

ALASKA LEGISLATURE COMMITTEE FILES 1985-1986 86/2

3776 HTRA

HB 133

86/2



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James O. Smith
Signature of Camera Operator

10/31/89
Date

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STATE OF ALASKA
THE LEGISLATURE

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

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May, 1988

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

Mary Van Nimwegen

HT 2-12-85 7AM
2-14-85 7AM

The attached fiscal note reflects costs for the remainder of FY 85 in the amount of \$32.0. It is the intention of the Department of Commerce to transfer the funds from the Alaska Transportation Commission budget to the Measurement and Standards BRU.

The cost of \$110.0 for FY 86 will be offset by the same amount in revenues. It is estimated by the Department that there will be approximately 1,000 air carriers who will be applying for the certificate of compliance. (This figure is based on estimates provided by the ATC). That would mean that a fee of \$110 would be charged for the certificate.

ADDITIONAL RECOMMENDATIONS AND CONCERNS

-- It is recommended by the Subcommittee that the House Transportation Committee consider a new bill which would deal with motor carrier insurance provisions and a motor carrier safety inspection program.

--In considering the safety provisions for motor carriers, the subcommittee would recommend that the following areas of concern be addressed:

1. the definition of commercial motor carrier to include all vehicles over a certain weight limit, somewhere between 10,000-15,000 lbs.
2. The need for quarterly or semi-annual vehicle inspections.
3. The need for state public safety inspectors rather than privately certified or in-house mechanics, to avoid any possibility of collusion.
4. The need for any such vehicle inspection program to be paid for by levying fees on the appropriate persons.
5. A consideration of the need for a special commercial vehicle operators license. It is recommended that the State of California licensing procedures be examined; it is our understanding that a written test is administered for a certain class of vehicles up to 15,000 pounds and above this, a written and practical test is required. Any special vehicle operators license should take into account the unique weather and road conditions in Alaska.

It may be reasonable to adopt the State of California's vehicle safety program which is considered to be quite stringent.

6. It is recommended that the Legislature obtain valid statistical information which would validate how many accidents have been caused by driver error or by mechanical failure
7. Consideration of the safety factor involved with the use of truck lift axles.



Alaska State Legislature

House of Representatives

Representative Mike Szymanski

11920 Johns Road
Anchorage, Alaska 99515
Phone (907) 349-3373

While in Session:
Pouch V

State Capitol
Juneau, Alaska 99811
(907) 465-4978/4979

Finance Committee
Oil and Gas Committee

March 11, 1985

TO: Representative Al Adams
Chairman, House Finance Committee

FROM: House Finance Subcommittee on HB 133
Chairman - Representative Mike Szymanski

SUBJECT: Subcommittee Report

On behalf of the Finance Subcommittee on CSHB 133 (Transportation), I am submitting the draft committee substitute which we recommend be adopted by the full committee.

BILL ANALYSIS

The Transportation Committee Substitute for CSHB 133 set out in statute insurance limits for air carriers and motor carriers and a vehicle inspection program for motor carriers. The proposed Finance Committee substitute deals ONLY with insurance provisions and certificates of compliance for commercial air carriers who operate solely intrastate, thus deleting all provisions for motor carrier insurance and safety and vehicle inspections.

(NOTE: the language in Section 1 which refers to Motor carriers and which is essentially the language found in the ballot initiative has been retained to ensure that the constitutional requirements of the legislation are met.)

The decision to limit the legislation to air carriers was made for several reasons. In considering the legislation, there were many different suggestions on what to do with a vehicle safety program. Questions came up as to whether there should be such a program, whether it was dealt with adequately in the initiative, to what degree the public looked to the Legislature to mandate a safety inspection program for vehicles, and, if so, to what extent should a program go to protect the public welfare. It appeared that there were several areas of concern which remained to be addressed and which would take time to resolve.

Since air carriers have a mandated safety inspection program through the Federal Aviation Authority, these concerns would not affect them and it was thus thought to amend the bill so that it would deal solely with the insurance aspects of the intrastate air carriers and with the recommendation that motor carrier insurance and safety be dealt with in depth in another bill.

In addition to the above change from the Transportation Committee substitute, and in addition to some "clean-up" language, there are several other major areas of difference between this proposed Finance Committee substitute and the Transportation Committee substitute:

FINANCIAL RESPONSIBILITY

1. This draft would require intrastate commercial air carriers, both scheduled and non-scheduled to carry liability insurance at levels determined by Department of Commerce regulation. (The Transportation Committee substitute established the rates in statute).
2. This draft requires a minimum of \$100,000 per seat for liability and \$25,000 for property damage. These levels are those that were established by the Alaska Transportation Commission (The Transportation Committee substitute mandated considerably higher rates. The rationale behind the minimum was that it was unknown what the impact of higher rates would be on air carriers and on the insurance industry).
3. The Finance draft specifies that failure to carry the proper insurance is considered a Class A misdemeanor, punishable by a fine of not less than \$1,000 and not more than \$5,000 (This penalty was originally a Class B misdemeanor in the Transportation version). The higher fine is more in line with the average yearly insurance rates and it was thought that it would be more likely that air carriers would comply with the law.
4. A new subsection mandates the Department of Commerce to charge the fees that will be necessary to implement the section. The intent here is for the revenues to cancel out any cost to the State so that there is zero fiscal impact.

CERTIFICATE OF COMPLIANCE

5. This draft eliminates the requirement that interstate carriers register with the state for a certificate of compliance. It was felt that there was no need for this registration, since interstate carriers are required by federal law to carry the insurance.
6. The requirement that the certificate of compliance be displayed on the aircraft was deleted because it was felt that it was unnecessary and provided no practical public benefit.

FISCAL NOTE:



Alaska State Legislature

House of Representatives

Representative Mike Szymanski

Finance Committee
Oil and Gas Committee

11920 Johns Road
Anchorage, Alaska 99515
Phone (907) 349-3273

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Juneau, Alaska 99811
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STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

REC'D COPY OF
MEMO FROM
(S) TRSP STAFF

M E M O R A N D U M

HS 133 passed - Feb. 14

TO: John Shively
Chief of Staff

DATE: February 19, 1985

FROM: Ben F. Harding *[Signature]*
Special Staff Assistant
Office of the Governor

SUBJECT: Safety Aspects of
CSSB 103

CSSB 103, which is currently under review in the Senate Transportation Committee, is designed to provide an operating framework for intrastate aviation and trucking safety procedures following the termination of the Alaska Transportation Commission (ATC) February 28.

As the Governor mentioned in his transmittal letter on this legislation, he believes that the administrative arrangements on safety issues should be flexible, provided that basic provisions to ensure safety for the traveling public are adequately addressed.

In that regard, the committee substitute appears to meet the Governor's overall objectives. There are, however, a number of exceptions which raise questions about the adequacy of the protection to the traveling public. These concerns include the following:

- Semi-annually*
1. Commercial vehicle inspections have been reduced from twice a year to a once-annually inspection. In my opinion and in that of Commissioner Sundberg, Commissioner Knapp, and Deputy Commissioner Terry Elder, a once-a-year inspection is not adequate for the protection of the motoring public.
 2. The committee substitute proposes that, in lieu of State commercial vehicle inspectors, private-sector mechanics be certificated by the State to perform this function. We have no objection in supporting this approach. We are concerned, however, that certificated inspectors would be allowed to be an employee of the company whose vehicles they inspect. In the highly competitive economic environment which will result

1. Inspector certified by dept.
 2. Suspend or revoke if improperly
 conducts inspections.
 3. Spot checks as usual.

1. Dept. permits
 inspector. Shows
 premises at inspection
 2. Dept. may order
 deferrals if operator
 contributes to most safety
 3. Dept. may
 revoke permit
 absent by

from the deregulation, an in-house inspector's independence may be questioned since he may be viewed as having divided loyalties. (A possible solution might be the certification of mechanics at service stations or other facilities which are not owned and/or operated by transportation companies.)

3. The committee substitute does not provide a clear-cut standard for basic highway truck safety rules. This could be easily remedied by referencing federal interstate rules of the road or pertinent portions of 3 AAC 62.

4. The committee substitute provides no explanation of what procedures would be used to suspend an air carrier's certificate of compliance nor makes any distinction between suspension and revocation. There is no indication of how compliance provisions can be enforced. (The aircraft registration fees will be lost, as will fees carriers used to pay to get a certificate as a carrier in the past.)

5. The annual truck safety inspection program emphasizes the role of the inspectors but does not address the following issues:

a. There is no provision for removing trucks from the road if they lack insurance, current safety stickers, or have never been inspected, short of criminal prosecution.

b. There is no authority for the State to enforce any safety regulation or inspection requirements outside of the annual inspection forum.

c. The committee substitute emphasizes the penalties for an inspector who acts wrongly but provides no serious sanction against a company for unsafe commercial vehicle use. (We proposed that operation in violation of safety rules should be punishable by citation, or removal from the road.)

Included

e. Buses are exempt, which is somewhat inconsistent with the overall road safety policy.

f. There is no definition or explanation of the difference between suspension and revocation of vehicle inspectors' State certification. Also, there is no provision for the registration of commercial carriers, and no authority for levying fees to cover the costs of the safety inspection. (If inspections are to be done privately, fees for this may not be appropriate.)

These points in the current draft legislation have been jointly identified by Commissioner Sundberg, Commissioner Knapp, Deputy Commissioner Terry Elder, and me. We believe that these provisions, although well-intentioned from the standpoint of insuring maximum flexibility to State government agencies and to the transportation industry, could unfortunately result in a deterioration of the present level of safety which the public in Alaska currently enjoys, both in air travel and on our highways.

The Governor has reviewed these points and asked that they be conveyed to the appropriate legislative committees as items of his concern.

EXP-09-22-85/03397
RESEARCH AGENCY
HOUSE OF REPRESENTATIVES
POUCH Y
JUNEAU, AK 99811

Two plans voted on for Wien

The 4,000 creditors of the financially ailing Wien Airlines have until April 13 to vote on which reorganization plan they'd like to see adopted.

The two plans, which were submitted to Federal Bankruptcy Court Judge J. Douglas Williams III, will repay creditors at different levels and both plan to get the airline back into the sky.

Williams failed to give approval to three other reorganization plans. The decision was made during a standing-room-only hearing on March 20.

Williams has scheduled a hearing on April 16 to review the creditors' vote and confirm a plan.

The accepted plans were by Wien owner James J. Flood and by an employee buyout group, W.A. Holding Inc.

The Flood plan, which was revised shortly before the hearing, would pay back all creditors in full and establish a scaled-down service that would provide some scheduled passenger service between Fairbanks, Anchorage and Seattle. It also calls for some charter service for the Seattle area to Reno and Las Vegas.

Under this plan, the Air Line Pilots Association has promised to drop a \$40 million lawsuit against Wien. There will also be jobs for 125 former Wien employees — and more if service increases.

This plan would be operated by Seattle businessman Richard Rude who would receive \$1 million from Flood to help start up operations.

Flood also agreed to lease ground equipment to Rude for \$1 for the first year, provide rent-free for two months two Boeing 737s and transfer airport leases, supplies and computer hardware.

The W.A. Holding plan would have non-employee creditors repaid at about 80 percent of their debt. The employees would get 35 percent of the money owed them. They would also get some stock under the W.A. Holding plan.

This plan would also call for more passenger air service than the Flood plan, and it also calls for putting nearly 600 of Wien's 1,000 employees back to work. Employees also would own the airline.



Egan Convention Home Show gets real live home in 48 hours

1985 Home Show in Anchorage. The photo shows how show attendees look over a selection of woodstoves. Timberland Homes sponsored the two-bedroom, two-bath home project. The 1,040 square foot structure had all furnishings, appliances and other amenities for show clients to see. Spot photo by Nancy Dan Roberts.



Big problems face truckers



T.J. Thrasher

By BERT TARRANT
Don't look now, but when the Alaskan electorate last fall voted to can the Alaska Transportation Commission (ATC) and deregulate the trucking (and, for that matter, air carrier) industry, they threw the baby out with the bath water.

The baby, in this case, was a stringent set of safety requirements for operating a commercial trucking business in intrastate commerce in the 49th state.

"We're not sure we know the total effect of the demise of the ATC," said T.J. Thrasher, executive director of the Alaska Truckers Association, "we do know our members lost a valuable asset — their operating authority permit."

Thrasher explained for the past 6-7 years the ATC had made it nigh on to impossible to get a permit short of buying it and, in those final years, the permits went for hefty prices.

"Now, of course, those permits are worthless but many firms are still paying for them," she added.

More important for the consumer and driving public, along with economic deregulation, the initiative that killed the ATC

also threw out all the safety requirements as well.

"Now anyone who is 16 years old with a drivers license can drive and operate large trucks on public highways," Thrasher said.

There is no chauffeurs license

in Alaska. The state legislature in 1978 passed legislation authorizing various classes of driving licenses but the Department of Public Safety chose only to provide two classes — a

See TRUCKERS, Page 15

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More land transportation news, page 15

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• Trucking woes

Continued from Page 1

standard drivers license and a motor scooter motorcycle license.

And for good reason - the department saw no reason to waste taxpayers money designing more license classes when ATC regulation did a very good job of doing just that.

Operating a commercial vehicle required a) minimum age of 19, b) extensive written and driving tests, and c) a physical exam every two years.

"The ATC was religious in seeing these regulations were met, going into the company, examining records, fining for violations and, if the violations were extensive and continuing, pulling the permit altogether," Thrasher noted.

There also are no longer any maximum or minimum hours a driver can be behind the wheel. Put another way, that 16-year-old may have been driving that 18 wheeler for 36 hours straight when he or she tries to go around you on the Glenn Highway near Chickaloon Pass.

Not only are hours no longer monitored by ATC, "we really have no idea of who is trucking in Alaska," Thrasher added. "some people believe that's important."

The initiative did require evidence of insurance for all "for hire" vehicles. The Department of Public Safety put emergency regulations into effect for insurance on Feb. 28. Hopefully the state legislature will pass appropriate legislation on the subject before the 120 days the emergency regs are worth is up.

The catch on insurance is third party liability, covering damage to highway structures or other vehicles, Thrasher said. It's only required for "for hire" vehicles.

"They've set us apart," she said. "There are private carriers out there operating trucks just as large or larger as our members operate and they can do it with no more insurance than the general liability coverage you and I are required to have on the family auto."

The association would like to see legislation passed that would require third party liability on all commercial vehicles over 10,000 pounds.

"I'm not trying to paint a picture of accidents," she said. "We feel the system will go along until there is an accident. Then we'll find out just what the traveling public is covered for."

The second major aspect of the safety issue is one of maintenance. The ATC enforced

maintenance standards, performed audits, fined for infractions and pulled permits if it had to.

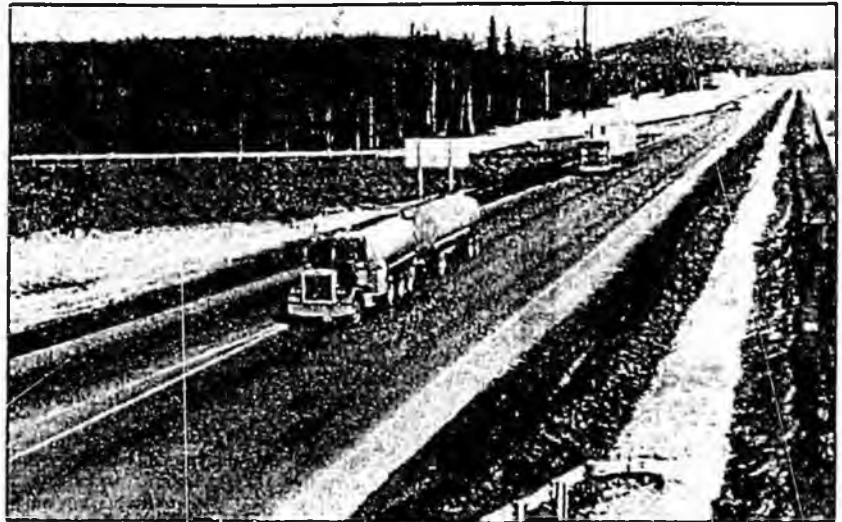
Kiss that one good bye, as well.

"We support legislation to require a mandatory vehicle inspection program," Thrasher said. "We believe such a program could be administered by a state agency but be performed by the private sector."

Although the truckers association wants such a mandatory program to cover all commercial trucking, "we recognize in many Bush areas without long hauls but with speed limits that such coverage may not be necessary," she added.

"Any highway in that state that is posted at 55 mph for any distance should be covered," she said, "we're talking about those areas with heavy traffic where trucks blend in with a considerable flow of general traffic."

Utah and Pennsylvania have



Is the driver in the lead truck 16 years old? How long has he been behind the wheel? Has the truck been inspected; does it have insurance? -- At present, tough questions. ALC PHOTO BY NANCY CAW SCHMIDT

such requirements and Thrasher says the systems work well. "We don't want to set up a new state agency," she said, "the private sector could handle it very well."

