

SB

108

<TARGET><BILL>SB 108</BILL><SUBJECT>SB
108</SUBJECT><COMM>STRA27</COMM></TARGET>



SENATE TRANSPORTATION COMMITTEE

State Capitol, Room 11
Juneau AK, 99801-1182
907-465-6828

TO: Senate Transportation Committee

FROM: Senator Albert Kookesh, Chair *AKookesh*
Senate Transportation Committee

DATE: March 24, 2011

RE: Senate Transportation Schedule for the week of
March 28, 2011 – April 1, 2011

Tuesday, March 29, 2011: 1pm to 3pm, Butrovich Room 205
(teleconferenced)

SB 108: An Act naming the Dowling Road overpass at milepost 123.7 on the New Seward Highway the Spc. Stephen "Max" Cavanaugh, Jr., Memorial Overpass." By Senator McGuire

Bills previously heard or scheduled

Thursday, March 31, 2011

Bills previously heard or scheduled.

Please contact Nancy Barnes at 465-6828 if you have any questions.

SENATE COMMITTEE REPORT First Committee of Referral

DATE: 3/21/11

FURTHER: Finance

Date of 5-Day Notice: _____
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 3/29/11

Transportation Committee considered SENATE BILL NO. 108

SB 108-SPC. STEPHEN "MAX" CAVANAUGH OVERPASS

"An Act naming the Dowling Road overpass at milepost 123.7 on the New Seward Highway the Spc. Stephen "Max" Cavanaugh, Jr., Memorial Overpass."

and recommends:

- be replaced with CS _____ (_____) Same Title New Title
- adopt previous CS _____ (_____) Same Title New Title
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

Dept Abbr.	
ADM	LEG
CED	LAW
COR	LWF
CRT	MVA
EED	DNR
DEC	DPS
DFG	REV
GOV	DOT
DHS	UA

NEW FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #
DOT	✓			

PREVIOUS FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	Do PASS	Do NOT PASS	No REC	AMEND
	HUBBINS	X			
	Menard	X			
	Egan	X			
	Egan				
	Kooluh	X			

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number _____
 Bill Version SB108
 () Publish Date _____

SB108-DOT-CRDC-3-25-11
 Title Stephen "Max" Cavanaugh Jr Memorial Overpass Dept. Affected DOT&PF
 Appropriation Highways and Aviation
 Allocation Central Region Highways & Aviation
 Sponsor Senator Lesil McGuire
 Requester S TRA OMB Component Number 564

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
OPERATING EXPENDITURES								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING								

CAPITAL EXPENDITURES	10.0	10.0	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES								
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF	10.0	10.0						
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL	10.0	10.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2011) cost 0.0

POSITIONS

Full-time								
Part-time								
Temporary								

Why this fiscal note differs from previous version

Prepared by Brenda Hewitt
 Division Commissioner's Office
 Approved by Mark Luiken
Commissioner

Phone 465-4772
 Date/Time 3/25/11 8:00 AM
 Date 3/25/2011

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

BILL NO. SB 108

Analysis

SB 108 would designate a portion of Dowling Road overpass at milepost 123.7 on the New Seward Highway the Spc. Stephen "Max" Cavanaugh, Jr., Memorial Overpass.

4 small 42" x 36" notices for each entrance internally \$10,000 is recommended by the department.

4 small signs @ \$2,500/ea	<u>\$10,000</u>
Total	\$10,000

Alaska State Legislature

Session:
State Capitol
Suite 125
Juneau, AK 99801
Phone: (907) 465-2995
Fax: (907) 465-6592



Interim:

716 W 4th Avenue, Suite 300
Anchorage, AK 99501-2133
Phone: (907) 269-0250
Fax: (907) 269-0249

Senator Lesil McGuire

SPONSOR STATEMENT for Senate Bill 108

“An Act naming the Dowling Road overpass at milepost 123.7 on the New Seward Highway the Spc. Stephen “Max” Cavanaugh, Jr., Memorial Overpass.”

