

ALASKA LEGISLATURE COMMITTEE BILL FILES - 1987 - 1988 8879

CSSB 144 cont. thru SB 149 60

## STATE OF ALASKA -- ELECTION DISTRICT REPORT

SALEDSTA

DISTRICT 99

5/03/88

CAPITAL BUDGET SUMMARY

PAGE 24

FISCAL YEAR 1989

BUDGET COMPONENT	FISCAL YEAR 1989		
	CSHD-375	CSSB 144	HD375-AM
DEPARTMENT OF CORRECTIONS			
STWD RENOV & REPAIR	700.0		1000.0
UNIVERSITY OF ALASKA			
STWD COMPUTER UPGRADE	300.0		366.0
ACIB ENDOWMENT			2500.0
ROSIE CK FIRE RESEARCH			150.0
UAF RURAL COLLEGE DISTANCE DELIVER	134.0		
ALASKA COURT SYSTEM			
COURTS SECURITY			
SECURITY IMPROVEMENTS	200.0		250.0
*** ELECTION DISTRICT TOTAL ***	108190.2	87637.2	116949.5
FED. RECEIPT	42865.9	43065.7	41344.3
GENERAL FUND	47838.1	24633.8	55667.5
OTHER FUNDS	17486.2	19937.7	19937.7

## STATE OF ALASKA -- ELECTION DISTRICT REPORT

SALEDSTA

DISTRICT 28

5/03/88

CAPITAL BUDGET SUMMARY

PAGE 25

BUDGET COMPONENT	FISCAL YEAR 1989		
	CSHB-375	CSSB 144	HB375-AM
*** STATEWIDE TOTALS ***	279483.9	277474.9	303214.2
FED. RECEIPT	169416.2	196243.8	166669.9
GENERAL FUND	(77098.2)	44590.6	108842.1
OTHER FUNDS	32969.0	36640.5	32702.2

5-0735L  
Utermohle  
5/4/88

Original sponsor: Finance Committee

Funding Information

General Fund \$  
Other Funds

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 144 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making appropriations for the capital and  
7 loan program expenses of state government; making an  
8 appropriation from the housing assistance loan fund  
9 to the general fund; and providing for an effective  
10 date."

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

12 \* Section 1. The sum of \$8,000,000 is appropriated from the general  
13 fund to the fisheries enhancement revolving loan fund (AS 16.10.505) for  
14 the fisheries enhancement loan programs.

15 \* Sec. 2. The sum of \$7,000,000 is appropriated from the general fund  
16 to the Alaska Student Loan Corporation, student loan fund (AS 14.42.210),  
17 to capitalize the fund.

18 \* Sec. 3. The sum of \$10,421,000 is appropriated to the Alaska clean  
19 water fund (AS 46.03.032) for the Alaska clean water loan program from the  
20 following sources:

21	General Fund	\$1,421,000
22	Federal Receipts	9,000,000

23 \* Sec. 4. The sum of \$2,196,800 is appropriated from the housing assis-  
24 tance loan fund (AS 44.47.380) to the general fund.

25 \* Sec. 5. The sum of \$300,000 is appropriated from the general fund to  
26 the Department of Community and Regional Affairs for payment as a grant  
27 under AS 37.05.316 to the Community Enterprise Development Corporation of  
28 Alaska to match federal Economic Development Administration funds for the  
29 economic development administration revolving boat loan fund for western

1 Alaskan fishermen.

2 \* Sec. 6. The sum of \$7,000,000 is appropriated from the Railbelt  
3 energy fund to the Department of Commerce and Economic Development, Alaska  
4 Power Authority, for construction of the Bradley Lake power project.

5 \* Sec. 7. The unexpended and unobligated balance of the appropriation  
6 made by sec. 6 of this Act lapses into the Railbelt energy fund January 1,  
7 1992.

8 \* Sec. 8. The appropriations made by this Act are not one year appro-  
9 priations and do not lapse under AS 37.25.010.

10 (SECTION 9 BEGINS ON PAGE 4)

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Original sponsor: Finance Committee

Funding Information

General Fund \$  
Other Funds

1 IN THE SENATE BY THE FINANCE COMMITTEE  
2 CS FOR SENATE BILL NO. 144 (Finance)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL  
6 For an Act entitled: "An Act making appropriations for the capital and  
7 loan program expenses of state government; making an  
8 appropriation from the housing assistance loan fund  
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10 date."

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16 to the Alaska Student Loan Corporation, student loan fund (AS 14.42.210),  
17 to capitalize the fund.

18 \* Sec. 3. The sum of \$10,421,000 is appropriated to the Alaska clean  
19 water fund (AS 46.03.032) for the Alaska clean water loan program from the  
20 following sources:

21	General Fund	\$1,421,000
22	Federal Receipts	9,000,000

23 \* Sec. 4. The sum of \$40,000,000 is appropriated from the housing  
24 assistance loan fund (AS 44.47.380) to the general fund.

25 \* Sec. 5. The sum of \$300,000 is appropriated from the general fund to  
26 the Department of Community and Regional Affairs for payment as a grant  
27 under AS 37.05.316 to the Community Enterprise Development Corporation of  
28 Alaska to match federal Economic Development Administration funds for the  
29 economic development administration revolving boat loan fund for western

1 Alaskan fishermen.

2 \* Sec. 6. The appropriations made by this Act are not one year appro-  
3 priations and do not lapse under AS 37.25.010.

4 \* Sec. 7. Section 4 of this Act takes effect on the date that the  
5 Alaska Housing Finance Corporation purchases at par value home mortgage  
6 loans from the housing assistance loan fund (AS 44.47.380), in an amount  
7 not to exceed \$40,000,000.

8 \* Sec. 8. Except for sec. 4 of this Act, this Act takes effect July 1,  
9 1988.

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(SECTION 9 BEGINS ON PAGE 4)

FISCAL YEAR 1989 BUDGET SUMMARY BY FUNDING SOURCE

FUNDING SOURCE	OPERATING BUDGET	LOANS BUDGET	NEW LEGISLATION BUDGET	CAPITAL BUDGET	TOTAL BUDGET
FEDERAL RECEIPTS				196,244,000	196,244,000
GENERAL FUND MATCH				39,312,800	39,312,800
GENERAL FUND				5,130,300	5,130,300
GENERAL FUND/PROGRAM RECEIPTS				147,500	147,500
RAILBELT ENERGY FUND				7,000,000	7,000,000
HIGHWAY WORKING CAPITAL FUND				10,000,000	10,000,000
INTERNATIONAL AIRPORT REVENUE FUND				15,482,800	15,482,800
STUDENT REVOLVING LOAN FUND				73,800	73,800
PERMANENT FUND DIVIDEND FUND				73,900	73,900
CAPITAL IMPROVEMENT PROJECT RECEIPTS				440,000	440,000
POWER DEVELOPMENT REVOLVING LOAN FUND				3,570,000	3,570,000
**** TOTALS ****				\$277,475,100	\$277,475,100

1 \* SEC. 9 THE FOLLOWING APPROPRIATION ITEMS ARE FOR  
 2 CAPITAL PROJECTS AND GRANTS FROM THE GENERAL FUND OR  
 3 OTHER FUNDS AS SET OUT IN THE FISCAL YEAR 1989 BUDGET  
 4 SUMMARY BY FUNDING SOURCE TO THE AGENCIES NAMED AND FOR  
 5 THE PURPOSES EXPRESSED. (ED#\_) MEANS THAT THE CAPITAL  
 6 PROJECT IS LOCATED WITHIN THAT HOUSE OF REPRESENTATIVES  
 7 ELECTION DISTRICT. THIS GEOGRAPHIC REFERENCE HAS BEEN  
 8 INSERTED BY STAFF AND IS FOR INFORMATION PURPOSES ONLY.

	ALLOCATIONS	APPROPRIATION ITEMS	APPROPRIATION GENERAL FUND	APPROPRIATION OTHER FUNDS	
12	*****	*****			12
13	*****	DEPARTMENT OF REVENUE *****			13
14	*****	*****			14
15	GENERAL GOVERNMENT				15
16			73,900	73,900	16
17	*****	*****			17
18	*****	DEPARTMENT OF EDUCATION *****			18
19	*****	*****			19
20	EDUCATION				20
21			550,000	550,000	21
22			150,000	150,000	22
23			73,800	73,800	23

	ALLOCATIONS	APPROPRIATION ITEMS	APPROPRIATION GENERAL FUND	FUND SOURCES OTHER FUNDS	
1					1
2					2
3	* * * * *	* * * * *			3
4	* * * * * DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT	* * * * *			4
5	* * * * *	* * * * *			5
6	DEVELOPMENT				6
7	DIVISION OF BUSINESS DEVELOPMENT				7
8	CAPITAL MATCHING GRANT PROGRAM (ED 99)	800,000	800,000		8
9	ALASKA POWER AUTHORITY	700,000		700,000	9
10	BRADLEY LAKE HYDROELECTRIC PROJECT (RAILBELT ENERGY FUND) (ED 99)	7,000,000		7,000,000	10
11	WASTE HEAT PROGRAM (ED 99)	200,000		200,000	11
12	RURAL TECHNICAL ASSISTANCE (ED 99)	500,000		500,000	12
13	METERING INSTALLATION AND SURVEY (ED 99)	150,000		150,000	13
14	RURAL PUBLIC FACILITY SYSTEMS EFFICIENCY IMPROVEMENTS (ED 99)	300,000		300,000	14
15	RURAL END-USE EFFICIENCY PILOT PROGRAM (ED 99)	300,000		300,000	15
16	BOND ISSUANCE COSTS (ED 99)	100,000		100,000	16
17	SNETTISHAM PROJECT TRANSFER (ED 4)	100,000		100,000	17
18	SOUTHEAST INTERTIE FEASIBILITY (ED 99)	200,000		200,000	18
19	UNALASKA DIESEL GENERATION UPGRADE (ED 26)	495,000		495,000	19
20	BETHEL AREA INTERTIE PERMITTING AND RIGHT-OF-WAY (ED 25)	50,000		50,000	20
21	WHITE MOUNTAIN POWER SYSTEMS UPGRADE (ED 23)	75,000		75,000	21
22	INTERIOR/WESTERN ALASKA TRANSMISSION GRID RECONNAISSANCE (ED 99)	100,000		100,000	22
23	BREVIG MISSION ELECTRICAL SYSTEM UPGRADE (ED 23)	150,000		150,000	23
24	MANOKOTAK ELECTRIC SYSTEM UPGRADE (ED 26)	100,000		100,000	24