Legislation to meet the issues

discussed above is before both the state House and Senate but in an "all of the above, some of the above" format.

Depending on the particular branch of the legislature the legislation has been split (air

carriers and motor), passed for on part of air carriers and still hanging fire for trucking.

So, then, if all these good rules and regulations were in

See TRUCKING, Page 16

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APRIL SCHEDULE

4/1-5/85	Hazardous Materials Transportation	9:00-4:30 p.m.
4/2	Overview of Economic Trends	6:30-8:30 p.m.
4/2-4/11	Behavioral Interviewing	6:00-9:00 p.m.
4/3-4/4	Mngmt. & Exec. Development	9:00-5:00 p.m.
4/8-4/12	Airfreight Management	9:00-4:30 p.m.
4/8	Dressing - Imp. of Image	6:30-8:30 p.m.
4/10	Strategic Planning	9:00-5:00 p.m.
4 10-4/11	Info. Resources/Disaster Recovery Planning	9:00-5:00 p.m.
4/11 & 4/17	Finding the Right Job	6:30-9:30 p.m.
4/13 & 4/20	Technical Writing	9:00-1:00 p.m.
4/13 & 4/20	Basic	9:00-5:00 p.m.
4/15-4/16	Graphic Design for Publications	9:00-5:00 p.m.
4/16-4/17	Engineering Management.	9:00-5:00 p.m.
4/16-5/2	Making Professional Presentations	6:00-9:00 p.m.
4/18-4/19	Art of Negotiating	9:00-4:30 p.m.
4/18-4/19	Personnel Practices/EEO	8:00-5:00 p.m.
4/20	Trusteeship	9:00-4:30 p.m.
4/24	Situational Leadership & 101 Minute Mngr.	9:00-5:00 p.m.
4/24-4/26	Construction Auditing	9:00-5:00 p.m.
4/25 & 5/2	Uncovering the Hidden Job Market	6:30-9:30 p.m.
4/30 & 5/1	Conduct of International Business	9:00-5:00 p.m.

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• Truckers face 'skimmers'

Continued from Page 15

place, why did 117,000 Alaskans vote to sack the ATC?

The ATC did a real, real good job of regulating the permit holders," said Thrasher, "in fact they were all over us."

But that same attention was not paid to the outfit that comes to Alaska and goes into operation, not bothering to tell the ATC or bother with a permit.

The term is "cream-skimming" - a firm brings equipment to Alaska for the short, lucrative (and warm) season and then splits for the Lower 48 with the first snowfall. There's a term for that, too - "termination dust."

"Trucking firms that are competitive, run tight and have the cash flow will stay in existence," Thrasher said, "but it will be very lean, anyone can be a trucker."

The hardship will work itself largely on the many, good smaller firms in the state that have made the commitment to stay in Alaska year-round.

"The firms in Dutch Harbor, for example, that depend on the short fish hauling and construction materials season to make enough money to carry them through the winter can't compete with an operator who barges his equipment in and then leaves when the work begins to taper off," Thrasher noted.

The general public is in for a bit of a rude awakening, as well. "The ATC required its permit holders to publish their tariffs, their rates," she ex-

plained, "and a company couldn't come back to the customer with increased or added costs."

The lack of published tariffs, according to Thrasher, will hurt both the large and small shipping customer. "The consumer will now have to negotiate complicated contracts that spell out what the tariffs covered and it'll have to be done every step of the way."

"It's going to cost the shippers more and that cost will be passed on to the consumer," she added.

The association fought the initiative but with limited resources. "Most of our dues money goes to publishing all important road closures and restrictions," she said.

Mindful that a big majority of Alaskans said they didn't want a regulated trucking industry, the association also has no plans to seek re-regulation.

Other than the inspection and insurance legislation being pursued which is looked upon as a safety issue and not re-regulation, the association would like to "get some relief from the very real financial loss suffered with the operating authority permits became worthless."

"Although we're not yet actively pursuing it, discussions are being held on loss compensation, perhaps in the form corporate tax relief or a fuel tax credit," Thrasher said.

When the federal government eased entry into the interstate transportation market, a tax writeoff was allowed for

value lost when a permit lost its worth.

"The compensation would have to follow a tight formula," she said, "and not be based on the cost of the permit - that was a business decision. We will pursue it."

If the state legislature fails to act on the insurance and inspection issues, the association has one last hold card in that the Department of Public Safety will be holding hearings to deal with the emergency regulations now in place.

"At that time we would encourage the department include all commercial vehicles under the regulations and not just "for hire" vehicles," she said. "We will have an opportunity to express our concerns."



Many 'weighty' questions face the future of the trucking industry in Alaska. AJC PHOTO BY NANCY CAIN SCHMITT

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Legislature restructuring safety & insurance rules

In the wake of repeal of the Alaska Transportation Commission in last fall's election, legislators are attempting to reconstruct transportation carrier safety and insurance responsibilities, reports the Associated General Contractors-Alaska Chapter.

SB 103 and HB 133 have been rewritten by the Senate and House Transportation Committees prior to further Senate action.

The bill will provide for vehicle safety inspections to be performed by license inspection stations and place a financial responsibility standard on carriers.

The original bill of Gov. Bill Sheffield (SB 103) gave the responsibility functions to the Department of Public Safety. The senate and house bills changed the functions to the Department of Commerce.

Other portions of the bill include construction of a definition of carriers "for hire," likely to include commercial and contract carriers, but exclude veh-

icles whose primary function is for other primary business purposes.

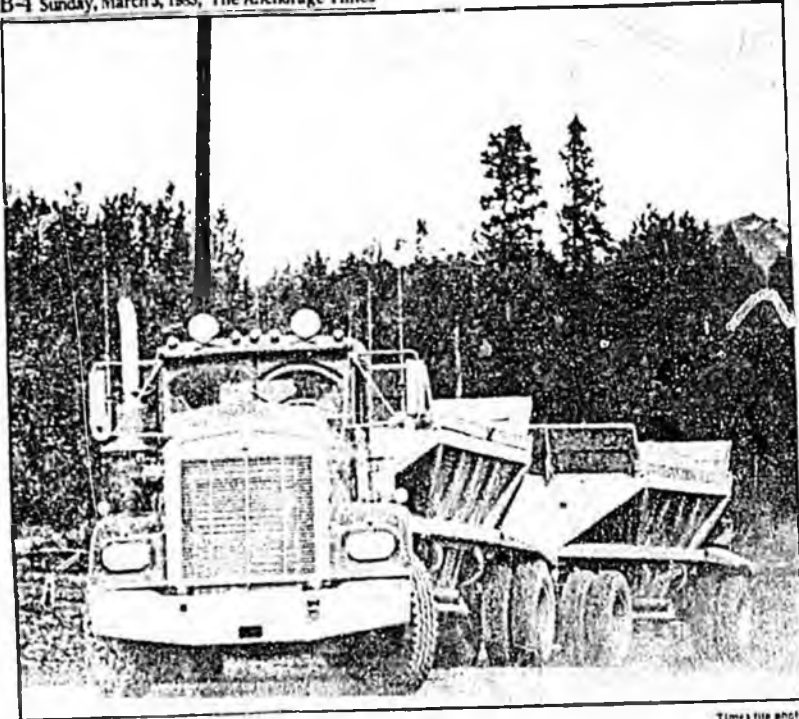
Insurance requirements were addressed in the bill, for the most part, most major carriers carry insurance far in excess of \$200,000/\$500,000 for vehicles.

Private truck vehicles would come under other state mandatory insurance requirements.

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Times file photo

The demise of the Alaska Transportation Commission means trucks like these operate free of any state regulations

State lacks truck standards

Continued from page B-1

ber of unqualified truck drivers on Alaska's highways.

"In the last week I've had a lot of doubt about getting behind the wheel of my truck," Stanley said of the fear of being prosecuted for what might be an unavoidable accident.

Albertus was "at the wrong place at the wrong time," Stanley said. He was put on trial, she said, to answer for the sins of unqualified drivers that have given the industry a bad reputation.

And while no regulations exist now, officials in the Department of Public Safety say they are starting work on new ones.

Inspector Frank Gorham said proposed regulations are only in their infancy and must be put to the scrutiny of public hearings and possible legislative review.

But legislative aide Manly said he believes proposed regulations need not undergo legislative review and can be adopted on an emergency basis.

Without regulations, the drivers believe that people unqualified to drive trucks are on the road giving qualified drivers a bad reputation.

Stanley's career started 10 years ago when she drove school bus in Oregon. It later evolved into driving a tractor-trailer rig after her husband convinced her that "if you can drive a school bus with 60 screaming kids, you can do this."

With the demise of the transportation commission, Stanley said problems will persist until new regulations are developed. "In the meantime you're going to be having a lot of trouble out there."

In Oregon, Stanley said, she was required to have a chauffeur's endorsement on her license and had to demonstrate a knowledge of the laws relating to trucks.

When she arrived in Alaska to continue her trucking career, she said, she was told she needn't get an endorsement on her license. So, she said, the ease with which some people get truck driving jobs results in the bad reputation the industry seems to have. That reputation, Stanley said, is the result of unqualified drivers. The feelings of the public toward truckers is demonstrated to her frequently, she said.

Trucker Arthur Almon agrees with Stanley about unqualified

drivers but said, "the problem is not endemic just to truck drivers."

"Everybody's involved," he said of the lack of caution exercised by almost all drivers, including the daily commuter.

Trucks are singled out, he said, because "with trucks it's like bears in the woods, you notice them right away because they're the biggest thing there."

The periodic crackdowns conducted by Alaska State Troopers looking for weight and safety violations do little more than agitate drivers, he said, and are "not picking rather than getting to the heart of the matter."

"The state has to accept some responsibility" for truck accidents, "because they're giving these people drivers' licenses."

"It's not only truck drivers, the licensing system in general is inadequate," he added.

Although large firms put drivers through road testing before allowing them on the road, Almon said he believes the state should require more. "Simulators do exist and it's a much more valid way of testing a driver's capability than driving in a parking lot."

Truck dispute gears up

by Christopher Jarvis
Times Writer

With the death of the Alaska Transportation Commission last week, regulations on the licensing of truck drivers — which required no more than a basic driver's license and a medical certificate — also died.

The transportation commission went out of business Thursday. Alaskans voted the commission out of existence last fall after it was criticized for hindering competition and driving up transportation costs.

But now the state lacks any standards governing intrastate drivers' operation of their trucks.

Two bills in the legislature deal with truckers' insurance and basic safety regulations. In their present form, however, they do not address the abilities or knowledge a person must demonstrate before being allowed behind the wheel of a truck, said legislative aide John Manly.

Several professional drivers contacted by The Times say they haven't been required to meet any demands beyond getting a basic driver's license and getting a medical certificate.

One driver agreed that her industry was on trial last week in the manslaughter and assault case against trucker Gary Albertus. Albertus was cleared Friday of any wrongdoing when his fully loaded dump truck toppled last summer, killing one person and injuring two.

Driver Pamela Stanley said she believed charges against Albertus were politically motivated and were actually aimed at the industry — an industry she said has suffered because of the num-

See State, page B-4

DRAFT

Original sponsor: Rules/Governor

1 IN THE SENATE BY THE TRANSPORTATION COMMITTEE
2 CS FOR SENATE BILL NO. 103 (Transportation)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - FIRST SESSION
5 A BILL

6 For an Act entitled: "An Act relating to transportation safety and finan
7 cial responsibility; and providing for an effectiv
8 date."

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

10 * Section 1. AS 42.30.200 is amended to read:

11 Sec. 42.30.200. FINANCIAL RESPONSIBILITY. (a) A person wh
12 carries passengers or freight for hire intrastate shall procure an
13 maintain security [~~in an amount determined by the Department of Com
14 merce and Economic Development [PUBLIC SAFETY] as necessary~~] for th
15 reasonable protection of the public against damages or injury cause
16 by the person. **INSERT A

17 (b) Evidence of security required under (a) of this sectio
18 shall be filed with the department ^{of Commerce and Economic Development} and must be

19 (1) a policy or certificate of insurance issued by a
20 insurer acceptable to the department; or

21 (2) a bond of a surety company licensed to write suret
22 bonds in the state; or

23 (3) evidence accepted by the department, showing ability t
24 self-insure; or

25 (4) other security approved by the department.

26 (c) The department may authorize ^{department personnel} [~~enforcement officers~~] to enforc
27 this section and may adopt procedural regulations necessary to imple
28 ment this section.

29 * Sec. 2. AS 42.30.200 is amended by adding new subsections to read:

1 (d) A policy of insurance, surety bond, or other form of secur-
2 ity may not be cancelled on less than 30 days' written notice to the
3 department. This requirement must be clearly stated in the policy or
4 endorsement. The 30-day notice period is measured from the date on
5 which the department receives notice.

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

9 (f) This section applies only to a person who carries passengers
10 or freight for hire in a motor vehicle weighing 10,000 pounds or more,
11 or a propeller or jet-powered aircraft.

12 * Sec. 3. AS 42.30 is amended by adding new sections to read:

13 Sec. 42.30.225. CERTIFICATION OF COMPLIANCE OF AIR CARRIERS.

14 (a) A person may not engage in air commerce without obtaining a
15 certificate of compliance from the Department of Commerce and Economic
16 Development. The department shall issue a certificate of compliance
17 upon application and presentation of

18 (1) proof of financial responsibility required under AS 42.-
19 30.200;

20 (2) proof of compliance with Federal Aviation Administra-
21 tion requirements, and, where applicable, federal certification for
22 scheduled airline service.

23 (b) A person who receives a certificate of compliance under (a)
24 of this section shall renew the certificate annually.

25 (c) Each aircraft owned or leased by a person subject to the
26 provisions of this section must have a certificate of compliance
27 issued by the department before the aircraft is used in air commerce.
28 The certificate is valid for a period of 12 months following the date
29 of certification. The certificate must be displayed on the aircraft

1 so that is is visible to boarding passengers.

2 (d) A federally-certificated interstate air carrier that pro-
3 vides intrastate service between points in the state on an interstate
4 or foreign route, and who uses, for that intrastate service, aircraft
5 based primarily outside the state, must also obtain a certificate of
6 compliance for each aircraft used in intrastate service.

7 (e) Use of an aircraft in air commerce before obtaining a cer-
8 tificate of compliance required under (a) of this section may be cause
9 for suspension or revocation of the certificate.

10 (f) An air carrier, who before the effective date of this Act
11 obtained a certificate to operate from the Alaska Transportation
12 Commission, is not required to obtain a certificate of compliance
13 under (a) of this section until the date on which the insurance policy
14 on each aircraft must be renewed.

15 (g) The department may authorize department personnel to enforce
16 this section and may adopt procedural regulations necessary to imple-
17 ment this section.

18 ARTICLE 6. MOTOR VEHICLE SAFETY INSPECTIONS.

19 Sec. 42.30.300. MOTOR VEHICLE SAFETY INSPECTIONS. (a) A moto-
20 vehicle may not be operated in this state without a certificate of
21 inspection. An owner of a motor vehicle shall renew a certificate of
22 inspection at least once a year at an official inspection station
23 under AS 42.30.320. *Every certificate of inspection must be carried in the*
vehicle to which it refers. An owner of a motor vehicle
shall display a sticker of inspection in a location on the vehicle as determined by the department.

24 (b) The commissioner of commerce and economic development may
25 adopt procedural regulations necessary to implement this section.

26 Sec. 42.30.310. EXEMPTIONS. A motor vehicle is exempt from the
27 requirements of AS 42.30.300 if it is owned by the government of the
28 United States of America.

29 Sec. 42.30.320. OFFICIAL INSPECTION STATIONS. (a) A person may

1 not operate an inspection station without a permit from the depart-
2 ment. The department shall approve an application for permit to
3 operate an inspection station if

4 (1) the department determines the inspection station has
5 proper equipment and competent personnel; and

6 (2) a certified vehicle inspector under AS 42.30.330 is
7 employed at the inspection station.

8 (b) ~~The department may require an applicant for a permit under~~
9 (a) of this section to file a bond providing compensation to the owner
10 of a motor vehicle for damages caused to the motor vehicle as a result
11 of negligence by the operator or employees of the official inspection

12 ~~station.~~ A certified vehicle inspector and an inspection station may
be held liable for any damage occurring to a motor vehicle
during an inspection.

13 (c) After the department approves an application for permit to
14 operate an official inspection station under (a) of this section, it
15 shall provide the applicant with a permit and certificates of inspec-
16 tion.

17 (d) Upon receipt of a permit from the department under (c) of
18 this section, the operator of an official inspection station shall
19 post the permit in a conspicuous place at the location designated by
20 the department.

21 (e) The department shall suspend or revoke a permit of an opera-
22 tor of an official inspection station if the operator fails to meet
23 the requirements of this section.

