

ALASKA LEGISLATURE COMMITTEE FILES 1993-1994 8672

8206 HOUSE TRANSPORTATION

47

villages," all of which were situated on rocks or cliffs and well fortified. They also found several burials. They met some Tlingits who demonstrated their peaceful intent by blowing white eagle feathers into the air.

- Wed. 13th Whidbey went by Windham Bay which Vancouver named for William Windham, a statesman associated with Norfolk. Johnstone left Keku Strait, passing a point Vancouver named for George, the Earl Macartney, a former governor in the Caribbean.
- Thu. 14th Whidbey went by a bay which was named for Lord Robert Hobart and a larger bay named to commemorate Houghton Hall, built by Sir Robert Walpole near Harpley, Norfolk. Finally, Whidbey passed a point which Vancouver later named Fanshaw. For this, and the next two days, Johnstone's men rowed in the rain against strong head winds, along the north shore of Kupreanof Island.
- Fri. 15th Whidbey turned east into Frederick Sound to a point which Vancouver named for Admiral George Vandeput. Johnstone and his men surveyed Portage Bay, which they realized was just north of where they had been the previous year in Duncan's Canal.
- Sat. 16th Whidbey went as far south as LeConte Bay, just south of present day Petersburg, and could see Dry Strait and then started back to the ships, following the south shore of Frederick Sound. They met some Indians who seemed intent upon attacking the boats. Whidbey kept moving as quickly as possible to keep ahead of them. Suddenly, about five o'clock in the evening, Whidbey saw Johnstone's two boats coming. The Indians fled.
Whidbey remarks that "it is not possible for language to describe the joy that was manifested in every countenance..." because they now realized that there was no northwest passage and they had completed their survey of the Northwest Coast. Following Vancouver's orders, Whidbey took possession of this part of the continent for "His Britannic Majesty, his heirs and successors" by displaying the colors, with the boat crews drawn up under arms and with three volleys of musket fire. The passageway was named Frederick Sound because this date was the birthday of His Royal Highness Frederick, Duke of York and Vancouver called the region from Sumner Strait to Cross Sound, New Norfolk.
- Sun. 17th The survey parties started back to the ships.
- Mon. 18th In heavy rain, the two survey parties continued on their way back to the ships in Port Conclusion.
- Tue. 19th "In the midst of a deluge of rain, with the wind blowing very strong from the S.E., we had the indescribable satisfaction of seeing four boats enter the harbor..." the boat crews had completed their survey of the Northwest Coast and the expedition could now begin the voyage home.
- Wed. 20th Before leaving, Vancouver named Chatham Strait in honor of John Pitt, 2nd Earl of Chatham, First Lord of the Admiralty.
- Fri. 22nd Having been detained by a gale, the *Discovery* and *Chatham* slowly moved out of Port Conclusion.

- Sat. 23rd Just off Cape Ommaney, Isaac Wooden, a crewman from the cutter, fell overboard and was drowned. Vancouver named Wooden Rock, now Wooden Island, in his honor.
- Sun. 24th The ships sailed south, eventually leaving the waters of present day Alaska.

FOR FURTHER INFORMATION

- Olson, Wallace M.
1993 *The Alaska Travel Journals of Archibald Menzies. 1793-1794.* University of Alaska Press, Fairbanks. An annotated transcription of Menzies' journal while he was in Alaska with an introduction. Appendix contains a list of the botanical collections of Menzies' by John F. Thilenius.
- Orth, Donald J.
1967 *Dictionary of Alaska Place Names.* Geological Survey Professional Paper 567, United States Government Printing Office, Washington, D.C. A valuable source of information on place names in Alaska and their origin.
- Vancouver, George
1798 (1984) *The Voyage of George Vancouver,* edited by W. Kaye Lamb, Hakluyt Society, c/o The Map Library, The British Library, Great Russell Street, London, WC1B 3DG, England. 4 volumes (Price: Approximately \$80 -\$90)
By far the best edition of Vancouver's journal with an extensive introduction and explanatory information. The set can be ordered directly from the Hakluyt Society or by special order through local bookstores.

OTHER SOURCES

Over the years, many books and articles have been published describing the life and works of George Vancouver. Unfortunately, most of these works are now out of print but may be found in some larger libraries. Parts of Archibald Menzies' journal reporting on his research entitled *Menzies' Journal of Vancouver's Voyage April to October 1792*, edited with botanical and ethnological notes by C. F. Newcombe, Archives of British Columbia, Memoir V, Victoria, was published in 1923. Selections from the journals of others on the Vancouver Expedition have been published in various historical journals.

HJR

28



Official Business

Alaska State Legislature

State Capitol

Juneau, Alaska 99801-1182

HOUSE TRANSPORTATION COMMITTEE
THURSDAY, FEBRUARY 25, 1993
CAPITOL, ROOM 17
5:00 P.M.

HJR 28 - SUPPORTING INCREASED ACCESS NEAR MT. MCKINLEY THROUGH
ESTABLISHMENT OF A VISITOR ACTIVITY AREA AT KANTISHNA.

I N D E X:

1. MEMO RE: HJR 28 FROM REP. BRICE(SPONSOR) TO REP. FOSTER
2. ORIGINAL VERSION, HJR 28
3. FISCAL NOTE, HJR 28
4. POSITION PAPER -- DEPARTMENT OF TRANS. AND PUBLIC FACILITIES
5. SPONSOR STATEMENT FOR HJR 28
6. MISCELLANEOUS CORRESPONDENCE/HJR 28

Representative Tom Brice

ALASKA STATE LEGISLATURE

119 N. Cushman, Ste. 205
Fairbanks, AK 99701
907-456-7423
While in Juneau
State Capitol
Juneau, AK 99801-1182
907-465-3466

MEMORANDUM

TO: Representative Richard Foster, Chairman
House Transportation Committee

FROM: Representative Tom Brice *TB*

DATE: March 1, 1993

SUBJECT: HJR 28

I would appreciate your scheduling a hearing for HJR 28, A Resolution supporting increased access near Mt. McKinley through establishment of a visitor activity area at Kantishna, at your earliest convenience.

Currently, the transportation system and facilities at Denali National Park are operating at capacity with an ever increasing demand for access. As Senator Frank Murkowski stated in his address to the joint session, we are turning away over 400,000 visitors a year who want to see Mt. McKinley. With this level of demand, I believe it appropriate to support private sector development of an environmentally sound transportation system into the park.

HJR 28 asks that additional opportunities for access into the park for visitors and Alaskans alike be expanded and new viewing opportunities be developed. Increasing economic opportunities for the private sector to develop our state's economy and tourism industry must be supported as state general fund dollars decrease. This resolution is such an effort.

Please include the attached supporting material in the bill file. Thank you.



FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HJR 28

Revision Date: Original
 Title: Supporting increased access near Mt. McKinley

Dept. Affected: Natural Resources
 BRU: Resource Development
 Component: Land Development

Sponsor: Representative Brice
 Requestor: House Transportation Committee

COMPONENT SERIAL NO. 431

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	N/A	N/A	N/A	N/A	N/A	N/A
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FUNDING:

(Thousands of Dollars)

1002 FEDERAL RECEIPTS						
1003 GF MATCH						
1004 GF						
1005 GF/PROG RECEIPTS						
1006 GF/MHTIA						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

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

Estimate of current year (FY 93) impact \$ None

ANALYSIS: (Attach a separate page if necessary.)

