

LEG. FINANCE - BILLS 1985 - 1986 2403

SSHB 456 cont. - HB 461 2403

1 emption.

2 * Sec. 3. AS 28.10.131(a) is amended to read:

3 (a) If a vehicle to be registered under this chapter is pre-
4 viously registered outside the state, the jurisdiction of registry
5 shall be stated in the application, and the owner shall surrender to
6 the department all evidence of out-of-state registration in the
7 owner's [HIS] possession or control except as provided in this section
8 or AS 28.10.141, and the department may require verification of the
9 vehicle identification number.

10 * Sec. 4. AS 28.10.131 is amended by adding a new subsection to read:

11 (c) If the owner of a commercial vehicle desires to maintain
12 title in another jurisdiction, the department, when satisfied that the
13 applicant is temporarily operating in-state and is the lawfully regis-
14 tered owner of the commercial vehicle, may register the commercial
15 vehicle without issuing a title and shall type of stamp on the face of
16 the State of Alaska certificate of registration "No Title Issued."

17 * Sec. 5. AS 28.10.141 is amended to read:

18 Sec. 28.10.141. INTERSTATE USE OF VEHICLES. When, in the course
19 of regular interstate operation in this state [OF] a commercial
20 vehicle licensed by the Interstate Commerce Commission under 49 U.S.C.
21 1-1240 (Interstate Commerce Act) is registered in another jurisdic-
22 tion, and it is desirable to retain the registration and title of the
23 vehicle in the other jurisdiction, the owner or an agent of the owner
24 shall register the vehicle and pay all required fees and taxes and
25 submit for inspection the certificate of registration issued by that
26 jurisdiction. The department, when satisfied that the applicant is
27 entitled to the exemption from the title requirements of this chapter,
28 shall register the vehicle but may not issue a certificate of title.
29 [NOTICE OF THE FACT THAT THE VEHICLE IS REGISTERED IN ANOTHER

1 JURISDICTION SHALL APPEAR ON THE CERTIFICATE OF REGISTRATION ISSUED BY
2 THIS STATE AND IN THE RECORDS OF THE DEPARTMENT MAINTAINED UNDER
3 AS 28.10.071.]

4 * Sec. 6. AS 28.10.151 is amended to read:

5 Sec. 28.10.151. VEHICLES TRANSPORTED UNDER SPECIAL PERMITS.
6 When moved or driven under a special permit to be designed and issued
7 by the department, the registration required by this chapter is not
8 required of

9 (1) a vehicle under construction and which is not com-
10 pleted;

11 (2) a vehicle while being moved from one place to another
12 for the purpose of inspection, weighing, or meeting other requirements
13 of the department; or

14 (3) a vehicle while being moved or driven from one location
15 to another for the purpose of rebuilding, dismantling, or permanently
16 removing the vehicle from the highways and vehicular ways and areas of
17 the state;

18 (4) an unladen commercial vehicle making a single continu-
19 ous trip by a noncircular route for a period of time not exceeding 10
20 days.

21 * Sec. 7. AS 28.10.151 is amended by adding a new subsection to read:

22 (b) A special permit issued under this section shall be promi-
23 nently displayed.

24 * Sec. 8. AS 28.10.201(d) is amended to read:

25 (d) Except for vehicles registered under AS 28.10.131(b) or (c)
26 and 28.10.141, the department may not register a vehicle unless the
27 applicant for registration at the same time applies for and obtains a
28 certificate of title under this chapter, or presents satisfactory
29 evidence that a certificate of title was previously issued to the

1 applicant. The department may not accept the application for the
2 original certificate of registration or title to a vehicle unless the
3 vehicle is in the state at the time of application. However, the
4 department may accept an application for registration and certificate
5 of title for a vehicle is not in the state when the application is
6 made by a registered and bonded dealer or by a resident of the state
7 when the application is accompanied by a manufacturer's statement of
8 origin, or in the case of a used vehicle, when the application is
9 accompanied by a certificate of title issued in another jurisdiction
10 and a certificate of inspection by a peace officer of that jurisdic-
11 tion stating that the vehicle has been determined to be the vehicle
12 described in the certificate of title and that the vehicle has not
13 been reported stolen.

14 * Sec. 9. AS 28.10.451 is amended by adding a new subsection to read:

15 (b) Except as otherwise provided in this chapter, a person who
16 violates this section shall be fined \$50. In addition to the fine of
17 \$50, a person who violates this section shall be fined an additional
18 \$10 for each day the person fails to properly title or register the
19 vehicle, not to exceed \$250. The additional fine of \$10 a day under
20 this subsection may not be imposed if the person who violates this
21 section obtains proper title or registration within five days after
22 being charged. A person who violates this section two or more times,
23 within five years of the prior violation, is guilty of a class B
24 misdemeanor.

25 * Sec. 10. This Act takes effect immediately in accordance with AS 01.-
26 10.070(c).

HOUSE
COMMITTEE REPORT

4/18

(7)

Date referred: 3/21/86

FURTHER REFERRALS: FINANCE

DATE: _____

The JUDICIARY Committee has considered HB 460

"An Act relating to off-road vehicles."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation

replace with CS HB 460 (JUD) same title
 new title

and recommends do pass

further referral to the _____ Committee

- and attaches:
- letter of intent
 - first fiscal note
 - new fiscal note
 - zero fiscal note

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

 _____ - no rec
 _____ no rec

 Chairman

HOUSE
COMMITTEE REPORT

JUDICIARY

3/21

Date referred: 1/13/86

FURTHER REFERRALS: FINANCE

DATE: 20 MARCH 1986

The TRANSPORTATION Committee has considered HB 460

"An Act relating to off-road vehicles."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CSHB 460 (TRSP) same title
- new title

and recommends do pass

further referral to the _____ Committee

- and attaches:
- letter of intent
 - first fiscal note Supplement 100
 - new fiscal note
 - zero fiscal note

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

Pignatelli
Motigialbeni
Cato
Bytte Cato
Davis
Mike W.

Herrmann
Adelheid Herrmann Do Not Pass!
will be unenforceable in
rural Alaska

Bytte Cato
Chairman

Offered: 4/18/86
Referred: Finance

Ford

Original sponsors: Hurley, Pourchot,
Thompson and Taylor

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 460 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to off-road vehicles."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 05 is amended by adding a new chapter to read:

9 CHAPTER 40. OFF-ROAD VEHICLES.

10 Sec. 05.40.010. UNLAWFUL TO OPERATE UNREGISTERED VEHICLE.

11 Except for operation on the owner's private property, a person may not
12 operate an off-road vehicle unless the vehicle has been registered
13 with the Department of Public Safety as provided in this chapter.

14 Sec. 05.40.020. REGISTERED AND REGISTRATION FEE. (a) The owner
15 of an off-road vehicle subject to registration shall apply for regis-
16 tration under this chapter by properly completing a form provided by
17 the department. The fee for registration of a vehicle is \$15, and is
18 valid for two years. Fees collected under this section shall be
19 deposited by the Department of Revenue into the general fund.

20 (b) Off-road vehicles owned by the federal or state government
21 or a political subdivision of the federal or state government shall be
22 registered but are not required to pay a registration fee.

23 Sec. 05.40.030. REGISTRATION CERTIFICATE AND DECAL. Upon regis-
24 tration of an off-road vehicle, the registrant shall be issued a
25 registration certificate and a numbered decal containing the registra-
26 tion number of the vehicle. Once a vehicle has been issued a number,
27 it shall retain that number until the vehicle is destroyed, abandoned,
28 or permanently removed from the state. The numbered registration
29 decal shall be prominently displayed at a location prescribed by the

1 department.

2 Sec. 05.40.040. TRANSFER OF OWNERSHIP. The department shall
3 adopt regulations covering transfer of ownership of off-road vehicles.

4 Sec. 05.40.050. EDUCATION AND TRAINING PROGRAM. (a) The de-
5 partment shall establish and may approve off-road vehicle safety
6 education and training programs. The program shall include training
7 and dissemination of information and safety advice to the public
8 concerning vehicle maintenance, environmental protection, alcohol and
9 controlled substances laws, and emergency first aid procedures.

10 (b) A person who completes the training program shall receive an
11 off-road vehicle safety certificate.

12 Sec. 05.40.060. OFF-ROAD VEHICLE SAFETY FUND. There is created
13 a special account in the general fund known as the off-road vehicle
14 safety fund. The purpose of the fund shall be to support the educa-
15 tion and training program of this chapter. It is the intent of the
16 legislature that the fund consist of fees received under AS 05.40.020,
17 and that an amount equal to the fees received be appropriated for
18 off-road vehicle safety education and training under AS 05.40.050.

19 Sec. 05.40.070. OPERATING RESTRICTIONS. Not more than one
20 person may ride an off-road vehicle at the same time, unless the
21 off-road vehicle is specifically designed by the manufacturer to carry
22 more than one person.

23 Sec. 05.40.080. USE BY CERTAIN MINORS. (a) A person under the
24 age of 18 years may not operate an off-road vehicle on public land
25 unless the person has in possession a valid off-road vehicle safety
26 certificate.

27 (b) A person under the age of 18 years may not operate or ride
28 as a passenger on an off-road vehicle on public land unless the person

29 (1) wears a helmet that meets the requirements set out in

1 AS 28.05.081(c); and

2 (2) wears eye protection, unless the off-road vehicle is
3 equipped with a wind screen or windshield.

4 Sec. 05.40.090. SAFETY EQUIPMENT. An off-road vehicle is re-
5 quired to contain the following equipment:

6 (1) brakes adequate to control the movement of and to stop
7 and to hold the vehicle under normal conditions of operation;

8 (2) at least one head lamp so aimed and of sufficient
9 intensity to reveal persons and objects at a distance of at least 100
10 feet ahead during hours of darkness under normal atmospheric condi-
11 tions;

12 (3) at least one tail light of sufficient intensity to be
13 visible at a distance of 50 feet behind the vehicle during hours of
14 darkness under normal atmospheric conditions;

15 (4) a throttle that, when released by hand, will return the
16 engine speed to idle; and

17 (5) an exhaust muffler in good working order.

18 Sec. 05.40.100. RETAIL SALES. All off-road vehicles made after
19 July 1, 1986, and sold in the state must

20 (1) have a manufacturer's permanent identification number
21 stamped in letters and numbers on the vehicle in the form and at a
22 location prescribed by the department;

23 (2) be designed and made to provide an area to affix the
24 registration number; the area shall be at a location and of dimensions
25 prescribed by the department by regulation.

26 Sec. 05.40.110. HIGHWAY USE. An off-road vehicle may not be
27 driven on a roadway, as defined in AS 28.40.100(a), except for the
28 purpose of crossing the street or highway.

29 Sec. 05.40.120. PENALTY. A person who violates a provision of

1 this chapter or a regulation adopted under this chapter is guilty of
2 an infraction and may be punished as provided in AS 28.40.050(c).