24 (f) Upon notice of suspension or revocation of a permit under
25 (e) of this section, the operator of an official inspection station
26 shall immediately terminate all inspection activities, and on demand
27 by the department, return the permit and all certificates of inspec-
28 tion. The department shall issue a receipt for all unused certifi-
29 cates of inspection.

1 (g) If a permit is suspended or revoked under (e) of this sec
2 tion, the department shall give an operator of an official inspectio
3 station a hearing, upon written request filed with the departmen
4 within 10 days after suspension or revocation.

5 (h) A permit to operate an official inspection station may no
6 be assigned, transferred, or used at a location other than the lo
7 cation designated by the department.

8 Sec. 42.30.330. CERTIFICATION OF VEHICLE INSPECTORS. (a)
9 person may not conduct a motor vehicle inspection at an officia
10 inspection station under AS 42.30.320 unless certified as a vehicl
11 inspector by the department.

12 (b) The department may suspend the certification issued to
13 vehicle inspector under (a) of this section if the vehicle inspecto
14 improperly conducted inspections or failed to comply with a provisio
15 of this section or regulations adopted under it.

16 (c) If a certificate is denied or suspended under (b) of thi
17 section the department shall give a vehicle inspector a hearing upo
18 written request filed with the commissioner within 10 days afte
19 denial or suspension.

20 Sec. 42.30.340. HEARING BOARD. (a) There is created in th
21 department the Vehicle Safety Hearing Board. The members of th
22 hearing board are the commissioner of commerce and economic develop
23 ment, the commissioner of transportation and public facilities, an
24 the attorney general, or their designees.

25 (b) At the request of the commissioner of the department th
26 hearing board shall convene and hear the evidence and informatio
27 relevant to the suspension and revocation of an official inspectio
28 station permit. The hearing board shall make written findings an
29 conclusions to support its order affirming, denying or modifying th

1 action taken by the department.

2 (c) The order of the hearing board is subject to judicial review
3 in the manner provided by law.

4 Sec. 42.30.350. ISSUANCE OF CERTIFICATE OF INSPECTION. (a)
5 person operating an official inspection station shall issue a certifi-
6 cate of inspection to the owner of a motor vehicle after determinin-
7 the motor vehicle is in a safe and mechanically sound condition.

8 (b) A person operating an official inspection station shall keep
9 a record of each inspection performed at the station and the depart-
10 ment may audit the records of an official inspection station ~~at an~~
11 *and may conduct a spot check to verify the competency of an*
~~time~~ *inspector at any time.*

12 Sec. 42.30.360. FALSELY REPRESENTING TO BE AN OFFICIAL STATION

13 (a) A person may not represent a place as an official inspectio-
14 station unless the station is operating under a valid permit issued b-
15 the department under AS 42.30.320.

16 (b) A person may not issue a certificate of inspection unles-
17 holding a valid permit under AS 42.30.320.

18 Sec. 42.30.370. COUNTERFEIT CERTIFICATES OF INSPECTION. (a)
19 person may not make, issue, or knowingly use an imitation or counter-
20 feit of an official certificate of inspection.

21 (b) A person may not knowingly display or issue a certificat-
22 of inspection on a motor vehicle unless the motor vehicle has met th-
23 requirements of AS 42.30.350.

24 Sec. 42.30.380. VIOLATION A MISDEMEANOR. A person who knowingly
25 violates a provision of AS 42.30.300 - 42.30.370 is guilty of a clas-
26 B misdemeanor.

27 Sec. 42.30.390. DEFINITIONS. In AS 42.30.200 - 42.30.390,

28 (1) "air carrier" means a person undertaking to engage i-
29 air commerce, whether directly or indirectly, or by lease, contract

1 or any other arrangement, and whether over regular or irregular
2 routes;

3 (2) "air commerce" means carriage by aircraft of persons or
4 property, for compensation or hire, in intrastate commerce, including
5 the carriage by aircraft of persons or property that move partly by
6 aircraft and partly by other forms of transportation;

7 (3) "aircraft" means a device used or designed for flight
8 in the air;

9 (4) "department" means the Department of Commerce and
10 Economic Development;

11 (5) "freight" has the same meaning as "property";

12 (6) "motor vehicle" means

13 (A) a truck of more than 10,000 pounds unladen gross
14 vehicle weight used upon a public highway of this state; and

15 (B) a trailer of more than 5,000 pounds unladen gross
16 vehicle weight registered in this state and used upon a public highway of this state;

17 (7) "property" means all commodities, articles, and cargo,
18 of whatever nature or value, excluding garbage, and trash.

19 * Sec. 4. AS 44.33.020 is amended by adding a new paragraph to read:

20 (27) implement the financial responsibility requirements for
21 motor vehicles and air carriers under AS 42.30.200 - 43.30.270.

22 * Sec. 5. This Act takes effect immediately in accordance with AS 01.-
23 10.070(c).

CSSB
279
(FIN)

REQUEST

bill/resolution No. SB 279 (FIN)
Title: Special approp. to econ. dev. program fund of AIDA.
Sponsor: Resources Committee
Requestor: _____
Date of Request: 4/16/85

FISCAL DETAIL

Agency Affected: Commerce & Econ. Dev.
Program Category Affected: _____
Economic Development
BRU, Program or Subprogram(s) Affected: _____
Accounting & Collections

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FI 85	FI 86	FI 87	FI 88	FI 89	FI 90
OPERATING						
100 PERSONNEL SERVICES						
200 TRAVEL						
300 CONTRACTUAL		6.8				
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	6.8	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

FEDERAL FUNDS						
OTHER interagency receipts	-0-	6.8	-0-	-0-	-0-	-0-
TOTAL	-0-	6.8	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS:

Approximately 2,800 loans will be affected by the reappropriations proposed in SB 279.

Prepared By: Margaret I. Hamley, Director Phone: 465-2555
 Division: Accounting & Collections Date: 4-17-85
 Approved by Commissioner: Loren H. Lounsbury Date: 4/19/85
 Agency: Commerce and Economic Development

SENATE JOURNAL SUPPLEMENT
FISCAL NOTE

5/1/85

No. 34

SCS CSHB
133
(FIN)

REQUEST SCS FISCAL DETAIL
Bill/Resolution No.: CSHB 133(FIN) Agency Affected: Commerce & Econ. Dev
Title: Act relating to req. of safety of motor carriers Program Category Affected: _____
Sponsor: _____ BRU, Program or Subprogram(s) Affected: _____
Requestor: Senate Finance Division of Measurement Standards
Date of Request: 5/1/85

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING	0					
100 PERSONAL SERVICES	0	253.9				
200 TRAVEL	0	30.0				
300 CONTRACTUAL	0	40.8				
400 SUPPLIES	0	3.5				
500 EQUIPMENT	0	8.0				
600 LAND & STRUCTURES	0					
700 GRANTS, CLAIMS	0					
800 MISCELLANEOUS	0					
TOTAL OPERATING	0	336.2				

CAPITAL	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90

FUNDING: (Thousands of Dollars)						
	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
GENERAL FUND		336.2				
FEDERAL FUNDS						
OTHER						
TOTAL		336.2				

POSITIONS:						
	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS:

Prepared By: _____ Phone: 465-4523
 Division: Jan Falks, Co-chairman Date: 5/1/85
Senate Finance Committee
 Approved by Commissioner: _____ Date: _____
 Agency: _____

HB 185

The Health, Education and Social Services Committee considered CS FOR HOUSE BILL NO. 185 (LOANS) (maximum loan amounts, eligibility requirements, and conditions of scholarship loans; efd) and recommended do pass. The report was signed by Senator Fahrenkamp, Chairman and concurred in by Senators DeVries, Josephson, Sturgulewski and Paul Fischer.

CS FOR HOUSE BILL NO. 185 (LOANS) was referred to the Rules Committee.

HB 198

The Community and Regional Affairs Committee considered HOUSE BILL NO. 198 am (municipal assistance for certain municipalities organized under federal law; efd) and recommended it be replaced with

SENATE CS FOR HOUSE BILL NO. 198 (C&RA)

and do pass. The report was signed by Senator DeVries, Chairman and concurred in by Senators Ferguson, Sturgulewski, Vic Fischer and Coghill.

HOUSE BILL NO. 198 am was referred to the Finance Committee.

SR 2

The Finance Committee considered SENATE RESOLUTION NO. 2 (Relating to the emergency situation in the Matanuska-Susitna school district) and attached the following amendment:

Page 1, line 23: Delete "\$40,000,000" and insert "\$10,000,000"

with a majority do pass. The report was signed by Senator Faiks, Co-Chairman and concurred in by Senators Kerttula, Halford and Sackett. Senators Paul Fischer, Eliason and Ferguson signed "no recommendation".

SENATE RESOLUTION NO. 2 was referred to the Rules Committee.

HJR 34

The Health, Education and Social Services Committee considered HOUSE JOINT RESOLUTION NO. 34 (Urging Congress to maintain the current level of federal funding for child nutrition programs) and recommended do pass. The report was signed by Senator Fahrenkamp, Chairman and concurred in by Senators Josephson, Sturgulewski, DeVries and Paul Fischer.

HB 133 cont'd

with a majority do pass. Senator Faiks, Co-Chairman, signed "no recommendation". Senators Kerttula, Halford, Eliason, Paul Fischer, Ferguson and Sackett signed "do pass".

Finance Committee fiscal note on the Department of Commerce and Economic Development appears in Supplement No. 34.

"Letter of Intent
SCS CSHB 133 (FIN)

It is the intent of the Legislature that a study be undertaken by legislative staff to determine:

1. What federal safety regulations are applicable to Alaska intrastate air commerce, and which, if any, ought to be incorporated into the State's certification of compliance program;
2. If the hazardous flying conditions in Alaska warrant additional safety training for pilots as a condition of state certification of compliance;
3. The effects of phase out or elimination of the federal essential air service program on the reliability of air service to Alaska communities; and
4. The efficiency and effectiveness with which the Department of Commerce and Economic Development has established a motor vehicle safety inspection program.

The results of this study shall be reported to the Second Session of the Fourteenth Alaska Legislature not later than the tenth day after it convenes."

CS FOR HOUSE BILL NO. 133 (FIN) am was referred to the Rules Committee.

HB 140

The State Affairs Committee considered CS FOR HOUSE BILL NO. 140 (RLS) (use of teleconferencing under the Administrative Procedure Act) and a majority of the committee recommended do pass. The report was signed by Senator Abood, Chairman and concurred in by Senators DeVries, Kelly and Ray.

CS FOR HOUSE BILL NO. 140 (RLS) was referred to the Finance Committee.

ADJOURNMENT

Senator Halford moved and asked unanimous consent that the Senate adjourn until 11:00 a.m., May 8, 1985. Without objection, the Senate adjourned at 4:20 p.m.

Feggy Mulligan
Secretary of the Senate

May 1985

May 7, 1985

1127

SB 147

CS FOR SENATE BILL NO. 147 (2d FIN) was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 157

CS FOR SENATE BILL NO. 157 (SA) was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

HB 124

SENATE CS FOR HOUSE BILL NO. 124 (SA) am S was engrossed, signed by the President and Secretary and returned to the House for consideration.

HB 133

SENATE CS FOR CS FOR HOUSE BILL NO. 133 (FIN) am S was engrossed, signed by the President and Secretary and returned with a Senate Letter of Intent to the House for consideration.

SJR 24

CS FOR SENATE JOINT RESOLUTION NO. 24 (RES) was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

HJR 33

SENATE CS FOR HOUSE JOINT RESOLUTION NO. 33 (RLS) am S was engrossed, signed by the President and Secretary and returned to the House for consideration.

ENROLLMENT

SB 167

CS FOR SENATE BILL NO. 167 (L&C) was enrolled, signed by the President and Secretary, Speaker and Chief Clerk and the enrolled and engrossed copies transmitted to the Office of the Governor at 2:10 p.m., May 7, 1985.

ADJOURNMENT

Senator Halford moved and asked unanimous consent that the Senate adjourn until 11:00 a.m., May 8, 1985. Without objection, the Senate adjourned at 4:20 p.m.

Peggy Mulligan
Secretary of the Senate

May 1985

HE 133 cont'd

Senator Abood moved and asked unanimous consent that Amendment No. 1 be withdrawn. Without objection, Amendment No. 1 was withdrawn.

Senators Halford and Ferguson offered Amendment No. 2:

Page 2, line 21: change "10 years"
to "3 years"

Senator Halford moved and asked unanimous consent that Amendment No. 2 be adopted. Senators Ray and Kelly objected.

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

SCS CSHE 133 FIN AM 2

Yeas: 14 Abood, Bennett, Coghill, DeVries,
Eliason, Fahrenkamp, Faiks,
Ferguson, Fischer Paul, Halford,
Josephson, Kelly, Kerttula,
Sturgulewski

Nays: 2 Fischer Vic, Ray

Absent: 4 Rodey, Sackett, Zharoff, Ziegler

and so, Amendment No. 2 was adopted.

Senator Halford moved and asked unanimous consent that SENATE CS FOR CS FOR HOUSE BILL NO. 133 (FIN) am S be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SENATE CS FOR CS FOR HOUSE BILL NO. 133 (FIN) am S was read the third time.

Senator Faiks moved and asked unanimous consent for the adoption of the Senate Finance Letter of Intent offered on page 995. Without objection, the Senate Letter of Intent was adopted.

May 7, 1985

1115

HF 124 cont'd

The question being: "Shall SENATE CS FOR HOUSE BILL NO. 124 (SA) am S (extending the Older Alaskans Commission; efd) pass the Senate?" The roll was taken with the following result:

SCS HB 124 SA AM S 3RD

Yeas: 19 Abood, Bennett, Coghill, DeVries,
Eliason, Fahrenkamp, Faiks,
Ferguson, Fischer Paul,
Fischer Vic, Halford, Josephson,
Kelly, Kerttula, Ray, Rodey,
Sturgulewski, Zharoff, Ziegler

Nays: 0

Absent: 1 Sackett

and so, SENATE CS FOR HOUSE BILL NO. 124 (SA) am S passed the Senate.

Senator Halford moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered.

SENATE CS FOR HOUSE BILL NO. 124 (SA) am S was referred to the Secretary for engrossment.

HB 133

CS FOR HOUSE BILL NO. 133 (FIN) am (transportation safety and financial responsibility; efd) was read the second time.

Senator Coghill moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 994. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 133 (FIN) was adopted.

SENATE CS FOR CS FOR HOUSE BILL NO. 133 (FIN) was read the second time.

Senator Abood offered Amendment No. 1:

Page 8, lines 11-12:
delete "and does not include activities"
insert: "or activities for which a person receives
no direct monetary compensation but are"

Senator Abood moved and asked unanimous consent that Amendment No. 1 be adopted. Senator Halford objected.

SJR 24 cont'd

CS FOR SENATE JOINT RESOLUTION NO. 24 (RES) was read the third time.

The question being: "Shall CS FOR SENATE JOINT RESOLUTION NO. 24 (RES) (Americanization of the fishery off the coast of Alaska) pass the Senate?" The roll was taken with the following result:

CSSJR 24 RES 3RD

Yeas: 17 Abood, Bennett, Coghill, DeVries,
Eliason, Fahrenkamp, Faiks,
Fischer Paul, Fischer Vic,
Halford, Josephson, Kelly,
Kerttula, Ray, Sackett,
Sturgulewski, Zharoff

Nays: 0

Absent: 3 Ferguson, Rodey, Ziegler

and so, CS FOR SENATE JOINT RESOLUTION NO. 24 (RES) passed the Senate and was referred to the Secretary for engrossment.

SJR 26

SENATE JOINT RESOLUTION NO. 26 (payment of just compensation to landowners for certain rights-of-way across land in Alaska) was read the second time.

Senator Halford moved and asked unanimous consent that SENATE JOINT RESOLUTION NO. 26 be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SENATE JOINT RESOLUTION NO. 26 was read the third time.

May 7, 1985

1117

HB 133 cont'd

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 133 (FIN) am S (transportation safety and financial responsibility; efd) pass the Senate?" The roll was taken with the following result:

SCS CSHE 133 FIN AM S JRD

Yeas: 14 Bennett, Coghill, DeVries,
Eliason, Fahrenkamp, Faiks,
Fischer Paul, Fischer Vic,
Halford, Josephson, Kelly,
Kerttula, Sturgulewski, Zharoff

Nays: 3 Abood, Ray, Sackett

Absent: 3 Ferguson, Rodey, Ziegler

Vic Fischer changed from nay to yea

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 133 (FIN) am S passed the Senate.

Senator Halford moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered.

SENATE CS FOR CS FOR HOUSE BILL NO. 133 (FIN) am S was referred to the Secretary for engrossment.

SECOND READING OF SENATE RESOLUTIONS

SJR 24

SENATE JOINT RESOLUTION NO. 24 (Americanization of the fishery off the coast of Alaska) was read the second time.

