

ALASKA LEGISLATURE COMMITTEE FILES 1985-1986 86/2

3804 HTRA HB 61 - HB 680

680

THE BILL WILL BE ENFORCED. I HAVE PREPARED OUR
RECOMMENDATIONS, AND ENCLOSE THEM FOR THE COMMITTEE'S
CONSIDERATION, ALONG WITH JUSTIFICATION FOR EACH.

WE URGE YOU TO PREPARE LEGISLATION WHICH INCORPORATES OUR
SUGGESTIONS, WHICH WE VIEW AS TECHNICAL AMENDMENTS, AND WHICH
LEAVES ALONE THE MORE CONTROVERSIAL PROVISIONS OF HB 133 SUCH
AS THE MINIMUM INSURANCE LEVELS. WE ALSO ENDORSE THE
GOVERNOR'S BUDGET REQUEST FOR ADDITIONAL ADMINISTRATIVE
SUPPORT TO THE DIVISION OF WEIGHTS AND MEASURES TO ENFORCE HB
133.

THANK YOU FOR THE OPPORTUNITY TO APPEAR BEFORE YOU TODAY.

Amendment 1 to Sec. 42.30.200(e) increases the size and severity of a fine to an air carrier who flies passengers for hire without first securing the minimum insurance levels required by HB 133 (\$150,000 per seat). Without a more strict penalty, carriers may find it cheaper to ignore the law than to comply.

Amendment 2 to Sec. 42.30.225(b) allows the insurance "certificate of compliance" to be posted in a visible location other than in the aircraft. This would be particularly helpful to the jet carriers which often interchange planes, thus making it difficult to post certificates in the aircraft. It would also reduce the cost of a certificate from \$50 to \$25.

Amendment 3 to Sec. 42.30.225(c) specifically authorizes the Department of Commerce to stop aircraft from carrying passengers for hire until they comply with HB 133.

Amendment 4 to Sec. 42.30.225(d) provides for a specific penalty for a carrier who fails to obtain a certificate of insurance from the State.

Amendment 5 to Sec. 42.30.380(3) clarifies the definition of aircraft to include rotor devices (helicopters)

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

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

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

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

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

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

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

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

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

23 (4) other security approved by the department.

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

27
28 Commerces Proposed Changes to
AS 42.30.200, .205, 380 - (Air
Carrier Financial responsibility)

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

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

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

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

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

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

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

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

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

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

15
16 Sec. 42.30.380. DEFINITIONS. (a) In AS 42.30.200 - 42.30.380,

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

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

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

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

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

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

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REQUEST Page 1 of 5
 Bill/Resolution No. CSHB 511 (Trsp)
 Title: An Act relating
to Air Carriers
 Sponsor: CAIO
 Requester: n/a
 Date of Request: n/a

FISCAL DETAIL Revision Date _____
 Agency Affected: Commerce
BRU Div of Measurement Standards
 Components: operations

EXPENDITURES/REVENUES (Thousands of Dollars)

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

FUNDING (Thousands of Dollars)

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

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

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

Prepared by: Rep. Darro Carr, Chairman Phone: 4858
 Division: House Transportation Committee Date: _____
 Approved by: Committee Darro Carr Date: _____
 Agency: _____

TITLE OF INCREMENT/DECREMENT:	AGENCY CONTACT/PHONE NUMBER:	CODE	EXPENDITURE BY OBJECT	AGENCY REQ.	GOV'S REQ.		
Air Carrier Program	Marvin Rieger/345-7750	71000	Personal Services	149.4	78.3		
DESCRIBE WHY THIS INCREMENT/DECREMENT IS NEEDED AND WHAT IT PURCHASES: <i>The air carrier financial responsibility bill as passed by the 14th legislative session mandated that the following functions be performed:</i> <ol style="list-style-type: none"> Maintain records on the limits of security and current status on all persons who carry passengers or freight for commercial purposes intrastate in an aircraft; Verify eligibility and issue certificates of compliance upon collection of a \$50.00 annual fee; and Investigate complaints and enforce the provisions of AS 42.30.200 and AS 42.30.225. <p><i>This bill was passed and signed into law without a fiscal note.</i></p> <p><i>The House journal dated June 17, 1985, contained a letter from Governor Sheffield to Representative Grussendorf and is partly quoted for information:</i></p> <p><i>"Dear Representative Grussendorf:</i></p> <p><i>Today I have signed the Conference Committee Substitute for House Bill 133 relating to transportation safety and financial responsibility for Alaska's truckers and air carriers.</i></p> <p><i>Although the substance of this legislation is basically sound and provides some assurance that the instate trucking and air industries operate in a safe manner and with adequate insurance, I am deeply concerned by the failure of the legislature to provide any funding."</i></p>		72000	Travel	15.0	15.0		
		73000	Contractual Services	12.0	4.0		
		74000	Supplies	1.5	1.5		
		75025	Equipment	46.0	11.3		
		75690	Lands, Buildings, Etc.				
		77000	Grants, Claims, Etc.				
		78000	Miscellaneous				
		TOTAL				223.9	110.1
		I-A Transfer (NON-ADD)					
		1002	Federal Receipts				
1003	General Fund Match						
1004	General Fund			161.4	47.6		
1005	I-A Receipts						
1028	Program Receipts 50%			62.5	62.5		
	Other						
POSITION INFORMATION		PFT		4	2		
		PPT					
		Non Permanent					
		Staff Months		48	24		
<input type="checkbox"/> Enhance Existing Service <input type="checkbox"/> Compared to FY 86 <input checked="" type="checkbox"/> New Service Compared to FY 86 <input type="checkbox"/> Continuation of FY 86 <input type="checkbox"/> Service Level		<input type="checkbox"/> Formula Program					
				IMPACT FROM CAPITAL PROJECT (NAME)			
				Chapter _____ SLA _____ Page/Line _____			

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

(6/84)-c5

AGENCY DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

BRU DIVISION OF MEASUREMENT STANDARDS

COMPONENT Operations

PROJECT _____

FY 87

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

000050

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

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

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

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

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

The field investigations will consist of:

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

C5

ADDITIONAL
EXPLANATION
FORM

AGENCY DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

BRU DIVISION OF MEASUREMENT STANDARDS

COMPONENT Operations

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Revised Date

FY 87

000051

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

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

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

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

Requested supplies are for standard office operating supplies.

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

Recommend that this increment be funded as follows:

161.4 - General Funds

62.5 - Program Receipts from certificate of compliance fees

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

C5

ADDITIONAL
EXPLANATION
FORM

AGENCY DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

BRU DIVISION OF MEASUREMENT STANDARDS

COMPONENT Operations

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Increment Cost Recap:

Personal Services: 149.4 - Salaries with 3% underfunding

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

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

Commodities: 1.5 - Standard office supplies

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

223.9

C5

ADDITIONAL
EXPLANATION
FORM

AGENCY DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

BRU DIVISION OF MEASUREMENT STANDARDS

COMPONENT Operations

FY 87

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Revised Date

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CERTIFICATION OF COMPLIANCE OF AIR CARRIERS

- PURPOSE

- WHO DOES IT APPLY TO

- REQUIREMENTS

- PROCEDURES

PURPOSE

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

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

WHY DOES IT APPLY TO

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

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

In defining the applicability of the provisions of AS 42.30.200 - 42.30.360:

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

REQUIREMENTS

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

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

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

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

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

PROCEDURES

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

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

INSTRUCTIONS
APPLICATION FOR
ALASKA AIR CARRIERS CERTIFICATE OF COMPLIANCE

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

Aircraft Description:

Type of aircraft; make and model.

Passenger Configuration:

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

FAA Registration Number:

Federal aviation aircraft registration number.

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

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

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

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

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

A SUMMARY FOR
COMMITTEE SUBSTITUTE FOR HOUSE BILL 611 (FINANCE) AMENDED
AN ACT RELATING TO ENPLANEMENTS, INVESTIGATIONS OF COMPLIANCE
WITH FINANCIAL RESPONSIBILITY AND CERTIFICATE OF COMPLIANCE
REQUIREMENTS FOR AIR CARRIERS, PENALTIES, DISPLAY OF
CERTIFICATES OF COMPLIANCE, AND THE DEFINITION OF AIRCRAFT.

