

ALASKA LEGISLATURE COMMITTEE FILES, 1989-1990 8672

6721 SENATE TRANSPORTATION

125

Mar-Terr Enviro Research, LTD., July 1981. Relationship between Mountain Goat Ecology and Proposed Hydroelectric Development of the Stikine River, B.C. Report No. MT-1. A report to B.C. Hydro.

Describes effects of development upon goats in the Grand Canyon Area of the Stikine River.

McCart, F.J., D.W. Mayhood, M.L. Jones, and G.J. Glova, P. McCart Biological Consultants, LTD., April 1980. Stikine-Iskut Fisheries Study 1979. Report to B.C. Hydro.

Presentation of data describing fish populations in study area, and likely effects from dam developments on aquatic environment and fish populations.

McCart, P., and G. Walder, May 1982. Fish Populations Associated with Proposed Hydroelectric Dams on the Stikine and Iskut Rivers, Volume I: Baseline Studies Prepared for B.C. Hydro

Presents baseline data from field studies conducted in 1979 and 1980 in the Stikine and Iskut rivers downstream of the proposed developments

McCart, P., Aquatic Environments, LTD., September 1983. Fish Populations Associated with Proposed Hydroelectric Dams on the Stikine and Iskut Rivers, Volume II, Preliminary Assessment of Potential Impact. Prepared for B.C. Hydro.

Describes incubation, rearing, habitat, stranding, food availability, and fish growth.

McCart, P., December 1983. Summary of Fisheries Studies Stikine River--Canadian Side 1983. Prepared for B.C. Hydro, 18 pp.

Review of research done during the 1983 season concerning fish populations. McCorison, December 1983. Preliminary Lower Stikine Hydrologic Data, 1982. USDA Forest Service, Tongass National Forest, Stikine Area. Unpublished report.

Deals with the collection of data on water levels at various sites along the Stikine River.

National Marine Fisheries Service, Environmental Assessment Division, Juneau, Alaska, 1982. Stikine River Field Studies Interim Report, June 4-18, July 7-17, 1982.

A collection of base data dealing with the habitat needs of rearing juvenile salmon and the relationship between floodplain inundation and river stage on the Stikine.

Pedology Consultants Limited, February 1983. Soil, Surficial Geology and Landforms Inventory of the Stikine-Iskut Hydroelectric Project. Report for B.C. Hydro.

Penner D.F., and F. Jalkotzy, April 1981. Studies on Fur Bearing Mammals in the Stikine River Drainage. Draft report. Prepared for B.C. Hydro.

Inventory of fur bearing mammal populations--probable impact of reservoir flooding on habitat and populations.

Schultz International, Ltd., March 1984. Stikine-Iskut Hydroelectric Development; Effect of a Submerged Weir Algorithm on Outflow Temperatures. Report for B.C. Hydro.

Schultz International, Ltd. and Ford, Thornton, Norton and Associates, Ltd., March 1984. Development of a Reservoir Water Quality Model. Report for B.C. Hydro.

Schultz International, Ltd., and Ford, Thornton, Norton and Associates, Ltd., March 1984. Manager: A Numerical One Dimensional Model of Reservoir Water Quality; User's Manual. Report for B.C. Hydro.

State of Alaska Department of Transportation and Public Facilities, Southeast Region, November 1984. Reconnaissance Study, Stikine Highway Access. Project No: A87221, 37 pp.

Describes alternative road access routes to tie with British Columbia proposals. Includes a feasibility study based on terrain, alignment and potential structures. Does not involve environmental impacts.

State of Alaska Department of Transportation and Public Facilities, Southeast Region, June 1986. "Southeast Alaska Transportation Plan," 33 pp.

Talisan, Land Resource Consultants, May 1982. Stikine-Iskut Hydroelectric Development, Wildlife Habitat Mapping Study. Report prepared for B.C. Hydro.

The report deals with the mapping of wildlife habitats in the Stikine and Iskut project areas.

Talisan, Land Resource Consultants, November 1982. Agricultural Overview, Stikine-Iskut Hydroelectric Development. Report prepared for B.C. Hydro.

An agricultural assessment of the proposed reservoir sites, as well as areas immediately downstream on the Stikine-Iskut rivers.

Technology Resource, Inc., March 1984. Stikine-Iskut Hydroelectric Development; Simulation of Selective Withdrawal and its Effect on Release Temperatures. Report for B.C. Hydro.

U.S. Environmental Protection Agency, Region X, Water Division, March 1975. Logging Roads and Protection of Water Quality, 313 pp.

U.S. 96th Congress, Public Law 96-487, Alaska National Interest Lands Conservation Act, December 2, 1980.

USDA - Forest Service, Tongass National Forest - Stikine Area, May 1984. Stikine-LaConte Wilderness Environmental Assessment, 38 pp. Describes alternatives including a preferred action for management of the Stikine-LaConte Wilderness area.

Wilson, K.H., December 1983. Summary of 1983 Fisheries Studies on the Alaskan Section of the Stikine River. Prepared for B.C. Hydro, 20 pp.

Deals with relationships between Stikine water levels and water levels of floodplain habitats on salmonids.

Wyborn, M., Environmental and Social-Economic Services, March 1981. Caribou Survey Data and Snow Depth in Vicinity of Spatsizi Plateau 1980. Report No. ESS-13. Report for B.C. Hydro.

The project provided information about winter caribou distribution and movements in areas adjacent to B.C. Hydro's proposed Stikine project.

1. The intent of this reference list is to provide the reader with additional sources of information, should he or she desire more research. The list is not all inclusive. New publications may be forthcoming. Most of the material pertains to B.C. Hydro projects on the Stikine-Iskut Rivers. Nevertheless, it may be used to assess potential impacts of downstream projects. Brief descriptions follow some of the references.

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STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: SB 0037A
PUBLISH DATE: 1/9/89

REQUEST: FISCAL NOTE

Revision Date:
Title: An act designating Certain Hwy. Facilities as Memorials to
AK Veterans
Sponsor: Kelly
Requestor: Kelly

Agency Affected: DOT&PF
BRU: Maintenance & Operations

Components:

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTURAL	0	3.0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	3.0	0	0	0	0
CAPITAL	0	34.8	0	0	0	0
REVENUE	0	0	0	0	0	0

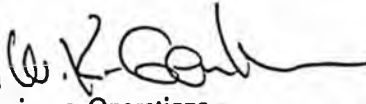
FUNDING: (THOUSANDS OF DOLLARS)

GENERAL FUND	0	37.8	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	37.8	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: W. Keith Gerken 
Division: Deputy Commissioner, Operations

Phone: 465-3900
Date: 1/25/89

Approved by Commissioner: 
Agency: Department of Transportation and Public Facilities

Date: 1/25/89

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



Department of Transportation & Public Facilities

POSITION PAPER

BILL NO: SB37A

Certain Hwy. Facilities as Memorials

TITLE: to Alaska Veterans

APPROVED: Mark S. Hickey
Commissioner

DATE: January 25, 1989

Fiscal Note Analysis SB 37A

This analysis examines those expenses impacting the Department of Transportation and Public Facilities (DOT&PF) Northern, Central and Southeast Regions, for designating certain highway facilities as memorials to Alaska veterans.

Central Region:

The section of the Glenn Highway designated to be renamed, has already been named presently the Blue Star Memorial Highway in honor of the Armed Forces. A plaque has been placed at the intersection of 5th Avenue and Medfra Street.

The Alaska Supplement of the Manual on Uniform Traffic Control Devices, which contains standards for Highway signs on Interstate Highways, stipulates that Interstate routes should not be signed as memorial highways using conventional highway signs. Plaques are permissible if they do not compromise safety or traffic flow. The Glenn Highway is an Interstate Highway, and it is assumed the highway is to be marked by the erection of two memorial plaques at each end in appropriate locations.

The estimated cost for two plaques would be \$1,000 each, including installation, for a total of \$2,000.

Northern Region:

The renaming of "Airport Way" in Fairbanks to "Veterans Memorial Parkway" would result in doubling the size of each current sign assuming that the same size lettering (8" uppercase/6" lower case) was used. There are currently 34 "Airport Way" signs in place, many of which are installed on signal mast arms. The new signs would increase the movement on the mast arms by 335% and would probably overstress the poles. Reduction in sign size was explored but the name does not lend itself well to abbreviation. Even reduction of letter size to a minimum acceptable of 6" upper case and 4 1/2" lower case we do not believe would be sufficient to prevent overstress of the poles. To determine actual limits a structural analysis of the poles would be required. Due to cost and time constraints, this has not been done.

For further information call Catherine A. McHugh at 465-3900

Instead of replacing all these signs, at substantial cost, Northern Region suggests that plaques be installed at each end as suggested for the Glenn Highway at a cost of \$2,000. If that is not acceptable, then the suggested alternative is to reduce the letter size to 6" upper case/4 1/2" lower case and sign the road "Veterans Pkwy." This will result in sign size comparable to current signs and eliminate the pole stress question. This alternative, performed by the private sector under contract to the M&O division would cost approximately \$34,800.

Southeast Region

It is assumed that there would be two plaques used, one at each end of the Juneau-Douglas Bridge. Cost for the renaming of the bridge would include the cost for removal of old plaques or markers and installation of new. Also, included would be the cost of having two new plaques made and installed.

The estimated cost for two plaques is \$600, with an additional \$400 for removal and installation of the new plaques for a total cost of \$1,000.

REQUEST: **FISCAL NOTE**

Revision Date:
Title: An act designating Certain Hwy. Facilities as Memorials to
AK Veterans
Sponsor: Kelly
Requestor: Kelly

Agency Affected: DOT&PF
BRU: Maintenance & Operations

Components:

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTURAL	0	4.0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	4.0	0	0	0	0

CAPITAL	0	18.0	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	0	22.0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	22.0	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: W. Keith Gerken *W.K. Gerken*
Division: Deputy Commissioner, Operations

Phone: 465-3900
Date: 02/02/89

Approved by Commissioner: Mark S. Hickey *W.K. Gerken*
Agency: Department of Transportation and Public Facilities

Date: 02/02/89

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



Department of Transportation & Public Facilities

POSITION PAPER

BILL NO: SB37A

APPROVED: Mark S. Hickey
Commissioner

TITLE: Certain Highway Facilities as
Memorials to Alaska Veterans

DATE: February 3, 1989

Fiscal Note Analysis SB 37A

This analysis examines those expenses impacting the Department of Transportation and Public Facilities (DOT&PF) Northern, Central and Southeast Regions, for designating certain highway facilities as memorials to Alaska veterans.

Central Region:

The section of the Glenn Highway designated to be renamed, has already been named presently the Blue Star Memorial Highway in honor of the Armed Forces. A plaque has been placed at the intersection of 5th Avenue and Medfra Street.

The Alaska Supplement of the Manual on Uniform Traffic Control Devices, which contains standards for Highway signs on Interstate Highways, stipulates that Interstate routes should not be signed as memorial highways using conventional highway signs. Plaques are permissible if they do not compromise safety or traffic flow. The Glenn Highway is an Interstate Highway, and it is assumed the highway is to be marked by the erection of two memorial plaques at each end in appropriate locations.

The estimated cost for two plaques would be \$1,000 each, including installation, for a total of \$2,000.

Northern Region:

Section 35.40.035(b): Renaming the Cushman Street Bridge to "Veterans Memorial Bridge of Flags" would require installation of 2 small signs or plaques, one at each end of the bridge. Estimated cost for all labor and materials is \$1,000.

Section 35.40.040: Renaming the Parks Highway from Airport Way to the Richardson Highway in Fairbanks to the "Robert J. Mitchell Expressway" would require replacement of 12 signs (208 s.f. of sign material) at an estimated cost of \$18,000.

This estimate is based on signing as "Mitchell Expy" (to insure a manageable sign size) and work would be done under a private sector contract to the M&O division.

For further information call Catherine A. McHugh at 465-3900

This renaming was originally proposed under SB-461 and underwent two years of vocal debate in the Fairbanks community, for and against. The Fairbanks City Council passed a resolution supporting the renaming and the Borough Assembly defeated a similar resolution.