3 Sec. 05.40.900. DEFINITIONS. In this chapter and in regula-
4 tions adopted under this chapter, unless the context otherwise re-
5 quires,

6 (1) "department" means the Department of Public Safety;

7 (2) "off-road vehicle" means a motorized vehicle with three
8 or four tires that has an engine displacement of less than 600 cubic
9 centimeters and total dry weight of less than 600 pounds.

10 * Sec. 2. AS 28.15.031(a) is amended to read:

11 (a) The department may not issue a driver's license to a person
12 who is under the age of 16 years, except that the department may issue
13 a permit or a certificate under AS 28.15.051 or a restricted license
14 under AS 28.15.121.

15 * Sec. 3. AS 28.15.051 is amended by adding a new subsection to read:

16 (f) The department may issue or approve issuance of a special
17 driver's certificate to a person who is at least 14 years of age for
18 the purpose of driving an off-road vehicle. The certificate may be
19 issued upon successful completion of an off-road vehicle education and
20 training program established under AS 05.40.050, and is valid for the
21 same period of time as a driver's license. The certificate is not
22 valid in a municipality that by ordinance prohibits the driving of an
23 off-road vehicle by a person under the age of 16 years; a borough may
24 adopt the ordinance on a nonareawide basis only, unless the power to
25 adopt it on an areawide basis is acquired under AS 29.35.300 - 29.35.-
26 330 or former AS 29.33.250 - 29.33.290.

Offered: 3/21/86
Referred: Judiciary and
Finance

*Miss Fante
Sup 100*

Original sponsors: Hurley, Pourchot,
Thompson and Taylor *Thompson*

1 IN THE HOUSE BY THE TRANSPORTATION COMMITTEE
2 CS FOR HOUSE BILL NO. 460 (Transportation)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION
5 A BILL

6 For an Act entitled: "An Act relating to off-road vehicles."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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12 operate an off-road vehicle unless the vehicle has been registered
13 with the Department of Public Safety as provided in this chapter.

14 Sec. 05.40.020. REGISTERED AND REGISTRATION FEE. (a) The owner

15 of an off-road vehicle subject to registration shall apply for regis-
16 tration under this chapter by properly completing a form provided by
17 the department. The fee for registration of a vehicle is \$15, and is
18 valid for three years. Fees collected under this section shall be
19 deposited by the Department of Revenue into the general fund.

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21 or a political subdivision of the federal or state government shall be
22 registered but are not required to pay a registration fee.

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22 more than one person.

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24 least 14 years of age and under the age of 18 years may not operate an
25 off-road vehicle on public land unless the person

26 (1) has in possession a valid off-road vehicle safety
27 certificate;

28 (2) wears a helmet that meets the requirements set out in
29 AS 28.05.081(c); and

1 (3) wears eye, foot, and hand protection prescribed by the
2 department by regulation.

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12 visible at a distance of 50 feet behind the vehicle during hours of
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23 registration number; the area shall be at a location and of dimensions
24 prescribed by the department by regulation.

25 Sec. 05.40.110. HIGHWAY USE. An off-road vehicle may not be
26 driven on a street or highway, except for the purpose of crossing the
27 street or highway.

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29 this chapter or a regulation adopted under this chapter is guilty of a

1 misdemeanor and, upon conviction, is punishable by a fine of not more
2 than \$500 for each offense.

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20 training program established under AS 05.40.050, and is valid for the
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25 adopt it on an areawide basis is acquired under AS 29.35.300 - 29.35.-
26 330 or former AS 29.33.250 - 29.33.290.

zard
1386

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Introduced: 1/13/86
Referred: Transportation
Judiciary and Finance

1 IN THE HOUSE

BY HURLEY

2 HOUSE BILL NO. 460

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to off-road vehicles."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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21 or a political subdivision of the federal or state government shall be
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28 abandoned, or permanently removed from the state. The numbered regis-
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5 partment shall establish a comprehensive off-road vehicle safety
6 education and training program. The program shall include training
7 and dissemination of information and safety advice to the public
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9 controlled substances laws, and emergency first aid procedures.

10 (b) A person who completes the training program shall receive an
11 off-road vehicle safety certificate.

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14 safety fund. The purpose of the fund shall be to support the
15 education and training program of this chapter. It is the intent of
16 the legislature that the fund consist of fees received under
17 AS 05.40.020, and that an amount equal to the fees received be
18 appropriated for off-road vehicle safety education and training under
19 AS 05.40.050.

20 Sec. 05.40.070. OPERATION BY CERTAIN MINORS. (a) A person
21 under the age of 17 years may not operate an off-road vehicle on
22 public land unless the person

23 (1) has in possession a valid off-road vehicle safety
24 certificate issued by the department; and

25 (2) wears a helmet that meets the requirements set out in
26 AS 28.05.081(c), and eye, foot, and hand protection prescribed by the
27 department by regulation.

28 Sec. 05.40.080. SAFETY EQUIPMENT. An off-road vehicle is
29 required to contain the following equipment:

1 (1) brakes adequate to control the movement of and to stop
2 and to hold the vehicle under normal conditions of operation;

3 (2) at least one head lamp so aimed and of sufficient
4 intensity to reveal persons and objects at a distance of at least 100
5 feet ahead during hours of darkness under normal atmospheric condi-
6 tions;

7 (3) at least one tail light of sufficient intensity to be
8 visible at a distance of 50 feet behind the vehicle during hours of
9 darkness under normal atmospheric conditions;

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11 engine speed to idle; and

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17 location prescribed by the department;

18 (2) be designed and made to provide an area to affix the
19 registration number; the area shall be at a location and of dimensions
20 prescribed by the department by regulation;

21 (3) include as a part of the retail sale a helmet that
22 meets the requirements of AS 28.05.081(c).

23 Sec. 05.40.100. HIGHWAY USE. An off-road vehicle may not be
24 driven on a street or highway, except for the purpose of crossing the
25 street or highway.

26 Sec. 05.40.110. PENALTY. A person who violates a provision of
27 this chapter or a regulation adopted under this chapter is guilty of a
28 misdemeanor and, upon conviction, is punishable by a fine of not more
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4 (1) "department" means the Department of Public Safety;

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3/21 *Supp 100*

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : CSHB 460 (Trsp)
 Title : "An Act relating to off-road vehicles."
 Sponsor : Representative Hurley
 Requestor : House Transportation
 Date of Request : 2/19/86

FISCAL DETAIL

Agency Affected : Public Safety
 BRU : Division of Motor Vehicles
 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		89.3	93.8	98.4	103.4	108.5
TRAVEL		25.0	26.3	27.6	28.9	30.4
CONTRACTUAL		84.5	34.5	36.2	38.0	39.9
SUPPLIES		8.0	2.0	2.1	2.2	2.3
EQUIPMENT		31.0	1.0	1.1	1.1	1.2
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		237.8	157.6	165.4	173.6	182.3

CAPITAL						
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REVENUE		450.0	150.0	150.0	250.0	150.0
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FUNDING : (Thousands of Dollars)

GENERAL FUND		237.8	157.6	165.4	173.6	182.3
FEDERAL FUNDS						
OTHER						
TOTAL		237.8	157.6	165.4	173.6	182.3

POSITIONS :

FULL-TIME		2	2	2	2	2
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by : Kathy Niles, Admin Assistant
 Division : Commissioner's Office

Phone : 465-4336
 Date : 2/20/86

Approved by Commissioner : [Signature]
 Agency : Public Safety

Date : 2/20/86

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSHB 460 (Trsp)

The Revenue and Expenditure Analysis is based on the assumption that there are 30,000 ATVs to be registered and after the first year 10,000 will be registered annually. This number is only a rough estimate since there is no reliable method to determine the actual number. Also, the number of actual registrations could vary considerably depending on the actual enforcement effort put into the program.

The second assumption is that the program will have an effective date of January 1, 1987.

Registration

The workload of 30,000 vehicle registrations spread over three years represents an overall workload increase of 2%. This can be absorbed at most offices with no increase, but many registrations will come from areas where this division has no offices. One position and related equipment will be added to the correspondence unit to perform this work.

The cost breakdown is as follows:

Personal Services		
MVR II, Range 9		31.8
Contractual		
Terminal, Printer Lease	2.5	
DP Costs	1.5	
Forms	<u>.5</u>	
		4.5
Equipment -- Desks, chair, etc.		<u>1.0</u>
	Total	<u>37.3</u>

Education and Training Program

The education and training program will be conducted by working with ATV manufacturers in establishing a training and testing curriculum. The Department's role the first year will be to train instructors who will in turn provide instructor training to individuals who will be certified to administer training and certify operators. The Department will continue in subsequent years by overseeing the programs established in cooperation with the University of Alaska Cooperative Extension Service, the Department of Education and private or non-profit corporations who are authorized to conduct training and certify officers.

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill Resolution No. CSHB 460 (Trsp)

The cost breakdown is as follows:

Personal Services		
Program Coordinator, Range 18		57.5
Travel		25.0
Contractual		
Printing		
HWCF		
Charters		
Office Space		
Utilities, etc.	30.0	
Training Expenditure (one year only)	<u>50.0</u>	
		80.0
Supplies		8.0
Equipment		
Vehicle		
PC		
Desk, Chairs, etc.		
Filing Cabinet		
Projectors		
Bookcase		<u>30.0</u>
	Total	<u>200.5</u>

A 5% inflation factor is included in subsequent fiscal year computations.

ALASKA STATE LEGISLATURE

1986 Legislature SECOND Session

HOUSE BILL NO. 460

By HURLBY

"An Act relating to off-road vehicles."

off road vehicles.

Introduced in the House 1/13, 1986.

HISTORY IN THE HOUSE

1986

Jan 13

Read first time and referred to Committee on

TRSP, JUDICIARY AND FINANCE

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reconsideration

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reported correctly engrossed
Signed by Speaker
Sent to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reconsideration

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reported correctly engrossed
Signed by President
Returned to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Received from Senate

Concurred in Senate amendment thus adopting:
VOTE

Failed to concur in Senate amendment; asked Senate to recede
VOTE

Senate receded from amendment
VOTE

Senate failed to recede from amendment
VOTE

CC appointed by House

CC appointed by Senate

CC adopted by House
VOTE

CC adopted by Senate
VOTE

To enrolling
Reported correctly enrolled
Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.

Offered: 4/18/86
Referred: Finance

Original sponsors: Hurley, Fourchot,
Thompson and Taylor

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE
2 CS FOR HOUSE BILL NO. 460 (Judiciary)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION
5 A BILL

6 For an Act entitled: "An Act relating to off-road vehicles."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 05 is amended by adding a new chapter to read:

9 CHAPTER 40. OFF-ROAD VEHICLES.

10 Sec. 05.40.010. UNLAWFUL TO OPERATE UNREGISTERED VEHICLE.

11 Except for operation on the owner's private property, a person may not
12 operate an off-road vehicle unless the vehicle has been registered
13 with the Department of Public Safety as provided in this chapter.