WEDNESDAY, MAY 7, 1986

THIS LEGISLATION WAS INTRODUCED IN THE SENATE BY SENATOR
COGILL AND IN THE HOUSE BY REPRESENTATIVE CATO AFTER
DISCUSSIONS DURING THE INTERIM WITH THE DEPARTMENT OF COMMERCE
AND ALASKA AIR CARRIERS ASSOCIATION.

LAST YEAR WE ENACTED HOUSE BILL 133 WHICH REQUIRES COMMERCIAL
AIR CARRIERS TO MAINTAIN AT LEAST \$150,000 PER SEAT IN
LIABILITY INSURANCE (\$300,000 FOR SCHEDULED CARRIERS). WE
LEARNED THAT IN ORDER TO EFFECTIVELY ENFORCE THIS PROVISION,

WE NEEDED TO MAKE SOME AMENDMENTS TO THIS LAW TO GIVE IT SOME
TEETH.

SECTION 1. ADDS A NEW SUBSECTION TO MISCELLANEOUS POWERS AND
DUTIES OF THE DEPARTMENT OF TRANSPORTATION TO OBTAIN
ENPLANEMENT STATISTICS. RATHER THAN SPENDING THE TIME AND
MONEY FOR THE DEPARTMENT TO PROMULGATE REGULATIONS, THIS
AMENDMENT WOULD ALLOW DOT TO OBTAIN THE DATA WHICH IS
NECESSARY FOR FEDERAL AIRPORT FUNDING. WITHOUT THIS DATA,
ALASKA STANDS TO LOSE OVER \$1,000,000 IN FEDERAL FUNDS.

SECTION 2. SPECIFICALLY AUTHORIZES THE DEPARTMENT OF COMMERCE
TO STOP AIRCRAFT FROM CARRYING PASSENGERS FOR HIRE UNTIL THEY
SECURE THE MINIMUM REQUIRED LIABILITY INSURANCE. IT ALSO
AUTHORIZES THE DEPARTMENT TO CONDUCT INVESTIGATIONS IF
NECESSARY TO FIND VIOLATORS.

SECTION 3. INCREASES THE SIZE AND SEVERITY OF A FINE TO AN AIR CARRIER WHO FILES PASSENGERS FOR HIRE WITHOUT FIRST SECURING THE MINIMUM INSURANCE LEVELS REQUIRED BY HOUSE BILL 133. WITHOUT A MORE STRICT PENALTY, CARRIERS MAY FIND IT CHEAPER TO IGNORE THE LAW THAN TO COMPLY.

THE ADDITIONAL CHANGE TO THIS SECTION IS TO NOT ONLY MAKE THIS VIOLATION A CLASS A MISDEMEANOR, BUT ALSO IS LIABLE FOR A CIVIL FINE.

CLASS A MISDEMEANOR CARRIES A FINE OF \$5,000 AND IMPRISONMENT FOR NOT MORE THAN ONE YEAR.

THE CIVIL FINE IS FOR NOT LESS THAN \$1,000 OR MORE THAN \$5,000 FOR EACH DAY OF VIOLATION WITH A CAP OF \$50,000.

SECTION 4. ALLOWS THE INSURANCE "CERTIFICATE OF COMPLIANCE" TO BE POSTED IN A VISIBLE LOCATION OTHER THAN IN THE AIRCRAFT.

THIS WOULD BE PARTICULARLY HELPFUL TO THE JET CARRIERS WHICH OFTEN INTERCHANGE PLANES, THUS MAKING IT DIFFICULT TO POST CERTIFICATES IN THE AIRCRAFT.

SECTION 5. PROVIDES SPECIFIC AUTHORITY TO ISSUE A CEASE AND DESIST ORDER IF A CARRIER IS OPERATING WITHOUT A STATE CERTIFICATE OF INSURANCE.

SECTION 6. PROVIDES FOR A SPECIFIC PENALTY FOR A CARRIER WHO FAILS TO OBTAIN A CERTIFICATE OF INSURANCE FROM THE STATE. THIS PENALTY IS LESS THAN THE PENALTY FOR COMMERCIAL AVIATION WITHOUT LIABILITY INSURANCE (SECTION 2).

SECTION 7. CLARIFIES THE DEFINITION OF AIRCRAFT TO INCLUDE ROTOR DEVICES (HELICOPTERS).

SECTION 8. REPEALS AS 42.30.225(c) WHICH STATES THAT THE USE OF AN AIRCRAFT IN AIR COMMERCE BEFORE OBTAINING A CERTIFICATE OF COMPLIANCE REQUIRED UNDER THIS SECTION MAY BE CAUSE FOR DENIAL OF THE CERTIFICATE. THIS IS REPLACED WITH THE LANGUAGE IN SECTION 5 WHICH NOW MAKES THIS A CLASS B MISDEMEANOR AND PUNISHABLE BY A FINE.

ALSO REPEALS AS 42.30.225(d) WHICH STATES THAT A PERSON WHO HAS OBTAINED A CERTIFICATE TO USE AN AIRCRAFT IN AIR COMMERCE FROM THE ATC BEFORE JUNE 13, 1985 IS NOT REQUIRED TO OBTAIN A CERTIFICATE OF COMPLIANCE UNDER THIS SECTION UNTIL THE DATE THE INSURANCE POLICY FOR THE AIRCRAFT IS RENEWED. THIS WAS ORIGINALLY PUT IN HB 133 TO PHASE IN THIS PROGRAM. SINCE ATC AND THE DATE OF THIS PROVISION ARE DEFUNCT, THIS IS CLEAN UP LANGUAGE TO THIS SECTION.

Alaska State Legislature

House of Representatives

Committee on Transportation

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4858

Rep. Bette Cato, Chairman

10 April 1986

TO: REPRESENTATIVE AL ADAMS
CHAIRMAN, HOUSE FINANCE

FROM: Representative Bette Cato *BC*

RE: CS for House Bill 611 (TRSP)

In cooperation with the Alaska Air Carriers and the House Judiciary Committee, I would like to request your consideration to the attached committee substitute for House Bill 611 (Finance) which has the following changes:

The first change is to add a new subsection as follows:

"The department may acquire data on passenger enplanements from air carriers."

During the House Transportation committee meeting, we learned that the Commissioner of Transportation needs the authority to obtain enplanement statistics for the purpose of obtaining federal funds. This was done by the Alaska Transportation Commission and the information was passed along to DOT. Failure to acquire this information will result in loss of federal airport funds.

The next changes were done in the spirit of compromise with Representative Gruenberg which he felt was necessary to clarify the enforcement language.

AS 42.30.200(e) A person who violates [(a) OF] this section is guilty of a class A misdemeanor and is further liable for [PUNISHABLE BY] a civil fine of not less than \$1000 [\$500] or more than \$5000 for each day of violation in a civil action brought by the department [\$1000].

Representative Gruenberg felt that if we were going to make this violation a class A misdemeanor, then we should not reduce the punishment under a Class A misdemeanor, but clarify that a civil fine be levied. The addition of "in a civil

action brought by the department" clarifies that the department would be bringing a "civil" action as opposed to a "criminal" action against an offender.

These suggested changes have been submitted to you after various discussions and meetings with the Alaska Air Carriers and Representative Gruenberg. If I can provide anything further, please give me a call.

Concern has been expressed to narrow the title of this bill to prevent this bill becoming an insurance issue. To date I have not seen any proposed amendments to the title.

Thank you for your attention to this bill and for scheduling it in committee in such an expeditious manner.

BC/rc

FRIDAY, FEB. 10

SENATE TRSP. MEETING:

Commissioner Sundberg discussed the Voluntary Compliance w/ House Bill 133 (pretty much the same thing he discussed ^{last} Sat. at Truckers Meeting); no funds - no enforcement. Needs funding for "specialized" individual to train & inspect safety program. A lot of work to be done

~~\$500~~ Asked \$435,000 Gov reduced to \$349,000 - 6 personnel in FY 87 budget

Senator Coghill requested Sundberg to provide figure (estimates) for a supplement.

