

ALASKA LEGISLATURE COMMITTEE FILES 1905-1900 00/2

3382 HJUD HB 590 - HB 631

258

Anchorage Times 7/21/85

Pimps play various roles with women they exploit

by Earl Selt
Times Writer

Pimps

The name conjures up images of soulless men who feed on the addictions, fears and misery of the women they control.

And although the image isn't far off the mark, Anchorage police and the municipality's chief prosecutor say the men are extremely difficult to identify and prosecute.

Pimps in Anchorage are usually lazy, violent men, police say, who somehow convince their workers that they are necessary to them for "protection." The price the women pay for this supposed paternalism is both monetary and physical.

But, at the same time, the men instill a loyalty in their stablemates that police find hard to

shake, and veteran officers say local panderers make a point of keeping their profiles low.

"The girls won't testify against them," said Cpl. Mark O'Brien of the police department's General Investigations Unit. "They'll beat up on these girls, but none of (the women) will testify against them. I don't know why these hookers do it. They can't be in it for the money, because they give it all away to their pimps."

Sgt. Mike Fullerton, who worked vice for the department during the mid-1970s, agreed. "You ask every one you arrest, 'Who's your pimp?' and they'll say, 'I don't have a pimp. I'm independent.' But you know they all have them."

The men, Municipal Attorney Jim Ottinger said, play a multi-

ple role — a synthesis of father figure, lover and professional supervisor — in the women's lives.

"Supposedly he's going to protect them from getting beat up, protect them from other pimps, ball them out," he said. "Some of (the women) have a really warped sense that this guy is protecting them, and ought to keep them in line."

"I've had at least one prostitute tell me that there was no coercion involved, in her case," he said. "She said it was a good relationship. I guess it was a good relationship as long as she kept bringing in money."

The man can sometimes be spotted on periodic rounds of Fourth and Fifth avenues' prostitute populations, officers said, collecting money from the streetwalkers they control.

"They'd make drive-throughs and check on the girls," Fullerton said of his own experience. "You knew what they were doing, and they knew that you knew what they were doing."

But establishing a connection between those collections and illegal activity is tough. "Smart

pimps stay in the background," Ottinger said.

"In a couple of cases we've gotten assault convictions on these defendants, and I've been convinced they were working as pimps. That's difficult to prove, however."

'Chickens' also walk Downtown

by Tony Durr
Times Magazine Editor

And then there's Billy.

He is blonde, attractive and glib. He's also a hooker, though. In the shadowy underworld of homosexuality he's more comfortable with terms like chickens and chickenhawks instead of hookers, johns and pimps.

"Nope, we don't get hassled," he said, wrapping his slender fingers around the chipped coffee cup in a Fifth Avenue cafe. Clear fingernail polish highlighted his neat nails; not a hair was out of place on his head.

And, despite having reached his late teen years, his face was smooth.

"I back-shave," he explained, saying that he shaves with the grain of his beard, then against the grain twice every day to keep his youthful appearance.

"The younger the better in this business," he said, repeating a line often spoken by both male hookers and their customers, who typically are white, middle-aged — and often married — men.

Billy and other Anchorage male prostitutes — who make \$15 to \$30 a trick from their pick-up points outside the city's gay bars and adult bookstores — are typically school-aged. And, he said, the Anchorage police leave him and his colleagues alone.

"I guess we're not as high profile," he said.

Municipal Prosecutor Jim Ottinger agreed. "I can't recall, to tell you the truth, a single case along those lines," he said last week.

"It's perhaps because they're not as obtrusive as the women.

"I would imagine that if those men became obnoxious, we would be making a concerted effort to stop them."

Prosecutors say prostitutes hard to convict

by Earl Swift
Times Staff

Anchorage lawmen battling the city's rampant sex-for-hire industry say many of their efforts are neutralized by prosecutors who needlessly dismiss — or decline to prosecute — prostitution-related cases, and instill a lack of fear for the law in the area's prostitutes.

But the city's chief prosecutor said last week that the charge is unfair, and suggested that most of the law's problems in dealing with local streetwalkers lie in the nature of the prostitution industry and the city's limited resources.

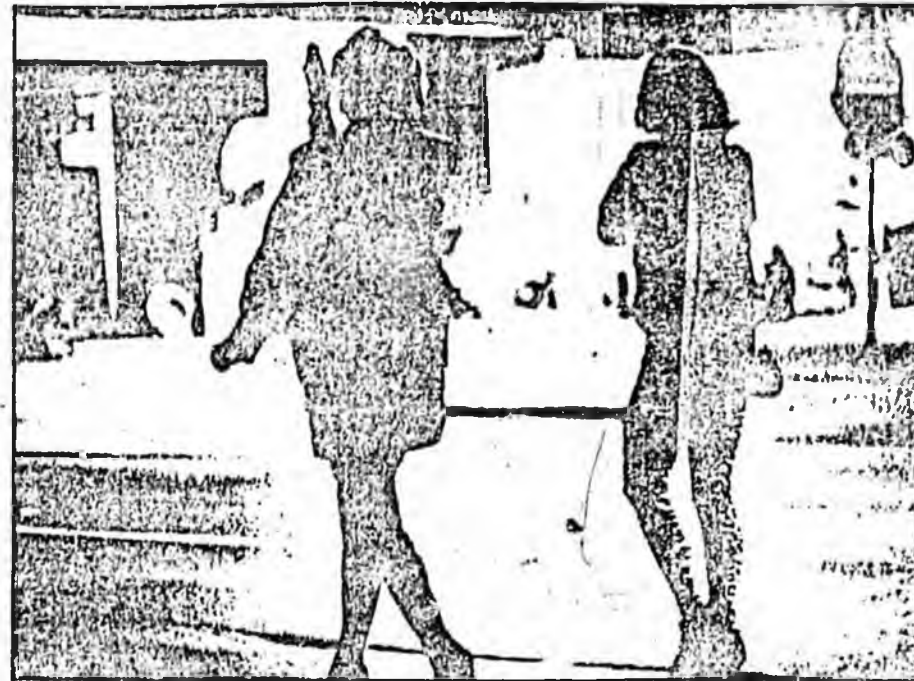
And, he said, the prosecutor's office plans to establish a one-person task force to pursue such cases — and investigate ways of bettering the law's response to prostitution — this week.

"We'll take a case to them and two weeks after it's been dismissed, we'll hear about it," one officer said. "You'll go to one prosecutor and he'll tell you that one of the other prosecutors made the decision. Then you go to another prosecutor, and he'll tell you somebody else did it."

Another officer agreed. "What we're going to have to do is get all of us and all of them into one room, so they can't get out of it," he said. "They're dropping these cases, sometimes, because they don't have a complete report. If they picked up the phone and called us, and said, 'Hey, I need this before we can take it further,' they'd get it."

Anchorage court records show that a number of prostitutes, despite previous convictions, have been allowed to continue their trade for extended periods of time.

The documents show, for instance, that 22 criminal cases have been filed in Anchorage since 1982 against local resident Mary Epperson; she is, however,



Times photo by Earl Swift

2 prostitutes stroll Downtown recently in search of potential customers

currently at liberty in the area.

More disturbing is the case of 29-year-old Yolanda Cash, convicted of prostitution-related offenses in 1980, 1982 and 1983. Cash, also known as Deborah Banks, was arrested on suspicion of prostitution-related offenses several times and larceny once between February and May 1984.

All of the cases were either dismissed or the subject of completely suspended sentences.

Cash was headed for bigger trouble. Last Oct. 12, she and fellow prostitute Yolanda Haywood allegedly lifted a man's wallet outside Downtown's Palace Hotel, then stabbed him several times. Now the subject of a \$100,000 warrant, she is believed

to be living in Hawaii or Florida.

But Municipal Prosecutor Jim Ottinger said Thursday that while officers have four basic types of law with which to make prostitution arrests, their cases are uniformly difficult to successfully prosecute.