1	DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT (CONT.)	1
2		2
3	ALLOCATIONS	3
4	APPROPRIATION	4
5	ITEMS	5
6	GENERAL FUND	6
7	OTHER FUNDS	7
8	APPROPRIATION	8
9	GENERAL FUND	9
10	OTHER FUNDS	10
11	APPROPRIATION	11
12	GENERAL FUND	12
13	OTHER FUNDS	13
14	APPROPRIATION	14
15	GENERAL FUND	15
16	OTHER FUNDS	16
17	APPROPRIATION	17
18	GENERAL FUND	18
19	OTHER FUNDS	19
20	APPROPRIATION	20
21	GENERAL FUND	21
1	DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT (CONT.)	1
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20		20
21		21
	CIRCUIT RIDER MAINTENANCE PROGRAM (ED 99)	500,000
	NORTHWEST ARCTIC BOROUGH COAL FEASIBILITY STUDY GRANT (ED 22)	200,000
	NAKNEK SUB-REGION FEASIBILITY (ED 26)	50,000
	EDA MATCH PROJECTS	
	HOMER DEEP WATER DOCK (ED 5)	1,500,000
	*****	*****
	***** DEPARTMENT OF MILITARY & VETERANS AFFAIRS *****	*****
	*****	*****
	PUBLIC PROTECTION	
	UPGRADE NATIONAL GUARD FACILITIES (ED 99)	1,936,000
	*****	*****
	***** DEPARTMENT OF NATURAL RESOURCES *****	*****
	*****	*****
	NATURAL RESOURCE MANAGEMENT	
	PARKS	
	REHABILITATION AND EXPANSION OF PARKS FACILITIES (ED 99)	200,000
	LAND AND WATER CONSERVATION FUND (ED 99)	1,000,000
	NATIONAL HISTORIC PRESERVATION FUND (ED 99)	640,000

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1		ALLOCATIONS	APPROPRIATION ITEMS	APPROPRIATION GENERAL FUND	FUND SOURCES OTHER FUNDS	1
2						2
3		*****	*****			3
4		***** DEPARTMENT OF FISH & GAME	*****			4
5		*****	*****			5
6	NATURAL RESOURCE MANAGEMENT					6
7	SPORT FISHERIES					7
8	PUBLIC ACCESS ACQUISITION (ED 99)		1,632,000	408,000	1,224,200	8
9	*****		*****			9
10	***** DEPARTMENT OF TRANSPORTATION/PUBLIC FACILITIES		*****			10
11	*****		*****			11
12	TRANSPORTATION					12
13	GENERAL FUND MATCH FOR FEDERAL-AID HIGHWAYS (ED 99)		14,350,000	14,350,000		13
14	GENERAL FUND MATCH FOR FEDERAL-AID AVIATION (ED 99)		3,750,000	3,750,000		14
15	ANNUAL TRANSPORTATION PLANNING WORK PROGRAM (ED 99)		1,135,000	300,000	835,000	15
16	STATE EQUIPMENT FLEET REPLACEMENT PROGRAM (ED 99)		10,000,000		10,000,000	16
17	STATEWIDE RESEARCH PROGRAM (ED 99)		600,000		600,000	17
18	UMTA TRANSIT GRANTS (ED 99)		500,000		500,000	18
19	ANNUAL BRIDGE INSPECTION AND INVENTORY (ED 99)		400,000		400,000	19
20	GEOREFERENCING MONUMENTATION (ED 99)		400,000		400,000	20
21	SURVEY EQUIPMENT REPLACEMENT (ED 99)		150,000		150,000	21
22	ENGINEERING EQUIPMENT REPLACEMENT (ED 99)		250,000		250,000	22
23	INDUSTRIAL USE HIGHWAYS MAINTENANCE (ED 99)		82,500	82,500		23
24	STANDARDS MANUALS PUBLISHING (ED 99)		65,000	65,000		24
25	MATERIALS LAB TESTING EQUIPMENT (ED 99)		40,000		40,000	25
26	NATIONAL HIGHWAY INSTITUTE (ED 99)		25,000		25,000	26

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1	DEPARTMENT OF TRANSPORTATION/PUBLIC FACILITIES (CONT.)		1
2		ALLOCATIONS	2
3		APPROPRIATION ITEMS	3
4	STATEWIDE HARBORS	GENERAL FUND	OTHER FUNDS
5	ST PAUL HARBOR COMPLETION (ED 26)	4,000,000	4,000,000
6	CENTRAL REGION HIGHWAYS	35,934,600	35,934,600
7	EAGLE RIVER BRIDGE/HILAND DRIVE PHASE 1 (ROAD SEGMENTS) (ED 7-15)	11,838,600	
8	GLENN HIGHWAY - NORTH EAGLE RIVER I/C (ED 7-15)	3,400,000	
9	BETHEL AIRPORT ROAD REHABILITATION (ED 25)	4,567,500	
10	CENTRAL REGION HIGHWAYS PRELIMINARY ENGINEERING (ED 99)	2,786,700	
11	CENTRAL REGION GUARDRAIL UPGRADE (ED 99)	345,800	
12	ANCHORAGE TRANSIT (ED 7-15)	1,950,000	
13	CENTRAL REGION SAFETY IMPROVEMENTS (ED 99)	1,350,000	
14	CENTRAL REGION BRIDGE REPLACEMENT (ED 99)	800,000	
15	MAT-SU HIGHWAY CHANNELIZATION, LIGHTING & TRAFFIC CONTROL (ED 16)	521,000	
16	CENTRAL REGION RAILROAD CROSSING IMPROVEMENTS (ED 99)	450,000	
17	ANCHORAGE RIDESHARING (ED 7-15)	135,000	
18	FUNNY RIVER ROAD/BRIDGE (ED 5)	7,790,000	
19	CENTRAL REGION AVIATION	10,244,400	10,244,400
20	WASILLA AIRPORT RELOCATION (ED 16)	3,750,000	
21	DILLINGHAM AIRPORT GA APRON EXPANSION (ED 26)	2,437,500	
22	OLD HARBOR AIRPORT RECONSTRUCT/RELOCATE (ED 27)	1,150,000	
23	CENTRAL REGION AVIATION PRELIMINARY ENGINEERING (ED 99)	1,125,000	
24	WILLOW AIRPORT RUNWAY LIGHTING (ED 16)	234,400	

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1	DEPARTMENT OF TRANSPORTATION/PUBLIC FACILITIES (CONT.)			1
2			APPROPRIATION	APPROPRIATION FUND SOURCES
3		ALLOCATIONS	ITEMS	GENERAL FUND OTHER FUNDS
4	PLATINUM AIRPORT RELOCATION STUDY (ED 25)	187,500		
5	PORT ALSWORTH AIRSTRIP (ED 26)	1,360,000		
6	ANCHORAGE INTERNATIONAL AIRPORT		23,908,000	23,908,000
7	AIA REMOTE FUELING APRON EXPANSION (ED 7-15)	4,500,000		
8	AIA RESURFACE TAXIWAY - K- (ED 7-15)	3,000,000		
9	AIA RECONSTRUCTION OF RAMP AREAS FY89 (ED 7-15)	1,000,000		
10	AIA GENERAL AVIATION PAVING FY89 (ED 7-15)	1,000,000		
11	AIA INTERNAL ROAD IMPROVEMENTS (ED 7-15)	1,000,000		
12	AIA ANNUAL IMPROVEMENTS FY89 (ED 7-15)	650,000		
13	AIA MAINTENANCE EQUIPMENT FY89 (ED 7-15)	540,000		
14	AIA GA ENVIRONMENTAL ASSESSMENT/DESIGN (ED 7-15)	500,000		
15	AIA SURVEY/UPDATE LAND OCCUPANCY MAP (ED 7-15)	300,000		
16	AIA NORTH AIR PARK DEVELOPMENT (ED 7-15)	7,100,000		
17	AIA SITE PREPARATION FOR LANDING SYSTEM (ED 7-15)	2,005,000		
18	AIA RECONSTRUCT TAXIWAY G (ED 7-15)	2,213,000		
19	NORTHERN REGION HIGHWAYS		58,500,300	58,500,300
20	GEIST ROAD EXTENSION, ILLINOIS RECONSTRUCTION (ED 20)	18,270,000		
21	NORTHERN REGION PE, ROW, AND UTILITIES (ED 99)	5,891,000		
22	OLD STEESE, WENDELL EXPRESSWAY (ED 20)	4,500,000		
23	RICHARDSON HIGHWAY, MP 0 NORTH REHABILITATION (ED 6)	3,471,300		
24	BADGER ROAD RECONSTRUCTION (ED 20)	2,675,100		
25	NORTHERN REGION SAFETY PROGRAM (ED 99)	2,300,000		