Senator ~~Abraham~~ ^{asked} why don't inspect at weigh station like ATC uses to. Sen. Coghill said 133 put inspections in private sector

JOE SWANSON testified

Hardship of truckers getting insurance.

Inquiries - hardship securing insurance. No one had a problem w/ it during hearings last year.

Recommend - ~~is~~ no in regulations until ~~it~~ get feet on ground.

Coghill - truckers way below odds all of them had to carry

Don't understand difference between from ins co. brought out Lynden only one w/ any ins. 1.5 for 4. m policy

E. Elizabeth
Reed's prepared
testimony

Joe Swanson

3 yrs ago weight station Ps to Commerce; no
auth to inspect was transferred to
Dept; Commerce feels should have some
way to stop vehicle w/certain type of
haz dang (broken windshield, brakes)
don't proceed let find

No ATC - no auth to do

P.S. great similar auth - legal problems -
Commerce to P.S. - back into program

* No safety inspections

Only auth - done by local or state police
State police can stop unsafe truck

Alford - weight station used to stop using
vial grabs; now don't do that

Swanson - 40% of trucks of heavy weight
60% don't = 60% more inspections =
reason for 133
(not good) not on long hauls = reason

133 - safety program, ATC never did

HB

664

HB 663

HOUSE BILL NO. 663 by Furnace, entitled:

"An Act relating to the foreclosure of liens by a municipality.

was read the first time and referred to the Community & Regional Affairs and Judiciary Committees.

HB 664 *file*

HOUSE BILL NO. 664 by Frank, Davis, Ringstad and Shultz, entitled:

"An Act relating to naming the Robert J. Mitchell Expressway."

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

HB 665

HOUSE BILL NO. 665 by Taylor, entitled:

"An Act relating to regulation of cable television service; and providing for an effective date."

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

HB 666

HOUSE BILL NO. 666 by Herrmann by request, entitled:

"An Act relating to coastal management; and providing for an effective date."

was read the first time and referred to the State Affairs, Resources and Finance Committees.

HB 667

HOUSE BILL NO. 667 by Taylor and Gruenberg, entitled:

"An Act relating to consent to adoption."

was read the first time and referred to the Health, Education & Social Services and Judiciary Committees.

HB 668

HOUSE BILL NO. 668 by Koponen, Hurley and Goll, entitled:

"An Act relating to scholarship loans for part-time students; and providing for an effective date."

was read the first time and referred to the House Special Committee on State Loans, Health, Education & Social Services and Finance Committees.

HB 669

HOUSE BILL NO. 669 by Koponen, Davis, Frank and Ringstad, entitled:

"An Act relating to state support for education; and providing for an effective date."

was read the first time and referred to the Health, Education & Social Services and Finance Committees.

HB 670 *file*

HOUSE BILL NO. 670 by Hanley, Jenkins, Pearce and Pignalberi, entitled:

"An Act relating to the international airports in Anchorage and Fairbanks and establishing the Alaska International Airport Authority."

was read the first time and referred to the House Special Committee on State Loans and the Transportation and Finance Committees.

HB 671

HOUSE BILL NO. 671 by Hanley, Jenkins, Pearce and Pignalberi, entitled:

"An Act making a special appropriation to the Department of Transportation and Public Facilities for a study concerning airport management problems and the feasibility of an independent international airport authority; and providing for an effective date."

was read the first time and referred to the House Special Committee on State Loans and the Transportation and Finance Committees.

**HOUSE
COMMITTEE REPORT**

(7)

Date referred: 2/17/86

FURTHER REFERRALS: FINANCE

DATE: _____

The TRANSPORTATION Committee has considered HB 664

"An Act relating to naming the Robert J. Mitchell Expressway."

and recommends:

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

and recommends _____

further referral to the _____ Committee

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

SIGNING DO PASS:

Bette Cuta
Dick Schultz
Mike Moran
A. J. M. Marrou
Bill Gammie
McQuinn

SIGNING OTHER RECOMMENDATIONS:

Bette Cuta
Chairman

STATE OF ALASKA
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

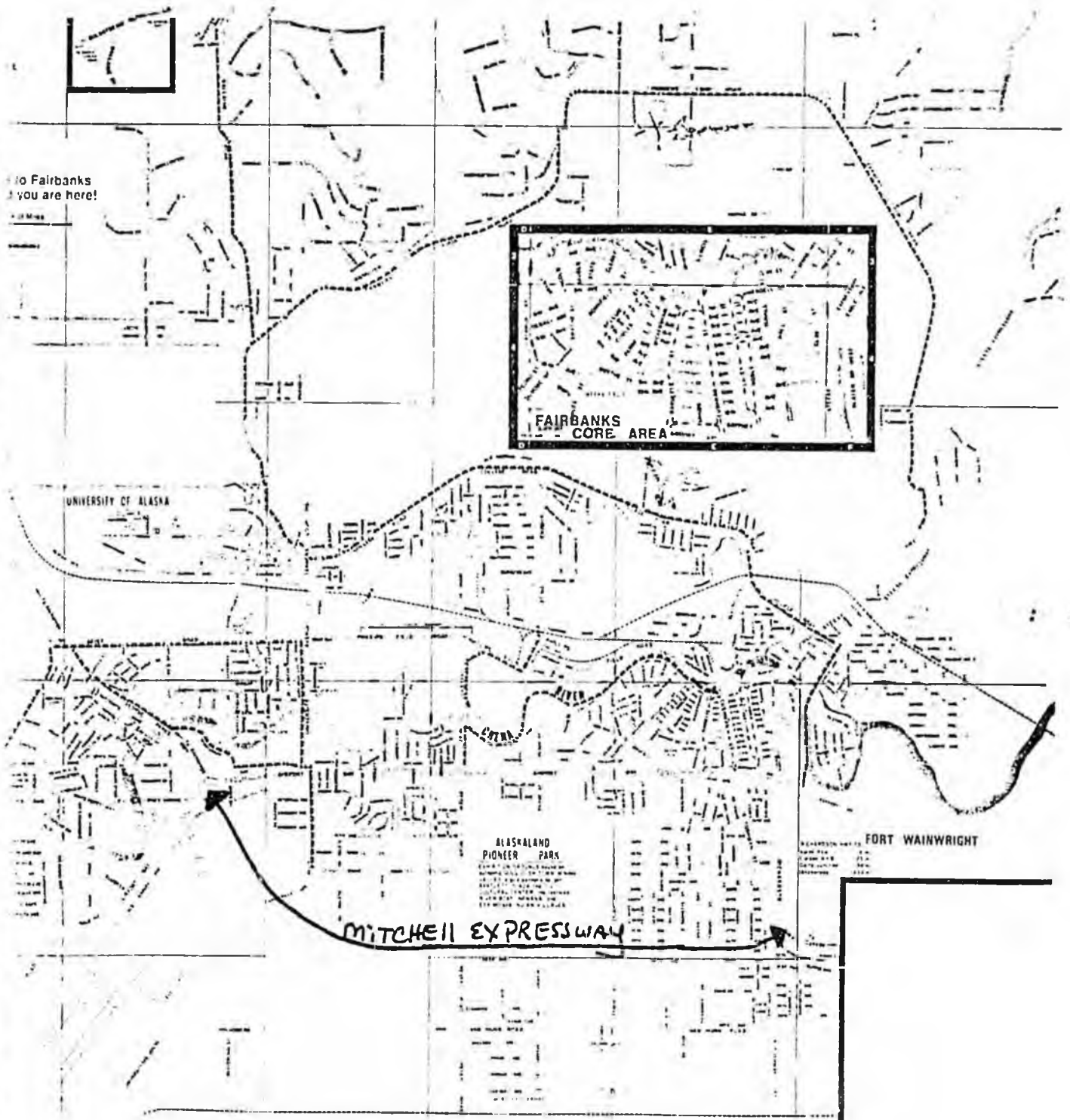
May, 1988

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.

