

ALASKA LEGISLATURE COMMITTEE FILES 1987-1988 8672

5185 HTRA SB 118 - SB 347

75



Official Business

**COMMITTEE:**

House Transportation Committee

**DATE:**

May 15, 1987

**SIGN-IN**

**Subject of meeting:**

\*HCR 9: Relating to the expeditious redesign and reconstruction of Hyer Road in the Matanuska-Susitna Borough.

SB 118: "An Act relating to access to public buildings and facilities by the physically handicapped, aged, and infirm."

**NAME** Please include title **ADDRESS** Please use full address. Please include zip. **PHONE** **REPRESENTING** **DO YOU WANT TO TESTIFY?**

NAME Please include title	ADDRESS Please use full address. Please include zip.	PHONE	REPRESENTING	DO YOU WANT TO TESTIFY?
Rod Wilson Des. Dir. II		465-2960	DOT/PF	Answer Questions on SB 118
Chair elect & Legislator Chair for the Gov. Council Robert Frank	Council for Handicapped & Gifted 16510 Centerfield, Eagle R.	694-5986 77		

\* indicates first public hearing

5/16/87

Mr. Speaker,

The Department of Transportation and Public Facilities currently operates under two sets of regulations regarding setting standards for accessibility to public buildings by the handicapped, aged and infirm. Those standards are the "Uniform Federal Accessibility Standards" which are currently used to administer federal projects, and the "American Standard Specifications" which are used to administer state projects. SB 118 would change current statutes such that it would allow the department to use the "Uniform Federal Accessibility Standards" for all projects. The bill would also give DOT/PF the authority to write standards for any project that was not covered by current federal regulations.

Thank you, Mr. Speaker

SB

125

# Alaska State Legislature

## House of Representatives

### Committee on Transportation



Rep. Bette Cato, Chairman

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

May 11, 1987

#### COMMITTEE CALENDAR:

HB 213: "An Act relating to allocation of federal-aid highway funds; and providing for an effective date."

SB 25am: "An Act providing a special assessment for private airports open for public use; and providing for an effective date."

CSSB 125am: "An Act relating to the Alaska Marine Transportation Advisory Board."

#### FOR THIS MEETING YOU HAVE:

##### A folder on HB 213 that includes:

- \* a copy of the committee substitute for HB 213
- \* a sectional analysis
- \* a letter of intent
- \* a fiscal note on CSHB 213 from DOT/PF
- \* a copy of HB 213
- \* a fiscal note & position paper on HB 213 from DOT/PF
- \* information from the six-year capital plan
- \* a classification of road miles within Alaska
- \* a letter from the Ass't. Division Administrator of the Federal Highway Administration
- \* a report on HB 213 from Rep. Hoffman
- \* minutes from the 4/13, 4/15 & 5/4 public hearings of HB 213

##### A folder on SB 25am that includes:

- \* a copy of SB 25 am
- \* a fiscal note from the DOT/PF
- \* minutes from the House Comm & Regional Affairs public hearing on SB 25am
- \* two letters of support
- \* an editorial from the Daily News Miner

##### A folder on CSSB 125am that includes:

- \* a copy of CSSB 125am
- \* a memorandum from Sen. Duncan
- \* a fiscal note & position paper from DOT/PF
- \* two newspaper articles
- \* an excerpt from the statutes effected by CSSB 125 am



# Alaska State Legislature

SENATOR JIM DUNCAN

P. O. Box V JUNEAU, ALASKA 99811

(907) 465-4766

COMMITTEES:  
FINANCE  
RESOURCES  
BUDGET AND AUDIT

## M E M O R A N D U M

DATE: April 6, 1987

TO: Representative Bette Cato  
Chairman  
House Committee on Transportation

FROM: Senator Jim Duncan

SUBJECT: SB 125, Marine Transportation Advisory Board

I respectfully request a hearing for this bill at your earliest convenience. I am forwarding information to be used as backup for this legislation.

The creation of the Marine Transportation Advisory Board will guarantee that passengers who use the Marine Highway System, along with merchants who depend on the system for freight, will have a voice in the systems level of service.

Because the Alaska Marine Highway System is used by so many people, both in South Central Alaska and in Southeast, it is imperative they have a mechanism in which their concerns are considered. As has been the case in many private sector transportation organizations, an advisory board has proven to be an entity the public can focus on that takes into consideration their real needs. It is important that a formal citizens' group review budget-induced schedule changes in the system and make recommendations on potential changes that might have less of an effect on the public. More over, citizen advisory boards tend to bring out many good ideas that will enhance an organization's ability to operate effeciently.

The Marine Transportation Advisory Board will consist of five members from which at least three come from communities served by the Alaska Marine Highway System.

**STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE**

**REQUEST:**

Revision Date: 03/19/87  
 Title: "An Act relating to the Alaska  
 Marine Transportation Advisory Board."  
 Sponsor: Duncan et al  
 Requestor: Uehling

Bill Version: SB 125  
 Publish Date: \_\_\_\_\_

Agency Affected: DOT/PF - AMHS  
 BRU: Marine Administration

Components: Advisory Board

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

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL		16.0	15.8	16.6	17.4	18.3
CONTRACTUAL		2.5	2.1	2.2	2.3	2.4
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>		18.5	17.9	18.8	19.7	20.7

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

GENERAL FUND		18.5	17.9	18.8	19.7	20.7
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		18.5	17.9	18.8	19.7	20.7

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS : (Attach a separate page if necessary)**

See Attached

Prepared by: George W. Davidson, Systems Director  
 Division: Alaska Marine Highway System

Phone: 465-3950  
 Date: 03/19/87

Approved by Commissioner: Mark S. Uehling  
 Agency: Dept. of Transportation and Public Facilities

Date: 3/22/87

**Distribution (by preparer):**

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

## CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SB 125

The proposed legislation creates an Advisory Board for the Alaska Marine Highway System, with five members to serve without compensation. Necessary costs, therefore, are limited to those of conducting the Board's meetings. After two familiarization meetings to be held in Juneau during the first three months, regular meetings will be held on a quarterly basis. The effective date is assumed to be July 1, 1987.

## FY 88 COSTS

<u>Travel</u>		\$ 16.0
Transportation and per diem for five Board members	\$ 13.5	
Transportation and per diem for AMHS staff to attend Board meetings (locations other than Juneau)	2.5	
<u>Contractual Services</u>		2.5
Public Notice Advertising		
Total		\$ <u>18.5</u>

An annual inflation factor of 5% has been included beginning in FY 89. Costs have been reduced for FY 89 to reflect a total of four quarterly meetings, three to be held in Southeast Alaska and one in Southcentral.



Dept. of Transportation & Public Facilities

# Position Paper

**BILL NO:** SB 125

**TITLE:** Alaska Marine Highway System  
Advisory Board

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

**DATE:** 3/17/87

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The Department of Transportation and Public Facilities has reviewed the subject bill. We endorse the concept and will welcome the input from the Advisory Board.

The bill does contain some language which we feel would imply a role for the Advisory Board which is contrary to our desires.

On page 3, Section 19.65.150 Duties (1) directs the Board to coordinate with the Governor and Legislature. We feel a more productive approach would be to coordinate with the Governor and Commissioner through a direct contact with the Director of Alaska Marine Highway System.

Other than this one change that which we feel will provide a more useful role for the Board we support its existence and encourage support for the passage of the Bill and funding of the program.

Front Page

Juneau Empire 2/12/87

# Duncan proposes ferry advisory board

By CHUCK KLEESCHULTE

THE JUNEAU EMPIRE

In an effort to guarantee that freight and passenger users get some voice in future schedule reductions facing the Alaska Marine Highway System, Juneau Sen. Jim Duncan this morning introduced legislation setting up a citizens' advisory board.

The Democrat said he believes it is important that a formal citizens' group review budget-induced schedule changes in the ferry system and make recommendations on potential changes that might have less of an effect on the public.

"What I see coming is a reduced

level of service, but it is important that we evaluate plans from a user's perspective so that freight and passengers get a level of service that takes their real needs into consideration," said Duncan this morning.

He said under his plan five public members - at least three from communities served by the ferry system - would be appointed by the governor. While not paid, the advisory board, which would serve five-year terms, would get per diem and be empowered by the governor to hold hearings and make recommendations on changes in the operation of the nine-vessel ferry fleet.

