

LEG. FINANCE - BILLS 1985 - 1986 2432

HB 535 cont. - HB 542 2432

FISCAL NOTE

SCS CSHB 535 (SA) *Pr. P*

73860	Equipment Lease		
	6 CRT Terminals @ 206/month each	14.9	
73860	Total		14.9
	Total Contractual		95.6
74000	SUPPLIES		
74220	Normal office supplies, computer paper, etc.	3.0	
	Total Supplies		3.0
75025	EQUIPMENT		
76050	Furniture		
	File cabinets, 2 @ 308.66	.6	
	Chairs (stools) 6 @ 350.00	2.1	
76050	Total		2.7
	Total Equipment		2.7
	TOTAL FY88 REQUEST		294.0

If the fiscal note is not approved then the additional workload will have to be absorbed by existing employees. If the six employees requested in this fiscal note are not funded it represents a 20% decrease in service levels at the registration and title areas in the Anchorage and Fairbanks field offices. The decrease in service would be most evident during the summer months when the offices have the largest workload. A decrease in service will result in waiting times of more than one hour on a regular basis. This is not acceptable to the public, and will generate justified complaints.

Position Title Motor Vehicle Representative II			No. of Positions 4	Range/Step 9B	Barg. Unit CGU	Gov.	Approv.	Disapp.
Time Status PFT	Start Months 48	RP Number	Location Anchorage		Election District 7-15	Leg.		
Type of Expenditure			Justification					
1	2	3	<p>Work the public counter to issue motor vehicle registrations and titles.</p> <p>When necessary these positions will assist the mail out section in processing renewals and verification of certification of insurance.</p> <p>Assist the public by responding to inquiries concerning motor vehicle insurance requirements.</p>					
Salary	88,944							
Benefits	22,236							
Premium Pay								
Other	12,108							
Total Personal Services		123.2						
Travel								
Contractual		37.6						
Commodities		.8						
Equipment		1.7						
Other								
Total Cost		163.3						
Receipt Code			Funding Source					
			Federal Receipts 1002					
			G. F. Match 1003					
			General Funds 1004					
			I-A Receipts 1005					
			Program Receipts 1028					
			CIP Receipts 1061					
			Other					
			163.3					
For B&M Use Only Key Number _____								

**Request For
New Position**

Agency Department of Public Safety
 BRU Division of Motor Vehicles
 Component Field Services

FY 87

Page 4 of 5
 Revised Date _____

Position Title Motor Vehicle Representative II			No. of Positions 2	Range/Step 9E	Barg. Unit GCU	Gov.	Approv.	Disapp.
Time Status PFT	Staff Months .24	RP Number	Location Fairbanks		Election District	Leg.		
Justification								
<p>These positions would work the public counter to issue motor vehicle registrations and titles.</p> <p>Assist the public by responding to inquiries concerning motor vehicle insurance requirements.</p>								
Type of Expenditure			Amount					
1	2	3						
Salary	48,696							
Benefits	12,174							
Premium Pay								
Other	6,054							
Total Personal Services		67.0						
Travel								
Contractual			18.8					
Commodities			.4					
Equipment			1.0					
Other								
Total Cost			87.2					
Receipt Code		Funding Source						
		Federal Receipts 1002						
		G. F. Match 1003						
		General Funds 1004						
		I-A Receipts 1005						
		Program Receipts 1028						
		CIP Receipts 1061						
		Other						
		87.2						
For B&M Use Only Key Number _____								

**Request For
New Position**

Agency Department of Public Safety
 BRU Division of Motor Vehicles
 Component Field Services

Page 5 of 5
 Revised Date

FY 87

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: 4/8/86

REQUEST Page 1 of 3

FISCAL DETAIL

Bill/Resolution No.: CASHB 535 (Jud)
Title: "An Act relating to registration of motor vehicles; EFD."

Agency Affected: Public Safety
BRU: Motor Vehicles

Sponsor: Rieger, et al
Requestor: House Judiciary
Date of Request: 4/4/86

Componer's: _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		0	61.6	61.6	61.6	61.6
TRAVEL		0	0	0	0	0
CONTRACTUAL		15.0	78.5	18.3	18.3	18.3
SUPPLIES		0	3.0	3.0	3.0	3.0
EQUIPMENT		0	1.4	0	0	0
LAND & STRUCTURES		0	0	0	0	0
GRANTS, CLAIMS		0	0	0	0	0
MISCELLANEOUS		0	0	0	0	0
TOTAL OPERATING		15.0	144.5	82.9	82.9	82.9

CAPITAL		0	0	0	0	0
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REVENUE		0	450.0	459.0	468.0	477.0
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FUNDING : (Thousands of Dollars)

GENERAL FUND		15.0	144.5	82.9	82.9	82.9
FEDERAL FUNDS		0	0	0	0	0
OTHER		0	0	0	0	0
TOTAL		15.0	144.5	82.9	82.9	82.9

POSITIONS :

FULL-TIME		0	2	2	2	2
PART-TIME		0	0	0	0	0
TEMPORARY		0	0	0	0	0

ANALYSIS : Attach a separate page if necessary

Prepared by: *William J. ...*
Division: _____

Phone: _____
Date: 4/8/86

Approved by Commissioner: _____
Agency: _____

Date: _____

Distribution (by Agency preparing fiscal note):

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

F I S C A L N O T E F O R F Y - 8 7

(In Thousands) CSHB 535 (Jud) page 2 of 3

CONTRACTUAL

Promotion and advertising

Advertising 15.0

TOTAL FY-87

15.0

F I S C A L N O T E F O R F Y - 8 8
(In Thousands)

CSHB 535 (Jud) page 3 of 3

PERSONAL SERVICES

In Anchorage --

2 MVR II, Range 9	<u>61.6</u>	
		61.6

CONTRACTUAL

Professional services

Counter modifications	4.0	
CRT Installation	.2	
DP Program modification	<u>36.2</u>	
		40.4

Communications

Postage	11.3	
Telephone	<u>3.1</u>	
		14.4

Promotion and advertising

Forms	1.5	
Advertising	<u>13.5</u>	
		15.0

Data Processing

Network Connect Fee for 2 Terminals	2.0	
CRT Maintenance	1.8	
CRT Lease	<u>4.9</u>	
		8.7
		78.5

SUPPLIES

Normal office supplies	<u>3.0</u>	
		3.0

EQUIPMENT

File cabinets	.6	
Stools for new positions	<u>.8</u>	
		<u>1.4</u>

TOTAL FY-88

144.5

REVENUE

Projected revenue = 450,000 motor vehicles x \$1.00 per vehicle.

NOTE: Based on estimates provided by the Dept. of Public Safety.
Presumes annual 2% increase in no. of vehicles registered.

COMPARISON OF HB 535 AND CSHB 535 (JUD)

Sections 1 - 4 are essentially the same in both versions of the bill, except that in the Judiciary CS motor-driven cycles are exempted from the new proof requirement.

Sections 5 - 10 of the Judiciary CS contain provisions not found in the original version of the bill. New language in these sections --

-- Requires insurers to notify DMV within 10 days after cancellation of a motor vehicle liability insurance policy, unless the vehicle is a motor-driven cycle. (Sec. 5.)

-- Raises by \$1 the registration fee for most motor vehicles. (Sec. 6 - 8.)

-- Exempts motor-driven cycles from mandatory motor vehicle insurance law. (Sec. 9.)

-- Adds July 1, 1987, effective date. (Sec. 10.)

/wtl

Alaska State Legislature

REPRESENTATIVE
STEVE RIEGER
District 8, Seat B

House Finance Committee



P. O. Box 110023
Anchorage, Alaska 99511

While in Juneau
P. O. Box V
Juneau, Alaska 99811
(907) 465-3464

House of Representatives

M E M O R A N D U M

April 22, 1986

TO: Representative Al Adams
FROM: Representative Steve Rieger *SR*

CSHB 535 (Jud), "An Act relating to the registration fees for motor vehicles, the insurance requirements for obtaining and maintaining motor vehicle registration, the insurance requirements for motor-driven cycles, and the cancellation of motor vehicle insurance policies; and providing for an effective date."

My staff has prepared this sectional analysis of the Judiciary Committee Substitute for House Bill 535, referenced above.

SECTION 1

Section 1 amends the procedure for motor vehicle registration. It requires the owner of a vehicle, other than a motor-driven cycle, to show proof of insurance coverage as set forth in AS 28.22.010 or to produce a certificate of self-insurance under AS 28.20.400 before the Division of Motor Vehicle issues a certificate of registration.

Under the current mandatory insurance law, a motor vehicle owner can meet the requirements for vehicle liability insurance in one of two ways:

- (1) He can purchase a liability policy with the coverage outlined in AS 28.22.010: \$50,000 for personal injury and death per person, \$100,000 for personal injury and death per accident, and \$25,000 for property damage per accident.
- (2) Alternatively, he can produce a certificate of self-insurance under AS 28.20.400. To qualify for a certificate of self-insurance, a person must have 25 or more vehicles registered in his name and provide proof of financial responsibility.

Under the existing mandatory insurance law, proof of insurance or self-insurance need not be shown until after:

(1) A driver has had an accident involving personal injury, death, or property damage of \$500 or more, or

(2) A driver has been issued a six-point traffic citation for such violations as hit and run, reckless driving, and operating a motor vehicle while under the influence.

Section 1 only alters the point in time when a vehicle owner is required to show proof his motor vehicle is insured; it requires proof of insurance before registration instead of after an accident or six-point traffic ticket.

Section 1 exempts motor-driven cycles from the new proof requirement. (See Section 9.)

SECTION 2

Section 2 authorizes the Division of Motor Vehicles to refuse to register a motor vehicle if its owner fails to produce evidence satisfactory to the Department that he has purchased a liability insurance policy, unless the vehicle is a motor-driven cycle or the owner has obtained a certificate of self-insurance.

SECTION 3

Section 3 authorizes the Division of Motor Vehicles to suspend or revoke a vehicle's registration if the owner does not have a liability insurance policy in force with the required coverage, unless the vehicle is a motor-driven cycle or the owner has obtained a certificate of self-insurance.

SECTION 4

Section 4 prohibits the Division of Motor Vehicles from renewing the registration of a vehicle without first receiving proof of liability insurance from the owner, unless the vehicle is a motor-driven cycle or the owner has obtained a certificate of self-insurance.

SECTION 5

Section 5 requires insurance companies and other insurers to notify the department of public safety within 10 days after cancellation of a motor vehicle liability insurance policy, unless the vehicle is a motor-driven cycle.