14 Sec. 05.40.020. REGISTERED AND REGISTRATION FEE. (a) The owner
15 of an off-road vehicle subject to registration shall apply for regis-
16 tration under this chapter by properly completing a form provided by
17 the department. The fee for registration of a vehicle is \$15, and is
18 valid for two years. Fees collected under this section shall be
19 deposited by the Department of Revenue into the general fund.

20 (b) Off-road vehicles owned by the federal or state government
21 or a political subdivision of the federal or state government shall be
22 registered but are not required to pay a registration fee.

23 Sec. 05.40.030. REGISTRATION CERTIFICATE AND DECAL. Upon regis-
24 tration of an off-road vehicle, the registrant shall be issued a
25 registration certificate and a numbered decal containing the registra-
26 tion number of the vehicle. Once a vehicle has been issued a number,
27 it shall retain that number until the vehicle is destroyed, abandoned,
28 or permanently removed from the state. The numbered registration
29 decal shall be prominently displayed at a location prescribed by the

1 department.

2 Sec. 05.40.040. TRANSFER OF OWNERSHIP. The department shall
3 adopt regulations covering transfer of ownership of off-road vehicles.

4 Sec. 05.40.050. EDUCATION AND TRAINING PROGRAM. (a) The de-
5 partment shall establish and may approve off-road vehicle safety
6 education and training programs. The program shall include training
7 and dissemination of information and safety advice to the public
8 concerning vehicle maintenance, environmental protection, alcohol and
9 controlled substances laws, and emergency first aid procedures.

10 (b) A person who completes the training program shall receive an
11 off-road vehicle safety certificate.

12 Sec. 05.40.060. OFF-ROAD VEHICLE SAFETY FUND. There is created
13 a special account in the general fund known as the off-road vehicle
14 safety fund. The purpose of the fund shall be to support the educa-
15 tion and training program of this chapter. It is the intent of the
16 legislature that the fund consist of fees received under AS 05.40.020,
17 and that an amount equal to the fees received be appropriated for
18 off-road vehicle safety education and training under AS 05.40.050.

19 Sec. 05.40.070. OPERATING RESTRICTIONS. Not more than one
20 person may ride an off-road vehicle at the same time, unless the
21 off-road vehicle is specifically designed by the manufacturer to carry
22 more than one person.

23 Sec. 05.40.080. USE BY CERTAIN MINORS. (a) A person under the
24 age of 18 years may not operate an off-road vehicle on public land
25 unless the person has in possession a valid off-road vehicle safety
26 certificate.

27 (b) A person under the age of 18 years may not operate or ride
28 as a passenger on an off-road vehicle on public land unless the person

29 (1) wears a helmet that meets the requirements set out in

1 AS 28.05.081(c); and

2 (2) wears eye protection, unless the off-road vehicle is
3 equipped with a wind screen or windshield.

4 Sec. 05.40.090. SAFETY EQUIPMENT. An off-road vehicle is re-
5 quired to contain the following equipment:

6 (1) brakes adequate to control the movement of and to stop
7 and to hold the vehicle under normal conditions of operation;

8 (2) at least one head lamp so aimed and of sufficient
9 intensity to reveal persons and objects at a distance of at least 100
10 feet ahead during hours of darkness under normal atmospheric condi-
11 tions;

12 (3) at least one tail light of sufficient intensity to be
13 visible at a distance of 50 feet behind the vehicle during hours of
14 darkness under normal atmospheric conditions;

15 (4) a throttle that, when released by hand, will return the
16 engine speed to idle; and

17 (5) an exhaust muffler in good working order.

18 Sec. 05.40.100. RETAIL SALES. All off-road vehicles made after
19 July 1, 1986, and sold in the state must

20 (1) have a manufacturer's permanent identification number
21 stamped in letters and numbers on the vehicle in the form and at a
22 location prescribed by the department;

23 (2) be designed and made to provide an area to affix the
24 registration number; the area shall be at a location and of dimensions
25 prescribed by the department by regulation.

26 Sec. 05.40.110. HIGHWAY USE. An off-road vehicle may not be
27 driven on a roadway, as defined in AS 28.40.100(a), except for the
28 purpose of crossing the street or highway.

29 Sec. 05.40.120. PENALTY. A person who violates a provision of

1 this chapter or a regulation adopted under this chapter is guilty of
2 an infraction and may be punished as provided in AS 28.40.050(c).

3 Sec. 05.40.900. DEFINITIONS. In this chapter and in regula-
4 tions adopted under this chapter, unless the context otherwise re-
5 quires,

6 (1) "department" means the Department of Public Safety;

7 (2) "off-road vehicle" means a motorized vehicle with three
8 or four tires that has an engine displacement of less than 600 cubic
9 centimeters and total dry weight of less than 600 pounds.

10 * Sec. 2. AS 28.15.031(a) is amended to read:

11 (a) The department may not issue a driver's license to a person
12 who is under the age of 16 years, except that the department may issue
13 a permit or a certificate under AS 28.15.051 or a restricted license
14 under AS 28.15.121.

15 * Sec. 3. AS 28.15.051 is amended by adding a new subsection to read:

16 (f) The department may issue or approve issuance of a special
17 driver's certificate to a person who is at least 14 years of age for
18 the purpose of driving an off-road vehicle. The certificate may be
19 issued upon successful completion of an off-road vehicle education and
20 training program established under AS 05.40.050, and is valid for the
21 same period of time as a driver's license. The certificate is not
22 valid in a municipality that by ordinance prohibits the driving of an
23 off-road vehicle by a person under the age of 16 years; a borough may
24 adopt the ordinance on a nonareawide basis only, unless the power to
25 adopt it on an areawide basis is acquired under AS 29.35.300 - 29.35.-
26 330 or former AS 29.33.250 - 29.33.290.

Offered: 4/18/86
Referred: Finance

Original sponsors: Hurley, Pourchot,
Thompson and Taylor

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 460 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to off-road vehicles."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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12 operate an off-road vehicle unless the vehicle has been registered
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15 of an off-road vehicle subject to registration shall apply for regis-
16 tration under this chapter by properly completing a form provided by
17 the department. The fee for registration of a vehicle is \$15, and is
18 valid for two years. Fees collected under this section shall be
19 deposited by the Department of Revenue into the general fund.

20 (b) Off-road vehicles owned by the federal or state government
21 or a political subdivision of the federal or state government shall be
22 registered but are not required to pay a registration fee.

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25 registration certificate and a numbered decal containing the registra-
26 tion number of the vehicle. Once a vehicle has been issued a number,
27 it shall retain that number until the vehicle is destroyed, abandoned,
28 or permanently removed from the state. The numbered registration
29 decal shall be prominently displayed at a location prescribed by the

1 department.

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3 adopt regulations covering transfer of ownership of off-road vehicles.

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5 partment shall establish and may approve off-road vehicle safety
6 education and training programs. The program shall include training
7 and dissemination of information and safety advice to the public
8 concerning vehicle maintenance, environmental protection, alcohol and
9 controlled substances laws, and emergency first aid procedures.

10 (b) A person who completes the training program shall receive an
11 off-road vehicle safety certificate.

12 Sec. 05.40.060. OFF-ROAD VEHICLE SAFETY FUND. There is created
13 a special account in the general fund known as the off-road vehicle
14 safety fund. The purpose of the fund shall be to support the educa-
15 tion and training program of this chapter. It is the intent of the
16 legislature that the fund consist of fees received under AS 05.40.020,
17 and that an amount equal to the fees received be appropriated for
18 off-road vehicle safety education and training under AS 05.40.050.

19 Sec. 05.40.070. OPERATING RESTRICTIONS. Not more than one
20 person may ride an off-road vehicle at the same time, unless the
21 off-road vehicle is specifically designed by the manufacturer to carry
22 more than one person.

23 Sec. 05.40.080. USE BY CERTAIN MINORS. (a) A person under the
24 age of 18 years may not operate an off-road vehicle on public land
25 unless the person has in possession a valid off-road vehicle safety
26 certificate.

27 (b) A person under the age of 18 years may not operate or ride
28 as a passenger on an off-road vehicle on public land unless the person

29 (1) wears a helmet that meets the requirements set out in

1 AS 28.05.081(c); and

2 (2) wears eye protection, unless the off-road vehicle is
3 equipped with a wind screen or windshield.

4 Sec. 05.40.090. SAFETY EQUIPMENT. An off-road vehicle is re-
5 quired to contain the following equipment:

6 (1) brakes adequate to control the movement of and to stop
7 and to hold the vehicle under normal conditions of operation;

8 (2) at least one head lamp so aimed and of sufficient
9 intensity to reveal persons and objects at a distance of at least 100
10 feet ahead during hours of darkness under normal atmospheric condi-
11 tions;

12 (3) at least one tail light of sufficient intensity to be
13 visible at a distance of 50 feet behind the vehicle during hours of
14 darkness under normal atmospheric conditions;

15 (4) a throttle that, when released by hand, will return the
16 engine speed to idle; and

17 (5) an exhaust muffler in good working order.

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19 July 1, 1986, and sold in the state must

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22 location prescribed by the department;

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24 registration number; the area shall be at a location and of dimensions
25 prescribed by the department by regulation.

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27 driven on a roadway, as defined in AS 28.40.100(a), except for the
28 purpose of crossing the street or highway.

29 Sec. 05.40.120. PENALTY. A person who violates a provision of

1 this chapter ~~and~~ regulation adopted under this chapter is guilty of
2 an infraction and may be punished as provided in AS 28.40.050(c).

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9 centimeters and total dry weight of less than 600 pounds.

10 * Sec. 2. AS 28.15.031(a) is amended to read:

11 (a) The department may not issue a driver's license to a person
12 who is under the age of 16 years, except that the department may issue
13 a permit or a certificate under AS 28.15.051 or a restricted license
14 under AS 28.15.121.

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17 driver's certificate to a person who is at least 14 years of age for
18 the purpose of driving an off-road vehicle. The certificate may be
19 issued upon successful completion of an off-road vehicle education and
20 training program established under AS 05.40.050, and is valid for the
21 same period of time as a driver's license. The certificate is not
22 valid in a municipality that by ordinance prohibits the driving of an
23 off-road vehicle by a person under the age of 16 years; a borough may
24 adopt the ordinance on a nonareawide basis only, unless the power to
25 adopt it on an areawide basis is acquired under AS 29.35.300 - 29.35.-
26 330 or former AS 29.33.250 - 29.33.290.

Offered: 3/21/86
Referred: Judiciary
and Finance

Original sponsors: Hurley, Pourchot
Thompson and Taylor

1 IN THE HOUSE BY THE TRANSPORTATION COMMITTEE

2 CS FOR HOUSE BILL NO. 460 (Transportation)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to off-road vehicles."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 05 is amended by adding a new chapter to read:

9 CHAPTER 40. OFF-ROAD VEHICLES.

10 Sec. 05.40.010. UNLAWFUL TO OPERATE UNREGISTERED VEHICLE.

11 Except for operation on the owner's private property, a person may not
12 operate an off-road vehicle unless the vehicle has been registered
13 with the Department of Public Safety as provided in this chapter.