"In the aggregate of cases we get, we don't decline too many of them," he said. "During the last quarter, we only declined four cases that were brought to us. Our policy is not to dismiss a case once we've accepted it for prosecution."

"Having cause to arrest and having sufficient evidence to convict are two different things," he said. "We do decline those cases which we cannot

pursue a successful prosecution, but the majority of the cases presented to us are good cases."

"We've got one lady who has four cases against her, and chances are we'll dismiss two of those cases in exchange for her accepting criminal responsibility for the other two."

"We don't like to do it, but sometimes we have to," he said. "But still, we try to get an appropriate disposition."

Ottinger said he was aware that prostitutes are often back on the street within days — if not hours — of their arrest. And, he said, prosecutors have not treated prostitution as a high priority until recently, because other, more life-threatening

criminal activity has captured his office's time.

But that's changing, he said. "We really have to do our part when they flare up like this," he said. "In prostitution cases, you'll often hear someone say, 'Why should you be concerned with what two consenting adults do in private?'"

"In the cases we deal with, and the police have to be concerned about, these women aren't doing their thing in private. They're taking their business to the street, and at that point it becomes a public issue."

Ottinger said he plans to establish himself as a one-person task force to deal with the problem this week. Among other things, he said he hopes to see bills and sentences for prostitution-related offenses regularized.

State District Court magistrates currently assign bail to incoming prisoners on an individual basis. Some regularly assign low amounts for prostitution-related offenses, while others go the opposite route. One magistrate, for instance, assigns bail at \$1,000 for each of a prisoner's prior charges; one unlucky prostitute, police said, was consequently jailed recently in lieu of a whopping \$11,000 bail.

"I'm hoping that by Monday, at the latest, I'm going to get some word on uniform policies in treating the prostitutes who are picked up on the street, or who should be picked up," Ottinger said. "We're trying to get the same punishment for everyone similarly situated."

"One thing we try to do is get a lot of suspended time over somebody's head, along with conditions that we really don't have to go out of our way to prove."

"I think that's very effective," he said. "We've got so many of the cases now that we have to try to get really effective coordination on them."

"We're not talking about professional prostitutes. We're talking about wolf packs. There's a difference."

-- Joy Vaught, a bartender at the VFW post



City streetwalkers aren't sweet talkers

by Paul Jenkins
Associated Press

When packs of hungry prostitutes fled downtown Anchorage with police nipping at their high heels, they raised few eyebrows as they tumbled into Joe Spenard's old neighborhood to offer curbside love.

But when some of them mugged two elderly men — one of them disabled — in the parking lot of a Veterans of Foreign Wars post, they went too far.

There are things not tolerated, even in sometimes rough and tumble Spenard, home for everything from quiet neighborhoods to seedy massage parlors, junk stores and bars.

"We're not talking about professional prostitutes," says Joy Vaught, who tends bar at the VFW post. "We're talking about wolf packs. There's a difference."

"If any more of them come down here, I'm going to nail them," says Craig Tucker, the 22-year-old night bartender at the post. He pulled the hookers off their elderly victims. "I was insane. I was really out of my mind. I could have killed somebody; I was that mad. I'm going to harass them, push them down, get physical."

"It's an intolerable situation," says Assemblyman Dave Walsh, who points out that millions of dollars in government and private funding have been spent to revitalize the area. "It makes no sense to allow that work to go to waste and make it a haven for whores."

On the wall outside VFW Memorial Post 1865, named after Capt. James G. Lee, the first Alaskan killed in Vietnam, dangles a curly black wig snatched from one of the more brazen ladies of the evening. It's a reminder to the post's 625 members that things have changed in this corner of the city.

doors, it was live and let live but now, too few of police efforts elsewhere, hordes of hookers have started popping up along Spenard Road like night flowers.

"I wanna be a hooker in Spenard, I mean the job just can't be all that hard, I wanna stand in the shadow of the sleazy bars flashing my goods at passing cars," goes a song by Mr. Whitekeys, "boss" of The Fly by Night Club.

Whitekeys, the only name he gives, is not all that perturbed at the prostitutes who peddle themselves near his business.

"We're a sleazy bar and it's good for the neighborhood. We look at it as an urban beautification project," he says. "There haven't been people that well dressed in the neighborhood in 50 years."

At nearby Spenardo Da Vinci's, an upscale restaurant with one of Anchorage's few dress codes, manager Terry Yurashak notes the passing parade woefully.

"I'd just rather they were someplace else," he says.

Ladies chased away

Someplace else is where the ladies started out.

Only a few months ago, they were hustling in the Fourth Avenue area of downtown Anchorage in the shadow of the city's classiest hotels. The cynical say they were hounded out at about the time U.S. Conference of Mayors came to town.

Police Chief Brian Porter says the hookers — lots of them — descended on Anchorage after Los Angeles squeezed them out for last year's Summer Olympics and Northwest cities cracked down on prostitution, adding long jail terms for second offenses.

With the increasing numbers came violence.

"There are too many of them," Porter says. "Right now, we have about 100 more than we can accommodate in this city."

Laughter dies down

Anchorage sometimes is known — to the chagrin of its boosters — as the Junkpile on the Mudflats, L.A. on Ice or, more simply, Los Anchorage. In other parts of Alaska, they laugh at Anchorage. In Anchorage, they laugh at Spenard.

Before being gobbled up in 1975 by its larger neighbor, Spenard itself was a town, named after Joseph A. Spenard, an early settler and businessman.

Traffic platted Spenard Road knives through the heart of the area. Motels, fast-food joints and the occasional revival tent cluster cheek-by-jowl with modern shops and businesses, crowding the street.

In years past, few seemed upset at the tiny, frame buildings along the road with signs reading "Oriental Lady Dating and Escort Service," "Jazzy Lady," or the "Body Shop," which touts its "double trouble" special. All are open 24 hours a day.

As long as what went on in Spenard's seamier establishments went on behind closed

Tougher days ahead

Porter hints that things are about to get tough for the "working girls" in Spenard. At the Spenard VFW post, the crunch can't come soon enough.

Some members, like Tucker, believe direct action is called for. They had planned a decoy operation, where elderly members would be sent out to draw prostitutes. When they began robbing the men, other members would give them a good thumping.

But that was called off after Porter stopped in at the post and promised action.

"We know they can clean it up," Tucker says. "They did it for the mayors' convention."

If Assemblyman Walsh has his way, police will arrest hookers and their customers, and have their names printed in local newspapers.

Randy Kruse, at 34 the senior vice commander of the state's 5,500 VFW members, has stepped in to cool things off while police work to drive off the hookers.

Anchorage Times 11/2/85

Officials, merchants debate merits of police efforts to curb prostitution

by Beth Barrett
Times Writer

Downtown's prostitution problem has been curtailed, officials and some merchants said Friday, but others contend that the problem simply has moved.

Only about a dozen merchants showed up Friday to discuss prostitution in the downtown core, and city officials attributed the low attendance to the success of a police crackdown this summer.

Susan Vaillancourt, general manager of the Red Ram Motor Lodge, said the lines of prostitutes that clogged the lodge's corner at Fifth Avenue and Gambell Street have disappeared,

along with the trouble and annoyance the women, and at least one man, caused pedestrians.

"I think it's stopped because of the police efforts," Vaillancourt said.

However, some business people complained the police haven't solved the prostitution problem, but have simply pushed it out of sight or into other parts of the city, particularly Spenard.

Commissioner of Public Safety John Franklin said it's naive to believe the prostitution problem in Anchorage has been solved, but said the city's goal of reducing prostitutes' harassment of residents and visitors has largely been met.

This summer, groups of prostitutes regularly stopped and robbed pedestrians or people driving down Fourth and Fifth avenues in their cars.

Franklin said the city had up to five policemen patrolling the area on foot this summer and fall, including an officer stationed at Fourth Avenue and Barrow Street virtually around-the-clock. The commissioner said undercover agents also worked prostitute and drug cases on the avenues, making 44 drug arrests in the past few months.