Southeast Region

It is assumed that there would be two plaques used, one at each end of the Juneau-Douglas Bridge. Cost for the renaming of the bridge would include the cost for removal of old plaques or markers and installation of new. Also, included would be the cost of having two new plaques made and installed.

The estimated cost for two plaques is \$600, with an additional \$400 for removal and installation of the new plaques for a total cost of \$1,000.

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 5-DAY NOTICE Jan. 19, 1989
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER FINANCE

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

DATE TURNED INTO OFFICE _____

1/9/89

Mr. President:

TRSP Committee considered SB 37

designating certain highway facilities as memorials to Alaska veterans

and recommended:

- replace with CS SB 37 (Trsp) same title
- attached amendment(s) and new title
- _____ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

FISCAL NOTE(S) attached zero
 appropriation no FN attached

fiscal impact
 Gov. FN introduced w/ bill

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

[Signature]
[Signature]

[Signature]
Chairman signature and recommendation

Committee backup attached

Original sponsor: Kelly

1 IN THE SENATE

BY THE TRANSPORTATION COMMITTEE

2 CS FOR SENATE BILL NO. 37 (Transportation)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act designating certain highway facilities as
7 memorials to Alaska veterans and naming certain
8 highway facilities."

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

10 * Section 1. AS 35.40.015 is amended to read:

11 Sec. 35.40.015. JUNEAU-DOUGLAS VETERANS' MEMORIAL [DOUGLAS]
12 BRIDGE. The bridge across the Gastineau Channel connecting Juneau
13 with Douglas Island is named the Juneau-Douglas Veterans' Memorial
14 [DOUGLAS] Bridge.

15 * Sec. 2. AS 35.40 is amended by adding new sections to read:

16 Sec. 35.40.035. VETERANS' MEMORIALS. (a) In Anchorage, the
17 Glenn Highway from mile 0 to mile 9 is named the Veterans' Memorial
18 Parkway.

19 (b) In Fairbanks, the bridge across the Chena River, known as
20 the Cushman Street Bridge, is named the Veterans' Memorial Bridge of
21 Flags.

22 Sec. 35.40.040. ROBERT J. MITCHELL EXPRESSWAY. The South
23 Fairbanks Expressway from the Parks Highway and Airport Road inter-
24 change to the Richardson Highway is named the Robert J. Mitchell
25 Expressway.

6-0297H ✓
Utermohle
1/30/89

Original sponsor: Kelly

1 IN THE SENATE BY THE TRANSPORTATION COMMITTEE
 2 CS FOR SENATE BILL NO. 37 (Transportation)
 3 IN THE LEGISLATURE OF THE STATE OF ALASKA
 4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act designating certain highway facilities as
 7 memorials to Alaska veterans and naming certain
 8 highway facilities."

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

10 * Section 1. AS 35.40.015 is amended to read:

11 Sec. 35.40.015. JUNEAU-DOUGLAS VETERANS' MEMORIAL [DOUGLAS]
 12 BRIDGE. The bridge across the Gastineau Channel connecting Juneau
 13 with Douglas Island is named the Juneau-Douglas Veterans' Memorial
 14 [DOUGLAS] Bridge.

15 * Sec. 2. AS 35.40 is amended by adding new sections to read:

16 Sec. 35.40.035. VETERANS' MEMORIALS. (a) In Anchorage, the
 17 Glenn Highway from mile 0 to mile 9 is named the Veterans' Memorial
 18 Parkway.

19 (b) In Fairbanks, the bridge across the Chena River, known as
 20 the Cushman Street Bridge, is named the Veterans' Memorial Bridge of
 21 Flags.

22 Sec. 35.40.040. ROBERT J. MITCHELL EXPRESSWAY. The South
 23 Fairbanks Expressway from the Parks Highway and Airport Road inter-
 24 change to the Richardson Highway is named the Robert J. Mitchell
 25 Expressway.



Alaska State Legislature

SENATE

Office of the President

P.O. Box V
State Capitol
Juneau, Alaska 99811
(907) 465-3755

January 20, 1989

Senator Lloyd Jones, Chairman
Transportation Committee
Alaska State Senate
Box V
Juneau, Ak 99811

Re: Scheduling of SB 37, naming certain highway facilities as
veteran memorials.

Dear Senator Jones,

I would appreciate the scheduling of SB 37 for a
Transportation Committee hearing at your earliest convenience.
Attached is correspondence I recieved which initiated this
proposal. Also attached is some correspondence supporting the
bill.

Naming public works can sometimes become controversial,
not so much because there is objection to the person or
persons to be honored, but because other names may be desired
for the particular facility. In this case, I believe there is
broad support for memorializing veterans in the three cities
in this manner.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Kelly".

TIM KELLY
State Senator

MEMORANDUM:

TO: Charles T. Borg
Deputy Commissioner

FROM: Dr. Jack R. Shields, Director
Division of Veterans Affairs

DATE: 28 July 1988

SUBJECT: New designation for the following highways, roads
and bridges to honor Alaskan Veterans.

DISCUSSION:

As a lasting memorial and tribute to Alaska's 70,000 living Veterans, to those Alaskan Veterans who paid the supreme sacrifice and gave their lives in support of this Nation, and to those Veterans who continue to be missing-in-action, the following roads and bridges are redesignated:

a. In Anchorage:

That portion of the Glenn Highway from Airport Heights Road at Merrill Field to two miles beyond the overhead entrance to Fort Richardson is redesignated: "THE VETERANS' MEMORIAL PARKWAY."

b. In Fairbanks:

That portion of the Airport Way road from the airport to Fort Wainwright is redesignated: "THE VETERANS' MEMORIAL PARKWAY."

c. In Juneau:

The bridge crossing Gastineau Channel and known as the Douglas Bridge, is redesignated: "THE VETERANS' MEMORIAL BRIDGE."

1. This proposal is introduced to establish a permanent and significant memorial to Alaska's 70,000 Veterans, to all Alaskan Veterans who will subsequently reside in our Great Land and to those who may become Veterans as a result of their dedication to our principles of freedom. Veterans need memorials with high public visibility to maintain an awareness of the sacrifices of the few and to acknowledge

Putt
P. file
11/1-9



Juneau - Douglas

this tribute. These memorials, in that sense, become educational. They denote our spirit of caring and remind our children of the struggle that has been made to maintain our way of life.

This redesignation of the specified locations will not have a negative effect on any location. Specifically, no persons' names are involved and no previous personalized dedication will be usurped.

2. There is no apparent reason that there would be any major opposition to this memorial. The Veterans' organizations are being polled to provide a solid Veterans' support. Additionally, it is planned to outline this proposal in the Vets' Forum (newsletter) to give it extensive exposure to comment.

3. There are an infinite number of locations that could be redesignated, but if this would become an option under consideration, the only viable course of action would be to designate other locations in addition to those specified.

4. The costs involved would be minimal and would be the expense of new signs and whatever administrative costs were involved.

5. Numerous other states have adopted similar terminology in establishing Veterans' memorials by redesignating highways, bridges, buildings, parks, tunnels, et al.

6. As with other major Veterans' issues, the legislative members who are Veterans themselves are most apt to be pro on these redesignations at Anchorage, Fairbanks and Juneau.

STATE OF ALASKA

STEVE COWPER, GOVERNOR

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

OFFICE OF THE ADJUTANT GENERAL

FRONTIER BUILDING
SUITE 620
3501 C STREET
ANCHORAGE, ALASKA 99503-5989
PHONE (907) 243 0656
AUTOVON 626-1444

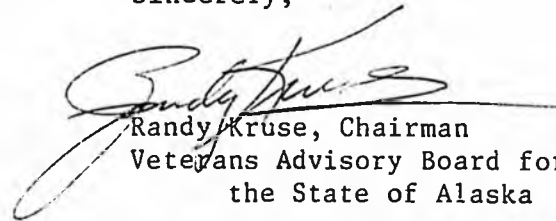
January 13, 1989

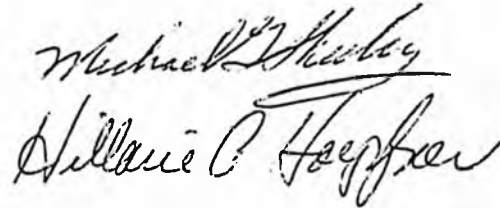
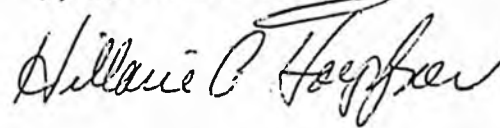
Senator Tim Kelly
P.O. Box V
Juneau, AK 99811

Dear Senator Kelly;

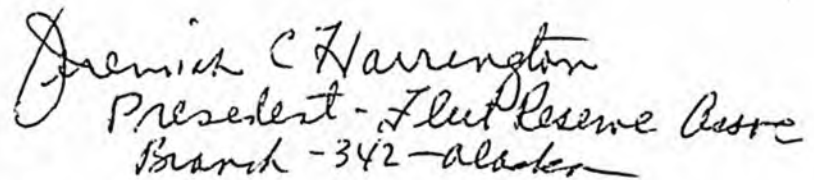
The Veteran's Advisory Board and the undersigned members unconditionally pledge support for Senate Bill 37 and would like to see recognition of this sort to honor our state's and all veterans.

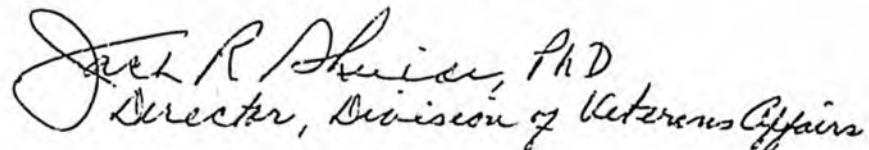
Sincerely,


Randy Kruse, Chairman
Veterans Advisory Board for
the State of Alaska


Michael L. Harty

William C. Hooper

RK'hah


Dennis C. Harrington
President - Fleet Reserve Assoc
Branch - 342 - Alaska


Jack R. Shivers, PhD
Director, Division of Veterans Affairs

PUBLIC OPINION MESSAGE

DEAR: SENATOR KELLY

NAME: FREDDY PRIDE
TITLE:
ADDRESS: BOX 625
CITY: TOK ZIP: 99780
PHONE: 883-5590
BILL NO: SB 37
SUBJECT: HIGHWAY FACILITIES/VETERAN MEMORIALS
MESSAGE: I WANT THE ENTIRE GLENN HIGHWAY NAMED, NOT JUST A PORTION.

PUBLIC OPINION MESSAGE

DEAR: SENATOR KELLY

NAME: TONY HOEPFNER
TITLE:
ADDRESS: HC 80, BOX 7225
CITY: CHUGIAK ZIP: 99567
PHONE: 249-1241
BILL NO: SB 37
SUBJECT: HIGHWAY FACILITIES/VETERAN MEMORIALS
MESSAGE: I WANT TO EXPRESS SUPPORT FOR SB 37.