There has long been an interest in providing a transportation route into the north side of Mt. McKinley. This resolution supports those efforts by having interested members of the public and private sectors work with appropriate state agencies and the National Park Service to accomplish that goal.

Prepared By: Ron Swanson
 Division: Land

Phone: 762-2692
 Date: March 4, 1993

Approved by Commissioner: Glenn A. Olds
 Agency: Natural Resources

Date: _____

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Representative Tom Brice

ALASKA STATE LEGISLATURE

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Juneau, AK 99801-1182
907-465-3466

SPONSOR STATEMENT FOR HJR 28

Establishing rail access and a visitor area in Kantishna would help solve the problems of overcrowding and limited access that Denali National Park is now suffering. A rail corridor would provide for controlled public access, without the problems associated with road access, in an environmentally sound manner.

Rail access to Denali National Park adds visitor capacity and it creates a new way of experiencing the park. Private sector capital would be used for the construction and maintenance of a railroad using this access corridor. The jobs created would help to stabilize and diversify the Alaskan economy at a time when they will be needed to offset declining oil revenues.

Alaska's state government must take a philosophical turn. We must start encouraging and supporting the efforts of the private sector when they feel they can contribute to the economic well-being of the entire state. One such effort is outlined in HJR 28. This resolution is asking that the state be supportive of the private sector in its efforts to provide tourism opportunities to the visitors of Alaska. By looking into the possibility of establishing a rail utility corridor that could be leased from the state by the private sector as well establishing a visitor activity area in Kantishna, we can accomplish this.





*Department of Transportation
and Public Facilities*

POSITION PAPER

BILL NO: HJR 28

APPROVED: 

TITLE: Support Kantishna Area
Tourism Development

DATE: March 3, 1993

DOT&PF supports improved access to the Kantishna Area. It would relieve the bottleneck that exists around the existing entrance to Denali National Park. That bottleneck has resulted in escalating land use, traffic, and tourism capacity problems. The fact that people travel to the state and are unsuccessful in adequately accessing Denali National Park, including Mt. McKinley, reflects poorly on the state's tourism industry rather than on the National Park Service.

Improved access to the Kantishna Area would allow expansion of the tourist industry by making quality Mt. McKinley viewing accessible to large numbers of people. Such use would be non-consumptive, would satisfy an existing demand (much of which is currently not satisfied), and would impact a small percentage of Denali National Park (much of which has previously been developed to support mining).

DOT&PF is proceeding with a location study for improved access to Kantishna. This resolution would offer substantial support to our effort. That would be valuable as we develop this project within Denali National Park. Rail is one of the alternative modes that will be considered. If, through the Federal-Aid location/environmental process, the NEPA process and the ANILCA Title XI process, it is identified as the preferred alternative, DOT&PF would advocate its development.

DOT&PF is opposed to selection of a preferred alternative until the location/environmental process has satisfactorily completed. Such a premature decision would jeopardize Federal-Aid funding (to the extent it would be applicable) and would jeopardize the process of securing necessary rights of way within Denali National Park.

For Further Information contact Katy McHugh at 465-3900.

WALTER J. HICKEL
GOVERNOR



P. O. Box 110001
Juneau, Alaska 99811-0001
(907) 465-3600

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

December 10, 1992

Mr. Laurence H. Irving
President
Kantishna Group, Inc.
P.O. Box 71047
Fairbanks, AK 99707

Dear Mr. Irving:

Thank you for the briefing on your proposal to build a light rail service from Lignite into Kantishna.

I am very aware of the need to expand services in the area of the Denali National Park. We have turned away approximately half a million visitors a year who have indicated that they would spend time and dollars if there were facilities and transportation in the park. Our tourism marketing efforts have maximized our capacity in the summer season and have expanded into the "shoulder" seasons. The international interest in viewing the Northern Lights will provide even greater demand.

We consider your project a significant economic development opportunity for the Denali region. It will affect local communities in a positive way, providing construction jobs and long-term, year-round employment.

Dr. Glenn Olds, Commissioner of Natural Resources, has advised me that processing of your application for a conditional right-of-way over state land is expected to be completed in January. I also hope we can help you with the challenge of access into Denali Park.

I regard your project as one of the private sector initiatives which will help us meet our goal of increased visitor opportunities within the state. Please keep me informed of any issues and milestones as this project proceeds.

With best regards.

Sincerely,

A handwritten signature in cursive script that reads "Walter J. Hickel".

Walter J. Hickel
Governor

Kantishna Group Incorporated

Post Office Box 71047, Fairbanks, Alaska 99707

Tel: 907-451-7906 Fax: 970-451-6494

February 6, 1993

Rep. Foster, Chairman,
House Standing Committee on Transportation
State Capitol Building, Juneau, Alaska 99801
Tel: 907-465-4858 Fax: 907-465-3242

Dear Rep. Foster:

On Friday, I spoke with your Aide and requested a letter of support for the Kantishna Railroad® (KRR) project with which you are familiar. I was assured of your support.

Attached please find a copy of a letter from Sen. Bert Sharp of the Senate Transportation Committee. Sen. Sharp's letter speaks of the concept of a Public Access Rail / Utility Corridor into Denali National Park. It is the creation of such a Corridor that will allow for the construction of the Kantishna Railroad® project. We hope to have your support for the creation of such a corridor.

Two elements of the project which Sen. Sharp may not be aware of is its compliance with the Americans with Disabilities Act (ADA) and its low environmental impact.

Many in the touring public are denied access to facilities and experiences in the Park due to non-compliance with ADA. The KRR will have walk-on and roll-on loading capabilities. Our passenger coaches will be double decked with lifts to give access to upper decks for disabled or wheelchair bound passengers.

Other innovations will include the use of foam toilets and composting systems reducing fresh water use and eliminating unnecessary pollution risk of the rail corridor. Recycling systems will be in use from the onset to avoid adverse impact from solid waste. These elements of the project are to make the project more available to the touring public while reducing its impact on the environment.

In closing, thank you for your interest and support of the Kantishna Railroad® project. Your continued support will be appreciated. If you have any further questions call me at anytime.

With best regards I am,



Joseph N. Fields III, Dir.
Kantishna Group Inc.

Attachment: Letter; Sen. Sharp /cover

Alaska State Legislature

SENATOR
BERT SHARP

DISTRICT P

CHAIRMAN
TRANSPORTATION COMMITTEE

MEMBER
FINANCE COMMITTEE
LEGISLATIVE BUDGET & AUDIT COMMITTEE
HEALTH & SOCIAL SERVICES



FAIRBANKS

DENALI BANK BUILDING
119 N. CUSHMAN, SUITE 201
FAIRBANKS, ALASKA 99701
(907) 452-7885/7886

SESSION ADDRESS

STATE CAPITOL, ROOM 514
JUNEAU, ALASKA 99801-1182
(907) 465-3004/4921

Senate

January 25, 1993

Mr. Laurence H. Irving , President
Kantishna Group, Inc.
P.O. Box 71047
Fairbanks, AK 99707


Dear Mr. Irving:

I am writing to express my support for your company's plan to build a rail service from Healy to Kantishna.