This bill was created to commemorate the Dowling Overpass in Spc. Stephen ‘Max’ Cavanaugh Jr.’s memory as a tribute to this hero who continues to save lives.

Stephen ‘Max’ Cavanaugh Jr. had recently returned from Iraq after surviving 300 convoys where he manned a .50 caliber machine gun. He was driving down New Seward highway, near the Dowling Overpass, when he hit a cow moose, two weeks before his discharge, which resulted in the loss of his life. Max was an organ donor and it was mentioned in his obituary that he continues to save lives even after the loss of his. This loss was the 6th human life lost to moose collisions with cars during 2007 and, though no human life is more important than any other, this loss really hit home.

A project was put together to help increase safety in the very corridor where this particular tragedy occurred. This effort was greatly assisted by the Department of Transportation, Highway Safety Office, SAGA (AmeriCorps youth program), the Department of Public Safety and the Department of Fish & Game. The project area was the West side of New Seward Highway between Dimond and O’Malley. The work area was between the bike trail and the highway right-of-way. This effort was performed for 4 days in October, 2008 where we cut, hauled and chipped 11 dumpsters worth of willow, cottonwood, birch and aspen trees.

The effort now is to commemorate the Dowling Overpass in Spc. Stephen ‘Max’ Cavanaugh Jr.’s memory as a tribute to this hero who continues to save lives.

SENATE BILL NO. 108

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY SENATOR MCGUIRE

Introduced: 3/21/11

Referred:

A BILL

FOR AN ACT ENTITLED

1 **"An Act naming the Dowling Road overpass at milepost 123.7 on the New Seward**
2 **Highway the Spc. Stephen "Max" Cavanaugh, Jr., Memorial Overpass."**

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. 35.40.235. Spc. Stephen "Max" Cavanaugh, Jr., Memorial Overpass.**

6 The Dowling Road overpass at milepost 123.7 on the New Seward Highway is named
7 the Spc. Stephen "Max" Cavanaugh, Jr., Memorial Overpass.

After 300 Iraq missions, soldier killed by moose

SEWARD HIGHWAY: His family takes the Fort Rich-based 24-year-old off life support.

By JAMES HALPIN
jhalpin@adn.com

Published: December 7, 2007
Last Modified: December 9, 2007 at 07:22 AM

Spc. Stephen Cavanaugh survived Iraq, but at a cost. For a full year, bullets whizzed past his head and bombs exploded around him.



Stephen Cavanaugh's car hit a moose Dec. 2, 2007. He was on life support at Providence until Dec. 6, 2007 when he was removed from the support.

When he returned to Fort Richardson in March, he had brain trauma from the many explosions and was diagnosed with post-traumatic stress disorder, said his father, also named Stephen Cavanaugh.

Cavanaugh, who deployed to Iraq with the 98th Maintenance Company, was still trying to heal when his car hit a moose on the Seward Highway in South Anchorage last weekend. He slipped into a coma. His family took him off life support Thursday.

Cavanaugh spent the day Sunday with his girlfriend, Ronny Cupples, at her home near the Bradley House restaurant, lazing around and watching movies.

At about 9:30 p.m., he left to go back to the post. He gave Cupples a goodbye kiss, walked out the door, then came back. He'd forgotten to give her a love letter.

"He promised he'd be back," Cupples said.

Within 15 minutes, Cavanaugh, 24, was on his way to the hospital.

That stretch of the Seward Highway between Tudor and Dowling roads isn't well-lit, and seeing something alongside the roadway can be difficult, Anchorage police Lt. Nancy Reeder said. There's no indication Cavanaugh did anything wrong, she said. He was just in the wrong place at the wrong time.

"There was a moose -- a mom and a calf -- that ran out in front of him," Reeder said. "It's one of those things that happens in Alaska. A moose runs out in the dark and there's nothing you can do."

The impact flung the moose on top of Cavanaugh's Camaro convertible, crushing him, she said. The moose died in the crash and its calf ran off.