SECTIONS 6 - 8

Sections 6, 7 and 8 raise by \$1 the annual registration fee for all classes of motor vehicles, except for certain two- or four-wheeled trailers, historic vehicles, vehicles owned by disabled veterans or other handicapped persons or residents over 65 years of age, vehicles owned by the state, snowmobiles, and vehicles owned by former prisoners of war.

SECTION 9

Section 9 exempts motor-driven cycles from the state's mandatory motor vehicle insurance law.

SECTION 10

Section 10 makes the bill effective on July 1, 1987.

SAR/wtl

INFORMATION SHEET

Six-point Traffic Violations

Failure to yield to an emergency vehicle

Failure to yield to a flashing blue light

Failure of blue light to yield to authorized vehicle

Exceeding posted speed limit -- 20 or more over

Altered speed limits -- 20 or more over

Speeding in school zone/playground/crosswalk

Exceeding speed limit by 20 or more when:

 Passing school bus

 Towing mobile home

 Crossing bridge

Impeding

Failure to stop for school bus displaying red lights

Driving with driver's license revoked/cancelled/suspended

Driving in violation of limitation

Exceeding 20 mph when overtaking school bus

Operating motor vehicle while intoxicated

Reckless operation

Negligent operation

Hit and run

Reckless driving at state airport

Exceeding speed limit by 20 or more at airport

Exceeding speed limit by 20 or more in state park

DIVISION OF MOTOR VEHICLES
STATISTICS ON UNINSURED MOTORISTS
FROM JANUARY 1, 1985 TO OCTOBER 15, 1985

Accidents Involving \$500 Property
Damage or Personal Injury/Death

26,098	Drivers involved in accidents
3,779	Suspensions issued for failure to provide proof of insurance
<u>1,461</u>	Reinstatements after providing proof of insurance
2,318	Suspensions remaining in effect for failure to provide proof of insurance

Drivers Cited for Six-point
Traffic Violations

8,647	Drivers cited for six-point traffic violations
2,726	Suspensions issued for failure to provide proof of insurance
<u>312</u>	Suspensions voided after providing proof of insurance
2,414	Suspensions remaining in effect for failure to provide proof of insurance

VEHICLES COVERED UNDER HB 535

§ 28.10.010

ALASKA STATUTES

§ 28.10.011

Chapter 10. Vehicle Registration and Title.

Sec. 28.10.011. Vehicles subject to registration. Every vehicle driven, moved, or parked upon a highway or other public parking place in the state shall be registered under this chapter except when the vehicle is

- (1) driven or moved on a highway only for the purpose of crossing the highway from one private property to another, including an implement of husbandry as defined by regulation;
- (2) driven or moved on a highway under a dealer's plate or temporary permit as provided for in AS 28.10.031 and 28.10.181(j);
- (3) special mobile equipment as defined by regulation;
- (4) owned by the United States;
- (5) moved by human or animal power;
- (6) exempt under 50 U.S.C. App. 501-591 (Soldier's and Sailor's Civil Relief Act);
- (7) driven or parked only on private property;
- (8) the vehicle of a nonresident as provided under AS 28.10.121;
- (9) a commercial interstate vehicle under AS 28.10.141;
- (10) transported under a special permit under AS 28.10.151;
- (11) driven or moved on a highway or vehicular way not connected to the state highway system established under AS 19.10.020;
- (12) a mobile home as defined by regulation. (§ 7 ch 178 SLA 1978; am § 1 ch 54 SLA 1979; § 1 ch 99 SLA 1983)

Effect of amendments. — The 1983 amendment added paragraph (12).

NOTES TO DECISIONS

For case construing former AS 28.10.040 and meaning of "cross the highway," see *Newell v. National Ban*, Sup. Ct. Op. No. 2518 (File No. 5437), 646 P.2d 224 (1982).

Offered: 4/15/86
Referred: Rules

Original sponsors: Rieger, Ringstad,
Gruenberg, et al

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE
2 CS FOR HOUSE BILL NO. 535 (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 the registration fees for motor
7 vehicles, the insurance requirements for obtaining
8 and maintaining motor vehicle registration, the
9 insurance requirements for motor-driven cycles, and
10 the cancellation of motor vehicle insurance policies;
11 and providing for an effective date."

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

13 * Section 1. AS 28.10.021(a) is amended to read:

14 (a) The owner of a vehicle subject to registration shall apply
15 for registration under this chapter by properly completing the form
16 prescribed by the commissioner under AS 28.05.041. Before the issu-
17 ance of a certificate of registration by the department, the owner
18 shall

19 (1) pay all registration fees and taxes required under this
20 chapter and federal heavy vehicle use taxes required under 26 U.S.C.
21 4481 (Internal Revenue Code of 1954);

22 (2) unless the owner qualifies as a self-insurer under
23 AS 28.20.400 or the vehicle is a motor-driven cycle, provide evidence
24 satisfactory to the department of the existence of a motor vehicle
25 liability policy that complies with AS 28.22.010 for the vehicle being
26 registered; and

27 (3) [SHALL] comply with [ANY] other applicable statutes and
28 regulations.

29 * Sec. 2. AS 28.10.041(a) is amended to read:

- 1 (a) The department may refuse to register a vehicle if
- 2 (1) the application contains a false or fraudulent state-
- 3 ment;
- 4 (2) the applicant fails to furnish information required by
- 5 the department;
- 6 (3) the applicant is not entitled to the issuance of a
- 7 certificate of title or registration under this chapter;
- 8 (4) the vehicle is determined to be mechanically unsafe to
- 9 be driven or moved on a highway, vehicular way or area, or other
- 10 public property in the [THIS] state;
- 11 (5) the department has reasonable grounds to believe that
- 12 the vehicle was stolen or fraudulently acquired or that the granting
- 13 of registration would be a fraud against the rightful owner or other
- 14 person having a valid lien upon the vehicle;
- 15 (6) the registration of the vehicle has been suspended or
- 16 revoked for any reason under the laws of the [THIS] state;
- 17 (7) the required fees or taxes have not been paid;
- 18 (8) the vehicle or applicant fails to comply with this
- 19 chapter or regulations authorized by this section;
- 20 (9) the vehicle is without a certificate of inspection
- 21 required under AS 28.32.010;
- 22 (10) the vehicle is subject to a state-approved local
- 23 emission inspection program adopted by municipal ordinance under
- 24 AS 46.03.210, and the vehicle does not meet the standards of that
- 25 program, unless the vehicle uses a fuel source that does not primarily
- 26 emit carbon monoxide;
- 27 (11) the applicant fails to provide evidence satisfactory
- 28 to the department of the existence of a motor vehicle liability policy
- 29 that complies with AS 28.22.010 for the vehicle being registered,

1 unless the owner of the vehicle qualifies as a self-insurer under
2 AS 28.20.400 or the vehicle is a motor-driven cycle.

3 * Sec. 3. AS 28.10.051 is amended by adding a new subsection to read:

4 (b) Unless the owner qualifies as a self-insurer under AS 28.-
5 20.400 or the vehicle is a motor-driven cycle, the department may
6 suspend or revoke the registration of a vehicle that is not insured by
7 a motor vehicle liability policy that complies with AS 28.22.010.

8 * Sec. 4. AS 28.10.111 is amended by adding a new subsection to read:

9 (c) Unless the owner of the vehicle qualifies as a self-insurer
10 under AS 28.20.400 or the vehicle is a motor-driven cycle, the depart-
11 ment may not renew the registration of a vehicle without receiving
12 evidence satisfactory to the department that the vehicle is insured by
13 a motor vehicle liability policy that complies with AS 28.22.010.

14 * Sec. 5. AS 28.10 is amended by adding a new section to read.

15 Sec. 28.10.115. NOTIFICATION OF CANCELLATION. An insurer shall
16 notify the department within 10 days after the cancellation of a motor
17 vehicle liability policy issued by the insurer for a vehicle that is
18 registered under this chapter, unless the vehicle is a motor-driven
19 cycle.

20 * Sec. 6. AS 28.10.421(b) is amended to read:

21 (b) The annual registration fees under this subsection are
22 imposed within the following classifications for:

23 (1) a passenger vehicle or motor home not used or main-
24 tained for the transportation of persons or property for hire or for
25 other commercial use \$31 [\$30];

26 (2) a pick-up truck or a van not exceeding 6,000 pounds
27 unladen weight and not used or maintained for the transportation of
28 persons or property for hire or for other commercial use .. \$36 [\$35];

29 (3) a taxicab \$66 [\$65];

1 (4) a motor bus with a seating capacity for 20 or more
2 persons and used exclusively for commercial purposes in the trans-
3 porting of visitors or tourists \$81 [\$80];

4 (5) a motorcycle or a motor-driven cycle \$16 [\$15];

5 (6) a two- or four-wheeled trailer not used or maintained
6 for the transportation of persons or property for hire or for other
7 commercial use, including, but not limited to, a boat trailer, baggage
8 trailer, box trailer, utility trailer or house trailer \$5.

9 * Sec. 7. AS 28.10.421(c) is amended to read:

10 (c) The annual registration fees under this subsection are
11 imposed and are based upon the actual unladen weight as established by
12 the manufacturer's advertised weight or upon the actual weight that
13 [WHICH] the owner shall furnish, subject to the approval of the com-
14 missioner or the commissioner's representative, for a vehicle, includ-
15 ing a motor vehicle pulling a trailer or semi-trailer, used or main-
16 tained for the transportation of passengers for hire, excepting taxi-
17 cabs and buses under (b) of this section, or for the transportation of
18 property for hire or for other commercial use, including a commercial
19 vehicle such as a trailer, semi-trailer, truck, wrecker, tow car,
20 hearse, ambulance, and tractor, as follows:

21 (1) up to and including 5,000 pounds \$46 [\$45];

22 (2) more than 5,000 pounds to and including 12,000 pounds
23 \$81 [\$80];

24 (3) more than 12,000 pounds to and including 18,000 pounds
25 \$151 [\$150];

26 (4) more than 18,000 pounds \$216 [\$215].