Mt. McKinley National Park is recognized as one of the world's most popular tourist attractions. I am pleased that your plan to build a rail service from Healy to Kantishna will open up the Northern and Western areas adjacent to the Park. The existing saturation problem in the southern McKinley area presents a serious bottleneck to future growth. A top quality rail facility will offer tourists much better viewing opportunities as well as avoidance of increased congestion on the present Park road system. The concept of a rail/utility corridor limited to these uses will promote a higher quality viewing experience well into the future.

If there is anything I can do to assist you with this plan, please don't hesitate to contact me.

Sincerely,


Senator Bert Sharp

BS/mjw



REPRESENTING
GOLDEN HEART
OF ALASKA

Kantishna Group Incorporated

Post Office Box 71047, Fairbanks, Alaska 99707

Tel: 907-451-7906 Fax: 970-451-6494

January 23, 1993

Rep. Tom Brice
State Capitol Building
Juneau, Alaska 99801

Dear Rep. Brice:

Thank you for taking interest in our Kantishna Railroad project. As you are aware, in the last session of the Alaska Legislature the Senate passed a resolution (SJR 44) supporting increased access into Denali National Park.

The House passed a similar Resolution (HJR 83) through several committees only to have it die in the Rules Committee at sessions end.

Over the past year the subject of access into the Park has continued to be the subject of much debate. Last year the question was whether it would be road or rail access along the alignment of the old "Stampede Trail". The State DOT&PF applied for Federal Highway monies for this alignment and was informed that it would need the agreement of Federal sister agencies (the NPS) to gain approval.

As we understand it, this agreement was not given and the alignment was changed to a "Parks Highway - McGrath access with a spur to Kantishna" project. I suggest that if you have questions on this that you contact Mr. Steven C. Sisk, P.E., Director, Design & Construction, Northern Region (907)451-2214 , 2301 Peger Road, Fairbanks, Alaska 99709-5316.

On the other hand, the Kantishna Railroad project is moving ahead. We have been working with State DNR and are negotiating a recognizance permit for the first thirty mile of our alignment. We have talked with the NPS and have been informed that this project could be acceptable under certain circumstances. The specific circumstances are not entirely clear at present, however, the basic understanding we have is that the Railroad / Utility Corridor we want from the NPS must meet the criteria of being "public Access to Kantishna.

Our railroad would certainly be that. As a public carrier it would meet the criteria and in fact it would provide year around access that the existing road does not. The Kantishna Railroad project is proposed to be built from private funds. A new dirt road of two lanes would cost the State US\$100-125 million and have a annual maintenance cost at today's cost of US\$ 2,500.00 per lane mile (\$5,000.00 for two) not to mention the cost of security, etc.

Page 2. KGI - Rep. Brice 230193

I have addressed the Denali Borough Assembly and Mayor and have asked for their passage of a Resolution supporting the creation of a Railroad / Utility Corridor. I include a copy of the draft of that Resolution for your perusal.

It may also be that the Railroad / Utility Corridor should be included in the law governing the pipelines, AS. 38.05. This will take more review.

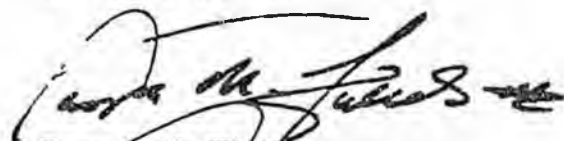
We have the strong support of the Dept. of Commerce & Economic Development under Comm. Paul Fuhs, The Dept. of Natural Resources under Dr. Olds and of course the Governor. We feel it is time to move this project forward. To do so, I would be very grateful if you would consider organizing the creation of a Resolution specifically directed at the creation of a Railroad / Utility Corridor within Denali National Park.

The Kantishna Railroad is an environmentally sound and responsible method for expanding the tourism infrastructure in Alaska. It does not conflict with any of the existing tour operators in our view. As an economic development project, it meets the criteria of the new President in sustaining economic growth and is not of a resource extractive project. Tourism is one of the largest producers of foreign exchange, perhaps effecting the national balance of trade more directly than any other form of enterprise.

If you or any other members of the House or Senate need additional information please call me at any time.

With best wishes for a successful session, I am.

Sincerely yours.



Joseph N. Fields III, Dir.

Incl: Gov's ltr, maps, Denali Borough Draft Resolution.

DENALI BOROUGH, ALASKA

RESOLUTION NO. 93-02A RESOLUTION ENDORSING THE CREATION OF A RAILROAD/UTILITY
CORRIDOR FOR DENALI NATIONAL PARK ACCESS.

WHEREAS, Denali National Park is the top visitor destination in Alaska, and

WHEREAS, Denali National Park is a critical element in the Alaska Visitor Industry throughout the State, and

WHEREAS, the current limits on access into Denali National Park restrict many visitors and residents from entering the Park that would like to, and

WHEREAS, lack of access to Denali creates a bottleneck in the visitor/tourism delivery system of Alaska, and

WHEREAS, no additional access to the interior of the Park is included in the South Denali Concept Plan now under consideration, and

WHEREAS, the National Park Service "Denali Task Force Report" released in 1992 did not provide for any immediate increase in the capacity on the current north entrance road, and

WHEREAS, the National Park Service "Denali Task Force Report" described the rail access concept as captivating, and

WHEREAS, Kantishna Group Inc. has proposed an environmentally sound, sensible, innovative, and unique tourism railroad between Healy and Kantishna to provide access to the growing numbers of Alaskan visitors, and

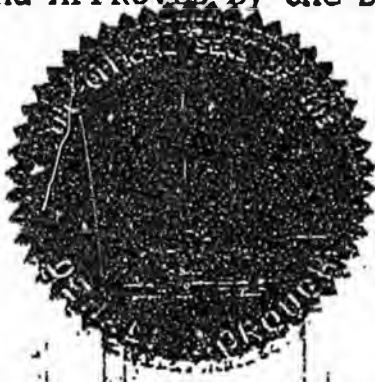
AND WHEREAS, the Denali Borough and the communities within it, will benefit from permanent jobs and other economic activity created by the building and operation of the Kantishna Group Inc.'s railroad;

NOW THEREFORE BE IT RESOLVED: that the Denali Borough Assembly and Mayor strongly supports the Kantishna Group Inc.'s plans to construct and operate a general purpose tourism railroad into Denali National Park.

FURTHER BE IT RESOLVED: that the Denali Borough Assembly and Mayor encourages the National Park Service at Denali National Park, the Regional and National levels, the State of Alaska, its Governor, Legislature and National Delegation, to give full support to the creation of a Railroad Utility Corridor as proposed by the Kantishna Group Inc. as an appropriate, environmentally sound and sensible means of access to the Park to better serve the people of the United States and the World.

PASSED and APPROVED by the DENALI BOROUGH ASSEMBLY this 14th day of February, 1993.

ATTEST:



A handwritten signature in black ink, appearing to be "R. B.", is written over a horizontal line.

Mayor

A handwritten signature in black ink, "Kristina M. Graham", is written over a horizontal line.

Borough Clerk

Alaska House of Representatives

Richard Foster
P.O. Box 1630
Nome, Alaska 99762-1630
907-443-5036

State Capitol
Juneau, Alaska 99801-1182
907-465-3789
Fax 907-465-3242



Chairperson
Transportation Committee

Military and Veterans
Affairs Committee

Member,
Finance Committee

Majority Whip

Eighteenth Legislature

Joseph N. Fields III, Dir.
Kantishna Group Inc.
P.O. Box 71047
Fairbanks, AK 99707

February 11, 1993

Dear Mr. Fields:

I am happy to add my support for the group's planned initiation of rail service from Healy to Kantishna.