Marv Van Nimwegen

HT 3-13-86 TAM

Human Services



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valuation of the inmates' group. Hoston said states said the parole by emphasis on that seems to give no credit participation in the AA

said the meetings are a consist of tape recording program, he said is people on the street who alcohol, not for inmates access anyway

ted that he was sent to receive the counseling Others testified that recommended psychiatric none has been received and he has been in prison about the counseling

they are not allowed to onal report given to the of the parole counselor s to prepare a defense are not taped, and in- they believe the parole greatest emphasis to color s report alone

occasion lectured in- hearings, reportedly on as a good example. es for alcohol use, and records inmates said they are not learning

ed don't stand much of a a job upon release they are reluctant to try over to write a letter e a job, if they have to theyer they were denied

chance would I have it "second time?" an in- still fighting my case whole focus of the on that," he said

he said they are unable that public defenders prison to assist them inmates have a parole job lined up, a place to upon release, that get credit from the ed

ances judges have sentencing that the ed after serving a third but the parole board parole after the time is

ed his residence was parole officer and police of warrant, that his confiscated and that be a speedy arraign-

Box Boy

aged with disorderly throbk of Lacey Street nee said

mm, 18, of 1127 Park the theft of a tape pers valued at \$170 day

ile Freeman Road, padlock was broken serial TV was taken

rite get

seen in a bar drinking and moving from his residence without notifying his parole officer. He said the last point was not true

Still another inmate, in for selling marijuana said he has refused to go before the parole board and will instead serve his full three years rather than play games with a parole hearing

"I had Rev. Lyons say that I'm an insult to come up for parole," one inmate said

"This is my first adult offense," one man testified, but the board dwelled on

Robert Mitchell rite Wednesday

A memorial service for Robert J. Mitchell, president of Tip Top Chevrolet and one of the founders of Ghemm Co., will be Wednesday at 1 p.m. at the United Methodist Church, 915 Second Ave.

The service will be conducted jointly by the church and the Pioneers of Alaska

Mitchell, 61, died Saturday while vacationing in Palm Desert, Calif.

He was born in Fairbanks Nov. 2, 1918, to Eliza and Charles Mitchell and had lived here all his life

Mitchell attended grade school and high school in Fairbanks, graduating in 1936. He was active in basketball and played with "Sticky" Griffins Wolverines in the same league as John Butrovich, Joe Franich, Bill Stroecker, Jack Wilbur and the Ringstad brothers.

After serving in the U.S. Army during World War II in Alaska, Canada and Montana, he formed Mitchell Truck and Tractor Inc. with Clyde Geraghty.

He married Mary Maureen Ludwigson on Jan. 29, 1945. Their three children, Gregory, Charles Mitchell, Janelle Lois Weaver and Judith Louise Jaspersen, live in Fairbanks.

The Mitchells' grandchildren are Joann and Douglas Weaver, Peggy Jaspersen, Roberta Mitchell and Gregory Mitchell II.

Mitchell Truck and Tractor was one of the early trucking companies hauling over the Richardson Highway from Valdez.

It built such innovative equipment as a booster engine and drive train for climbing hills that was installed under the flatbed of a 30-foot semi-trailer.

In 1952 Mitchell formed Ghemm Co. with Geraghty, Carl Heilinger, Carl Erickson and Harvey Marlin Jr.

Ghemm began in earth work and equipment rental and expanded over the years to perform general contract work throughout Alaska. In a joint effort with a Seattle company, Ghemm built the Yukon River Bridge.

In 1957 Mitchell founded Tip Top Chevrolet along with other longtime Fairbanks residents. He was also a partner in Metro Company and Tri-

thought the board should have professional members, and several said yes

Inmates also said they would like to have halfway houses to help them re-integrate into society

"We have a lot of people in here for three and four years because they got drunk or left their areas of residence without the parole board's permission. It costs the state \$26,000 a year to keep a man in here - over a drunk? It's pretty serious," one inmate said



ROBERT MITCHELL

Company and was president of New State Lands Inc.

He was instrumental in developing several subdivisions and the industrial area south of Fairbanks.

"Mitch" as he was known to his friends, was dedicated to leading young people and instilling in them the value of hard work and a positive approach to life.

The family asks that memorials be given to the Alaska Special Olympics, 1024 Kellum St., or to the United Methodist Church.

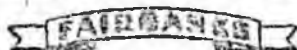
Honorary pallbearers are Peter Eagan, Randy Frank, Steve Frank, Mike Geraghty, Steve Geraghty, Robbie Gunther, Bill Gordon, Harvey Marlin III, Gary Norrgard, Gary Wilken, Carl Erickson, Con Frank, Clyde Geraghty, Harvey Marlin Jr., Bob Bellisworth, Jack Cook, Jim Dieringer, Dan Eagan, Bob Gunther, Bud Meyeres, Francis O'Connor, Ralph Paden, Mark Ringstad, Jack Wilbur, Clyde Hovik, Gene Rogge, Gene Miller, Harry Porter, Cliff Burghin, Wally Burnett, Tom Miklatsch and Leo Scholtfeldt.

F
E
B

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6

ATTENTION
All Members of the
CULINARY UNION LOCAL 879
NEXT REGULAR MEETING

Editorial Opinion and Comment of



Daily News - Miner

"Independent in All Things... Neutral in None"

Other opinions expressed on this page do not necessarily reflect those of the Daily News-Miner.

The Mitchell touch

One doesn't have to look far to see the marks Robert J. Mitchell left on Fairbanks, and we'll all miss his brand of full-speed-ahead promotion for a long time.

Bob Mitchell was born here in 1918 and devoted his whole life to his belief that Fairbanks has a big place in Alaska's future. He had a contagious enthusiasm for the future of the Interior, and he never avoided the hard work necessary to make his efforts pay off.

All of Mr. Mitchell's work was important to him, but perhaps his biggest dream was the development of industrial property south of Fairbanks. He's the man who convinced other businessmen to finance and donate the materials and labor necessary to build the rail spur to Fairbanks International Airport. It might have been done eventually, but his efforts got it in time to serve through the trans-Alaska pipeline years and provide low-cost jet fuel shipping from the North Pole Refinery now.

He and his partners also invested their own labor and encouragement in Metro Field and some of the industries that have grown up around it after this industrial air park opened. This was Mr. Mitchell's way—he never waited for things to happen, he made them happen.

That's the way things were ever since he came back from his World War II hitch to get married and form Mitchell Truck and Tractor, a pioneer name in Richardson Highway transportation. He was also president of Tip-Top Chevrolet, one of the founders of Ghem Co., a partner in Metro Company and Tria Company and president of New State Lands Inc. Both his family and his businesses are still here, and still thriving.

But perhaps Mr. Mitchell's greatest contribution was the lasting spirit he left here through his work and inspiration for young people in Fairbanks. He was as devoted to our community as he was to the business world, and because of that we'll never forget Bob Mitchell and the special touch he had in making our town a better place to live.

Norma
John W.
Gregor
Morris
Jimmi
Delber
Harold
Keith S.
Arden
Glenn
George
James
Williar
Darwin
Jerry C.
Frank
Hans H.
Gerald
J. Bewl
Walter
Dale C.
Virgil
Quentin
Kennet
Raymo
Williar
Charles
Vernon
Leonar
Gary R.
Leonar
Kennet
Trumar
Edward
Donald
Danny I.
Garflek
Richard
Fred B.
Frank /
Lamont
Herbert
Patrick
Darryl
James I.
Andy H.
Briggs I.
Kenneth
Betty G.
George
Richard
Edward
Fred M.
Sandra
Larry C.
Herbert
Edward
Clifford
Rodney
William
Gary B.

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date : _____

REQUEST

Bill Resolution No. : HB 664
 Title : An Act relating to naming
the Robert J. Mitchell Expressway
 Sponsor : Rep. Franks
 Requestor : _____
 Date of Request : _____

FISCAL DETAIL

Agency Affected : _____
 BRU : _____
 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPEATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	2000	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING : (Thousands of Dollars)

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

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by : Amy M. Daugherty Phone : 465-4858
 Division : House Transportation Committee Date : 3/14/86

Approved by Commissioner : *Bette* Date : _____
 Agency : Chairperson

Distribution (by Agency preparing fiscal note) :

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

CSHB 438(Jud)am

CSHB 438(Jud)am was referred to the Chief Clerk for engrossment.