*SB37
Highway /
Veterans*

090

PUBLIC OPINION MESSAGE

DEAR: SENATOR KELLY

NAME: MASTER SGT. SALSURY
TITLE: NATIONAL GUARD HISTORIANS
ADDRESS: 3601 C STREET #660
CITY: ANCHORAGE ZIP: 99503
PHONE: 249-1253
BILL NO: SB 37
SUBJECT: HIGHWAY FACILITIES/VETERAN MEMORIALS
MESSAGE: I URGE YOU TO SUPPORT SB 37, CONCERNING THE NAMING OF A VETERAN'S
MEMORIAL HIGHWAY. THIS WOULD HONOR THE VETERANS OF ALASKA WHO HAVE SERVED
IN THE WARS THE U.S. HAS BEEN INVOLVED IN.

introduced

POMID: 03101930
DATE: 01/13/89
TIME: 10:19:30
LIONAME: ANCHORAGE LIO

REQUEST: **FISCAL NOTE**

Revision Date:
Title: An act designating Certain Hwy. Facilities as Memorials to
AK Veterans
Sponsor: Kelly
Requestor: Kelly

Agency Affected: DOT&PF
BRU: Maintenance & Operations

Components:

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

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TRAVEL	0	0	0	0	0	0
CONTRACTURAL	0	3.0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	3.0	0	0	0	0
CAPITAL	0	34.8	0	0	0	0
REVENUE	0	0	0	0	0	0

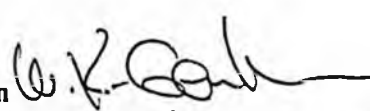
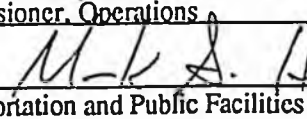
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TOTAL	0	37.8	0	0	0	0

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: W. Keith Gerken 
Division: Deputy Commissioner, Operations
Approved by Commissioner: 
Agency: Department of Transportation and Public Facilities

Phone: 465-3900
Date: 1/25/89

Date: 1/25/89

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



Department of Transportation & Public Facilities

POSITION PAPER

BILL NC: SB37A

Certain Hwy. Facilities as Memorials

TITLE: to Alaska Veterans

APPROVED: Mark S. Hickey
Commissioner

DATE: January 25, 1989

Fiscal Note Analysis SB 37A

This analysis examines those expenses impacting the Department of Transportation and Public Facilities (DOT&PF) Northern, Central and Southeast Regions, for designating certain highway facilities as memorials to Alaska veterans.

Central Region:

The section of the Glenn Highway designated to be renamed, has already been named presently the Blue Star Memorial Highway in honor of the Armed Forces. A plaque has been placed at the intersection of 5th Avenue and Medfra Street.

The Alaska Supplement of the Manual on Uniform Traffic Control Devices, which contains standards for Highway signs on Interstate Highways, stipulates that Interstate routes should not be signed as memorial highways using conventional highway signs. Plaques are permissible if they do not compromise safety or traffic flow. The Glenn Highway is an Interstate Highway, and it is assumed the highway is to be marked by the erection of two memorial plaques at each end in appropriate locations.

The estimated cost for two plaques would be \$1,000 each, including installation, for a total of \$2,000.

Northern Region:

The renaming of "Airport Way" in Fairbanks to "Veterans Memorial Parkway" would result in doubling the size of each current sign assuming that the same size lettering (8" uppercase/6" lower case) was used. There are currently 34 "Airport Way" signs in place, many of which are installed on signal mast arms. The new signs would increase the movement on the mast arms by 335% and would probably overstress the poles. Reduction in sign size was explored but the name does not lend itself well to abbreviation. Even reduction of letter size to a minimum acceptable of 6" upper case and 4 1/2" lower case we do not believe would be sufficient to prevent overstress of the poles. To determine actual limits a structural analysis of the poles would be required. Due to cost and time constraints, this has not been done.

For further information call Catherine A. McHugh at 465-3900

Instead of replacing all these signs, at substantial cost, Northern Region suggests that plaques be installed at each end as suggested for the Glenn Highway at a cost of \$2,000. If that is not acceptable, then the suggested alternative is to reduce the letter size to 6" upper case/4 1/2" lower case and sign the road "Veterans Pkwy." This will result in sign size comparable to current signs and eliminate the pole stress question. This alternative, performed by the private sector under contract to the M&O division would cost approximately \$34,800.

Southeast Region

It is assumed that there would be two plaques used, one at each end of the Juneau-Douglas Bridge. Cost for the renaming of the bridge would include the cost for removal of old plaques or markers and installation of new. Also, included would be the cost of having two new plaques made and installed.

The estimated cost for two plaques is \$600, with an additional \$400 for removal and installation of the new plaques for a total cost of \$1,000.

S B

41



Official Business

Alaska State Legislature

Senate

P.O. BOX V
State Capitol
Juneau, Alaska 99811

STATEMENT OF SENATOR JAY KERTTULA:
SENATE BILL #1, REORGANIZATION OF DOTPF

MARCH 15, 1989

I have recently introduced Senate Bill #1, which will split the Department of Transportation and Public facilities. Instead of a single department, there will be two: a Department of Highways and Aviation with responsibility for roads and airports, and a Department of Public Works and Marine Transportation, with responsibility for the ferry system and for buildings.

For more than a decade, DOTPF has struggled in its effort to comply with laws that impose a range of responsibilities broader in scope than those of any other transportation department in the United States. It is true that Alaska is unique in its size and geography and in its lack of infrastructure, and that these features have made the tasks of the department unusually difficult. In part, however, the department's problems have been imposed from without, the result of an experiment in combining and centralizing administrative functions that is not working.

Since 1977, DOTPF has been required to assume sole responsibility for planning, designing, constructing, maintaining and operating the state's road and bridge system, its airports, its public buildings, and its ferry fleet, docks and other tidewater facilities. It also has responsibility for virtually all state vehicles and related equipment. It is the largest department in state government, with more than 1900 employees (almost one fourth of the state total); its annual expenditures have at times exceeded \$500 million.

The 1977 reorganization permitted the department to structure itself around regional centers with a high degree of local control, each region retaining authority over a broad spectrum of responsibilities. More recently the department has modified its management structure to provide more centralized supervision. Notwithstanding these reorganizations, and notwithstanding the fact that the department has had a dedicated staff and capable directors and commissioners (including those now in office), something has gone seriously wrong.

In recent years the legislative auditors have been frustrated continually in their efforts to account for expenditures made by the department, to balance appropriations of state and federal dollars against outlays for projects authorized, to calculate the magnitude of cost overruns on projects which have gone overbudget and the magnitude of savings on projects which have been completed for less than originally predicted.

Too often the auditors, after months of effort, have been forced to the conclusion that the financial condition of the department in one or more respects simply could not be determined. Too often the administration and the legislature have been placed in the position of having to authorize or encumber appropriated monies without precise knowledge of the amounts actually needed to complete projects and of what was likely to be accomplished for the dollars expended.

I do not believe that these problems are the result of incompetence on the part of administrators or staff. On the contrary, I have known department personnel at all levels and invariably found them to be of superior competence. Moreover, the department has been quick to admit its problems, agreeing in most instances with the conclusions of our auditors and expressing equal frustration. After all, when a department is unable to monitor project costs and to analyze overhead, its own planning and budgeting efforts become almost impossible.

The last two administrations have made substantial and repeated efforts to gain control, and appear to have succeeded in converting many department projects to the new state accounting system and in cleaning up most if not all department capital accounts. These gains have required years, and consumed thousands of hours of valuable staff time that has had to be directed away from the core of maintenance, operation and construction work that the department is supposed to provide.

We must learn from a history that we cannot afford to repeat. I am convinced that DOTPF as it currently exists is simply too unwieldy in scope, too unmanageable in size to be run efficiently. Unless we split the department, narrow the scope of responsibilities, reduce the numbers of staff and projects and capital allocations headed by a single commissioner, we will never achieve the kind of accountability that we must have if we are to cope with leaner state budgets and the simple fact that our road and airport and marine transport systems, the heart of the state's infrastructure, will desintegrate without a first rate maintenance and construction program.

I expect that there will be other benefits than accountability resulting from reduced size and narrowed responsibility. It may be easier in future administrations to find commissioners and other appointed managers with technical expertise appropriate to their department. It may be easier for these managers to prioritize their projects, to work with the planners, engineers and other technicians whose skills determine the success and efficiency of capital improvements, and to complement their experience with the valuable insights of the maintenance and operations staff who know first-hand where problems lie.

Last but not least, splitting the department will provide an additional voice in the governor's cabinet. In view of the unique dependence of Alaskan communities on ferries and air travel in addition to conventional road corridors, and the multiplicity of problems associated with developing and maintaining these different modes of transport, this additional voice is appropriate and should help us in our effort to maintain and expand Alaska's infrastructure as a base for future economic development.

SB 41
PAGE 3

I look forward to working with other legislators and with the department to improve on the concepts presented in SB41 and to effect a smooth transition.

Senator Jay Kerttula

STATE OF ALASKA
THE LEGISLATURE

POUCH Y STATE CAPITOL
UNEAU ALASKA 99511
737 465 3600

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 13, 1989

SUBJECT: Sectional Analysis
SSSB 41

TO: Senator Jalmar Kerttula

FROM: Terri Lauterbach *TLW*
Legislative Counsel

Following is a sectional analysis of SSSB 41, a bill that would split the Department of Transportation and Public Facilities into two departments: the Department of Highways and Aviation and the Department of Public Works and Marine Transportation.

Section 1 states the legislative findings and purpose of the Act.

Section 2 amends the list of departments set out in AS 44.-17.005 to delete DOTPF and add the two new departments.

Section 3 establishes the Department of Highways and Aviation.

Sec. 44.43.011 directs the commissioner of highways and aviation to establish regions in the state with regional offices to oversee regional functions.

Sec. 44.43.021 sets out the general duties of the Department of Highways and Aviation and provides that they must be performed consistent with priorities established by the commissioner of highways and aviation.

Sec. 44.43.031 requires the commissioner of highways and aviation to develop an annual state transportation plan in consultation with the commissioner of public works and marine transportation.

Sec. 44.43.041 requires that the annual state transportation plan include project priority lists. The department

Senator Jalmar Kerttula
Page 2
March 13, 1989

may not undertake preconstruction or construction work on projects that include federal funding if the work reflects a change in priority from a priority list previously submitted to the legislature until 30 days after submitting a new priority list to the legislature for review and comment.

Sec. 44.43.990 sets out routine definitions.

Section 4 establishes the Department of Public Works and Marine Transportation.

Sec. 44.44.011 provides for a commissioner.

Sec. 44.44.021 sets out the general powers and duties of the Department of Public Works and Marine Transportation.

Sec. 44.44.031 directs the commissioner of public works and marine transportation to develop an annual statewide comprehensive facility procurement plan for public facilities of the state and its municipalities.

Sec. 44.44.990 sets out routine definitions.

Section 5 describes the functions of DOTPF that are transferred to the Department of Highways and Aviation.

Section 6 describes the DOTPF functions that are transferred to the Department of Public Works and Marine Transportation.

Section 7 provides that the commissioner of highways and aviation will take positions on boards that are held currently by the commissioner of transportation and public utilities.

Section 8 provides that the two new departments will each exercise the type of powers currently held by DOTPF with respect to procurements.

Section 9 repeals the chapter of laws that established DOTPF.

Section 10 directs the Legislative Affairs Agency to prepare for next session a bill that would implement the splitting of DOTPF into two new departments.

Senator Jalmar Kerttula
Page 3
March 13, 1989

Section 11 gives a July 1, 1990, effective date to most of the bill, delaying the formation of the new departments for one year.

Section 12 gives an immediate effective date to the bill section that requires LAA to prepare a bill to implement the Act.

TL:lmb
L7/034



Department of Transportation & Public Facilities

POSITION PAPER

BILL NO: 88 SB 41

APPROVED: *M. K. S. H. J.*

TITLE: Two Departments/Transportation DATE: March 16, 1989

Although the department understands the broad intent of this legislation, it is unclear to us what the concerns or problems are that require this major adjustment. At a minimum, we have some concern about the duplication of administrative functions that would result from creating two separate agencies to administer transportation programs. Furthermore, we would expect a sizeable one-time, added expense to implement this proposal, as well as higher, ongoing costs. However, the department needs to examine closer the program impacts that also may result.

As you are aware, the unified department was formed by Executive Order in 1977. By all accounts large organizational changes, such as the unification of the department and the division contemplated by this legislation, result in organizational trauma which can be expected to require many years to reach an equilibrium point. In addition, during the intervening years state government as a whole has undergone tremendous changes because of expanding responsibilities. This is especially true for the Department of Transportation and Public Facilities where the desire to expand the state's infrastructure lead to considerable growth in many department responsibilities.