27 * Sec. 8. AS 28.10.421(d) is amended to read:

28 (d) The special registration fees under this subsection are
29 imposed annually, unless otherwise specified, for:

1 (1) an historic vehicle (one time only upon initial regis-
2 tration under AS 28.10.181) \$10;
3 (2) special request plates \$20;
4 plus the fee required for that vehicle under (b)(1) or (2) of this
5 section; the fee required by this paragraph shall be collected only on
6 the first issuance and on the replacement of special request plates;
7 (3) a vehicle owned by a disabled veteran or other handi-
8 capped person, and registered under AS 28.10.181 or a resident 65
9 years of age or older who complies with AS 28.10.411(c) none;
10 (4) a vehicle owned by the state none;
11 (5) a vehicle owned by an elected state official
12 the fee required for that vehicle under (b) of this section;
13 (6) a vehicle owned by a consular officer, unless waived
14 under AS 28.10.181 \$31 [\$30];
15 (7) a vehicle owned by a rancher, farmer, or person engaged
16 in the dairy business [DAIRYMAN] and registered under AS 28.10.181
17 \$31 [\$30];
18 (8) a snowmobile or off-highway vehicle \$5;
19 (9) an amateur mobile radio station vehicle,
20 (A) with a transceiver capable of less than five-band
21 [5-BAND] operation the fee required for that vehi-
22 cle under (b) or (c) of this section;
23 (B) in recognition of service to the public: a mobile
24 amateur radio station owned by an amateur with general class or
25 higher license, provided the station must be satisfactorily
26 proved capable of operating on at least five bands between 160
27 through 10 meters, must have an antenna, and must have a power
28 supply and wiring as a permanent part of the vehicle; the trans-
29 mitting unit may be removed from the car for service or dry

1 storage none
2 for a mobile amateur radio station vehicle included in (b)(1) or
3 (2) of this section;

- 4 (10) dealer registration plates,
5 (A) the initial set of plates \$41 [\$40];
6 (B) each subsequent set of plates \$21 [\$20];
7 (11) a vehicle owned by a municipality or charitable organi-
8 zation meeting the requirements of AS 28.10.181(c) \$6 [\$5];
9 (12) an occasional use vehicle under AS 28.10.181(k)
10 \$16 [\$15];
11 (13) a vehicle owned by a former prisoner of war . . none.

12 * Sec. 9. AS 28.22 is amended by adding a new section to read:
13 Sec. 28.22.520. EXEMPTION FOR MOTOR-DRIVEN CYCLES. This chapter
14 does not apply to motor-driven cycles.

15 * Sec. 10. This Act takes effect July 1, 1987.

Introduced: 1/31/86
Referred: Labor & Commerce,
State Affairs and Judiciary

BY RIEGER, RINGSTAD, GRUENBERG,
M.W. MILLER, POURCHOT, THOMPSON,
BOUCHER, PEARCE, PIGNALBERTI,
TAYLOR, HANLEY AND COLLINS

1 IN THE HOUSE

2 HOUSE BILL NO. 535

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 the registration of motor vehi-
7 cles."

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

9 * Section 1. AS 28.10.021(a) is amended to read:

10 (a) The owner of a vehicle subject to registration shall apply
11 for registration under this chapter by properly completing the form
12 prescribed by the commissioner under AS 28.05.041. Before the issu-
13 ance of a certificate of registration by the department, the owner
14 shall

15 (1) pay all registration fees and taxes required under this
16 chapter and federal heavy vehicle use taxes required under 26 U.S.C.
17 4481 (Internal Revenue Code of 1954);

18 (2) unless the owner qualifies as a self-insurer under
19 AS 28.20.400, provide evidence satisfactory to the department of the
20 existence of a motor vehicle liability policy that complies with
21 AS 28.22.010 for the vehicle being registered; and

22 (3) [SHALL] comply with [ANY] other applicable statutes and
23 regulations.

24 * Sec. 2. AS 28.10.041(a) is amended to read:

25 (a) The department may refuse to register a vehicle if

26 (1) the application contains a false or fraudulent state-
27 ment;

28 (2) the applicant fails to furnish information required by
29 the department;

1 (3) the applicant is not entitled to the issuance of a
2 certificate of title or registration under this chapter;

3 (4) the vehicle is determined to be mechanically unsafe to
4 be driven or moved on a highway, vehicular way or area, or other
5 public property in the [THIS] state;

6 (5) the department has reasonable grounds to believe that
7 the vehicle was stolen or fraudulently acquired or that the granting
8 of registration would be a fraud against the rightful owner or other
9 person having a valid lien upon the vehicle;

10 (6) the registration of the vehicle has been suspended or
11 revoked for any reason under the laws of the [THIS] state;

12 (7) the required fees or taxes have not been paid;

13 (8) the vehicle or applicant fails to comply with this
14 chapter or regulations authorized by this section;

15 (9) the vehicle is without a certificate of inspection
16 required under AS 28.32.010;

17 (10) the vehicle is subject to a state-approved local
18 emission inspection program adopted by municipal ordinance under
19 AS 46.03.210, and the vehicle does not meet the standards of that
20 program, unless the vehicle uses a fuel source that does not primarily
21 emit carbon monoxide;

22 (11) the applicant fails to provide evidence satisfactory
23 to the department of the existence of a motor vehicle liability policy
24 that complies with AS 28.22.010 for the vehicle being registered,
25 unless the owner of the vehicle qualifies as a self-insurer under
26 AS 28.20.400.

27 * Sec. 3. AS 28.10.051 is amended by adding a new subsection to read:

28 (b) Unless the owner qualifies as a self-insurer under AS 28.-
29 20.400, the department may suspend or revoke the registration of a

1 vehicle that is not insured by a motor vehicle liability policy that
2 complies with AS 28.22.010.

3 Sec. 4. AS 28.10.111 is amended by adding a new subsection to read:

4 (c) Unless the owner of the vehicle qualifies as a self-insurer
5 under AS 28.20.400, the department may not renew the registration of a
6 vehicle without receiving evidence satisfactory to the department that
7 the vehicle is insured by a motor vehicle liability policy that com-
8 plies with AS 28.22.010.

COMMITTEE REPORT
SENATE

FURTHER:

5/7/86

Date 5/11/86

Mr. President

The Committee on FINANCE considered CSHB 535(Fin)am

relating to the insurance requirements for obtaining and maintaining motor vehicle registration, and the insurance requirements for motor-driven cycles; efd.

and (a majority of the committee) (the committee) reports it back with the following recommendations:

do pass

do pass with attached amendment(s)

replace with/or adopt SCS for CSHB 535(S.A.)

new title

same title and recommends _____

and attached a "LETTER OF INTENT"

NEW FISCAL NOTE
15.0 HFC/PS.

reports it back without recommendation

recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS

Arthur NOTE
Paul Fick N/R
Rebecca
Rich Halford DO NOT PASS

Joan Fick
-Chairman
N/R
Chairman recommendation

Offered: 5/8/86
Referred: Finance

Original sponsors: Rieger, Ringstad,
Gruenberg, et al

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE
2 SENATE CS FOR CS FOR HOUSE BILL NO. 535 (State Affairs)
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 the insurance requirements for
7 obtaining and maintaining motor vehicle registration,
8 and the insurance requirements for motor-driven
9 cycles; and providing for an effective date."

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

11 * Section 1. AS 28.10.021(a) is amended to read:

12 (a) The owner of a vehicle subject to registration shall apply
13 for registration under this chapter by properly completing the form
14 prescribed by the commissioner under AS 28.05.041. Before the issu-
15 ance of a certificate of registration by the department, the owner
16 shall

17 (1) pay all registration fees and taxes required under this
18 chapter and federal heavy vehicle use taxes required under 26 U.S.C.
19 4481 (Internal Revenue Code of 1954);

20 (2) unless the owner qualifies as a self-insurer under
21 AS 28.20.400, is exempted from obtaining liability insurance under
22 AS 28.22.200, or the vehicle is a motor-driven cycle, provide evidence
23 satisfactory to the department of the existence of a motor vehicle
24 liability policy that complies with AS 28.22.010 for the vehicle being
25 registered; and

26 (3) [SHALL] comply with [ANY] other applicable statutes and
27 regulations.

28 * Sec. 2. AS 28.10.041(a) is amended to read:

29 (a) The department may refuse to register a vehicle if

- 1 (1) the application contains a false or fraudulent state-
2 ment;
- 3 (2) the applicant fails to furnish information required by
4 the department;
- 5 (3) the applicant is not entitled to the issuance of a
6 certificate of title or registration under this chapter;
- 7 (4) the vehicle is determined to be mechanically unsafe to
8 be driven or moved on a highway, vehicular way or area, or other
9 public property in the [THIS] state;
- 10 (5) the department has reasonable grounds to believe that
11 the vehicle was stolen or fraudulently acquired or that the granting
12 of registration would be a fraud against the rightful owner or other
13 person having a valid lien upon the vehicle;
- 14 (6) the registration of the vehicle has been suspended or
15 revoked for any reason under the laws of the [THIS] state;
- 16 (7) the required fees or taxes have not been paid;
- 17 (8) the vehicle or applicant fails to comply with this
18 chapter or regulations authorized by this section;
- 19 (9) the vehicle is without a certificate of inspection
20 required under AS 28.32.010;
- 21 (10) the vehicle is subject to a state-approved local
22 emission inspection program adopted by municipal ordinance under
23 AS 46.03.210, and the vehicle does not meet the standards of that
24 program, unless the vehicle uses a fuel source that does not primarily
25 emit carbon monoxide;
- 26 (11) the applicant fails to provide evidence satisfactory
27 to the department of the existence of a motor vehicle liability policy
28 that complies with AS 28.22.010 for the vehicle being registered,
29 unless the owner of the vehicle qualifies as a self-insurer under

1 AS 28.20.400, is exempted from obtaining liability insurance under
2 AS 28.22.200, or the vehicle is a motor-driven cycle.

3 * Sec. 3. AS 28.10.051 is amended by adding a new subsection to read:

4 (b) Unless the owner qualifies as a self-insurer under AS 28.-
5 20.400, is exempted from obtaining liability insurance under AS 28.-
6 22.200, or the vehicle is a motor-driven cycle, the department may
7 suspend or revoke the registration of a vehicle that is not insured by
8 a motor vehicle liability policy that complies with AS 28.22.010.

9 * Sec. 4. AS 28.10.111 is amended by adding a new subsection to read:

10 (c) Unless the owner of the vehicle qualifies as a self-insurer
11 under AS 28.20.400, is exempted from obtaining liability insurance
12 under AS 28.22.200, or the vehicle is a motor-driven cycle, the de-
13 partment may not renew the registration of a vehicle without receiving
14 evidence satisfactory to the department that the vehicle is insured by
15 a motor vehicle liability policy that complies with AS 28.22.010.

16 * Sec. 5. AS 28.22 is amended by adding a new section to read:

17 Sec. 28.22.520. EXEMPTION FOR MOTOR-DRIVEN CYCLES. This chapter
18 does not apply to motor-driven cycles.

19 * Sec. 6. This Act takes effect July 1, 1987.

**STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE**

Revision Date: 4/25/86

REQUEST

Bill/Resolution No.: CSHB 535 (FIN)
 Title: Insurance requirements for
registering a motor vehicle
 Sponsor: Rieger
 Requestor: House Finance Committee
 Date of Request: 4/25/86

FISCAL DETAIL

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

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		0	---	---	---	---
TRAVEL		0	---	---	---	---
CONTRACTUAL		15.0	---	---	---	---
SUPPLIES		0	---	---	---	---
EQUIPMENT		0	---	---	---	---
LAND & STRUCTURES		0	---	---	---	---
GRANTS, CLAIMS		0	---	---	---	---
MISCELLANEOUS		0	---	---	---	---
TOTAL OPERATING		15.0	---	---	---	---

CAPITAL		0	0	0	0	0
----------------	--	---	---	---	---	---

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

FUNDING : (Thousands of Dollars)

GENERAL FUND		15.0	---	---	---	---
FEDERAL FUNDS		0	---	---	---	---
OTHER		0	---	---	---	---
TOTAL		15.0	---	---	---	---

POSITIONS :

FULL-TIME		0				
PART-TIME		0				
TEMPORARY		0				

ANALYSIS : Attach a separate page if necessary

The \$15.0 provided under contractual is to promote and advertise the new registration requirement before the law becomes effective on July 1, 1987. If the ad campaign is effective, the division should not need additional positions to handle increased work load created because the public is not aware of the new requirement. If additional positions and funding are needed, they should be requested through the regular budget process in the future.

Prepared by: Al Adams, Chair Phone: 465-3706
 Division: House Finance Committee Date: 4/25/86

Approved by Commissioner: _____ Date: _____
 Agency: _____

ANALYSIS OF CSHB 535 (Finance)

Sec. 1. Amends the motor vehicle registration procedure by requiring the owner of a vehicle to show proof of insurance coverage before the Division of Motor Vehicle issues a certificate of registration, unless the owner qualifies as a self-insurer, is exempted from obtaining liability insurance under AS 28.22.200, or the vehicle is a motor-driven cycle.

Sec. 2. Authorizes the Division of Motor Vehicles to refuse to register a motor vehicle if its owner fails to produce evidence satisfactory to the Department that he has purchased a liability insurance policy, unless the owner qualifies as a self-insurer, is exempted from obtaining liability insurance under AS 28.22.200, or the vehicle is a motor-driven cycle.

Sec. 3. Authorizes the Division of Motor Vehicles to suspend or revoke a vehicle's registration if the owner does not have a liability insurance policy in force with the required coverage, unless the owner qualifies as a self-insurer, is exempted from obtaining liability insurance under AS 28.22.-200, or the vehicle is a motor-driven cycle.

Sec. 4. Prohibits the Division of Motor Vehicles from renewing the registration of a vehicle without first receiving proof of liability insurance from the owner, unless the owner qualifies as a self-insurer, is exempted from obtaining liability insurance under AS 28.22.200, or the vehicle is a motor-driven cycle.

Sec. 5. Exempts motor-driven cycles from the state's mandatory motor vehicle insurance law.

Sec. 6. Makes the Act effective on July 1, 1987.

/wtl

5/9/86

SECTIONAL ANALYSIS OF SCS CSHB 535 (SA)

Sec. 1. Amends the motor vehicle registration procedure by requiring the owner of a vehicle to show proof of insurance coverage before the Division of Motor Vehicle issues a certificate of registration, unless the owner qualifies as a self-insurer, is exempted from obtaining liability insurance under AS 28.22.200, or the vehicle is a motor-driven cycle.

Sec. 2. Authorizes the Division of Motor Vehicles to refuse to register a motor vehicle if its owner fails to produce evidence satisfactory to the Department that he has purchased a liability insurance policy, unless the owner qualifies as a self-insurer, is exempted from obtaining liability insurance under AS 28.22.200, or the vehicle is a motor-driven cycle.

Sec. 3. Authorizes the Division of Motor Vehicles to suspend or revoke a vehicle's registration if the owner does not have a liability insurance policy in force with the required coverage, unless the owner qualifies as a self-insurer, is exempted from obtaining liability insurance under AS 28.22.-200, or the vehicle is a motor-driven cycle.

Sec. 4. Prohibits the Division of Motor Vehicles from renewing the registration of a vehicle without first receiving proof of liability insurance from the owner, unless the owner qualifies as a self-insurer, is exempted from obtaining liability insurance under AS 28.22.200, or the vehicle is a motor-driven cycle.

Sec. 5. Exempts motor-driven cycles from the state's mandatory motor vehicle insurance law.

Sec. 6. Makes the Act effective on July 1, 1987.

(Prepared by Rep. Rieger's Office)

5/9/86

COMPARISON OF SCS CSHB 535 (SA) AND CSHB 535 (FIN) AM

The House and Senate State Affairs versions of HB 535 are identical, except that the Senate State Affairs CS deletes Sec. 5 from the House version. This provision, inserted as a House floor amendment, would have required insurance companies and other insurers to notify the department of public safety within 10 days after cancellation of a motor vehicle liability insurance policy, unless the vehicle is a motor-driven cycle.

(Prepared by Rep. Rieger's Office)

INFORMATION SHEET

Six-point Traffic Violations

Failure to yield to an emergency vehicle

Failure to yield to a flashing blue light

Failure of blue light to yield to authorized vehicle

Exceeding posted speed limit -- 20 or more over

Altered speed limits -- 20 or more over

Speeding in school zone/playground/crosswalk

Exceeding speed limit by 20 or more when:

 Passing school bus

 Towing mobile home

 Crossing bridge

Impeding

Failure to stop for school bus displaying red lights

Driving with driver's license revoked/cancelled/suspended

Driving in violation of limitation

Exceeding 20 mph when overtaking school bus

Operating motor vehicle while intoxicated

Reckless operation

Negligent operation

Hit and run

Reckless driving at state airport

Exceeding speed limit by 20 or more at airport

Exceeding speed limit by 20 or more in state park

DIVISION OF MOTOR VEHICLES
STATISTICS ON UNINSURED MOTORISTS
FROM JANUARY 1, 1985 TO OCTOBER 15, 1985

Accidents Involving \$500 Property
Damage or Personal Injury/Death

26,098	Drivers involved in accidents
3,779	Suspensions issued for failure to provide proof of insurance
<u>1,461</u>	Reinstatements after providing proof of insurance
2,318	Suspensions remaining in effect for failure to provide proof of insurance

Drivers Cited for Six-point
Traffic Violations

8,647	Drivers cited for six-point traffic violations
2,726	Suspensions issued for failure to provide proof of insurance
<u>312</u>	Suspensions voided after providing proof of insurance
2,414	Suspensions remaining in effect for failure to provide proof of insurance

VEHICLES COVERED UNDER HB 535

§ 28.10.010

ALASKA STATUTES

§ 28.10.011

Chapter 10. Vehicle Registration and Title.

Sec. 28.10.011. Vehicles subject to registration. Every vehicle driven, moved, or parked upon a highway or other public parking place in the state shall be registered under this chapter except when the vehicle is

- (1) driven or moved on a highway only for the purpose of crossing the highway from one private property to another, including an implement of husbandry as defined by regulation;
- (2) driven or moved on a highway under a dealer's plate or temporary permit as provided for in AS 28.10.031 and 28.10.161(j);
- (3) special mobile equipment as defined by regulation;
- (4) owned by the United States;
- (5) moved by human or animal power;
- (6) exempt under 50 U.S.C. App. 501-591 (Soldier's and Sailor's Civil Relief Act);
- (7) driven or parked only on private property;
- (8) the vehicle of a nonresident as provided under AS 28.10.121;
- (9) a commercial interstate vehicle under AS 28.10.141;
- (10) transported under a special permit under AS 28.10.151;
- (11) driven or moved on a highway or vehicular way not connected to the state highway system established under AS 19.10.020;
- (12) a mobile home as defined by regulation. (§ 7 ch 178 SLA 1978; am § 1 ch 54 SLA 1979; am § 1 ch 99 SLA 1983)

Effect of amendments. — The 1983 amendment added paragraph (12).

NOTES TO DECISIONS

For case construing former AS 28.10.040 and meaning of "cross the highway," see *Newell v. National Bank*,

Sup. Ct. Op. No. 2518 (File No. 5437), 646 P.2d 224 (1982).

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

VEHICLES COVERED UNDER HB 535

§ 28.10.010

ALASKA STATUTES

§ 28.10.011

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§ 28.22.130

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§ 28.22.200

MOTOR VEHICLES

§ 28.22.210

(2) through being struck by a vehicle owned by the named insured or the insured's spouse or relative residing in the same household. (§ 13 ch 70 SLA 1984)

Article 3. Proof of Insurance Required.

Section	Section
200. Motor vehicle liability insurance required: Exemptions	240. Administrative suspension of drivers' licenses
210. Requirement of proof of motor vehicle liability insurance	250. Falsification of information
220. Method of proof following an accident	260. Proof for the future
230. Method of proof following a charge of a moving traffic violation	

Sec. 28.22.200. Motor vehicle liability insurance required: Exemptions. (a) The operator or owner of a motor vehicle subject to registration under AS 28.10.011 when driven on a highway, vehicular way or area, or on other public property in the state, shall have motor vehicle liability insurance that complies with this chapter or a certificate of self-insurance that complies with AS 28.20.400 in effect for the motor vehicle, unless

(1) the motor vehicle is being driven or moved on a highway, vehicular way, or a public parking place in the state that is not connected by a land highway or vehicular way to

- (A) the land-connected state highway system, or
- (B) a highway or vehicular way with an average daily traffic volume greater than 499; and

(2) the operator has not been cited within the preceding five years for a traffic law violation with a demerit point value of six or more on the point schedule determined under regulations adopted by the department under AS 28.15.221.

(b) The department shall publish annually a list of areas that meet the requirements of (a)(1) of this section. This list shall be available for public inspection at all division of motor vehicle offices in the state. (§ 13 ch 70 SLA 1984)

Sec. 28.22.210. Requirement of proof of motor vehicle liability insurance. The owner or operator of a motor vehicle required to have motor vehicle liability insurance that complies with this chapter or a certificate of self-insurance that complies with AS 28.20.400, must show proof of this insurance when that person

- (1) is involved in an accident that results in bodily injury to or death of a person, or damage to the property of a person exceeding \$500; or
- (2) is charged with a traffic law violation with a demerit point value of six or more on the point schedule determined under regulations adopted by the department under AS 28.15.221. (§ 13 ch 70 SLA 1984)

DIVISION OF MOTOR VEHICLES
STATISTICS ON UNINSURED MOTORISTS
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 Towing mobile home

 Crossing bridge

Impeding

Failure to stop for school bus displaying red lights

Driving with driver's license revoked/cancelled/suspended

Driving in violation of limitation

Exceeding 20 mph when overtaking school bus

Operating motor vehicle while intoxicated

Reckless operation

Negligent operation

Hit and run

Reckless driving at state airport

Exceeding speed limit by 20 or more at airport

Exceeding speed limit by 20 or more in state park

Alaska State Legislature

REPRESENTATIVE
STEVE RIEGER
District 8, Seat B

House Finance Committee



P. O. Box 110623
Anchorage, Alaska 99511

While in Juneau
P. O. Box V
Juneau, Alaska 99811
(907) 465-3464

House of Representatives

M E M O R A N D U M

April 22, 1986

TO: Representative Al Adams
FROM: Representative Steve Rieger *SR*
RE: CSHB 535 (Jud), "An Act relating to the registration fees for motor vehicles, the insurance requirements for obtaining and maintaining motor vehicle registration, the insurance requirements for motor-driven cycles, and the cancellation of motor vehicle insurance policies; and providing for an effective date."