Senator Sturgulewski moved and asked unanimous consent for the adoption of the Resources Committee Substitute offered on page 1050. Without objection, CS FOR SENATE JOINT RESOLUTION NO. 24 (RES) was adopted.

CS FOR SENATE JOINT RESOLUTION NO. 24 (RES) was read the second time.

Senator Halford moved and asked unanimous consent that CS FOR SENATE JOINT RESOLUTION NO. 24 (RES) be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SB 20

The Rules Committee considered SENATE BILL NO. 20 (implied consent to preliminary breath test by aircraft and watercraft operators) and a majority of the committee recommended calendar May 7. The report was signed by Senator Kelly, Chairman and concurred in by Senators Coghill and Faiks.

SENATE BILL NO. 20 appears on the calendar.

SB 147

The Rules Committee considered SENATE BILL NO. 147 (state support for education; efd) and a majority of the committee recommended calendar May 7. The report was signed by Senator Kelly, Chairman and concurred in by Senators Coghill and Faiks.

SENATE BILL NO. 147 appears on the calendar.

SB 157

The Rules Committee considered SENATE BILL NO. 157 (continuing the existence of the Alaska Administrative Journal; efd) and a majority of the committee recommended calendar May 7. The report was signed by Senator Kelly, Chairman and concurred in by Senators Coghill and Faiks.

SENATE BILL NO. 157 appears on the calendar.

SJR 24

The Rules Committee considered SENATE JOINT RESOLUTION NO. 24 (Americanization of the fishery off the coast of Alaska) and a majority of the committee recommended calendar May 7. The report was signed by Senator Kelly, Chairman and concurred in by Senators Coghill and Faiks.

SENATE JOINT RESOLUTION NO. 24 appears on the calendar.

SJR 26

The Rules Committee considered SENATE JOINT RESOLUTION NO. 26 (payment of just compensation to landowners for certain rights-of-way across land in Alaska) and a majority of the committee recommended calendar May 7. The report was signed by Senator Kelly, Chairman and concurred in by Senators Coghill and Josephson.

SJR 26 cont'd

SENATE JOINT RESOLUTION NO. 26 appears on the calendar.

HB 124

The Rules Committee considered HOUSE BILL NO. 124 (extending the Older Alaskans Commission; efd) and a majority of the committee recommended calendar May 7. The report was signed by Senator Kelly, Chairman and concurred in by Senators Coghill and Josephson.

HOUSE BILL NO. 124 appears on the calendar.

HB 133

The Rules Committee considered CS FOR HOUSE BILL NO. 133 (FIN) am (transportation safety and financial responsibility; efd) and a majority of the committee recommended calendar May 7. The report was signed by Senator Kelly, Chairman and concurred in by Senators Coghill and Josephson.

CS FOR HOUSE BILL NO. 133 (FIN) am appears on the calendar.

INTRODUCTION AND REFERENCE OF SENATE BILLS

SB ---

SENATE BILL NO. 312 by Senator Kerttula, entitled:

"An Act relating to free passenger service for seniors on the Alaska Railroad."

was read the first time and referred to the Labor and Commerce Committee and the Finance Committee.

SB 313

SENATE BILL NO. 313 by Senator Kerttula, entitled:

"An Act requiring a properly equipped and staffed caboose on certain trains."

was read the first time and referred to the Labor and Commerce Committee.

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 133
 Title: "...Public Safety to reg. safety of commerical vehicles..."
 Sponsor: Governor
 Requestor: House State Affairs
 Date of Request: 2-1-85

FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: Public Protection
 BRU, Program or Subprogram(s) Affected: Division of Motor Vehicles - Commercial Vehicle Safety

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES		250.0	250.0	250.0	250.0	250.0
200 TRAVEL		3.0	3.2	3.4	3.6	3.8
300 CONTRACTUAL		66.0	53.6	56.3	59.1	62.1
400 SUPPLIES		7.0	7.4	7.8	8.2	8.6
500 EQUIPMENT		30.0				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		356.0	314.2	317.5	320.9	324.5

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND		356.0	314.2	317.5	320.9	324.5
FEDERAL FUNDS						
OTHER						
TOTAL		356.0	314.2	317.5	320.9	324.5

POSITIONS:

FULL-TIME		6.0	6.0	6.0	6.0	6.0
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Marcia Lynn McKenzie
 Division: Administrative Services

Phone: 465-4349
 Date: 1/22/85

Approved by Commissioner: Robert J. Sundberg
 Agency: Public Safety

Date: 1/22/85

Distribution (by Agency preparing fiscal note):

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

7/1/84

COST ANALYSIS

The following costs are for administration of permitting, certification, bonding and insurance. These costs are in addition to the positions and funding included in the Governor's budget which are for vehicle safety inspections.

Personal Services \$250.0

1	Administrative Support Center Supervisor	Range 14
4	Administrative Support Technicians	Range 12
1	Accounting Technician II	Range 14

It is anticipated that the positions, located in Anchorage, will be transferred from the ATC component, along with needed office equipment (desks, chairs, etc.). Minimal overtime and negotiated one-time compensatory payments are included.

Travel 3.0

Contractual Services 66.0

Telephone, postage, etc.	\$25.0
Printing of applications, forms, advertisements, etc.	8.0
Space Lease	15.0
Maintenance on data/word processing equipment	1.3
Copier costs	3.0
Professional fees (Dept. of Law)	12.0
Risk Management	1.7

Supplies and Materials 7.0

Office and library supplies

Equipment 30.0

Data/word processors

TOTAL \$356.0

For FY 87, space lease costs are transferred to the Department of Administration. A five percent annual inflation adjustment is applied beginning in FY 87.

1.	POSITION TITLE Administrative Support Center Supervisor				RANGE/STEP 14/J	ORG. UNIT S	PAGE/LINE	COY.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12.0	RP NUMBER	PCN NUMBER 08-7011	BRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE			AMOUNT						
	1	2		3						
	PERSONAL SERVICES									
5.	Salary									
6.	Benefits									
7.	Supplemental Benefits									
8.	Fixed Benefits									
9.	TOTAL PERSONAL SERVICES		01	47.3						
10.	Travel			02	3.0					
11.	Contractual			03	3.8					
12.	Commodities			04	1.0					
13.	Equipment			05						
14.	Other									
15.	TOTAL COST			55.1						
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		55.1						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
FOR BSM USE ONLY										
KEY NUMBER _____										

This position is unit supervisor in a group of six positions to be transferred to the Department of Public Safety as a result of the disbanding of the Alaska Transportation Commission.

The unit consists of this position, four Administrative Support Technicians and one Accounting Technician II. The unit will be responsible for the administration of permitting, certification, bonding and insurance of commercial vehicles, including both motor and air carriers.

**REQUEST FOR
NEW POSITION**

AGENCY Department of Public Safety
 PROGRAM Life & Property Protection
 BRU Division of Motor Vehicles
 COMPONENT Commercial Vehicle Safety

Page _____ of _____
 Revised Date _____

FY 86

1.	POSITION TITLE Accounting Technician II	RANGE/STEP 14/E	BARG. UNIT G	PAGE/LINE	COV.	APPROV.	DISAP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12.0	RP NUMBER	PCN NUMBER 08-7031	BRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT
3.	CONTINUATION LEVEL	ADDITION	JUSTIFICATION				
4.	TYPE OF EXPENDITURE		AMOUNT				
	1	2	3				
	PERSONAL SERVICES						
5.	Salary						
6.	Benefits						
7.	Supplemental Benefits						
8.	Fixed Benefits						
9.	TOTAL PERSONAL SERVICES	01	43.9				
10.	Travel	02					
11.	Contractual	03	3.8				
12.	Commodities	04	1.0				
13.	Equipment	05					
14.	Other						
15.	TOTAL COST		48.7				
16.	RECEIPT CODE	FUNDING SOURCE					
17.		Federal Receipts 1002					
18.		G.F. Match 1003					
19.		General Funds 1004		48.7			
20.		I-A Receipts 1005					
21.		Program Receipts 1028					
		Other					
FOR BSM USE ONLY							
KEY NUMBER _____							

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety

PROGRAM Life & Property Protection

BRU Division of Motor Vehicles

COMPONENT Commercial Vehicle Safety

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FY 86

1.	POSITION TITLE Administrative Support Technician IV				RANGE/STEP 12/K	DEPT. UNIT G	PAGE/LINE	COY.	APPROV.	DISAP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12.0	RP NUMBER	PCN NUMBER 08-7012	BRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE			AMOUNT	<p>This position is one of four Administrative Support Technicians to be transferred from the disbanding Alaska Transportation Commission as part of an administrative unit. The six position unit will administer permitting, certification, bonding, and insurance of commercial vehicles, including both motor and air carriers.</p>					
	1	2	3							
	PERSONAL SERVICES									
5.	Salary									
6.	Benefits									
7.	Supplemental Benefits									
8.	Fixed Benefits									
9.	TOTAL PERSONAL SERVICES		01	42.5						
10.	Travel			02						
11.	Contractual			03						
12.	Commodities			04						
13.	Equipment			05						
14.	Other									
15.	TOTAL COST			47.3						
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		47.3						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
FOR BSM USE ONLY										
KEY NUMBER _____										

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety
PROGRAM Life & Property Protection
BRU Division of Motor Vehicles
COMPONENT Commercial Vehicle Safety

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1.	POSITION TITLE Administrative Support Technician IV				RANGE/STEP 12/F	BARG. UNIT G	PAGE/LINE	COY.	APPROV.	DISAP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12.0	RP NUMBER	PCN NUMBER 08-7015	BRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE			AMOUNT	<p>This position is one of four Administrative Support Technicians to be transferred from the disbanding Alaska Transportation Commission as part of an administrative unit. The six position unit will administer permitting, certification, bonding, and insurance of commercial vehicles, including both motor and air carriers.</p>					
5.	PERSONAL SERVICES									
6.	Salary									
7.	Benefits									
8.	Supplemental Benefits									
9.	Fixed Benefits									
9.	TOTAL PERSONAL SERVICES	01		39.5						
10.	Travel	02								
11.	Contractual	03		3.8						
12.	Commodities	04		1.0						
13.	Equipment	05								
14.	Other									
15.	TOTAL COST			44.3						
16.	RECEIPT CODE	FUNDING SOURCE								
17.		Federal Receipts	1002							
18.		G.F. Match	1003							
19.		General Funds	1004	44.3						
20.		I-A Receipts	1005							
21.		Program Receipts	1028							
		Other								
FOR BSM USE ONLY										
KEY NUMBER _____										

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety
PROGRAM Life & Property Protection
BRU Division of Motor Vehicles
COMPONENT Commercial Vehicle Safety

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FY 86

1.	POSITION TITLE Administrative Support Technician IV				RANGE/STEP 12/F	BARG. UNIT G	PAGE/LINE	COY.	APPROV.	DISAP.						
2.	TYPE OF POSITION PFT	STAFF MONTHS 12.0	RP NUMBER	PCN NUMBER 08-7013	BRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT	LEC.								
3.	CONTINUATION LEVEL				JUSTIFICATION											
4.	TYPE OF EXPENDITURE				<p>This position is one of four Administrative Support Technicians to be transferred from the disbanding Alaska Transportation Commission as part of an administrative unit. The six position unit will administer permitting, certification, bonding, and insurance of commercial vehicles, including both motor and air carriers.</p>											
	1		2								3					
	PERSONAL SERVICES															
5.	Salary															
6.	Benefits															
7.	Supplemental Benefits															
8.	Fixed Benefits															
9.	TOTAL PERSONAL SERVICES		01													
10.	Travel		02								39.5					
11.	Contractual		03								3.8					
12.	Commodities		04								1.0					
13.	Equipment		05													
14.	Other															
15.	TOTAL COST										44.3					
	RECEIPT CODE	FUNDING SOURCE														
16.		Federal Receipts 1002														
17.		G.F. Match 1003														
18.		General Funds 1004		44.3												
19.		I-A Receipts 1005														
20.		Program Receipts 1028														
21.		Other														
FOR BSM USE ONLY KEY NUMBER _____																

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety
PROGRAM Life & Property Protection
BRU Division of Motor Vehicles
COMPONENT Commercial Vehicle Safety

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1.	POSITION TITLE Administrative Support Technician IV				RANGE/STEP 12/D	DARG. UNIT G	PAGE/LINE	COY.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12.0	RP NUMBER	PCH NUMBER 08-7019	BRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE			AMOUNT	<p>This position is one of four Administrative Support Technicians to be transferred from the disbanding Alaska Transportation Commission as part of an administrative unit. The six position unit will administer permitting, certification, bonding, and insurance of commercial vehicles, including both motor and air carriers.</p>					
	1	2	3							
	PERSONAL SERVICES									
5.	Salary									
6.	Benefits									
7.	Supplemental Benefits									
8.	Fixed Benefits									
9.	TOTAL PERSONAL SERVICES			01 37.3						
10.	Travel			02						
11.	Contractual			03 3.8						
12.	Commodities			04 1.0						
13.	Equipment			05						
14.	Other									
15.	TOTAL COST			42.1						
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		C.F. Hatch 1003								
18.		General Funds 1004		42.1						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
FOR BSM USE ONLY										
KEY NUMBER _____										

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety
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BRU Division of Motor Vehicles
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STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HR 133
 Title: An Act to regulate safety
of motor carriers
 Sponsor: Pules Committee
 Requestor: Governor
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Commerce & Econ. Dev.
 Program Category Affected: _____
Public Safety
 BRU, Program or Subprogram(s) Affected: _____
Division of Measurement Standards

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES	128.5	338.5				
200 TRAVEL	10.0	30.0				
300 CONTRACTUAL	55.0	40.8				
400 SUPPLIES	2.5	3.5				
500 EQUIPMENT	15.0	8.0				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	211.0	420.8				
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	211.0	420.8				
FEDERAL FUNDS						
OTHER						
TOTAL	211.0	420.8				

POSITIONS:

FULL-TIME	7	7				
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

See attached.

Prepared By: Joseph L. Swanson, Director
 Division: Measurement Standards
 Approved by Commissioner: Loren H. Lounsbury
 Agency: Commerce and Economic Development

Phone: 345-7750
 Date: 2/11/85
 Date: 2/19/85

Distribution (by Agency preparing fiscal note):

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

7/1/84

HB 133
ANALYSIS

ASSUMPTIONS

This analysis was prepared with the understanding that the intent of the bill was to establish regulations and procedures to:

1. Administer the financial responsibility provisions of AS 42.30.200 - 42.30.225.
2. Administer the motor vehicle safety inspection program to be performed by private industry.

PROGRAM SUMMARY

1. Positions

New Positions: 1 Administrative Officer I
 2 Administrative Assistants I
 3 Clerk Typists III

Existing Positions: Convert 5 existing seasonal weigh station operators to permanent full-time employees.

2. Other expenditures

Travel: Funds were included to provide for travel for remote locations to verify adherence to the provisions of AS 42.30 and to participate in the annual Commercial Vehicle Safety Alliance (CVSA) conference.

Contractual Services: The listed funds are required to cover the costs for communications, printing forms, certificates of compliance, certificates of inspection, permits to operate, inspection certifications, and regulations and procedures; maintenance of agency equipment, vehicle costs, and equipment rental.

Commodities: Specified costs are for operating supplies.

Equipment: Costs are for the acquisition of computer terminals and replacement of existing equipment.

3. The funding projections were based upon the assumption that the following equipment be transferred from the Alaska Transportation Commission:

- Wang word/data processing system with associated work stations and printer.
- telex/telecopier equipment
- typewriters
- file cabinets
- book cases
- vehicles
- desks and chairs
- copy machine

It is essential that this equipment be transferred in order for the program to function effectively for the above stated costs.