UNFINISHED BUSINESS

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

Representative Adams - April 22 through
plane time, April 23, 1986

There being no objection, it was so ordered.

SB 461 *file*

The Speaker waived the Transportation Committee referral on SENATE BILL NO. 461 (relating to naming the Robert J. Mitchell Expressway) at the request of the Chairman.

SB 461 was sent to the Finance Committee.

HJR 65

Representatives Thompson, Taylor and Binkley added their names as co-sponsors to HOUSE JOINT RESOLUTION NO. 65 (relating to foreign marketing of Alaska pink salmon products).

HB 611 *file*

Representative Binkley added his name as co-sponsor to HOUSE BILL NO. 611 (relating to air carriers).

ENGROSSMENTCSHJR 65(Res)

CSHJR 65(Res) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

CSHB 438(Jud)am

CSHB 438(Jud)am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

CSSB 319(Fin)

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 319 (Finance), by the Finance Committee, entitled:

"An Act creating the special education service agency; and providing for an effective date."

was read the first time and referred to the Health, Education & Social Services and Finance Committees.

SB 461 *file*

SENATE BILL NO. 461, by the Transportation Committee, entitled:

"An Act relating to naming the Robert J. Mitchell Expressway."

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

CSSB 471(Trsp)(title-am) *file*

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 471 (Transportation) (title am), by the Transportation Committee, entitled:

"An Act relating to drivers' licenses for pilot car operators."

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

COMMUNICATIONS

A memorandum dated April 10, 1986, was received from Marshall L. Lind, Commissioner of Education, attaching proposed changes in regulations regarding admissions policy for Mt. Edgecumbe High School.

The memorandum and proposed regulations are on file in the Speaker's office.

INTRODUCTION AND REFERENCE OF SENATE BILLS

SB 445

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 445 by Senator Vic Fischer, entitled:

"An Act relating to insurance; 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.

SB 461

SENATE BILL NO. 461 by the Transportation Committee, entitled:

"An Act relating to naming the Robert J. Mitchell Expressway."

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

CONSIDERATION OF THE CALENDAR

SECOND READING OF SENATE BILLS

SB 349

SENATE BILL NO. 349 (reorganization of private debt at the Delta Project) was read the second time.

Senator Faiks moved and asked unanimous consent for the adoption of the Finance Committee Substitute and new title offered on page 1976. Without objection, CS FOR SENATE BILL NO. 349 (FIN) (reorganization of private debt at a Delta Project) was adopted.

CS FOR SENATE BILL NO. 349 (FIN) was read the second time.

Senator Faiks moved and asked unanimous consent that the Finance Committee Letter of Intent offered on page 1976 be adopted as a Senate Letter of Intent. Without objection, the Senate Letter of Intent was adopted.

SB 349 cont'd

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 349 (FIN) be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 349 (FIN) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 349 (FIN) (reorganization of private debt at a Delta Project) pass the Senate?" The roll was taken with the following result:

CS SB 349 FIN 3RD

Yeas:	14	Bennett, Coghill, DeVries, Eliason, Fahrenkamp, Faiks, Ferguson, Fischer Paul, Fischer Vic, Halford, Kerttula, Rodey, Sturgulewski, Ziegler
Nays:	2	Kelly, Ray
Excused:	3	Josephson, Sackett, Zharoff
Absent:	1	Abood

and so, CS FOR SENATE BILL NO. 349 (FIN) passed the Senate with a Senate Letter of Intent and was referred to the Secretary for engrossment.

SB 368

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 368 (sale of inherited remote parcels) was read the second time.

Senator Halford moved and asked unanimous consent that SPONSOR SUBSTITUTE FOR SENATE BILL NO. 368 be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 368 was read the third time.

Introduced: 2/17/86
Referred: Transportation
and Finance

BY FRANK, DAVIS, RINGSTAD
AND SHULTZ

1 IN THE HOUSE

2

HOUSE BILL NO. 664

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to naming the Robert J. Mitchell
7 Expressway."

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

9 * Section 1. FINDINGS. Robert J. Mitchell was a life-long Alaskan and
10 a life-long resident of the interior, born on November 2, 1918. Mr.
11 Mitchell was an employee of the Alaska Road Commission during early adult-
12 hood and, was a founder of Mitchell Truck and Tractor, an early Interior
13 transportation company. Robert J. Mitchell was also one of the founders of
14 GHEMM, Inc., an important Alaska construction firm and was one of the first
15 persons to develop the potential of the current south Fairbanks industrial
16 area. Through Robert J. Mitchell's efforts, a major rail spur from
17 Fairbanks through the south Fairbanks industrial area to the east side of
18 the International Airport was constructed. *The new South Fairbanks
19 Expressway is routed immediately adjacent to the area that Robert J.
20 Mitchell was so deeply involved with before passing away on February 23,
21 1980. Robert J. Mitchell left behind a legacy of a strong family unit,
22 friendship to all, knowledge of the value of positive thought, and
23 undaunting faith in the future of Fairbanks and Alaska. The legislature
24 wishes to remember Robert J. Mitchell's positive contribution to the people
25 of the Interior and to the development of the south Fairbanks industrial
26 area. *It is to accomplish this goal that the section of the Alaska Highway
27 System from the new Airport Road Interchange to the Richardson Highway is
28 to be named the Robert J. Mitchell Expressway.

29 * Sec. 2. AS 35.40 is amended by adding a new section to read:

*Name on new
street looks up
Richardson & Parks*

1 Sec. 35.40.030. ROBERT J. MITCHELL EXPRESSWAY. The South Fair-
2 banks Expressway between the Parks Highway and Airport Road inter-
3 change to the Richardson Highway is named the Robert J. Mitchell
4 Expressway.



RECORDS CERTIFICATION



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

James O. Smith
Signature of Camera Operator

10/31/89
Date

H B

6 8 0

Introduced: 2/17/86
Referred: Transportation
and Judiciary

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2 HOUSE BILL NO. 680

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to penalties for driving motor
7 vehicles in the vicinity of the James Dalton High-
8 way."

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

10 * Section 1. AS 19.40.210 is amended to read:

11 Sec. 19.40.210. PROHIBITION OF MOTOR [OFF-ROAD] VEHICLES. (a)

12 It is unlawful for a person to drive a motor vehicle, as defined in
13 AS 28.40.100, [OFF-ROAD VEHICLES ARE PROHIBITED] on land within five
14 miles of the right-of-way of the highway. However, this prohibition
15 does not apply to

16 (1) motor vehicles necessary for oil and gas exploration,
17 development, production, or transportation;

18 (2) [OR TO] a person who holds a mining claim in the vicinity
19 of the highway and who must use land within five miles of the
20 right-of-way of the highway to gain access to that person's [THE]
21 mining claim; or ~~a~~ legal property owner on lease

22 (3) motor vehicle use on another highway, road, easement,
23 or other valid right-of-way on land within five miles of the right-
24 of-way of the highway.

25 (b) Except as provided in (c) of this section, a person who
26 violates this section is strictly liable and is guilty of a violation
27 as defined in AS 11.81.900 and is punishable under AS 12.55.035.

28 (c) A person who, with criminal negligence, violates this sec-
29 tion is guilty of a class E misdemeanor.

Chapter 40.
JAMES
DALTON
HIGHWAY

DEFINITIONS
FOR TITLE
28 - MOTOR
VEHICLES

or legal property owner
lessee

DEFINITIONS FOR
TITLE II - CRIMINAL
LAW

STATE OF ALASKA
THE LEGISLATURE

OFFICE - STATE CAPITOL
UNFAIR ALASKA 99511
907 465 4800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 30, 1986

SUBJECT: Prohibiting Motor Vehicles near the
Dalton Highway (HB 680)

TO: Representative Bette Cato

FROM: Michael F. Ford *M.F.*
Legislative Counsel

As you requested I have prepared a Transportation Committee Substitute for HB 680 that changes Sec. 19.40.210(a)(3), by expanding the exemption in this paragraph from "mining claim" to "an interest in land." This term would include any interest that a real property owner possesses, including an interest created by lease, deed, or other conveyance, and would not be related to the kind of use, such as mining, homestead, or recreation.