My staff has prepared this sectional analysis of the Judiciary Committee Substitute for House Bill 535, referenced above.

SECTION 1

Section 1 amends the procedure for motor vehicle registration. It requires the owner of a vehicle, other than a motor-driven cycle, to show proof of insurance coverage as set forth in AS 28.22.010 or to produce a certificate of self-insurance under AS 28.20.400 before the Division of Motor Vehicle issues a certificate of registration.

Under the current mandatory insurance law, a motor vehicle owner can meet the requirements for vehicle liability insurance in one of two ways:

(1) He can purchase a liability policy with the coverage outlined in AS 28.22.010: \$50,000 for personal injury and death per person, \$100,000 for personal injury and death per accident, and \$25,000 for property damage per accident.

(2) Alternatively, he can produce a certificate of self-insurance under AS 28.20.400. To qualify for a certificate of self-insurance, a person must have 25 or more vehicles registered in his name and provide proof of financial responsibility.

Under the existing mandatory insurance law, proof of insurance or self-insurance need not be shown until after:

(1) A driver has had an accident involving personal injury, death, or property damage of \$500 or more, or

(2) A driver has been issued a six-point traffic citation for such violations as hit and run, reckless driving, and operating a motor vehicle while under the influence.

Section 1 only alters the point in time when a vehicle owner is required to show proof his motor vehicle is insured; it requires proof of insurance before registration instead of after an accident or six-point traffic ticket.

Section 1 exempts motor-driven cycles from the new proof requirement. (See Section 9.)

SECTION 2

Section 2 authorizes the Division of Motor Vehicles to refuse to register a motor vehicle if its owner fails to produce evidence satisfactory to the Department that he has purchased a liability insurance policy, unless the vehicle is a motor-driven cycle or the owner has obtained a certificate of self-insurance.

SECTION 3

Section 3 authorizes the Division of Motor Vehicles to suspend or revoke a vehicle's registration if the owner does not have a liability insurance policy in force with the required coverage, unless the vehicle is a motor-driven cycle or the owner has obtained a certificate of self-insurance.

SECTION 4

Section 4 prohibits the Division of Motor Vehicles from renewing the registration of a vehicle without first receiving proof of liability insurance from the owner, unless the vehicle is a motor-driven cycle or the owner has obtained a certificate of self-insurance.

SECTION 5

Section 5 requires insurance companies and other insurers to notify the department of public safety within 10 days after cancellation of a motor vehicle liability insurance policy, unless the vehicle is a motor-driven cycle.

SECTIONS 6 - 8

Sections 6, 7 and 8 raise by \$1 the annual registration fee for all classes of motor vehicles, except for certain two- or four-wheeled trailers, historic vehicles, vehicles owned by disabled veterans or other handicapped persons or residents over 65 years of age, vehicles owned by the state, snowmobiles, and vehicles owned by former prisoners of war.

SECTION 9

Section 9 exempts motor-driven cycles from the state's mandatory motor vehicle insurance law.

SECTION 10

Section 10 makes the bill effective on July 1, 1987.

SAR/wtl

VEHICLES COVERED UNDER HB 535

§ 28.10.010

ALASKA STATUTES

§ 28.10.011

Chapter 10. Vehicle Registration and Title.

Sec. 28.10.011. Vehicles subject to registration. Every vehicle driven, moved, or parked upon a highway or other public parking place in the state shall be registered under this chapter except when the vehicle is

- (1) driven or moved on a highway only for the purpose of crossing the highway from one private property to another, including an implement of husbandry as defined by regulation;
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Effect of amendments. — The 1983 amendment added paragraph (12).

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§ 28.22.130

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MOTOR VEHICLES

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Article 3. Proof of Insurance Required.

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Sec. 28.22.200. Motor vehicle liability insurance required: Exemptions. (a) The operator or owner of a motor vehicle subject to registration under AS 28.10.011 when driven on a highway, vehicular way or area, or on other public property in the state, shall have motor vehicle liability insurance that complies with this chapter or a certificate of self-insurance that complies with AS 28.20.400 in effect for the motor vehicle, unless

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- (A) the land-connected state highway system, or
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Offered: 4/29/86
Referred: Rules

Original sponsors: Rieger, Ringstad,
Gruenberg, et al

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 535 (Finance) am
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
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3 (2) the applicant fails to furnish information required by
4 the department;

5 (3) the applicant is not entitled to the issuance of a
6 certificate of title or registration under this chapter;

7 (4) the vehicle is determined to be mechanically unsafe to
8 be driven or moved on a highway, vehicular way or area, or other
9 public property in the [THIS] state;

10 (5) the department has reasonable grounds to believe that
11 the vehicle was stolen or fraudulently acquired or that the granting
12 of registration would be a fraud against the rightful owner or other
13 person having a valid lien upon the vehicle;

14 (6) the registration of the vehicle has been suspended or
15 revoked for any reason under the laws of the [THIS] state;

16 (7) the required fees or taxes have not been paid;

17 (8) the vehicle or applicant fails to comply with this
18 chapter or regulations authorized by this section;

19 (9) the vehicle is without a certificate of inspection
20 required under AS 28.32.010;

21 (10) the vehicle is subject to a state-approved local
22 emission inspection program adopted by municipal ordinance under
23 AS 46.03.210, and the vehicle does not meet the standards of that
24 program, unless the vehicle uses a fuel source that does not primarily
25 emit carbon monoxide;

26 (11) the applicant fails to provide evidence satisfactory
27 to the department of the existence of a motor vehicle liability policy
28 that complies with AS 28.22.010 for the vehicle being registered,
29 unless the owner of the vehicle qualifies as a self-insurer under

1 AS 28.20.400, is exempted from obtaining liability insurance under
2 AS 28.22.200, or the vehicle is a motor-driven cycle.

3 * Sec. 3. AS 28.10.051 is amended by adding a new subsection to read:

4 (b) Unless the owner qualifies as a self-insurer under AS 28.-
5 20.400, is exempted from obtaining liability insurance under AS 28.-
6 22.200, or the vehicle is a motor-driven cycle, the department may
7 suspend or revoke the registration of a vehicle that is not insured by
8 a motor vehicle liability policy that complies with AS 28.22.010.

9 * Sec. 4. AS 28.10.111 is amended by adding a new subsection to read:

10 (c) Unless the owner of the vehicle qualifies as a self-insurer
11 under AS 28.20.400, is exempted from obtaining liability insurance
12 under AS 28.22.200, or the vehicle is a motor-driven cycle, the de-
13 partment may not renew the registration of a vehicle without receiving
14 evidence satisfactory to the department that the vehicle is insured by
15 a motor vehicle liability policy that complies with AS 28.22.010.

16 * Sec. 5. AS 28.10 is amended by adding a new section to read:

17 Sec. 28.10.115. NOTIFICATION OF CANCELLATION. An insurer shall
18 notify the department within 10 days after the cancellation of a motor
19 vehicle liability policy issued by the insurer for a vehicle that is
20 registered under this chapter, unless the vehicle is a motor-driven
21 cycle.

22 * Sec. 6. AS 28.22 is amended by adding a new section to read:

23 Sec. 28.22.520. EXEMPTION FOR MOTOR-DRIVEN CYCLES. This chapter
24 does not apply to motor-driven cycles.

25 * Sec. 7. This Act takes effect July 1, 1987.

COMMITTEE REPORT

SENATE

FURTHER ~~7~~

5/6/86

Date 5/8/86

Mr. President

The Committee on STATE AFFAIRS considered CSHB 535(Fin)am relating to the insurance requirements for obtaining and maintaining motor vehicle registration, and the insurance requirements for motor-driven cycles; efd.

and ~~members~~ of the committee (the committee) reports it back with the following recommendations:

- ~~do pass with attached amendment(s)~~
- ~~replace with/or adopt SCS for~~ CSHB 535(SA)
new title
- same title and recommends _____
- and attached a "LETTER OF INTENT" [] NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

Tim Kelly
Edna Hill

MEMBERS HAVING
OTHER RECOMMENDATIONS

[Signature]

Chairman

[Signature]

Chairman recommendation

**HOUSE
COMMITTEE REPORT**

(11)

Date referred: 4/16/86

FURTHER REFERRALS:

DATE: _____

The FINANCE Committee has considered HB 537

"An Act relating to participation of municipalities and political subdivisions in the Public Employment Relations Act."

and recommends:

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

and recommends _____

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:

Chairman

HOUSE
COMMITTEE REPORT

4/16

(7)
Date referred: 4/3/86

FURTHER REFERRALS:

Finance

DATE: _____

COMMUNITY AND
The REGIONAL AFFAIRS _____ Committee has considered _____ HB 537

"An Act relating to participation of municipalities and political subdivisions in the Public Employment Relations Act."

and recommends:

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

replace with CSHB 537 (CRA) 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:

Walter Kosman
Mark Kuenberg
Bill S. Hill
Peter Lee

Kay Wallis do not pass

Peter Lee
 Chairman

HOUSE
COMMITTEE REPORT

4/3

C & RA

(7)
Date referred: 2/3/86

FURTHER REFERRALS: FINANCE

DATE: 4/2/86

The STATE AFFAIRS Committee has considered HB 537

"An Act relating to participation of municipalities and political subdivisions in the Public Employment Relations Act."

and recommends:

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

and recommends _____

further referral to the _____ Committee

- and attaches:
- letter of intent
 - first fiscal note w/analysis - Supplement 109
 - new fiscal note
 - zero fiscal note

SIGNING DO PASS:

[Signature]

Bette Cato

[Signature]

Katie Hurley

SIGNING OTHER RECOMMENDATIONS:

[Signature] No Rec. (Collins)

[Signature] No Rec.