"It's really important given the changes coming that we make sure freight user needs are protected, plus the true needs of passengers. We need to maximize the frequency of service in Southeast and a citizens' board may help to make sure the department does that in coming up with new operating schedules," said Duncan.

On Wednesday, Sen. Lloyd Jones, R-Ketchikan, proposed that Ketchikan be the end of the state's mainline service from Seattle to improve the frequency of runs to the West Coast. Duncan said he's not in a position to support or oppose that

suggestion yet, but he said he wants to see it and other suggestions considered as an alternative to once-a-week mainline and once-a-week non-summer feeder ferry service proposed in Gov. Steve Cowper's budget for next year.

Under Cowper's original budget, ferries would sustain a \$10 million cut in their operating subsidy. About \$2 million of that was added back to pay for higher insurance costs, leaving a cut of over \$8 million in the operating subsidy for the \$65 million system. Last year, about \$30 million of its budget came from the state.

Please turn to Page 5

## Ferry...

Continued from Page 1

Duncan said his bill might not pass in time to have the board be functional to help in making suggested changes to the proposed schedule that would go into effect in late September. But he said the advisory board would certainly help to gain public reaction to future schedule shifts.

2/16/87

# JUNEAU EMPIRE

**WILLIAM S. MORRIS III**  
*Publisher*

**JEFFREY A. WILSON**  
*General Manager*

**CARL T. SAMPSON**  
*Managing Editor*

**THOMAS BLUMENSHINE**  
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*Circulation Manager*

**ROBIN HERDMAN PAUL**  
*Advertising Manager*

**DONNA GRUNOW**  
*Office Manager*

## Advisory board a good idea

**F**or years, private companies have been using citizens' advisory boards to great advantage. When they want to test "trial balloons" or when they simply want a reading on how well they are doing, they go to their advisory boards and ask. The answers they get help correct problems, prevent mistakes and improve good ideas. Above all else, the boards prove that the companies *listen* to the people they serve.

Juneau Sen. Jim Duncan has proposed incorporating this valuable private-enterprise tool into the state-run Alaska Marine Highway System. Last week he submitted a bill in the Senate that would establish a citizens' advisory board for the ferry system.

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**ISSUE:** Advisory board proposed for state ferries

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The idea is long overdue. For years, most decisions regarding the ferry system reflected the interests of either the management or the employees. The public's needs often seemed to be lost in the shuffle, even though the public pays for the ferries and uses them.

As long as it is composed of citizens who will be "plugged into" the needs and attitudes of their communities, an advisory board will help ferry managers and employees refocus their attention on the people they are serving. The board should not be composed of junior-grade bureaucrats who will have a bunch of meaningless public hearings or take it upon themselves to manipulate their positions to benefit other interests besides those of the public. That's how the ferry system got off track in the first place.

The folks who ride the ferries want friendly service, good food, convenient schedules and reasonable rates. They also want to know about their ferry system and how it works. If you gauge the system on these basics, it's obvious there is room for improvement.

A citizens' advisory board may not be the answer to all of these problems, but it would sure go a long way toward finding the answer.

STATE OF ALASKA  
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY  
LEGISLATIVE REFERENCE LIBRARY

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

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

H. TRANS.            5-11-87            1:30 p.m.

# HOUSE COMMITTEE REPORT

(7)

Date referred: 3/27/87

FURTHER REFERRALS:

5/12  
Finance

DATE: May 11, 1987

The Transportation Committee has considered CSSB 125(Fin)am

"An Act relating to the Alaska Marine Transportation Advisory Board."

**RECOMMENDS:**

- replace with \_\_\_\_\_  the same title
- attached amendment(s)  a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the \_\_\_\_\_ Committee

**ADOPTS:**  \_\_\_\_\_ letter of intent

**ATTACHES NEW FISCAL NOTE(s):**

- fiscal impact  same as previous fiscal note published 3/24/87
- zero fiscal note  same as previous zero fiscal note published \_\_\_\_\_
- zero with analysis

**SIGNING DO PASS:**

*D.A. B...*  
*Bill Hudson*  
*Bette Cuto*  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**SIGNING OTHER RECOMMENDATIONS:**

*M. Miller No Rec*  
*Heinrich Springer No Rec*  
*Tommy Weaver No Rec*  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*Bette Cuto*  
 Chairman's signature



Official Business

**COMMITTEE:**

House Transportation Committee

**DATE:** May 11, 1987

**SIGN-IN**

**Subject of meeting:**

HB 213: Allocation of Federal-aid Highway Funds  
SB 25am: Tax Assessment of Private Airports  
CSSB 125am: Creating Marine Highway Advisory Board

**NAME** Please include title **ADDRESS** Please use full address. Please include zip. **PHONE** **REPRESENTING** **DO YOU WANT TO TESTIFY?**

NAME	ADDRESS	PHONE	REPRESENTING	DO YOU WANT TO TESTIFY?
DALE STALEY	SB 125 Cop. 119 4766	4766	Senator Duncan	YES
MARK HICKEY	SB 125 / HB 213	3900.	DOT / PF	QUESTIONS ONLY

HB 213

SB

146

# Alaska State Legislature

## House of Representatives

### Committee on Transportation



Rep. Bette Cato, Chairman

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

May 13, 1987

#### COMMITTEE CALENDAR:

- HCR 18: Relating to a special report on long-term operations of the Alaska Railroad.
- HJR 32: Relating to the completion of the Mackenzie Highway between Fort Simpson and Inuvik, Northwest Territories, Canada.
- CSSJR 36(Trsp): Relating to passenger and air cargo service to Anchorage by Korean Air Lines.
- CSSB 146(Trsp): "An Act relating to weights and measures; citation authority of employees enforcing weights and measures limitations; and providing for an effective date."

#### FOR THIS MEETING YOU HAVE:

A folder on HCR 18 that includes:

- \* a copy of HCR 18
- \* a fiscal note from the Dept. of Commerce & Econ. Dev.
- \* a position paper from the Alaska Railroad Corporation

A folder on HJR 32 that includes:

- \* a copy of HJR 32
- \* a fiscal note from DOT/PF
- \* a copy of the resolution issued by the Northwest Territories Legislative Assembly

A folder on CSSJR 36 that includes:

- \* a copy of CSSJR 36(Trsp)
- \* a fiscal note from DOT/PF
- \* memorandums from Sen. Fahrenkamp to the House and Senate Transportation Committees
- \* written testimony from Korean Air Lines
- \* an unratified memorandum of understanding between the U.S. State Dept. and the Gov't. of the Republic of Korea
- \* written testimony from Sen. Fahrenkamp

A folder on CSSB 146 that includes:

- \* a copy of CSSB 146(Trsp)
- \* two fiscal notes: one from Dept. of Pub. Safety & one from Dept. of Commerce & Econ. Dev.
- \* a sectional analysis
- \* a position paper from DOT/PF

STATE OF ALASKA 1987 LEGISLATIVE SESSION

FISCAL NOTE SENATE

BILL VERSION: CSSB 146(L&C) b

PUBLISH DATE: 4/9/87

REQUEST

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

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

Sponsor: Transportation Committee

Requestor: Senate Labor & Commerce

Agency Affected: Public Safety

BRU: Alaska State Troopers

Components: Detachments & CIB

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

FUNDING:: (Thousands of Dollars)

GENERAL FUNDS		0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

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

ANALYSIS:

No fiscal impact is anticipated.

JMA  
4/16/87

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

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

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

*[Signature]*

Date: 4/15/87

Distribution (by preparer):

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

**STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE**

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

Bill Version: CS SB 146 LHC  
Publish Date: 4-9-87

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

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

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

Components: Measurement Standards

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

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

<b>CAPITAL</b>	-0-	-0-	-0-	-0-	-0-	-0-
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<b>REVENUE</b>	-0-	-0-	-0-	-0-	-0-	-0-
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**FUNDING: (Thousands of Dollars)**

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

**POSITIONS:**

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

**ANALYSIS :** (Attach a separate page if necessary)

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

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

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

STATE OF ALASKA  
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

May 8, 1987

SUBJECT: Sectional analysis - CSSB 146(Transportation)  
TO: Senator Lloyd Jones  
FROM: Michael F. Ford *M.F.*  
Legislative Counsel

The following is a sectional analysis of CSSB 146(Trsp):

Section 1 - Expands the authority of the commissioner of the Department of Commerce and Economic Development to adopt regulations.