MFF:csh
m5/040

HB 680 " An Act relating to penalties for driving motor vehicles in the vicinity of the James Dalton Highway "

THIS BILL establishes penalties for violating the law that prohibits driving a motor vehicle (as opposed to off-road vehicle as statute currently reads) within 5 miles of the right-of-way of the James Dalton Hwy.

IT DOES NOT APPLY TO :

- vehicles used for oil & gas exploration, development, production or transportation;
- a person who must use land w/in 5 miles o/r-o-w to get to mining claim
- another highway, road, easement ...

ESTABLISHES CRIME AS STRICT-LIABILITY OFFENSE AND CLASSIFIED AS VIOLATION

Violation = maximum fine of \$300; no jail time

strict-liability theory = state need not prove the existence of a culpable (blameworthy) mental state

IF DOES PROVE A CULPABLE MENTAL STATE =

Criminal negligence = CLASS B misdemeanor (up to 90 days in jail or up to \$1000 fine or both)

BILL SHEFFIELD
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 19, 1986

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

Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill establishing penalties for violating the law that prohibits driving a motor vehicle within five miles of the right-of-way of the James Dalton Highway (the North Slope haul road). Under existing law, there are no penalties for violating the law. Because of what appears to be a technical omission, no indication is given as to whether the legislature wanted this crime to be a violation, a misdemeanor, or a felony.

Due to the fact that it may be difficult at times to prove a person's intent to violate this law, we are recommending that the crime be established as a strict-liability offense and be classified as a "violation" -- which is only punishable by a maximum fine of \$300. No jail time may be imposed. Under a strict-liability theory, the state need not prove the existence of a culpable mental state -- just that the prohibited act was committed. However, if it can be proved that a culpable mental state did exist at the time the crime was committed (i.e., committed with "criminal negligence" as defined under AS 11.81.900(a)(4)), we are recommending that this crime be established as a class B misdemeanor (punishable by up to 90 days in jail or up to a \$1,000 fine or both). Commission of this crime can cause significant environmental damage. Thus, violators should be punished accordingly.

* The bill also broadens the prohibition to all motor vehicles (as defined under AS 28.40.100), as distinct from just off-road vehicles (which term is not defined in Title 19).

*culpable:
deserving blame
blameworthy*

To aid in the enforcement of this law by law enforcement officials and the courts, I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bill Sheffield".

Bill Sheffield
Governor

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date: 2-11-86

REQUEST

Bill/Resolution No. : _____
 Title: An Act relating to penalties for driving off-road vehicles in the vicinity of the James Dalton Highway,
 Sponsor: Governor
 Requestor: Department of Public Safety
 Date of Request: 2-11-86

FISCAL DETAIL

Agency Affected: Department of Public Safety
 BRU: Fish and Wildlife Protection
Alaska State Troopers
 Components: Enforcement

EXPENDITURES/REVENUES : (Thousands of Dollars)

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

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

REVENUE	0	0	0	0	0	0
----------------	---	---	---	---	---	---

FUNDING : (Thousands of Dollars)

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

POSITIONS :

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

ANALYSIS : Attach a separate page if necessary

Prepared by: James D. Vaden *JW*
 Division: Commissioner's Office

Phone: (907) 465-4322
 Date: 2-11-86

Approved by Commissioner: *[Signature]*
 Agency: Department of Public Safety

Date: 2-11-86

Distribution (by Agency preparing fiscal note):

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

Sec. 19.30.310. Report. No later than August 1 of each year, a municipality that has received money under AS 19.30.270 shall submit a report to the department showing the use of the money by the municipality during the preceding fiscal year. No later than December 1 of each year, the department shall prepare and submit to the governor a report showing the use of the money allocated under AS 19.30.270 during the preceding fiscal year. (§ 1 ch 56 SLA 1984)

Sec. 19.30.320. Definitions. In AS 19.30.260 — 19.30.320

(1) "construction" or "road improvement" has the meaning given in AS 19.45.001 and includes utility and drainage costs but excludes financial costs, right-of-way costs, and new road construction;

(2) "department" means the Department of Transportation and Public Facilities;

(3) "municipality" means a municipality that has road construction or maintenance powers;

(4) "subdivision" has the meaning given in AS 40.15.190(2). (§ 1 ch 56 SLA 1984)

Chapter 40. James Dalton Highway.

Section
100. Use of the highway by industrial or commercial traffic

Section
200. Disposal of land or materials
210. Prohibition of off-road vehicles

Sec. 19.40.100. Use of the highway by industrial or commercial traffic. (a) The department shall maintain the highway and keep it open to industrial or commercial traffic throughout the year.

(b) "Industrial or commercial traffic" means

(1) travel necessary and related to resource exploration and development or to support of those activities, if the individual engaged in those activities has all necessary permits;

(2) travel necessary and related to access by local residents to their property; or

(3) motor carriers engaged in commerce. (§ 3 ch 177 SLA 1980; am § 51 ch 59 SLA 1982; am § 10 ch 21 SLA 1985)

Effect of amendments. -- The 1982 amendment substituted "traffic" for "travel" in the introductory language of subsection (b), and deleted "or" at the end of paragraph (1) of that same subsection. The 1985 amendment, effective May 10,

1985, deleted "which are common carriers or contract carriers regulated by the Alaska Transportation Commission under AS 42.10" at the end of paragraph (3) of subsection (b).

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NOTES TO DECISIONS

Negligence action against state precluded. — Owner of semi-tractor was precluded by an indemnity and hold-harmless provision required by regulation from bringing suit against the state for its alleged negligence in maintaining the Dalton Highway. *Kuhn v. State*, Sup. Ct. Op. No. 2710 (File Nos. 6833, 7080), P.2d (1983).

Indemnity provision in highway use permit held unenforceable. — Semi-

trailer operator injured in a single-vehicle accident was not barred by an indemnity and hold harmless provision in the highway use permit from seeking recovery for personal injuries and property damage from the state for its alleged negligence; the indemnity provision was unenforceable because the state's maintenance of the highway was a "public duty." *Kuhn v. State*, Sup. Ct. Op. No. 2868 (File Nos. 6833, 7080), 692 P.2d 261 (1984).

Sec. 19.40.110. Public use of a portion of the highway.

NOTES TO DECISIONS

Applied in *Kuhn v. State*, Sup. Ct. Op. No. 2868 (File Nos. 6833, 7080), 692 P.2d 261 (1984).

Quoted in *Kuhn v. State*, Sup. Ct. Op. No. 2710 (File Nos. 6833, 7080), P.2d (1983).

Sec. 19.40.200. Disposal of land or materials. (a) The state may not dispose of state land under AS 38 which is within five miles of the right-of-way of the highway.

(b) The prohibition on disposal of state land under (a) of this section does not apply to a disposal necessary for

(1) an oil and gas lease under AS 38.05.180;

(2) exploration, development, production, or transportation of oil and gas north of 68 degrees north latitude; or

(3) a state lease or materials sale for exploration, development, production, or transportation of oil and gas or reconstruction or maintenance of the highway north of 68 degrees north latitude.

(c) Before the sale of materials under (b)(3) of this section to a private entity or person or to a state agency the state shall give due consideration to the availability of materials from private sources in the area where the materials are needed. (§ 5 ch 177 SLA 1980; am § 1 ch 77 SLA 1985)

Revisor's notes. — By judgment dated March 19, 1981, in Alaska Legislative Council v. Hammond, case no. 4FA-80-1689, the superior court for the fourth judicial district upheld the validity of the enactment of ch. 177, SLA 1980. The attorney general's opinion cited in the legislative history note to this section in the main pamphlet should be disregarded.