14 Sec. 05.40.020. REGISTERED AND REGISTRATION FEE. (a) The owner
15 of an off-road vehicle subject to registration shall apply for regis-
16 tration under this chapter by properly completing a form provided by
17 the department. The fee for registration of a vehicle is \$15, and is
18 valid for three years. Fees collected under this section shall be
19 deposited by the Department of Revenue into the general fund.

20 (b) Off-road vehicles owned by the federal or state government
21 or a political subdivision of the federal or state government shall be
22 registered but are not required to pay a registration fee.

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25 registration certificate and a numbered decal containing the registra-
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27 it shall retain that number until the vehicle is destroyed, abandoned,
28 or permanently removed from the state. The numbered registration
29 decal shall be prominently displayed at a location prescribed by the

1 department.

2 Sec. 05.40.040. TRANSFER OF OWNERSHIP. The department shall
3 adopt regulations covering transfer of ownership of off-road vehicles.

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5 partment shall establish and may approve off-road vehicle safety
6 education and training programs. The program shall include training
7 and dissemination of information and safety advice to the public
8 concerning vehicle maintenance, environmental protection, alcohol and
9 controlled substances laws, and emergency first aid procedures.

10 (b) A person who completes the training program shall receive an
11 off-road vehicle safety certificate.

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13 a special account in the general fund known as the off-road vehicle
14 safety fund. The purpose of the fund shall be to support the educa-
15 tion and training program of this chapter. It is the intent of the
16 legislature that the fund consist of fees received under AS 05.40.020,
17 and that an amount equal to the fees received be appropriated for
18 off-road vehicle safety education and training under AS 05.40.050.

19 Sec. 05.40.070. OPERATING RESTRICTIONS. Not more than one
20 person may ride an off-road vehicle at the same time, unless the
21 off-road vehicle is specifically designed by the manufacturer to carry
22 more than one person.

23 Sec. 05.40.080. OPERATION BY CERTAIN MINORS. (a) A person at
24 least 14 years of age and under the age of 18 years may not operate an
25 off-road vehicle on public land unless the person

26 (1) has in possession a valid off-road vehicle safety
27 certificate;

28 (2) wears a helmet that meets the requirements set out in
29 AS 28.05.081(c); and

1 (3) wears eye, foot, and hand protection prescribed by the
2 department by regulation.

3 Sec. 05.40.090. SAFETY EQUIPMENT. An off-road vehicle is re-
4 quired to contain the following equipment:

5 (1) brakes adequate to control the movement of and to stop
6 and to hold the vehicle under normal conditions of operation;

7 (2) at least one head lamp so aimed and of sufficient
8 intensity to reveal persons and objects at a distance of at least 100
9 feet ahead during hours of darkness under normal atmospheric condi-
10 tions;

11 (3) at least one tail light of sufficient intensity to be
12 visible at a distance of 50 feet behind the vehicle during hours of
13 darkness under normal atmospheric conditions;

14 (4) a throttle that, when released by hand, will return the
15 engine speed to idle; and

16 (5) an exhaust muffler in good working order.

17 Sec. 05.40.100. RETAIL SALES. All off-road vehicles made after
18 July 1, 1986, and sold in the state must

19 (1) have a manufacturer's permanent identification number
20 stamped in letters and numbers on the vehicle in the form and at a
21 location prescribed by the department;

22 (2) be designed and made to provide an area to affix the
23 registration number; the area shall be at a location and of dimensions
24 prescribed by the department by regulation.

25 Sec. 05.40.110. HIGHWAY USE. An off-road vehicle may not be
26 driven on a street or highway, except for the purpose of crossing the
27 street or highway.

28 Sec. 05.40.120. PENALTY. A person who violates a provision of
29 this chapter or a regulation adopted under this chapter is guilty of a

1 misdemeanor and, upon conviction, is punishable by a fine of not more
2 than \$500 for each offense.

3 Sec. 05.40.900. DEFINITIONS. In this chapter and in regula-
4 tions adopted under this chapter, unless the context otherwise re-
5 quires,

6 (1) "department" means the Department of Public Safety;

7 (2) "off-road vehicle" means a motorized vehicle with three
8 or four tires that has an engine displacement of less than 600 cubic
9 centimeters and total dry weight of less than 600 pounds.

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14 under AS 28.15.121.

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16 (f) The department may issue or approve issuance of a special
17 driver's certificate to a person who is at least 14 years of age for
18 the purpose of driving an off-road vehicle. The certificate may be
19 issued upon successful completion of an off-road vehicle education and
20 training program established under AS 05.40.050, and is valid for the
21 same period of time as a driver's license. The certificate is not
22 valid in a municipality that by ordinance prohibits the driving of an
23 off-road vehicle by a person under the age of 16 years; a borough may
24 adopt the ordinance on a nonareawide basis only, unless the power to
25 adopt it on an areawide basis is acquired under AS 29.35.300 - 29.35.-
26 330 or former AS 29.33.250 - 29.33.290.

Introduced: 1/13/86
Referred: Transportation,
Judiciary and Finance

1 IN THE HOUSE

BY HURLEY .

2

HOUSE BILL NO. 460

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to off-road vehicles."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 05 is amended by adding a new chapter to read:

9

CHAPTER 40. OFF-ROAD VEHICLES.

10

Sec. 05.40.010. UNLAWFUL TO OPERATE UNREGISTERED VEHICLE.

11

Except for operation on the owner's private property, a person may not operate an off-road vehicle unless the vehicle has been registered with the Department of Public Safety as provided in this chapter.

13

14

Sec. 05.40.020. REGISTERED AND REGISTRATION FEE. (a) The owner of an off-road vehicle subject to registration shall apply for registration under this chapter by properly completing a form provided by the department. The fee for registration of a vehicle is \$15, and is valid for three years. Fees collected under this section shall be deposited by the Department of Revenue into the general fund.

19

20

(b) Off-road vehicles owned by the federal or state government or a political subdivision of the federal or state government shall be registered but are not required to pay a registration fee.

22

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26

27

28

29

1 by the department.

2 Sec. 05.40.040. TRANSFER OF OWNERSHIP. The department shall
3 adopt regulations covering transfer of ownership of off-road vehicles.

4 Sec. 05.40.050. EDUCATION AND TRAINING PROGRAM. (a) The de-
5 partment shall establish a comprehensive off-road vehicle safety
6 education and training program. The program shall include training
7 and dissemination of information and safety advice to the public
8 concerning vehicle maintenance, environmental protection, alcohol and
9 controlled substances laws, and emergency first aid procedures.

10 (b) A person who completes the training program shall receive an
11 off-road vehicle safety certificate.

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13 a special account in the general fund known as the off-road vehicle
14 safety fund. The purpose of the fund shall be to support the
15 education and training program of this chapter. It is the intent of
16 the legislature that the fund consist of fees received under
17 AS 05.40.020, and that an amount equal to the fees received be
18 appropriated for off-road vehicle safety education and training under
19 AS 05.40.050.

20 Sec. 05.40.070. OPERATION BY CERTAIN MINORS. (a) A person
21 under the age of 17 years may not operate an off-road vehicle on
22 public land unless the person

23 (1) has in possession a valid off-road vehicle safety
24 certificate issued by the department; and

25 (2) wears a helmet that meets the requirements set out in
26 AS 28.05.081(c), and eye, foot, and hand protection prescribed by the
27 department by regulation.

28 Sec. 05.40.080. SAFETY EQUIPMENT. An off-road vehicle is
29 required to contain the following equipment:

1 (1) brakes adequate to control the movement of and to stop
2 and to hold the vehicle under normal conditions of operation;

3 (2) at least one head lamp so aimed and of sufficient
4 intensity to reveal persons and objects at a distance of at least 100
5 feet ahead during hours of darkness under normal atmospheric condi-
6 tions;

7 (3) at least one tail light of sufficient intensity to be
8 visible at a distance of 50 feet behind the vehicle during hours of
9 darkness under normal atmospheric conditions;

10 (4) a throttle that, when released by hand, will return the
11 engine speed to idle; and

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15 (1) have a manufacturer's permanent identification number
16 stamped in letters and numbers on the vehicle in the form and at a
17 location prescribed by the department;

18 (2) be designed and made to provide an area to affix the
19 registration number; the area shall be at a location and of dimensions
20 prescribed by the department by regulation;

21 (3) include as a part of the retail sale a helmet that
22 meets the requirements of AS 28.05.081(c).

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24 driven on a street or highway, except for the purpose of crossing the
25 street or highway.

26 Sec. 05.40.110. PENALTY. A person who violates a provision of
27 this chapter or a regulation adopted under this chapter is guilty of a
28 misdemeanor and, upon conviction, is punishable by a fine of not more
29 than \$500 for each offense.

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6 or four tires that has an engine displacement of less than 600 cubic
7 centimeters and total dry weight of less than 600 pounds.

Introduced: 1/13/86
Referred: Transportation,
Judiciary and Finance

1 IN THE HOUSE

BY HURLEY

2

HOUSE BILL NO. 460

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to off-road vehicles."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 05 is amended by adding a new chapter to read:

9

CHAPTER 40. OFF-ROAD VEHICLES.

10

Sec. 05.40.010. UNLAWFUL TO OPERATE UNREGISTERED VEHICLE.

11

Except for operation on the owner's private property, a person may not operate an off-road vehicle unless the vehicle has been registered with the Department of Public Safety as provided in this chapter.

12

13

14

Sec. 05.40.020. REGISTERED AND REGISTRATION FEE. (a) The owner

15

of an off-road vehicle subject to registration shall apply for

16

registration under this chapter by properly completing a form provided

17

by the department. The fee for registration of a vehicle is \$15, and

18

is valid for three years. Fees collected under this section shall be

19

deposited by the Department of Revenue into the general fund.

20

(b) Off-road vehicles owned by the federal or state government

21

or a political subdivision of the federal or state government shall be

22

registered but are not required to pay a registration fee.

23

Sec. 05.40.030. REGISTRATION CERTIFICATE AND DECAL. Upon regis-

24

tration of an off-road vehicle, the registrant shall be issued a

25

registration certificate and a numbered decal containing the

26

registration number of the vehicle. Once a vehicle has been issued a

27

number, it shall retain that number until the vehicle is destroyed,

28

abandoned, or permanently removed from the state. The numbered regis-

29

tration decal shall be prominently displayed at a location prescribed

1 by the department.

2 Sec. 05.40.040. TRANSFER OF OWNERSHIP. The department shall
3 adopt regulations covering transfer of ownership of off-road vehicles.