In addition, the city plans to move the downtown police substation into a remodelled building at Fourth Avenue and D.

seven cars, was headed west to Valparaiso from the Andean city of Los Andes.

Many of the victims were returning from their vacations in the Pacific coastal city of Vina

the trains to investigate the theft of electric wire. Both trains were electrically-powered.

The official news agency ORBE said that the trains were

See Collision, page A-10

Anchorage Times 2/18/86

Measures focus on prostitutes

Times Juneau Bureau

JUNEAU — Prostitutes in areas such as Spenard would have to stay off the streets or go to jail if two bills introduced in the state House clear the legislature this year.

The package of legislation would apply to prostitutes across the state, but it is aimed at Spenard, where prostitution activity has stirred controversy in the past.

"(The measure) is designed to rid Spenard and the rest of Alaska of streetwalkers," Rep. Roger Jenkins, R-Anchorage, said in a prepared statement. Jenkins introduced the bills.

One measure would create a law making it illegal to loiter or wander "along public streets without any apparent reason or business."

A companion bill would hand one-year jail sentences to second-time offenders. Currently, those arrested a second time for prostitution get 90 days in jail.

"The residents of Spenard are sick and tired of being known as the prostitution headquarters for Anchorage," said Jenkins, who represents the area.

He said the issue of "prostitutes flaunting themselves on Spenard Road" was the top concern listed by residents responding to his most recent newsletter.

Activity by prostitutes on the streets of downtown Anchorage and the Spenard area of the city has been a matter of concern for merchants, police and city officials.

Merchants have complained that prostitutes have driven prospective customers away from their businesses.

Last summer police moved to rid downtown streets of prostitutes, and merchants said the crackdown reduced street traffic in the area.

Anchorage police had five officers patrolling on foot during the summer and part of the fall, including an officer stationed at Fourth Avenue and Barrow Street virtually around the clock.

Undercover officers concentrated on prostitution and drug crimes in the area, and made 44 arrests related to alleged drug crimes during the crackdown, Commissioner of Public Safety John Franklin said.

But some business people said the crackdown simply moved the prostitution problem from downtown to Spenard.

Measures aim to curb prostitution

Times Juneau Bureau

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The package of legislation would apply to prostitutes across the state, but it is aimed at Spenard, where prostitution has stirred up controversy.

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One measure, if passed, would prohibit loitering "along public streets without any apparent reason or business."

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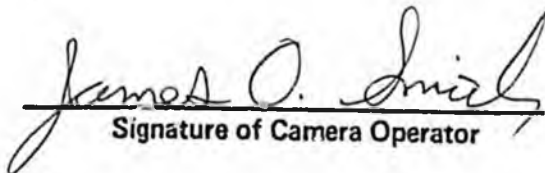


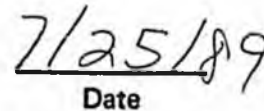
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Bill No. House Bill 596

Date April 7, 1986

Title "An Act relating to fishermen's liens"

Contact: Eileen Plate
465-2700
James J. O'Connor
465-4842

House Bill 596 proposes to expand upon the assets which are liened by a person who sells fish to a processor or primary fish buyer. Under present law only the property of the processor or buyer is liened. Under the provisions of this bill, the lien would also extend to the fish themselves and products made from them, and to proceeds received by the processor or buyer for the resale of the fish or products made from them.

The Department of Labor supports House Bill 596 since it would provide additional mechanisms for the collection of earnings due Alaska's fishermen.

APPROVED:



Jim Robison, Commissioner
Department of Labor

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

Revision Date : _____

REQUEST

Bill/Resolution No. : HB 596
 Title : "An Act relating to
 Fishermen's liens."
 Sponsor : Marrou
 Requestor : Spec. Committee on Fisheries
 Date of Request : 2/18/86

FISCAL DETAIL

Agency Affected : Labor
 BRU : Labor Standards and Safety
 Components : Wage and Hour

EXPENDITURES/REVENUES : (Thousands of Dollars)

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

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

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

FUNDING : (Thousands of Dollars)

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

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by : Robert J. Bacolas, Sr. Phone : 465-4870
 Division : Labor Standards and Safety Date : 2/28/86

Approved by Commissioner : Jim Robison Date : 2/28/86
 Agency : Labor

Distribution (by Agency preparing fiscal note):

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



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James O. Smith
Signature of Camera Operator

7/25/89
Date

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May, 1986

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS date base CM 14. In order to save space copies of minutes have not been left in the files.

Jeanie Henry

House Judiciary 3/20/86

1:30 pm

UNFINISHED BUSINESSCSHB 28(Fin)(2d-title-am)

Representative Pettyjohn moved and asked unanimous consent that COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 28 (Finance) (2d title amended) (making a special appropriation from the undistributed income account in the Alaska permanent fund to the principal of the permanent fund; effective date) be taken up at this time.

Representative Clocksin objected.

Representative Pettyjohn moved and asked unanimous consent that he be allowed to withdraw his motion.

Representative Adams objected and withdrew his objection. There being no further objection, Representative Pettyjohn's motion was withdrawn.

SSSB 374

The Speaker waived the Transportation Committee referral on SPONSOR SUBSTITUTE FOR SENATE BILL NO. 374 (relating to state toll facilities) at the request of the Chairman.

SSSB 374 was sent to the Finance Committee.

HB 611

The Speaker waived the Judiciary Committee referral on HOUSE BILL NO. 611 (relating to air carriers) at the request of the Chairman.

HB 611 was sent to the Finance Committee.

CSHB 104(Jud)am

Representative Clocksin moved that the House concur in the Senate amendment to CSHB 104(Jud)am, thus adopting CSHB 104(Jud)amS (page 2146), and recommended that the members vote yes.

Representative Pignalberi objected.

The question being: "Shall the House concur in the Senate amendment to CSHB 104(Jud)am?" The roll was taken with the following result:

HOUSE

COMMITTEE REPORT

JUDICIARY

(7)

Date referred: 2/17/86

FURTHER REFERRALS: FINANCE

DATE: 19 MARCH 1986

The TRANSPORTATION Committee has considered HB 611

"An Act relating to air carriers."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CS HB 611 (TRSP) same title
- 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:

Bette Cato
Mike Thier
Michael Qualben

Dick Shultz Change line 15 from
 \$50 to \$25.00

Bette Cato

Chairman

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date : _____

REQUEST

Bill Resolution No. : HB 611
 Title : An Act relating
to Air Carriers

 Sponsor : CATO
 Requestor n/a
 Date of Request : n/a

FISCAL DETAIL

Agency Affected : Commerce
 BRU : Div of Measurement Standards

 Components : operations

EXPENDITURES/REVENUES : (Thousands of Dollars)

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

ANALYSIS : Attach a separate page if necessary
 The attached budget shows \$110.0 in Governor's budget which includes field investigations. Because this function is already provided in the Governor's budget request, HB 611 shouldn't have additional fiscal impact.