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1	DEPARTMENT OF TRANSPORTATION/PUBLIC FACILITIES (CONT.)		1
2		ALLOCATIONS	2
3		APPROPRIATION ITEMS	3
4		GENERAL FUND	4
5		OTHER FUNDS	5
4	RICHARDSON HIGHWAY, EIELSON NORTH REHABILITATION (ED 20)	2,300,000	6
5	UNIVERSITY AVENUE/COLLEGE INTERSECTION IMPROVEMENTS (ED 20)	2,000,000	7
6	CHENA HOT SPRINGS ROAD WIDENING (ED 20)	1,940,000	8
7	DAVIS ROAD WIDENING (ED 20)	1,800,000	9
8	AIRPORT WAY RESURFACING (ED 20)	1,650,000	10
9	OLD RICHARDSON HIGHWAY WIDENING (ED 20)	1,600,000	11
10	LACEY-NOBLE CONNECTOR CONSTRUCTION (ED 20)	1,500,000	12
11	SOUTH CUSHMAN WIDENING (ED 20)	1,450,000	13
12	COLLEGE ROAD WIDENING (ED 20)	1,250,000	14
13	WILBUR STREET EXTENSION (ED 20)	1,100,000	15
14	LATHROP STREET, EXPRESSWAY - VAN HORN RECONSTRUCTION (ED 20)	785,000	16
15	PARKS/CHENA RIDGE INTERCHANGE (ED 20)	686,000	17
16	PARKS HIGHWAY EROSION CONTROL (ED 17)	663,100	18
17	BADGER/HOLMES CONSTRUCTION (ED 20)	593,800	19
18	STEESE EXPRESSWAY REHABILITATION (ED 20)	300,000	20
19	FMATS TRAFFIC SYSTEM IMPROVEMENTS (ED 20)	275,000	21
20	RICHARDSON HIGHWAY EMERGENCY REPAIRS (ED 20)	750,000	22
21	NABESNA ROAD RECONSTRUCTION, RECONNAISSANCE (ED 17)	250,000	23
22	NOME-COUNCIL MP 32 EAST RECONSTRUCTION (ED 23)	500,000	24
23	NORTHERN REGION AVIATION	17,524,000	
24	NOME RUNWAY REPAIRS, PHASE 2 CONSTRUCTION (ED 23)	4,220,000	17,524,000



1	DEPARTMENT OF TRANSPORTATION/PUBLIC FACILITIES (CONT.)		1
2		ALLOCATIONS	2
3		ITEMS	3
4		GENERAL FUND	4
5		OTHER FUNDS	5
4	SOUTHEAST REGION HIGHWAY PRELIMINARY ENGINEERING (ED 99)	1,348,000	
5	SOUTHEAST REGION HIGHWAY SAFETY IMPROVEMENTS (ED 99)	400,000	
6	GLACIER HIGHWAY-FRED MEYER TO MCNUGGET SUPPLEMENTAL (ED 4)	200,000	
7	SOUTHEAST REGION AVIATION	13,572,000	13,572,000
8	HOONAH AIRPORT IMPROVEMENTS SUPPLEMENTAL (ED 2)	3,100,000	
9	SITKA AIRPORT - REPAVE AND GROOVE RUNWAY (ED 3)	2,000,000	
10	CRAIG SEAPLANE BASE EXPANSION (ED 2)	1,700,000	
11	METLAKATLA SEAPLANE FLOAT EXPANSION (ED 2)	630,000	
12	THORNE BAY SEAPLANE FACILITIES (ED 2)	500,000	
13	WHALE PASS SEAPLANE FACILITY (ED 2)	388,000	
14	KASAAN SEAPLANE FLOAT (ED 2)	254,000	
15	SOUTHEAST REGION AIRPORT MASTER PLANS-3 (KLAWOCK & KAKE) (ED 99)	200,000	
16	EDNA BAY SEAPLANE FLOAT (ED 2)	180,000	
17	HYDER SEAPLANE FLOAT (ED 1)	120,000	
18	YAKUTAT AIRPORT GENERATOR & TAXIWAY LIGHTS (ED 2)	100,000	
19	JUNEAU AIRPORT PARALLEL TAXIWAY (ED 4)	4,400,000	
20	MARINE HIGHWAYS SYSTEM	5,647,500	5,647,500
21	KETCHIKAN FERRY TERMINAL RENOVATION (ED 1)	434,000	
22	M/V TUSTUMENA REFURBISHMENT PHASE 3 (ED 99)	2,488,200	
23	HAINES UPLANDS IMPROVEMENTS (ED 2)	525,300	
24	M/V LECONTE REPOWER AND MACHINERY REFURBISHMENT (ED 99)	250,000	

1	DEPARTMENT OF TRANSPORTATION/PUBLIC FACILITIES (CONT.)				1
2			ALLOCATIONS	APPROPRIATION	APPROPRIATION FUND SOURCES
3				ITEMS	GENERAL FUND OTHER FUNDS
4	VESSELS SEWAGE TREATMENT (ED 99)	1,950,000			
5	* * * * *			* * * * *	
6	* * * * * DEPARTMENT OF ENVIRONMENTAL CONSERVATION			* * * * *	
7	* * * * *			* * * * *	
8	NATURAL RESOURCE MANAGEMENT				
9	NUNAPITCHUK SEWAGE SYSTEM (ED 25)			550,000	550,000
10	TANANA WATER PLANT UPGRADE (ED 24)			97,000	97,000
11	STATEWIDE WASTE AND WATER				
12	ADMINISTRATION OF VILLAGE SAFEWATER AND 50% GRANT PROGRAMS (ED 99)			819,300	819,300
13	VILLAGE SAFEWATER PROJECTS			1,524,000	1,524,000
14	HUSLIA SEWER UPGRADE PHASE I (ED 24)	450,000			
15	HUGHES SUMMER WATER/PRIVIES/PUMPER (ED 24)	162,000			
16	GRAYLING WATER/SEWER UPGRADE (ED 24)	400,000			
17	UPPER KALSKAG STUDY (ED 24)	12,000			
18	MCCRATH WASTE WATER DISPOSAL (ED 24)	500,000			
19	EPA MATCH PROJECTS				
20	JUNEAU DIGESTOR AND SLUDGE THICKENER (ED 4)			930,000	270,000 660,000
21	JUNEAU MENDENHALL COMPOST FACILITY (ED 4)			3,402,100	275,800 3,126,300
22	HOMER/KACHEMAK SEWAGE TREATMENT PLANT (ED 5)			8,294,600	3,100,000 5,194,600
23	ANCHORAGE EAGLE RIVER SEWAGE TREATMENT PLANT EXPANSION (ED 7-15)			8,390,900	3,500,000 4,890,900

	ALLOCATIONS	APPROPRIATION ITEMS	APPROPRIATION GENERAL FUND	FUND SOURCES OTHER FUNDS	
1					1
2					2
3	*****	*****			3
4	***** DEPARTMENT OF COMMUNITY & REGIONAL AFFAIRS	*****			4
5	*****	*****			5
6	DEVELOPMENT				6
7	SUPPLEMENTAL HOUSING DEVELOPMENT FUND (ED 99)	3,500,000	3,500,000		7
8	WEATHERIZATION AND ENERGY CONSERVATION (ED 99)	1,950,000	250,000	1,700,000	8
9	COMMUNITY BLOCK GRANTS (ED 99)	3,000,000		3,000,000	9
10	OIL OVERCHARGE SETTLEMENT FUNDS (ED 99)	7,480,000		7,480,000	10
11	KOYUKUK PRESCHOOL BUILDING REPLACEMENT GRANT (ED 24)	90,000	90,000		11
12	GRANTS TO NAMED RECIPIENTS: (AS 37.05.316)				12
13	UPPER KOBUK ELDERS-HOT SPRINGS IMPROVEMENTS (ED 22)	20,000	20,000		13
14	*****	*****			14
15	***** UNIVERSITY OF ALASKA *****				15
16	*****	*****			16
17	UNIVERSITY OF ALASKA				17
18	UNIVERSITY OF ALASKA-CHUKCHI COLLEGE				18
19	INUPIAT LITERACY PROJECT COMMUNICATIONS EQUIPMENT (ED 22)	60,000	60,000		19
20	*****	*****			20
21	***** GRANTS TO MUNICIPALITIES (AS 37.05.315)	*****			21
22	*****	*****			22
23	GENERAL GOVERNMENT				23
24	ED 1 KETCHIKAN-WRANGELL-PETERSBURG				24
25	KETCHIKAN GATEWAY BOROUGH-SAXMAN SMALL BOAT HARBOR (ED 1)	3,000,000	3,000,000		25

1	GRANTS TO MUNICIPALITIES (AS 37.05.315) (CONT.)			1
2			APPROPRIATION	APPROPRIATION FUND SOURCES
3		ALLOCATIONS	ITEMS	GENERAL FUND OTHER FUNDS
4	ED 22 NORTH SLOPE-KOTZEBUE			4
5	AMBLER-SEWAGE SYSTEM IMPROVEMENTS (ED 22)		40,000	40,000
6	KIANA-WATER AND SEWER SYSTEM DESIGN (ED 22)		125,000	125,000
7	DEERING-SANITATION SYSTEM DESIGN (ED 22)		40,000	40,000
8	SHUNGNAK-HEALTH CLINIC EXPANSION (ED 22)		50,000	50,000
9	NORTHWEST ARCTIC BOROUGH-VILLAGE STREET LIGHTS AND ROAD REPAIRS (ED 22)		165,000	165,000
10	ED 23 NORTON SOUND			10
11	EMMONAK-WATER AND SEWER IMPROVEMENTS (ED 23)		370,000	370,000
12	ELIM-WATER SYSTEM IMPROVEMENTS (ED 23)		250,000	250,000
13	HOOPER BAY-TRAMWAY REPAIRS (ED 23)		30,000	30,000
14	ST MICHAEL-WATER SYSTEM IMPROVEMENTS (ED 23)		200,000	200,000
15	SAVOONGA-WASHETERIA RENOVATION (ED 23)		150,000	150,000
16	* SEC. 10 THE FOLLOWING SETS OUT THE FUNDING BY AGENCY			16
17	FOR THE APPROPRIATIONS MADE IN SECTION 9 OF THIS ACT.			17
18	CAPITAL PROJECTS			18
19	FEDERAL RECEIPTS	196,244,000		19
20	GENERAL FUND MATCH	39,312,800		20
21	GENERAL FUND	5,130,300		21
22	GENERAL FUND/PROGRAM RECEIPTS	147,500		22
23	RAILBELT ENERGY FUND	7,000,000		23
24	HIGHWAY WORKING CAPITAL FUND	10,000,000		24
25	INTERNATIONAL AIRPORT REVENUE FUND	15,482,800		25
26	STUDENT REVOLVING LOAN FUND	73,800		26
27	PERMANENT FUND DIVIDEND FUND	73,900		27

11

1	CAPITAL PROJECTS (CONT.)		1
2	CAPITAL IMPROVEMENT PROJECT RECEIPTS	440,000	2
3	POWER DEVELOPMENT REVOLVING LOAN FUND	3,570,000	3
4	*** TOTAL FUNDING ***	\$277,475,100	4
5	***** TOTAL BUDGET *****	\$277,475,100	5

11

Funding Information  
General Fund \$ -0-  
Other Funds -0-  
\$ -0-

1 IN THE SENATE BY THE FINANCE COMMITTEE  
2 SENATE BILL NO. 144  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FIFTEENTH LEGISLATURE - FIRST SESSION  
5 A BILL  
6 For an Act entitled: "An Act making a special appropriation from the  
7 budget reserve fund to the general fund; and provid-  
8 ing for an effective date."  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:  
10 \* Section 1. The sum of \$420,000,000 is appropriated from the budget  
11 reserve fund (AS 37.05.156) to the general fund.  
12 \* Sec. 2. This Act takes effect immediately under AS 01.10.070(c).