4 Sec. 05.40.050. EDUCATION AND TRAINING PROGRAM. (a) The de-
5 partment shall establish a comprehensive off-road vehicle safety
6 education and training program. The program shall include training
7 and dissemination of information and safety advice to the public
8 concerning vehicle maintenance, environmental protection, alcohol and
9 controlled substances laws, and emergency first aid procedures.

10 (b) A person who completes the training program shall receive an
11 off-road vehicle safety certificate.

12 Sec. 05.40.060. OFF-ROAD VEHICLE SAFETY FUND. There is created
13 a special account in the general fund known as the off-road vehicle
14 safety fund. The purpose of the fund shall be to support the
15 education and training program of this chapter. It is the intent of
16 the legislature that the fund consist of fees received under
17 AS 05.40.020, and that an amount equal to the fees received be
18 appropriated for off-road vehicle safety education and training under
19 AS 05.40.050.

20 Sec. 05.40.070. OPERATION BY CERTAIN MINORS. (a) A person
21 under the age of 17 years may not operate an off-road vehicle on
22 public land unless the person

23 (1) has in possession a valid off-road vehicle safety
24 certificate issued by the department; and

25 (2) wears a helmet that meets the requirements set out in
26 AS 28.05.081(c), and eye, foot, and hand protection prescribed by the
27 department by regulation.

28 Sec. 05.40.080. SAFETY EQUIPMENT. An off-road vehicle is
29 required to contain the following equipment:

1 (1) brakes adequate to control the movement of and to stop
2 and to hold the vehicle under normal conditions of operation;

3 (2) at least one head lamp so aimed and of sufficient
4 intensity to reveal persons and objects at a distance of at least 100
5 feet ahead during hours of darkness under normal atmospheric condi-
6 tions;

7 (3) at least one tail light of sufficient intensity to be
8 visible at a distance of 50 feet behind the vehicle during hours of
9 darkness under normal atmospheric conditions;

10 (4) a throttle that, when released by hand, will return the
11 engine speed to idle; and

12 (5) an exhaust muffler in good working order.

13 Sec. 05.40.090. RETAIL SALES. All off-road vehicles made after
14 July 1, 1986, and sold in the state must

15 (1) have a manufacturer's permanent identification number
16 stamped in letters and numbers on the vehicle in the form and at a
17 location prescribed by the department;

18 (2) be designed and made to provide an area to affix the
19 registration number; the area shall be at a location and of dimensions
20 prescribed by the department by regulation;

21 (3) include as a part of the retail sale a helmet that
22 meets the requirements of AS 28.05.081(c).

23 Sec. 05.40.100. HIGHWAY USE. An off-road vehicle may not be
24 driven on a street or highway, except for the purpose of crossing the
25 street or highway.

26 Sec. 05.40.110. PENALTY. A person who violates a provision of
27 this chapter or a regulation adopted under this chapter is guilty of a
28 misdemeanor and, upon conviction, is punishable by a fine of not more
29 than \$500 for each offense.

1 Sec. 05.40.120. DEFINITIONS. In this chapter and in regula-
2 tions adopted under this chapter, unless the context otherwise re-
3 quires,

4 (1) "department" means the Department of Public Safety;

5 (2) "off-road vehicle" means a motorized vehicle with three
6 or four tires that has an engine displacement of less than 600 cubic
7 centimeters and total dry weight of less than 600 pounds.

HOUSE
COMMITTEE REPORT

3/14

(9)

Date referred: 2/26/86

FURTHER REFERRALS: FINANCE

DATE: 3/14/86

The RESOURCES Committee has considered HB 461

"An Act relating to grants for water quality enhancement programs; and providing for an effective date."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CS HB 461 (Hess) same title
- new title

and recommends do pass

further referral to the _____ Committee

- and attaches:
- letter of intent
 - first fiscal note
 - new fiscal note
 - zero fiscal note

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

SHULTZ Dick Shultz

HERZMANN Adelheid Herzmam

CATO Bette Cato

JENKINS Roger Jenkins

PEARCE Gene Pearce

SUND John Sund

THOMPSON Raymond Thompson

MILLER (N.P.) M.W. Miller

Dick Shultz
Co-Chairman SHULTZ

HOUSE
COMMITTEE REPORT

2/26

RESOURCES

Date referred: 1/13/86

FURTHER REFERRALS: FINANCE

DATE: 2/25/86

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee has considered HB 461

"An Act relating to grants for water quality enhancement programs; and providing for an effective date."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CSHB 461 (HESS) same title new title

and recommends do pass

further referral to the _____ Committee

- and attaches:
- letter of intent
 - first fiscal note
 - new fiscal note
 - zero fiscal note

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

W. E. Koppman
W. E. Koppman
 Vice Chair
Adrian L. Taylor
David W. Shindler
Debra Stanley
P. Kelly

W. E. Koppman co-chair
 Co-Chairman
W. E. Koppman
 Co-Chair

Cook

zero note

Offered: 2/26/86
Referred: Resources and
Finance

Original sponsors: Pearce, Gruenberg,
Uehling, et al

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

1 IN THE HOUSE

2 CS FOR HOUSE BILL NO. 461 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to grants for water quality enhance-
7 ment programs and water supply, sewerage, and solid
8 waste facilities."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 46.03.030(c) is amended to read:

11 (c) There is a water quality enhancement program and water
12 supply, sewerage, and solid waste facilities fund created in the
13 department to carry out the purposes of this section.

14 * Sec. 2. AS 46.03.030(d) is amended to read:

15 (d) The department shall, by regulation, identify those costs
16 that [WHICH] are eligible costs for the purposes of this section.
17 Eligible costs include the costs established in a construction con-
18 tract that [WHICH] are necessary for construction of a project, but do
19 not include the cost of interest and financing and right-of-way acqui-
20 sition, or costs related to operation, maintenance, or repair [OR
21 REPLACEMENT] of a project.

22 * Sec. 3. AS 46.03.030 is amended by adding a new subsection to read:

23 (f) The department may grant to a municipality not more than 50
24 percent of the eligible costs not financed by the federal government
25 of programs and facilities for enhancing the water quality of streams,
26 lakes, waterways, and other bodies of water if the costs are incurred
27 after July 1, 1986. Eligible costs include costs of testing,
28 research, education, enforcement, and clean-up programs for the
29 purpose of discovering and solving water pollution problems. A grant

1 may be made under this subsection only for a water enhancement program
2 approved by the department.
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Cook
1402

Cook

Introduced: 1/13/86
Referred: Health, Education & Social
Services, Resources and Finance

BY PEARCE, GRUENBERG, UEHLING,
BOUCHER, FURNACE, HANLEY,
MARTIN AND JENKINS

1 IN THE HOUSE

2 HOUSE BILL NO. 461

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL.

6 For an Act entitled: "An Act relating to grants for water quality enhance-
7 ment programs; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 46.03.030(c) is amended to read:

10 (c) There is a water quality enhancement, water supply, sewer-
11 age, and solid waste facilities fund created in the department to
12 carry out the purposes of this section.

13 * Sec. 2. AS 46.03.030 is amended by adding a new subsection to read:

14 (f) The department may grant to a municipality not more than 50
15 percent of the eligible costs not financed by the federal government
16 of enhancing the water quality of streams, lakes, waterways, and other
17 bodies of water if the costs are incurred after July 1, 1986. Eligi-
18 ble costs do not include costs of administering a water quality en-
19 hancement program. A grant may be made under this subsection only for
20 a water enhancement program approved by the department.

21 * Sec. 3. This Act takes effect July 1, 1986.

CP
3/14

Submitted by Representative Drue Pearce

March 12, 1986

Letter of Intent - CSHB 461

This letter of intent is in regard to Section 3 of CSHB 461. In Section 3, AS 46.03.030 is amended to expand eligible costs for grant funds to include costs of testing, research, education, enforcement, and clean-up programs for the purpose of discovering and solving water pollution problems. It is the intent of Section 3 of this legislation to first fund actual clean-up programs. If funds are remaining they may be used for testing, research, education, and enforcement.


Representative Dick Shultz
Co-Chair, House Resources

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

*Bill
2/26*

Revision Date : _____

REQUEST

Bill/Resolution No. : HB 461
 Title : Act relating to grants for water quality enhancement programs;
Pearce, Gruenberg, Uehling, Boucher,
 Sponsor : Furnace, Hanley, Martin, Jenkins
 Requestor : _____
 Date of Request : _____

FISCAL DETAIL

Agency Affected : _____
 BRU : _____

 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING : (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS :

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

ANALYSIS : Attach a separate page if necessary

Prepared by : Gary Hayden, Director
 Division : Facility Construction & Operation

Phone : 465-2610
 Date : 2/04/86

Approved by Commissioner : *Bill*
 Agency : Department of Environmental Conservation

Date : 2/4/86

Distribution (by Agency preparing fiscal note) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

ALASKA STATE LEGISLATURE

14th... Legislature SECOND... Session

HOUSE BILL..... NO. 461...

By PEARCE, GRUENBERG, UEHLING
BOUCHER, FURNACE, HANLEY, MARTIN,
JENKINS

"An Act relating to grants for water quality enhancement programs; and providing for an effective date."

water quality grants.

Introduced in the House ...1/13..., 19.86

HISTORY IN THE HOUSE

1986

Jan 13

Read first time and referred to Committee on

HESS, RESOURCES AND FINANCE

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reconsideration

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reported correctly engrossed
Signed by Speaker
Sent to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reconsideration

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reported correctly engrossed
Signed by President
Returned to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Received from Senate

Concurred in Senate amendment thus adopting:
VOTE

Failed to concur in Senate amendment; asked Senate to recede
VOTE

Senate receded from amendment
VOTE

Senate failed to recede from amendment
VOTE

CC appointed by House

CC appointed by Senate

CC adopted by House
VOTE

CC adopted by Senate
VOTE

To enrolling
Reported correctly enrolled
Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.

STATE OF ALASKA

MAR 31 1986

BILL SHEFFIELD, GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION
OFFICE OF THE COMMISSIONER
P.O. BOX 0, JUNEAU 99811-1800

Telephone: (907) 465-2600
Address:

March 27, 1986

The Honorable Jim Duncan
Alaska State House
P.O. Box V
Juneau, AK 99811-3100

Dear Representative Duncan:

During the House Finance Committee Hearing on HB 461 (water quality enhancement grants) you asked about the Department of Environmental Conservation's (DEC) use of federal funds. As I mentioned during the hearing, we have four sources of federal funds for water quality.

U.S. Environmental Protection Agency Construction Grants. The EPA Construction Grants Program funds only construction of new wastewater treatment facilities. This program is very restrictive and prescriptive for what the money can or cannot be used. These construction funds are not used for water quality program activities.

Section 205(g). In the past, these funds have supported DEC field and programmatic activities. EPA recently told us this money was not available for water quality activities.

Section 205(j). The 205(j) grant is for water quality planning. The annual grant amount has varied from \$100,000 to a maximum of \$146,000. In SFY 87 we plan to have \$65,000 remaining from the federal fiscal year (FFY) 86 allocation and hope to receive an additional \$100,000 during FFY 87, for a total of \$165,000. However, the President has proposed no 205(j) funding in his FFY 87 budget.