As you may be aware, the Governor's Task Force on Transportation Facilities has cited this expansion in the department's responsibility, especially in the department's responsibility for local facilities, as reasons for the department's inability to respond to some statutory responsibilities efficiently. It is the department's position that a less traumatic, and in our estimation more effective, method of addressing the department's efficiency, if that is the intent of this legislation, would be to continue an examination of what responsibilities should rightly be those of the department versus those that should rightly be the responsibility of local governmental entities. This is a positive course that has been charted by the Governor's Task Force on Transportation Facilities after many hours of thoughtful debate which seems to be ignored by this legislation.

The department would prefer not to offer more of a position on this legislation at this time. Any change of this magnitude is a significant undertaking which deserves careful and complete analysis before proceeding. However, if the sponsor desires a formal position for the record at this time, the department is opposed to this proposal.



Alaska R.O.A.D. Association

P.O. Box 535, Cordova, Alaska 99574-0535
(907) 424-5755

TO THE SENATE TRANSPORTATION COMMITTEE

MARCH 16, 1989

RE: SENATE BILL 41

THE ALASKA ROAD ASSOCIATION IS IN COMPLETE AGREEMENT WITH THE INTENTIONS OF SENATOR KERTULLA'S SENATE BILL 41. WE BELIEVE THAT A LACK OF TRANSPORTATION INFRASTRUCTURE HAS SERIOUSLY HAMPERED THE DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES' ABILITIES TO COPE WITH THE AFFAIRS OF THE DEPARTMENT AND THE DESIRES OF THE PUBLIC TO SEE EXPANSION OF THE TRANSPORTATION DELIVERY SYSTEMS.

WE BELIEVE THE TIME FOR DEVELOPMENT OF THE OVERLAND TRANSPORTATION NETWORK IS LONG PAST DUE; AND WOULD LIKE TO VOICE THE FOLLOWING RESERVATIONS WITH SENATE BILL 41:

WILL IT INCREASE THE AMOUNT OF THE ROAD-BUILDING TIME-FRAME BY CAUSING FURTHER DELAY WHILE THE DEPARTMENT IS RE-ORGANIZED?

WILL IT CREATE ADDITIONAL BOTTLE-NECKS IN PLANNING IN THOSE SITUATIONS WHERE THE HARD-LINK AND WATER-LINK INTERFACE?

WILL EVERY STUDY DONE IN ONE "DEPARTMENT" HAVE TO BE INTER-LOCKED AND RE-STUDIED BY THE OTHER?

WE APPLAUD SENATOR KERTULLA'S ATTENTION TO THE BUILDING OF ROADS, AND HOPE THIS LEGISLATION WILL ALLOW CONSTRUCTION TO BEGIN NOW ON ALL ROADS WHICH THE PUBLIC HAS IDENTIFIED AS SERIOUSLY NEEDED, THROUGH-OUT THE STATE.

LET US BEGIN BY HANDLING THE OLDEST PROJECT FIRST; CONNECT CORDOVA. OPEN THE COPPER RIVER ROAD NOW.

RESPECTFULLY,

LARRY HOGAN
VICE-PRESIDENT
THE ALASKA ROAD ASSOCIATION

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Administration
 Title: * See below. BRU: Centralized Administrative Services
 Sponsor: Kerttula and Rodey Components: Finance
 Requestor: _____

* An Act dividing the Department of Transportation and Public Facilities into two principal departments.

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES		48.0				
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	48.0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND		48.0				
FEDERAL FUNDS						
OTHER	0	48.0	0	0	0	0
TOTAL						

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	2	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

See Attached.

Prepared By: Keith Busch, Director *Keith Busch* Phone: 465-2240
 Division: Finance Date: 4/4/89

Approved by Commissioner: John M. Andrews *[Signature]* Date: 4/4/89
 Agency: Department of Administration

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

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SSSB 41

Assumptions

New accounting entities will be created for the Department of Public Works and Marine Transportation, leaving the Department of Highways and Aviation with the existing accounting entities.

Program Summary

The separation of the Department of Transportation and Public Facilities (DOT&PF) into two principal departments will have a definite fiscal impact on the Division of Finance. Given the current staffing level and the effort being expended to bring up a new payroll system, there is little time available in the normal workday to assume additional projects. It will be necessary to hire nonpermanent personnel for up to 180 days to replace experienced staff that will be relieved of their normal duties to work on this project. Additionally, an estimated 200 hours of overtime will be required to be paid to those employees that cannot be spared from their normal duties during the regular workday.

Due to the inflexibility of the current payroll system, significant hard code revisions will be required to be made to the various files and tables. Essentially, the same number of employees will be served by the Payroll System, however, new personnel actions and payroll routing codes will be created for all employees in the new Department of Public Works and Marine Transportation.

New collocation codes, ledger codes, RD codes and six reporting structures will be created and Alaska Statewide Accounting System (AKSAS) system management tables will be revised for the new Department of Public Works and Marine Transportation. Continuing appropriations for public works and marine transportation projects will be identified and transferred to the new appropriation structure for the Department of Public Works and Marine Transportation.

Costs

2	Accounting Technician II @ 100 hours of overtime	\$ 4,344
2	Analyst/Programmer III @ 100 hours of overtime	6,160
2	Accountant III (nonperm) for up to 180 days	<u>\$37,476</u>
	Total	\$47,980

S B

59

Original sponsors: Sturgulewski, Uehling,
and Duncan

IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

CS FOR SENATE BILL NO. 59 (State Affairs)

IN THE LEGISLATURE OF THE STATE OF ALASKA

SIXTEENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to mandatory use of safety devices
in motor vehicles."

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

* Section 1. AS 28.05.095 is repealed and reenacted to read:

Sec. 28.05.095. USE OF SAFETY DEVICES REQUIRED. (a) Except as
provided in (c) of this section a person

(1) 16 years of age or older may not occupy a motor vehicle
while being driven unless restrained by a safety belt; and

(2) may not operate a motor vehicle unless restrained by a
safety belt.

(b) Except as provided in (c) of this section, a driver may not
transport a child under the age of 16 in a motor vehicle unless the
driver has provided and properly secured each child as described in
this subsection. If the child is less than four years of age, the
child shall be properly secured in a child safety device meeting the
standards of the United States Department of Transportation for a
child safety device for infants. If the child is four but not yet 16
years of age, the child shall be properly secured in a child safety
device approved for a child of that age and size by the United States
Department of Transportation or in a safety belt, whichever is appro-
priate for the particular child.

(c) Subsections (a) and (b) do not apply to

(1) passengers in an emergency vehicle;

(2) a vehicle operator acting in the course of employment

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delivering mail or newspapers from inside the vehicle to roadside mail or newspaper boxes;

(3) a person or class of persons exempted by regulation under AS 28.05.096; or

(4) a person required to be restrained by safety belts under (a) or (b) of this section if the motor vehicle is not equipped with safety belts.

(d) A person may not remove a safety belt from a vehicle solely to be exempted under (c)(4) of this section.

(e) Notwithstanding any other provision of law, a peace officer may not stop or detain a motor vehicle to determine compliance with (a) of this section, or issue a citation for a violation of (a) of this section, unless the peace officer has probable cause to stop or detain the motor vehicle other than for a violation of (a) of this section.

* Sec. 2. AS 28.05.096(a) is amended to read:

(a) The commissioner of public safety may adopt regulations to exempt a person [CHILD] or a class of persons [CHILDREN] from the requirements of AS 28.05.095 if the commissioner determines that the use of a safety belt or child safety device is impractical because of physical or medical conditions of the person or class of persons [CHILD].

* Sec. 3. AS 28.05.099 is amended to read:

Sec. 28.05.099. PENALTY. (a) A person convicted of a violation of AS 28.05.095(a) or (d) [(c)] is guilty of an infraction and may be finned up to \$15 or the court may waive the fine if the person convicted donates \$15 to the Emergency Medical Services entity providing services in the area in which the violation occurred [ASSESSED DEMERIT POINTS AS DETERMINED BY REGULATIONS OF THE DEPARTMENT, NOTWITHSTANDING

1 THE PROVISIONS OF AS 28.15.231(b)].

2 (b) A person convicted of a violation of AS 28.05.095(b) is
3 guilty of an infraction, and may be fined up to \$50. The person may
4 also be assessed demerit points as determined by regulations of the
5 department, notwithstanding the provisions of AS 28.15.231(b). A
6 person who violates AS 28.05.095(b) [AS 23.05.095(a)] by failing to
7 provide a child safety device or safety belt [SEATBELT] may provide a
8 peace officer, including a village safety officer, proof of purchase
9 or acquisition, and installation, of an approved child safety device
10 or safety belt [SEATBELT]. If the proof is provided within 30 days
11 after the issuance of a citation for the infraction, the court shall
12 dismiss the citation and no points shall be assessed under this sub-
13 section [(a) OF THIS SECTION] unless the person has

14 (1) been convicted previously for violating AS 28.05.095
15 [THAT SECTION] by failing to provide a child safety device or safety
16 belt [SEATBELT];

17 (2) been cited for failure to provide a child safety device
18 or safety belt [SEATBELT] and has forfeited the bail required by the
19 citation; or

20 (3) provided [THE] proof under [REQUIRED BY] this sub-
21 section on a prior occasion.

IN THE SENATE

BY STURGULEWSKI, UEHLING
AND DUNCAN

SENATE BILL NO. 59

IN THE LEGISLATURE OF THE STATE OF ALASKA
SIXTEENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to mandatory use of safety devices
in motor vehicles."

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(b) Except as provided in (c) of this section, a driver may not
transport a child under the age of 16 in a motor vehicle unless the
driver has provided and properly secured each child as described in
this subsection. If the child is less than four years of age, the
child shall be properly secured in a child safety device meeting the
standards of the United States Department of Transportation for a
child safety device for infants. If the child is four but not yet 16
years of age, the child shall be properly secured in a child safety
device approved for a child of that age and size by the United States
Department of Transportation or in a safety belt, whichever is appro-
priate for the particular child.

(c) Subsections (a) and (b) do not apply to

(1) passengers in an emergency vehicle;

(2) a vehicle operator acting in the course of employment

1 delivering mail or newspapers from inside the vehicle to roadside mail
2 or newspaper boxes;

3 (3) a person or class of persons exempted by regulation
4 under AS 28.05.096; or

5 (4) a person required to be restrained by safety belts
6 under (a) or (b) of this section if the motor vehicle is not equipped
7 with safety belts.

8 (d) A person may not remove a safety belt from a vehicle solely
9 to be exempted under (c)(4) of this section.

10 (e) Notwithstanding any other provision of law, a peace officer
11 may not stop or detain a motor vehicle to determine compliance with
12 (a) of this section, or issue a citation for a violation of (a) of
13 this section, unless the peace officer has probable cause to stop or
14 detain the motor vehicle other than for a violation of (a) of this
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26 fined up to \$15 or the court may waive the fine if the person convict-
27 ed donates \$15 to the Emergency Medical Services entity providing
28 services in the area in which the violation occurred [ASSESSED DEMERIT
29 POINTS AS DETERMINED BY REGULATIONS OF THE DEPARTMENT, NOTWITHSTANDING

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5 of AS 28.15.231(b). A person who violates AS 28.05.095(b) [AS 28.05.-
6 095(a)] by failing to provide a child safety device or safety belt
7 [SEATBELT] may provide a peace officer, including a village safety
8 officer, proof of purchase or acquisition, and installation, of an
9 approved child safety device or safety belt [SEATBELT]. If the proof
10 is provided within 30 days after the issuance of a citation for the
11 infraction, the court shall dismiss the citation and no points shall
12 be assessed under this subsection [(a) OF THIS SECTION] unless the
13 person has

14 (1) been convicted previously for violating AS 28.05.095
15 [THAT SECTION] by failing to provide a child safety device or safety
16 belt [SEATBELT];

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18 or safety belt [SEATBELT] and has forfeited the bail required by the
19 citation; or

20 (3) provided [THE] proof under [REQUIRED BY] this sub-
21 section on a prior occasion.

RF

Copy

15⁰⁰ / person

09 February 1989

The Honorable Warren W. Matthews
Chief Justice, Supreme Court
303 K Street
Anchorage, Alaska 99501

Dear Justice Matthews:

It is my understanding that the Supreme Court sets the amounts of fine and the schedule for appearances of various offenses. Among those offenses is the infraction incurred by not complying with the requirement to have a child in a motor vehicle ride in a child safety device (AS 28.05.095).