Section 2 - Creates authority for the issuance of a citation for a violation of weight, size, or load limits; overweight or oversize permits; and for vehicle equipment violations. Establishes procedures for issuance and for response to a citation. Requires the Supreme Court to establish a bail schedule and a procedure for bail forfeiture for certain violations.

Section 3 - Establishes a penalty for certain offenses. Adds violations established under AS 45.75.050(b)(5) as offenses subject to the penalty established in this section.

Section 4 - Establishes a penalty for overweight vehicles. This penalty presently exists as AS 28.40.050(e) and is being moved to add this penalty as a part of AS 45.75.380.

Section 5 - Definition.

Section 6 - Repealers.

Section 7 - Effective date.

MFF:mkr  
m11/131



**Dept. of Transportation & Public Facilities**

# POSITION PAPER

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

**APPROVED:** Mark S. Hickey  
Commissioner

**DATE:**

*MSH*  
4/29/87

The department supports SB 146.

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

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

# ALASKA STATE LEGISLATURE

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



P.O. Box V  
Juneau, AK 99811

907-465-4921

## Senate Transportation Committee

### MEMORANDUM

TO: Representative Bette Cato, Chairman  
House Transportation Committee

FROM: Senator Lloyd Jones, Chairman  
Senate Transportation Committee

DATE: May 12, 1987

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

---

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

In 1982, when the enforcement of weights and measures was transferred from the Department of Public Safety to the Department of Commerce; the penalty provisions were not transferred to commerce. During the past five years, the Department of Commerce has issued citations. However, the Alaska Supreme Court has dropped the bail forfeiture from the bail schedule because of no statutory authority.

The status quo is not in the state or industry's best interest. In Fairbanks a mandatory court appearance is necessary. This causes needless delays of truckers and overtime problems for the Department of Commerce. In Anchorage the situation is even worse, the courts are not enforcing the citations.

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

I encourage the House Transportation Committee to approve this measure so there will be adequate protection of our highways in the immediate future, and to ensure we do not place our federal highway funds at risk.

STATE OF ALASKA  
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY  
LEGISLATIVE REFERENCE LIBRARY

POUCHY - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

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

H. TRANS.

5-13-87

1:30 p.m.

# HOUSE COMMITTEE REPORT

(7)

Date referred: 5/12/87

FURTHER REFERRALS: Labor & Commerce  
Judiciary

DATE: May 13, 1987

The Transportation Committee has considered CSSB 146(Trsp)

"An Act relating to weights and measures; citation authority of employees enforcing weights and measures limitations; and providing for an effective date."

**RECOMMENDS:**

- replace with HCS CSSB 146(Trsp)  the same title
- attached amendment(s)  a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the \_\_\_\_\_ Committee

**ADOPTS:**  \_\_\_\_\_ letter of intent

**ATTACHES NEW FISCAL NOTE(s):**

- fiscal impact  same as previous fiscal note published 4/9/87 & 4/9/87
- zero fiscal note  same as previous zero fiscal note published \_\_\_\_\_
- zero with analysis

**SIGNING DO PASS:**

\_\_\_\_\_  
*Kevin Finnigan*  
 \_\_\_\_\_  
*James L. ...*  
 \_\_\_\_\_  
*Bill ...*  
 \_\_\_\_\_  
*Bette ...*  
 \_\_\_\_\_  
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**SIGNING OTHER RECOMMENDATIONS:**

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

*Bette ...*  
 \_\_\_\_\_  
 Chairman's signature



Official Business

**COMMITTEE:**

House Transportation Committee

**DATE:** May 13, 1987

**Subject of meeting:**

- \* HCR 18: Railroad Operations Report
- \* HJR 32: Completion of the Mackenzie HWY, Canada
- CSSJR 36: KAL Boarding Rights/Anchorage
- CSSB 146: Weights & Measures

**SIGN-IN**

**NAME** Please include title **ADDRESS** Please use full address. Please include zip. **PHONE** **REPRESENTING** **DO YOU WANT TO TESTIFY?**

Terry P. Hanson Spec. Assistant	BX N Juneau 99811	465-4322	Dept of Public Safety	upon Request.	146
John Williams	Box D Juneau AK 99811	465-2502	DCEB Re SB146 Sen. Fahrenkamp	Yes	146
Nancy Petersen	staff, Sen. Fahrenkamp	465-3876	SJR 36 -	Yes	STAR 3.
MARK HICKEY	—	3900	DOT/PF	QUESTIONS 146	146
ART SNOWDEN	—	264-0541	COURTS	146	146v
T.J. Masheri	Juneau	463-3279	AK Trucking Assoc	yes 146	146
Rosa Jurel	134 No. Franklin	586-1740	A.G.C. of Alaska	yes 146	146
Reed Stoops					

\* indicates first public hearing

S B

2 9 8



Official Business

# Alaska State Legislature

House of Representatives

House Transportation Committee

P.O. Box V  
Juneau, Alaska  
99811

Phone:  
(907) 465-4859

April 13, 1988

\*\*\*\*\*

## COMMITTEE CALENDAR:

SB 298: "An Act naming bridge number 1146 at milepost 240 on the George Parks Highway."

HCR 10: Relating to the expeditious reconstruction and realignment of the Lazy Mountain/Wolverine Road in the Matanuska-Susitna Borough.

FOR THIS MEETING, YOU HAVE BEEN GIVEN:

a folder on SB 298 that includes:

- item #1: SB 298
- #2: fiscal notes - Senate Finance Committee  
DOT/PF
- #3: statement - Senator Coghill
- #4: House Trans. Comm. substitute for SB 298

a folder on HCR 10 that includes:

- item #1: HCR 10
- #2: fiscal note - DOT/PF
- #4: background information - DOT/PF
- #5: a map
- #6: Lazy Mountain Community Council request for construction

33  
STATE OF ALASKA  
1988 LEGISLATIVE SESSION

BILL VERSION: SB 298 b  
PUBLISH DATE: 1/25/88

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: Naming bridge on Parks Hwy.  
Crabbie's Crossing  
Sponsor: Sen. Coghill  
Requestor: Senate Finance Committee

Agency Affected: DOT&PF  
BRU: \_\_\_\_\_  
Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

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

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Prepared by: *Rick Halford*  
Division: Senator Rick Halford, Co-chairman  
Senate Finance Committee

Phone: 465-4958  
Date: 1/25/88

Approved by Commissioner: \_\_\_\_\_  
Agency: \_\_\_\_\_

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

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

*Kagok*

FISCAL NOTE

REQUEST: 5-13-87

Revision Date: \_\_\_\_\_  
Title: Name Bridge on Parks Hwy;  
"Crabbie's Crossing"  
Sponsor: Coghill  
Requestor: Eliason

Agency Affected: DOT&PF  
BRU: M&O  
Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES	.1					
TRAVEL						
CONTRACTUAL						
SUPPLIES	.5					
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	.6	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	.6	0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Costs above are for two signs at bridge crossing;  
Signs - \$150.00 each X 2 = 300.00  
Posts - 100.00 each X 2 = 200.00  
Labor - 50.00 each X 2 = 100.00

Prepared by: Ronald B. Lind, Director  
Division: Plans, Programs and Budget

Phone: 465-2171  
Date: 1-14-88

Approved by Commissioner: *M. B. S. H.*  
Agency: Transportation & Public Facilities

Date: 1-14-88

Distribution (by preparer) :

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

Senator John B. (Jack) Coghill  
Alaska State Legislature



Box V  
Juneau, Alaska 99811  
(907) 465-4797

Box 55028  
North Pole, Alaska 99705  
(907) 488-0862

M E M O R A N D U M

TO: House Transportation Committee Members  
FROM: Senator Jack Coghill  
DATE: April 11, 1988  
RE: SB 298

---

I respectfully request your support of Senate Bill 298. This bill was generated by the community members of McKinley Village and Healy.

Gary Crabb was one of the founding fathers of McKinley Village, dating back to the early 1950's when access was only available via the Denali Highway from Paxon. Gary was a leader in the early development in Alaska's tourism industry. Gary passed away after a long and courageous battle with cancer. I have known Gary for many years. He had lived in the McKinley area for 26 years and worked tirelessly to make McKinley Village succeed.