FY '85

1.	POSITION TITLE ADMINISTRATIVE OFFICER I				RANGE/STEP 17A	DEPT. UNIT S	PAGE/LINE	COY.	APPROV.	DISAP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 3	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION EBA	ELECTION DISTRICT 7	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	ADDITION XX				<p>This position will be responsible for supervising the administrative center of the division which will include the new statewide financial responsibility and safety programs and incorporate the existing permit program for cross-utilization of personnel.</p> <p>The responsibilities will include drafting recommended procedures, monitories program activities, analyzing results, developing corrective procedures, and reporting results to the agency head.</p> <p>The position will be required to assist in the development of the regulations drafted to administer the programs and will supervise their implementation. The implementation will entail establishing and maintaining cooperative working relationship with the regulated industries, other governmental agencies, and our department. The position will also be responsible for developing and maintaining the information necessary to evaluate the results of the programs.</p>					
5.	PERSONAL SERVICES		AMOUNT							
6.	Salary	8,439	1	2						
7.	Benefits	985		3						
8.	Supplemental Benefits	517								
9.	Fixed Benefits	1,052								
10.	TOTAL PERSONAL SERVICES		01	11.0						
11.	Travel		02	10.0						
12.	Contractual		03	55.0						
13.	Commodities		04	2.5						
14.	Equipment		05	15.0						
15.	Other									
15.	TOTAL COST			93.5						
16.	RECEIPT CODE	FUNDING SOURCE								
17.		Federal Receipts	1002							
18.		C.F. Hatch	1003							
19.		General Funds	1004	93.5						
20.		I-A Receipts	1005							
21.		Program Receipts	1020							
21.		Other								
FOR BSM USE ONLY										
KEY NUMBER _____										

AGENCY Commerce & Economic Development

PROGRAM _____

BRU _____

COMPONENT _____

REQUEST FOR
NEW POSITION

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FY 86

1.	POSITION TITLE ADMINISTRATIVE ASSISTANT I				RANGE/STEP 12A	DARG. UNIT G	PAGE/LINE	COY.	APPROV.	DISAP'Y.
2.	TYPE OF POSITION PFT	STAFF MONTHS 6	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION EBA	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	ADDITION XX				These two positions will function as the working supervisors of the financial responsibility and motor vehicle safety programs. As such, they will ensure adherence to established procedures and will be responsible for monitoring the results produced and collect data and prepare reports for management's use. They will be required to be aware of industry needs and recommend improved procedures to achieve the stated goals and objectives in an efficient and cost effective manner. As the working supervisors, they will be the initial contact person for the regulated industries when problems arise. A great deal of judgment and tact will have to be exercised to achieve the desired results with minimum disruption of the effected agencies.					
4.	Type of Employment			Amount						
	1			3						
	PERSONAL SERVICES									
5.	Salary	11,838								
6.	Benefits	1,740								
7.	Supplemental Benefits	726								
8.	Fired Benefits	1,476								
9.	TOTAL PERSONAL SERVICES	01		15.8						
10.	Travel	02		-0-						
11.	Contractual	03		-0-						
12.	Commodities	04		-0-						
13.	Equipment	05		-0-						
14.	Other									
15.	TOTAL COST			15.8						
16.	RECEIPT CODE	FUNDING SOURCE								
17.		Federal Receipts 1002								
18.		G.F. Hatch 1003								
19.		General Funds 1004								
19.		I-A Receipts 1005		15.8						
20.		Program Receipts 1028								
21.		Other								
FOR BSM USE ONLY										
KEY NUMBER _____										

REQUEST FOR
NEW POSITION

AGENCY Commerce & Economic Development

PROGRAM _____

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FY '85

1.	POSITION TITLE CLERK TYPIST III				RANGE/STEP	ORG. UNIT BA	PAGE/LINE 6	COY.	APPROV.	DISAP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	DIG. PRIORITY	LOCATION EBA	ELECTION DISTRICT 7	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE				These four positions will be responsible for reviewing and processing the various documents required to administer the financial responsibility and motor vehicle safety programs. The duties will include responding to requests for program requirements information, applications, updating agency records to reflect current status of regulated agencies, and processing program information reports. These personnel will be assisting industry, wherever necessary in complying with the provisions of appropriate statutes and regulations.					
5.	PERSONAL SERVICES		1	2	AMOUNT					
5.	Salary		18,636		3					
6.	Benefits		3,321							
7.	Supplemental Benefits		1,142							
8.	Fringe Benefits		2,324							
9.	TOTAL PERSONAL SERVICES		01		25.4					
10.	Travel		02		-0-					
11.	Contractual		03		-0-					
12.	Commodities		04		-0-					
13.	Equipment		05		-0-					
14.	Other									
15.	TOTAL COST				25.4					
16.	RECEIPT CODE	FUNDING SOURCE								
17.		Federal Receipts 1002								
18.		G.F. Hatch 1003								
19.		General Funds 1004		25.4						
20.		I-A Receipts 1005								
21.		Program Receipts 1028								
21.		Other								

FOR BSM USE ONLY
KEY NUMBER _____

REQUEST FOR
NEW POSITION

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PROGRAM _____
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FY '85

1.	POSITION TITLE WEIGH STATION OPERATOR I			
2.	TYPE OF POSITION PFT	STAFF MONTHS	RP NUMBER	PCN NUMBER
3.	COMBINATION LEVEL	ADDITION		
4.	Type of Expenditure			AMOUNT
	1	2		3
	PERSONAL SERVICES			
5.	Salary			
6.	Benefits			
7.	Supplemental Benefits			
8.	Fixed Benefits			
9.	TOTAL PERSONAL SERVICES	01		-0-
10.	Travel	02		-0-
11.	Contractual	03		-0-
12.	Commodities	04		-0-
13.	Equipment	05		-0-
14.	Other			
15.	TOTAL COST			-0-

	RECEIPT CODE	FUNDING SOURCE	
16.		Federal Receipts 1002	
17.		C.F. Match 1003	
18.		General Funds 1004	
19.		I-A Receipts 1005	0-
20.		Program Receipts 1020	
21.		Other	

FOR BSM USE ONLY
KEY NUMBER _____

RANGE/STEP 12	ORG. UNIT G	PAGE/LINE	CONV.	APPROV.	DISAPP.
ORG PRIORITY	LOCATION	ELECTION DISTRICT	LEG.		

JUSTIFICATION
This proposal entails changing the status of five existing positions from permanent part-time (seasonal) to permanent full-time.

These seasonal positions are presently authorized for an average of four months each to operate the fixed weigh stations during the spring and summer peak truck traffic periods.

We recommend changing the status of the positions to PFT in FY '85, but not funding the positions until FY '86. This will allow an appropriate amount of time to establish the safety program and initiate the procedures that will generate the workload for these positions.

The inspectors will be located as follows:

PCN	LOCATION
085074	Fairbanks
085078	Fairbanks
085079	Sterling
085080	Anchorage
08-5088	Anchorage

The inspectors will continue to operate the fixed weigh stations during peak traffic periods and will be used to monitor the motor vehicle safety program through field verification of inspection stations and inspection personnel.

REQUEST FOR
NEW POSITION

AGENCY Commerce & Economic Development
PROGRAM _____
BRU _____
COMPONENT _____

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1.	POSITION TITLE ADMINISTRATIVE OFFICER I	RANGE/STEP 1/A	ORG. UNIT S	PAGE/LINE	CON.	APPROV.	DISAP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION EBA	ELECTION DISTRICT 7
3.	CONTINUATION LEVEL XX		ADDITION	JUSTIFICATION			
4.	Type of Expenditure		This position will be responsible for supervising the administrative center of the division which will include the new statewide financial responsibility and safety programs and incorporate the existing permit program for cross-utilization of personnel.				
	1		2		3		
	PURCHASE SERVICES						
5.	Salary	35,076					
6.	Benefits	4,374					
7.	Supplemental Benefits	2,150					
8.	Fired Benefits	3,980					
9.	TOTAL PURCHASE SERVICES	01	45.6				
10.	Travel	02	30.0				
11.	Contractual	03	40.8				
12.	Commodities	04	3.5				
13.	Equipment	05	8.0				
14.	Other						
15.	TOTAL COST		127.8				
	RECEIPT CODE	FUNDING SOURCE					
16.		Federal Receipts 1002					
17.		C.F. Match 1003					
18.		General Funds 1004					
19.		I-A Receipts 1005		127.8			
20.		Program Receipts 1020					
21.		Other					
FOR BSA USE ONLY							
KEY NUMBER _____							

The responsibilities will include drafting recommended procedures, monitoring program activities, analyzing results, developing corrective procedures, and reporting results to the agency head.

The position will be required to assist in the development of the regulations drafted to administer the programs and will supervise their implementation. The implementation will entail establishing and maintaining cooperative working relationship with the regulated industries, other governmental agencies, and our department. The position will also be responsible for developing and maintaining the information necessary to evaluate the results of the programs.

**REQUEST FOR
NEW POSITION**

AGENCY Commerce & Economic Development

PROGRAM _____

BRU _____

COMPONENT _____

Page _____ of _____

Revised Date _____

FY 86

1.	POSITION TITLE ADMINISTRATIVE ASSISTANT I				RANGE/STEP 12A	DARG. UNIT G	PAGE/LINE	COV.	APPROV.	DISAP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 24	SP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION EBA	ELECTION DISTRICT 7	LEG.		
3.	CONTINUATION LEVEL XX ADDITION				JUSTIFICATION These two positions will function as the working supervisors of the financial responsibility and motor vehicle safety programs. As such, they will ensure adherence to established procedures and will be responsible for monitoring the results produced and collect data and prepare reports for management's use. They will be required to be aware of industry needs and recommend improved procedures to achieve the stated goals and objectives in an efficient and cost effective manner. As the working supervisors, they will be the initial contact person for the regulated industries when problems arise. A great deal of judgment and tact will have to be exercised to achieve the desired results with minimum disruption of the effected agencies.					
4.	TYPE OF EXCEPTION			Amount						
5.	PERSONAL SERVICES			3						
6.	Salary	49,728								
7.	Benefits	7,035								
8.	Supplemental Benefits	3,048								
9.	Fixed Benefits	6,201								
10.	TOTAL PERSONAL SERVICES	01		66.0						
11.	Travel	02		-0-						
12.	Contractual	03		-0-						
13.	Commodities	04		-0-						
14.	Equipment	05		-0-						
15.	Other									
15.	TOTAL COST			66.0						
16.	RECEIPT CODE	FUNDING SOURCE								
17.		Federal Receipts	1002							
18.		C.F. Match	1003							
19.		General Funds	1004	66.0						
20.		I-A Receipts	1005							
21.		Program Receipts	1020							
21.		Other								
FOR BSM USE ONLY KEY NUMBER _____										

REQUEST FOR
NEW POSITION

AGENCY Commerce & Economic Development

PROGRAM _____

BRU _____

COMPONENT _____

Page _____ of _____

Revised Date _____

FY 86

1.	POSITION TITLE CLERK TYPIST III			RANGE/STEP	DARG UNIT 8A	G PAGE/LINE	COY.	APPROV.	DISAP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 48	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION EBA	ELECTION DISTRICT 7	LEG.	
3.	CONTINUATION LEVEL KX ADDITION			JUSTIFICATION					
4.	Type of Employment			Amount	These four positions will be responsible for reviewing and processing the various documents required to administer the financial responsibility and motor vehicle safety programs. The duties will include responding to requests for program requirements information, applications, updating agency records to reflect current status of regulated agencies, and processing program information reports. These personnel will be assisting industry, wherever necessary in complying with the provisions of appropriate statutes and regulations.				
	1	2	3						
	PERSONAL SERVICES								
5.	Salary		78,288						
6.	Benefits		13,402						
7.	Supplemental Benefits		4,799						
8.	Fixed Benefits		9,763						
9.	TOTAL PERSONAL SERVICES	01		106.34					
10.	Travel	02		-0-					
11.	Contractual	03		-0-					
12.	Commodities	04		-0-					
13.	Equipment	05		-0-					
14.	Other								
15.	TOTAL COST			106.3					
	RECEIPT CODE	FUNDING SOURCE							
16.		Federal Receipts 1002							
17.		C.F. Match 1003							
18.		General Funds 1004							
19.		I-A Receipts 1005			106.3				
20.		Program Receipts 1020							
21.		Other							
FOR BSM USE ONLY									
KEY NUMBER _____									

REQUEST FOR
NEW POSITION

AGENCY Commerce & Economic Development

PROGRAM _____

BRU _____

COMPONENT _____

Page _____ of _____
Revised Date _____

FY 86

1.	POSITION TITLE WEIGH STATION OPERATOR I	RANGE/STEP 12	BARG. UNIT G	PAGE/LINE	COY.	APPROV.	DISAID																					
2.	TYPE OF POSITION PFT	STATE MONTHS 40	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION	ELECTION DISTRICT																					
3.	CONTINUATION LEVEL KA		ADDITION	JUSTIFICATION																								
4.	Title or Description		Amount																									
	PERSONAL SERVICES																											
	Salary	90,699																										
6.	Benefits	11,547																										
7.	Supplemental Benefits	5,560																										
8.	Fixed Benefits	11,722																										
9.	TOTAL PERSONAL SERVICES	01	119.5																									
10.	Travel	02	-0-																									
11.	Contractual	03	-0-																									
12.	Commodities	04	-0-																									
13.	Equipment	05	-0-																									
14.	Other																											
15.	TOTAL COST		119.5																									
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:15%;">RECEIPT CODE</th> <th style="width:45%;">FUNDING SOURCE</th> <th style="width:40%;">Amount</th> </tr> </thead> <tbody> <tr> <td>16.</td> <td>Federal Receipts 1002</td> <td></td> </tr> <tr> <td>17.</td> <td>C.F. Hatch 1003</td> <td></td> </tr> <tr> <td>18.</td> <td>General Funds 1004</td> <td>119.5</td> </tr> <tr> <td>19.</td> <td>I-A Receipts 1005</td> <td></td> </tr> <tr> <td>20.</td> <td>Program Receipts 1020</td> <td></td> </tr> <tr> <td>21.</td> <td>Other</td> <td></td> </tr> </tbody> </table>								RECEIPT CODE	FUNDING SOURCE	Amount	16.	Federal Receipts 1002		17.	C.F. Hatch 1003		18.	General Funds 1004	119.5	19.	I-A Receipts 1005		20.	Program Receipts 1020		21.	Other	
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PCN	LOCATION																											
085074	Fairbanks																											
085078	Fairbanks																											
085079	Sterling																											
085080	Anchorage																											
08-5088	Anchorage																											

This proposal entails changing the status of five existing positions from permanent part-time (seasonal) to permanent full-time.

These seasonal positions are presently authorized for an average of four months each to operate the fixed weigh stations during the spring and summer peak truck traffic periods.

We recommend changing the status of the positions to PFT in FY '85, but not funding the positions until FY '86. This will allow an appropriate amount of time to establish the safety program and initiate the procedures that will generate the workload for these positions.

The inspectors will be located as follows:

The inspectors will continue to operate the fixed weigh stations during peak traffic periods and will be used to monitor the motor vehicle safety program through field verification of inspection stations and inspection personnel.

FOR BSA USE ONLY
KEY NUMBER _____

REQUEST FOR
NEW POSITION

AGENCY Commerce & Economic Development
PROGRAM _____
BRU _____
COMPONENT _____

Page _____ of _____
Revised Date _____

FY 86

Alaska State Legislature

SENATOR
JOHN B. "JACK" COGHILL
Chairman

Senator Jan Faiks—Vice Chairman
Senator Mitch Ahood
Senator Paul Fischer
Senator Joe Josephson



POUCH V
JUNEAU, ALASKA 99811
(907) 465-4921

Senate Committee on Transportation

MEMORANDUM

To: Committee members
From: Committee staff *jm*
Date: Thursday, February 14, 1985
Re: House action on ATC repeal

The House Committee on Transportation met this morning, and took action on their version of the ATC bill, HB 133. What the committee did was adopt a draft CS identical to the senate draft CS, which they then amended and passed from committee. However, no fiscal note was discussed or adopted at the meeting, so what will happen in that regard remains to be seen.

House Transportation adopted the following changes to the draft CS:

Page 1, line 11: The financial responsibility section is changed to read: (a) A person who carries passengers [OR FREIGHT] for hire intrastate or a person who operates as a commercial motor vehicle carrier on a public highway of this state shall procure and maintain...
The phrase "commercial motor vehicle carrier" is not defined.

Page 1, line 17: A provision was adopted to retain a \$100,000 minimum until July 1, 1985, and then require \$300,000 per seat after that date. The language of this amendment was to be refined by legal services.

Page 2, line 3: The word "procedural" is deleted.

Page 2, line 8: The word "This" is deleted, and in its place is inserted "For insurance policies submitted as proof of responsibility as stated in AS 42.30.225(a)(1) this"... *under section 302*

Page 3, line 27: The sentence "A *qualified* certificate of inspection must be carried in the vehicle for which the certificate of inspection is issued." is deleted.

Page 5, line 26: All of §340, relating to the Hearing Board, is deleted. Apparently the committee was confident other channels of recourse could be used in lieu of a hearing board.

Page 7, line 22: Subsection (b) is deleted, eliminating trailers from the definition of motor vehicles. Although the committee was apparently convinced that a trailer would be considered a part of the truck that was pulling it, there may be some question as to whether or not they would be covered by the vehicle inspection program.

CS HB
CS SB

- legal
- ~~Notes~~ Minutes
- Verbatim

Have
Paul
Tomorrow

WHAT WENT WRONG LIST

- CONTACTING DAY BEFORE DID BUT DIDN'T REMIND OF DCE, DTS, DOT
- TALKING W/ BETTE: THrowing SURPRISES AT US.
POOR COMMUNICATIONS.

Original sponsor: Rules/Governor

IN THE HOUSE

BY THE TRANSPORTATION COMMITTEE

CS FOR HOUSE BILL NO. 133 (Transportation)

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTEENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to transportation safety and financial responsibility; and providing for an effective date."