Senate Bill 59 would remove the exemption in current AS 28.05.095 (b)(4). That exemption applies to areas of the state not connected to the land-connected highway system or a highway or vehicular way with an average daily traffic volume greater than 499. [AS 28.10.011 (1)(A)-(B)]

It is the opinion of some legislators that a mandatory court appearance would be of hardship to persons in those communities formerly exempted (see attached list) and I concur with that opinion. May I respectfully suggest that in your review of such options that you provide for mail-in payment of fines paid under AS 28.05.099 should Senate Bill 59 become law.

I would appreciate your advising me as to your opinion on this matter.

Sincerely yours,

Arliss Sturgulewski
Alaska State Senator

DRAFT
LETTER OF INTENT

It is the intent of the Legislature that Senate Bill 59 exempt schoolbuses from the provisions of AS 28.05.095 until such time as the United States Department of Transportation, National Transportation Safety Board issues its report on the crash performance of small schoolbuses.

At that time, AS 28.05.095 will be reviewed to determine what, if any, changes must be made to conform Alaska law to recommendations of the National Transportation Safety Board.

STATE OF ALASKA
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 17, 1989

SUBJECT: Mandatory safety devices - CSSB 59(SA)
TO: Senator Arliss Sturgulewski
FROM: Michael Ford *MF*
Legislative Counsel

You have asked whether the legislature can, without changing a rule of court, require the supreme court to establish a scheduled amount of bail allowing for disposition of a violation of AS 28.05.095 without a court appearance. In short, the answer is yes. The authority to establish scheduled bailable offenses is given to the supreme court under AS 28.05.151, therefore the legislature can amend this authority directly, and without the necessity of amending a rule of court established under AS 28.05.151.

Please contact me if you have further questions.

MF:kb
wkk2/021

Chief Justice
WARREN W. MATTHEWS

Justices
JAY A. RABINOWITZ
EDMOND W. BURKE
ALLEN T. COMPTON
DANIEL A. MOORE



303 K STREET
ANCHORAGE, ALASKA 99501
(907) 264-0818

Supreme Court
State of Alaska

February 21, 1989

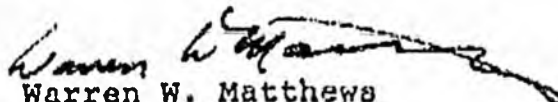
Senator Arliss Sturgulewski
Room 427, Capitol Building
P.O. Box V
Juneau, Alaska 99811

Re: Mail In Bail

Dear Senator Sturgulewski:

I endorse the views expressed in the letter authored by Bill Cotton, Court Rules Attorney, regarding mail in bail with respect to proposed legislation pertaining to mandatory child restraint systems in rural areas of the State. In addition, those views may be considered applicable to proposed legislation concerning mandatory seat belt usage.

Very truly yours,


Warren W. Matthews
Chief Justice

WWM:pz



Alaska Court System
State of Alaska

OFFICE OF ADMINISTRATIVE DIRECTOR

WILLIAM T. COTTON
Court Rules Attorney

303 K Street
Anchorage, Alaska 99501

(907) 264-6239

February 21, 1989

Senator Arliss Sturgulewski
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

RE: Mail-in Bail

Dear Senator Sturgulewski:

Your office requested the court system's response to a proposal to establish a mail-in bail (really a fine) for the failure to use a child safety device assuming that the legislature extends this offense to many communities that do not have courts in the community. I have checked with the chief justice and administrative director of the court system on this issue.

We believe that establishing a bail amount for this offense appears to make sense if the offense is made applicable in small communities without court facilities. The court's purpose in passing a bail schedule is the reasonable convenience of the citizens of this state. Under the present law, a person can go to court in the community in which they are cited and either pay a fine or show that they have acquired a restraining device. If application of the law is broadened as you propose, someone charged with the offense would, in addition, quite possibly have to spend hundreds of dollars and several days to travel to a community with a court. Such a differentiation between urban and rural citizens does not make sense.

Sincerely,

William T. Cotton
Court Rules Attorney

cc: Chief Justice Matthews
Arthur H. Snowden, II

ALASKA STATE LEGISLATURE

Sen. Lloyd Jones, Chairman
Sen. Bettye Fahrenkamp, Vice Chairman
Sen. John B. "Jack" Coghill
Sen. Paul Fischer
Sen. Pat Pourchot



P.O. Box V
Juneau, AK 99811

907-465-4921

Senate Transportation Committee

Letter of intent

It is the intent of the Legislature that Senate Bill 59 exempt schoolbuses from the provisions of AS 28.05.095 until such time as the United States Department of Transportation, National Transportation Safety Board issues its report on the crash performance on small schoolbuses.

At that time, AS 28.05.095 will be reviewed to determine what, if any, changes must be made to conform Alaska law to recommendations of the National Transportation Safety Board.

RESOLUTION

MANDATORY SAFETY BELT USE LEGISLATION

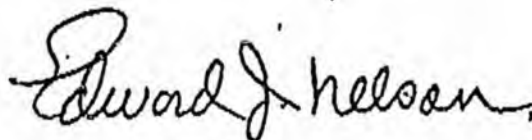
WHEREAS, THE EFFECTIVENESS OF SAFETY BELTS IN REDUCING DEATHS AND INJURY SEVERITY IN MOTOR VEHICLE CRASHES HAS BEEN DOCUMENTED IN NUMEROUS STUDIES, AND

WHEREAS, IN JURISDICTION WHERE MANDATORY SAFETY BELT LAWS HAVE BEEN IN EFFECT, THERE HAS BEEN A SIGNIFICANT REDUCTION IN INJURIES, DEATHS AND ECONOMIC LOSSES, AND

WHEREAS, PUBLIC HEALTH AND SAFETY LEGISLATION HAS BEEN ENACTED AT THE STATE AND FEDERAL LEVELS: BE IT THEREFORE RESOLVED

THAT Kodiak Crimestoppers Inc. (name)
Box 1329 (address)
Kodiak, AK 99615 (city,zip)
486-3113 work 486-3113 home (phone)
1/24/89 date

STRONGLY SUPPORTS STATE MANDATORY SAFETY BELT USE LAWS TO REDUCE HUMAN SUFFERING AND IMPAIRMENTS DUE TO MOTOR VEHICLE CRASHES.

 President

Please return this resolution to:

Alaska Safety Belt Use Coalition
360 W. Benson, Suite 101
Anchorage, AK 99503
(907) 561-7525

KODIAK CHAMBER OF COMMERCE
01-01-89

RESOLUTION SUPPORTING MANDATORY SAFETY BELT USE LEGISLATION

WHEREAS, the BOARD OF DIRECTORS OF THE KODIAK CHAMBER OF COMMERCE believes the State should enact a mandatory seat belt law; and

WHEREAS, the effectiveness of safety belts in reducing deaths and injury severity in motor vehicle crashes has been documented in numerous studies; and

WHEREAS, in jurisdiction where mandatory safety belt laws have been in effect, there has been a significant reduction in injuries, deaths and economic losses; and

WHEREAS, public health and safety legislation has been enacted at the state and federal levels;

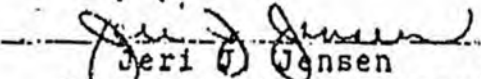
NOW, THEREFORE BE IT RESOLVED that the BOARD OF DIRECTORS OF THE KODIAK CHAMBER OF COMMERCE strongly supports state mandatory safety belt use laws to reduce human suffering and impairments due to motor vehicle crashes.

Signed this 24th day of January, 1989



KODIAK CHAMBER OF COMMERCE


Edward F. Randolph


Jeri D. Jensen
Secretary to the Board

STEVE COWPER, GOVERNOR

DEPARTMENT OF PUBLIC SAFETY

OFFICE OF THE COMMISSIONER

February 7, 1989

P.O. BOX N
JUNEAU, ALASKA 99811-1200
PHONE: 465-4322

The Honorable Arliss Sturgulewski
Alaska State Senator
P.O. Box V
Juneau, Alaska 99811

Dear Senator Sturgulewski:

It has been brought to my attention that you are concerned that the Department of Public Safety has submitted a zero fiscal note for Senate Bill 59. It is our position that SB 59, as it is now written, does not require any new funding. As we interpret the bill, there is no requirement that the State provide child restraints to the prospective users. Existing statute calls for the Highway Safety Planning Agency to "...work in conjunction with private and federal programs...[to] provide to every hospital and birthing center in the state, subject to the availability of funds, child safety devices for infants and children to be loaned to the public at nominal fees..." Certainly, if SB 59 does become law, the Highway Safety Planning Agency will take steps to secure federal funding to establish child restraint loan programs in rural communities similar to those that were implemented in some highway-system communities prior to 1985, when the original child restraint law took effect.

Loan/rental programs may not be as cost effective for remote locations as for urban areas. If this were the case, an alternative might be to purchase seats for outright distribution through hospitals and birthing centers that service rural populations. Unfortunately, federal funds cannot be used for outright purchase and distribution; appropriation from the general fund would be necessary. We estimate that \$10.0 per year for each of the next four years (FY 1990 - FY 1993) would fund the purchase of approximately 200 seats each year. These seats would be suitable for children from birth through approximately 30-35 pounds.

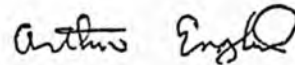
The Honorable
Senator Sturgulewski

-2-

February 7, 1989

After the initial distribution, it is likely that the seats purchased with these funds will be circulated, on an informal basis, much like those purchased with federal funds for the loaner programs were circulated.

Sincerely,

A handwritten signature in cursive script that reads "Arthur English".

Arthur English
Commissioner

CASEY COMMUNICATIONS MANAGEMENT, INC.

Counselors in Public Relations • Public Affairs

February 2, 1989

TO: Joe Hayes
FROM: Ray Carson
SUBJECT: 1986/1987 Fatality Data

Chuck Busse requested we send you the attached information comparing urban and rural fatality rates. Please note, the data contained in this release and chart is based on 1986 figures.

We have contacted the National Highway Traffic Safety Administration (NHTSA) to obtain the most up-to-date information regarding urban and rural fatalities. Following is a synopsis of these figures:

1987 National Data

- Total Deaths 46,386
- Rate per 100 million miles driven 2.40
- Total Rural Deaths 27,147 (59%)
- Rate per 100 million miles driven 3.50
- Total Urban Deaths 19,179 (41%)
- Rate per 100 million miles driven 1.10

1987 Alaska Data

- Total Deaths 76
- Rate per 100 million miles driven 1.90
- Total Rural Deaths 56 (74%)
- Rate per 100 million miles driven 2.60
- Total Urban Deaths 20 (26%)
- Rate per 100 million miles driven 1.10

Please contact me if you have any questions. My card is enclosed for your convenience.

cc: Chuck Busse

February 8, 1989

Senator Arlis Sturgulewski
P.O. Box V
Juneau, AK 99811

Dear Senator Sturgulewski,

Enclosed is draft work plan put together by the Alaska Safety Belt Use Coalition. Since the legislation SB59 removes the rural exemption for child safety devices, the Alaska Safety Belt Use Coalition is prepared to incorporate into its work plan an educational program to include insofar as needed for safety belts and child safety devices.

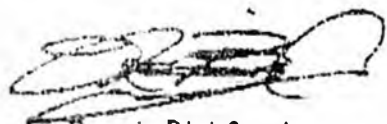
The Alaska Department of Public Safety will also have an educational and fund-raising program and we are prepared to assist them in their efforts.

I received indication of support from the National Highway Traffic Safety Administration's regional office located in Seattle for additional funds to the Alaska Department of Public Safety for child safety device loaner programs.

The Alaska Safety Belt Use Coalition is proud to say that we are going to provide the amount of \$10,000 seed money for infant child seats in the rural areas.