Effect of amendments. — The 1985 amendment, effective June 3, 1985, retro-

active to October 5, 1980, added subsections (b) and (c).

Editor's notes. — Section 3, ch. 77, SLA 1985 makes the 1985 amendments to this section retroactive to October 5, 1980.

Legislative history reports. — For Senate letter of intent relating to (b)(3) of this section, see 1985 Senate Journal, page 264, which refers to identical language in an earlier version of the bill.

Sec. 19.40.210. Prohibition of off-road vehicles. Off-road vehicles are prohibited on land within five miles of the right-of-way of the highway. However, this prohibition does not apply to off-road vehicles necessary for oil and gas exploration, development, production, or transportation; or to a person who holds a mining claim in the vicinity of the highway and who must use land within five miles of the right-of-way of the highway to gain access to the mining claim. (§ 5 ch 177 or SLA 1980; am § 2 ch 77 SLA 1985)

Effect of amendments. — The 1985 amendment, effective June 3, 1985, retroactive to October 5, 1980, in the second sentence inserted "to off-road vehicles necessary for oil and gas exploration, development, production, or transporta-

tion or" and substituted "the" for "his" following "access to."

Editor's notes. — Section 3, ch. 77, SLA 1985 makes the 1985 amendments to this section retroactive to October 5, 1980.

Chapter 45. Miscellaneous Provisions.

Sec. 19.45.001. Definitions.

NOTES TO DECISIONS

Maintenance. — Maintenance as defined in paragraph (9) refers to some type of active work undertaken to preserve the utility facility. *Johnson v. State, Sup. Ct. Op. No. 2434 (File Nos. 4866, 4871, 4894), 636 P.2d 47 (1981).*

Applied in *Ault v. State, Sup. Ct. Op. No. 2878 (File Nos. 7820, 7889), 688 P.2d 951 (1984).*

Chapter 60. Ferry Terminal Facilities.

Section
70. Definitions

Sec. 19.60.070. Definitions. As used in this chapter

(1) "department" means the Department of Transportation and Public Facilities;

(2) "ferry" means a vessel used in the common carriage of passengers and self-propelled vehicles in intrastate commerce. (§ 2 ch 189 SLA 1959; am Executive Order No. 39, § 11 (1977))

Editor's notes. — This section is set out above to correct an error in the main pamphlet.

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Section
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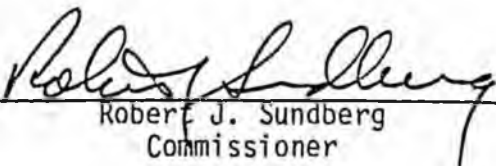
DEPARTMENT OF PUBLIC SAFETY

POSITION PAPER - HB 680

SUPPORT
April 6, 1986

House Bill No. 680 - "An Act relating to penalties for driving motor vehicles in the vicinity of the James Dalton Highway."

The Department of Public Safety supports HB 680., "An Act relating to penalties for driving motor vehicles in the vicinity of the James Dalton Highway."


Robert J. Sundberg
Commissioner

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : HB 680
 Title : "An Act relating to penalties for driving motor vehicles in the vicinity of the James Dalton Highway."
 Sponsor : The Rules Committee
 Requestor : House Transportation
 Date of Request : _____

FISCAL DETAIL

Agency Affected : Public Safety
 BRU : Fish & Wildlife Protection

 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

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

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING : (Thousands of Dollars)

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

POSITIONS :

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

ANALYSIS : Attach a separate page if necessary

KW

Prepared by : Captain J. R. Nutgrass
 Division : Fish & Wildlife Protection

Phone : 269-5509
 Date : 4/8/86

Approved by Commissioner : [Signature]
 Agency : Public Safety

Date : 4/10/86

Distribution (by Agency preparing fiscal note) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
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775 (File No. A-342), P.2d (1985).

Sec. 28.40.100. **Definitions for title.** (a) Unless otherwise specifi-
cally defined or unless the context otherwise requires, in this title and
the regulations adopted under this title

(1) "cancel" means the annulment or termination by formal action
of the department of a certification, registration, license, permit or
privilege issued or allowed under this title or regulations adopted
under this title, because of an error or defect in the document issued or
the application for issuance or because the person holding the
document is no longer entitled to it;

(2) "commissioner" means the commissioner of public safety;

(3) "department" means the Department of Public Safety;

(4) "driver" means a person who drives or is in actual physical
control of a vehicle;

(5) "driver's license", or "license" when used in relation to driver
licensing, means a license, permit or privilege, whether or not a
person holds a valid license issued in this or another jurisdiction, to
drive a motor vehicle under the laws of this state;

(6) "highway" means the entire width between the boundary lines
of every way that is publicly maintained when a part of it is open to
the public for purposes of vehicular travel, including but not limited to
every street and the Alaska state marine highway system but not
vehicular ways or areas;

(7) "motor vehicle" means a vehicle which is self-propelled except a
vehicle moved by human or animal power;

(8) "motorcycle" means a vehicle having a seat or saddle for the use
of the rider and designed to travel on not more than three wheels in
contact with the ground; the term does not include a tractor;

(9) "motor-driven cycle" means a motorcycle, motor scooter, motor-
ized bicycle, or similar conveyance with a motor attached and having
an engine with 50 or less cubic centimeters of displacement;

(10) *[Repealed, § 88 ch 74 SLA 1985, effective January 1, 1986.]*

(11) "official traffic-control device" means a sign, signal, marking,
or other device not inconsistent with this title, placed or erected by
authority of a state or municipal agency or official having jurisdiction,
for the purpose of traffic regulating, warning and guiding;

(12) "owner" means a person, other than a lienholder, having the
property in or title to a vehicle, including but not limited to a person
entitled to the use and possession of a vehicle subject to a security
interest in another person, but exclusive of a lessee under a lease not
intended as security;

(13) "revoke" means the termination by formal action of the
department or a court of a certification, registration, license, permit or
privilege issued or allowed under this title or regulations adopted

under this title; the certification, registration, license, permit or privilege may not be reissued, renewed or restored during the time for which revoked; however, after that time, an application for a new certificate, registration, license, permit or privilege may be made;

(14) "roadway" means that portion of a highway designed or ordinarily used for vehicular travel, exclusive of the sidewalk, berm, or shoulder, even though the sidewalk, berm, or shoulder is used by persons riding bicycles or other human powered vehicles; and in the event that a highway includes two or more separate roadways, the term refers to each roadway separately but not to all such roadways collectively;

(15) "suspend" means the temporary withdrawal by formal action of the department or a court of a certificate, registration, license, permit or privilege issued or allowed under this title or regulations adopted under this title, effective for a period of time which must be specifically designated by the department or court;

(16) "traffic" means pedestrians, ridden or herded animals, vehicles and other conveyances either singly or together while using a highway or vehicular way or area which is open to public use for purposes of travel;

(17) "underinsured motor vehicle" means a motor vehicle licensed for highway use with respect to ownership, operation, maintenance, or use for which there is a bodily injury or property damage insurance policy or a bond applicable at the time of an accident and the amount of insurance or bond

(A) is less than the limit for uninsured and underinsured coverage of the insured's policy; or

(B) has been reduced by payments to persons other than an insured, injured in an accident, to less than the limit for uninsured and underinsured coverage of the insured's policy;

(18) "vehicle" means a device in, upon, or by which a person or property may be transported or drawn upon or immediately over a highway or vehicular way or area except devices used exclusively upon stationary rails or tracks; and

(19) "vehicular way or area" means a way, path or area, other than a highway or private property, which is designated by official traffic control devices or customary usage and which is open to the public for purposes of pedestrian or vehicular travel, and which way or area may be restricted in use to pedestrians, bicycles, or other specific types of vehicles as determined by the department or other agency having jurisdiction over the way, path or area.