He was rushed to Providence Alaska Medical Center in critical condition. His brain was swelling, and he went into a coma.

Cavanaugh's family got the call saying he was in critical condition at about 4 a.m. Eastern Standard Time on Monday. They caught a flight up from Atlanta later that day.

A military escort awaited them at the airport, and they went to the hospital, where early in the week it appeared there was some hope their son might recover. But as time passed, Cavanaugh's condition wasn't improving, his father said Thursday afternoon. Cavanaugh -- Max to family members -- never woke up and doctors told them he never would, his father said.

Cavanaugh's family talked to members of Life Alaska, an organ-donor organization. His family decided taking him off life support and donating his organs would be the right thing to do, and what Cavanaugh would have wanted, his father said.

His family made the decision to unplug Cavanaugh's ventilator Wednesday. About 2 p.m. Thursday, they did, his father said.

"It's a difficult decision, but in Max's case, it was the only decision," his father said. "We wanted to make sure we gave Max every reasonable opportunity, but they said there was no reasonable chance for improvement."

He died at 2:17 p.m.

"Seeing him laying in that hospital bed gave the illusion that he was still here," said Cupples, 32. "It was traumatic, but he's helping so many people right now just by sharing his organs."

Cavanaugh joined the Army in June 2004, said Army spokesman Lt. Col. Jonathan Allen. He deployed to Iraq with the 98th in March 2006.

Cavanaugh was stationed outside of Baghdad, where he manned a .50-caliber machine gun on a convoy escort, his father said. There hadn't been a single, major

blast that injured him, his father said, but after more than 300 missions, the relentless impact of roadside bombs exploding nearby began to take its toll.

By the time his unit returned from Iraq, Cavanaugh had developed some memory problems, along with post traumatic stress disorder, his father said. On Oct. 16, Allen said, he was assigned to A Company of the Warriors Transition Unit while he awaited discharge.

Even before his injury, Cavanaugh planned to get out when his contract was up, but he still loved the Army, his father said, and his decision to join was an important one.

"That's about the proudest we've ever been of him," the elder Stephen Cavanaugh said.

Fellow soldiers showed up at the hospital in force throughout the week, he said.

"Oh my gosh. It was constant," his father said. "They were staging people in the waiting room. He was just a guy you wanted to be around."

His family is planning a funeral Mass at home in Atlanta for Dec. 15, and they are flying back today to get the arrangements made, his father said. A memorial ceremony is also being planned on post.

Cupples has Cavanaugh's letters to remember him by. Even after spending the entire day together, he would go back to his barracks room and write her a love note, like the one she got moments before the accident, she said.

"So I kind of got his last words in a way too," she said.

The last line of his last letter: "I want to be your one."



P.O. Box 110741, Anchorage, Alaska 99511 (907) 317-2300

MISSION STATEMENT: Believing in the value of healthy moose populations for all Alaskans, The Alaska Moose Federation will be the leader in the effort to both initiate and maintain the quantity and quality of Alaska's moose population.

March 8, 2011

Honorable Congressman Don Young
United States Congress
2314 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Young,

The Alaska Moose Federation (AMF) is asking for your assistance with a request to honor Spc. Stephen 'Max' Cavanaugh Jr. by renaming the Dowling Overpass on the New Seward Highway in his memory. Spc. Cavanaugh returned from Iraq in 2007 after surviving 300 convoys where he manned a .50 caliber turret gun. Two weeks before receiving his discharge papers, he was driving down New Seward highway near Dowling when he hit a cow moose which resulted in the loss of his life.

This loss was the 6th human tragedy during 2007 and, though no human life is more important than any other, this loss really hit home. The AMF has been working with the soldier's parents, Stephen Sr. & Susan Cavanaugh of Atlanta, Georgia, the Parnell Administration and key members of the Alaska Legislature on this effort. It has become very apparent that we need your help, given the status of this highway as being a corridor under Federal Highway Administration's oversight.