Prepared by : Rep. Bette Cato, Chairman Phone : 4858
 Division : House Transportation Committee Date : _____
 Approved by Commissioner : Bette Cato Date : _____
 Agency : _____

Distribution (by Agency preparing fiscal note):

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

TITLE OF INCREMENT/DECREMENT: Air Carrier Program	AGENCY CONTACT/PHONE NUMBER: Marvin Rieger/345-7750
DESCRIBE WHY THIS INCREMENT/DECREMENT IS NEEDED AND WHAT IT PURCHASES: The air carrier financial responsibility bill as passed by the 14th legislative session mandated that the following functions be performed:	
<ol style="list-style-type: none"> 1. Maintain records on the limits of security and current status on all persons who carry passengers or freight for commercial purposes intrastate in an aircraft; 2. Verify eligibility and issue certificates of compliance upon collection of a \$50.00 annual fee; and 3. Investigate complaints and enforce the provisions of AS 42.30.200 and AS 42.30.225. 	
This bill was passed and signed into law without a fiscal note.	
The House journal dated June 17, 1985, contained a letter from Governor Sheffield to Representative Grussendorf and is partly quoted for information:	
<p style="margin-left: 40px;">"Dear Representative Grussendorf:</p> <p style="margin-left: 40px;">Today I have signed the Conference Committee Substitute for House Bill 133 relating to transportation safety and financial responsibility for Alaska's truckers and air carriers.</p> <p style="margin-left: 40px;">Although the substance of this legislation is basically sound and provides some assurance that the instate trucking and air industries operate in a safe manner and with adequate insurance, I am deeply concerned by the failure of the legislature to provide any funding."</p>	

CODE	EXPENDITURE BY OBJECT	AGENCY REQ.	GOV'S REQ.
71000	Personal Services	149.4	78.3
72000	Travel	15.0	15.0
73000	Contractual Services	12.0	4.0
74000	Supplies	1.5	1.5
75025	Equipment	46.0	11.3
75690	Lands, Buildings, Etc.		
77000	Grants, Claims, Etc.		
78000	Miscellaneous		
TOTAL		223.9	110.1
I-A Transfer (NON-ADD)			
1002	Federal Receipts		
1003	General Fund Match		
1004	General Fund	161.4	47.6
1005	I-A Receipts		
1028	Program Receipts	62.5	62.5
	Other		
POSITION INFORMATION	PFT	4	2
	PPT		
	Non Permanent		
	Staff Months	48	24
<input type="checkbox"/> Enhance Existing Service <input type="checkbox"/> Compared to FY 86		<input type="checkbox"/> Formula Program	
<input checked="" type="checkbox"/> New Service Compared to FY 86			
<input type="checkbox"/> Continuation of FY 86 Service Level			
IMPACT FROM CAPITAL PROJECT (NAME) <hr/>			
Chapter _____ SLA _____ Page/Line _____			

C5	INCREMENT/ DECREMENT REQUEST
Agency Priority <u>24</u> of <u>101</u>	

AGENCY DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

BRU DIVISION OF MEASUREMENT STANDARDS

COMPONENT Operations

PROJECT _____

FY 87

Page <u>1</u> of <u>7</u>
Revised Date _____

000050

This increment requests the funds required to perform the administrative and field investigation/enforcement functions.

The administrative function entails the verification of aircraft operating intrastate under Federal Aviation regulations part 121 and 135. Estimates provided by the Alaska Air Carriers Association place the total number of eligible aircraft at approximately 5,000. Verification of compliance with AS 42.30.200 requires that a data base be established that lists aircraft by type, owner, Federal Aviation Administration identification, and verification of insurance. A certificate of compliance is issued for each aircraft. This certificate of compliance must be renewed annually for a \$50.00 fee. Revenue processing and accounts receivable programs will have to be established to monitor all fees collected. Additionally, a policy of insurance may not be cancelled on less than 30 days written notice to the Division of Measurement Standards. Each of these cancellation notices will have to be placed in a suspense file so that if notification of renewal is not received prior to the expiration date, the aircraft will have to be added to a list of non compliance carriers.

In discussions with the insurance industry and the air carriers association, it was stated that each aircraft may involve a change in status up to six times per year. Tracking of these changes to assure statutory compliance places a continual monitoring requirement upon the Division and the generation of a weekly status report.

Notification of non compliance will be mailed to each carrier upon expiration of the insurance.

The administrative portion of the program will provide the records keeping services and the information base but the assurance that the public receives the protection intended by the statute can only be provided through field investigation. Because of the geographic dispersion of the operating carriers, it is essential to place field investigative personnel in locations so that they will be capable of responding in a timely manner.

The field investigations will consist of:

1. Investigation of complaints;
2. Field investigation of operating aircraft to assure compliance; and
3. Field investigation of aircraft identified as not being in compliance to ensure that they are not being used commercially.

C5

ADDITIONAL
EXPLANATION
FORM

AGENCY DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

BHU DIVISION OF MEASUREMENT STANDARDS

COMPONENT Operations

Page 2 of 7

Revised Date

FY 87

000051

We anticipate using an existing classification so that dual utilization will be possible. This will ensure productive service regardless of workload variation.

The new employees will be housed within existing office space in Anchorage, Fairbanks, and Juneau.

The requested travel funds will provide the capability of investigating complaints and assuring compliance in remote locations throughout the state.

Contractual services funds are required for telephone services, vehicle fixed and operating costs, and printing of forms and certificates of compliance.

Requested supplies are for standard office operating supplies.

The requested equipment consists of a vehicle for each operating location, a micro computer for data base and information management, and standard office furniture and equipment.

Recommend that this increment be funded as follows:

161.4 - General Funds

62.5 - Program Receipts from certificate of compliance fees

<u>Number of Positions</u>	<u>Class Description</u>	<u>Range</u>	<u>Location</u>	<u>Cost</u>
1	Weights and Measures Inspector III	17A	Anchorage	44.9
1	Weights and Measures Inspector I	12B	Fairbanks	37.7
1	Weights and Measures Inspector I	12B	Juneau	33.4
1	Administrative Assistant I	12B	Anchorage	33.4

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ADDITIONAL
EXPLANATION
FORM

AGENCY DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

BRU DIVISION OF MEASUREMENT STANDARDS

COMPONENT Operations

Page 3 of 7

Revised Date

FY 87

000052

Increment Cost Recap:

Personal Services: 149.4 - Salaries with 3% underfunding

Travel: 5.2 - Field transportation
6.8 - Field per diem
1.8 - Administrative transportation
1.2 - Administrative per diem

Contractual: 2.1 - Communications
5.1 - IWCF; Vehicle replacement costs
2.7 - Vehicle fuel
1.0 - Printing
1.1 - Minor vehicle repair

Commodities: 1.5 - Standard office supplies

Equipment: 3.2 - Office furniture
1.6 - Typewriter
.2 - Calculators
33.0 - 3 vehicles
8.0 - Micro computers and software

223.9

C5

ADDITIONAL
EXPLANATION
FORM

AGENCY DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

BRU DIVISION OF MEASUREMENT STANDARDS

COMPONENT Operations

Page 4 of 7

Revised Date

FY 87

000053

TESTIMONY TO HOUSE TRANSPORTATION COMMITTEE

HOUSE BILL 611

MARCH 19, 1986

Chairman Cato and members of the House Transportation Committee, my name is Bob Jacobsen and I am here today as President of the Alaska Air Carriers Association. I would like to thank you for your willingness to deal with these small but important technical amendments to House Bill 133 enacted last year.

Very simply, the bill before you today (HB 611) is deemed necessary by the Division of Weights and Measurement Standards to adequately enforce the law which requires commercial air carriers to maintain at least \$150,000 per seat in liability insurance (\$300,000 for scheduled carriers). Statistics provided to you by the Division early this session indicate a less than satisfactory level of compliance based on the initial letters of notice to commercial carriers.

We have submitted as part of your committee packet a sectional rationale for each provision, and if you wish, I will go through each of the proposed changes with you.

As you are aware, the fiscal note for HB 133 last session was not funded, accounting, in part, for low compliance to date.

The Governor has requested about \$100,000 in his FY 87 operating budget for this program, and we urge you to support the request.

I would also like to take this opportunity to briefly mention our industry's serious problem with insurance rates. While we maintain our strong support for the minimum insurance requirements as a condition of business, we are having the same problems with dramatic escalation of rates as most other industries. We have lost several members during the last year due to bankruptcies or failure to obtain insurance at rates which would permit an operating profit. Others are on the verge of collapse.

If you want to help maintain viable air transportation in the future, we strongly urge your support of HB 611 this session.

Thank you for the opportunity to testify, and for your attention to our concerns.

Amendment 1 (Sec. 42.30.200(c)) specifically authorizes the Department of Commerce to stop aircraft from carrying passengers for hire until they secure the minimum required liability insurance. It also authorizes the Department to conduct investigations if necessary to find violators.