In the past, we have primarily utilized the 205(j) grant to fund special projects. Some examples are:

1. Development of a hazardous waste management plan for the municipality of Anchorage.
2. Development of best management practices for dairy waste disposal at Pt. MacKenzie.
3. Development of an erosion control plan for Delta farms.
4. Water quality monitoring of selected streams affected by placer mining.
5. Development of effective siting criteria for log transfer facilities.
6. Providing travel funds for the Placer Mining Advisory Group.

Representative Duncan

-2-

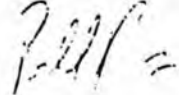
March 27, 1986

Proposed federal reductions would prevent us from continuing the practice of funding these special projects.

Section 106. DEC received \$170,000 in Section 106 funds, which were matched by \$104,300 in State funds. These grant and match monies are spent by our field staff in conducting plan reviews, issuing wastewater discharge permits, and performing facility inspections.

Thus, I do not believe that HB 461 will impact these funds in any way, nor do I believe that federal funds would be available to accomplish the tasks outlined in HB 461. If you have further questions, please feel free to call.

Sincerely,



Bill Ross
Commissioner

BILL SHEFFIELD, GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION
OFFICE OF THE COMMISSIONER
P.O. BOX 0, JUNEAU 99811-1800

Telephone: (907) 465-2600
Address:

March 27, 1986

The Honorable Mike Szymanski
Alaska State House
P.O. Box V
Juneau, AK 99811-3100

Dear Representative Szymanski:

During the recent House Finance Committee hearing on HB 461, pertaining to water quality enhancement grants, you asked if surface drainage projects would be eligible for the Department of Environmental Conservation's 50 percent matching grant program under the proposed HB 461 amendments.

Determining the answer to this question depends on why the project is needed. If the project is related to water quality, either by improving water quality or for maintaining existing water quality, it would be grant eligible; however, if the project was solely one of drainage, it would not. I believe the determination would have to be made during the grant application process and would depend on how the project was described. I do not believe it is necessary to amend HB 461 to include surface water drainage projects.

If you have additional questions concerning this issue, please feel free to call me.

Sincerely,


Bill Ross
Commissioner

cc: Representative Drue Pearce

GOOD AFTERNOON CHAIRMAN ADAMS AND MEMBERS OF THE COMMITTEE.
FOR THE RECORD, I AM REPRESENTATIVE DRUE PEARCE. I REPRESENT
WEST ANCHORAGE. I COME BEFORE YOU TODAY AS THE PRIME SPONSOR
OF HB 461, "AN ACT RELATING TO GRANTS FOR WATER QUALITY
ENHANCEMENT PROGRAMS AND WATER SUPPLY, SEWERAGE, AND SOLID
WASTE FACILITIES." I INTRODUCED THIS LEGISLATION IN RESPONSE
TO PUBLIC OUTCRY DUE TO CRITICAL HEALTH THREATS IN ANCHORAGE
AREA STREAMS. HB 461 WOULD ADDRESS SERIOUS PROBLEMS REGARDING
WATER QUALITY IN STREAMS, LAKES AND OTHER BODIES OF WATER IN
ANCHORAGE AS WELL AS IN OTHER AREAS OF THE STATE.

ANCHORAGE STREAMS ARE CONTAMINATED BY A COMBINATION OF SURFACE
WATER RUNOFF WHICH CARRIES CHEMICALS INTO THE STREAMS OF
HEAVILY POPULATED AREAS AND THE DETERIORATION OF EXISTING
SEWER LINES THAT LIE BENEATH THOSE STREAMS. THIS IS EVIDENT
BY THE DISCOVERY OF HIGH FECAL COLIFORM BACTERIA IN THE LOWER
CAMPBELL AND FISH CREEKS. RECENT REPORTS HAVE INDICATED THAT
MANY OF ANCHORAGE'S STREAMS ARE UNFIT FOR ANY RECREATIONAL
PURPOSE, EVEN WADING. IN FACT, THE POLLUTION WAS SO BAD THAT
LAST YEAR THE EVER POPULAR CAMPBELL CREEK CLASSIC, A CANOE
RACE DOWN CAMPBELL CREEK, HAD TO BE CANCELLED DUE TO THE
PUBLIC HEALTH THREAT THAT IT POSED.

IN ESSENCE THE BILL THAT YOU HAVE BEFORE YOU TODAY, HB 461, IS AUTHORIZING LEGISLATION. IT WOULD ADD TO AN EXISTING PROGRAM THAT WAS CREATED IN THE 1970'S AND IS ADMINISTERED BY THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION. PRESENTLY, UNDER DEC'S 50/50 MATCH PROGRAM, THE STATE PROVIDES GRANTS TO LOCAL GOVERNMENTS FOR THE PURPOSE OF CONSTRUCTING WATER AND SEWER SYSTEMS AND SOLID WASTE FACILITIES. (LET ME POINT OUT THAT ANY FEDERAL FUNDS AVAILABLE FOR THESE GRANTS WOULD BE USED FIRST AND WOULD NOT BE DISPLACED WITH STATE FUNDS.) MY BILL WOULD SIMPLY EXPAND THE CURRENT PROGRAM (AS 46.03.030 GRANTS) TO ALLOW GRANT FUNDING FOR SURFACE AND SUBSURFACE WATER QUALITY ENHANCEMENT.

I BELIEVE YOU WILL FIND THAT THE 50/50 GRANT PROCESS IS WELL KNOWN TO BOTH THE MUNICIPALITIES AND THE DEPARTMENT. THE KIND OF PROGRAM THAT I HAVE PROPOSED HERE WOULD NOT BE DIFFICULT TO ADMINISTER SINCE IT SIMPLY ADDS ANOTHER AVENUE FOR FUND USE TO AN ALREADY EXISTING GRANT PROGRAM. IT WOULD NOT REQUIRE ADDITIONAL STAFFING AND, AS YOU CAN SEE, IT HAS A ZERO FISCAL NOTE FROM DEC.

I BELIEVE THAT EXPANDING THE CURRENT PROGRAM IS PREFERABLE TO INSTITUTING A NEW PROGRAM BECAUSE IT ENCOURAGES LOCAL PARTICIPATION AND RESPONSIBILITY REGARDING WATER QUALITY ENHANCEMENT. WE'RE ADDING TO A PROGRAM THAT WE KNOW WORKS RATHER THAN CREATING A NEW BUREAUCRACY. THIS IS A LONG RANGE SOLUTION CREATING A COMPREHENSIVE PROGRAM THAT WILL ENABLE STATE AND LOCAL GOVERNMENTS TO MAKE A CONTINUING EFFORT TO ENHANCE WATER QUALITY THROUGHOUT THE STATE. AS SOME OF THE MEMBERS OF THIS COMMITTEE KNOW, THE RESIDENTS OF ANCHORAGE EXPRESSED GRAVE CONCERN REGARDING THE QUALITY OF WATER IN THEIR COMMUNITY LAST FALL BY APPROVING THE SALE OF \$15 MILLION IN SEWER BONDS AND \$10 MILLION FOR VARIOUS WATER QUALITY PROJECTS. MANY OF THE PROJECTS IN THE BOND ISSUE FOR WATER QUALITY COULD NOT QUALIFY FOR STATE MATCHING FUNDS UNDER EXISTING LAW. UNDER THIS PROPOSED AMENDMENT TO TITLE 46 THEY WOULD QUALIFY.

THE BILL BEFORE YOU IS SUPPORTED BOTH BY D.E.C. AND THE MUNICIPALITY, AS WELL AS OTHER GROUPS WITHIN THE ANCHORAGE AREA, INCLUDING THE LEAGUE OF WOMEN VOTERS, THE SPENARD ROAD COMMITTEE AND THE ANCHORAGE WATERWAYS COUNCIL.

I WOULD LIKE TO POINT OUT THE FACT THAT ALTHOUGH HB 461 DOES HAVE A ZERO FISCAL NOTE, IN ORDER TO CONTINUE SUPPLYING GRANTS FOR WATER SUPPLY, SEWER, AND SOLID WASTE DISPOSAL FACILITY PROGRAMS THAT ALREADY EXIST, ADDITIONAL APPROPRIATIONS WOULD HAVE TO BE PROVIDED BY THE LEGISLATURE FOR GRANTS TO BE PROVIDED UNDER THIS AMENDMENT.

IN CONCLUSION I WOULD LIKE TO NOTE THAT YOU WILL FIND IN YOUR PACKET LETTERS FROM THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, THE MUNICIPALITY OF ANCHORAGE, AND THE ANCHORAGE WATERWAYS COUNCIL ALL EXPRESSING THEIR SUPPORT OF HB 461.

I UNDERSTAND THAT A REPRESENTATIVE OF D.E.C. IS IN THE AUDIENCE AND WILL BE ABLE TO TESTIFY TO THE MORE TECHNICAL ASPECTS OF ADMINISTERING THE PROGRAM.

2/10/86
4 (12/85)

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B
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STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : CS HB 461 (HSS)
 Title : Act relating to grants for water quality enhancement programs;
Pearce, Gruenberg, Uehling, Boucher.
 Sponsor : Furnace, Hanley, Martin, Jenkins
 Requestor : _____
 Date of Request : _____

FISCAL DETAIL

Agency Affected : _____
 BRU : _____

 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING : (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS :

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

ANALYSIS : Attach a separate page if necessary

Prepared by : Gary Hayden, Director Phone : 465-2610
 Division : Facility Construction & Operation Date : 2/04/86

Approved by Commissioner : Bill R... Date : 2/4/86
 Agency : Department of Environmental Conservation

Distribution (by Agency preparing fiscal note) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

OK
3/14

Submitted by Representative Drue Pearce

March 12, 1986

Letter of Intent - CSHB 461

This letter of intent is in regard to Section 3 of CSHB 461. In Section 3, AS 46.03.030 is amended to expand eligible costs for grant funds to include costs of testing, research, education, enforcement, and clean-up programs for the purpose of discovering and solving water pollution problems. It is the intent of Section 3 of this legislation to first fund actual clean-up programs. If funds are remaining they may be used for testing, research, education, and enforcement.


Representative Dick Shultz
Co-Chair, House Resources



Alaska State Legislature

House of Representatives

4150 WEST 88TH
ANCHORAGE, ALASKA 99502
(907) 243-8110

REPRESENTATIVE DRUE PEARCE
DISTRICT 9, SEAT A

WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA 99811
(907) 465-4993

MEMORANDUM

TO: Members of the House Finance Committee *Al Adams*
FROM: Representative Drue Pearce *Pearce*
SUBJECT: HB 461
DATE: March 21, 1986

This is to familiarize you with HB 461, which will be heard in Finance on Monday, March 24. I introduced HB 461 to address serious water pollution problems throughout the State. Many streams in the Anchorage area have become so polluted that they are unfit for any recreational purpose, even wading. HB 461 will provide an avenue for local governments to acquire matching grant funds for water quality improvements from an already existing program.