The bridge crossing the Nenana River at the southern entrance to McKinley Park and proximate to McKinley Village is not named. It is referred to as Bridge #694 at milepost 231.2 on the George Parks Highway. I believe naming this bridge "Crabbie's Crossing" after Gary Crabb, is the least we can do to show our genuine appreciation for Gary's hard work and dedication to making McKinley Village a viable community.

The residents of McKinley Village, Healy, and I would appreciate your support for SB 298.

5-1217B  
Utermohle  
4/11/88

Original sponsor: Coghill

1 IN THE SENATE BY THE TRANSPORTATION COMMITTEE  
2 HOUSE CS FOR SENATE BILL NO. 298 (Transportation)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FIFTEENTH LEGISLATURE - SECOND SESSION 0

5 A BILL

6 For an Act entitled: "An Act naming bridge number 694 at milepost 231.2 on  
7 the George Parks Highway."

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

9 \* Section 1. AS 35.40 is amended by adding a new section to read:

10 Sec. 35.40.030. CRABBIE'S CROSSING. Bridge number 694 at mile-  
11 post 231.2 on the George Parks Highway is named Crabbie's Crossing.  
12  
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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.

Mary Van Nimwegen

H. TRANS.

4-13-88

1:30 P.M.

# HOUSE COMMITTEE REPORT

(7)

Date referred: 2/3/88

FURTHER REFERRALS:

4/14  
Pulse

DATE: 4-13-88

The Transportation Committee has considered SB 298

"An Act naming bridge number 1146 at milepost 240 on the George Parks Highway."

**RECOMMENDS:**

- replace with NCS SB 298 (2nd)  the same title
- attached amendment(s)  a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the \_\_\_\_\_ Committee

**ADOPTS:**  \_\_\_\_\_ letter of intent

**ATTACHES NEW FISCAL NOTE(S):**

- fiscal impact  same as previous fiscal note published 1-15-88
- zero fiscal note  same as previous zero fiscal note published 1-25-88
- zero with analysis

**SIGNING DO PASS:**

Bill Anderson

Mike Miller

Heinrich Springer

**SIGNING OTHER RECOMMENDATIONS:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Heinrich Springer  
Vice Chairman's signature



Official Business

**COMMITTEE:**

House Transportation Committee

**DATE:** April 13, 1988

**SIGN-IN**

**Subject of meeting:**

- SB 298: "An Act naming bridge number 1146 at mile-post 240 on the George Parks Highway."
- \* HCR 10: Relating to the expeditious reconstruction and realignment of the Lazy Mountain/Wolverine Road in the Matanuska-Susitna Borough.

**NAME** Please include title      **ADDRESS** Please use full address. Please include zip.      **PHONE**      **REPRESENTING**      **DO YOU WANT TO TESTIFY?** *shuca will*

NAME Please include title	ADDRESS Please use full address. Please include zip.	PHONE	REPRESENTING	DO YOU WANT TO TESTIFY?
BOB CRAMER		4797	SEN. COGHILL	IF NEEDED
Rep. Cent Menard			Sponsor of HCR 10	HCR 10

\*indicates first public hearing

S B

335

File Contents

SB 335 am - Approp: Prior Hear PF Dividend Approp's

<u>No.</u>	<u>Description</u>
1.	Bill - SB 335 am
2.	Fiscal Note - Revenue
3.	Bill Review - Harrison
4.	<i>Sec. Analysis</i>

SB335.FIL  
4/7/88

# **CORRECTION**

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

File Contents

SB 335 am - Approp: Prior Hear PF Dividend Approp's

<u>No.</u>	<u>Description</u>
1.	Bill - SB 335 am
2.	Fiscal Note - Revenue
3.	Bill Review - Harrison
4.	<i>Sec - Analysis</i>

FISCAL NOTE

REQUEST:

Revision Date:  
Title: An Act making, amending, lapsing, and repealing appropriations pertaining to permanent fund dividends.  
Sponsor: Senators Fischer and Faiks  
Requestor: Senate Finance

Agency Affected: Revenue  
BRU: Permanent Fund Dividend  
Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
OPERATING						
PERSONAL SERVICES	-	-	-	-	-	-
TRAVEL	-	-	-	-	-	-
CONTRACTUAL	-	-	-	-	-	-
SUPPLIES	-	-	-	-	-	-
EQUIPMENT	-	-	-	-	-	-
LANDS & STRUCTURES	-	-	-	-	-	-
GRANTS, CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

See attachment

Prepared By: Royce B. Weller *RW* Phone: 465-2300  
Division: Commissioner's Office Date: January 15, 1988

Approved by Commissioner: Hugh Malone *H Malone* Date: January 15, 1988  
Agency: Department of Revenue

Distribution (by preparer):

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

Prior Year Permanent Fund Dividend Payment History  
as of January 14, 1988

AR #	Appropriation Cite	Dividend Year	Appropriation Amount	Expended to date	Encumbered Balance	Unencumbered Balance	Amount to Reserve for Potential Liabilities	Balance
15720	Ch. 101 SLA 82 General Fund	1982	\$421,032,500.00	\$416,217,256.53	\$4,676,890.61	\$ 138,575.89	\$408,000.00	\$4,407,466.50
15795	Ch. 6 SLA 83 PFD Fund	1982 Supplemental	\$ 41,000,000.00	\$ 34,422,432.80	\$6,577,567.20	0.00	0.00	6,577,567.20
15800	Ch. 107 SLA 83 PFD Fund	1983	\$175,935,300.00	\$174,254,300.19	\$ 192,302.70	\$1,488,697.11	59,853.25	1,621,146.56
15805	Ch. 44 SLA 84 PFD Fund	1983 Reopening	\$ 11,584,500.00	\$ 2,354,530.03	0.00	\$9,229,969.97	0.00	9,229,969.97
15765	Ch. 122 SLA 84 PFD Fund	1984	160,100,171.00	158,654,315.65	\$ 164,319.84	\$1,281,535.51	42,405.12	1,403,450.23
15502	Ch. 98, SLA 85 PFD Fund	1985	208,910,043.58	206,790,675.16	\$2,119,368.42	0.00	119,988.00	1,999,380.42

3 SB 335 am



# Alaska State Legislature

## House of Representatives

### Committee on Community & Regional Affairs

Pouch V  
State Capitol  
Juneau, Alaska 99811  
(907) 465-4833

April 7, 1988

TO: Henry Springer, Chairman HCRA

FROM: David C. Harrison, P.A., HCRA

SUBJECT: SB 335 am "An Act making, amending, lapsing, and repealing appropriations pertaining to permanent fund dividends; and providing for and effective date." (Fischer, Faiks)

\*\*\*\*\*

REVIEW:

Section 1 lines 10-14 provide the unexpended and unobligated balances of appropriations made in 1982 to lapse into the general fund on June 30, 1988 from the following:

sec. 17, ch 101 SLA 1982 as amended by sec. 122, ch 105 SLA 1985 Also sec. 18, ch 101 SLA 1982 -see attached (2) 335am line funding from Dept of Rev. for 1982 Gen. Fund and 1982 PFD.

Sec. 2, line 15 equal sums of unexpended and unobligated funds as repealed by this section is appropriated from the dividend fund to the Dept. of Rev to pay permanent fund dividends in 1988 are as follows:

sec. 1, ch 6, SLA 1983  
sec. 2, ch, 44, SLA 1984  
sec. 3 ch, 44, SLA 1984  
sec. 26, ch, 98, SLA 1985, page 26, line 5 (PFD)  
sec. 26, ch, 98, SLA 1985, page 35, line 7 permanent fund dividend hold harmless. See attached items.

Sec. 3. The unexpended and unobligated balances of the following appropriations are repealed and an equal amount to the sum of the appropriations repealed by this section is appropriated from the earnings reserve account of the permanent fund to the dividend fund.

sec. 32, ch. 107, SLA 1983, page 14, line 11 PFD  
sec. 14, ch. 122, SLA 1984  
sec. 15, ch. 122, SLA 1984  
sec. 14, ch. 98, SLA 1985, as amended by  
sec. 763, ch. 105, SLA 1985. See attached items

for details.