Amendment 2 (Sec. 42.30.200(e)) increases the size and severity of a fine to an air carrier who flies passengers for hire without first securing the minimum insurance levels required by HB 133 (\$10,000 per seat). Without a more strict penalty, carriers may find it cheaper to ignore the law than to comply.

Amendment 3 (Sec. 42.30.225(b)) allows the insurance "certificate of compliance" to be posted in a visible location other than in the aircraft. This would be particularly helpful to the jet carriers which often interchange planes, thus making it difficult to post certificates in the aircraft. It would also reduce the cost of a certificate from \$50 to \$25.

Amendment 4 (Sec. 42.30.225(e)) provides specific authority to issue stop use orders if a carrier is operating without a state certificate of insurance.

Amendment 5 (Sec. 42.30.225(d)) provides for a specific penalty for a carrier who fails to obtain a certificate of insurance from the State.

Amendment 6 (Sec. 42.30.380(3)) clarifies the definition of aircraft to include rotor devices (helicopters).

1 Sec. 42.30.200. AIR CARRIER FINANCIAL RESPONSIBILITY. (a) A person
2 who carries passengers or freight for commercial purposes intrastate in an
3 aircraft shall procure and maintain security in the following minimum
4 amounts:

5 (1) Liability for bodily injury or death of persons:

6 A limit of at least \$150,000 for any one person in any one
7 occurrence and a limit for each occurrence in any one aircraft of at least
8 an amount equal to the sum produced by multiplying one hundred fifty
9 thousand dollars (\$150,000) by seventy five percent (75 percent) of the
10 total rated seating capacity of the aircraft. [\$150,000 PER SEAT FOR
11 BODILY INJURY OR DEATH IN A SINGLE OCCURRENCE; AND]

12 (2) Liability for loss of or damage to property:

13 A limit of at least one hundred thousand dollars (\$100,000)
14 for each occurrence. [\$100,000 FOR PROPERTY DAMAGE IN A SINGLE OCCURRENCE]

15 (b) Evidence of security required under (a) of this section shall be
16 filed with the department and must be

17 (1) a policy or certificate of insurance issued by an insurer
18 acceptable to the department; or

19 (2) a bond of a surety company licensed to write surety bonds in
20 the state; or

21 (3) evidence accepted by the department, showing ability to
22 self-insure; or

23 (4) other security approved by the department.

24 (c) The department may authorize department personnel to enforce this
25 section and may adopt procedural regulations necessary to implement this
26 section.

27 DEPARTMENT OF COMMERCE'S PROPOSED CHANGES TO
28 AS 42.30.200; 42.30.225; 42.30.380
AIR CARRIERS FINANCIAL RESPONSIBILITIES

1 (d) A policy of insurance, surety bond, or other form of security may
2 not be cancelled on less than 30 days written notice to the department.
3 This requirement must be clearly stated in the policy or endorsement for an
4 insurance policy submitted as proof of financial responsibility under AS
5 42.30.225(a)(1). The 30 day notice period is measured from the date on
6 which the department receives notice.

7 (e) A person who violates [(a) OF] this section is guilty of a class
8 [B] A misdemeanor and is punishable by a fine of not less than [\$500]
9 \$1,000 or more than [\$1,000] \$5,000.

10
11 Sec. 42.30.225. CERTIFICATION OF COMPLIANCE OF AIR CARRIERS. (a) A
12 person may not use an aircraft in air commerce before obtaining an annual
13 certificate of compliance for that aircraft from the department. The
14 department shall issue or renew a certificate of compliance upon
15 application and presentation of

16 (1) proof of financial responsibility required under AS
17 42.30.200;

18 (2) proof of compliance with Federal Aviation Administration
19 requirements, and, where applicable, federal certification for scheduled
20 airline service.

21 (b) The annual fee for a certificate of compliance is \$50. The
22 certificate is valid for a period of 12 months following the date of
23 certification. The certificate shall be displayed [ON THE AIRCRAFT] so
24 that it [IS] is visible to boarding passengers.

25 (c) The department may investigate complaints or violations of this
26 section and conduct other investigations that the department considers
27 appropriate and advisable to develop information on possible violations of
28 AS 42.30.200 or AS 42.30.225 and may, upon completion of this investigation

1 where a violation of AS 42.30.200(a) exists, issue a stop use order. [USE
2 OF AN AIRCRAFT IN AIR COMMERCE BEFORE OBTAINING A CERTIFICATE OF COMPLIANCE
3 REQUIRED UNDER (a) OF THIS SECTION MAY BE CAUSE FOR DENIAL OF THE
4 CERTIFICATE]

5 (d) A person who violates this section is guilty of a class B
6 misdemeanor and is punishable by a fine of not less than \$500 or more than
7 \$1,000. [A PERSON WHO HAS OBTAINED A CERTIFICATE TO USE AN AIRCRAFT IN AIR
8 COMMERCE FROM THE ALASKA TRANSPORTATION COMMISSION BEFORE THE EFFECTIVE
9 DATE OF THIS ACT IS NOT REQUIRED TO OBTAIN A CERTIFICATE OF COMPLIANCE
10 UNDER (a) OF THIS SECTION UNTIL THE DATE THE INSURANCE POLICY FOR THE
11 AIRCRAFT IS RENEWED]

12 (e) The department may authorize department personnel to enforce this
13 section and may adopt procedural regulations necessary to implement this
14 section.

15

16 Sec. 42.30.380. DEFINITIONS. (a) In AS 42.30.200 - 42.30.380,

17 (1) "air carrier" means a person undertaking to engage in air
18 commerce, whether directly or indirectly, or by lease, contract, or any
19 other arrangement, and whether over regular or irregular routes;

20 (2) "air commerce" means carriage by aircraft of persons or
21 freight for commercial purposes or hire in intrastate commerce, including
22 the carriage by aircraft of persons or freight that move partly by aircraft
23 and partly by other forms of transportation;

24 (3) "aircraft" means a propeller, rotor or jet powered device
25 used or designed for flight in the air;

26 (4) "commercial purposes" means activities for which the persons
27 receives direct monetary compensation and does not include activities
28 incidental to and done in furtherance of the person's primary business;

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(5) "department" means the Department of Commerce and Economic Development;

(6) "freight" means commodities, articles, and cargo, of whatever nature or value, excluding garbage and trash.

CERTIFICATION OF COMPLIANCE OF AIR CARRIERS

- PURPOSE
- WHO DOES IT APPLY TO
- REQUIREMENTS
- PROCEDURES

PURPOSE

The purpose of the certification of compliance of air carriers is to provide the assurance that all persons who carry passengers or freight for commercial purposes intrastate in an aircraft, comply with the provisions in AS 42.30.200 and AS 42.30.225.

These provisions specify that the identified persons procure and maintain minimum amounts of insurance security and that the aircraft used for these purposes must be in compliance with federal safety regulations.

WHO DOES IT APPLY TO

AS 42.30.200 states that a person who carries passengers or freight for commercial purposes intrastate in an aircraft shall procure and maintain security as specified. For purposes of filing with the Department of Commerce and Economic Development, this paragraph is interpreted to mean those aircraft operating intrastate under Federal Aviation Administration regulations part 121 and 135.

AS 42.30.225 further requires that an annual certificate of compliance be obtained before a person uses an aircraft in air commerce.

In defining the applicability of the provisions of AS 42.30.200 - 42.30.380:

1. "air carrier" means a person undertaking to engage in air commerce, whether directly or indirectly, or by lease, contract, or any other arrangement and whether over regular or irregular routes;
2. "air commerce" means carriage by aircraft of persons or freight for commercial purposes or hire in intrastate commerce, including the carriage by aircraft of persons or freight that move partly by aircraft and partly by other forms of transportation;
3. "aircraft" means a propeller or jet powered device used or designed for flight in the air;
4. "commercial purposes" means activities for which the person receives direct monetary compensation and does not include activities incidental to and done in furtherance of the persons primary business.
5. "freight" means commodities, articles, and cargo of whatever nature or value excluding garbage and trash.