SB

1446

SENATE COMMITTEE REPORT

FURTHER:

4/24/87

DATE TURNED INTO OFFICE 5/8/87

Mr. President:

FINANCE Committee considered SB 146

weights and measures; cfd.

and recommended:

replace with CS FOR \_\_\_\_\_ )  same title  
 or adopt \_\_\_\_\_ CS FOR SB 146 (Draft) )  new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to \_\_\_\_\_

letter of intent adopted \_\_\_\_\_

Committee  attached or  adopted fiscal note(s)

new  updated or  previous  
 zero  fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

*Gene B. ...*  
*Jim ...*  
*Phil ...*  
*Willie ...*

*John B. ...* Do Pass  
Chairman signature and recommendation

Committee Backup Attached

STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE

Bill Version: CSSB 146(Trsp)

Publish Date: \_\_\_\_\_

REQUEST \_\_\_\_\_

Revision Date: \_\_\_\_\_

Agency Affected: Public Safety

Title: "An Act relating to weights and measures."

BRU: Alaska State Troopers

Sponsor: Transportation Committee

Components: Detachments & CIB

Requestor: Senate Finance

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0
CAPITAL						
REVENUE						

FUNDING:: (Thousands of Dollars)

GENERAL FUNDS		0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact is anticipated.

JML  
5/4/87

Prepared by: Francis C. Allan  
Division: Alaska State Troopers

Phone: 269-5691  
Date: 4/27/87

Approved by Commissioner: [Signature]  
Agency: Public Safety

Date: 5/4/87

Distribution (by preparer):

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

RECEIVED  
MAY 05 1987

page \_\_\_ of \_\_\_

LEGISLATIVE FINANCE

Original sponsor: Transportation Committee

1 IN THE SENATE BY THE TRANSPORTATION COMMITTEE  
2 CS FOR SENATE BILL NO. 146 (Transportation)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FIFTEENTH LEGISLATURE - FIRST SESSION  
5 A BILL

6 For an Act entitled: "An Act relating to weights and measures; citation  
7 authority of employees enforcing weights and measures  
8 limitations; and providing for an effective date."

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

10 \* Section 1. AS 45.75.050(b) is amended to read:

11 (b) The regulations may include

12 (1) standards of net weight, measure, or count, and reason-  
13 able standards of fill, for a [ANY] commodity in package form;

14 (2) rules governing the technical and reporting procedures  
15 to be followed, and the report and record forms and marks of approval  
16 and rejection to be used by inspectors of weights and measures in the  
17 discharge of their official duties;

18 (3) exemptions from the sealing or marking requirements of  
19 AS 45.75.120 for [WITH RESPECT TO] weights and measures of a character  
20 or size that sealing or marking would be inappropriate, impracticable,  
21 or damaging to the apparatus in question; [AND]

22 (4) for [WITH RESPECT TO] classes of weights and measures  
23 of a character that retesting is unnecessary to continued accuracy,  
24 exemptions from the requirements of AS 45.75.070 and 45.75.080 for  
25 testing, and schedules fixing the frequency of required retests for  
26 classes of devices exempted; and

27 (5) in the implementation of AS 44.33.020(25), provisions  
28 governing the size, weight, and load limitations established under  
29 AS 19.10.060; the issuance of permits for overweight and oversize

1 vehicles; and the operation of weigh stations.

2 \* Sec. 2. AS 45.75 is amended by adding new sections to read:

3           Sec. 45.75.131. ISSUANCE OF CITATIONS. (a) A peace officer or  
4 an employee of the Department of Commerce and Economic Development who  
5 is authorized by the commissioner to enforce the size, weight, and  
6 load limitations adopted by the Department of Transportation and  
7 Public Facilities under AS 19.10.060 may issue a citation to a person  
8 who violates

9                   (1) a weight, size, or load limitation;

10                   (2) the terms of an overweight or oversize vehicle permit  
11 issued under AS 44.33.020(25); or

12                   (3) a regulation adopted under AS 28.05.011(2) or under  
13 AS 44.33.020(25) and AS 45.75.050(b)(5).

14           (b) A citation issued under this section must be in writing. A  
15 person receiving the citation is not required to sign a promise to  
16 appear in court.

17           (c) The time specified in the notice to appear on a citation  
18 issued under this section must be at least 15 days after the issuance  
19 of the citation, unless the person cited requests an earlier hearing.

20           (d) The commissioner is responsible for the issuance of books  
21 containing appropriate citations and shall maintain a record of each  
22 book and each citation contained in it. The commissioner shall re-  
23 quire and retain a receipt for every book issued to an employee of the  
24 Department of Commerce and Economic Development designated by the  
25 commissioner to provide investigative service to enforce provisions of  
26 this chapter.

27           (e) A peace officer or an employee who issues a citation under  
28 this section shall deposit the original or a copy of the citation with  
29 a court having jurisdiction over the alleged offense. Upon its

1 deposit with the court, the citation may be disposed of only by trial  
2 in the court or other official action taken by the magistrate, judge,  
3 or prosecutor. The peace officer or employee who issued the citation  
4 may not dispose of it or copies of it or of the record of its issuance  
5 except as required under this subsection and (f) of this section.

6 (f) The commissioner shall require the return of a copy of every  
7 citation issued under this section and of all copies of every citation  
8 that has been spoiled or on which an entry has been made and not  
9 issued to an alleged violator. The commissioner shall also maintain  
10 in connection with every citation issued a record of the disposition  
11 of the charge by the court in which the original or copy of the cita-  
12 tion was deposited.

13 (g) If the form of citation issued under this section includes  
14 the essential facts constituting the offense charged and is sworn to  
15 as required under the laws of this state for a complaint charging  
16 commission of the offense alleged in the citation, the citation when  
17 filed with a court having jurisdiction, is considered to be a lawful  
18 complaint for the purpose of prosecution.

19 (h) Unless the citation has been voided or otherwise dismissed  
20 by the magistrate, judge, or prosecutor, or bail has been forfeited  
21 under AS 45.75.133, a person who fails to appear in court to answer a  
22 citation issued under this section, regardless of the disposition of  
23 the charge for which the citation was issued, is guilty of a class B  
24 misdemeanor.

25 Sec. 45.75.133. BAIL FORFEITURE. (a) The supreme court shall  
26 specify by rule or order those violations that are appropriate for  
27 disposition without court appearance, and shall establish a schedule  
28 of bail amounts. The maximum bail forfeiture amount for an offense  
29 may not exceed the maximum fine specified by law for that offense. If

1 the person who has been cited can dispose of the violation without  
2 court appearance, the issuing peace officer or employee shall write on  
3 the citation the amount of bail forfeiture applicable to the viola-  
4 tion.

5 (b) A person cited for a violation for which a bail forfeiture  
6 amount has been established under (a) of this section may, within 15  
7 days after the date of the citation, mail or personally deliver to the  
8 clerk of the court in which the citation is filed by the employee

9 (1) the amount of bail indicated on the citation for that  
10 offense; and

11 (2) a copy of the citation indicating that the right to an  
12 appearance is waived, a plea of no contest is entered and the bail is  
13 forfeited.

14 (c) When the cited person has forfeited bail under (b) of this  
15 section, the court shall enter a judgment of conviction. Forfeiture  
16 of bail is a complete satisfaction for the violation. The clerk of  
17 the court accepting the bail forfeiture shall provide the offender  
18 with a receipt stating that fact.

19 (d) A cited person who fails to pay the bail forfeiture amount  
20 established under (a) of this section or to appear in court as re-  
21 quired, is guilty of a class B misdemeanor.

22 (e) Notwithstanding other provisions of law, if a person cited  
23 for a violation for which a bail forfeiture amount has been estab-  
24 lished under (a) of this section appears in court and is found guilty,  
25 the court may not impose a penalty that exceeds the bail forfeiture  
26 amount for that offense established under (a) of this section.