Presently, under the D.E.C.'s 50/50 match program, the state provides grants to local governments for the purpose of constructing water and sewer systems and solid waste facilities. HB 461 will simply expand the current program (46.03.030 Grants) to allow grant funding for surface and subsurface water quality enhancement. The grants are, of course, dependent upon Legislative appropriation.

In the past the State has generally taken on 100% of cleanup costs through Legislative appropriations. The program I am proposing would encourage local participation and responsibility regarding water quality enhancement, which in this time of declining revenues is even more important.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
GRANTS PROGRAM HISTORY

<u>Funding Source</u>	<u>Municipal Grants</u>	<u>VSW</u>	<u>Grant Funds to Municipality of Anchorage</u>
70 BF	\$ 8,000,000	\$ 3,000,000	\$ 3,459,407 (43%)
72 BF	32,000,000	1,000,000	8,746,279 (27%)
76 BF	29,500,000	1,500,000	12,119,015 (41%)
78 BF	19,890,000	7,750,000	4,110,649 (21%)
80 BF	<u>23,000,000</u>	<u>10,000,000</u>	<u>1,197,374 (5%)</u>
Total	<u>\$112,390,000</u>	<u>\$23,250,000</u>	<u>\$29,632,724 (26.4%)</u>

<u>Funding Source</u>	<u>Municipal Grants</u>	<u>VSW</u>	<u>Federal Funds</u>
FY82 approp	\$ 9,359,000	\$ 1,608,900	\$11,300,000
FY83 approp	4,590,000	515,000	14,642,000
FY84 approp	19,302,969	690,610	14,642,000
FY85 approp	15,700,000	7,972,000	14,642,000
FY86 approp	1,823,100	1,219,000	14,642,000*

FUNDING FOR WATER, WASTEWATER, AND SOLID WASTE
FROM GENERAL FUNDS

<u>Fiscal Year</u>	<u>Through ADEC</u>	<u>Direct</u>	<u>Total</u>
FY83	\$ 5,105,000	\$ 26,441,700	\$ 31,546,700
FY84	19,993,579	108,587,100	128,580,679
FY85	16,492,000	132,501,525	148,993,525
FY86	<u>3,042,100</u>	<u>25,115,300</u>	<u>28,157,400</u>
Total	<u>\$41,632,679</u>	<u>\$292,645,625</u>	<u>\$337,278,304</u>

BOND FUNDS OBLIGATED TO ANCHORAGE
WATER AND SEWER PROJECTS

70	\$ 3,459,407
72	8,746,279
76	12,119,015
78	4,110,649
80	<u>1,197,374</u>
Total Bond Funds	<u>\$29,632,724</u>

ANCHORAGE FUNDING HISTORY FOR
GENERAL FUND APPROPRIATIONS

<u>Fiscal Year</u>	<u>Through ADEC</u>	<u>Direct</u>	<u>Total</u>	<u>% of Statewide</u>
FY83	\$ 3,744,038	\$ 8,382,000	\$ 12,126,038	38%
FY84	6,397,069	55,423,500	61,820,569	48%
FY85	-0-	49,920,300	49,920,300	33%
FY86	-0-	5,860,600	<u>5,860,000</u>	21%
Total			<u>\$129,727,507</u>	

During this time, Anchorage received 38.5 percent of all State money spent on this type of project.

ANCHORAGE AND FEDERAL FUNDS
September 18, 1985

	<u>Total Available</u>	<u>Awarded to Anchorage</u>
FY83	\$14,642,000	\$ 6,836,292
FY84	\$14,642,000	3,786,904
FY85	\$14,642,000	18,464,000
FY86	<u>\$14,642,000</u>	<u>8,500,000</u> *
Total	<u>\$58,568,000</u>	<u>\$37,587,196</u> (64.2% of Total available)

*Estimated to be awarded

ANCHORAGE PROJECTS

70 BOND FUND

<u>Project</u>	<u>Amount</u>
Pt Woronzof Improvements	\$ 12,555
Water System	500,000
Phase II Water	203,482
South Street & 14th Ave. Water	5,565
Pressure Reducing Stations	43,498
Laterals	377,045
Sewer Treatment	1,571,456
Sewer Interceptor	575,252
Eagle River	75,936
Henshaw Service	42,343
Infiltration/Inflow	<u>52,275</u>
TOTAL	\$3,459,407

76 BOND FUND

<u>Project</u>	<u>Amount</u>
Water System	\$ 188,000
LID 69 & 70	154,612
1977 LID	431,033
Ace LID 50-9	31,727
LID 50-8	53,830
Halo Extension	8,464
Yale LID 88	28,079
Production Well #12	66,583
36th Avenue Main	148,885
SE Interceptor	33,490
SE Int/Diamond E-2	77,046
E-2 Trunk	111,420
Lake Otis/Dowling E-77	221,036
E-1 Trunk Phase II	210,165
E-3 Crossing of Old Sewer	17,985
LID 93-Homecrest	36,190
Kelly LID 92	114,576
"A" Street Water/Benson-39	99,204
E-1-1 Trunk Phase II	287,509
SE Inc Crossing of Old Sewer	17,214
Well #4 Aux Power	81,035
5th Avenue Unga-Gambell	620,037
LID 90 - Hyatt Estates	32,148
LID 91 - Campbell Heights	109,205
LID 95 - Marys	32,197
Misc Test Wells	31,917
East 68th Ave Water	18,970
Shalikoff	46,140
"A" Street Alley Water	29,876
10th Avenue Water	84,944
Bluff/Richardson Water	32,562
O'Malley Crossing Seward	10,418
LID 98 - Shelikof	47,089
LID 100 - Century	12,222
LID 96 - Timothy	44,523
Misc Water Main Extensions	17,557
Gruman Water	21,330
South Street Water	14,466
Water Improvements #6	72,018
Test Wells	36,288
Panchos Villa Sewer	8,738
DeBarr Road Sewer	34,273
Airport 12" Water	44,773
Industrial LID 75	125,812
Sewer A-2 Phase II	109,448
Brookwood LID 87	238,818
5th Avenue Water	161,715
Sewer Extension 77-1	23,919
Baxter LID 89	8,855

76 BOND FUND (Continued)

<u>Project</u>	<u>Amount</u>
Roberts Lateral Extensions	\$ 4,546
East 4th Avenue Main	30,734
LID 311	49,071
Railroad Bore Crossings	19,121
Campbell Creek Pump	111,500
D-3 Trunk Sewer	51,305
LID 94 - Hathor	137,710
LID 102 - Alpine	18,098
LID 107 - O'Brien	86,109
LID 113 - O'Brien	36,822
Water Well #7	6,449
Laterals	116,328
LID 126 - Atkins	17,027
Eagle River STP	789,765
"C" Street Trunk	35,750
Well House #12	242,605
SE Interceptor Xing New Seward Hwy	250,000
Int'l Airport Road "A" Minnesota	242,500
SE Interceptor E-2 to O'Malley	278,918
Infiltration/Inflow	134,883
E-3 Trunk, Phase I	150,323
Water Main, Dam to WTP	1,087,002
LID 115 Bruce	206,000
Bragaw, Tudor to University	290,000
Hawthorne Subdivision Water	18,300
Hawthorne Sewer Stubouts	7,600
Fireweed Lane Water	16,860
Wisconsin Street Water	42,610
Eagle River Urban Sewer Crossings	16,100
Arctic Blvd Main	58,200
Pt. Woronzof STP Improvements	357,316
16th Ave Water Main Extension	88,353
Girdwood STP	1,471,330
Fire lake Interceptor	87,500
44th Avenue Fish Creek Trunk	556,880
Spruce Street 68th - 64th Avenue	82,925
Gambell Street Water	14,370
LID 50-13 Citation	50,650
LID 127 Poggas	17,117
Prroduction Well #13	69,737
CBD-2 Trunk	282,250
	<u>\$12,119,015</u>

72 BOND FUND

<u>Project</u>	<u>Amount</u>
Water System	\$ 646,828
Water Well #7	111,250
1977 LID	166,591
Dowling Road/Potter	99,391
Campbell Creek Pump	129,000
Campbell Creek Force	148,991
Willow Street Main	11,822
East 26th Avenue	30,425
5th Avenue Unga-Gambell	58,250
"A" Street Alley	3,230
Pt. Woronzof Waterline	234,192
Tudor Corners LID 103	93,775
LID 118 Stewart	39,206
LID 119 Frisley	15,258
Laterals	1,237,832
New Eagle River	29,661
Sewer Treatment	1,300,906
Sewer Interceptor	107,336
Eagle River	69,531
Henshaw Service	5,031
Lambert WID 3 4	28,188
LID 130 Mason	29,531
12th Avenue Water P-R	13,371
78th West Interceptor	643,526
"C" Street Trunk	35,750
International Airport Road Water	401,635
STP Extension Design	85,000
SE Interceptor Crossing	196,200
Eagle River STP	11,471
Infiltration/Inflow	67,000
Girdwood STP	1,792,503
Northern Lights Water	30,296
Eagle River Road Sewer Trunk	95,399
Gambell Street Water	29,399
Gambell Street Sewer	31,100
Production Well #13	79,320
CBD-2 Trunk	347,300
7th Avenue Watermain	241,244
Downtown Alley Waterline	49,788
	<hr/>
	\$8,746,279

78 BOND FUND

<u>Project</u>	<u>Amount</u>
O'Malley - Seward	\$ 1,062
East 76th Avenue 16" Main	113,840
LID 86-Campbell Hts. North	115,942
LID 67-Kim	9,348
"C" Street Trunk	93,250
Eagle River STP	18,000
East 68th - Hyatt to Abbott	331,600
10 MG Reservoir #4	1,638,000
Fire Lake Interceptor Phase I	500,000
LID 123-Hillcrest	138,667
LID 50-11-Tonsina Court	142,100
Arctic Blvd Sewer	17,850
CBD-1 Sewer Trunk	90,504
Well House #13	324,750
Gambell Street Water	114,436
Warehouse Avenue Trunk	135,850
Lake Otis Water Main	325,450
	<u>\$4,110,649</u>

80 BOND FUND

<u>Project</u>	<u>Amount</u>
10 MG Reservoir #4	\$ 112,000
Aero WID 315	170,949
Eagle River Road Sewer Trunk	131,000
Gambell Street Water	281,875
Intn'l Airport Road Sewer	373,300
Denali Street Sewer	28,450
Abbott Road Water Main	99,800
	<u>\$1,197,374</u>

BILL SHEFFIELD, GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION
OFFICE OF THE COMMISSIONER
POUCH O, JUNEAU 99811

Telephone: (907) 465-2600
Address:

February 25, 1986

The Honorable Drew Pearce
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Representative Drew:

I would like to offer my support for HB 461 "An Act Relating to Grants for Water Quality Enhancement Programs . . ." I presented testimony in favor of the proposed amendments to AS 46.03.030 before the Senate Community and Regional Affairs Committee during their February 18, 1986, hearing of SB 324. SB 324 and HB 461 are identical bills.