REQUIREMENTS

A person who carries passengers or freight for commercial purposes intrastate in an aircraft must maintain the following minimum security:

1. \$150,000 per seat for bodily injury or death in a single occurrence; and
2. \$100,000 for property damage in a single occurrence.

Evidence of insurance must be filed with the Department of Commerce and Economic Development, Division of Measurement Standards, and may not be cancelled on less than 30 days written notice to the Division of Measurement Standards. This notification of cancellation must be clearly stated in the policy or endorsement for an insurance policy submitted as proof of financial responsibility. This 30 day notice period is measured from the date on which the Division of Measurement Standards receives notice.

A person may not use an aircraft in air commerce before obtaining an annual certificate of compliance for that aircraft from the Department of Commerce and Economic Development, Division of Measurement Standards. The application for the certificate of compliance must include:

1. proof of financial responsibility in the amounts previously identified;
2. a copy of the Federal Aviation Administration's air carrier operating certificate, for each aircraft;
3. a Federal Aviation Administration certificate to operate if you are a scheduled air carrier; and
4. a \$50.00 annual fee for each aircraft being certified.

PROCEDURES

1. Complete an application for a certificate of compliance.
2. Attach copies of all required documents as outlined on the application.
3. Include the \$50.00 annual fee for each aircraft.
4. Mail complete application package to:

Division of Measurement Standards
P.O. Box 111686
Anchorage, Alaska 99511

INSTRUCTIONS
APPLICATION FOR
ALASKA AIR CARRIERS CERTIFICATE OF COMPLIANCE

1. Name of the individual making application.
2. Name of business.
3. Mailing address. If the operating location is different, please specify.
4. Date of application.
5. Business telephone number.
6. List those aircraft that are used intrastate in Federal Aviation Regulations part 121 and 135 operation. Do not list those aircraft that are used in parts 61, 91, and 141 operations.

Aircraft Description:

Type of aircraft; make and model.

Passenger Configuration:

Number of passengers the aircraft is configured to carry. If aircraft is used for freight only, so designate. (AS 42.30.200(a) requires \$150,000 per seat for bodily injury or death and \$100,000 for property damage.)

FAA Registration Number:

Federal Aviation aircraft registration number.

7. The total number of aircraft listed in #6. If an addendum sheet is used, include total from #6 plus total from addendum sheet in this section.
8. AS 42.30.225(a). A person may not use an aircraft in air commerce before obtaining an annual certificate of compliance for that aircraft from the Department of Commerce and Economic Development, Division of Measurement Standards.

AS 42.30.225(b). The annual fee for a certificate of compliance is \$50.00.

Multiply the number of aircraft listed in #7 times \$50.00. Place that result in section #8. Enclose that amount with the application.

9. Attach a copy of the Federal Aviation Administration's, Air Carrier Operating Certificate, form number 8430-18.
10. Attach a certificate of insurance or have the insurance company mail the certificate direct. A telex message can be used for temporary verification while waiting for the original certificate. A certificate of compliance cannot be issued without proof of insurance per AS 42.30.225(1).
11. For State Use Only - Do Not Fill In. This form will be returned to you with this section filled in and all required certificates attached.

ORIGINAL AND ONE COPY OF ALL FORMS TO BE RETURNED TO THE DIVISION OF MEASUREMENT STANDARDS

§ 42.06.630

§ 42.20.030

PUBLIC UTILITIES AND CARRIERS

§ 42.30.200

Effect of amendments. — The 1985 repealed paragraph (6), which defined amendment, effective January 1, 1986. "municipality."

Chapter 07. Alaska Transportation Commission Act.

[Repealed, 1983 Initiative Proposal No. 2, § 6.]

Chapter 10. Alaska Motor Freight Carrier Act.

[Repealed, 1983 Initiative Proposal No. 2, § 6.]

Chapter 20. Telegraph and Telephone Systems and Cable Lines.

Article 2. Offenses.

Sec. 42.20.030. Civil liability for taking utility service and for damages to or interference with a utility line.

NOTES TO DECISIONS

Conviction under paragraph (7) as basis for dismissal of tenured teacher. — See Kenai Peninsula Borough Bd. of Educ. v. Brown, Sup. Ct. Op. No. 2886 (File No. 7763), 691 P.2d 1034 (1984).

Chapter 30. Miscellaneous Regulations Governing Public Utilities and Carriers.

Article

5. Responsibilities of Motor and Air Carriers (§§ 42.30.200, 42.30.225, 42.30.380)

Article 5. Responsibilities of Motor and Air Carriers.

Section

200. Air carrier financial responsibility
225. Certification of compliance of air carriers

Section

380. Definitions

Sec. 42.30.200. Air carrier financial responsibility. (a) A person who carries passengers or freight for commercial purposes intrastate in an aircraft shall procure and maintain security in the following minimum amounts:

(1) \$150,000 per seat for bodily injury or death in a single occurrence; and

(2) \$100,000 for property damage in a single occurrence.

(b) Evidence of security required under (a) of this section shall be filed with the department and must be

- (1) a policy or certificate of insurance issued by an insurer acceptable to the department; or
- (2) a bond of a surety company licensed to write surety bonds in the state; or
- (3) evidence accepted by the department, showing ability to self-insure; or
- (4) other security approved by the department.

(c) The department may authorize department personnel to enforce this section and may adopt procedural regulations necessary to implement this section.

(d) A policy of insurance, surety bond, or other form of security may not be cancelled on less than 30 days' written notice to the department. This requirement must be clearly stated in the policy or endorsement for an insurance policy submitted as proof of financial responsibility under AS 42.30.225(a)(1). The 30-day notice period is measured from the date on which the department receives notice.

(e) A person who violates (a) of this section is guilty of a class B misdemeanor and is punishable by a fine of not less than \$500 or more than \$1,000. (1983 Initiative Proposal No. 2, § 3; am §§ 5, 6 ch 104 SLA 1985)

Effect of amendments. — The 1985 amendment, effective June 13, 1985, rewrote subsection (a), in subsection (c) substituted "department personnel" for "enforcement officers" and added "and may adopt procedural regulations necessary to implement this section" at the end of the subsection, and added subsections (d) and (e).

Sec. 42.30.225. Certification of compliance of air carriers.

(a) A person may not use an aircraft in air commerce before obtaining an annual certificate of compliance for that aircraft from the department. The department shall issue or renew a certificate of compliance upon application and presentation of

- (1) proof of financial responsibility required under AS 42.30.200;
- (2) proof of compliance with Federal Aviation Administration requirements, and, where applicable, federal certification for scheduled airline service.

(b) The annual fee for a certificate of compliance is \$50. The certificate is valid for a period of 12 months following the date of certification. The certificate shall be displayed on the aircraft so that it is visible to boarding passengers.

(c) Use of an aircraft in air commerce before obtaining a certificate of compliance required under (a) of this section may be cause for denial of the certificate.

(d) A person who has obtained a certificate to use an aircraft in air commerce from the Alaska Transportation Commission before June 13, 1985 is not required to obtain a certificate of compliance under (a)

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PUBLIC UTILITIES AND CARRIERS

§ 42.30.380

of this section until the date the insurance policy for the aircraft is renewed.

(e) The department may authorize department personnel to enforce this section and may adopt procedural regulations necessary to implement this section. (§ 7 ch 104 SLA 1985)

Effective dates. — Section 9, ch. 104, June 13, 1985, in accordance with AS SLA 1985, makes this section effective 01.10.070(c).