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

* Section 1. AS 42.30.200 is amended to read:

Sec. 42.30.200. FINANCIAL RESPONSIBILITY. (a) A person who carries passengers or freight for hire intrastate or a person who carries freight in a motor vehicle for commercial purposes shall procure and maintain security in the following amounts:

- (1) \$200,000 for property damage in a single occurrence;
- (2) \$500,000 for bodily injury or death in a single occurrence if a person operates a motor vehicle; and
- (3) \$300,000 per seat for bodily injury or death in a single occurrence if a person operates an aircraft [AN AMOUNT DETERMINED BY THE DEPARTMENT OF PUBLIC SAFETY AS NECESSARY FOR THE REASONABLE PROTECTION OF THE PUBLIC AGAINST DAMAGES OR INJURY CAUSED BY THE PERSON].

(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 [ENFORCEMENT OFFICERS] to enforce this section and may adopt regulations necessary to implement this section.

* Sec. 2. AS 42.30.200 is amended by adding new subsections to read:

(d) A policy of insurance submitted as proof of financial responsibility under AS 42.30.225(a)(1), a 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. The 30-day notice period is measured from the date on which the department receives notice.

(e) A person who knowingly 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.

(f) This section applies only to a person who carries passengers or freight for hire in a motor vehicle weighing 10,000 pounds or more, or a propeller or jet-powered aircraft.

* Sec. 3. AS 42.30 is amended by adding new sections to read:

Sec. 42.30.225. CERTIFICATION OF COMPLIANCE OF AIR CARRIERS.

(a) A person may not engage in air commerce without obtaining a certificate of compliance from the department. The department shall issue 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) A person who receives a certificate of compliance under (a)

of this section shall renew the certificate annually.

(c) Each aircraft owned or leased by a person subject to the provisions of this section must have a certificate of compliance issued by the department before the aircraft is used in air commerce. The certificate is valid for a period of 12 months following the date of certification. The certificate must be displayed on the aircraft so that it is visible to boarding passengers.

(d) A federally-certificated interstate air carrier that provides intrastate service between points in the state on an interstate or foreign route, and who uses, for that intrastate service, aircraft based primarily outside the state, must also obtain a certificate of compliance for each aircraft used in intrastate service.

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

(f) An air carrier, who before the effective date of this Act, obtained a certificate to operate from the Alaska Transportation Commission, is not required to obtain a certificate of compliance under (a) of this section until the date on which the insurance policy on each aircraft must be renewed.

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

ARTICLE 6. MOTOR VEHICLE SAFETY INSPECTIONS.

Sec. 42.30.300. MOTOR VEHICLE SAFETY INSPECTIONS. (a) A motor vehicle may not be operated in this state without a certificate of inspection. An owner of a motor vehicle shall renew a certificate of inspection at least once a year at an official inspection station under AS 42.30.320. An owner of a motor vehicle shall display a

sticker of inspection visible from outside the vehicle in a location determined by the department.

(b) The commissioner of commerce and economic development may adopt regulations necessary to implement this section.

Sec. 42.30.210. EXEMPTIONS. A motor vehicle is exempt from the requirements of AS 42.30.300 if it is owned by the government of the United States of America.

Sec. 42.30.320. OFFICIAL INSPECTION STATIONS. (a) A person may not operate an inspection station without a permit from the department. The department shall approve an application for permit to operate an inspection station if

(1) the department determines the inspection station has proper equipment and competent personnel; and

(2) a certified vehicle inspector under AS 42.30.330 is employed at the inspection station.

(b) After the department approves an application for permit to operate an official inspection station under (a) of this section, it shall provide the applicant with a permit, certificates of inspection, and inspection stickers.

(c) Upon receipt of a permit from the department under (b) of this section, the operator of an official inspection station shall post the permit in a conspicuous place at the location designated by the department.

(d) The department may enter the premises of the operator of an official inspection station at any time to inspect the work of the certified vehicle inspectors under AS 42.30.330 or to determine if the operator continues to meet the requirements of this section.

(e) The department shall suspend or revoke a permit of an operator of an official inspection station if the operator fails to meet

the requirements of this section.

(f) Upon notice of suspension or revocation of a permit under (e) of this section, the operator of an official inspection station shall immediately terminate all inspection activities, and on demand by the department, return the permit and all certificates of inspection. The department shall issue a receipt for all unused certificates of inspection.

(g) If a permit is suspended or revoked under (e) of this section, the department shall give an operator of an official inspection station a hearing, upon written request filed with the department within 10 days after suspension or revocation.

(h) A permit to operate an official inspection station may not be assigned, transferred, or used at a location other than the location designated by the department.

Sec. 42.30.330. CERTIFICATION OF VEHICLE INSPECTORS. (a) A person may not conduct a motor vehicle inspection at an official inspection station under AS 42.30.320 unless certified as a vehicle inspector by the department.

(b) The department may suspend the certification issued to a vehicle inspector under (a) of this section if the vehicle inspector improperly conducted inspections or failed to comply with a provision of this section or regulations adopted under it.

(c) If a certificate is denied or suspended under (b) of this section the department shall give a vehicle inspector a hearing upon written request filed with the commissioner within 10 days after denial or suspension.

Sec. 42.30.340. ISSUANCE OF CERTIFICATE OF INSPECTION. (a) A person operating an official inspection station shall issue a certificate of inspection to the owner of a motor vehicle after determining

the motor vehicle is in a safe and mechanically sound condition.

(b) A person operating an official inspection station shall keep a record of each inspection performed at the station and the department may audit the records of an official inspection station at any time.

Sec. 42.30.350. FALSELY REPRESENTING TO BE AN OFFICIAL STATION.

(a) A person may not represent a place as an official inspection station unless the station is operating under a valid permit issued by the department under AS 42.30.320.

(b) A person may not issue a certificate of inspection unless holding a valid permit under AS 42.30.320.

Sec. 42.30.360. COUNTERFEIT CERTIFICATES OF INSPECTION. (a) A person may not make, issue, or knowingly use an imitation or counterfeit of an official certificate of inspection.

(b) A person may not knowingly display or issue a certificate of inspection on a motor vehicle unless the motor vehicle has met the requirements of AS 42.30.340.

Sec. 42.30.370. VIOLATION A MISDEMEANOR. A person who knowingly violates a provision of AS 42.30.300 - 42.30.360 is guilty of a class B misdemeanor.

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 compensation 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 device used or designed for flight in the air;

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

(5) "freight" means all commodities, articles, and cargo, of whatever nature or value, excluding garbage and trash;

(6) "motor vehicle" means a truck of more than 10,000 pounds unladen gross vehicle weight used upon a public highway.

* Sec. 4. Notwithstanding the amendment to AS 42.30.200(a)(3) made by sec. 1 of this Act, until July 1, 1985, a person to whom AS 42.30.200 applies need only maintain security in the amount of \$100,000 per seat for bodily injury or death in a single occurrence if a person operates an aircraft.

* Sec. 5. AS 44.33.020 is amended by adding a new paragraph to read:

(27) implement the financial responsibility requirements for motor vehicles and air carriers under AS 42.30.200 and 43.30.225.

* Sec. 6. This Act takes effect immediately in accordance with AS 01.-10.070(e).

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revised Date: _____

REQUEST Page 1 of 2

FISCAL DETAIL

Bill/Resolution No.: CSHB 133 (Fin) AGENCY Affected: Dept. Commerce & Ec. Develop.
Title: An Act relating to trans. Program Category Affected: Consumer Pro-

safety and financial responsibility

Section

Sponsor: _____ BRU, Program or Subprogram(s) Affected: _____

Requestor: _____ Measurement Standards

Date of Request: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FF 85	FF 86	FF 87	FF 88	FF 89	FF 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, TRAINS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-				

CAPITAL						
REVENUE	-0-	110.1				

FUNDING: (Thousands of Dollars)

FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

see attachment

Prepared By: HEC Subcommittee on CSHB 133 Phone: 465-3709
Division: _____ Date: _____

Approved by Commissioner: _____ Date: _____
Agency: _____

Analysis CSHB 133(Fin) Page 2 of 2

House Finance Subcommittee Analysis:

No additional General Funds are authorized to implement the duties required of the Division of Measurement Standards by this bill.

The Division of Measurement Standards currently has 39 permanent full-time positions and 9 permanent part-time positions.

The original fiscal note for HB 133, prepared by the Department, estimated 1986 cost to implement the provisions of the bill at \$110.1. Specifically, the Division will be responsible under this bill for receiving the carriers' proof of insurance and proof of FAA certification then issuing a certification that the carrier has complied with this section. It is estimated that between 225 and 250 intra-state carriers will be affected by this bill. The Division's operating budget is sufficient to absorb the additional cost.

Page 2 paragraph (f), line 18 requires the department to charge and collect fees necessary to implement this section. In accordance with this section, the department will collect costs incurred in connection with this program from the air carriers affected (estimated by the department at \$110.1). This revenue will be deposited in the General Fund.

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: CSHB 155 (L&C)
 Title: "...notice requirements...
 mobile homes..."
 Sponsor: Repr. Ringstad
 Requestor: House Labor & Commerce
 Date of Request: March 15, 1985

FISCAL DETAIL

Agency Affected: Department of Law
 Program Category Affected: Public Protection
 BRU, Program or Subprogram(s) Affected: Consumer Protection

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
900 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90

REVENUE	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90

FUNDING: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

The committee substitute adds a provision for 180 day eviction notice for mobile home owners when any changes in land use is to be made. The CSHB 155 (L&C) also gives the tenant or subtenant first right of refusal on the land and provides that if the offer is not accepted the offerer may not offer the land at a better price or terms to others for 180 days. These changes will not cause a fiscal impact as they provide precise guidelines that will encourage compliance with both landlord and tenant rights.

Prepared By: Richard I. Peguch, Director Phone: 465-3672
 Division: Administrative Services Date: 3/15/85

Approved by Commissioner: Northern C. Gorsuch Date: 3/15/85
 Agency: Department of Law

PROPOSED FEE FORMULA

CSHB 78(L&C) - Page 2 of 2

- 1) Actual Division cost allocated to a particular board for a fiscal year:
+
- 2) Cost of Board and License Examiners travel and per diem for a fiscal year:
+
- 3) Contractual costs for the Board for a fiscal year:
-
- 4) Subtract examination costs from the contractual costs:
-
- 5) Divide the above total by the number of licensees:
=
- 6) Base application fee (i.e. comity, credentialing, endorsement);
Exam application fee = Base fee + cost of examination.

(Total Division Cost) + (Board/Examiner) + (Contractual) - (Examination Costs)
 Trl & Per diem

BASE LICENSE/APPLICATION FEE

EXAMPLES

Based on the proposed fee formula, the following two examples are suggested:

1) MEDICAL LICENSURE: (High)

70.8 + 14.1 + 7.4 = 92.3 - .8 = 91.5
 (Div. cost) (Trl/PD) (Contractual) (Exam cost) (Total Bd cost)

91.5 ÷ 1393 (licensees) = \$ 65.69 (Base annual license fee)

\$65.69 x 4 = \$262.76 for current 4 year license. A reduction from the current cost of \$600 for four years.

This example is the basic formula that will be used with the additional computations for each category under a particular licensing authority.

2) NURSING LICENSURE: (Low)

166.4 + 14.6 + 10.1 = 191.1
 (Div. cost) (Trl/PD) (Contractual) (Total Bd cost)

191.1 - 3.0 = 188.1 ÷ 6261 (licensees) = \$ 30.04
 (Total Bd cost) (Exam cost) (Base annual fee)

Base annual license fee = \$30.04

Examination application/license fee = \$30.04 + 25.00 = \$ 55.04

30.04 x 2 = \$60.08 (Biennial license fee); an increase from the current license fee of \$50 for RN's and \$30 for LPN's.

CONSIDERATION OF THE DAILY CALENDARSECOND READING OF HOUSE BILLSHB 133

HOUSE BILL NO. 133 (providing authority for the Department of Public Safety to regulate safety of motor carrier and air carrier operations; effective date) which had been held over until today's calendar (page 647) was read the second time with the Transportation Committee report (page 391) and the Finance Committee report (page 639).

Representative Clocksin moved and asked unanimous consent that COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 133 (Finance) (relating to transportation safety and financial responsibility; effective date) be adopted in lieu of the original bill.

Representative Furnace objected.

The question being: "Shall CSHB 133(Fin) be adopted in lieu of the original bill?" The roll was taken with the following result:

CSHB 133(FIN) MOTION

Yeas:	28	Adams, Binkley, Boucher, Cato, Clocksin, Cotten, Davis, Duncan, Frank, Fuller, Gruenberg, Grussendorf, Herrmann, Hurley, Koponen, Larson, Marrou, Miller, M.M., Miller, M.W., Navarre, Pignalberi, Pourchot, Ringstad, Shultz, Sund, Szymanski, Taylor, Wallis
Nays:	7	Collins, Furnace, Hanley, Jenkins, Martin, Phillips, Rieger, Thompson, Uehling
Excused:	2	Pearce, Pettyjohn
Absent:	1	Goll

Pignalberi changed from "nay" to "yea".

And so, CSHB 133(Fin) was adopted.

CSHB 133(Fin)

Amendment No. 1 by Marrou:

Page 1, line 11:

Delete "Except as provided in AS 42.30.300 - 42.30.310, a"

Reinsert a capital "A" to begin new sentence.

Representative Marrou moved and asked unanimous consent that Amendment No. 1 be adopted.

Representative M.M.Miller objected.

The question being: "Shall Amendment No. 1 be adopted?"
The roll was taken with the following result:

CSHB 133(FIN) AM1

Yeas: 7 Collins, Furnace, Hanley, Jenkins,
Marrou, Martin, Phillips

Nays: 30 Adams, Binkley, Boucher, Cato,
Clocksin, Cotten, Davis, Duncan,
Frank, Fuller, Gruenberg,
Grussendorf, Herrmann, Hurley,
Koponen, Larson, Miller, M.M.,
Miller, M.W., Navarre, Pignalberi,
Pourchot, Rieger, Ringstad,
Shultz, Sund, Szymanski, Taylor,
Thompson, Uehling, Wallis

Excused: 2 Pearce, Pattyjohn

Absent: 1 Goll

And so, Amendment No. 1 was not adopted.

Amendment No. 2 by Marrou:

Page 1, lines 16 - 25:

Delete all material

Representative Marrou moved and asked unanimous consent that Amendment No. 2 be adopted.

Representative M.M.Miller objected.

CSHB 133(Fin)

The question being: "Shall Amendment No. 6 be adopted?"
The roll was taken with the following result:

CSHB 133(FIN) AM6

Yeas: 9 Collins, Furnace, Hanley, Jenkins,
Martin, Phillips, Pignalberi,
Rieger, Uehling

Nays: 29 Adams, Binkley, Boucher, Cato,
Clocksin, Cotten, Davis, Duncan,
Frank, Fuller, Goll, Gruenberg,
Grussendorf, Herrmann, Hurley,
Koponen, Larson, Marrou,
Miller, M.M., Miller, M.W., Navarre,
Pourchot, Ringstad, Shultz, Sund,
Szymanski, Taylor, Thompson,
Wallis

Excused: 2 Pearce, Pettyjohn

Absent: 0

And so, Amendment No. 6 was not adopted.

Representative Clocksin moved and asked unanimous consent that CSHB 133(Fin) be considered engrossed, advanced to third reading and placed on final passage. There being no objection, it was so ordered.

CSHB 133(Fin) was read the third time.

Representative Sund moved and asked unanimous consent that he be allowed to abstain from voting due to a conflict of interest.

Objection was noted, therefore Representative Sund was required to vote.

The question being: "Shall CSHB 133(Fin) pass the House?"
The roll was taken with the following result:

CSHB 133(FIN)

Yeas: 36 Adams, Binkley, Boucher, Cato,
Clocksin, Collins, Cotten, Davis,
Duncan, Frank, Fuller, Furnace,
Goll, Gruenberg, Grussendorf,
Hanley, Herrmann, Hurley, Jenkins,
Koponen, Larson, Miller, M.M.,
Miller, M.W., Navarre, Phillips,
Pignalberi, Pourchot, Rieger,
Ringstad, Shultz, Sund, Szymanski,
Taylor, Thompson, Uehling, Wallis

CSHB 133(Fin)

The question being: "Shall Amendment No. 2 be adopted?"
The roll was taken with the following result:

CSHB 133(FIN) AM2

Yeas: 5 Clocksin, Furnace, Jenkins,
Marrou, Martin

Nays: 32 Adams, Binkley, Boucher, Cato,
Collins, Cotten, Davis, Duncan,
Frank, Fuller, Gruenberg,
Grussendorf, Hanley, Herrmann,
Hurley, Koponen, Larson,
Miller, M.M., Miller, M.W., Navarre,
Phillips, Pignalberi, Pourchot,
Rieger, Ringstad, Shultz, Sund,
Szymanski, Taylor, Thompson,
Uehling, Wallis

Excused: 2 Pearce, Pettyjohn

Absent: 1 Goll

And so, Amendment No. 2 was not adopted.