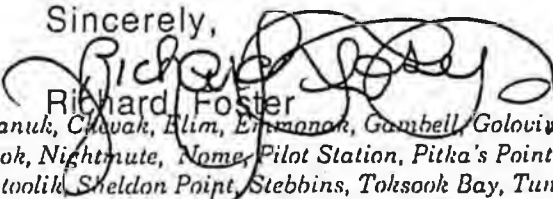
Such a service would avoid additional pressure on the road system within Mt. McKinley National Park and open additional areas that would help relieve some of the congestion which currently limits services and viewing access.

I would hope that all parties, including the National Park Service, recognize Mt. McKinley as a National Treasure to be shared with all Americans and with other Citizens of the World Community. Rail Service is an excellent way to provide added barrier free access for the handicapped. It is their Park too.

I applaud your efforts not only because they add access for the disabled but because they also provide for increased access for all persons while still addressing environmental concerns.

If I can be of further assistance please contact me.

Sincerely,


Richard Foster

Alakanuk, Chavak, Erim, Erimonok, Gambell, Golovin, Hooper Bay, Kotlik, Koyuk, Marshall, Mekoryuk, Mountain Village, Newtok, Nightmute, Nome, Pilot Station, Pitka's Point, Russian Mission, St. Mary's, St. Michael, Savoonga, Scammon Bay, Shaktoolik, Sheldon Point, Stebbins, Toksook Bay, Tununak, Unalakleet, White Mountain

Staff: Elizabeth Walters, Jeannie Smith, Dr. Larry La Bolle



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TO: John LIO FAX: _____ PHONE: _____

FROM: Flw LIO PHONE: _____

INSTRUCTIONS: Written testimony for HTRA tele -
3-9-92 @ 1700 Please forward to Comte. Chair
Rep. Foster - 465-4858

RECEIVED: Date _____ Time _____

SENT: Date 3-9-93 Time _____

DISPOSAL OF ORIGINAL: Discard _____ Hold for Pickup _____

NUMBER OF PAGES: 4 (Not counting cover sheet)

SENT BY: Foster

RECEIVED MAR 12 1993

My name is Teri Camery. I am a resident of Fairbanks from Representative Davies district. I am testifying to voice my opposition against House Joint Resolution 28 and the construction of the Stampede Route through Denali National Park from Healy to Kantishna.

I know Denali Park very well from countless visits and backpacking trips over the past few years. I have also exhaustively researched controversies in this park, and did my thesis on the impact of RS2477 in Alaska.

I am opposed to a new road through the park for many reasons:

1) Economic

The Stampede Route is impassable during the summer months and passes over a glacial river bed. It also disappears in a number of places.

Under 1986 estimates the cost of the road would be \$85 million to \$125 million. Even if the federal funding pays for the construction of the road, doubtful at these huge prices, the state will still have to cover maintenance costs which may be tremendous, especially when building a road over a glacial riverbed and large acres of wetlands. Where will the state come up with this money?

The state made a one-time \$450,000 investment in a minimal upgrade of the Stampede Road beyond Eight-mile Lake in the early 1960s which quickly deteriorated and never resulted in any significant public travel.

In addition, as I understand it, the park's major concessioner (ARA), larger tour companies, and smaller inholder operations oppose ~~both~~ a northern access route. If they don't believe there is an economic benefit it is hard to believe that there is one for the state.

Residents of Healy and other neighboring communities are also generally opposed to the road.

2) The View

Mount McKinley viewing is superior on the south side of the Alaska Range. Wildlife and mountain views on the north side are significantly less dramatic compared to the existing route.

3) The Meaning and Purpose of Denali

Adding a new road will permanently change the character of the park and harm the priceless qualities people come there to see in the first place. A new road puts at risk the up-close viewing of animals that draws people to Denali.

Obviously the impacts of new road are not confined to the borders of the pavement. The impacts on wildlife and habitat are virtually undeniable. The Park Service has a mission to preserve Denali for future generations. The State has no right to interfere with that mission.

Regardless of RS2477 and private landholdings in Kantishna, the State does not have the right to damage land in the federal trust for its own financial gain. Under the current federal administration, the state would be foolish to tamper with Denali. A lawsuit would be imminent.

Finally, I have a copy of the Denali Access Task Force Report from the National Park Service which has much useful information. I would be happy to send copies to interested representatives.

Thank you for this opportunity to comment.

Teri Camery
1816 Musk Ox Trail
Fairbanks, AK 99708

Kantishna Group Incorporated

Post Office Box 71047, Fairbanks, Alaska 99707

Tel: 907-456-7906 Fax: 970-451-6494

March 9, 1993

Honorable Richard Foster, Chairman
House Transportation Committee
State Capitol Building
Juneau, Alaska 99801- 1182

Dear Mr. Foster:

We wish to thank the members of the House Transportation Committee for their good work on behalf of all Alaskans and especially for their consideration of HJR 28.

I want to start today by quoting Chapter 1 of Title 16 of Federal law which establishes the National Park Service. " The Service ... shall promote and regulate the use of Federal areas known as...national parks, monuments and reservations... by such means and measures as to conform to the fundamental purpose of said parks, monuments and reservations, **which purpose is to conserve the scenery and the natural and historic objects and wild life therein and to provide for the enjoyment of the same in a manner and by such a means as will leave them unimpaired for the enjoyment of future generations. "**

The Kantishna Group Incorporated (KGI) has proposed the construction of a tourism railroad from Lignite to Kantishna, Alaska. The project would include the construction of terminal facilities at both ends of the railroad and would be financed privately.

Problems:

When Denali National Park was expanded in the 1980's and Denali became a Park and Preserve and a Wilderness Area. Inholders maintained their rights of access for themselves and their guests. The original Park became Wilderness, with the exception of the existing park road which bisects it and land around Wonder Lake. If effect, there are two Wilderness Areas. Because the road was built to access the Park interior by the NPS and not to handle thousands of busses each season it is said to have reached its "carrying capacity".

To correct this problem some have suggested creating a second road, but as visitor volume grows, so does the potential for damage a road might do to the Park eco-systems. The 1965 Federal law on Park concessions states; "***Congress hereby finds the preservation of park values requires such public accommodations, facilities and services as have to be provided in those areas should be provided under carefully controlled safeguards against unregulated and indiscriminate use, so that heavy visitation not unduly impair these values...***". A second road would be clearly in conflict with this statement. The Kantishna Railroad would provide the controlled and discriminating access and distinctly different tourism activities necessary for the Park service to support this significant change in the 75 year operation of Denali National Park.

Alaska, is a popular destination, it is safe, accessible, quick to reach by air or sea, has no terrorism, English is spoken and no currency conversion are required. Alaska has spent a great deal of money on marketing and now sees the visitor / tourism industry as the third largest sector of its private economy with a growth rate of 4% to 7%.

Mitigating adverse impact of traffic on Park road: A rail / utility corridor along the northern routing suggested by KGI, will provide discriminating and controlled public access to Kantishna. This will allow the NPS to exercise controls on the Park road and reduce the impact on the adjacent wilderness area.