27 \* Sec. 3. AS 45.75.380 is amended to read:

28 Sec. 45.75.380. OFFENSES AND PENALTIES. A person commits a  
29 violation subject to the penalty specified in AS 12.55.035(b)(5) if

1 the person does one or more of the following acts [WHO, PERSONALLY OR  
2 BY A SERVANT, OR AGENT, OR AS THE SERVANT OR AGENT OF ANOTHER, PER-  
3 FORMS ANY ONE OF THE FOLLOWING ACTS IS GUILTY OF A MISDEMEANOR AND  
4 UPON A FIRST CONVICTION OF THE VIOLATION IS PUNISHABLE BY A FINE OF  
5 NOT LESS THAN \$20 NOR MORE THAN \$200, OR BY IMPRISONMENT FOR NOT MORE  
6 THAN THREE MONTHS, OR BY BOTH. UPON A SECOND OR SUBSEQUENT CONVIC-  
7 TION, THE PERSON IS PUNISHABLE BY A FINE OF NOT LESS THAN \$50 NOR MORE  
8 THAN \$500, OR BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR, OR BY BOTH]:

9 (1) uses or has in possession for the purpose of using for  
10 a [ANY] commercial purpose specified in AS 45.75.080, sells, offers,  
11 or exposes for sale, or hire, or has in possession for the purpose of  
12 selling or hiring, an incorrect weight or measure or a device or  
13 instrument used to or calculated to falsify a weight or measure;

14 (2) uses or has in possession for current use, in buying or  
15 selling a commodity or thing, or for hire or award, or in the computa-  
16 tion of a basic charge or payment for services rendered on the basis  
17 of weight or measurement, or in the determination of weight or mea-  
18 surement when a charge is made for determination, a weight or measure  
19 that has not been tested and sealed by the appropriate authority  
20 within one year, [(A)] unless

21 (A) the person gives written notice [IS GIVEN] to the  
22 appropriate authority to the effect that the weight or measure is  
23 available for examination, or is due for reexamination [RE-EXAMI-  
24 NATION], as the case may be; [,]

25 (B) the person receives [UNLESS] specific written  
26 permission to use the weight or measure [IS RECEIVED] from the  
27 appropriate authority; [,] or

28 (C) [UNLESS] the weight or measure is exempt from  
29 sealing or annual testing requirements by AS 45.75.080 or by a

- 1 regulation adopted [OF THE DIRECTOR ISSUED] under AS 45.75.050;
- 2 (3) dispces of a rejected or condemned weight or measure  
3 in a manner contrary to law or regulation;
- 4 (4) removes from a weight or measure, contrary to law or  
5 regulation, a tag, seal, or mark placed on it by the appropriate  
6 authority;
- 7 (5) sells or [,] offers [OR EXPOSES] for sale less than the  
8 quantity the person represents of a commodity, thing, or service;
- 9 (6) takes more than the quantity the person represents of a  
10 commodity, thing, or service when, as buyer, the person furnished the  
11 weight or measure that the seller used to determine [BY MEANS OF  
12 WHICH] the amount of the commodity, thing, or service [IS DETERMINED];
- 13 (7) keeps for the purpose of sale, advertises, or offers  
14 [OR EXPOSES] for sale, or sells a commodity, thing, or service in a  
15 condition or manner contrary to law or regulation;
- 16 (8) uses in retail trade, except in the preparation of  
17 packages put up in advance of sale and of medical prescriptions, a  
18 weight or measure that is not so positioned that a customer may accu-  
19 rately read, from a position that may reasonably be assumed by a  
20 customer, its indications [MAY BE ACCURATELY READ] and observe the  
21 weighing or measuring operation [OBSERVED FROM SOME POSITION WHICH MAY  
22 REASONABLY BE ASSUMED BY A CUSTOMER];
- 23 (9) hinders or obstructs the director, an inspector, a  
24 sealer, or a deputy sealer in the performance of official duties under  
25 this chapter;
- 26 (10) violates a provision of an overweight or oversize  
27 vehicle permit issued under AS 44.33.020(25);
- 28 (11) violates a weight, load, or size limitation established  
29 under AS 19.10.060 or a regulation adopted under AS 19.05.020,

1        AS 44.33.020(25), or AS 45.75.050(b)(5);

2                (12) violates a provision of this chapter or [OF] a regula-  
3        tion adopted under this chapter for which a specific penalty is not  
4        prescribed.

5        \* Sec. 4. AS 45.75.380 is amended by adding a new subsection to read:

6                (b) Notwithstanding the maximum fine for a violation provided  
7        under (a) of this section, a person who violates a regulation or  
8        special permit governing the weight limit of a motor vehicle shall pay  
9        a penalty of \$.05 for each pound of weight over the authorized weight  
10       limit for the vehicle.

11       \* Sec. 5. AS 45.75.390 is amended by adding a new paragraph to read:

12                (14) "commissioner" means the commissioner of commerce and  
13        economic development.

14       \* Sec. 6. AS 28.40.050(e) and AS 45.75.360 are repealed.

15       \* Sec. 7. This Act takes effect immediately under AS 01.10.070(c).

STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE SENATE

BILL VERSION: CSSB 146(L&C) b  
PUBLISH DATE: 4/9/87

REQUEST  
Revision Date: \_\_\_\_\_  
Title: "An Act relating to weights  
and measures."  
Sponsor: Transportation Committee  
Requestor: Senate Labor & Commerce

Agency Affected: Public Safety  
BRU: Alaska State Troopers  
Components: Detachments & CIB

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUNDS		0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

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

ANALYSIS:

No fiscal impact is anticipated.

Prepared by: Francis C. Allan  
Division: Alaska State Troopers

Phone: 269-5691  
Date: 4/15/87

Approved by Commissioner: \_\_\_\_\_  
Agency: Public Safety

Date: 4/15/87

Distribution (by preparer):  
Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)  
Senate Secretary

JMA  
4/16/87

# STATE OF ALASKA 1987 LEGISLATIVE SESSION FISCAL NOTE

REQUEST: \_\_\_\_\_

Bill Version : CS SB 146 (LH)  
Publish Date : 4-9-87

Revision Date: \_\_\_\_\_  
Title : Act relating to Weights and Measures

Agency Affected: Commerce & Econ. Dev.  
BRU: Consumer Protection

Sponsor : Senate Transportation  
Requestor : \_\_\_\_\_

Components : Measurement Standards

### EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

### FUNDING: (Thousands of Dollars)

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

### POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Joe Swanson, Director Phone: 345-7750  
Division: Measurement Standards Date: March 9, 1987

Approved by Commissioner: J. Anthony Smith, Commissioner Date: March 9, 1987  
Agency: Department of Commerce and Economic Development

Distribution (by preparer):  
Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)  
Senate Secretary  
.0190k3987b

**RECEIVED**  
MAR 10 1987

LEGISLATIVE FINANCE

SB 146

# ALASKA STATE LEGISLATURE

Sen. Lloyd Jones, Chairman  
Sen. John B. "Jack" Coghill, Vice Chairman  
Sen. Mitch Abood  
Sen. Bettye Fahrenkamp  
Sen. Tim Kelly


P.O. Box V  
Juneau, AK 99811

907-465-4921

## Senate Transportation Committee

### MEMORANDUM

TO: Senate Finance Committee

FROM: Senator Lloyd Jones, Chairman  
Senate Transportation Committee 

DATE: May 7, 1987

SUBJECT: CS for SB 146 (Trsp), An Act relating to weights and measures.

---

The Senate Transportation Committee introduced this measure so the state would have the necessary legal mechanism to protect our highways from damage during spring breakup. In addition, without adequate enforcement standards the state of Alaska is in jeopardy of losing ten percent of the State's federal highway apportionment.

This bill would provide the necessary level of vehicle size, weight, and overload limitation enforcement. It provides penalties for violators of oversized or overweight vehicle permits or the legal weight, and load limitations adopted under Alaska Statutes.

In summary, I encourage the Senate Finance Committee's immediate action on this measure so there will be adequate protection of our highways in the immediate future, and to ensure we do not place our federal highway funds at risk.



**Dept. of Transportation & Public Facilities**

# POSITION PAPER

**BILL NO:** CSSB 146 (Transportation)  
**TITLE:** An Act Relating to Weight and Measures  
and Providing for an Effective Date

**APPROVED:** Mark S. Hickey  
Commissioner

**DATE:**

MSH  
4/29/87

The department supports SB 146.

This legislation provides statutory authority for the Departments of Commerce and Economic Development and Public Safety for enforcement of vehicle size, weight and load limitations. It also provides for penalties for those who violate either the provisions of an oversize or overweight vehicle permit or the legal size, weight and load limitations adopted under Alaska Statutes.

The legislation is needed since without it there is no legal mechanism for enforcement of penalties for violations of existing vehicle size and weight regulations. States that do not provide adequate enforcement for oversize and overweight vehicles may be subject to a reduction of ten percent of the State's federal highway apportionment.

Rec'd 5/14/87  
Mark Hill e/s



**Dept. of Transportation & Public Facilities**

**POSITION PAPER**

**BILL NO:** CSSB 146 (Transportation)

**TITLE:** An Act Relating to Weight and Measures  
and Providing for an Effective Date

**APPROVED:** *MSA* Mark S. Hickey  
Commissioner  
**DATE:** 5/7/87

The department supports SB 146.

This legislation provides statutory authority for the Departments of Commerce and Economic Development and Public Safety for enforcement of vehicle size, weight and load limitations. It also provides for penalties for those who violate either the provisions of an oversize or overweight vehicle permit or the legal size, weight and load limitations adopted under Alaska Statutes.

The legislation is needed since without it there is no legal mechanism for enforcement of penalties for violations of existing vehicle size and weight regulations. Federal regulations, 23 CFR 657.19 "Effect of failure to certify or enforce state laws adequately", state

Beginning January 1, 1981, if a State fails to certify as required by this regulation or if the Secretary determines that a State is not adequately enforcing all State laws respecting maximum vehicle sizes and weights on FA highways notwithstanding the State's certification the FA highway funds apportioned to the state for the next fiscal year shall be reduced by an amount equal to 10 percent of the amount which would otherwise be apportioned to the state under 23 U.S.C. 104, and/or by the amount required pursuant to 23 U.S.C. 127.

Currently the State of Alaska receives \$150 million annually in federal highway funds. Therefore, \$15 million annually could be at risk unless this legislation passes.

**RECEIVED**  
MAY 14 1987

LEGISLATIVE FINANCE



**Dept. of Transportation & Public Facilities**

# POSITION PAPER

**BILL NO:** CSSB 146 (Transportation)  
**TITLE:** An Act Relating to Weight and Measures  
and Providing for an Effective Date

**APPROVED:** Mark S. Hickey  
Commissioner

**DATE:**

MSH  
4/29/87

The department supports SB 146.

This legislation provides statutory authority for the Departments of Commerce and Economic Development and Public Safety for enforcement of vehicle size, weight and load limitations. It also provides for penalties for those who violate either the provisions of an oversize or overweight vehicle permit or the legal size, weight and load limitations adopted under Alaska Statutes.