Katie Hurley
Chairman

Offered: 4/16/86
Referred: Finance

CLARENCE

Original sponsors: Koponen, Boucher,
Gruenberg and Furnace

1 IN THE HOUSE

BY THE COMMUNITY AND REGIONAL
AND AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 537 (C&RA)

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 participation of municipalities
7 and political subdivisions in the Public Employment
8 Relations Act."

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

10 * Section 1. AS 09.43.010 is amended to read:

11 Sec. 09.43.010. ARBITRATION AGREEMENTS VALID; APPLICATION OF
12 ARTICLE. A written agreement to submit an existing controversy to
13 arbitration or a provision in a written contract to submit to arbi-
14 tration a subsequent controversy between the parties is valid, en-
15 forceable and irrevocable, except upon grounds which exist at law or
16 in equity for the revocation of a contract. However, AS 09.43.010 -
17 09.43.180 do not apply to a labor-management contract unless they are
18 incorporated into the contract by reference or their application is
19 provided for by statute or municipal ordinance.

20 * Sec. 2. AS 23.40 is amended by adding a new section to read:

21 Sec. 23.40.075. APPLICABILITY. AS 23.40.070 - 23.40.260 apply
22 to a municipality unless the municipality has adopted an ordinance
23 that permits collective bargaining for its employees with either the
24 right to strike or binding arbitration under AS 09.43.010 as the final
25 step in the negotiation process.

26 * Sec. 3. Section 4, ch. 113, SLA 1972 is repealed.

Cromer

Introduced: 2/3/86
Referred: State Affairs,
Community & Regional Affairs
and Finance

BY KOPONEN, BOUCHER,
GRUENBERG AND FURNACE

1 IN THE HOUSE

2 HOUSE BILL NO. 537

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 participation of municipalities
7 and political subdivisions in the Public Employment
8 Relations Act."

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

10 * Section 1. AS 23.40 is amended by adding a new section to read:

11 Sec. 23.40.075. APPLICABILITY. AS 23.40.070 - 23.40.260 applies
12 to an organized borough or a political subdivision of the state unless
13 the borough or subdivision has adopted an ordinance that permits
14 collective bargaining for its employees with either the right to
15 strike or binding arbitration as the final step in the negotiation
16 process.

17 * Sec. 2. Section 4, ch. 113, SBA 1972 is repealed.

**STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE**

4/2 Sep 10/1

Revision Date: _____

REQUEST Page 1 of 4

Bill/Resolution No.: HB 537

Title: ... participation of municipalities and political subdivisions in the Public Employment Relations Act

Sponsor: Koponen, Boucher, et. al.

Requestor: House State Affairs

Date of Request: 3/26/86

FISCAL DETAIL

Agency Affected: Labor

BRU: Labor Standards and Safety

Components: Wage & Hour

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		72.5	72.5	72.5	72.5	72.5
TRAVEL		12.5	13.0	8.1	8.4	8.7
CONTRACTUAL		31.3	32.6	15.5	16.1	16.8
SUPPLIES		3.0	3.1	3.2	3.4	3.6
EQUIPMENT		2.8	-	-	-	-
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		122.1	121.2	99.3	100.4	101.6

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

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

FUNDING : (Thousands of Dollars)

GENERAL FUND		122.1	121.2	99.3	100.4	101.6
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS :

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

ANALYSIS : Attach a separate page if necessary

See Attached

Prepared by: ¹¹⁰ Robert J. Bacolas Phone: 465-4870

Division: Labor Standards & Safety Date: 3/28/86

Approved by Commissioner: Jim Robison *Jim Robison* Date: 3/28/86

Agency: Labor

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. HB 537 Page 2 of 4

Under the provisions of this bill the department would be required to provide labor relations services to approximately 9,100 local government employees under the Public Employment Relations Act (PERA). Two new employees, a Wage and Hour Investigator I and a Clerk Typist III, both located in Anchorage, would be necessary to handle the increase in workload. Additionally, a contractual hearing officer would be required to perform adjudication functions when necessary. The anticipated costs for the first two years are summarized as follows:

	<u>FY 87</u>	<u>FY 88</u>
<u>Personal Services</u>		
Two new employees	72.5	72.5
<u>Travel</u>		
New Wage & Hour Investigator	7.5	7.8
Contractual Hearing Officers	5.0	5.2
S/T	<u>12.5</u>	<u>13.0</u>
<u>Contractual Services</u>		
Communications/Postage	6.7	7.0
Printing	5.6	5.8
Hearing Officer	10.0	10.4
Transcription Service	3.0	3.1
Legal Services	2.0	2.1
Miscellaneous	4.0	4.2
S/T	<u>31.3</u>	<u>32.6</u>
<u>Commodities</u>	3.0	3.1
<u>Equipment</u>	<u>2.8</u>	<u>-0-</u>
TOTAL:	122.1	121.2

After the first two years we anticipate most of the organizational activity in the communities will be complete. Thus, in FY 89 and beyond the program should be able to be handled by the two new positions. The hearing officers and related costs would therefore be eliminated.

Assumptions:

- 1) Of approximately 30,600 local government employees in Alaska, 21,500 are currently covered by some form of collective bargaining and would fall within the group currently covered by the Public Employees Relations Act or work for an employer who would most likely opt for a local ordinance. This leaves approximately 9,100 employees in the state for the department's Labor Relations Agency to oversee. These employees are predominantly in the rural areas of the State.
- 2) An effective date of July 1, 1986.
- 3) Inflation of 4% per year in FY's 88-91 in non-personal service items.

Position Title Wage and Hour Investigator			No. of Positions 1	Range/Step 16A	Barg. Unit GGU	Gov. Leg.	Approved Leg.	Disapp. Leg.
Time Status PFT	Staff Months 12	RP Number	Location Anchorage		Election District			
Justification								
Type of Expenditure			Amount					
1	2	3						
Salary	33,660							
Benefits	10,775							
Premium Pay								
Other								
Total Personal Services		44,435						
Travel		7,500						
Contractual		2,000						
Commodities		1,000						
Equipment		1,400						
Other								
Total Cost		56,335						
Receipt Code			Funding Source					
			Federal Receipts 1002					
			G. E. Match 1003					
			General Funds 1004 56,335					
			I-A Receipts 1005					
			Program Receipts 1028					
			CIP Receipts 1061					
			Other					
For B&M Use Only Key Number _____								

This position will perform a variety of labor relations duties. The person will investigate petitions for collective bargaining, investigate complaints of unfair labor practice, provide informal resolution to unfair labor practice complaints, and investigate challenges to elections. The position will also conduct elections, certify elections, and provide education and information on the Public Employee Retirement Act to employees and employers.

Travel costs are for travel to the various locations around the State where public employee labor relations activity would be required.

Contractual and commodity costs are average per-employee costs. Equipment would be a one-time expense for desk, chair, cabinets, etc.

**Request For
New Position**

Agency Labor
 BRU Labor Standards and Safety
 Component Wage and Hour

HB 537
 Page 3 of 4
 Revised Date

FY 87

Position Title Clerk Typist III			No. of Positions 1	Range/Step 8A	Barg. Unit GGU	Gov.	Approv.	Disapp.	
Time Status PFT	Staff Months 12	RP Number	Location Anchorage		Election District	Leg.			
Type of Expenditure			Justification						
		Amount	<p>This position will function as the clerical member of the Department of Labor's Labor Relations Agency. The position will be responsible for preparing and typing correspondence, and maintaining collective bargaining records as they apply to petitions, certification/decertification of bargaining units, and complaints of unfair labor practices. Also, the position will act as recorder for the Labor Relations Agency Board during board proceedings.</p> <p>Costs associated with this position are average per-position costs, plus one-time equipment expense of \$1,400 for a desk, chair, etc.</p>						
1	2	3							
Salary	20,316								
Benefits	7,702								
Premium Pay	-								
Other	-								
Total Personal Services		28,018							
Travel		0							
Contractual		2,000							
Commodities		2,000							
Equipment		1,400							
Other									
Total Cost		33,418							
Receipt Code	Funding Source								
	Federal Receipts 1002								
	G. E. Match 1003								
	General Funds 1004								33,418
	I-A Receipts 1005								
	Program Receipts 1028								
	CIP Receipts 1061								
	Other								
For B&M Use Only Key Number _____									

**Request For
New Position**

Agency Labor
 BRU Labor Standards and Safety
 Component Wage and Hour

HB 537

Page 4 of 4
 Revised Date

FY 87

ALASKA STATE LEGISLATURE

14th... Legislature SECOND Session

HOUSEBILL..... NO. 537...

By ...KOPONEN, BOUCHER,.....
GRAENBERG, FURNACE

HISTORY IN THE HOUSE

19 86

Feb 3

Read first time and referred to Committee on STATE AFFAIRS, C&RA, 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.

"An Act relating to participation of municipalities and political subdivisions in the Public Employment Relations Act."

Public Employment Relations Act

Introduced in the House . 2/3....., 1986.

Offered: 4/16/86
Referred: Finance

Original sponsors: Koponen, Boucher,
Gruenberg and Furnace

1 IN THE HOUSE BY THE COMMUNITY AND REGIONAL
AND AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 537 (C&RA)

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 participation of municipalities
7 and political subdivisions in the Public Employment
8 Relations Act."

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

10 * Section 1. AS 09.43.010 is amended to read:

11 Sec. 09.43.010. ARBITRATION AGREEMENTS VALID; APPLICATION OF
12 ARTICLE. A written agreement to submit an existing controversy to
13 arbitration or a provision in a written contract to submit to arbi-
14 tration a subsequent controversy between the parties is valid, en-
15 forceable and irrevocable, except upon grounds which exist at law or
16 in equity for the revocation of a contract. However, AS 09.43.010 -
17 09.43.180 do not apply to a labor-management contract unless they are
18 incorporated into the contract by reference or their application is
19 provided for by statute or municipal ordinance.

20 * Sec. 2. AS 23.40 is amended by adding a new section to read:

21 Sec. 23.40.075. APPLICABILITY. AS 23.40.070 - 23.40.260 apply
22 to a municipality unless the municipality has adopted an ordinance
23 that permits collective bargaining for its employees with either the
24 right to strike or binding arbitration under AS 09.43.010 as the final
25 step in the negotiation process.

26 * Sec. 3. Section 4, ch. 113, SLA 1972 is repealed.

Introduced: 2/3/86
Referred: State Affairs,
Community & Regional Affairs
and Finance

BY KOPONEN, BOUCHER,
GRUENBERG AND FURNACE

1 IN THE HOUSE

2

HOUSE BILL NO. 537

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 participation of municipalities
7 and political subdivisions in the Public Employment
8 Relations Act."