It would be foolhardy to conclude that visitor volumes or tourism will decrease over the next thirty years. It is irresponsible for tourism in Alaska to be constrained by a lack of infrastructure or to be discounted as a major factor in Alaska's economy. The Kantishna Railroad will eliminate the "choke" point and provide high quality low impact access into the Park. The Kantishna Historic Visitor District will re-focus tours for viewing Mt. McKinley, historic preservation, conservation education, outdoor recreation and wildlife.

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Kantishna Historic Tourism Zone:

KGI has suggested the creation of a Kantishna Historic Tourism Zone (KHTZ). The purpose of this zone would be to create an area in which tourism facilities could be developed under strict zoning. Several thousand acres of land in Kantishna is privately owned, some in patented mining claims with more in application for Patent. Tourism operations currently exist in Kantishna and others are being planned. The KHTZ could be a manifestation of the concept of "Zones of Confluence" where the statutory mandate to the National Park Service to deliver the Parks to the people while protecting them could be accomplished. This concept is similar to the Primary Tourism Zone suggested by AVA studies. The KHTZ could produce revenues in the form of user fees, tariffs, rents, taxes etc., offsetting its cost of operation.

The KHTZ would provide the private property inholders in the Park with the ability to utilize their holdings for tourism activities while at the same time eliminating the need for the NPS to continue the already implemented, very costly program of buying them out. We have been advised that the National Park Service has some zoning powers.

The Denali Borough could create a special or enterprise zone or even a Port Authority in the Kantishna area to be used to control important developmental factors such as:

- A. Architectural standards.
- B. Solid waste.
- C. Trails and activities on them.
- D. Quality and safety of area developments.
- E. Historic Preservation, including the authentic restoration of the Kantishna townsite and perhaps the historic Stampede Mine.

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True Access To The Park:

Each passenger coach will have two decks with full handicapped access, perhaps including a lift for upper deck wheelchair access. Terminals will be equipped for walk-on and roll-on passenger loading. Compliance with the provisions of the Americans with Disabilities Act (A.D.A.) will bring many benefits to our operation. We feel Eco-Tourism is not just for the physically fit. The majority of our Alaskan visitors feel a very close relationship to the land even though they may not be physically able to hike over it.

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While the Alaska Wilderness Recreation and Tourism Assoc. and Alaska Wildland Adventures do represent a portion of the touring public, that portion is only a small part of the tourism industry in Alaska.

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The sum of the objections is "I've got mine and I want no competition"

We urge you to pass HJR 28. It is essential to the expansion of tourism infrastructure in Alaska.

With best regards I am.

Sincerely yours.

Joseph N. Fields III, Dir.
Kantishna Group Inc.



Alaska Environmental Lobby, Inc.

P.O. Box 22151 Juneau, Alaska 99802

907-463-3366

THE ALASKA ENVIRONMENTAL LOBBY OPPOSES HOUSE JOINT RESOLUTION NO. 28

The Alaska Environmental Lobby opposes House Joint Resolution No. 28., a resolution calling for another transportation corridor and more development in Denali National Park's Kantishna area.

The Denali Access Task Force, in its November 1991 report, found that the level of business activity, new business starts, visitation and mining did not justify additional access. The same report concluded a "new road is not justifiable for park purposes, wildlife, economics or visitor services." The National Park Service has been buying private inholdings in Kantishna, and is opposed to new commercial construction in this fragile wilderness location. Cooperation of the Federal Government in further developing the Kantishna area is questionable. Another transportation corridor, especially a road with a large influx of visitors, will damage the unique remoteness that attracts tourists now.

During these times of severe state and federal budget cuts, the cost of a potential corridor cannot be justified economically. HJR 28 urges the Governor and executive branch to be aggressive in their resolve to enhance the Mt. McKinley experience by developing new environmentally sound access routes into Kantishna. Is there federal transportation money and the required 10% General Fund match available for such a project? If a road is built, is there General Fund money available for continued maintenance and operations? DOT/PF has cut its maintenance and operations budget over the past few years. Everyone is aware of our current crisis in properly maintaining existing roads. HJR 28 also suggests that the private sector could build a rail utility corridor into Kantishna. Road construction estimates were over \$80 million in 1992 and a rail corridor would be even more expensive. How can private industry do this without public money? These issues must be seriously considered prior to approving HJR 28.

The State should focus on improving existing tourist facilities in Denali State Park and other tourist destination sites throughout the State.

HJR 28 has the potential to be expensive and to seriously damage Denali National Park's Kantishna area as a tourist attraction. HJR 28 should be rejected.

ALASKA CENTER FOR THE ENVIRONMENT • ALASKA CHAPTER, SIERRA CLUB • ALASKA PARTNERS OF THE EARTH
ANCHORAGE AUDUBON SOCIETY • ARCTIC AUDUBON SOCIETY • CLEAN AIR COALITION • DENALI CITIZENS COUNCIL
DENALI GROUP, SIERRA CLUB • JUNEAU AUDUBON SOCIETY • JUNEAU GROUP, SIERRA CLUB
KACHEMAK BAY CONSERVATION SOCIETY • KENAI PENINSULA AUDUBON SOCIETY • KESK, CANADIAN AND KAVAKERS
KNEE GROUP, SIERRA CLUB • KODIAK AUDUBON SOCIETY • LYNN CANAL CONSERVATION • NORTHERN ALASKA ENVIRONMENTAL CENTER
PRINCE WILLIAM SOUND CONSERVATION ALLIANCE • SIDA CONSERVATION SOCIETY • SOUTHEAST ALASKA CONSERVATION COUNCIL





March 8, 1993

TESTIMONY SUBMITTED "FOR THE RECORD" ON HJR NO. 28

Honorable Richard Foster
Chairman House Transportation Committee
State Capitol
Juneau, Alaska 99801-1182

Dear Representative Foster,

Alaska Wildland Adventures provides small-group natural history tours from the Kenai Peninsula to Denali National Park. Last summer we had over 70 individual departures and we serviced over 900 participants in our seven to twelve day trips. We are part of a growing trend in travel, now sometimes labeled "Ecotourism". We have several serious concerns with House Joint Resolution No. 28.

DISPLACING EXISTING AND QUALITY BUSINESS ESTABLISHMENTS IN THE KANTISHNA REGION. Over the last few years, the Kantishna area has emerged as a center of Small Group Natural History Tourism serving trip participants who want an active and educational vacation experience. Camp Denali, North Face Lodge, Kantishna Roadhouse, and Denali Backcountry Lodge (formerly Denali Mountain Lodge) are examples of established operations that collectively serve thousands of visitors in an environmentally responsible and highly educational and participatory manner each summer season. Economically, these businesses are important: for example, Alaska Wildland Adventures alone spends over \$350,000 in contracted services in this area each summer. In addition, these businesses have spent millions of dollars to construct facilities custom designed to provide the participatory and informative lodge experiences that their guests want and travel throughout the world to find. We believe that supporting increased access to this area as outlined in House Joint Resolution No. 28 would displace and negatively impact the businesses that are currently in the area.