Attached is a detailed description of the tragedy as well as an effort that involved the soldier's parents, Governor Parnell and others who worked to remove moose browse in 2008 from the New Seward corridor in an effort to reduce future moose collisions.

Thank you for your time and please consider championing this request because, not only is this important for all service men and women, including those who have served in Iraq and Afghanistan, but also for the Alaskans who have either lost their lives or have lost their loved ones to moose collisions.

If you have questions, please contact myself at (907) 529-5567 or Gary Olson, Executive Director of the AMF at (907) 317-2300.

Sincerely,

Bob Henrichs, Chairman

Cc: Senator Lisa Murkowski
Senator Mark Begich
Governor Sean Parnell
Lt. Governor Mead Treadwell
Senator Lesil McGuire
Senator Charlie Huggins

Spc. Stephen 'Max' Cavanaugh Jr. Memorial

The Anchorage section of the New Seward Highway is a known moose collision corridor in the heart of Anchorage. This corridor has a problem of moose browse located within the fenced corridor which allow moose to winter in the area. If you had forgotten, this area was the scene of an unacceptable tragedy in December of 2007.

Stephen 'Max' Cavanaugh Jr. had recently returned from Iraq after surviving 300 convoys where he manned a .50 caliber machine gun. He was driving down New Seward highway, near the Dowling Overpass, when he hit a cow moose, two weeks before his discharge, which resulted in the



**THIS HERO CONTINUES
TO SAVE LIVES!**

loss of his life. Max was an organ donor and it was mentioned in his obituary that he continues to save lives even after the loss of his. This loss was the 6th human life lost to moose collisions with cars during 2007 and, though no human life is more important than any other, this loss really hit home.

A project was put together to help increase safety in the very corridor where this particular trag-



Moose browse removed from New Seward Hwy

edy occurred. This effort was greatly assisted by the Department of Transportation, Highway Safety Office, SAGA (AmeriCorps youth program), the Department of Public Safety and the Department of Fish & Game.

The project area was the West side of New Seward Highway between Dimond and O'Malley. The work area was between the bike trail and the highway right-of-way. This effort was performed for 4 days in October, 2008 where we cut, hauled and chipped 11 dumpsters worth of willow, cottonwood, birch and aspen trees.

Many volunteers helped with the brush cutting effort including the following workers: Governor Sean Parnell; Cliff Judkins, Chairman of the Board of Game; Colonel Holloway of the State Troopers and also the parents of the fallen soldier Steve Sr. and Susan Cavanaugh who traveled up from Atlanta to help with this effort. We also had solid help from private partners in this effort which included Alaska Waste for disposal cans, Absolute Environmental Services for the donated Ford truck and the donated dump trailer and also the Department of Transportation for the use of the Morbark tree chipper.

The effort now is to commemorate the Dowling Overpass in Spc. Stephen 'Max' Cavanaugh Jr.'s memory as a tribute to this hero who continues to save lives.



Governor Parnell, Mr. & Mrs. Cavanaugh

Iraq/Afghanistan War Heroes



Stephen Max Cavanaugh Anchorage, Alaska December 6, 2007

Age	Military	Rank	Unit/Location
24	Army	Spc	98th Maintenance Company Fort Richardson,

Vehicle Accident. Stateside. Served in Iraq.



From the Seattle Post-Intelligencer [Seattlepi.com](http://seattlepi.com) 12/07/07:

SEATTLE POST-INTELLIGENCER

http://seattlepi.nwsourc.com/local/6600ap_wst_moose_kills_soldier.html

Last updated December 7, 2007 10:34 a.m. PT

After 300 Iraq missions, Fort Richardson soldier killed by moose

THE ASSOCIATED PRESS

ANCHORAGE, Alaska -- Spc. Stephen Cavanaugh survived more than 300 missions in Iraq, but was killed when his car hit a moose months after his return to Alaska.

The 24-year-old Fort Richardson soldier was in a coma when he was taken off life support Thursday.