Amendment No. 3 by Marrou:

Page 2, lines 7 - 8:

Delete "and may adopt regulations necessary to
implement this section"

Representative Marrou moved and asked unanimous consent that Amendment No. 3 be adopted.

Representative M.M. Miller objected.

The question being: "Shall Amendment No. 3 be adopted?"
The roll was taken with the following result:

CSHB 133(FIN) AM3

Yeas: 6 Furnace, Jenkins, Marrou, Martin,
Phillips, Shultz

Nays: 31 Adams, Binkley, Boucher, Cato,
Clocksin, Collins, Cotten, Davis,
Duncan, Frank, Fuller, Gruenberg,
Grussendorf, Hanley, Herrmann,
Hurley, Koponen, Larson,
Miller, M.M., Miller, M.W., Navarre,
Pignalberi, Pourchot, Rieger,
Ringstad, Sund, Szymanski, Taylor,
Thompson, Uehling, Wallis

CSHB 133(Fin)

Excused: 2 Pearce, Pettyjohn

Absent: 1 Goll

And so, Amendment No. 3 was not adopted.

Amendment No. 4 by Marrou:

Page 2, lines 9 - 29;

Page 3, lines 1 - 23:

Delete all material.

Representative Marrou moved and asked unanimous consent that Amendment No. 4 be adopted.

Representative Clocksin objected.

The question being: "Shall Amendment No. 4 be adopted?"
The roll was taken with the following result:

CSHB 133(FIN) AM4

Yeas: 4 Furnace, Jenkins, Marrou, Martin

Nays: 33 Adams, Binkley, Boucher, Cato,
Clocksin, Collins, Cotten, Davis,
Duncan, Frank, Fuller, Gruenberg,
Grussendorf, Hanley, Herrmann,
Hurley, Koponen, Larson,
Miller, M.M., Miller, M.W., Navarre,
Phillips, Pignalberi, Pourchot,
Rieger, Ringstad, Shultz, Sund,
Szymanski, Taylor, Thompson,
Uehling, Wallis

Excused: 2 Pearce, Pettyjohn

Absent: 1 Goll

And so, Amendment No. 4 was not adopted.

Amendment No. 5 by Sund:

Page 1, line 23:

Delete "\$100,000" and insert "\$300,000"

Representative Sund moved and asked unanimous consent that Amendment No. 5 be adopted.

CSHB 133(Fin)

Sec. 42.30.360. COUNTERFEIT CERTIFICATES OF INSPECTION. (a) A person may not make, issue, or knowingly use an imitation or counterfeit of an official certificate of inspection.

(b) A person may not knowingly display or issue a certificate of inspection on a motor vehicle unless the motor vehicle has met the requirements of AS 42.30.340.

Sec. 42.30.370. VIOLATION A MISDEMEANOR. A person who knowingly violates a provision of AS 42.30.300 - 42.30.360 is guilty of a class B misdemeanor.

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 compensation 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 device used or designed for flight in the air;

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

(5) "freight" means all commodities, articles, and cargo, of whatever nature or value, excluding garbage and trash;

(6) "motor vehicle" means a truck of more than 10,000 pounds unladen gross vehicle weight used upon a public highway.

* Sec. 4. Notwithstanding AS 42.30.200(a)(3) as enacted by sec. 1 of this Act, until July 1, 1985, a person to whom AS 42.30.200 applies need only maintain security in the amount of \$100,000 per seat for bodily injury or death in a single occurrence if the person operates an aircraft.

* Sec. 5. AS 44.33.020 is amended by adding a new paragraph to read:

(27) implement the financial responsibility requirements for motor vehicles and air carriers under AS 42.30.200 and 43.30.225.

* Sec. 6. This Act takes effect immediately in accordance with AS 01.10.070(c)."

Representative Furance moved and asked unanimous consent that Amendment No. 6 be adopted.

Representative M.M. Miller objected.

CSHB 133(Fin)

(e) The department shall suspend or revoke a permit of an operator of an official inspection station if the operator fails to meet the requirements of this section.

(f) Upon notice of suspension or revocation of a permit under (e) of this section, the operator of an official inspection station shall immediately terminate all inspection activities, and on demand by the department, return the permit and all certificates of inspection. The department shall issue a receipt for all unused certificates of inspection.

(g) If a permit is suspended or revoked under (e) of this section, the department shall give an operator of an official inspection station a hearing, upon written request filed with the department within 10 days after suspension or revocation.

(h) A permit to operate an official inspection station may not be assigned, transferred, or used at a location other than the location designated by the department.

Sec. 42.30.330. CERTIFICATION OF VEHICLE INSPECTORS. (a) A person may not conduct a motor vehicle inspection at an official inspection station under AS 42.30.320 unless certified as a vehicle inspector by the department.

(b) The department may suspend the certification issued to a vehicle inspector under (a) of this section if the vehicle inspector improperly conducted inspections or failed to comply with a provision of this section or regulations adopted under it.

(c) If a certificate is denied or suspended under (b) of this section the department shall give a vehicle inspector a hearing upon written request filed with the commissioner within 10 days after denial or suspension.

Sec. 42.30.340. ISSUANCE OF CERTIFICATE OF INSPECTION. (a) A person operating an official inspection station shall issue a certificate of inspection to the owner of a motor vehicle after determining the motor vehicle is in a safe and mechanically sound condition.

(b) A person operating an official inspection station shall keep a record of each inspection performed at the station and the department may audit the records of an official inspection station at any time.

Sec. 42.30.350. FALSELY REPRESENTING TO BE AN OFFICIAL STATION. (a) A person may not represent a place as an official inspection station unless the station is operating under a valid permit issued by the department under AS 42.30.320.

(b) A person may not issue a certificate of inspection unless holding a valid permit under AS 42.30.320.

CSHB 133(Fin)

Representative Uehling objected.

Representative Sund moved and asked unanimous consent that he be allowed to abstain from voting due to a conflict of interest.

Objection was noted, therefore Representative Sund was required to vote.

The question being: "Shall Amendment No. 5 be adopted?"
The roll was taken with the following result:

CSHB 133(FIN) AM5

Yeas: 15 Binkley, Collins, Cotten, Furnace, Gruenberg, Jenkins, Koponen, Martin, Miller, M.M., Miller, M.W., Navarre, Pignalberi, Rieger, Sund, Thompson

Nays: 21 Adams, Boucher, Catc, Clocksin, Davis, Duncan, Frank, Fuller, Grussendorf, Hanley, Herrmann, Hurley, Larson, Marrou, Phillips, Pourchot, Ringstad, Szymanski, Taylor, Uehling, Wallis

Excused: 2 Pearce, Pettyjohn

Absent: 2 Goll, Shultz

And so, Amendment No. 5 was not adopted.

Amendment No. 6 by Furnace:

Page 1, line 10, through Page 2, line 8:

Delete all material and insert the following:

"* Section 1. AS 42.30.200 is amended to read:
Sec. 42.30.200. FINANCIAL RESPONSIBILITY. (a) A person who carries passengers or freight for hire intrastate or a person who carries freight in a motor vehicle for commercial purposes shall procure and maintain security in the following amounts:

(1) \$200,000 for property damage in a single occurrence;

(2) \$500,000 for bodily injury or death in a single occurrence if a person operates a motor vehicle; and

CSHB 133(Fin)

(3) ~~\$300,000 per seat for bodily injury or death in a single occurrence if a person operates an aircraft AN AMOUNT DETERMINED BY THE DEPARTMENT OF PUBLIC SAFETY AS NECESSARY FOR THE REASONABLE PROTECTION OF THE PUBLIC AGAINST DAMAGES OR INJURY CAUSED BY THE PERSON].~~

(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 ENFORCEMENT OFFICERS] to enforce this section and may adopt regulations necessary to implement this section.

* Sec. 2. AS 42.30.200 is amended by adding new subsections to read:"

Page 2, lines 18 - 19:

Delete all material and insert:

"(f) This section applies only to a person who carries passengers or freight for hire in a motor vehicle or a propeller or jet-powered aircraft; or

(2) carries freight in a motor vehicle for commercial purposes."

Page 2, line 25:

Delete "AS 42.30.300" and insert "AS 42.30.200"

Page 3, line 6:

Following "certification.", insert: "The certificate shall be displayed on the aircraft so that it is visible to boarding passengers."

Page 3, ~~after~~ line 6:

Insert: "(d) A federally-certificated interstate air carrier who provides intrastate service between points in the state on an interstate or foreign route, and who uses, for that intrastate service, aircraft based primarily outside the state, shall also obtain a certificate of compliance for each aircraft used in intrastate service.

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

CSHB 133(Fin)

(f) An air carrier, who before the effective date of this Act, obtained a certificate to operate from the Alaska Transportation Commission, is not required to obtain a certificate of compliance under (a) of this section until the date on which the insurance policy on each aircraft must be renewed."

Relatter remaining subsection accordingly

Page 3, lines 10 - 25:

Delete all material and insert:

"ARTICLE 6. MOTOR VEHICLE SAFETY INSPECTIONS.
Sec. 42.30.300. MOTOR VEHICLE SAFETY INSPECTIONS. (a) A motor vehicle may not be operated in this state without a certificate of inspection. An owner of a motor vehicle shall renew a certificate of inspection at least once a year at an official inspection station under AS 42.30.320. An owner of a motor vehicle shall display a sticker of inspection visible from outside the vehicle in a location determined by the department.

(b) The commissioner of commerce and economic development may adopt regulations necessary to implement this section.

Sec. 42.30.310. EXEMPTIONS. A motor vehicle is exempt from the requirements of AS 42.30.300 if it is owned by the federal government.

Sec. 42.30.320. OFFICIAL INSPECTION STATIONS.
(a) A person may not operate an inspection station without a permit from the department. The department shall approve an application for permit to operate an inspection station if

(1) the department determines the inspection station has proper equipment and competent personnel; and

(2) a certified vehicle inspector under AS 42.30.330 is employed at the inspection station.

(b) After the department approves an application for a permit to operate an official inspection station under (a) of this section, it shall provide the applicant with a permit, certificates of inspection, and inspection stickers.

(c) Upon receipt of a permit from the department under (b) of this section, the operator of an official inspection station shall post the permit in a conspicuous place at the location designated by the department.

(d) The department may enter the premises of the operator of an official inspection station at any time to inspect the work of the certified vehicle inspectors under AS 42.30.330 or to determine if the operator continues to meet the requirements of this section.

CSHB 113(Fin)

Nays: 2 Marrou, Martin
Excused: 2 Pearce, Pettyjohn
Absent: 0

And so, CSHB 113(Fin) passed the House.

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.

Representative Clocksin moved and asked unanimous consent that the Finance Committee letter of intent (page 639) be adopted. There being no objection, it was so ordered.

Representative Martin gave notice of reconsideration of his vote on CSHB 113(Fin).

HB 168

HOUSE BILL NO. 168 (construction contractors; effective date) was read the second time with the Labor & Commerce Committee report (page 433) and the Finance Committee report (page 662)

Representative Clocksin moved and asked unanimous consent that COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 168 (Labor & Commerce) (same title) be adopted in lieu of the original bill. There being no objection, it was so ordered.

CSHB 168(L&C)

Amendment No. 1 by Marrou:

Page 2, lines 2 - 3:

Delete "Advertising and contracts shall also include the contractor's registration number"

Representative Marrou moved and asked unanimous consent that Amendment No. 1 be adopted.

Representative Clocksin object d.

CSHB 168(L&C)

The question being: "Shall Amendment No. 1 be adopted?"
The roll was taken with the following result:

CSHB 168(L&C) AM1

Yeas: 2 Marrou, Thompson

Nays: 35 Adams, Binkley, Boucher, Cato,
Clocksin, Collins, Cotten, Davis,
Frank, Fuller, Furnace, Goll,
Gruenberg, Grussendorf, Hanley,
Herrmann, Hurley, Jenkins,
Koponen, Larson, Martin,
Miller, M.M., Miller, M.W., Navarre,
Phillips, Pignalberi, Pourchot,
Rieger, Ringstad, Shultz, Sund,
Szymanski, Taylor, Uehling,
Wallis

Excused: 2 Pearce, Pettyjohn

Absent: 1 Duncan

And so, Amendment No. 1 was not adopted.

Amendment No. 2 by Marrou:

Page 2, line 12:

Delete "\$10,000" and reinsert "\$5,000"

Representative Marrou moved and asked unanimous consent
that Amendment No. 2 be adopted.

Representative M.M. Miller objected.

The question being: "Shall Amendment No. 2 be adopted?"
The roll was taken with the following result:

CSHB 168(L&C) AM2

Yeas: 2 Furnace, Marrou

Nays: 34 Adams, Binkley, Boucher, Cato,
Clocksin, Collins, Cotten, Frank,
Fuller, Goll, Gruenberg,
Grussendorf, Hanley, Herrmann,
Hurley, Jenkins, Koponen, Larson,
Martin, Miller, M.M., Miller, M.W.,
Navarre, Phillips, Pignalberi,
Pourchot, Rieger, Ringstad,
Shultz, Sund, Szymanski, Taylor,
Thompson, Uehling, Wallis

SENATE JOURNAL

ALASKA STATE LEGISLATURE

FOURTEENTH LEGISLATURE - FIRST SESSION

JUNEAU, ALASKA

TUESDAY

March 26, 1985

Seventy-second Day

Pursuant to adjournment, the Senate was called to order by President Bennett at 11:07 a.m.

The roll showed eighteen members present. Senators Ray and Sturgulewski were excused from a call of the Senate.

The prayer was offered by the Chaplain, Father Finn of St. Paul Catholic Church. Senator Josephson moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

"Oh Lord, through Whom and in Whom we live
and have our being... we thank You for the
beauty of this day in this, the most beautiful
of states. Remind us of what it means to be
Christian and responsible in our time.

'In the home, it is kindness;
In the business, it is honesty;
In society, it is courtesy;
In work and deliberation, it is fairness;
Toward the unfortunate, it is sympathy;
Toward the weak, it is help;
Toward the wicked, it is resistance;
Toward the strong, it is trust;
Toward the penitent, it is forgiveness;
Toward the successful, it is congratulation;
And toward God, it is reverence and obedience.'
(Anonymous)

Amen"

Senator Halford moved and asked unanimous consent that the journal for the seventy-first legislative day be approved as certified by the Secretary. Without objection, it was so ordered.

MESSAGES FROM THE HOUSE

Message of March 25 was read, stating the House passed:

FIRST READING AND REFERENCE OF HOUSE RESOLUTIONS

HJR 23

HOUSE JOINT RESOLUTION NO. 23 by Representative Martin,

Relating to U.S. Customs Service offices on
the West Coast,

was read the first time and referred to the Labor and Commerce
Committee.

FIRST READING AND REFERENCE OF HOUSE BILLS

HB 133

CS FOR HOUSE BILL NO. 133 (FIN) am by the Finance Committee,
entitled:

"An Act relating to transportation safety and
financial responsibility; and providing for an
effective date."

was read the first time and referred to the Transportation
Committee and the Finance Committee.

HB 168

CS FOR HOUSE BILL NO. 168 (L&C) by the Labor and Commerce
Committee, entitled:

"An Act relating to construction contractors; and
providing for an effective date."

was read the first time and referred to the Labor and Commerce
Committee, the Judiciary Committee and the Finance Committee.

HB 208

HOUSE BILL NO. 208 by Representatives Cato and Grussendorf by
request, entitled:

"An Act authorizing salmon classics."

was read the first time and referred to the Finance Committee.

CSHB 50(Fin)

(D) if a joint venture, is composed entirely of venturers that qualify under this paragraph:"

Re-number remaining section accordingly.

Representative Phillips moved and asked unanimous consent that Amendment No. 2 be adopted.

Representative Sund objected.

Representative Phillips moved and asked unanimous consent that he be allowed to withdraw Amendment No. 2.

Representative Furnace objected and withdrew his objection. There being no further objection, Amendment No. 2 was withdrawn.

Amendment No. 3 by Phillips:

Page 1, line 23:

Change "may" to "shall"

Representative Phillips moved and asked unanimous consent that Amendment No. 3 be adopted.

Representative Szymanski objected.

The question being: "Shall Amendment No. 3 be adopted?"
The roll was taken with the following result:

CSHB 50(FIN) AM3

Yeas:	5	Furnace, Jenkins, Martin, Phillips, Thompson
Nays:	34	Adams, Binkley, Boucher, Cato, Clocksin, Collins, Cotton, Davis, Duncan, Frank, Fuller, Goll, Gruenberg, Grussendorf, Hanley, Herrmann, Hurley, Koponen, Larson, Marrou, Miller, M.M., Miller, M.W., Navarre, Pearce, Pettyjohn, Pignalberi, Pourchot, Rieger, Ringstad, Shultz, Sund, Szymanski, Taylor, Wallis
Excused:	1	Uehling
Absent:	0	

CSHB 50(Fin)

And so, Amendment No. 3 was not adopted.