Sec. 4. The amount equal to the amount appropriated to the dividend fund by sec. 3 of this Act is appropriated from the

SECTIONAL ANALYSIS (Senator Paul Fischer)

SENATE BILL 335 (Making, amending, lapsing, and repealing appropriations pertaining to permanent fund dividends)

This bill provides for the transfer of the unexpended and unobligated balances of permanent fund dividend appropriations for what are known as "prior year dividends" for the years 1982 through 1985.

Section 1 lapses the unexpended and unobligated balances of the 1982 appropriations originally made from the general fund back to the the general fund (approximately \$4 million).

Section 2 of the bill repeals the unexpended and unobligated balances of 1983, 1984, and 1985 appropriations from the dividend fund to the Department of Revenue for the payment of dividends.

Section 3 repeals the unexpended and unobligated balances in several appropriations from the permanent fund earnings reserve account to pay permanent fund dividends in the years 1983 through 1985. This would allow the Department of Revenue to "sweep" all their accounts and deposit the balances in one account.

Section 4 appropriates the sum of money appropriated to the dividend fund by section 3 of this bill out of the dividend fund to the Department of Revenue for payment of permanent fund dividends.

Section 5 is the effective date and is contingent upon passage of Senate Bill 336 or a similar version. However, an amendment will be offered by the sponsor to replace this section.

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.

Mary Van Nimwegen

H.C+RA

4-8-88

3:00p.m.

5  
(2)

# HOUSE COMMITTEE REPORT

Transportation,  
S.A., HESS,  
Resources, L&C,  
Judiciary,  
Finance

Date referred: 1/20/88

FURTHER REFERRALS:

DATE: APR -8 1988

The Community and Regional Affairs Committee has considered SB 335 am

"An Act making, amending, lapsing, and repealing appropriations pertaining to permanent fund dividends; and providing for an effective date."

**RECOMMENDS:**

- replace with \_\_\_\_\_  the same title
- attached amendment(s)  a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the \_\_\_\_\_ Committee

**ADOPTS:**  \_\_\_\_\_ letter of intent

**ATTACHES NEW FISCAL NOTE(S):**

- fiscal impact  same as previous fiscal note published \_\_\_\_\_
- zero fiscal note  same as previous zero fiscal note published \_\_\_\_\_
- zero with analysis

**SIGNING DO PASS:**

Heinrich Springer Springer  
Collins Collins  
Cato Cato

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

**SIGNING OTHER RECOMMENDATIONS:**

Herrmann  
Adelheid Herrmann No Rec  
Collins No Rec

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

Springer

Heinrich Springer  
Chairman's signature



S B

3 3 6

File Contents

SB 336 - Computation of Permanent Fund Dividends

<u>No.</u>	<u>Description</u>
1.	Bill - SB 336
2.	Zero Fiscal Note - Revenue
3.	Bill Review - Harrison
4.	<i>Sec Analysis</i>

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: An Act relating to computation  
PFD Dividends and an effective date.  
Sponsor: Senators Fischer and Faiks  
Requestor: Senate Finance

Agency Affected: Revenue  
BRU: Permanent Fund Dividend

Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
OPERATING						
PERSONAL SERVICES	-	-	-	-	-	-
TRAVEL	-	-	-	-	-	-
CONTRACTUAL	-	-	-	-	-	-
SUPPLIES	-	-	-	-	-	-
EQUIPMENT	-	-	-	-	-	-
LANDS & STRUCTURES	-	-	-	-	-	-
GRANTS, CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

Prepared By: Royce B. Weller *RW* Phone: 465-2300  
Division: Commissioner's Office Date: January 15, 1988

Approved by Commissioner: Hugh Malone *H Malone* Date: January 15, 1988  
Agency: Department of Revenue

Distribution (by preparer):

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



# Alaska State Legislature

## House of Representatives

### Committee on Community & Regional Affairs

Pouch V  
State Capitol  
Juneau, Alaska 99811  
(907) 465-4833

April 7, 1988

TO: Henry Springer, Chariman HCRA  
FROM: David C. Harrison, P. A., HCRA *DCH*

SUBJECT: SB 336 "An Act relating to computation of permanent fund dividends; and providing for an effective date. (Fischer)

\*\*\*\*\*

REVIEW: The only change in this section of the law is on line 27 through 29: plus any additional amount appropriated to the dividned fund for distribution as dividends during the current year.

There are other requirements of the law that mandate certain information about the permanent fund dividends. This will provide information about any additional amount appropriated to the dividend fund for distribution as dividends during the current year.

Sec. 2. This Act takes effect immediately under AS 01.10.070(c).

SECTIONAL ANALYSIS (Senator Paul Fischer)

SENATE BILL 336 (Relating to computation of permanent fund dividends)

The purpose of this bill is to revise the method of calculation and allow for including the additional unexpended and unobligated balances of past appropriations in this year's dividend formula.

This bill will also allow for future unexpended and unobligated balances of appropriations to lapse into the dividend fund for which the appropriation was made and shall be used in determining the amount of and paying the subsequent year's dividend.

1-15-88

STATE OF ALASKA  
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY  
LEGISLATIVE REFERENCE LIBRARY

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

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

HC+RA

4-8-88

3:00p.m.

5  
(7)

# HOUSE COMMITTEE REPORT

Transportation,  
S.A., HESS,  
Resources, L&C,  
Judiciary,  
Finance

Date referred: 1/20/88

FURTHER REFERRALS:

DATE: APR -8 1988

The Community and Regional Affairs Committee has considered SB 336

"An Act relating to computation of permanent fund dividends; and providing for an effective date."

**RECOMMENDS:**

- replace with \_\_\_\_\_  the same title
- attached amendment(s)  a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the \_\_\_\_\_ Committee

**ADOPTS:**  \_\_\_\_\_ letter of intent

**ATTACHES NEW FISCAL NOTE(s):**

- fiscal impact  same as previous fiscal note published \_\_\_\_\_
- zero fiscal note  same as previous zero fiscal note published \_\_\_\_\_
- zero with analysis

**SIGNING DO PASS:**

Heinrich Springer Springer

Adelheid Herrmann Herrmann

Virginia Collins Collins

Alta Cato Cato

**SIGNING OTHER RECOMMENDATIONS:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Springer

\_\_\_\_\_ Heinrich Springer  
Chairman's signature



SB

347



Official Business

# Alaska State Legislature

House of Representatives

House Transportation Committee

P. O. Box V  
Juneau, Alaska  
99811

Phone:  
(907) 465-4859

March 11, 1988

\*\*\*\*\*

## COMMITTEE CALENDAR:

SB 347: "An Act relating to regulation of motorboat  
motor repairs."

FOR THIS MEETING, YOU HAVE BEEN GIVEN:

a folder on SB 347 that includes:

- item #1: SB 347
- #2: fiscal note - Senate State Affairs
- #3: a statement from Senator Duncan
- #4: statutes
- #5: letters - one for, one against

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: An Act relating to the  
regulation of motorboat repairs  
Sponsor: Duncan  
Requestor: \_\_\_\_\_

Agency Affected: \_\_\_\_\_  
BRU: \_\_\_\_\_

Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Senate State Affairs Committee Phone: 465-4522  
Division: \_\_\_\_\_ Date: \_\_\_\_\_  
Approved by Senator Mitch Abood Date: 1-28-88  
Agency: Senate State Affairs Committee

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



# Alaska State Legislature

SENATOR JIM DUNCAN

P. O. BOX V JUNEAU, ALASKA 99811

(907) 465-4766

COMMITTEES:  
FINANCE  
RESOURCES  
BUDGET AND AUDIT

## MEMORANDUM

March 10, 1988

TO: Representative Bette Cato, Chairman  
House Transportation Committee

FROM: Senator Jim Duncan

SUBJECT: SB 347 am "An act relating to the regulation of motorboat motor repairs".

Thank you for scheduling SB 347 am for a hearing. SB 347 am amends the definition section of the current law relating to the Regulation of Motor Vehicle Repairs to include motorboat motors and defines motorboats and motorboat motors.

Currently under AS 45.45, motor vehicle repair, when a customer takes his motor vehicle to a shop for repair the customer may request a written estimate prior to the commencement of any repairs. Nothing in this section requires a shop to provide a price estimate if the shop does not agree to perform the requested repairs. If the shop has given the customer an estimate and the price for the authorized repairs exceeds the estimate, the shop must call the customer before continuing with the repairs and at that time the shop has the opportunity to give the customer a new estimate. Also if the customer requests, at the time the repair order is taken, the customer may elect to receive the parts of their motor vehicle that are replaced.