Sincerely,

ALASKA SAFETY BELT USE COALITION



Frank Bickford
Executive Director

FB tp

**EDUCATIONAL CAMPAIGN
BY
ALASKA SAFETY BELT USE COALITION
FOR
ALASKA'S SAFETY BELT USE LAW**

The Alaska Safety Belt Use Coalition will help implement a 12 month public relations campaign, consisting of:

- 1) Travel throughout the state to coordinate public awareness meetings.
- 2) Direct mail campaign, TV and radio PSA's.
- 3) Educational forums held throughout the state through school districts, organizations and special interest groups to inform the public of the new law.

This project is committed to a \$70,000 budget. The Alaska Safety Belt Use Coalition is already operating and will continue to do so until 12/31/89 on it's own resources. When the law goes into effect, the Coalition will then convert it's remaining budget allowances entirely into the safety belt use law educational campaign. This could result in approximately \$10,000 per month in addition to the \$70,000 budget already mentioned for educational purposes.

The Alaska Safety Belt Use Coalition has the assistance of coordinators already placed in key communities throughout the state, including Fairbanks, Kodiak, Sitka, Juneau, Anchorage, Sand Point and the Mat-Su Valley.

A preliminary outline of the educational campaign we will implement is attached.

For purposes of discussion, we have divided our preliminary thoughts into four main segments:

General Adult

Youth

Corporate/Coalition Development

Law Enforcement

13

General Adult

1) News Conference - Organize a kick-off news conference within 2-4 weeks after legislative approval of the seat belt use law. If possible, "Buckle Up Alaska" proclamations by the governor and key mayors throughout the state would coincide with the news conference. A press kit with fact sheets, coalition goals, personal seat belt stories and other collateral materials would be distributed to the media.

2) Television PSA's - Two Alaskan oriented television PSA's would be produced. One targeted at adults age 30 and up would revolve around the notion of "Buckle Up the One You Love." The spot would be light in nature and would show various types of people being asked to buckle up by family and/or friends. We might try to get the rights to the music for the song entitled "Button Up Your Overcoat" and write lyrics specific to our subject. A nostalgic television spot incorporating family themes would target the 30 plus adult perfectly.

The second PSA would target late teens/young adults. The spot would revolve around the theme of "Some Mistakes You Don't Live To Regret." Young adults have been raised on rapidly changing video technology and are regularly exposed to a barrage of powerful media messages. For this reason a harder and more direct sell would be necessary to effectively reach this target group.

3) Radio PSA's - Two radio PSA's will be developed for this public information effort. Following the thoughts expressed above, the first PSA would be targeted toward adults over 30. It would communicate the need for seat belt use by using messages provided by victim's parents. Our attempt would be to sway parents to think about their family and the repercussions that would follow a death or major injury. The other PSA, directed at young adults/late teens, would revolve around discussions of other teens and survivors. We would incorporate a dramatic approach to both PSA's.

4) Media Promotions

A. We will approach drive time disc jockeys around the state to promote the seat belt themes and encourage their listeners to "Buckle Up." Also, airborne traffic reporters will be encouraged to sign off their transmissions with the "Buckle Up Alaska" theme.

B. We will attempt to get key radio stations in various Alaskan communities to sponsor either essays or poster contests based on seat belt use themes. Local merchants such as auto dealers would be asked to contribute to a scholarship fund that would go to the winner.

C. We will negotiate with community newspapers to include a monthly update column that communicates number of lives saved by seat belt use, new coalition members, etc.

5) Logo - develop a clear and descriptive logo that can be used in all media and collateral materials. Focus will be on instant communication of benefits derived by seat belt use.

6) Poster - Two posters for distribution at post offices, grocery stores, clinics and hospitals, government buildings and school facilities will be produced. The theme of "Buckle Up The One You Love" would be used for the general purpose poster. Visual would follow from the television PSA. Ideas include having a nun buckling up a priest, a child buckling up a teddy bear, or a child putting a seat belt on his/her father. The young adult poster would focus on what might happen in an accident if the seat belt isn't used.

7) Print Ads - A series of humorous yet informative print ads will be developed for placement during key holidays. Ideas include Lincoln with a seatbelt and Cupid with same during Valentines Day. A format print ad for heavy traffic holidays such as Memorial Day, Fourth of July and Labor Day will be developed also.

8) Media Relations - will attempt to place between two and three media stories in key Alaskan publications or broadcast outlets each month of our contract. A number of different possibilities exist for media stories, including "Saved By The Belt" stories, contests, corporate assistance, and statistical goals met by seat belt coalition. We will work with key native media people to insure that this very important segment of the population is given information in a manner relevant to their lifestyle.

9) Misc. Collateral - Ideas for collateral materials include bumper stickers to be placed on on state and municipal vehicles and to be used in corporate promotions. We will also investigate having our message imprinted on Carrs Supermarkets' grocery bags, Matanuska Maid milk cartons, and various utilities monthly statments. We would also develop a road sign to mechanical stage with your logo and theme for use by municipalities and the state.

Youth Segment

We feel that children in elementary and junior high school should be given special emphasis during this effort. The birth rate in Alaska has grown tremendously over the past ten years and children, if the subject matter is communicated clearly, can have tremendous influence on both their peers and parents. For our in-school effort, we would create a uniquely Alaskan character which would entertain the children while also teaching them about seat belt use and other safety matters. We might have our character escorted by the state trooper who went to Washington D.C. on behalf of the coalition. Other elements of our in-school program include:

Teachers Guide - Would provide outlines and background information necessary for ongoing education in this area.

Coloring Book - Would provide an element for the teachers to use in follow-up work with the students. The book would incorporate scenes from the "Buckle Up The Ones You Love" television spot and other collateral materials.

Poster - An inexpensive poster utilizing our Alaskan character would be developed to reemphasize the basic safety belt message.

Buttons - A cartoon button incorporating our character would be produced and provided to school children.

Video - As part of the in-school presentation, a short video incorporating both national footage and local shots would be developed to clearly communicate the the reasons for using seat belts. Video might close with "Buckle Up The Ones You Love" television spot with music.

We would also organize and coordinate an in-school poster contest where children in different age groups would be able to compete for prizes such as free movie passes, ski weekends, dinners and trips. Corporate sponsors would be obtained, and in so doing, develop corporate awareness of coalition efforts.

Other efforts would focus on organizing awareness efforts in scouting and other group activities.

Corporate/Coalition

The key to the success of the awareness program will rest in large part upon our ability to involve diverse segments of the population. No segment of the population is more crucial to this outcome than the business community. Involvement at all levels will carry the program on well after general public attention has shifted.

1) A group such as Rotary might sponsor an automobile safety event for teenage drivers. Such a contest might allow young drivers to compete for scholarship money or prizes. A format similiar to the television game show Jeopardy might be appropriate for high-school aged young adults statewide. It could be orchestrated in such a way as to allow the final tournament to be broadcast statewide.

2) Publication of statistical information concerning automobile accidents and seatbelt usage in business/corporate newsletters or periodicals would be helpful in promoting awareness. A theme such as "We Do It For Life" might be adopted to promote support of the law by individuals within the business community.

3) Round robin promotions in support of safety belt use will be encouraged, especially by companies related to the auto industry such as auto dealers and parts stores. We might also print up litter bags that are included with each car or part sold.

4) As stated earlier, Alaskan products such as Matanuska Maid milk cartons and Carrs shopping bags would be targeted for promotion of coalition themes.

5) institute a means of recognizing individuals or groups that contribute to the coalition efforts to increase seat belt use. A "Golden Buckle Award" could perhaps be awarded at a yearly banquet.

6) We would develop a brochure targeted for general information dissemination. It would also be an important tool for informing potential business supporters of your efforts.

Law Enforcement

- 1) Within the first month after the law is passed, we will develop a newsletter for distribution to law enforcement officials. We would then attempt to set up meetings/speaking engagements to explain the new law and its importance.

- 2) We will develop buttons for law enforcement officers to wear and distribute to offenders of the new law. We propose that only warnings and button distribution take place for a short period after the law is implemented. Button might say "Get It Together Alaska."

- 3) We propose to develop a print ad designed to cast law enforcement officials as concerned citizens - not in the usual "its the law, obey it or else" manner. The ad would show a police officer and a doctor together in an emergency room. The tone would communicate that the new law was designed to save lives...your life.

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES

DIVISION OF PUBLIC HEALTH EMERGENCY MEDICAL SERVICES SECTION

STEVE COWPER, GOVERNOR

P.O. BOX H-06C
JUNEAU, ALASKA 99811-0600
(907) 465-3027

February 7, 1989

The Honorable Senator
Arliss Sturgulewski
Alaska State Senate
Pouch V, Capitol 447
Juneau, AK 99811

Dear Senator Sturgulewski,

In response to your request, I am sending you statistics on motor vehicle related injuries in rural communities not connected with the major state highway system. Tables 1 and 2, enclosed, show total ambulance calls in remote rural communities and the numbers and percentages of calls related to motor vehicle accidents for calendar years 1987 and 1986 respectively. This data is incomplete because many smaller villages do not have formally organized ambulance services.

Table 3 shows data on off-highway motor vehicle related trauma from our pilot trauma registry study involving seven hospitals in southcentral Alaska for a six month period in 1988- April through October. Participating hospitals include Kakanak Hospital in Dillingham; South Peninsula Hospital in Homer; Central Peninsula Hospital in Soldotna; Providence, Humana, and ANMC Hospitals in Anchorage; and Valley Hospital in Palmer.

To be included in the trauma registry, an injured person must be admitted to a hospital, die in a hospital emergency department, or be transferred to another hospital for admission. From this incomplete data source, there were seven off-highway, rural, motor vehicle related trauma victims.

Finally, Table 4 shows the number of motor vehicle related deaths in off-highway, rural communities in 1987.

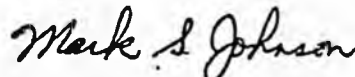
Senator Arlis Sturgulewski - 2 -

February 7, 1989

Hopefully, some day we will have a statewide trauma registry involving all hospitals, and we will be able to provide complete data on serious traumatic injuries throughout Alaska.

Please let me know if you need any additional information.

Sincerely,



Mark S. Johnson
EMS Coordinator
Emergency Medical Services Section

Enclosure(s)

cc: Jay Livey
Acting Deputy Commissioner
Dept. of Health & Social Services

Elizabeth Ward, MN
Director
Division of Public Health

Table 1

Ambulance Runs in Bush Communities - 1987

<u>Community</u>	<u>Total Patients</u>	<u>Motor Vehicle Accidents</u>	<u>Per Cent</u>
St. Paul	19	4	21.05
Tyonek	58	0	0.00
Sand Point	17	0	0.00
Barrow	254	9	16.13
Naknek	62	10	16.13
Cordova	103	10	9.71
Metlakatla	11	3	27.27
Fort Yukon	1	0	0.00
Edna Bay	7	1	14.29
Port Alexander	8	0	0.00
Whale Pass	1	1	100.00
Chignik	27	0	00.00
Port Graham	31	0	00.00
Dillingham	78	11	14.10
Kotzebue	268	10	3.73
TOTAL	940	59	6.28

Table 2

Ambulance Runs in Bush Communities - 1986

<u>Community</u>	<u>Total Patients</u>	<u>Motor Vehicle Accidents</u>	<u>Per Cent</u>
Tyonek	40	4	10.00
Aniak	4	0	0.00
Naknek	62	10	16.13
Port Graham	10	0	0.00
Cordova	53	4	7.55
Chignik	46	0	0.00
Sand Point	21	0	0.00
Dillingham	165	16	9.70
Cold Bay	9	2	22.22
Kotzebue	114	0	0.00
Ruby	9	2	22.22
Fort Yukon	8	0	0.00
Galena	21	1	4.76
McGrath	29	0	0.00
Barrow	160	9	5.63
TOTAL	751	48	6.39

Table 3

Off-Highway, Rural, Motor Vehicle Trauma Victims
April, 1988 - October, 1988

<u>Community</u>	<u>No. of Trauma Victims</u>	<u>Summary Data</u>
Kotzebue	one	C-spine fracture
Kodiak	one	Broken arm
Nome	three	Jeep rollover-multiple, one person thrown from vehicle - another had serious head injuries.
Dutch Harbor	one	Fell out of moving car - broken arm
Cordova	one	Vehicle went off road into the water - neck injury

NOTE: None of the above persons was wearing a safety belt.
Participating Hospitals: Kakanak (Dillingham), South Peninsula (Homer), Central Peninsula (Soldotna), Providence (Anchorage), Humana (Anchorage), ANMC (Anchorage), and Valley (Palmer).
N = 1200 records.