Representative Clocksin moved and asked unanimous consent that CSHB 50(Fin) be considered engrossed, advanced to third reading and placed on final passage.

Representative Furnace objected.

The Speaker placed a call of the House on CSHB 50(Fin) and stated that the call had been satisfied.

Representative Furnace withdrew his objection and CSHB 50(Fin) was advanced to third reading.

CSHB 50(Fin) was read the third time.

The question being: "Shall CSHB 50(Fin) pass the House?"
The roll was taken with the following result:

CSHB 50(FIN)

Yeas:	33	Adams, Binkley, Boucher, Cato, Clocksin, Collins, Cotten, Davis, Duncan, Frank, Fuller, Goll, Gruenberg, Grussendorf, Herrmann, Hurley, Koponen, Larson, Miller, M.M., Miller, M.W., Navarre, Pearce, Phillips, Pignalberi, Pourchot, Rieger, Ringstad, Shultz, Sund, Szymanski, Taylor, Thompson, Wallis
Nays:	6	Furnace, Hanley, Jenkins, Marrou, Martin, Pettyjohn
Excused:	1	Uehling
Absent:	0	

And so, CSHB 50(Fin) passed the house and was referred to the Chief Clerk for engrossment.

HB 133

HOUSE BILL NO. 133 (providing authority for the Department of Public Safety to regulate safety of motor carrier and air carrier operations; effective date) was read the second time with the Transportation Committee report (page 391) and the Finance Committee report (page 639).

CSHB 253(C&RA)

CSHB 253(C&RA)

Yeas: 39 Adams, Binkley, Boucher, Cato,
Clocksin, Collins, Cotten, Davis,
Duncan, Frank, Fuller, Furnace,
Goll, Gruenberg, Grussendorf,
Hanley, Herrmann, Hurley, Jenkins,
Koponen, Larson, Marrou, Martin,
Miller, M.M., Miller, M.W., Navarre,
Pearce, Pettyjohn, Phillips,
Pignalberi, Pourchot, Rieger,
Ringstad, Shultz, Sund, Szymanski,
Taylor, Thompson, Wallis

Nays: 0

Excused: 1 Uehling

Absent: 0

And so, CSHB 253(C&RA) passed the House.

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 253(C&RA) was referred to the Chief Clerk for engrossment.

SECOND READING OF SENATE BILLSCSSB 101(Jud)am

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 101 (Judiciary) amended (relating to character investigation and fingerprinting of applicants to the Alaska Bar Association; and amending Rule 3, section 2 and Rule 5, section 1(b) of the Rules of the Alaska Bar Association) was read the second time with the Judiciary Committee report (page 637).

Representative Clocksin moved and asked unanimous consent that CSSB 101(Jud)am be considered engrossed, advanced to third reading and placed on final passage. There being no objection, it was so ordered.

CSSB 101(Jud)am was read the third time.

HB 133

Representative Clocksin moved and asked unanimous consent that HB 133 be removed from today's calendar and placed on the March 22, 1985, calendar in second reading.

Representative Furnace objected and withdrew his objection.

Representative Martin objected.

Representative Clocksin rose to a point of order stating the debate was not on the motion.

The Speaker ruled the point was well taken.

Representative Martin withdrew his objection, and HB 133 will appear on the March 22, 1985, calendar.

HB 253

HOUSE BILL NO. 253 (allowing municipalities to exempt land from property taxes and from special assessments for fire protection service and fire protection facilities; effective date) was read the second time with the Community & Regional Affairs Committee report (page 622).

Representative Clocksin moved and asked unanimous consent that COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 253 (Community & Regional Affairs) (same title) be adopted in lieu of the original bill. There being no objection, it was so ordered.

CSHB 253(C&RA)

Representative Clocksin moved and asked unanimous consent that CSHB 253(C&RA) be considered engrossed, advanced to third reading and placed on final passage. There being no objection, it was so ordered.

CSHB 253(C&RA) was read the third time.

The question being: "Shall CSHB 253(C&RA) pass the House?" The roll was taken with the following result:

HB 185

The Health, Education & Social Services Committee has considered HOUSE BILL NO. 185 (relating to student loans, effective date), recommends it be replaced with COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1 (Loans) (page 504) and reports it back as follows: Kaponen and Gruenberg (Co-Chairs), Hurley, Taylor and Thompson recommend do pass; Pettyjohn has no recommendation.

HB 185 was referred to the Finance Committee.

HE 223

The Transportation Committee has considered HOUSE BILL NO. 223 (relating to designation of the Dillingham to Aleknagik road) and reports it back as follows: Cato (Chairman), Saultz, Herrmann, Marrou, Davis, Furnace and Pignalberi recommend do pass. A zero fiscal note was attached.

HB 223 was referred to the Finance Committee.

HB 239

The State Affairs Committee has considered HOUSE BILL NO. 239 (relating to the longevity bonus program; effective date) and reports it back as follows: Hurley (Chairman), Boucher and Cato recommend do pass; M.M. Miller and Navarre signed "Do Pass with Amendments; Jenkins and Collins signed "with amendments". A zero fiscal note with analysis was attached.

HB 239 was referred to the Finance Committee.

The zero fiscal note with analysis appears in House Journal Supplement No. 32.

REPORTS OF SPECIAL COMMITTEESHB 4

The House Special Committee on State Loans has considered HOUSE BILL NO. 4 (relating to debt of the state, its agencies, and municipalities; effective date), recommends it be replaced with COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 4 (Loans) (same title) and reports it back as follows: Sord (Chairman), Uehling and Fuller recommend do pass; Cotten has no recommendation. A fiscal note was attached.

HB 4 was referred to the Finance Committee.

The fiscal note appears in House Journal Supplement No.

HB 133

The Finance Committee has considered HOUSE BILL NO. 133 (providing authority for the Department of Public Safety to regulate safety of motor carrier and air carrier operations; effective date), recommends it be replaced with COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 133 (Finance):

"An Act relating to transportation safety and financial responsibility; and providing for an effective date."

and reports it back as follows: Adams (Chairman), Duncan, Ringstad, Binkley, Larson, Pourchot, Frank, Rieger and Szymanski recommend do pass; Uehling has no recommendation. A zero fiscal note with analysis and a letter of intent were attached.

HB 133 appears on today's calendar.

The zero fiscal note with analysis appears in House Journal Supplement No. 32.

The letter of intent, signed by the Chairman, appears below:

HOUSE FINANCE COMMITTEE
LETTER OF INTENT
For
CSHB 133 (Finance)

"It is the intent of the Legislature that a study be undertaken by legislative staff to determine:

- 1) what federal safety regulations are applicable to Alaska intrastate air commerce, and which, if any, ought to be incorporated into the State's certification of compliance program;
- 2) if the hazardous flying conditions in Alaska warrant additional safety training for pilots as a condition of state certification of compliance; and
- 3) the effects of phase out or elimination of the federal essential air service program on the reliability of air service to Alaska communities."

HB 155

A zero fiscal note with analysis was received from the Labor & Commerce Committee to accompany HOUSE BILL NO. 155 (establishment of horizontal property regimes for manufactured housing; effective date) which was reported out of committee with a committee substitute (relating to notice requirements on the closure of mobile home parks and permitting the establishment of horizontal property regimes for mobile homes; effective date) (page 621). The fiscal note has been transmitted to the next committee of referral, the Judiciary Committee, and appears in House Journal Supplement No. 32.

CSHB 133(Fin)am

CSHB 133(Fin)am was referred to the Chief Clerk for engrossment.

HB 297

Representative Hurley added her name as co-sponsor to HOUSE BILL NO. 297 (review panels for children in foster care; and amending the Rules of Children's Procedure).

HB 317

Representative Pignalberi added his name as co-sponsor to HOUSE BILL NO. 317 (practice of social work and establishing the Board of Social Worker Examiners; effective date).

ENGROSSMENTCSHB 133(Fin)am

CSHB 133(Fin)am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 208

HB 208 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HJR 23

Reconsideration of the following was not taken up on this legislative day. It was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration:

HJR 23
U.S. Customs Service offices on the West
Coast

CSHB 168(L&C)

Reconsideration of the following was not taken up on this legislative day. It was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration:

CSHB 168(L&C)
Construction contractors; effective date

CSHB 133(Fin,am

JSrB 133(FIN)AM EFD

Yeas: 27 Adams, Binkley, Boucher, Cato,
Clocksin, Cotten, Davis, Duncan,
Fuller, Goll, Gruenberg,
Grussendorf, Hurley, Koponen,
Larson, Miller, M.M., Miller, M.W.,
Navarre, Phillips, Pignalberi,
Pourchot, Ringstad, Sund,
Szymanski, Taylor, Thompson,
Wallis

Nays: 10 Frank, Furnace, Hanley, Herrmann,
Jenkins, Marrou, Martin,
Pettyjohn, Rieger, Uehling

Excused: 2 Collins, Pearce

Absent: 1 Shultz

Szymanski changed from "nay" to "yea".

And so, the effective date clause was adopted.

Representative Clocksin moved and asked unanimous consent that the Finance Committee letter of intent (page 677) be adopted.

Representative Martin objected.

The question being: "Shall the Finance Committee letter of intent be adopted?" The roll was taken with the following result:

CSHB 133(FIN)AM FIN INTENT

Yeas: 29 Adams, Binkley, Boucher, Cato,
Clocksin, Cotten, Davis, Duncan,
Fuller, Goll, Gruenberg,
Grussendorf, Herrmann, Hurley,
Jenkins, Larson, Miller, M.M.,
Miller, M.W., Navarre, Phillips,
Pignalberi, Pourchot, Rieger,
Ringstad, Sund, Szymanski, Taylor,
Thompson, Wallis

Nays: 7 Frank, Furnace, Hanley, Marrou,
Martin, Pettyjohn, Uehling

Excused: 2 Collins, Pearce

Absent: 2 Koponen, Shultz

And so, the Finance Committee's letter of intent was adopted.

CSHB 133(Fin)

Nays: 17 Adams, Boucher, Cato, Davis,
Duncan, Frank, Fuller,
Grussendorf, Herrmann, Larson,
Marrou, Pettyjohn, Shultz,
Szymanski, Taylor, Uehling,
Wallis

Excused: 2 Collins, Pearce

Absent: 0

And so, Amendment No. 7 was adopted.

CSHB 133(Fin)am

The question to be reconsidered: "Shall CSHB 133(Fin)am pass the House?" The roll was taken with the following result:

CSHB 133(FIN)am

Yeas: 34 Adams, Binkley, Boucher, Cato,
Clocksin, Cotten, Davis, Duncan,
Frank, Fuller, Goll, Gruenberg,
Grussendorf, Hanley, Herrmann,
Hurley, Jenkins, Koponen, Larson,
Miller, M.M., Miller, M.W., Navarre,
Phillips, Signalberi, Pourchot,
Rieger, Ringstad, Shultz, Sund,
Szymanski, Taylor, Thompson,
Uehling, Wallis

Nays: 4 Furnace, Marrou, Martin,
Pettyjohn.

Excused: 2 Collins, Pearce

Absent: 0

And so, CSHB 133(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.

Representative Pettyjohn objected.

The question being: "Shall the effective date clause be adopted? The roll was taken with the following result:

CSHB 133(Fin)THIRD READING OF HOUSE BILLS

CSHB 133(Fin) was read the third time.

Representative Gruenberg moved that CSHB 133(Fin) be returned to second reading for the purpose of specific amendment No. 7.

Amendment No. 7 by Gruenberg, Navarre, Martin and Furnace:

Page 1, line 23:

Delete "\$100,000" and insert "\$200,000".

The question being: "Shall CSHB 133(Fin) be returned to second reading for the purpose of specific Amendment No. 7?" The roll was taken with the following result:

CSHB 133(FIN) MOTION

Yeas:	26	Binkley, Clocksin, Cotten, Davis, Duncan, Furnace, Goll, Gruenberg, Hanley, Hurley, Jenkins, Koponen, Larson, Martin, Miller, M.M., Miller, M.W., Navarre, Pettyjohn, Phillips, Pignalberi, Pourchot, Rieger, Ringstad, Sund, Thompson, Uehling
Nays:	12	Adams, Boucher, Cato, Frank, Fuller, Grussendorf, Herrmann, Marrou, Shultz, Szymanski, Taylor, Wallis
Excused:	2	Collins, Pearce
Absent:	0	

And so, the motion passed.

Representative Gruenberg moved that amendment No. 7 be adopted.

The question being: "Shall Amendment No. 7 be adopted?" The roll was taken with the following result:

CSHB 133(FIN) AM7

Yeas:	21	Binkley, Clocksin, Cotten, Furnace, Goll, Gruenberg, Hanley, Hurley, Jenkins, Koponen, Martin, Miller, M.M., Miller, M.W., Navarre, Phillips, Pignalberi, Pourchot, Rieger, Ringstad, Sund, Thompson
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SPECIAL ORDERS

Representative Koponen moved and asked unanimous consent that the House approve the Citation Honoring Barbara Staley. There being no objection, it was so ordered and the citation was referred to the Chief Clerk for transmittal to the Senate.

UNFINISHED BUSINESS

Representative Clocksin moved and asked unanimous consent that the following member be excused from a call of the House:

Representative Koponen - after session
April 4, through plane time April 8,
1985.

There being no objection, it was so ordered.

HB 273

The Speaker waived the Judiciary Committee referral on HOUSE BILL NO. 273 (Extralateral rights of federal lode mining claims) at the request of the Chairman.

HB 273 was taken from Judiciary Committee and sent to the Rules Committee for placement on the calendar.

HB 130

Representative Koponen moved and asked unanimous consent that the referral of HOUSE BILL NO. 130 (educational employees' collective bargaining agreements; effective date) to the Health, Education & Social Services Committee be waived and the bill be sent directly to the Finance Committee.

Representative Martin objected.

Representative Koponen moved and asked unanimous consent to withdraw his motion. There being no objection, the motion was withdrawn.

CSHB 133(Fin)

Representative Gruenberg brought up the reconsideration of COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 133 (Finance) (relating to transportation safety and financial responsibility; effective date).

HB 208

Representative Clocksin moved and asked unanimous consent that HB 208 be considered engrossed, advanced to third reading and placed on final passage. There being no objection, it was so ordered.

HB 208 was read the third time.

The question being: "Shall HB 208 pass the House?" The roll was taken with the following result:

HB 208

Yeas:	36	Adams, Binkley, Boucher, Cato, Clocksin, Cotten, Davis, Duncan, Frank, Fuller, Furnace, Goll, Gruenberg, Grussendorf, Hanley, Herrmann, Hurley, Jenkins, Koponen, Larson, Marrou, Miller, M.M., Miller, M.W., Navarre, Pettyjohn, Pignalberi, Pourchot, Rieger, Ringstad, Shultz, Sund, Szymanski, Taylor, Thompson, Uehling, Wallis
Nays:	2	Martin, Phillips
Excused:	2	Collins, Pearce
Absent:	0	

And so, HB 208 passed the House and was referred to the Chief Clerk for engrossment.

LEGISLATIVE CITATIONS

Representative Clocksin moved and asked unanimous consent that the House approved the citations on the calendar. There being no objection, the House approved the following citations:

Honoring - Beverly Chapman

Honoring - Ruth Briggs, Alaskan Mother of the Year

The citations were referred to the Chief Clerk for enrollment.

Representative Koponen moved and asked unanimous consent that the following citation Honoring Barbara Stanley be taken up as a Special Order of Business at this time. There being no objection, it was so ordered.

Original sponsor: Rules/Governor

1 IN THE HOUSE

BY THE TRANSPORTATION COMMITTEE

2 CS FOR HOUSE BILL NO. 133 (Transportation)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to transportation safety and finan-
7 cial responsibility; and providing for an effective
8 date."

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

10 * Section 1. AS 42.30.200 is amended to read:

11 Sec. 42.30.200. FINANCIAL RESPONSIBILITY. (a) A person who
12 carries passengers or freight for hire intrastate or a person who
13 carries freight in a motor vehicle for commercial purposes shall
14 procure and maintain security in the following amounts:

15 (1) \$200,000 for property damage in a single occurrence;

16 (2) \$500,000 for bodily injury or death in a single occur-
17 rence if a person operates a motor vehicle; and

18 (3) \$300,000 per seat for bodily injury or death in a
19 single occurrence if a person operates an aircraft [AN AMOUNT DE-
20 TERMINED BY THE DEPARTMENT OF PUBLIC SAFETY AS NECESSARY FOR THE
21 REASONABLE PROTECTION OF THE PUBLIC AGAINST DAMAGES OR INJURY CAUSED
22 BY THE PERSON].

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

25 (1) a policy or certificate of insurance issued by an
26 insurer acceptable to the department; [OR]

27 (2) a bond of a surety company licensed to write surety
28 bonds in the state; [OR]

29 (3) evidence accepted by the department, showing ability to