The Sheffield administration and the proponents of this legislation are in strong agreement on the need to preserve the quality of Alaska's water resources. Recent monitoring and analysis by the Department of Environmental Conservation (DEC) indicates the need to reduce the pollution in several of Alaska's streams, lakes, and tributaries. A very graphic example of the type of problem was the discovery of high fecal coliform bacteria in the Lower Campbell and Fish Creeks in Anchorage. As you know, this public health threat led to the cancellation of the annual canoe race on Campbell Creek. Once this problem was discovered, the Governor allocated \$110,000 from the contingency fund for a grant to Anchorage to assist in defining the source of this problem. The Legislature appropriated an additional \$200,000 grant to Anchorage to address the problem.

The proposed bill would amend DEC's current authority (AS 46.03.030) for administration of 50 percent grants for new construction to allow us to administer grants to address "water quality enhancement" projects. DEC's grant program has successfully administered funds for construction since 1970. The matching grants program offers several advantages to administration of State funds. Four of these are:

1. Providing technical review of projects.
2. Stretching State and local dollars. In a cooperative partnership, State and local government can combine efforts to achieve twice as much as either body could do alone.
3. Accountability is ensured by all parties.
4. DEC staff are trained and experienced in water quality management, troubleshooting, monitoring, analysis, evaluation, and program implementation.

Representative Pearce

-2-

February 25, 1986

I would point out that the proposed amendment would limit water quality enhancement grants to new construction projects. The additional amendments proposed by the Anchorage Waterways Council, recently sent to you by Jim Nordlund, would broaden the statute to include grants for program type activities, in addition to construction of water quality enhancement facilities.

*done in
NESS
C.S.*

I also support their proposal. The ability to address water quality issues through both facility construction and program implementation activities, such as monitoring, will provide an effective tool for making water quality improvements to adversely impacted waters.

Our analysis of the fiscal impact of this proposed bill shows it would have a zero impact on our operating budget and staffing levels. As with other capital projects, the Legislature will control the fiscal impact of program through the appropriation of grant money. The Department does not have a separate source of revenue for the matching grant program other than what is appropriated from the general funds each year of the Legislature.

Again, I support the proposed Water Quality Enhancement Bill. If this Bill passes and funds are appropriated, we will work with the communities in a joint effort to address significant water quality problems.

Sincerely,



Bill Ross
Commissioner

cc: Senator Tim Kelly



ANCHORAGE WATERWAYS COUNCIL

801 W. Fireweed Lane, Suite 103 • Anchorage, Alaska 99503

February 20, 1986

Senator Tim Kelly
Representative Drue Pearce
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Senator Kelly and Representative Pearce:

The Anchorage Waterways Council wants to extend our appreciation to each of you for introducing SB 324 and the identical bill HB 461, both titled, "An Act relating to grants for water quality enhancement programs...". The initiative that you have taken by proposing this legislation will help to establish stronger state sponsored programs to improve water quality.

The Council believes that the 50/50 match program is an excellent vehicle for water quality enhancement. We agree that this program will encourage local participation, will place little or no burden on existing state agencies, will leverage additional funds from municipalities, and will be subject to rational allocation mechanisms already in place within the Department of Environmental Conservation.

We do, however, have reservations about the contents of SB 324 and HB 461. The bills only go part of the way toward establishing a comprehensive program. Grant funds would be limited to the construction of facilities only, and no funds could be used for the administration of a water quality enhancement program. Except for the construction of certain facilities, such as oil and grease separators and water detention basins, this bill does not address many important measures that could be taken to improve surface and subsurface water quality in Anchorage, and other communities.

We have enclosed an amended version of the bills and encourage your support. What we have done is to allow programs as well as facilities to be funded by the 50/50 match. Also, we have stricken the sentence disallowing the costs of administration and made eligible the costs of research, testing, education, enforcement and clean up.

*explanation of
HESS C.S.
amendments*

Senator Kelly
Representative Pearce

Page Two

Using Anchorage as an example, it would be impossible to resolve the stream pollution problem without these components:

- * Research would enable an effective monitoring program to be designed to track pollutants.
- * Testing would allow for the collection of water samples and their lab analysis.
- * Enforcement would enable violators to be located and brought into compliance.
- * Clean-up would help fund efforts to clean up litter and other pollutants when violators cannot be located.
- * Education is most important. Stream pollution sources in Anchorage are widely dispersed, most often due to the activities of average citizens. Without an effort to inform people about their role in contributing to and alleviating water pollution, the problem will not go away. In dealing with air pollution, for example, the success of Anchorage's vehicle maintenance and inspection program is due, in large part, to a very effective public education program by the Municipality.

In short* just building facilities will not do the job. To illustrate this clearly, last year's legislative appropriation to the Municipality of Anchorage for the detection of stream pollution, could not have been funded through your proposed legislation.

Our version of the bill reflects one additional change to the existing statute. Sec. 46.03.030 (d) states that the "replacement" of a facility is not eligible for funding under this section. We can see no reason for this exclusion. For example, an old wood stave water main needs replacement in Fairbanks and is ineligible for the 50/50 program because of the exclusion. Indeed, the goal of water pollution control will be promoted by eliminating this unnecessary exclusion.

We apologize for not informing you earlier of our proposed version. Committee action on SB 324 has compelled us to respond. We urge you to adopt our amendments to SB 324 and HB 461 so that a comprehensive water quality enhancement program can be created.

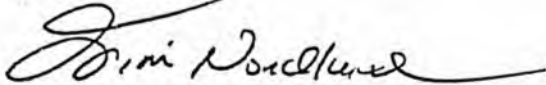
Senator Kelly
Representative Pearce

Page Three

If you have any questions, please contact me in Juneau at
465-4968 or our office in Anchorage at 277-WATR.

Thank you again for your concern about water quality.

Sincerely,



Jim Nordlund
President

c.c. All Co-Sponsors
Rep. Koponen
Rep. Clocksin
Governor Sheffield
Commissioner Ross, DEC
Mayor Knowles, Municipality of Anchorage

Municipality
of
Anchorage



P.O. BOX 6-650
ANCHORAGE, ALASKA 99502-0650
(907) 264-4960

TONY KNOWLES
MAYOR

INTERGOVERNMENTAL AFFAIRS
February 20, 1986

FEB 27 1986

Rep. Drue Pearce
Pouch V
Juneau, Alaska 99801

Re: Revisions to Title 46 to Water Quality Enhancement

Dear Rep. Pearce:

The Water Quality Council of the Municipality of Anchorage has reviewed this matter again recently, and it heartily supports your draft bill to add surface and subsurface water quality enhancement to the DEC 50/50 match program.

Anchorage is making progress in the matter of surface and groundwater pollution through defining accurately the problem, searching out point sources of contamination, planning for better drainage, and raising public consciousness about the need for more sewers. Two state grants in 1985 - \$110,000 from the Governor's contingency fund, and \$200,000 appropriated from the Legislature through DEC - have helped us greatly in those efforts.


Also, as you know, Anchorage citizens approved in October the sale of \$15 million in sewer bonds and \$10 million for various water quality projects including purchase of wetlands and buffer zones along certain endangered streams and other projects to halt or reverse degradation.

Recently, Mayor Knowles gave a major address on water quality before the Anchorage Chamber of Commerce. In addition to setting policy goals for the administration in this area over the next several years, he stressed the integrated approach which we are taking in dealing with water resources - through providing safe drinking water (Eklutna), dealing with our subsurface waters (water and sewer extensions and a new wastewater ordinance), and surface waters (our water quality bond issue). The State has a partnership with the Municipality in each of these areas. We view the matching construction grants program as an ongoing program. Adding the category of water quality enhancement to that program is consistent with the overall policy direction the Municipality has taken in integrating all of our water programs.

Rep. Drue Pearce
February 20, 1986
Page Two

We appreciate your concern and leadership in this matter. We offer our assistance in helping you achieve passage of your proposed amendments to Title 46.

Sincerely yours,



Chip Dennerlein

cc: Bill Ross, Commissioner, ADEC
Jim Ayers

Offered: 2/26/86
Referred: Resources and Finance

Original sponsors: Pearce, Gruenberg,
Uehling, et al

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2

CS FOR HOUSE BILL NO. 461 (HESS)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to grants for water quality enhance-
7 ment programs and water supply, sewerage, and solid
8 waste facilities."

9

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

10

* Section 1. AS 46.03.030(c) is amended to read:

11

(c) There is a water quality enhancement program and water
12 supply, sewerage, and solid waste facilities fund created in the
13 department to carry out the purposes of this section.

14

* Sec. 2. AS 46.03.030(d) is amended to read:

15

(d) The department shall, by regulation, identify those costs
16 that [WHICH] are eligible costs for the purposes of this section.
17 Eligible costs include the costs established in a construction con-
18 tract that [WHICH] are necessary for construction of a project, but do
19 not include the cost of interest and financing and right-of-way acqui-
20 sition, or costs related to operation, maintenance, or repair [OR
21 REPLACEMENT] of a project.

22

* Sec. 3. AS 46.03.030 is amended by adding a new subsection to read:

23

(f) The department may grant to a municipality not more than 50
24 percent of the eligible costs not financed by the federal government
25 of programs and facilities for enhancing the water quality of streams,
26 lakes, waterways, and other bodies of water if the costs are incurred
27 after July 1, 1986. Eligible costs include costs of testing,
28 research, education, enforcement, and clean-up programs for the
29 purpose of discovering and solving water pollution problems. A grant

- 1 may be made under this subsection only for a water enhancement program
- 2 approved by the department.

Introduced: 1/13/86
Referred: Health, Education & Social
Services, Resources and Finance

BY PEARCE, GRUENBERG, UEHLING,
BOUCHER, FURNACE, HANLEY,
MARTIN AND JENKINS

1 IN THE HOUSE

2 HOUSE BILL NO. 461

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to grants for water quality enhance-
7 ment programs; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 46.03.030(c) is amended to read:

10 (c) There is a water quality enhancement, water supply, sewer-
11 age, and solid waste facilities fund created in the department to
12 carry out the purposes of this section.

13 * Sec. 2. AS 46.03.030 is amended by adding a new subsection to read:

14 (f) The department may grant to a municipality not more than 50
15 percent of the eligible costs not financed by the federal government
16 of enhancing the water quality of streams, lakes, waterways, and other
17 bodies of water if the costs are incurred after July 1, 1986. Eligi-
18 ble costs do not include costs of administering a water quality en-
19 hancement program. A grant may be made under this subsection only for
20 a water enhancement program approved by the department.

21 * Sec. 3. This Act takes effect July 1, 1986.