WE DO NOT BELIEVE THE KANTISHNA REGION IS THE ANSWER TO INCREASING ACCESS TO DENALI NATIONAL PARK. By existing park road or by new access, the journey to Kantishna does not appear to be suitable to the general interest traveler nor the cruise/bus tour traveler. ARA, the concessionaire at Denali National Park, has

Alaska Wilderness Recreation and Tourism Association

Board of Directors

Nancy Lethcoe
President
Alaskan Wilderness
Solling Safaris

Carol Kasza
Vice President
Arctic Treks

Karla Hart
Secretary
Alaska Rainforest Tours

Don Ford
Treasurer
National Outdoor
Leader-ship School

Marcy Baker
Alaska Mountaineering &
Hiking

Bob Dittreck
Wilderness Birding
Adventures

Kirk Hoessle
Alaska Wildlands
Adventures

Bob Jacobs
St. Elias Alpine Guides

Karen Jettmer
Equinox

Steve Ranney
Fishing & Flying

Eruk Williamson
Eruk's Wilderness
Float Trips

Honorable Richard Foster
Chairman House Transportation Committee
State Capitol, Juneau,
AK 99801-1182

March 2, 1993

Dear Representative

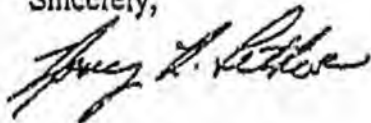
The Alaska Wilderness Recreation and Tourism Association promotes the recognition and protection of Alaska's recreation and tourism resources and works for ecologically responsible recreation and tourism use of Alaska's natural resources. We have over 300 members statewide of which 180 are in the tourism business.

The Board of Directors has met and discussed House Joint Resolution No. 28. I have been instructed to write to you expressing our opposition to this resolution. Our members disagree with the statement that there is a lack of facilities at Kantishna. The current facilities have promoted a quality wilderness experience for tourists to Alaska for decades and will continue to do so. Therefore, the Alaska Wilderness Recreation and Tourism Association opposes developing routes to Kantishna through some of Mt. McKinley's most spectacular wilderness area, opposes the development of a Kantishna visitor activity area, and opposes the establishment and development of a rail utility corridor into Kantishna by private corporations. Development of these routes would reduce the opportunities for quality wilderness experiences.

Our business members make their living by marketing Alaska's wilderness and other natural resources. When companies make an investment, they expect continued access to the product they market. The proposed development would deprive them of the product they have developed and marketed by changing a wilderness area into a developed area.

We respectfully request that the Transportation Committee oppose House Joint Resolution No. 28.

Sincerely,



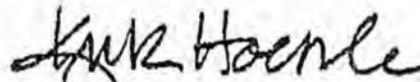
Nancy R. Lethcoe

noted a shift in use patterns from their six hour tour to their much shorter two hour tour of the park. There is no evidence that visitors in numbers of enough magnitude would travel the much longer route in order to justify the expense financially and environmentally. The proposed access route north of the park includes a lot of lowland, bog areas that would be uninteresting to potential visitors.

INCREASED ACCESS TO KANTISHNA THAT LEADS TO MORE EXTENSIVE USE OF THE PARK ROAD WOULD DESTROY THE WILDERNESS QUALITY AND WILDLIFE VIEWING THAT IS UNIQUE TO DENALI NATIONAL PARK. If in the end we destroy what it is that makes the area so coveted, what have we accomplished? Mass tourism access to the Kantishna area would certainly be a threat to the wilderness qualities that make Denali National Park such a desirable destination for visitors. In so doing, it would degrade the experience of all visitors and it would degrade the businesses that are currently operating successfully in the area.

Because of the above reasons, we hereby urge the Transportation Committee oppose House Joint Resolution No. 28.

Respectfully,



Kirk Hoessle
President

Kantishna Group Incorporated

Post Office Box 71047, Fairbanks, Alaska 99707

Tel: 907-456-7908 Fax: 907-451-6494

March 9, 1993

Honorable Richard Foster, Chairman
House Transportation Committee
State Capitol Building
Juneau, Alaska 99801-1182

Dear Mr. Foster:

We wish to thank the members of the House Transportation Committee for their good work on behalf of all Alaskans and especially for their consideration of HJR 28.

I want to start today by quoting Chapter 1 of Title 16 of Federal law which establishes the National Park Service. "The Service ... shall promote and regulate the use of Federal areas known as...national parks, monuments and reservations... by such means and measures as to conform to the fundamental purpose of said parks, monuments and reservations, which purpose is to conserve the scenery and the natural and historic objects and wild life therein and to provide for the enjoyment of the same in a manner and by such a means as will leave them unimpaired for the enjoyment of future generations. "

The Kantishna Group Incorporated (KGI) has proposed the construction of a tourism railroad from Lignite to Kantishna, Alaska. The project would include the construction of terminal facilities at both ends of the railroad and would be financed privately.

Problems:

When Denali National Park was expanded in the 1980's and Denali became a Park and Preserve and a Wilderness Area. Inholders maintained their rights of access for themselves and their guests. The original Park became Wilderness, with the exception of the existing park road which bisects it and land around Wonder Lake. If effect, there are two Wilderness Areas. Because the road was built to access the Park interior by the NPS and not to handle thousands of buses each season it is said to have reached its "carrying capacity".

To correct this problem some have suggested creating a second road, but as visitor volume grows, so does the potential for damage a road might do to the Park eco-systems. The 1965 Federal law on Park concessions states; "*Congress hereby finds the preservation of park values requires such public accommodations, facilities and services as have to be provided in those areas should be provided under carefully controlled safeguards against unregulated and indiscriminate use, so that heavy visitation not unduly impair these values...*". A second road would be clearly in conflict with this statement. The Kantishna Railroad would provide the controlled and discriminating access and distinctly different tourism activities necessary for the Park service to support this significant change in the 75 year operation of Denali National Park.

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We urge you to pass HJR 28. It is essential to the expansion of tourism infrastructure in Alaska.

With best regards I am.

Sincerely yours.

Joseph N. Fields III, Dir.
Kantishna Group Inc.



House Transportation Committee

SUBJECT OF MEETING:
HJR 28

DATE:

PLACE: C-17

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
Rep. Brice	SPONSOR	ST. Capitol				<input checked="" type="radio"/> Y	<input type="radio"/> N	overview HJR 28
Clyde Stolterus	DOT/RF	3132 Channel Drive	99501	7-1400	465-3700	<input checked="" type="radio"/> Y	<input type="radio"/> N	HJR 28
Conrad Murray	DRU TOURISM	2731 DAVID	99801	364-2837	465-202	<input checked="" type="radio"/> Y	<input type="radio"/> N	HJR 28
						<input type="radio"/> Y	<input type="radio"/> N	
						<input type="radio"/> Y	<input type="radio"/> N	
						<input type="radio"/> Y	<input type="radio"/> N	
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						<input type="radio"/> Y	<input type="radio"/> N	
						<input type="radio"/> Y	<input type="radio"/> N	

03/11/93 LEGISLATIVE TELECONFERENCE NETWORK LTN1405
10:22:02 N CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE
TCN 30351 T/C DATE: 03/09/93 TIME: 17:00 to 18:00 STATUS: 7 STATS IN
SITE: LIO fbx VTS ANCHORAGE
1 MS LENORE SAPPINGTON DENALI CTZS COUN T 01 HJR 28
2842 BASS ANCHORAGE AK 99507 (907)522-1956

Larry Irving-Anch

MSG: 1410 NO FURTHER INFORMATION
ENTER Pg# 09 PF2 NextC# ynnnn PF3 Exit PF5 Update PF7 Bwd PF8 Fwd PF12 Quit