(b) The commissioner shall adopt regulations to define other terms which are used in this title and in regulations adopted under this title. (§ 50-1-1 ACLA 1949; am § 3 ch 81 SLA 1973; am §§ 13, 14 ch 241 SLA 1976; am § 1 ch 135 SLA 1977; am § 14 ch 70 SLA 1984; am § 1 ch 13 SLA 1985; am § 88 ch 74 SLA 1985)

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Op. No. 45
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HB 679

The language in this bill is patterned after statutes enacted in Hawaii. The Department of Law believes that this bill is a reasonable response to the state's interest in ensuring maximum participation by Alaskans in the state's public works projects.

Under new AS 36.15.060, a bidder who designates the use of certain Alaska products is given a preference over bidders who do not intend to use Alaska products, through a percentage reduction in the amount of the bid. The percentage rates are set out in new AS 36.15.080, which also provides for classification of Alaska products. Penalties for subsequent failure to use the designated Alaska products are set out in new AS 36.15.070.

AS 37.05.230(1) is amended in sec. 4 of the bill to make clear that, in determining whether an Alaska bidder should be awarded a contract, the determining factor is the amount of the bid offered by the bidder, not the amount arrived at by calculation of the Alaska product preference under AS 36.15.060.

The bill has a number of very desirable results. First, and foremost, it will ensure, at reasonable cost, that jobs generated in connection with supplying materials for public works projects will be in Alaska. It will also encourage the growth of local industry. Consequently, I encourage passage of the bill.

Sincerely,

/s/

Bill Sheffield
Governor"


HB 680

HOUSE BILL NO. 680 by the Rules Committee by request of the Governor, entitled:

"An Act relating to penalties for driving motor vehicles in the vicinity of the James Dalton Highway."

was read the first time and referred to the Transportation and Judiciary Committees.

A zero fiscal note was attached.

The Governor's transmittal letter, dated February 19, 1986, appears below:

"Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill establishing penalties for violating the law that prohibits driving a motor

HB 680

vehicle within five miles of the right-of-way of the James Dalton Highway (the North Slope haul road). Under existing law, there are no penalties for violating the law. Because of what appears to be a technical omission, no indication is given as to whether the legislature wanted this crime to be a violation, a misdemeanor, or a felony.

Due to the fact that it may be difficult at times to prove a person's intent to violate this law, we are recommending that the crime be established as a strict-liability offense and be classified as a "violation" -- which is only punishable by a maximum fine of \$300. No jail time may be imposed. Under a strict-liability theory, the state need not prove the existence of a culpable mental state -- just that the prohibited act was committed. However, if it can be proved that a culpable mental state did exist at the time the crime was committed (i.e., committed with "criminal negligence" as defined under AS 11.81.900(a)(4)), we are recommending that this crime be established as a class B misdemeanor (punishable by up to 90 days in jail or up to a \$1,000 fine or both). Commission of this crime can cause significant environmental damage. Thus, violators should be punished accordingly.

The bill also broadens the prohibition to all motor vehicles (as defined under AS 28.40.100), as distinct from just off-road vehicles (which term is not defined in Title 19).

To aid in the enforcement of this law by law enforcement officials and the courts, I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Bill Sheffield
Governor"

HE 681

HOUSE BILL NO. 681 by the Rules Committee by request of the Governor, entitled:

"An Act relating to unemployment insurance; and providing for an effective date."

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

One fiscal note was attached and appears in House Supplement No. 87.

The Governor's transmittal letter, dated February 19, 1986, appears below:

HB 644

The Judiciary Committee has considered HOUSE BILL NO. 644 (relating to arrest by a surety and remission of bail) and reports it back as follows: M.M. Miller (Chairman), Gruenberg, Sund, Taylor and Phillips recommend do pass.

A zero fiscal note was attached.

HB 644 was referred to the Finance Committee.

HB 680 *file*

The Transportation Committee has considered HOUSE BILL NO. 680 (relating to penalties for driving motor vehicles in the vicinity of the James Dalton Highway), recommends it be replaced with COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 680 (Transportation):

"An Act relating to driving motor vehicles in the vicinity of the James Dalton Highway."

and reports it back as follows: Cato (Chairman) recommends do pass; Marrou recommends do not pass and signed "prohibits hunting, fishing, development in ten-mile-wide corridor"; Pignalberi, Shultz and Furnace have no recommendation.

A zero fiscal note was attached.

HB 680 was referred to the Judiciary Committee.

HB 684

The Health, Education & Social Services Committee has considered HOUSE BILL NO. 684 (relating to school vehicle safety; effective date) and reports it back as follows: Koponen (Co-chair) recommends do pass; Taylor recommends do not pass; Thompson recommends do not pass and signed "needs more study"; Gruenberg (Co-chair) and Hanley have no recommendation.

HB 684 was referred to the Finance Committee.

HB 696

The Finance Committee has considered HOUSE BILL NO. 696 (relating to provision of and charges for state services; and accounting for and appropriation of receipts earned by state agencies; effective date), recommends it be replaced with COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 696 (Finance):

CSSB 319(Fin)

The Health, Education & Social Services Committee has considered COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 319 (Finance) (creating the special education service agency; effective date), recommends it be replaced with HOUSE COMMITTEE SUBSTITUTE FOR COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 319 (HESS) (same title) and reports it back as follows: Koponen and Gruenberg (Co-chairs), Hurley and Thompson recommend do pass; Taylor recommends do not pass; Hanley has no recommendation.

CSSB 319(Fin) was referred to the Finance Committee.

CSSB 423(SA)am

The State Affairs Committee has considered COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 423 (State Affairs) amended (creating a missing persons information clearinghouse) and reports it back as follows: Hurley (Chairman), Foucher, Navarre, Jenkins and Collins recommend do pass.

CSSB 423(SA)am was referred to the Judiciary Committee.

HB 99

The Finance Committee has considered HOUSE BILL NO. 99 (relating to public assistance employment programs), recommends it be replaced with COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 99 (Finance) (same title) and reports it back as follows: Adams (Chairman), Szymanski, Duncan and Cotten recommend do pass; Ringstad, Larson, Frank, Uehling and Fourchot have no recommendation.

A zero fiscal note was attached.

HB 99 was referred to the Rules Committee for placement on the calendar.

HB 554

The Judiciary Committee has considered HOUSE BILL NO. 554 (relating to sentencing), recommends it be replaced with COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 554 (Judiciary):

"An Act relating to sentencing and discretionary parole."

and reports it back as follows: M.M. Miller (Chairman), Clocksin and Sund recommend do pass; Taylor, Phillips and Gruenberg have no recommendation.

Three zero fiscal notes were attached. A fiscal note and two zero fiscal notes with analysis appear in House Journal Supplement No. 127.

HB 554 was referred to the Finance Committee.

**HOUSE
COMMITTEE REPORT**

(7)

Date referred: 2/17/86

FURTHER REFERRALS: JUDICIARY

DATE: 30 April 1986

The TRANSPORTATION Committee has considered HB 680

"An Act relating to penalties for driving motor vehicles in the vicinity of the James Dalton Highway."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CS HB 680 (TRSP) same title
- new title

and recommends _____

further referral to the _____ Committee

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

SIGNING DO PASS:

Bette Oats

SIGNING OTHER RECOMMENDATIONS:

McGuillen no rec
Dick Shuttle No Rec
ACM MARROU Do Not Pass
PROHIBITS HUNTING, FISHING, DEVELOPMENT
IN TEN-MILE-WIDE CORRIDOR

Bette Oats
Chairman

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : HB 680
 Title : "An Act relating to penalties for driving motor vehicles in the vicinity of the James Dalton Highway."
 Sponsor : The Rules Committee
 Requestor : House Transportation
 Date of Request : _____

FISCAL DETAIL

Agency Affected : Public Safety
 BRU : Fish & Wildlife Protection

 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

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

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING : (Thousands of Dollars)

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

POSITIONS :

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

ANALYSIS : Attach a separate page if necessary

K. N. ...

Prepared by : Captain J. R. Nutgrass
 Division : Fish & Wildlife Protection

Phone : 269-5509
 Date : 4/8/86

Approved by Commissioner : [Signature]
 Agency : Public Safety

Date : 4/21/86

Distribution (by Agency preparing fiscal note) :

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