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

10 * Section 1. AS 23.40 is amended by adding a new section to read:

11 Sec. 23.40.075. APPLICABILITY. AS 23.40.070 - 23.40.260 applies
12 to an organized borough or a political subdivision of the state unless
13 the borough or subdivision has adopted an ordinance that permits
14 collective bargaining for its employees with either the right to
15 strike or binding arbitration as the final step in the negotiation
16 process.

17 * Sec. 2. Section 4, ch. 113, SLA 1972 is repealed.

HOUSE
COMMITTEE REPORT

(11)

Date referred: 3/19/86

FURTHER REFERRALS:

DATE: 4-2-86

The FINANCE Committee has considered HB 542

"An Act relating to corrective management of threatened stocks of game."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CS HB 542 (Res) same title
- new title

and recommends Individual Recommendations

further referral to the _____ Committee

- and attaches:
- letter of intent
 - first fiscal note
 - new fiscal note
 - zero fiscal note 3/13/86 - (same)

SIGNING DO PASS:

[Signature]

[Signature]

[Signature]

[Signature]

SIGNING OTHER RECOMMENDATIONS:

[Signature] - DO NOT PASS

[Signature] "

[Signature] - No Rec.

[Signature] No Rec

[Signature] - DO NOT PASS

[Signature] no rec

[Signature]
Chairman

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : CSHB 542 (Resources)
 Title : An Act relating to corrective
 management of threatened stocks
 of game.
 Sponsor : Shultz
 Requestor : _____
 Date of Request : _____

FISCAL DETAIL

Agency Affected : ADF&G
 BRU : _____

 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

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

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

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

FUNDING : (Thousands of Dollars)

GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by : House Resources Committee/Rep. Dick Shultz Phone : 465-3715
 Division : _____ Date : _____

Approved by Commissioner : *Dick Shultz* Date : 3-13-85
 Agency : _____

Distribution (by Agency preparing fiscal note) :

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

FISCAL NOTE PREPARATION

CSHB 542 MANAGEMENT OF THREATENED STOCKS OF GAME

THE COMMITTEE SUBSTITUTE RELIEVES THE BOARD FROM HAVING TO ARRANGE FOR EXTRA MEETINGS. ALL ACTION REQUIRED UNDER THIS BILL WILL BE TAKEN UP AT REGULARLY SCHEDULED MEETINGS OF THE BOARD OF GAME.

SINCE THE BILL DOES NOT REQUIRE UNCUSTOMARY ACTION, BUT RATHER A MORE DIRECT ACTION ON THE PART OF THE GAME BOARD, NO NEW POSITIONS WILL BE NECESSARY WITHIN EITHER THE DEPARTMENT OR THE BOARDS TO IMPLEMENT THIS LEGISLATION.

TO ARGUE EXTRA COST FOR THIS LEGISLATION WOULD BE TO ARGUE THAT THE PRESENT BOARD OF GAME IS NOT EQUIPPED TO DEAL WITH THREATENED STOCKS OF GAME. TO THE CONTRARY THIS LEGISLATION IS BASED ON THE PREMISE THAT THE BOARD IS IN FACT WELL EQUIPPED TO DEAL WITH THREATENED STOCKS BUT HAS NOT DONE SO IN AN EXPEDITIOUS MANNER.

Offered: 3/19/86
Referred: Finance

Original sponsor: Shultz

1 IN THE HOUSE BY THE RESOURCES COMMITTEE
2 CS FOR HOUSE BILL NO. 542 (Resources)
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 corrective management of threat-
7 ened stocks of game."

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

9 * Section 1. AS 16.05 is amended by adding a new section to read:

10 Sec. 16.05.265. MANAGEMENT OF THREATENED STOCKS OF GAME. (a)

11 The Board of Game shall adopt a corrective stock management plan at
12 its next regularly scheduled meeting when the board receives scien-
13 tific data compiled by the department that a stock is threatened and a
14 majority of the advisory committees in the game management unit where
15 the stock is located, after consultation with the coordinator for the
16 appropriate regional council, pass resolutions requesting the board
17 to adopt a corrective stock management plan.

18 (b) The Board of Game

19 (1) shall include in the corrective stock management plan
20 regulations for intensive management of the threatened stock and for
21 effective and expeditious corrective management of prey and natural
22 predator species of the threatened stock; and

23 (2) may include in the corrective stock management plan
24 guidelines or regulations for human utilization of the threatened
25 stock, for research on the population status and the ecology of the
26 threatened stock, for restoration of habitat, for public education
27 programs, for law enforcement programs, for designation of reserves,
28 ranges, and preserves, and for artificial rearing of the threatened
29 stock.

1 (c) The Board of Game shall review annually each corrective
2 stock management plan and shall

3 (1) receive scientific data compiled by the department on
4 the status of the threatened stock;

5 (2) evaluate the success of the corrective stock management
6 plan;

7 (3) continue, amend, or rescind the corrective stock man-
8 agement plan; and

9 (4) adopt regulations in accordance with the Administrative
10 Procedure Act (AS 44.62) necessary to achieve the corrective goals of
11 the corrective stock management plan.

12 (d) The commissioner shall implement corrective stock management
13 plans subject to priorities among plans and to the availability of
14 resources to the department.

15 (e) In this section

16 (1) "corrective stock management plan" means a document
17 that compiles information for the purpose of restoring a stock to
18 sustained-yield population levels, as determined by the department,
19 and the regulations adopted to implement the plan;

20 (2) "stock" means a population of a game species identi-
21 fied with a specific geographic area;

22 (3) "threatened" means the prospect for the continued human
23 utilization of the stock is jeopardized due to either

24 (A) reduction of the stock below sustained-yield
25 levels by disease, pollution, predation, or overutilization;

26 (B) overabundance of a game species leading to the
27 imminent

28 (i) depletion of the stock; or

29 (ii) destruction of habitat of the stock;

- 1 (C) destruction, modification, or reduction of habi-
2 tat; or
3 (D) other natural or man-made factors seriously af-
4 fecting the prospect of continued human utilization of the stock.

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 3, 1986

SUBJECT: Effect of CSHB 542(Res) relating to
management of threatened stocks of game

TO: Representative Richard Shultz

FROM: George Utermohle *GU*
Legislative Counsel

CSHB 542(Res) relating to management of threatened stocks of game, establishes a process which the Board of Game must follow when continued human utilization of a stock is jeopardized and local fish and game advisory committees request the board to take corrective action. CSHB 542(Res) does not alter the powers or duties of the board. The board already has the duty to manage game stocks on a sustained-yield basis.

If the board receives information from the Department of Fish and Game that a stock is threatened but does not take corrective action, a majority of advisory committees in the area of the threatened stock can compel the board to act. The board must then adopt a plan at its next regularly scheduled meeting to restore the stock to sustained-yield levels.

CSHB 542(Res) gives the fish and game advisory committees a significant role in determining whether a management plan is adopted. Under current procedures an advisory committee can petition the board to consider an issue but cannot compel the board to accept its proposed action. CSHB 542(Res) gives a group of advisory committees the opportunity to compel the Board of Game to take action and to adopt a stock management plan. The board retains discretion as to the content of the stock management plan even though the board has no discretion as to whether a plan is prepared.

In summary, CSHB 542(Res) establishes procedures which the Board of Game must follow where threatened stocks are involved but does not add to or detract from the substantive responsibility of the board to manage game resources according to sustained-yield principles.

GU:mkr
m3/108

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

M E M O R A N D U M

March 11, 1986

SUBJECT: Section by section analysis of CSHB 542(Res), relating to management of threatened stocks of game.

TO: Representative Richard Shultz

FROM: George Utermohle
Legislative Counsel

Sec. 16.05.265(a). This subsection places a duty on the Board of Game to adopt a corrective stock management plan when the board receives scientific data prepared by the Department of Fish and Game that the continued human utilization of a game stock is jeopardized and a majority of the local fish and game advisory committees in the area where the stock lives requests the board to adopt a plan. Before taking action an advisory committee must notify the coordinator for the regional council where the advisory committee is located that it is requesting the Board of Game to adopt a corrective stock management plan.

When this situation occurs the board must prepare a corrective stock management plan at the next regularly scheduled meeting. The board has no discretion as to whether it will prepare the plan. However, the content of the plan, with two major exceptions, is left to the board's discretion. The authority and discretion of the board to adopt management plans in other situations are not affected.

Sec. 16.05.265(b). This subsection lists the mandatory and discretionary elements of a stock management plan. At the minimum a plan must address intensive management of the threatened stock and effective and expeditious management of prey species and natural predator species.

Additional issues or factors affecting the survival of the threatened stock may be considered at the board's discretion. Among the discretionary factors which the bill suggests are regulation of human utilization, biological research, protection of habitat, artificial rearing, public education programs, and law enforcement. Though the bill speaks of these factors in discretionary terms, the board must address any factor which is critical to the survival of the stock. If the board does not address a critical factor

which is in its control or influence, the board is not fulfilling its constitutional mandate to manage according to sustained yield principles.

Sec. 16.05.265(c). This subsection requires the board to review annually each corrective stock management plan in effect. After receiving any additional scientific data from the Department and evaluating the success of the plan the board must take appropriate action to maintain, amend, or rescind the plan and the regulations.

This review of the corrective stock management plan will be done according to the Administrative Procedure Act and board policies. Public comment and participation in this review is thus assured.

Sec. 16.05.265(d). This subsection places responsibility on the Commissioner of Fish and Game to implement corrective stock management plans. When the Department lacks the resources to implement all aspects of one or more corrective management plans, the Commissioner shall establish priorities among plans to achieve as much as possible with the resources available.

Sec. 16.05.265(e). This section defines key terms in the bill: "stock", "corrective stock management plan", and "threatened".

A "stock" is an identifiable and manageable game population defined in terms of the location where it lives. "Game" is defined in AS 16.05 to include natural and introduced species of mammals and birds.

"Corrective stock management plan" is the plan and its implementing regulations adopted by the board. The purpose of the plan is to restore a threatened species to sustained yield levels. The plan must include information that is useful in rebuilding the stock; the plan is not restricted to biological or scientific information.

"Threatened" means that the population cannot support continued human utilization because the population is too small, the population is endangered by another overabundant species, the population's habitat has been damaged, or the population is endangered by some other natural or man-made factor.

RUBY ADVISORY COMMITTEE

POB 8

RUBY, ALASKA 99768

February 28, 1985

Board of Game Members
Alaska Department of Fish & Game
Box 3-2000
Juneau, Alaska 99802

Dear Boardmembers:

At our recent Fish and Game Advisory Committee, February 7, 1985, attended not only by concerned Ruby Residents, but also by representatives of Tanana Chiefs, State of Alaska Fish and Game and U. S. Nowitna Refuge representatives, it was agreed by all concerned that a wolf predation problem exists.