Essentially 45.45 Regulation of Motor Vehicle Repairs is a consumer protection law. SB 347 am will provide the same protection for boat owners as for motor vehicle owners under AS 45.45.

My office was contacted by an individual who needed to have his boat engine repaired. A verbal estimate by the boat dealership indicated the repairs would cost \$4,500.00. When the dealership was finished repairing the engine the total bill was over \$7,000.00. There was no indication to the owner at any time prior to the billing that the amount due would be over the original estimate.

With the large number of boat owners in our state and the fact that for many their boat is an important means of transportation, I believe this bill will extend the necessary protection for boat owners that currently exists for car owners.

# Alaska Statutes

## Title 45. Trade and Commerce.

### Chapter

01. General Provisions (§§ 45.01.101 — 45.01.208)
02. Sales (§§ 45.02.101 — 45.02.725)
03. Commercial Paper (§§ 45.03.101 — 45.03.805)
04. Bank Deposits and Collections (§§ 45.04.101 — 45.04.504)
05. Letters of Credit (§§ 45.05.101 — 45.05.117)
06. Bulk Transfers (§§ 45.06.101 — 45.06.111)
07. Warehouse Receipts, Bills of Lading, and Other Documents of Title (§§ 45.07.101 — 45.07.650)
08. Investment Securities (§§ 45.08.101 — 45.08.406)
09. Secured Transactions; Sales of Accounts, Contract Rights, and Chattel Paper (§§ 45.09.101 — 45.09.507)
10. Alaska Retail Installment Sales Act (§§ 45.10.010 — 45.10.230)
20. Purchase of Ore (§§ 45.20.010 — 45.20.050)
30. Sales of Mobile Homes (§§ 45.30.011 — 45.30.100)
45. Trade Practices (§§ 45.45.010 — 45.45.900).
50. Competitive Practices and Regulation of Competition (§§ 45.50.010 — 45.50.900)
55. Alaska Securities Act of 1959 (§§ 45.55.010 — 45.55.270)
57. Takeover Bid Disclosure Act (§§ 45.57.010 — 45.57.120)
60. Alaska Uniform Gifts to Minors Act (§§ 45.60.011 — 45.60.101)
65. Handicrafts (§§ 45.65.010 — 45.65.070)
70. Sureties (§§ 45.70.010 — 45.70.020)
75. Weights and Measures Act (§§ 45.75.010 — 45.75.400)
77. Foreign Trade Zones (§ 45.77.010)
87. Bulk Fuel (§§ 45.87.010 — 45.87.500)
88. Alternative Energy Revolving Loan Fund (§§ 45.88.010 — 45.88.500)
89. Residential Energy Conservation Fund (§§ 45.89.010 — 45.89.500)
90. Tourism Revolving Fund (§§ 45.90.010 — 45.90.050)
92. Fishery Product Revolving Loan Guarantee Fund (§§ 45.92.010 — 45.92.060)
94. Forest Products Business Loan Guarantee Program (§§ 45.94.010 — 45.94.060)
95. Small Business Loans (§§ 45.95.010 — 45.95.080)
98. Historical District Revolving Loan Fund (§§ 45.98.010 — 45.98.070)

**Article 5. Regulation of Motor Vehicle Repairs.**

<b>Section</b>	<b>Section</b>
130. Repair order	180. Return of parts
140. Repair price information	190. Invoice
150. Notice to customer	200. Prohibited practices
160. Charges	210. Disclosure of regulation
170. Authorization to proceed with repairs	220. Records
	240. Definitions

**Sec. 45.45.130. Repair order.** Upon request of the customer and before the commencement of repairs, the shop shall provide the customer with a copy of a dated repair order legibly describing the repairs to be performed. The shop shall record the odometer reading of the customer's motor vehicle on the repair order, and shall sign the customer's copy. (§ 1 ch 146 SLA 1976)

**NOTES TO DECISIONS**

Cited in *State v. Grogan*, Sup. Ct. Op. No. 2356 (File No. 5199), 628 P.2d 570 (1981).

**Sec. 45.45.140. Repair price information.** Upon request of the customer and before the commencement of repairs, the shop shall provide the customer with a price estimate for the repairs. The repair price estimate shall be made in good faith by the shop and may not be exceeded except for good cause and additional charges over the price estimate may not be incurred without approval of the customer. Nothing in this section may be construed as requiring a shop to provide a price estimate if the shop does not agree to perform the requested repairs. (§ 1 ch 146 SLA 1976)

**Sec. 45.45.150. Notice to customer.** The shop shall post a conspicuously located and easily readable sign which states:

"You are entitled to a price estimate for the repairs you authorize if you request the estimate before the repairs are begun. This price estimate will not be exceeded if the motor vehicle is delivered to the shop within five days. After the motor vehicle is delivered to the shop the repair price may be less than the estimate but will not exceed the estimate without your permission. Your signature on the repair order will indicate your authorization of repairs at the price estimated.

You are entitled to the return of any or all replaced parts, except parts which must be returned to a manufacturer because of warranty and/or exchange agreement, if you request the parts at the time your order is taken. Those parts which must be returned to the manufacturer will be made available for inspection to you when you pick up your vehicle if you request the parts at the time your repair order is taken." (§ 1 ch 146 SLA 1976)

**Sec. 45.45.160. Charges.** A shop may not charge for making a repair price estimate unless, before making the estimate, the shop discloses to the customer the amount of the charge, or, if the amount cannot be determined, the basis on which the charge will be calculated. A shop may not impose, or threaten to impose, a charge which is clearly excessive in relation to the work involved in making the price estimate. (§ 1 ch 146 SLA 1976)

**Sec. 45.45.170. Authorization to proceed with repairs.** (a) If the shop has given the customer an estimate and the price for the authorized repairs will exceed the estimate, the shop shall call the customer before continuing with the repairs and shall provide the customer with a new, good faith estimate of the repair price. The shop may not then continue with the repairs until it receives the customer's written or oral authorization to do so.

(b) Before undertaking repairs other than those previously authorized by the customer, the shop shall call the customer and describe to the customer the proposed additional repairs, together with a good faith estimate of the price for the repairs. The shop may not then undertake the additional repairs until it receives the customer's written or oral authorization to do so.

(c) If the shop does not receive the customer's authorization to proceed with the repairs under (a) or (b) of this section, the shop shall either agree to perform the repairs at the original estimated price or provide for the customer to retake possession of the vehicle in at least as good condition as it was delivered to the shop and notify the customer accordingly.

(d) A written authorization under (a) or (b) of this section shall be made on the repair order or on the invoice when a repair order is not requested and shall specify newly authorized repairs, as well as the newly authorized repair price estimate. If authorization under (a) or (b) of this section is received orally, the shop shall specify on the repair order or invoice newly authorized repairs, as well as the newly authorized repair price estimate. It shall also specify the date and time of authorization, and the person and telephone number called. (§ 1 ch 146 SLA 1976)

**Sec. 45.45.180. Return of parts.** Parts from a customer's motor vehicle which are replaced by the shop shall be returned to the customer if they are requested by the customer at the time the repair order is taken. However, parts which must be returned to the manufacturer because of a warranty or exchange agreement need not be returned to the customer upon request but shall instead be made available for the customer's inspection when the customer retakes possession of the motor vehicle. (§ 1 ch 146 SLA 1976)

**Sec. 45.45.190. Invoice.** The shop shall provide every customer, at the time the customer retakes possession of the motor vehicle, with a copy of a dated invoice detailing the costs of all parts and labor involved in the repair, and identifying all parts replacements as being either new, used, rebuilt or reconditioned. (§ 1 ch 146 SLA 1976)

**Sec. 45.45.200. Prohibited practices.** (a) A shop may not misrepresent, directly or by implication,

- (1) the cost of repairs authorized by the customer;
- (2) the terms or conditions of a warranty or service agreement;
- (3) that repairs are necessary;
- (4) that repairs have been made; or
- (5) that the motor vehicle is in a dangerous condition, or that the customer's continued use of the motor vehicle will be hazardous to persons or harmful to the motor vehicle.

(b) A shop may not collect or attempt to collect for

- (1) repairs not authorized either orally or in writing by the customer;
- (2) repairs which the shop knew or reasonably ought to have known to be unnecessary; or
- (3) repairs which have not been made.