The legislation is needed since without it there is no legal mechanism for enforcement of penalties for violations of existing vehicle size and weight regulations. States that do not provide adequate enforcement for oversize and overweight vehicles may be subject to a reduction of ten percent of the State's federal highway apportionment.



Dept. of Transportation & Public Facilities

# Position Paper

**BILL NO:** SB 146

**APPROVED:** Mark Hickey *M.H.*  
Commissioner

**TITLE:** An Act Relating to Weight and Measures and  
Providing for an Effective Date

**DATE:** 3/9/87

The proposed legislation provides statutory authority for the Department of Commerce and Economic Development for enforcement of vehicle size, weight and load limitations. It also provides for penalties for those who violate either the provisions of an oversize or overweight vehicle permit or the legal size weight and load limitations adopted under Alaska Statutes.

The legislation is needed since without it there is no legal mechanism for enforcement of penalties for violations of existing vehicle size and weight regulations.

SB 146

RECEIVED  
MAR 17 1987

LEGISLATIVE FINANCE

For further information call Susan Fleischhauer at 465-3900.

SENATE COMMITTEE REPORT

FURTHER: FINANCE

DATE TURNED INTO OFFICE April 23, 1987

Mr. President:

TRANSPORTATION Committee considered SB 146

weights and measures; efd.

and recommended:

replace with CS FOR SB146 Trsp )  same title  
 or adopt \_\_\_\_\_ CS FOR \_\_\_\_\_ )  new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to \_\_\_\_\_

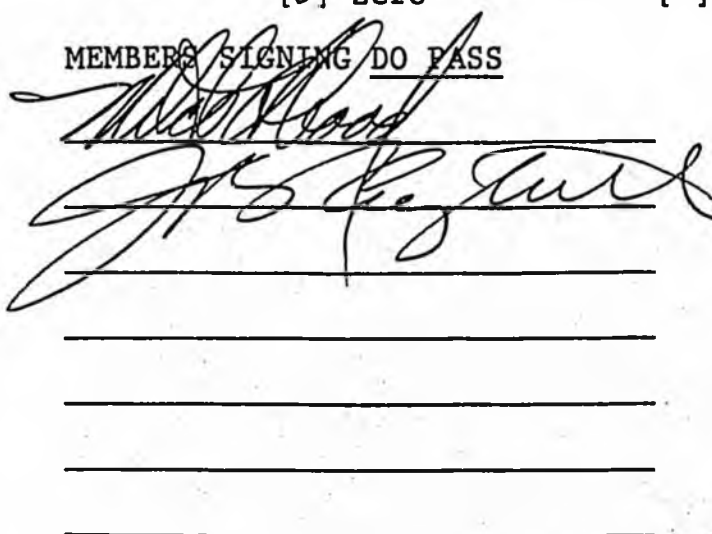
letter of intent adopted \_\_\_\_\_

Committee  attached or  adopted fiscal note(s)

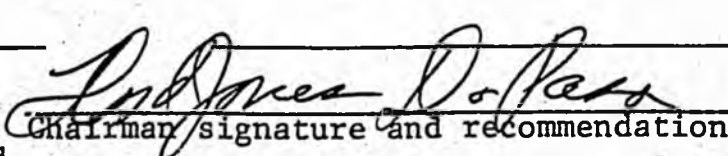
new  updated or  previous  
 zero  fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS



\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
Chairman signature and recommendation

Committee Backup Attached

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 3-5-87 5-DAY NOTICE  
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER: TRANSPORTATION  
FINANCE

\*\*FISCAL NOTE(S) ATTACHED  \*\*  
IN ACCORDANCE WITH AS 24.08.035  
(see below)

2/27/87

DATE TURNED INTO OFFICE \_\_\_\_\_

Mr. President:

LABOR & COMMERCE

Committee considered SB 146

~~relating to~~ weights and measures; efd.

and recommended:

replace with CS SB 146 (L+L)  same title  
 attached amendment(s) and  new title

do pass

do not pass

no recommendation

individual recommendations

further referral to \_\_\_\_\_

letter of intent adopted and attached

\*\* Committee  attached or  adopted fiscal note(s)  
2  zero ~~impact~~  fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Mike Sander  
Subcommittee

John Kelly (NO Rec)

Tim Kelly - Do Pass  
Chairman signature and recommendation

Committee Backup Attached

Original sponsor: Transportation Committee

1 IN THE SENATE  
2  
3 CS FOR SENATE BILL NO. 146 (L&C)  
4 IN THE LEGISLATURE OF THE STATE OF ALASKA  
5 FIFTEENTH LEGISLATURE - FIRST SESSION  
6 A BILL  
7 For an Act entitled: "An Act relating to weights and measures; and provid-  
8 ing for an effective date."  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:  
10 \* Section 1. AS 45.75.050(b) is amended to read:  
11 (b) The regulations may include  
12 (1) standards of net weight, measure, or count, and reason-  
13 able standards of fill, for a [ANY] commodity in package form;  
14 (2) rules governing the technical and reporting procedures  
15 to be followed, and the report and record forms and marks of approval  
16 and rejection to be used by inspectors of weights and measures in the  
17 discharge of their official duties;  
18 (3) exemptions from the sealing or marking requirements of  
19 AS 45.75.120 for [WITH RESPECT TO] weights and measures of a character  
20 or size that sealing or marking would be inappropriate, impracticable,  
21 or damaging to the apparatus in question; [AND]  
22 (4) for [WITH RESPECT TO] classes of weights and measures  
23 of a character that retesting is unnecessary to continued accuracy,  
24 exemptions from the requirements of AS 45.75.070 and 45.75.080 for  
25 testing, and schedules fixing the frequency of required retests for  
26 classes of devices exempted;  
27 (5) in the implementation of AS 44.33.020(25), provisions  
28 governing the size, weight, and load limitations established under  
29 AS 19.10.060; the issuance of permits for overweight and oversize  
vehicles; and the operation of weigh stations.

1 \* Sec. 2. AS 45.75 is amended by adding new sections to read:

2 Sec. 45.75.131. ISSUANCE OF CITATIONS. (a) A peace officer or  
3 an employee of the Department of Commerce and Economic Development who  
4 is authorized by the commissioner of public safety to enforce the  
5 size, weight, and load limitations adopted by the Department of Trans-  
6 portation and Public Facilities under AS 19.10.060 may issue a cita-  
7 tion to a person who violates

8 (1) a weight, size, or load limitation;

9 (2) the terms of an overweight or oversize vehicle permit  
10 issued under AS 44.33.020(25); or

11 (3) a regulation adopted under AS 44.33.020(25) and AS 45.-  
12 75.050(b)(5).

13 (b) A citation issued under this section must be in writing. A  
14 person receiving the citation is not required to sign a promise to  
15 appear in court.

16 (c) The time specified in the notice to appear on a citation  
17 issued under this section must be at least 15 days after the issuance  
18 of the citation, unless the person cited requests an earlier hearing.

19 (d) The commissioner of public safety is responsible for the  
20 issuance of books containing appropriate citations and shall maintain  
21 a record of each book and each citation contained in it. The commis-  
22 sioner of public safety shall require and retain a receipt for every  
23 book issued to an employee of the Department of Commerce and Economic  
24 Development designated by the commissioner of public safety to provide  
25 investigative service to enforce provisions of this chapter.

26 (e) A peace officer or an employee who issues a citation under  
27 this section shall deposit the original or a copy of the citation with  
28 a court having jurisdiction over the alleged offense. Upon its de-  
29 posit with the court, the citation may be disposed of only by trial in

1 the court or other official action taken by the magistrate, judge, or  
2 prosecutor. The peace officer or employee who issued the citation may  
3 not dispose of it or copies of it or of the record of its issuance  
4 except as required under this subsection and (f) of this section.

5 (f) The commissioner of public safety shall require the return  
6 of a copy of every citation issued under this section and of all  
7 copies of every citation that has been spoiled or on which an entry  
8 has been made and not issued to an alleged violator. The commissioner  
9 of public safety shall also maintain in connection with every citation  
10 issued a record of the disposition of the charge by the court in which  
11 the original or copy of the citation was deposited.

12 (g) If the form of citation issued under this section includes  
13 the essential facts constituting the offense charged and is sworn to  
14 as required under the laws of this state for a complaint charging  
15 commission of the offense alleged in the citation, the citation when  
16 filed with a court having jurisdiction, is considered to be a lawful  
17 complaint for the purpose of prosecution.

18 (h) Unless the citation has been voided or otherwise dismissed  
19 by the magistrate, judge, or prosecutor, or bail has been forfeited  
20 under AS 45.75.133, a person who fails to appear in court to answer a  
21 citation issued under this section, regardless of the disposition of  
22 the charge for which the citation was issued, is guilty of a class B  
23 misdemeanor.

24 Sec. 45.75.133. BAIL FORFEITURE. (a) The supreme court shall  
25 specify by rule or order those violations that are appropriate for  
26 disposition without court appearance, and shall establish a schedule  
27 of bail amounts. The maximum bail forfeiture amount for an offense  
28 may not exceed the maximum fine specified by law for that offense. If  
29 the person who has been cited can dispose of the violation without

1 court appearance, the issuing peace officer or employee shall write on  
2 the citation the amount of bail forfeiture applicable to the viola-  
3 tion.

4 (b) A person cited for a violation for which a bail forfeiture  
5 amount has been established under (a) of this section may, within 15  
6 days after the date of the citation, mail or personally deliver to the  
7 clerk of the court in which the citation is filed by the employee

8 (1) the amount of bail indicated on the citation for that  
9 offense; and

10 (2) a copy of the citation indicating that the right to an  
11 appearance is waived, a plea of no contest is entered and the bail is  
12 forfeited.

13 (c) When the cited person has forfeited bail under (b) of this  
14 section, the court shall enter a judgment of conviction. Forfeiture  
15 of bail is a complete satisfaction for the violation. The clerk of  
16 the court accepting the bail forfeiture shall provide the offender  
17 with a receipt stating that fact.