Many suggestions were advanced such as increasing the value of the wolf pelt so as to make trapping more attractive. Another suggestion was to allow aerial hunting by local pilots during March, limiting the wolf kill to 25 per unit.

Asking for a State trapper to spend time in the area to trap wolves was another suggestion.

A return to the free enterprise system was advocated so that money would flow back to the village was advanced.

Whatever the suggestions, it was agreed by those present that a serious problem now exists and a subsistence resource is now threatened.

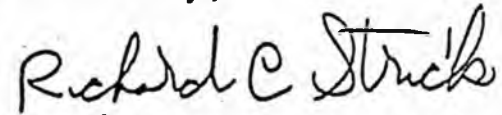
Because of this danger to the moose resource, action must be taken immediately by both the State and Federal entities. It appears that each of these agencies would rather let the other agency take action. Meanwhile, the wolves take 160 moose according to a State of Alaska Game Biologist's records while Ruby residents account for 60 bull moose while the wolves are not so eclectic.

This letter is written in frustration because no concrete response to date has been taken by any agency to "manage" the wolf population.

Page two

as time is of the essence, we respectfully request
that you act upon our resolution 85-2.

Yours truly,

A handwritten signature in cursive script that reads "Richard C. Strick". The signature is written in dark ink and is positioned above the typed name.

Richard C. Strick, Chairman

RCS:sgs

RUBY FISH & GAME ADVISORY COMMITTEE
RESOLUTION 85-2

- Whereas, it has been reported by both users and game people that moose kills by wolves in the Novi area are numerous; and
- Whereas, trappers are sighting more wolves than ever before; and
- Whereas, pilots are reporting large packs of wolves and moose kills sighted; and
- Whereas, we are concerned about our future subsistence food source; and
- Whereas, our correspondence telling of our concerns has not been answered; and
- Whereas, our fears have been increased because positive wolf control measures are not in effect;

Be it resolved, that the Ruby Advisory Committee requests and petitions the Board of Game not only to direct the proper authorities to provide us with current data of wolf predation and statistics in our Unit 21(B) so as to verify the present crisis but to immediately take corrective action to protect our moose population so that our subsistence needs will be assured; and

Be it further resolved, that said committee requests and petitions said Board to direct the proper agency/authority to conduct studies this year to build data for future actions.

Richard C. Strick
Richard C. Strick, Chrm.

2/28/85
Date

RUBY ADVISORY COMMITTEE

POB 8

RUBY, ALASKA 99768

January 21, 1985

Board of Game Members
Alaska Department of Fish and Game
Box 3-2000
Juneau, Alaska 99802

Dear Boardmembers:

At our recent advisory committee meeting I was directed by the membership to bring to your attention the threat to the moose population caused by an obvious increase of wolf predation this year.

According to many of your trappers, more wolves have been sighted this year than in years past. Pilots are also reporting large packs of wolves sighted. These reports are disconcerting as we rely on moose for subsistence-use and our food supply.

Emergency assistance is needed immediately so as to protect this very important subsistence resource. Therefore, we ask the following steps be taken by your department to protect the moose population.

1. Tim Osborne, Area Biologist, Galena, to provide us with current data of wolf predation and numbers in our Unit so as to verify the present crisis.
2. Tim Osborne to conduct studies this year to build data for future actions by your department.
3. Reinstate a wolf bounty and provide loaner traps to trappers.
4. Allow Fish and Game to issue permits to fly and shoot wolves.

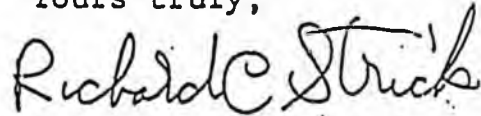
We fully realize the emotionalism of the campaign by misguided individuals to "save the wolves", however the moose is our "commissary on the hoof" and every effort should be made to protect this resource as is now under attack. We urge you to make every effort to maintain the balance between human needs and conservation needs. As in the human arena the victim

Page Two

(moose) needs to be protected as well as the criminal,
(wolf).

Thank you for your attention to this matter.

Yours truly,



Richard C. Strick, Chairman
Ruby Advisory Committee

RCS:sgs

cc: John C. Sackett, Senator, State of Alaska
Kay Wallis, Representative, State of Alaska
Don W. Collinsworth, Commissioner of Fish & Game
W. Lewis Pamplin, Jr., Director of Game
Sidney Huntington, Boardmember
Terry Haynes, Regional Supervisor, Subsistence Div.
U.S. Fish and Wildlife Service
Jim Fisher, Refuse Manager, Nowitna National
Wildlife Refuge, U.S. Fish & Wildlife Service
Jim Kowalsky, Director, Wildlife and Parks, TCC
Dana Notti, Yukon-Koyukuk Subregion, TCC, Galena
Karen Thompson, Department of Fish and Game
Beth Stewart, Director, Division of Boards
Jim Marcotte, ADF&G, Division of Subsistence
Mitch Demientieff, Coordinator, Interior Regional
Council
Royce Purinton, Chairman, Interior Regional Council
Tim Osborne, Area Game Biologist
Ruby Advisory Committee Members *FILE*

RUBY ADVISORY COMMITTEE

POB 8

RUBY, ALASKA 99768

February 5, 1985

Jim Marcotte
Alaska Department of Fish and Game
Division of Subsistence
POB 256
Galena, Alaska 99741

Dear Jim:

As discussed in our recent advisory board's meetings, we feel that wolf predation presents a danger to our subsistence life style which relies heavily on healthy moose populations.

Because much of our subsistence hunting occurs in the Nowitna refuse, we request that you conduct a wolf population inventory to determine if there is or isn't a wolf problem. Perhaps you could radio collar the wolves to help you determine the pack sizes.

We are not requesting a study of the Nowitna Refuge in it's entirety but rather along the Yukon River from Ruby to the Nowitna, thence 60 miles upstream on both banks. Please see shaded area of Map. We are not interested in the "hinterland" as such.

If wolf predation or wolf numbers prove to be at a dangerous level then we ask you to take concrete steps to save the valuable moose resource.

Thank you for your immediate attention to this request.

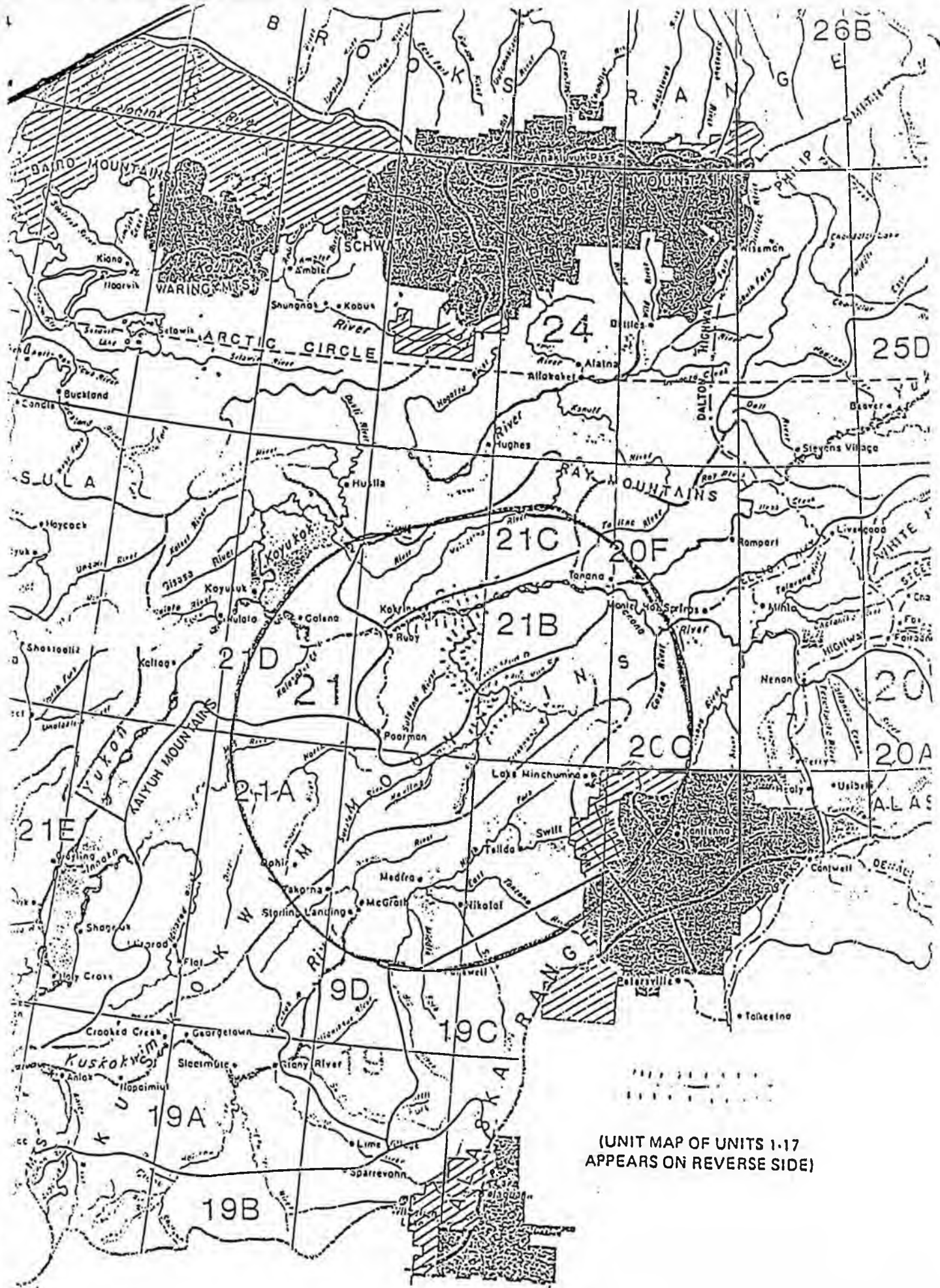
Sincerely,

Richard C. Strick

Richard C. Strick, Chairman
Ruby Advisory Committee

RCS:sgs

cc: Terry Haynes, Regional Supervisor, Div. of Subsistence
James R. Fisher, Refuse Mgr., Nowitna NWR, F & W Service
Mitch Demientieff, Dir. Interior Regional Council
Jim Kowalsky, TCC, Inc.
Tim Osborne, Game Biologist, Galena



(UNIT MAP OF UNITS 1-17
APPEARS ON REVERSE SIDE)

A. Subunit 22(A)—This portion of Unit 22 drain-