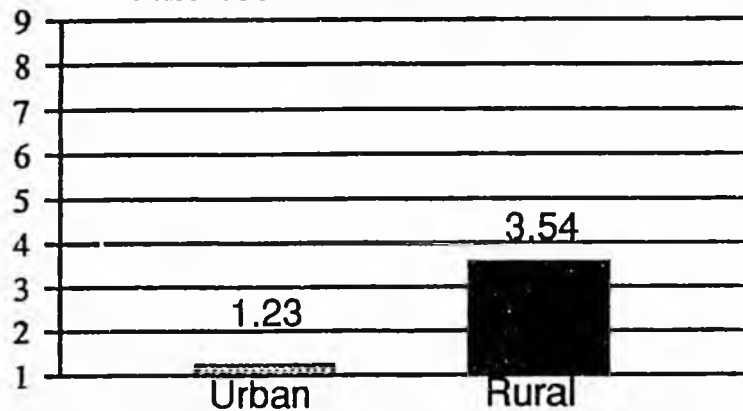
Table 4

Off-Highway, Rural, Motor Vehicle Fatalities
(excluding ATV's, motorcycles, and snow machines & pedestrians)
1987

<u>Community</u>	<u>Fatal Age</u>	<u>Seat Belts</u>	<u>Related Factors</u>
Nome	39	No	Passenger jumped from vehicle
Craig	18	No	Unsafe speed - lost control
Craig	19	No	Unsafe speed - lost control

ALASKA

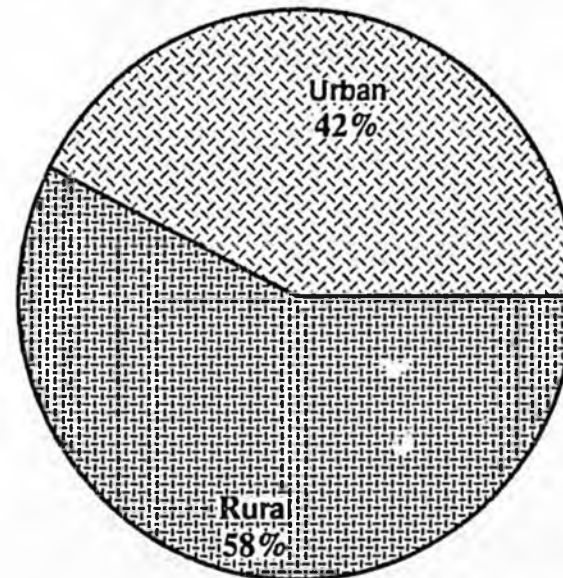
NUMBER OF DEATHS
PER 100 MILLION MILES DRIVEN



National Highway Traffic Safety Administration Statistics

NATIONALLY

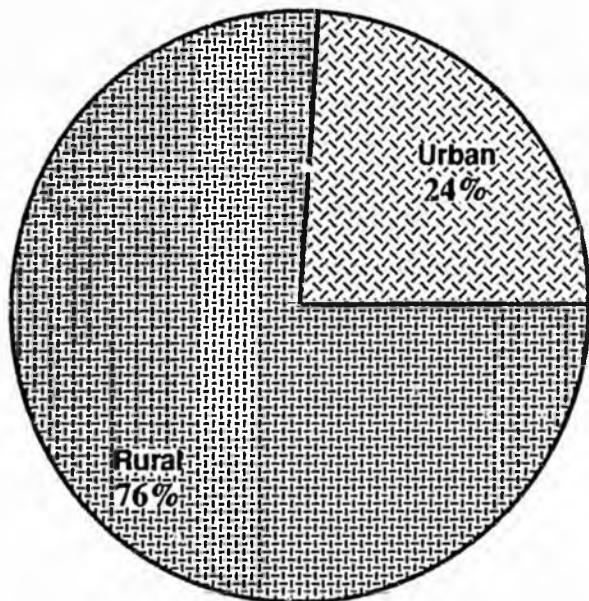
46,020 MOTOR VEHICLE
DEATHS IN 1986



National Highway Traffic Safety Administration Statistics

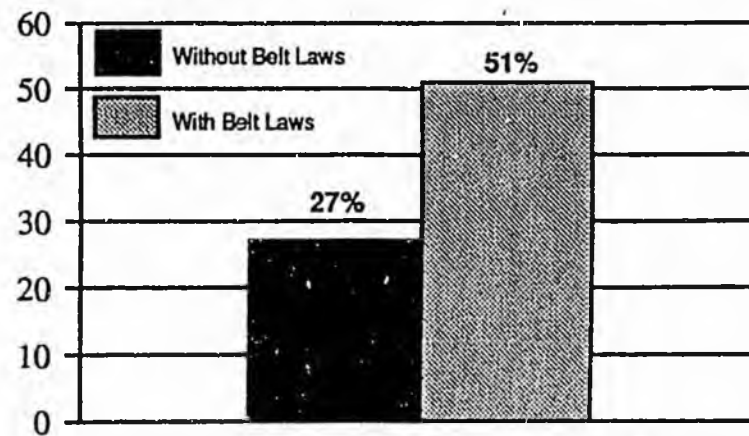
ALASKA

101 MOTOR VEHICLE
DEATHS IN 1986



National Highway Traffic Safety Administration Statistics

BELT-USE NATIONALLY



NHTSA 19 City Survey Conducted During First Half of 1987

By: Senator Adams

Amendment to SB 59:

add under subsection (c)

(3) a motor vehicle exempt under AS 28.10.011 (11).

<p>Section 151. Vehicles transported under special permits 165. Souvenir winter olympics plate</p>	<p>Section 181. Registration of unique and special vehicles and vehicles used for special purposes</p>
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Sec. 28.10.011. Vehicles subject to registration. Every vehicle driven, moved, or parked upon a highway or other public parking place in the state shall be registered under this chapter except when the vehicle is

- (1) driven or moved on a highway only for the purpose of crossing the highway from one private property to another, including an implement of husbandry as defined by regulation;
- (2) driven or moved on a highway under a dealer's plate or temporary permit as provided for in AS 28.10.031 and 28.10.181(j);
- (3) special mobile equipment as defined by regulation;
- (4) owned by the United States;
- (5) moved by human or animal power;
- (6) exempt under 50 U.S.C. App. 501-591 (Soldiers' and Sailors' Civil Relief Act);
- (7) driven or parked only on private property;
- (8) the vehicle of a nonresident as provided under AS 28.10.121;
- (9) a commercial interstate vehicle under AS 28.10.141;
- (10) transported under a special permit under AS 28.10.151;
- (11) being driven or moved on a highway, vehicular way, or a public parking place in the state that is not connected by a land highway or vehicular way to
 - (A) the land-connected state highway system, or
 - (B) a highway or vehicular way with an average daily traffic volume greater than 499;
- (12) a mobile home as defined by regulation;
- (13) an implement of husbandry operated in accordance with the provisions of AS 19.10.065. (§ 7 ch 178 SLA 1978; am § 1 ch 54 SLA 1979; am § 1 ch 99 SLA 1983; am § 3 ch 60 SLA 1986; am § 3 ch 26 SLA 1987)

Effect of amendments. — The 1987 amendment added paragraph (13).

Sec. 28.10.021. Application for registration. (a) The owner of a vehicle subject to registration shall apply for registration under this chapter by properly completing the form prescribed by the commissioner under AS 28.05.041. Before the issuance of a certificate of registration by the department, the owner shall pay all registration fees and taxes required under this chapter and federal heavy vehicle use taxes required under 26 U.S.C. 4481 (Internal Revenue Code of 1954) and shall comply with any other applicable statutes and regulations.

(b) At the time of registration, the department shall explain to the applicant the requirements for compliance with the provisions of this chapter.

(c) An applicant for registration may receive by mail, if the applicant wishes to execute the application known to all applicants, a fee of \$13.50 (Uniform Application for Registration of Motor Vehicles) in which other written information is included, if received by mail, and, if received by mail, AS 28.10.021, ch 58 SLA 1983.

Effect of amendments. — The 1985 amendment deleted the words "for freight carrier and other vehicles" and added the words "fees required under this chapter" in subsection (a).

The second 1985 amendment added the sentence of subsection (c).

Sec. 28.10.041. Department may refuse to register a vehicle. The department may refuse to register a vehicle if

- (1) the applicant does not have a valid title;
- (2) the applicant does not have a valid license;
- (3) the applicant does not have a valid title or registration;
- (4) the vehicle is not registered in this state;
- (5) the department has reason to believe the vehicle was stolen or the registration would be invalid if the vehicle had a valid license;
- (6) the registration is for any reason under AS 28.10.021;
- (7) the vehicle does not meet the requirements of AS 28.10.021;
- (8) the vehicle does not meet the requirements of AS 28.10.021;
- (9) the vehicle does not meet the requirements of AS 28.32.010;

As required by AS 28.22.200(b), following is a list of areas that are exempt from the mandatory insurance law. As of 9/01/86 these areas are also exempt from vehicle registration per AS 28.10.011(11) amended in 1986 legislature. *and mandatory child safety devices.*

June 10, 1986

Adak	Chignik Lake	Kaktovik	Napaiskak	St. George
Afognak	Chisana	Kalskag	Napakiak	St. Mary's
Akhiok	Christian	Kaltag	Nelson Lagoon	St. Michael
Akiachak	Chuathbaluk	Kanatak	New Stuyahok	St. Paul
Akiak	Clark's Point	Karluk	Newhalen	Sanak
Akolmiut	Cold Bay	Kasaan	Newtok	Sand Point
Akulurak	Crooked Creek	Kashegelok	Nightmute	Savoonga
Akutan		Kasigluk	Nikolai	Scammon Bay
Alakanuk	Deering	Katalla	Nikolski	Selawik
Alatna	Diomede	Kiana	Noatak	Shageluk
Allakaket		King Cove	Nolan	Shaktoolik
Amakdedori	Edna Bay	King Island	Nondalton	Sheldon Point
Ambler	Eek	Kipnuk	Noorvik	Shemya
Amchitka	Egavik	Kivalina	Nuiqsut	Shismaref
Angoon	Egegik	Kiwalik	Nulato	Shungnak
Aniak	Ekuik	Kobuk	Nunachuak	Shungnak Village
Annette	Ekwok	Kokhanok	Nunapitchuk	Skwentna
Anvik	Elfin Cove	Kokrines	Nushagak	Sleetmute
Arctic Village	Elim	Koliganek	Nyac	Snettisham
Atka	Emanguk	Kongiganak	Old Harbor	South Naknek
Atkasuk	Emmonak	Kotlik	Ophir	Squaw Harbor
Attu	English Bay	Kotzebue	Oscarville	Stebbins
	Excursion Inlet	Koyuk	Ouzinkie	Stevens Village
		Koyukuk	Owl Village	Stuyahok
Baranof		Kvichak		
Barrow	False Pass	Kwethluk	Pavlof Harbor	Takotna
Barrow	Fiala	Kwigillingok	Pedro Bay	Taku Harbor
Bell Is. Hot Spgs.	Fort Yukon	Kwiguk	Pelican	Tanana
Belkofski	Fortuna Ledge	Kwinhagak	Pennock Island	Tanunak
Belmezok			Perryville	Tatitlek
Bettles	Galena		Pikmiktalik	Tenakee Springs
Bettles Field	Gambell	Lake Minchumina	Pile Bay	Terlin
Biorka	Golovin	Larsen Bay	Pilot Point	Tin City
Birch Creek	Goodnews Bay	Latouche	Pilot Station	Todd
Brevig Mission	Grayling	Levelock	Pitka's Point	Togiak
Buckland	Gustavus	Lime Village	Platinum	Token
		Little Diomede	Pt. Baker	Toksook Bay
		Long	Pt. Hope	Tuluksak
		Lower Kalskag	Pt. Lay	Tuntutuliak
			Poorman	Tununak
Candle	Hawk Inlet	Manokatak	Port Alexander	Twin Hills
Canyon	Haycock	Marshall	Port Alsworth	Tyonek
Cape Pole	Holy Cross	Mary's Igloo	Port Ashton	
Cape Yakataga	Hooper Bay	McGrath	Port Graham	Ugashik
Chalkyitsik	Hughes	Medfra	Port Heiden	Umiat
Chandalar	Huslia	Mekoryuk	Port Lions	Unalakleet
Chaniliut	Hyder	Meshik	Port Moller	Unga
Chakaktolik		Metlakatla	Port Wakefield	
Chase	Iditarod	Meyoryuk		Venetie
Chatham	Iguigig	Meyers Chuck	Quinhagak	
Cheching	Igushik	Moses Point		Wainwright
Chenik	Iliamna	Mountain Village	Rampart	Wales
Chefornak	Ivanoff Bay	Mumtrak	Red Devil	White Mountain
Chernofski			Ruby	Whittier
Chevak	Kachemak	Napaimiut	Russian Mission	Wiseman
Chichagof	Kaguyak			Woody Island
Chignik	Kake			
Chignik Lagoon	Kakhonak			