18 (d) A cited person who fails to pay the bail forfeiture amount  
19 established under (a) of this section or to appear in court as re-  
20 quired, is guilty of a class B misdemeanor.

21 (e) Notwithstanding other provisions of law, if a person cited  
22 for a violation for which a bail forfeiture amount has been estab-  
23 lished under (a) of this section appears in court and is found guilty,  
24 the court may not impose a penalty that exceeds the bail forfeiture  
25 amount for that offense established under (a) of this section.

26 \* Sec. 3. AS 45.75.380 is amended to read:

27 Sec. 45.75.380. OFFENSES AND PENALTIES. A person commits a  
28 violation subject to the penalty specified in AS 12.55.035(b)(5) if  
29 the person does one or more of the following acts [WHO, PERSONALLY OR

1 BY A SERVANT, OR AGENT, OR AS THE SERVANT OR AGENT OF ANOTHER, PER-  
2 FORMS ANY ONE OF THE FOLLOWING ACTS IS GUILTY OF A MISDEMEANOR AND  
3 UPON A FIRST CONVICTION OF THE VIOLATION IS PUNISHABLE BY A FINE OF  
4 NOT LESS THAN \$20 NOR MORE THAN \$200, OR BY IMPRISONMENT FOR NOT MORE  
5 THAN THREE MONTHS, OR BY BOTH. UPON A SECOND OR SUBSEQUENT CONVIC-  
6 TION, THE PERSON IS PUNISHABLE BY A FINE OF NOT LESS THAN \$50 NOR MORE  
7 THAN \$500, OR BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR, OR BY BOTH]:

8 (1) uses or has in possession for the purpose of using for  
9 a [ANY] commercial purpose specified in AS 45.75.080, sells, offers,  
10 or exposes for sale, or hire, or has in possession for the purpose of  
11 selling or hiring, an incorrect weight or measure or a device or  
12 instrument used to or calculated to falsify a weight or measure;

13 (2) uses or has in possession for current use, in buying or  
14 selling a commodity or thing, or for hire or award, or in the computa-  
15 tion of a basic charge or payment for services rendered on the basis  
16 of weight or measurement, or in the determination of weight or mea-  
17 surement when a charge is made for determination, a weight or measure  
18 that has not been tested and sealed by the appropriate authority  
19 within one year, [(A)] unless

20 (A) the person gives written notice [IS GIVEN] to the  
21 appropriate authority to the effect that the weight or measure is  
22 available for examination, or is due for reexamination [RE-EXAMI-  
23 NATION], as the case may be; [,]

24 (B) the person receives [UNLESS] specific written  
25 permission to use the weight or measure [IS RECEIVED] from the  
26 appropriate authority; [,] or

27 (C) [UNLESS] the weight or measure is exempt from  
28 sealing or annual testing requirements by AS 45.75.080 or by a  
29 regulation adopted [OF THE DIRECTOR ISSUED] under AS 45.75.050;

1 (3) disposes of a rejected or condemned weight or measure  
2 in a manner contrary to law or regulation;

3 (4) removes from a weight or measure, contrary to law or  
4 regulation, a tag, seal, or mark placed on it by the appropriate  
5 authority;

6 (5) sells or [,] offers [OR EXPOSES] for sale less than the  
7 quantity the person represents of a commodity, thing, or service;

8 (6) takes more than the quantity the person represents of a  
9 commodity, thing, or service when, as buyer, the person furnished the  
10 weight or measure that the seller used to determine [BY MEANS OF  
11 WHICH] the amount of the commodity, thing, or service [IS DETERMINED];

12 (7) keeps for the purpose of sale, advertises, or offers  
13 [OR EXPOSES] for sale, or sells a commodity, thing, or service in a  
14 condition or manner contrary to law or regulation;

15 (8) uses in retail trade, except in the preparation of  
16 packages put up in advance of sale and of medical prescriptions, a  
17 weight or measure that is not so positioned that a customer may accu-  
18 rately read, from a position that may reasonably be assumed by a  
19 customer, its indications [MAY BE ACCURATELY READ] and observe the  
20 weighing or measuring operation [OBSERVED FROM SOME POSITION WHICH MAY  
21 REASONABLY BE ASSUMED BY A CUSTOMER];

22 (9) hinders or obstructs the director, an inspector, a  
23 sealer, or a deputy sealer in the performance of official duties under  
24 this chapter;

25 (10) violates a provision of an overweight or oversize  
26 vehicle permit issued under AS 44.33.020(25);

27 (11) violates a weight, load, or size limitation established  
28 under AS 19.10.060 or a regulation adopted under AS 19.05.020, AS 44.-  
29 33.020(25), or AS 45.75.050(b)(5);

1           (12) violates a provision of this chapter or [OF] a regula-  
2           tion adopted under this chapter for which a specific penalty is not  
3           prescribed.

4           \* Sec. 4. AS 45.75.380 is amended by adding a new subsection to read:

5                   (b) Notwithstanding the maximum fine for a violation provided  
6           under (a) of this section, a person who violates a regulation or  
7           special permit governing the weight limit of a motor vehicle shall pay  
8           a penalty of \$.05 for each pound of weight over the authorized weight  
9           limit for the vehicle.

10          \* Sec. 5. AS 28.40.050(e) and AS 45.75.360 are repealed.

11          \* Sec. 6. This Act takes effect immediately under AS 01.10.070(c).

1 IN THE SENATE BY THE TRANSPORTATION COMMITTEE

2 SENATE BILL NO. 146

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to weights and measures; and provid-  
7 ing for an effective date."

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

9 \* Section 1. AS 45.75.050(b) is amended to read:

10 (b) The regulations may include

11 (1) standards of net weight, measure, or count, and reason-  
12 able standards of fill, for a [ANY] commodity in package form;

13 (2) rules governing the technical and reporting procedures  
14 to be followed, and the report and record forms and marks of approval  
15 and rejection to be used by inspectors of weights and measures in the  
16 discharge of their official duties;

17 (3) exemptions from the sealing or marking requirements of  
18 AS 45.75.120 for [WITH RESPECT TO] weights and measures of a character  
19 or size that sealing or marking would be inappropriate, impracticable,  
20 or damaging to the apparatus in question; [AND]

21 (4) for [WITH RESPECT TO] classes of weights and measures  
22 of a character that retesting is unnecessary to continued accuracy,  
23 exemptions from the requirements of AS 45.75.070 and 45.75.080 for  
24 testing, and schedules fixing the frequency of required retests for  
25 classes of devices exempted;

26 (5) in the implementation of AS 44.33.020(25), provisions  
27 governing the enforcement of the size, weight, and load limitations  
28 established under AS 19.10.060; the issuance of, and the enforcement  
29 of the terms of, permits for overweight and oversize vehicles; and the

1        operation of weigh stations.

2        \* Sec. 2. AS 45.75 is amended by adding new sections to read:

3                Sec. 45.75.131. ISSUANCE OF CITATIONS. An employee of the  
4 Department of Commerce and Economic Development who is authorized by  
5 the commissioner to enforce the size, weight, and load limitations  
6 adopted by the Department of Transportation and Public Facilities  
7 under AS 19.10.060 may issue a citation to a person who violates

8                        (1) a weight, size, or load limitation;

9                        (2) the terms of an overweight or oversize vehicle permit  
10 issued under AS 44.33.020(25); or

11                        (3) a regulation adopted under AS 44.33.020(25) and AS 45.-  
12 75.050(b)(5).

13                Sec. 45.75.132. FORM AND ISSUANCE OF CITATION. (a) A citation  
14 issued under this section must be in writing. A person receiving the  
15 citation is not required to sign a promise to appear in court.

16                        (b) The time specified in the notice to appear on a citation  
17 issued under this section must be at least 15 days after the issuance  
18 of the citation, unless the person cited requests an earlier hearing.

19                        (c) The commissioner is responsible for the issuance of books  
20 containing appropriate citations and shall maintain a record of each  
21 book and each citation contained in it. The commissioner shall re-  
22 quire and retain a receipt for every book issued to an employee of the  
23 department designated by the commissioner to provide investigative  
24 service to enforce provisions of this chapter.

25                        (d) An employee who issues a citation under this section shall  
26 deposit the original or a copy of the citation with a court having  
27 jurisdiction over the alleged offense. Upon its deposit with the  
28 court, the citation may be disposed of only by trial in the court or  
29 other official action taken by the magistrate, judge, or prosecutor.

1 The employee who issued the citation may not dispose of it or copies  
2 of it or of the record of its issuance except as required under this  
3 subsection and (e) of this section.

4 (e) The commissioner shall require the return of a copy of every  
5 citation issued under this section and of all copies of every citation  
6 that has been spoiled or on which an entry has been made and not  
7 issued to an alleged violator. The commissioner shall also maintain  
8 in connection with every citation issued a record of the disposition  
9 of the charge by the court in which the original or copy of the cita-  
10 tion was deposited.

11 (f) If the form of citation issued under this section includes  
12 the essential facts constituting the offense charged and is sworn to  
13 as required under the laws of this state for a complaint charging  
14 commission of the offense alleged in the citation, the citation when  
15 filed with a court having jurisdiction, is considered to be a lawful  
16 complaint for the purpose of prosecution.

17 (g) Unless the citation has been voided or otherwise dismissed  
18 by the magistrate, judge, or prosecutor, or bail has been forfeited  
19 under AS 45.75.133, a person who fails to appear in court to answer a  
20 citation issued under this section, regardless of the disposition of  
21 the charge for which the citation was issued, is guilty of a class B  
22 misdemeanor.

23 Sec. 45.75.133. BAIL FORFEITURE. (a) The supreme court shall  
24 specify by rule or order those violations that are appropriate for  
25 disposition without court appearance, and shall establish a schedule  
26 of bail amounts. The maximum bail forfeiture amount for an offense  
27 may not exceed the maximum fine specified by law for that offense. If  
28 the person who has been cited can dispose of the violation without  
29 court appearance, the issuing employee shall write on the citation the

1 amount of bail forfeiture applicable to the violation.