Sec. 42.30.380. Definitions. In AS 42.30.200 — 42.30.380,

(1) "air carrier" means a person undertaking to engage in air commerce, whether directly or indirectly, or by lease, contract, or any other arrangement, and whether over regular or irregular routes;

(2) "air commerce" means carriage by aircraft of persons or freight for commercial purposes or hire in intrastate commerce, including the carriage by aircraft of persons or freight that move partly by aircraft and partly by other forms of transportation;

(3) "aircraft" means a propeller or jet-powered device used or designed for flight in the air;

(4) "commercial purposes" means activities for which the person receives direct monetary compensation and does not include activities incidental to and done in furtherance of the person's primary business;

(5) "department" means the Department of Commerce and Economic Development;

(6) "freight" means commodities, articles, and cargo, of whatever nature or value, excluding garbage and trash. (§ 7 ch 104 SLA 1985)

Effective dates. — Section 9, ch. 104, June 13, 1985, in accordance with AS SLA 1985, makes this section effective 01.10.070(c).

Chapter 40. Alaska Railroad Corporation.

Article

1. Establishment and Organization (§§ 42.40.010 — 42.40.060)
2. Management (§§ 42.40.100 — 42.40.120)
3. Administrative Provisions (§§ 42.40.150 — 42.40.230)
4. Powers and Duties (§§ 42.40.250 — 42.40.310)
5. Corporation Property (§§ 42.40.350 — 42.40.450)
6. Financial Provisions (§§ 42.40.500 — 42.40.540)
7. Bonds (§§ 42.40.600 — 42.40.700)
8. Personnel and Labor Relations (§§ 42.40.705 — 42.40.890)
9. General Provisions (§§ 42.40.900 — 42.40.990)

Cross references. — For legislative findings and purpose in enacting this chapter, see § 1, ch. 153, SLA 1984 in the Temporary and Special Acts; for special reports required, see § 3, ch. 153, SLA 1984 in the Temporary and Special Acts. Legislative history reports. — For legislative letter of intent relating to ch.

Talkeetna Air Taxi, Inc.

CERTIFIED AIR CARRIER

FULLY INSURED AND INSTRUMENT RATED

MAR 18 1986

3/13/86

Honorable Betty Cato
House of Representatives
Juneau, AK.

Dear Rep. Cato:

I am writing in support of your House Bill #611, "An Act Relating to Air Carriers" and as owner/operator of Talkeetna Air Taxi. Its enactment would put meaning into the existing law which strikes me as being a sham.

I know of one air taxi operator who is flying passengers without any liability insurance at all. If caught and fined even the present maximum of \$1,000, he still will be ahead financially for not buying the insurance. In this particular case, and there are many others similar, should there be a claim against him, he has no resources other than an airplane (a bank would have first call on that) and the clothes on his back. The public is left without protection. And the operator has a considerable competitive advantage as regards fares over those operators who are abiding by the law.

I have been told by the Commerce Dept's Section on Weights & Measures that there is neither the staff nor funding to enforce this insurance law. I have suggested to them, and to the Commissioner, that a simple letter to all air carriers reminding them of the requirement, the penalty for non compliance, and the possibility of being shut down, would probably bring most offenders into line.

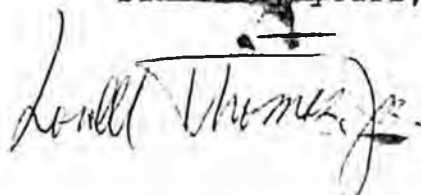
But your bill would put the needed teeth into the law; particularly provision for a fine of from \$1,000 to 5,000 for each day of violation. That and the provision for issuance of a stop use order is what is needed to make this law meaningful.

I have personally been in the air carrier business as owner and pilot for six years. While I am unhappy over the escalating costs of liability insurance and hope that you and your colleagues will do something about that this year, I am even more distressed to see operators defying the law, leaving the flying public holding the bag should there be an accident, and at the same time gaining a price advantage over those of us in legal compliance. The amendments offered in your HB 611 are a must.

Best wishes--

EXPEDITION AIR SUPPORT
FLIGHT SEEING
AERIAL PHOTOGRAPHY
CUSTOM SKI TRIPS
HIGH ALTITUDE GLACIER LANDINGS
FISHING & HUNTING
AIRCRAFT ON WHEEL/SKIS & FLOATS

Sincerely yours,



Talkeetna Air Taxi, Inc.

LOWELL THOMAS JR. AND DON LEE
P.O. BOX 73
TALKEETNA, ALASKA 99676
TELEPHONE (907) 733-2218



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

7/25/89
Date

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HB 625

The Speaker waived the Judiciary Committee referral on HOUSE BILL NO. 625 (making a special appropriation relating to mental health trust land; effective date) at the request of the Chairman.

HB 625 was sent to the Finance Committee.

THIRD READING OF HOUSE BILLSCSHB 93(Fin)am

Representative Pignalberi brought up reconsideration of COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 93 (Finance) amended (establishing a system of recreation rivers; effective date).

CSHB 93(Fin)am was read the third time.

The question to be reconsidered: "Shall CSHB 93(Fin)am pass the House?" The roll was taken with the following result:

CSHB 93(FIN)AM RECONSIDERATION

Yeas:	31	Adams, Binkley, Boucher, Cato, Clocksin, Collins, Cotten, Davis, Duncan, Frank, Fuller, Gruenberg, Grussendorf, Herrmann, Hurley, Jenkins, Koponen, Larson, Miller, M.M., Navarre, Pearce, Phillips, Pignalberi, Pourchot, Rieger, Shultz, Sund, Szymanski, Thompson, Uehling, Wallis
Nays:	5	Furnace, Hanley, Martin, Ringstad, Taylor
Excused:	1	Marrou
Absent:	3	Goll, Miller, M.W., Pettyjohn

And so, CSHB 93(Fin)am passed the House on reconsideration.

Representative Clocksin moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. There being no objection, it was so ordered.

CSHB 93(Fin)am was referred to the Chief Clerk for engrossment.



Official Business

Alaska State Legislature

House

*Yes, wait
call Marco*

Pouch V
State Capitol
Juneau, Alaska 99811

M E M O R A N D U M

TO: The Honorable Mike Miller, Chair
House Judiciary Committee

FROM: *D. Bonick*
for Representative Marco A. Pignalberi

DATE: April 14, 1986

RE: House Bill 625

HB 625 has been discussed previously in the Judiciary Committee by Representative Gruenberg during deliberations on HB 128. As you know, it is an appropriations bill which would accommodate the fulfillment of court ordered departmental functions and the payment of legal fees should CSSHB 128 not pass. Given the time-constraint we are all operating under, I wonder if I would be out of line suggesting your committee waive the bill on to Finance?

Failing that, please schedule a hearing for HB 625 as soon as possible. The Finance Committee has indicated they will wait until all bills relating to the mental health lands have been transmitted to the committee before any will be heard. I know you share in the belief that this issue is too important to let this session slip by without addressing it.

Thank you for considering my proposal.

MAP: drb

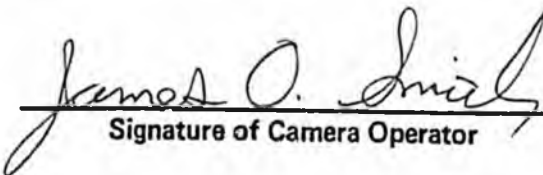


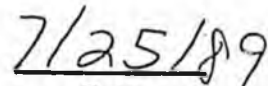
RECORDS



CERTIFICATION

I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.


Signature of Camera Operator


Date

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STATE OF ALASKA THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

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JUNEAU, ALASKA 99811
907-465-3800

May, 1986

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS date base CM 14. In order to save space copies of minutes have not been left in the files.

