aftermarket parts to provide the warranty, we want the insurer to provide it when aftermarket parts are used.

- (a) The CS says that the part meets or exceeds the *quality* of the original part, instead of meet or exceeds *standards used in manufacturing* the original part.

#### **Rationale:**

The word "standards" allows the competition to go to the original manufacture and get the criteria used. ie: "Popeye's Chicken" does not get "KFC Secret Recipe" It is proprietary information.

### Section 1

- (b) Top of Page 2, line 1  
The word *part* was changed to *original equipment*.

#### **Rationale:**

Clarifies that we are talking about the original equipment part.

### Section 2

- (c) "disclosure statement"  
The CS makes clear that the onus is not on the motor vehicle repair facility to provide a warranty or a copy of one for parts being replaced. It clarifies that the warranty applicable to the parts being replaced is provided by the insurer, and not the manufacturer of your vehicle.

### Section 2

- (d) New subsection:  
Nothing in this section affects the right of a third-party claimant under a policy of liability insurance to have the vehicle repaired using new original equipment parts.

#### **Rationale:**

We want to make sure the law does pertain to all parties involved in the accident that are in need of crash parts, due to a collision. Basic right of consumers whose brand name part is damaged, at somebody else negligence is to have it repaired using a brand name part.

### Section 2

#### **Deleted Section:**

If a crash part is used in the repair work is supplied by the original equipment manufacturer, the motor vehicle repair facility shall provide a warranty that guarantees that the part meets or exceeds standards used in manufacturing the original part.

#### **Rationale:**

This section was not necessary, and implied that the motor vehicle repair facility needed to provide a warranty. The onus is removed from the motor vehicle repair facility.

#### **Deleted Section:**

A motor vehicle repair facility may not supply or install an aftermarket crash part unless the part is at least equivalent in fit, finish, function, and corrosion resistance to the part being replaced.

#### **Rationale:**

This section was just a repeat of Section 1 (b).

22-LS1603\C  
Ford  
4/25/02

**CS FOR SENATE BILL NO. 348(TRA)**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-SECOND LEGISLATURE - SECOND SESSION**

**BY THE SENATE TRANSPORTATION COMMITTEE**

**Offered:**  
**Referred:**

**Sponsor(s): SENATE TRANSPORTATION COMMITTEE**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to insurance for and work on certain motor vehicle repairs; and  
2 providing for an effective date."

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

4 \* **Section 1.** AS 21.36 is amended by adding a new section to read:

5 **Sec. 21.36.295. Coverage for certain motor vehicle aftermarket crash parts.**

6 (a) An insurer that offers a personal automobile insurance policy that provides coverage  
7 for repair of the automobile shall provide the insured a warranty for an aftermarket crash  
8 part installed during repair work on the automobile. The warranty must guarantee that  
9 the part meets or exceeds the quality of the original part. Before issuing or renewing a  
10 personal automobile insurance policy, the insurer shall provide the applicant or insured  
11 written notice of the warranty available under this subsection.

12 (b) An insurer may not require, directly or indirectly, that a motor vehicle repair  
13 shop supply or install an aftermarket crash part unless the use of the part is allowed under  
14 AS 45.45.185(a) and the part is at least equivalent in fit, finish, function, and corrosion

1 resistance to the original equipment part being replaced.

2 (c) In this section, "aftermarket crash part" has the meaning given in  
3 AS 45.45.185.

4 \* Sec. 2. AS 45.45 is amended by adding a new section to read:

5 Sec. 45.45.185. Motor vehicle repairs. (a) Except with the consent of the  
6 motor vehicle owner, a motor vehicle repair facility may not use an aftermarket crash  
7 part for repair work on a motor vehicle if the motor vehicle is being repaired during the  
8 year of the vehicle's manufacture or during the three years following the year of the  
9 vehicle's manufacture.

10 (b) An invoice prepared by a motor vehicle repair facility for repair work must  
11 indicate if an aftermarket crash part is used in making a repair allowed under this section.

12 (c) If a crash part used in the repair work is not supplied by the original  
13 equipment manufacturer, the motor vehicle repair facility shall include in the repair cost  
14 estimate the following statement:

15 This estimate has been prepared based on the use of a motor  
16 vehicle replacement part not made by the original equipment  
17 manufacturer. A warranty applicable to these replacement parts is  
18 provided by the insurer rather than the manufacturer of your  
19 vehicle. The use of a motor vehicle replacement part not made by  
20 the original equipment manufacturer may invalidate the remaining  
21 warranty of the original equipment manufacturer on that motor  
22 vehicle part. The insurer will provide a copy of the warranty for  
23 parts not made by the original equipment manufacturer.

24 (d) Nothing in this section affects the right of a third-party claimant under a  
25 policy of liability insurance to have the vehicle repaired using new original equipment  
26 parts.

27 (e) In this section, "aftermarket crash part" means a motor vehicle replacement  
28 part that is not supplied by or at the direction of the original equipment manufacturer and  
29 that is generally installed as a result of a crash or collision.

30 \* Sec. 3. This Act takes effect immediately under AS 01.10.070(c).

## Changes from SB 348 to CS SB 348 (TRA)

### Section 1

- (a) The original bill said that an insurer will provide a warranty *if requested*. It now says that an insurer shall warranty an aftermarket part *if installed*.

#### Rationale:

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Nothing in this section affects the right of a third-party claimant under a policy of liability insurance to have the vehicle repaired using new original equipment parts.

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April 15, 2002

Representative Carl Moses  
State Capitol, Room 500  
Juneau, Alaska 99801

RE: Renaming Unalaska/Dutch Harbor Airport

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Tom Madsen is a pilot of the highest standards who does the term "bush pilot" proud. The City and community of Unalaska supports renaming our airport to honor this man who has touched so many lives in the Aleutians.

Sincerely,

A handwritten signature in black ink, appearing to read "Pam Fitch". The signature is written in a cursive style and is positioned above the printed name.

Pam Fitch  
Mayor