2 (b) A person cited for a violation for which a bail forfeiture  
3 amount has been established under (a) of this section may, within 15  
4 days after the date of the citation, mail or personally deliver to the  
5 clerk of the court in which the citation is filed by the employee

6 (1) the amount of bail indicated on the citation for that  
7 offense; and

8 (2) a copy of the citation indicating that the right to an  
9 appearance is waived, a plea of no contest is entered and the bail is  
10 forfeited.

11 (c) When the cited person has forfeited bail under (b) of this  
12 section, the court shall enter a judgment of conviction. Forfeiture  
13 of bail is a complete satisfaction for the violation. The clerk of  
14 the court accepting the bail forfeiture shall provide the offender  
15 with a receipt stating that fact.

16 (d) A cited person who fails to pay the bail forfeiture amount  
17 established under (a) of this section or to appear in court as re-  
18 quired, is guilty of a class B misdemeanor.

19 (e) Notwithstanding other provisions of law, if a person cited  
20 for a violation for which a bail forfeiture amount has been estab-  
21 lished under (a) of this section appears in court and is found guilty,  
22 the court may not impose a penalty that exceeds the bail forfeiture  
23 amount for that offense established under (a) of this section.

24 \* Sec. 3. AS 45.75.380 is amended to read:

25 Sec. 45.75.380. OFFENSES AND PENALTIES. A person commits a  
26 violation subject to the penalty specified in AS 12.55.035(b)(5) if  
27 the person does one or more of the following acts [A PERSON WHO,  
28 PERSONALLY OR BY A SERVANT, OR AGENT, OR AS THE SERVANT OR AGENT OF  
29 ANOTHER, PERFORMS ANY ONE OF THE FOLLOWING ACTS IS GUILTY OF A

1 MISDEMEANOR AND UPON A FIRST CONVICTION OF THE VIOLATION IS PUNISHABLE  
2 BY A FINE OF NOT LESS THAN \$20 NOR MORE THAN \$200, OR BY IMPRISONMENT  
3 FOR NOT MORE THAN THREE MONTHS, OR BY BOTH. UPON A SECOND OR SUBSE-  
4 QUENT CONVICTION, THE PERSON IS PUNISHABLE BY A FINE OF NOT LESS THAN  
5 \$50 NOR MORE THAN \$500, OR BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR,  
6 OR BY BOTH]:

7 (1) uses or has in possession for the purpose of using for  
8 a [ANY] commercial purpose specified in AS 45.75.080, sells, offers,  
9 or exposes for sale, or hire, or has in possession for the purpose of  
10 selling or hiring, an incorrect weight or measure or a device or  
11 instrument used to or calculated to falsify a weight or measure;

12 (2) uses or has in possession for current use, in buying or  
13 selling a commodity or thing, or for hire or award, or in the computa-  
14 tion of a basic charge or payment for services rendered on the basis  
15 of weight or measurement, or in the determination of weight or mea-  
16 surement when a charge is made for determination, a weight or measure  
17 that has not been tested and sealed by the appropriate authority  
18 within one year, [(A)] unless

19 (A) the person gives written notice [IS GIVEN] to the  
20 appropriate authority to the effect that the weight or measure is  
21 available for examination, or is due for reexamination [RE-EXAMI-  
22 NATION], as the case may be; [,]

23 (B) the person receives [UNLESS] specific written  
24 permission to use the weight or measure [IS RECEIVED] from the  
25 appropriate authority; [,] or

26 (C) [UNLESS] the weight or measure is exempt from  
27 sealing or annual testing requirements by AS 45.75.080 or by a  
28 regulation adopted [OF THE DIRECTOR ISSUED] under AS 45.75.050;

29 (3) disposes of a rejected or condemned weight or measure

1 in a manner contrary to law or regulation;

2 (4) removes from a weight or measure, contrary to law or  
3 regulation, a tag, seal, or mark placed on it by the appropriate  
4 authority;

5 (5) sells or[,] offers [OR EXPOSES] for sale less than the  
6 quantity the person represents of a commodity, thing, or service;

7 (6) takes more than the quantity the person represents of a  
8 commodity, thing, or service when, as buyer, the person furnished the  
9 weight or measure that the seller used to determine [BY MEANS OF  
10 WHICH] the amount of the commodity, thing, or service [IS DETERMINED];

11 (7) keeps for the purpose of sale, advertises, or offers  
12 [OR EXPOSES] for sale, or sells a commodity, thing, or service in a  
13 condition or manner contrary to law or regulation;

14 (8) uses in retail trade, except in the preparation of  
15 packages put up in advance of sale and of medical prescriptions, a  
16 weight or measure that is not so positioned that a customer may accu-  
17 rately read, from a position that may reasonably be assumed by a  
18 customer, its indications [MAY BE ACCURATELY READ] and observe the  
19 weighing or measuring operation [OBSERVED FROM SOME POSITION WHICH MAY  
20 REASONABLY BE ASSUMED BY A CUSTOMER];

21 (9) hinders or obstructs the director, an inspector, a  
22 sealer, or a deputy sealer in the performance of official duties under  
23 this chapter;

24 (10) violates a provision of an overweight or oversize  
25 vehicle permit issued under AS 44.33.020(25);

26 (11) violates a weight, load, or size limitation established  
27 under AS 19.10.060 or a regulation adopted under AS 19.05.020, AS 44.-  
28 33.020(25), or AS 45.75.050(b)(5);

29 (12) violates a provision of this chapter or [OF] a

1 regulation adopted under this chapter for which a specific penalty is  
2 not prescribed.

3 \* Sec. 4. AS 45.75.380 is amended by adding a new subsection to read:  
4 (b) Notwithstanding the maximum fine for a violation provided  
5 under (a) of this section, the director shall impose on a person who  
6 violates a regulation or special permit governing the weight limit of  
7 a motor vehicle a maximum penalty of \$.05 for each pound of weight  
8 over the authorized weight limit for the vehicle.

9 \* Sec. 5. AS 28.40.050(e) and AS 45.75.360 are repealed.

10 \* Sec. 6. This Act takes effect immediately under AS 01.10.070(c).

SB

149

# SENATE COMMITTEE REPORT

FURTHER:

3/12/87

DATE TURNED INTO OFFICE \_\_\_\_\_

Mr. President:

FINANCE

Committee considered \_\_\_\_\_

SB 149

alternates members of the Legislative Budget & Audit Committee; efd.

and recommended:

replace with \_\_\_\_\_ CS FOR \_\_\_\_\_ )  same title  
 or adopt \_\_\_\_\_ CS FOR \_\_\_\_\_ )  new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to \_\_\_\_\_

letter of intent adopted \_\_\_\_\_

Committee  attached or  adopted fiscal note(s)

new  updated or  previous

zero  fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

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Chairman signature and recommendation

Committee Backup Attached

COMMITTEE REPORT

SENATE RULES COMMITTEE

FIRST COMMITTEE OF REFERRAL

Date of Feb. 28, 1987 5-DAY NOTICE.  
IN ACCORDANCE WITH UNIFORM RULE 23

\*\*FISCAL NOTE(S) ATTACHED                      \*\*  
IN ACCORDANCE WITH AS 24.08.035

Date 3-9-87

Mr. President:

The Committee on Rules considered                      SB 149  
alternate members of the Legislative Budget and Audit Committee; efd.

and recommended it be placed on the                      Calendar  
[ ] with attached amendment(s).

[ ] replace with CS for                      [ ] same title  
[ ] new title

[ ] and attached a Letter of Intent

[ ] new fiscal note

MEMBERS SIGNING FOR PLACEMENT  
ON THE CALENDAR

MEMBERS HAVING OTHER  
RECOMMENDATIONS

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\_\_\_\_\_  
CHAIRMAN

**Senate Rules Committee**

SB 149

Finance asked  
for referral

1 IN THE SENATE

BY SZYMANSKI AND FAIKS

2 SENATE BILL NO. 149

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to alternate members of the Legis-  
7 lative Budget and Audit Committee; and providing for  
8 an effective date."

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

10 \* Section 1. AS 24.20.165 is amended to read:

11 Sec. 24.20.165. ALTERNATE MEMBERS. The Legislative Budget and  
12 Audit Committee shall have two alternate members in addition to the  
13 members designated in AS 24.20.161. The president of the senate shall  
14 appoint one alternate member from the senate [FINANCE COMMITTEE] and  
15 the speaker of the house shall appoint one alternate member from the  
16 house [FINANCE COMMITTEE]. The alternate members shall serve on the  
17 committee when a meeting of the committee has been called and the  
18 chairman determines that there will not be enough members in atten-  
19 dance at the meeting to provide a quorum. While serving as alter-  
20 nates, the alternate members have the same duties and responsibilities  
21 as committee members appointed under AS 24.20.161, and they are en-  
22 titled to the same travel and per diem allowances.

23 \* Sec. 2. Section 1 of this Act is retroactive to January 19, 1987.

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

ALASKA STATE LEGISLATURE

15th Legislature 1st Session

SENATE BILL NO. 149

By SZYMANSKI, FAIKS

"An Act relating to alternate members of the Legislative Budget and Audit Committee; and providing for an effective date."

Introduced in the Senate 2/27, 1987

HISTORY IN THE SENATE

1987	Read first time and referred to Committee on												
2 27	<b>RULES</b>												
3 12	<i>In refusal added</i> Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	<table border="0"> <tr> <td colspan="2">Reconsideration</td> </tr> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
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PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed Signed by President Sent to House												
	SECRETARY OF THE SENATE												

HISTORY IN THE HOUSE

19	Read first time and referred to Committee on												
	Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
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Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed Signed by Speaker Returned to Senate												
	CHIEF CLERK OF THE HOUSE												

HISTORY IN THE SENATE

19	Received from House
	To enrolling
	Reported correctly enrolled
	Sent to Governor
	..... by Governor
	Filed with Lt. Governor
	Chapter No. ....