SENATE COMMITTEE REPORT

FURTHER

2/9/89

DATE TURNED INTO OFFICE _____

Mr. President:

TRSP

Committee considered SB 59

mandatory use of safety devices in motor vehicles

and recommended

- replace with _____ CS SB 59 (Trsp)) same title
- or adopt _____ CS _____) new title
- attached amendment(s) and technical title change (HB only)
- Trsp letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

- FISCAL NOTE(S) zero fiscal impact appropriation no FN
- new updated previous
- same as previous fiscal note(s) published _____

MEMBERS SIGNING DO PASS

~~_____~~

[Signature]

[Signature]

OTHER RECOMMENDATIONS

[Signature] (No Rec)

[Signature] (No Rec)

[Signature]

Chairman signature and recommendation

Committee Backup attached

Alaska State Legislature



2957 SHELDON JACKSON STREET
ANCHORAGE, ALASKA 99508

SENATOR
ARLISS STURGULEWSKI
Senate President Pro Tempore
Chairman, Senate Rules Committee

Write in Juneau
P. O. BOX V
JUNEAU, ALASKA 99811
(907) 465-3818

Senate

M E M O R A N D U M

16 February 1989

TO: Senator Lloyd Jones
FROM: Senator Arliss Sturgulewski *AS*

Attached is a committee substitute for Senate Bill 59 which incorporates the change requested by the Department of Education.

AS 28.05.095 (c)(1) is changed from:

(1) passengers in an emergency vehicle;

to read:

(1) passengers in a school bus or an emergency vehicle.

Although the term "schoolbus" was deleted from current law by Senate Bill 59, there remained an exemption for vehicles without safety belts. It was our understanding that this exemption would include schoolbuses. The Department of Education feels that since some schoolbuses are equipped with safety belts that the exemption is not broad enough.

This change will add to the list of those exempted from wearing safety belts. The Department of Education has sent a letter (attached) explaining its request for this change. In addition there are materials from other states discussing safety belts on school buses.

STATE OF ALASKA

DEPARTMENT OF EDUCATION

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

GOLDBELT PLACE
801 WEST 10TH STREET
P.O. BOX F
JUNEAU, ALASKA 99811-0500

February 8, 1989

The Honorable Arliss Sturgulewski
Alaska State Senator
P. O. Box V
Juneau, Alaska 99811

Dear Senator Sturgulewski:

The Department of Education requests an amendment to SB 59, "An Act Relating to Mandatory Use of Safety Devices in Motor Vehicles," to exempt school buses. Our specific request is that Sec. 28.05.095 (c)(1) be amended to read:

- (c) Subsections (a) and (b) do not apply to
(1) passengers in a school bus or an emergency vehicle;

The reasons for our request are as follows:

1. Safety belts are not required in large school buses - The U.S. Department of Transportation has concluded in a report titled Safety Belts in School Buses (June, 1985) that the current construction of school buses referred to as "compartmentalization" (high back, close together, well padded, energy absorbing seats) provides adequate occupant protection, and that a Federal requirement for safety belts in large school buses is not warranted.
2. There are no standards for installation of safety belts in large school buses - The Federal government has not issued standards for installation of safety belts in large school buses. Seat strength, floor strength, anchorage requirements, belt type and size, etc. have not been specified.
3. Some large school buses in Alaska are nevertheless partially equipped with safety belts - The fact that safety belts are not required in large school buses, and that no installation standards exist, does not preclude a local school district, private school or bus operator from installing belts if it so desires. Many belts serve only as restraining devices for special education students and are not intended to protect students in the event of an accident.

February 8, 1989

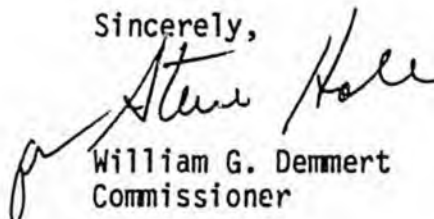
The Department of Education does not maintain statistics on the age, size and number of buses equipped with safety belts, nor how the belts were installed. It is conceivable that some belts have not been adequately installed and that the following situations may exist:

- a. buses with belts on seats not well anchored to the floor and, in some cases, which have no padding to cover the metal seat frame.
 - b. buses with seat construction inadequate to withstand the forces generated by safety belts which could collapse with pupils belted to them.
 - c. buses with floor strength that has deteriorated due to severe weather conditions and varied maintenance making the floor less capable of withstanding the forces of the bus seat with belted passengers in a crash situation.
 - d. buses with inoperable safety belts.
 - e. buses with safety belts at some seating positions and not at other seating positions.
4. Possibly more injuries to belted passengers in school buses - Crash testing conducted by the Canadian government and reported in the publication School Bus Safety Study issued January, 1985, by Transport Canada (an agency equivalent to the U.S. Department of Transportation) indicates that the use of lap seat belts in various sizes of school buses may result in more severe head and neck injuries for a belted occupant than for an unbelted one in a severe frontal collision. On smaller buses, the heads of all the restrained dummies experienced forces that were judged to be life threatening or fatal.

Based on the above factors, we believe that the State of Alaska should leave the decision to local school districts as to whether or not they want to mandate use of belts on school buses.

Your support of our requested amendment to SB 59 to exempt school buses will be appreciated. If you have questions, feel free to contact Romayne Kareen, the Department's Administrator of Pupil Transportation Services at 465-2890.

Sincerely,



William G. Demmert
Commissioner

cc: Steve Hole, Deputy Commissioner
Department of Education
Romayne Kareen, Administrator
Pupil Transportation Services
Department of Education

A M E N D M E N T

2

OFFERED IN THE SENATE

BY ADAMS

TO: CSSB 59 (State Affairs)

Page 3, after line 21:

Insert a new bill section to read:

"* Sec 4. AS 28.05.151 is amended by adding a new subsection to read:

(b) The supreme court shall establish a scheduled amount of bail allowing disposition of a citation for a violation of AS 28.05.095 without court appearance."

Original sponsors: Sturgulewski, Uehling,
and Duncan

1 IN THE SENATE

BY THE TRANSPORTATION COMMITTEE

2 CS FOR SENATE BILL NO. 59 (Transportation)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to mandatory use of safety devices
7 in motor vehicles."

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

9 * Section 1. AS 28.05.095 is repealed and reenacted to read:

10 Sec. 28.05.095. USE OF SAFETY DEVICES REQUIRED. (a) Except as
11 provided in (c) of this section a person

12 (1) 16 years of age or older may not occupy a motor vehicle
13 while being driven unless restrained by a safety belt; and

14 (2) may not operate a motor vehicle unless restrained by a
15 safety belt.

16 (b) Except as provided in (c) of this section, a driver may not
17 transport a child under the age of 16 in a motor vehicle unless the
18 driver has provided and properly secured each child as described in
19 this subsection. If the child is less than four years of age, the
20 child shall be properly secured in a child safety device meeting the
21 standards of the United States Department of Transportation for a
22 child safety device for infants. If the child is four but not yet 16
23 years of age, the child shall be properly secured in a child safety
24 device approved for a child of that age and size by the United States
25 Department of Transportation or in a safety belt, whichever is appro-
26 priate for the particular child.

27 (c) Subsections (a) and (b) do not apply to

28 (1) passengers in a school bus or an emergency vehicle;

29 (2) a vehicle operator acting in the course of employment

1 delivering mail or newspapers from inside the vehicle to roadside mail
2 or newspaper boxes;

3 (3) a person or class of persons exempted by regulation
4 under AS 28.05.096; or

5 (4) a person required to be restrained by safety belts
6 under (a) or (b) of this section if the motor vehicle is not equipped
7 with safety belts.

8 (d) A person may not remove a safety belt from a vehicle solely
9 to be exempted under (c)(4) of this section.

10 (e) Notwithstanding any other provision of law, a peace officer
11 may not stop or detain a motor vehicle to determine compliance with
12 (a) of this section, or issue a citation for a violation of (a) of
13 this section, unless the peace officer has probable cause to stop or
14 detain the motor vehicle other than for a violation of (a) of this
15 section.

16 * Sec. 2. AS 28.05.096(a) is amended to read:

17 (a) The commissioner of public safety may adopt regulations to
18 exempt a person [CHILD] or a class of persons [CHILDREN] from the
19 requirements of AS 28.05.095 if the commissioner determines that the
20 use of a safety belt or child safety device is impractical because of
21 physical or medical conditions of the person or class of persons
22 [CHILD].

23 * Sec. 3. AS 28.05.099 is amended to read:

24 Sec. 28.05.099. PENALTY. (a) A person convicted of a violation
25 of AS 28.05.095(a) or (d) [(c)] is guilty of an infraction and may be
26 fined up to \$15 or the court may waive the fine if the person convict-
27 ed donates \$15 to the Emergency Medical Services entity providing
28 services in the area in which the violation occurred [ASSESSED DEMERIT
29 POINTS AS DETERMINED BY REGULATIONS OF THE DEPARTMENT, NOTWITHSTANDING

1 THE PROVISIONS OF AS 28.15.231(b)].

2 (b) A person convicted of a violation of AS 28.05.095(b) is
3 guilty of an infraction, and may be fined up to \$50. The person may
4 also be assessed demerit points as determined by regulations of the
5 department, notwithstanding the provisions of AS 28.15.231(b). A
6 person who violates AS 28.05.095(b) [AS 28.05.095(a)] by failing to
7 provide a child safety device or safety belt [SEATBELT] may provide a
8 peace officer, including a village safety officer, proof of purchase
9 or acquisition, and installation, of an approved child safety device
10 or safety belt [SEATBELT]. If the proof is provided within 30 days
11 after the issuance of a citation for the infraction, the court shall
12 dismiss the citation and no points shall be assessed under this sub-
13 section [(a) OF THIS SECTION] unless the person has

14 (1) been convicted previously for violating AS 28.05.095
15 [THAT SECTION] by failing to provide a child safety device or safety
16 belt [SEATBELT];

17 (2) been cited for failure to provide a child safety device
18 or safety belt [SEATBELT] and has forfeited the bail required by the
19 citation; or

20 (3) provided [THE] proof under [REQUIRED BY] this sub-
21 section on a prior occasion.

22 * Sec. 4. AS 28.05.151 is amended by adding a new subsection to read:

23 (b) The supreme court shall establish a scheduled amount of bail
24 allowing disposition of a citation for a violation of AS 28.05.095
25 without court appearance.
26
27
28
29

6-0357J✓
Ford
2/15/89

Original sponsors Sturgulewski, Uehling,
and Duncan

1 IN THE SENATE

2 CS FOR SENATE BILL NO. 59 ()

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

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