(c) A shop which is also a warrantor or a party to a service agreement may not refuse to repair a motor vehicle in accordance with the terms and conditions of the warranty or service agreement.

(d) A shop may not fail to return a customer's motor vehicle because the customer has refused to pay for unauthorized repairs, or because the customer has refused to pay repair charges in excess of the price authorized under AS 45.45.130 — 45.45.140, if the customer pays the authorized price for the authorized repairs.

(e) A shop may not alter a customer's motor vehicle with intent to create a condition requiring repairs. (§ 1 ch 146 SLA 1976)

**Sec. 45.45.210. Disclosure of regulation.** The following statement shall be conspicuously printed, either on the invoice or on another form given to every customer for whom the shop performs repairs:

"Motor vehicle repair trade practices are regulated by Alaska Statutes 45.45.130 — 45.45.240, administered by the consumer protection section, Alaska Department of Law." (§ 1 ch 146 SLA 1976)

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**Sec. 45.45.220. Records.** A shop shall maintain repair records and invoices for parts purchased by the shop. The records shall be available for reasonable inspection by the attorney general or other persons acting at the request of the attorney general and shall be retained for at least two years. (§ 1 ch 146 SLA 1976)

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**Sec. 45.45.240. Definitions.** In AS 45.45.130 — 45.45.240

ment;

(1) "customer" includes a person authorized by the customer to act on the customer's behalf;

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(2) "motor vehicle" or "vehicle" means a motor vehicle as defined in AS 28.40.100 which is required to be registered under AS 28.10, or with a governmental agency of another jurisdiction performing a similar function;

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(3) "motor vehicle repair shop" or "shop" means an individual, corporation, partnership, or other form of business organization engaged in the motor vehicle repair business and includes owners, officers, directors, agents, employees, and representatives but excludes the following:

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(A) a shop engaged solely in the business of repairing the motor vehicles of a single commercial, industrial or governmental establishment, or of two or more of these establishments which are related by common ownership or corporation affiliation;

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(B) a person repairing the person's own or a family member's motor vehicle;

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(4) "repair" or "repairs" means the improvement, adjustment, replacement, examination, diagnosis, maintenance, servicing, removal or installation of any component or part of a motor vehicle, but does not include towing or the supplying of motor fuel to a motor vehicle. (§ 1 ch 146 SLA 1976; am § 21 ch 144 SLA 1977)

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**Article 6. Motor Vehicle Warranties.**

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- Section
- 300. Repairs required
- 305. Replacement or refund
- 310. Notice by owner
- 315. Exceptions
- 320. Presumption
- 325. Parts availability
- 330. Failure to replace or refund

- Section
- 335. Resale without disclosure prohibited
- 340. Other rights and remedies
- 345. Repair facilities
- 350. Reimbursement of shipping costs
- 355. Arbitration or mediation
- 360. Definitions

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tion

**Opinions of attorney general.** — The Better Business Bureau's auto line informal dispute resolution mechanism pursuant to this article is in substantial compli-

ance with 16 C.F.R. § 703, setting forth the standards for informal dispute settlement procedures. 1986 Op. Att'y Gen. No. 01.

## NOTES TO DECISIONS

Cited in *Universal Motors, Inc. v. Waldock*, Sup. Ct. Op. No. 3060 (File No. S-796), P.2d (1986).

**Sec. 45.45.300. Repairs required.** If a new motor vehicle does not conform to an express warranty that is applicable to it and the owner of the vehicle reports the defect or condition to the manufacturer of the vehicle or to the manufacturer's or distributor's dealer during the term of the warranty, the manufacturer, distributor, dealer, or a repairing agent shall make the necessary repairs to conform the vehicle to the express warranty. (§ 1 ch 101 SLA 1984)

**Revisor's notes.** — As enacted, this section contained subsections (b)-(m). They were renumbered in 1984 as AS 45.45.305 — 45.45.360.

**Sec. 45.45.305. Replacement or refund.** If during the term of the express warranty or within one year from the date of delivery of the motor vehicle to the original owner, whichever period terminates first, the manufacturer, distributor, dealer, or repairing agent is unable to conform the motor vehicle to an applicable express warranty after a reasonable number of attempts, the manufacturer or distributor shall accept the return of the nonconforming motor vehicle, and, at the owner's option, shall replace the nonconforming vehicle with a new, comparable vehicle or shall refund the full purchase price to the owner less a reasonable allowance for the use of the motor vehicle from the time it was delivered to the original owner. A refund under this section shall be made to a lienholder of record, if any, and the owner, as their interests may appear. (§ 1 ch 101 SLA 1984)

**Revisor's notes.** — Enacted as AS 45.45.300(b). Renumbered in 1984.

**Sec. 45.45.310. Notice by owner.** In order to claim a refund or replacement under AS 45.45.305, the owner shall give written notice by certified mail to the manufacturer and its dealer or repairing agent at any time before 60 days have elapsed after the expiration of the express warranty or the one-year period after the date of delivery of the motor vehicle to the original owner, whichever period terminates first, (1) stating that the vehicle has a nonconformity; (2) providing a reasonable description of the nonconformity; (3) stating that the manufacturer, distributor, dealer, or repairing agent has made a reasonable number of attempts to conform the vehicle; and (4) stating that the owner demands a refund or replacement vehicle to be delivered on the 60th day after the mailing of the written notice. Within 30 days

after receiving the notice required by this section the manufacturer may make a final attempt to conform the vehicle before a refund or replacement is made under AS 45.45.305. (§ 1 ch 101 SLA 1984)

Revisor's notes. — Enacted as AS 45.45.300(c). Renumbered in 1984.

**Sec. 45.45.315. Exceptions.** An owner may not receive a refund or replacement under AS 45.45.300 — 45.45.360 if the manufacturer or distributor shows that the nonconformity complained of

(1) does not substantially impair either the use or the market value of the motor vehicle; or

(2) is the result of

(A) alteration of the motor vehicle by the owner or a person other than a dealer or repairing agent that is not authorized by the manufacturer or distributor; or

(B) abuse or neglect by the owner or a person other than the dealer or repairing agent. (§ 1 ch 101 SLA 1984)

Revisor's notes. — Enacted as AS 45.45.300(d). Renumbered in 1984.

**Sec. 45.45.320. Presumption.** A presumption that a reasonable number of attempts have been made to conform a motor vehicle under an applicable express warranty is established if:

(1) the same nonconformity has been subject to repair three or more times by the manufacturer, distributor, dealer, or repairing agent during the term of the express warranty or the one-year period after delivery of the motor vehicle to the original owner, whichever period terminates first, but the nonconformity continues to exist; or

(2) the vehicle is out of service for repair for a total of 30 or more business days during the express warranty term or the one-year period referred to in (1) of this section, whichever period terminates first; any period of time that repairs are not performed for reasons that are beyond the control of the manufacturer, distributor, dealer, or repairing agent is excluded from the 30-day time period referred to in this paragraph. (§ 1 ch 101 SLA 1984)

Revisor's notes. — Enacted as AS 45.45.300(e). Renumbered in 1984.

**Sec. 45.45.325. Parts availability.** A manufacturer whose vehicles are sold in the state through an authorized dealer shall provide its dealer or repairing agent with any part necessary to make a repair of a nonconformity covered under an express warranty, as soon as possible, without additional charge for freight or handling, if the part is not

in the dealer's or agent's inventory when the nonconforming vehicle is brought to the dealer or repairing agent for repair. (§ 1 ch 101 SLA 1984)

Revisor's notes. — Enacted as AS 45.45.300(f). Renumbered in 1984.

**Sec. 45.45.330. Failure to replace or refund.** A manufacturer or distributor who fails to refund the full purchase price of a motor vehicle or replace the motor vehicle when there is a requirement to do so under AS 45.45.300 — 45.45.360 is presumed to have committed an unfair trade practice under AS 45.50.471. (§ 1 ch 101 SLA 1984)

Revisor's notes. — Enacted as AS 45.45.300(g). Renumbered in 1984.

**Sec. 45.45.335. Resale without disclosure prohibited.** A motor vehicle returned under AS 45.45.305 may not be resold by the manufacturer or distributor in the state unless full disclosure of the reason for the return is made to the prospective buyer before the resale is concluded. (§ 1 ch 101 SLA 1984)

Revisor's notes. — Enacted as AS 45.45.300(h). Renumbered in 1984.