When he returned to Fort Richardson in March, Cavanaugh had brain trauma from the many explosions around him in Iraq and was diagnosed with post-traumatic stress disorder, according to the soldier's father, also named Stephen Cavanaugh.

The younger Cavanaugh, who deployed to Iraq with the 98th Maintenance Company, was still trying to heal when his car struck the moose Sunday night on the Seward Highway in South Anchorage.

That stretch of the highway isn't well-lit, and seeing something alongside the roadway can be difficult, said police Lt. Nancy Reeder.

"There was a moose - a mom and a calf - that ran out in front of him," Reeder said. "It's one of those things that happens in Alaska. A moose runs out in the dark and there's nothing you can do."

Reeder said the impact flung the moose on top of Cavanaugh's Camaro convertible, crushing him. The moose died and its calf ran off.

Cavanaugh was rushed to a local hospital in critical condition.

The soldier's family was notified and caught a flight from Atlanta.

As time passed, Cavanaugh's condition wasn't improving, his father said. Cavanaugh - known as Max to family members - never woke up and doctors said he never would, according to his father.

Cavanaugh's family decided that taking him off life support and donating his organs would be the right thing to do, and what he would have wanted, his father said. Cavanaugh died at 2:17 p.m. Thursday.

He joined the Army in June 2004 and deployed to Iraq in March 2006, Army officials said. Cavanaugh was stationed outside of Baghdad, where he staffed a .50-caliber machine gun on a convoy escort, his father said.

His family is planning a funeral Mass in Atlanta for Dec. 15. A memorial ceremony also is being arranged on post.

Information from: Anchorage Daily News, <http://www.adn.com>

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Don't Let The Memory Of Them Drift Away

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Alaska e-Post online

PAO staff report

A Soldier from Fort Richardson's Warrior Transition Unit died Dec. 6 from injuries sustained in a car accident Dec. 2.

Spc. Stephen "Max" Cavanaugh was driving north on the Seward Highway in Anchorage when he hit a moose with his vehicle. Cavanaugh suffered severe head injuries in the accident as was on life support.

According to his family, four days after the accident, he was showing no signs of improvement and they decided to remove him from life support and donate his organs.

Cavanaugh, 24, of Lawrenceville, Ga., was a mechanic who joined the Army in June 2004 and was assigned to Fort Richardson in May 2005.

He completed a one-year deployment to Iraq with 98th Maintenance Company in March 2007.



Spc. Stephen "Max" Cavanaugh

Governor Sean Parnell
P.O. Box 110001
Juneau, Alaska 99811-0001

March 30, 2010

Dear Governor Parnell,

I hope that you are doing well, and by now settled in as Governor of Alaska.

You may recall that our son, SPC Stephen (Max) Cavanaugh, assigned to the Warrior Transition Unit at Fort Richardson, was killed in a collision with a moose in December, 2007.

You and I met in 2008 when we worked together to clear brush along the New Seward Corridor near where Max was killed. Thanks for being there with us. It meant a lot to Susan and me to know that you would take the time to show your support.

I received a note from Gary Olson at Alaska Moose Federation that he had been called to assist at a moose collision at the very spot where Max lost his life in December, 2007. It seems that, despite our efforts, the moose problem remains in the New Seward Corridor.

Governor Parnell, losing a son or daughter is more painful than anyone can imagine. It was especially tragic that Max was killed while waiting his military discharge after surviving 300 missions as a turret gunner in Iraq. Even after two years, there isn't a day when we don't wonder what might have been, had he come home.

This letter is to thank you for supporting programs like those conducted by AMF and to ask for your continued support. AMF has planned a number of programs, including one to perform the complete removal of all moose browse along New Seward.

Please do what you can to support moose mitigation through whatever means are possible. No one in Alaska should lose a family member if it can be avoided through such efforts.

As always, let me know if there is anything I can do to help. My contact info is below.

Sincerely,

Steve Cavanaugh
4820 Edinburgh Drive
Smyrna, GA 30082

Cell: 404-307-1987