03/11/93 LEGISLATIVE TELECONFERENCE NETWORK LTN1405
10:28:39 N CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE
TCN 30351 T/C DATE: 03/09/93 TIME: 17:00 to 18:00 STATUS: 7 STATS IN
SITE: LIO FBX VTS FAIRBANKS

1 MS.	TERI	CANERY		T 01 HJR 28
	1816 MUSK OX TRAIL	FAIRBANKS	AK 99708	(907)455-4283
2 MR.	LARRY	IRVING		T 01 HJR 28
	1205 SMYTHE ST.	FAIRBANKS	AK 99701	(907)456-4298
3 MS.	GINNY	WOOD		T 01 HJR 28
	1819 MUSK OX TRAIL	FAIRBANKS	AK 99709	(907)479-2754
4 MR.	JOSEPH	FIELDS		T 01 HJR 28
	P.O. BOX 70147	FAIRBANKS	AK 99707	(907)451-7906
5 MS.	CINDY	FIELDS		O 01 HJR 28
	P.O. BOX 73303	FAIRBANKS	AK 99707	(907)451-7906

MSG: 1410 NO FURTHER INFORMATION
ENTER Pg# 09 PF2 NextC# ynnnn PF3 Exit PF5 Update PF7 Bwd PF8 Fwd PF12 Quit

HJR

57

A M E N D M E N T

OFFERED IN THE HOUSE
TO: HJR 57

BY REPRESENTATIVE SANDERS

Page 1, line 2:

Delete "of less than 10,000 gross tons"

Page 1, line 3, after "hazardous cargoes":

Insert "of 15,000 barrels or more"

Page 2, lines 12 - 13:

Delete "of less than 10,000 gross tons containing petroleum products or hazardous cargoes."

Insert "designed to carry bulk petroleum products or hazardous cargoes of 15,000 barrels or more."



Representative Jerry Sanders

District 19

Vice Chair, Rules Committee
Vice Chair, Community & Regional Affairs Committee
House State Affairs Committee
Special Committee on Oil & Gas
Legislative Council
International Trade & Tourism

S P O N S O R S T A T E M E N T

H J R 5 7

This Joint Resolution is the result of attempts to introduce HB 243, which would allow licensed marine pilots to further serve the citizens of Alaska by assisting in protecting our pristine rivers and deltas -- which is why the legislature originally created the Board of Marine Pilots. Through the state pilotage system, the states interests in the protection of life, property and environment, and in the expeditious flow of waterborne commerce are protected.

This legislation was intended to insure the safety of environmentally sensitive inland waters like the Kuskokwim River where ever increasing barge traffic carrying millions of gallons of fuel and oil are traversing hazardous and ever changing river channels. This bill could not be enacted because present Federal Pilotage Regulations control what standards may be set.

This Resolution requests that the United States Coast Guard insure that hazardous and environmentally sensitive areas, like our Kuskokwim River, receive the protection they deserve, before a catastrophic spill occurs.

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. HJR 57

Revision Date: 3/9/94
Title: "Requesting pilots for tug towing barges"
Sponsor: Rep. Sanders
Requestor: Rep. Sanders

Department Affected: Commerce and Economic Development
BRU: Occupational Licensing
Component: Professional licensing
COMPONENT SERIAL NO. _____

Expenditures/Revenues:

OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	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	0	0	0	0	0

CAPITAL EXPENDITURES	0	0	0	0	0	0
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CHANGE IN REVENUES ()	0	0	0	0	0	0
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FUND SOURCE

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
Other	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

Estimate of current year (FY 94) cost: \$ 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: Wendy Mulder, Special Assistant Phone: 465-2500
Division: Commissioners Office DCEL Date: _____

Approved by Commissioner: Paul Fuhs Date: 3-9-94
Agency: Commerce and Economic Development

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(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

March 8, 1994

SUBJECT: Summary of HJR 57: Requesting that the United States Coast Guard require licensed marine pilots on domestic tug boats when towing barges of less than 10,000 gross tons that are carrying petroleum products or hazardous cargoes on the inland water of the United States.

TO: Representative Jerry Sanders

FROM: George Utermohle *GU*
Legislative Counsel

You have requested a summary of HJR 57: Requesting that the United States Coast Guard require licensed marine pilots on domestic tug boats when towing barges of less than 10,000 gross tons that are carrying petroleum products or hazardous cargoes on the inland water of the United States.

A summary of a resolution is not an authoritative description of the resolution. The resolution itself is the best statement of its contents.

HJR 57 is a resolution of the Alaska State Legislature requesting the United States Coast Guard to require that domestic tug boats on the inland water of the United States, and especially on the Kuskokwim River system in Alaska, have a licensed marine pilot on board when they are towing barges of less than 10,000 gross tons containing petroleum products or hazardous cargoes. The resolution is directed to the President and Vice-President of the United States, to the presiding officers of the Congress, and to the Commandant of the United States Coast Guard, as well as, the Alaska Delegation in Congress.

GU:gc
94-186.glc

**Association of Village Council Presidents, Inc.
P.O. Box 219
Bethel, Alaska 99559**

Ph# (907) 543-3521
FAX(907) 543-3596

April 12, 1993

Senator George Jacko
Room 125
State Capitol
Juneau, AK 99801

Dear Senator Jacko:

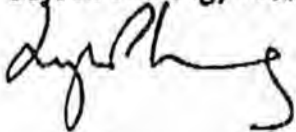
Because the health and vitality of the waterways in our region is such a crucial aspect of Native ways of life, I am writing to urge your support of the Committee Substitute for House Bill 243 that requires oil barges capable of carrying 15,000 barrels or more be assisted by state licensed marine pilots.

The Kuskokwim River is a lifeline in the Yukon-Kuskokwim Delta. Our people live by the seasonal changes that the river brings. From fish to wildlife to vegetation, Native subsistence activities rely on a healthy and thriving environment. Destruction of this habitat would mean both the loss of subsistence foods upon which Native people heavily depend and an assault on Native ways of life. As a people, we are inextricably tied to the river.

As the EXXON VALDEZ oil spill proves, accidents do happen. Our region would not be able to sustain the irreparable damage of a similar spill in our waters. Navigating the Kuskokwim River is particularly tricky as large barges must often manipulate through waters with only a few feet of leeway. These large barges can only be safely guided by someone who knows the continually shifting intricacies of the Kuskokwim.

The insurance of safe transport and delivery of fuel by state licensed pilots is sorely needed. CSHB 243 provides for safeguards that should have long been in place. Again, I urge your support of CSHB 243.

Sincerely,
ASSOCIATION OF VILLAGE COUNCIL PRESIDENTS, INC.
Myron Naneng, President



cc: Representative Foster, Representative Mackie, Representative Sanders,
Representative Hoffman

MEMO FOR THE RECORD

On file are 219 signatures on petitions from the villages of Akiak, Eek, Kwigillingok, and Kipnuk, urging their elected legislators, to support legislation to protect their waters, keeping them safe for subsistence and recreational use.

Scorecard

EDITED BY JACK J. COLLUM

Of Shoes and Gumshoes

RELATIONS BETWEEN rival companies in the cutthroat, multimillion-dollar athletic-shoe business are strained even in the best of times. But now they are at an alltime low between industry leader Nike and Adidas America, the U.S. subsidiary of the world's No. 2 shoe company. The exodus of several Nike employees to Adidas America has resulted in an FBI investigation of industrial espionage, reportedly requested by Nike, as well as the reassignment within Nike of one of its key basketball executives, Howard White, who made his reputation by working with Michael Jordan.