**Sec. 45.45.340. Other rights and remedies.** The provisions of AS 45.45.300 — 45.45.360 do not limit other rights and remedies that may be available to the owner of a motor vehicle under other provisions of law. This section does not create a new cause of action against a dealer or repairing agent who sells or attempts to repair a motor vehicle found to be nonconforming under AS 45.45.300 — 45.45.360. (§ 1 ch 101 SLA 1984)

Revisor's notes. — Enacted as AS 45.45.300(i). Renumbered in 1984.

**Sec. 45.45.345. Repair facilities.** A manufacturer or distributor or motor vehicles who authorizes the sale of the manufacturer's or distributor's motor vehicles in the state shall maintain authorized dealership facilities within the state that are able to perform the service and make the repairs required by the manufacturer's express warranty and by AS 45.45.300 — 45.45.360. (§ 1 ch 101 SLA 1984)

Revisor's notes. — Enacted as AS 45.45.300(j). Renumbered in 1984.

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TRADE AND COMMERCE

§ 45.45.360

**Sec. 45.45.350. Reimbursement of shipping costs.** A manufacturer or distributor who accepts the return of a nonconforming motor vehicle under AS 45.45.305 shall reimburse the owner for any reasonable cost incurred in shipping the vehicle to and from the nearest authorized facility for warranty service and repair of a nonconformity that causes the return of the vehicle. (§ 1 ch 101 SLA 1984)

Revisor's notes. — Enacted as AS 45.45.300(k). Renumbered in 1984.

**Sec. 45.45.355. Arbitration or mediation.** If a manufacturer or distributor has established an informal dispute settlement procedure that substantially complies with the requirements of 16 C.F.R. 703, as that section may be amended, or if the manufacturer or distributor, after receipt of notice required by AS 45.45.310, offers in writing to participate in an arbitration or mediation process with the owner and the arbitration or mediation decision is binding on the manufacturer or distributor but not on the owner, and if the informal dispute settlement or arbitration or mediation process is approved by the attorney general, the provisions of AS 45.45.305 concerning refund or replacement or AS 45.45.350 concerning shipping costs do not apply to an owner who has not first resorted to the informal dispute settlement procedure or arbitration or mediation process. (§ 1 ch 101 SLA 1984)

Revisor's notes. — Enacted as AS 45.45.300(D). Renumbered in 1984.

Opinions of attorney general. — Request for approval of Ford Motor Company's Consumer Appeals Board informal dispute mechanism was denied because it

did not substantially comply with 16 C.F.R. § 703, especially that portion requiring that board members be sufficiently insulated from the warrantor so that decisions are not influenced by the warrantor. 1985 Op. Att'y Gen. No. 06.

**Sec. 45.45.360. Definitions.** In AS 45.45.300 — 45.45.360,

(1) "dealer" means a person who has obtained a franchise from, or is authorized by, a motor vehicle manufacturer to engage in the retail sale and warranty repair of the manufacturer's new motor vehicles in the state;

(2) "distributor" means a person who is authorized by a manufacturer to engage in the wholesale distribution of the manufacturer's new motor vehicles in the state;

(3) "express warranty" or "warranty" means an express written warranty provided by the manufacturer of a new motor vehicle;

(4) "full purchase price" means the total price paid for a motor vehicle by the original owner, including costs added to the retail price, such as original registration fees, transportation fees, dealer preparation, and dealer installed options;

(5) "manufacturer" means a person who by labor transforms raw materials and component parts into motor vehicles for wholesale or retail sale;

(6) "motor vehicle" or "vehicle" means a land vehicle having four or more wheels, that is self-propelled by a motor, is normally used for personal, family, or household purposes, and is required to be registered under AS 28.10; but does not include a tractor, farm vehicle, or a vehicle designed primarily for off-road use;

(7) "nonconformity" means a defect or condition in a motor vehicle caused by a manufacturer, distributor, dealer or repairing agent that substantially impairs the use or market value of a vehicle;

(8) "owner" means a purchaser, other than for resale, of a new motor vehicle, and a person to whom ownership of the motor vehicle is transferred in conformity with AS 28;

(9) "reasonable allowance" means an amount attributable to an owner's use of a motor vehicle; a "reasonable allowance" may not exceed an amount equal to the depreciation in value of the vehicle for the period during which the vehicle is available for use by the owner, calculated by a straight line depreciation method over seven years, plus an amount equal to the depreciation in value of the vehicle that is caused by

(A) any neglect or abuse by the owner; or

(B) body damage not caused by a nonconformity;

(10) "repairing agent" means a person who has been specifically authorized by a motor vehicle manufacturer or distributor to perform warranty repairs in the state on one or more of the manufacturer's or distributor's motor vehicles;

(11) "substantially impairs the market value" means a nonconformity that substantially decreases the dollar value of a vehicle to the owner when compared to the dollar value of a similar vehicle that does not have the nonconformity;

(12) "substantially impairs the use" means a nonconformity that prevents a motor vehicle from being operated or makes the vehicle unsafe to operate. (§ 1 ch 101 SLA 1984)

Revisor's notes. — Enacted as AS 45.45.300(m). Renumbered in 1984.

Article 7. Miscellaneous.

Section

900. Indemnification agreements contra to public policy

Sec. 45.45.900. Indemnification agreements contra to public policy. A provision, clause, covenant, or agreement contained in, collateral to, or affecting a construction contract that purports to indemnify the promisee against liability for damages for (1) death or bodily injury to persons, (2) injury to property, (3) design defects or (4) other

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# TONGASS MARINE

P. O. BOX 1314 - PETERSBURG, ALASKA 99833 - (907) 772-3905

February 2, 1988

Senator Lloyd Jones  
Box V  
Juneau, AK 99811

Dear Lloyd:

I just got wind of Senate Bill 347 dealing with the regulation of motorboat repairs.

I read over the proposed legislation, and it's a slap in the face to every marine repair shop in the state. Every shop I'm familiar with already abides by reputable business practices and I see no need to have them legislated. Unethical business practices are already covered under existing statutes.

I think there are more urgent priorities for the Legislature than passing laws telling marine repair shops how to run their business, and urge you to vote no on the above.

Sincerely,

Tongass Marine



John Murgas, Owner

**National Marine Manufacturers Association**2550 M St., N.W. - Suite 425  
Washington, DC 20037Ron Stone, Director of Government Relations  
(202) 296-4588

March 11, 1988

Representative Bette Cato  
Chairperson  
House Committee on Transportation  
Alaska Legislature  
Pouch V  
Juneau, Alaska 99811

Dear Chairperson Cato:

The National Marine Manufacturers Association, representing over 1300 boat and boat product manufacturers, wishes to express its support for Senata Bill No. 347, currently under consideration by your committee.

NMMA strongly supports requiring repair shops to provide customers with cost estimates before the repairs are begun. It is only fair and equitable to amend the law that protects consumers of motor vehicle repairs to persons in need of marine engine repairs.

Representative Cato, we urge you and the <sup>House Transportation</sup>~~State Affairs~~ Committee to favorably report this legislation in the interests of safe and enjoyable boating in Alaska.

If you have questions or comments about this or any other boating-related matter, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Nancy Linden".

Nancy Linden  
Government Relations

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.

Mary Van Nimwegen

H. TRANS.            3-11-88            1:30 p.m.

# HOUSE COMMITTEE REPORT

(7)

Date referred: 2/5/88

FURTHER REFERRALS: State Affairs

DATE: March 11, 1988

The Transportation Committee has considered SB 347 am

"An Act relating to the regulation of motorboat motor repairs."

**RECOMMENDS:**

- replace with \_\_\_\_\_  the same title
- attached amendment(s)  a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the \_\_\_\_\_ Committee

**ADOPTS:**  \_\_\_\_\_ letter of intent

**ATTACHES NEW FISCAL NOTE(S):**

- fiscal impact  same as previous fiscal note published \_\_\_\_\_
- zero fiscal note  same as previous zero fiscal note published 1/15/88
- zero with analysis

**SIGNING DO PASS:**

Heinrich Springer  
Bette Cato  
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**SIGNING OTHER RECOMMENDATIONS:**

Mike Hiller No Rec.  
Bill Hudson No Rec.  
D.C. Parker (no rec.)  
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Bette Cato  
 Chairman's signature