Jeanie Henry

House Judiciary
" " "

3/19/86

3/20/86

1:30 pm

1:30 pm

2
2/17

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : HB 630
 Title : An Act Relating to Suspended Sentences
 Sponsor : _____
 Requestor : _____
 Date of Request : 2/11/80

FISCAL DETAIL

Agency Affected : Alaska Court System
 BRU : Trial Courts
 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

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

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

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

FUNDING : (Thousands of Dollars)

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

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by : Robert G. Fisher Phone : 254-8215
 Division : Alaska Court System Date : 2/13/86

Approved by Commissioner : Arthur H. Snowden, II Date : 2/13/86
 Agency : Alaska Court System

Distribution (by Agency preparing fiscal note) :

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

INTERIM, AK PETERSON

#37-29-86



Alaska Court
State of Alaska
OFFICE OF ADMINISTRATIVE

KARLA L. FORBYTHE
General Counsel

December 23, 1

CPM
to
act

HB630

F

Mr. Hal Brown
Attorney General
Pouch K
Juneau AK 99811

Dear Mr. Brown:

Several judges have requested action to seek amendments to AS 12.55.085 relating to suspended imposition of sentence. I am writing to bring this request to the attention of the Department of Law as the appropriate entity which could seek such a change.

This statute provides that a court may suspend an imposition of sentence and have such suspension continue for "a period of time, not exceeding the maximum term of sentence which may be imposed. . .", placing the defendant on probation. The short probation period during which the judgment may be enforced by an imposition of sentence for less serious misdemeanors makes a SIS an unattractive sentencing option for these offenses. In contrast, when a sentence is formally imposed, the probationary period may be up to five years. Under AS 12.55.090(c) the result is that a felon may have the imposition of sentence suspended on a first offense and have the opportunity to earn a clean criminal record under AS 12.55.085(d) and (e). However, a minor misdemeanant may be denied this option because the period during which the judgment may be enforced is so brief.

While a sentencing court may extend a period of probation imposed as part of a formal sentence (AS 12.55.090(b)), no similar authority exists for extending the period of suspension of the imposition of sentence upon a minor violation of the conditions of such suspension. If the court was empowered to suspend the imposition of sentence for either the maximum sentence which could be imposed or, if such period is less than a certain time period (for example, five years), practical sentencing alternatives would be enhanced. It would also be helpful to extend the term of suspended imposition upon a violation.

Hal Brown, Attorney General
December 20, 1985, Page 2

If your staff has any questions I will be glad to provide further information.

Sincerely,

Karla L. Forsythe

Karla L. Forsythe
General Counsel

14B630

KF/k1

cc: Arthur H. Snowden, II
Stephanie Cole
Judge Finn
Joe O'Connell, Palmer
Carole Baekey

BILL SHEFFIELD
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

The Honorable Ben Grussendorf
Speaker of the House
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to suspended imposition of sentences. It broadens the authority of the court when using a suspended-imposition-of-sentence alternative for misdemeanor offenses.

Under current law, the court may suspend imposition of sentence for no more than the maximum term of the sentence that may be imposed. In the case of misdemeanor offenses, this means that the sentencing judge may only suspend imposition of a sentence for up to one year. The court system has conveyed to me the reluctance of some judges to use this alternative for misdemeanors because the one-year restriction does not offer sufficient jurisdiction to ensure that the offender complies with conditions of the suspended imposition of sentence and achieves rehabilitation. This bill would permit judges in this situation to suspend imposition of a sentence up to five years, or the maximum term of a sentence, whichever is longer.

This Administration supports this bill and urges your prompt and favorable action on it.

Sincerely,

A handwritten signature in cursive script that reads "Bill Sheffield".

Bill Sheffield
Governor



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

7/25/89
Date

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CSHB 148(Jud)

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 148 (Judiciary) (relating to mobile home warranties), which had been returned by the Senate (page 2414), was before the House for a technical title amendment (page 2393).

Under Rule 35 of the Uniform Rules, Representative Clocksin moved and asked unanimous consent that Amendment No. 1 be adopted.

Amendment No. 1 by Clocksin (title amendment):

Page 1, line 6:

After "warranties" insert "and sales" - - -

There being no objection, Amendment No. 1 was adopted.

CSHB 148(Jud)(title-am)

CSHB 148(Jud)(title am) was referred to the Chief Clerk for engrossment.

HR 627

The Speaker waived the Health, Education & Social Services Committee referral on HOUSE BILL NO. 627 (relating to the use of water) at the request of the Co-chairman.

HB 627 was sent to the Rules Committee.

HB 631

The Speaker waived the Judiciary Committee referral on HOUSE BILL NO. 631 (relating to elections; effective date) at the request of the Chairman.

HB 631 was sent to the Finance Committee.

HB 606

Representative Navarre added his name as co-sponsor to HOUSE BILL NO. 606 (relating to art in public places).

HB 607

Representative Navarre added his name as co-sponsor to HOUSE BILL NO. 607 (relating to selecting and identifying art in public places.)

April 1, 1986

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STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No: HB 631
Title: "An act relating to elections."

FISCAL DETAIL

Agency Affected: Revenue
BRU: Permanent Fund Dividend

Sponsor: Rep. Clocksin
Requestor: House State Affairs
Date of Request: 2/17/86

Components: PFD - Administrative Services

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
OPERATING						
PERSONAL SERVICES	-	14.9	14.9	14.9	14.9	14.9
TRAVEL	-	-	-	-	-	-
CONTRACTUAL	-	6.0	6.0	6.0	6.0	6.0
SUPPLIES	-	-	-	-	-	-
EQUIPMENT	-	-	-	-	-	-
LANDS & STRUCTURES	-	-	-	-	-	-
GRANTS, CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	-	20.9	20.9	20.9	20.9	20.9
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	20.9	20.9	20.9	20.9	20.9
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
TOTAL	-	20.9	20.9	20.9	20.9	20.9

POSITIONS:

FULL-TIME	-	-	-	-	-	-
PART-TIME	-	3	3	3	3	3
TEMPORARY	-	-	-	-	-	-

ANALYSIS: Attach a separate page if necessary

See attached

Prepared By: Ervin B. Jones, Director
Division: Administrative Services

Phone: 465-2313
Date: 3/12/86

Approved by Commissioner: [Signature]
Agency: Revenue

Date: 3/12/86

Distribution (by Agency preparing fiscal note):

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

Department of Revenue
Administrative Services Division
Fiscal Note Analysis
HB 631
3/12/86

Assumptions:

1. It is assumed that the provisions of Sec. 12 will be effective for the 1987 Permanent Fund Dividend (PFD) year. The 1986 PFD forms and booklets were bid in December, printed in January and February, and shipped this week to Alaska destinations. It is too late to implement Sec. 12 this year.
2. It is assumed that the requirements of Sec. 12 can be met in 1987 and thereafter as follows:
 - a) The Department of Revenue (DOR) will add one ply to the PFD booklet, providing three perforated forms 3-1/2" X 8-1/2" in size, one for each adult application in the booklet.
 - b) DOR will provide in the PFD booklet, instructions to applicants as to the use of the form for registering to vote, changing existing registration or cancelling registration in another state. The design of the form and the wording of the instructions will be coordinated with the Division of Elections.
 - c) Applicants will be instructed to attach the Elections form to the back of their PFD application.
 - d) Upon receipt of PFD applications during the period April 1 - June 30, DOR will search PFD applications for the Elections form, remove and accumulate such forms.
 - e) On a daily basis, DOR will deliver the accumulation of forms to the Division of Elections Juneau Office.
 - f) Division of Elections personnel will data enter the appropriate information from the forms into the Division of Elections computer system.
3. It is assumed that less than 15% of adult applications will have Division of Election forms attached (approximately 52,500).

Program Summary: See Assumption 2 above.

1. Positions

3 PPT Document Processor I, R7, @
\$1,663/Mo including salary and
benefits for 3 months = \$14,967

These positions will review each adult application for Division of Elections registration forms, remove, batch and deliver to Division of Elections daily

2. Other Expenditures

a) Travel: None.

b) Contractual:

Add an additional ply to the PFD booklet, containing 3 Voter Registration forms, perforated between forms. This will provide one Voter Registration form for each adult application in the booklet

= \$6,000.00

c) Supplies: None.

d) Equipment: None.

TOTAL EXPENDITURES

\$20,967

3. Funding: General Fund

4. Section Cost Analysis: N/A.

Computations: N/A

Economic Impact: N/A

Impact on Local Government: N/A

Attachments: None.