At the center of the controversy is Sonny Vaccaro, who in 1990 left his position as head of college basketball promotions at Nike and has since taken over the basketball operation at Adidas America. There he joined two other former Nike executives, Rob Strasser, Adidas America's CEO until his death on Oct. 30, and Peter Moore, who took over for Strasser. Many other ex-Nike employees are with the Portland, Ore.-based Adidas America as well.

According to Vaccaro and other sources, a number of executives at Nike grew worried about the continuing close relationship between White and Vaccaro, who, says Vaccaro, talked by phone about once a month. Vaccaro has known White for 25 years. "Everybody talks to everybody in this business," says Vaccaro. "I'm not gonna stop talking to my friends."

Whether Nike's worried execs included its chairman, Phil Knight, is hard to say. He and White have long had a close relationship. But *someone* began worrying that White may have passed trade secrets to Vaccaro, and *someone* called in the Portland office of the FBI to investigate. In October two agents showed up at the office of still another former Nike executive, Fred Schreyer, who runs his own marketing and consulting firm in Port-

land, to ask questions about White. Schreyer assured the agents that he and White never traded secrets, either about design or contracts. White confirms that he, too, was interviewed by the FBI. In December, White was sent out of the office for two weeks on a baseball tour—reportedly an "involuntary leave," though White says it was nothing out of the ordinary—and when he returned he was reassigned to the new Jordan line, tentatively called Brand Jordan. "That's fine with me," says White. "I've always worked closest with Michael anyway."

White says he doesn't know if the reassignment would have occurred without the investigation and is philosophical about the whole situation. "I work for a large corporation," he says, "and sometimes things happen that are out of an individual's control. Maybe Mr. Knight became concerned about some things and had to find out. I don't think that he questioned my loyalty that much. If he did, it would've been bad. I feel comfortable continuing on here."

Troubled Waters

SI special contributor Robert H. Boyle comments on the Jan. 7 tanker accident that dumped 600,000 gallons of oil off the beaches of San Juan, Puerto Rico.

The oil spill fouling beaches in San Juan is just the latest in a series of tugboat-barge accidents that were predictable, given the negligence of the Coast Guard and the House Subcommittee on the Coast Guard and Navigation, chaired by the do-nothing Representative Billy Tauzin (D.,

La.). Both the Coast Guard and the House refuse to require that licensed pilots be on board domestic tugs towing barges of less than 10,000 tons gross weight in U.S. waters, no matter how hazardous the cargo. Consider a few of the disastrous results:

In September near Mobile, Ala., a captain lost at night in fog in unfamiliar waters crashed his barge into a bridge. Minutes later three locomotives and four passenger cars of the speeding Sunset Limited plunged off the bridge, killing 47 people, the worst disaster in Amtrak history. The Coast Guard admits that almost 800 barge-bridge accidents have occurred in the previous 10 years.

In 1990 New York Harbor and the Hudson River were on the receiving end of 1.4 million gallons of petrochemicals from 656 spills. One of the worst occurred when Amerada Hess's *Hvgrade 42*, being towed by a tug with an inexperienced captain, hit Diamond Reef, a well-known river landmark, spilling 204,000 gallons of kerosene. This accident cost \$850,000 in hull damage, \$350,000 for cleanup, \$200,000 in lost kerosene, \$51,000 for Coast Guard response and follow-up, not to mention untold environmental costs.

The barge industry argues that a pilot is an unnecessary expense. In the Diamond Reef case, a licensed river pilot would have cost \$500. The Coast Guard also argues that it strictly disciplines errant captains.

Yet the captain in the Diamond Reef case got only a year's probation.

After the Diamond Reef





Tommy	Cowboys	<i>Handmade cowboy boots, two round-trip airline tickets to anywhere in the world</i>
Joe	Los Angeles Raiders	<i>Set of Ping irons</i>
Ernie	Dallas Cowboys	<i>Champagne (to everyone on the team), Rolex watches and gift certificates</i>
Rich	Seattle Seahawks	<i>Luggage</i>
Donny	New York Jets	<i>Leather bomber jackets, designer sun glasses, dinner every Thursday during the season</i>
Thomas	Buffalo Bills	<i>Engraved crystal bison statues</i>
Jim Kelly	Buffalo Bills	<i>As much as \$2,500 for a sackless victory</i>
Bruce	New England Patriots	<i>A bottle of Dom Perignon and a gift certificate to a big-and-tall men's store</i>
Don Marino	Miami Dolphins	<i>Isotoner gloves</i>
O.J. Simpson	Buffalo Bills	<i>Gold bracelets for his NFL-record 2,003-yard season in 1973</i>
John Elway	Washington Redskins	<i>Engraved Mark V Weatherby .460 Magnum elephant guns in 1983</i>

case Tauzin promised change. But in three years little has changed, and the cost of waiting continues to mount.

Numbers Game

Amid the controversy surrounding the threat by college basketball coaches to boycott games in protest of a reduction in scholarships (page 70), it is interesting to note that the nation's top 25 teams used an average of only 10 players in their games last weekend. Wisconsin, Vanderbilt and West Virginia used nine players each, while Temple, Syracuse and California used only eight. Massachusetts used the most, 13, and that was in an 87-60 blowout of St. Bonaventure.

At least when it comes to scholarships, college basketball is more in touch with reality than football. Basketball allows 13 scholarships, an average of 2.6 per position. Football has 85 scholarships for a sport that requires 24 players (including a punter and a placekicker), an absurd average of 3.5.

We can hear the football coaches harumphing that their sport is rougher and that injuries are more common, etc., etc. So we'll give them 72 scholarships, an average of three per position.

Sure, hundreds of football players would not enter college on scholarship. But the dollars saved would provide funds for an equal number of wrestlers, gymnasts, swimmers and other athletes who for too long have been overlooked by the bottom-line college sports system.

Arms Traders

Inspired by recent turn-in-your-gun-for-money programs in other cities, former heavyweight champion Riddick Bowe and his manager, Rock Newman, offered \$100 in cash for each gun brought to the Union Temple Baptist Church in southeast Washington, D.C., last Saturday. "In our wildest estimations, we thought 1,000 guns would be the max," says Newman. "We grossly miscalculated."

Despite temperatures dipping toward zero, more than 2,000 people lined up outside the church, some for as many as five hours, to turn in their weapons. By midnight Bowe and Newman had collected 3,600 guns—and paid out \$360,000.

"We'd brought \$75,000 in cash in a shopping bag," says



PHOTO BY JIMMYE

Environment

Nightmare on the Monongahela

A winter oil spill creates havoc from Pittsburgh to Wheeling

The loading operation should have been routine: an enormous storage tank at Ashland Oil's Floreffe, Pa., facility was slowly filling with No. 2 diesel fuel, and everything seemed to be going according to plan. True, the 40-year-old container was being filled for the first time since having been cut up, moved from Cleveland and reconstructed on the site near the Monongahela River. True, the company did not have the required permit from Allegheny County. And true, Ashland Oil had forgone the standard safety practice of testing the tank with a full load of water. But the vessel had passed less stringent tests, and so the loading went forward.

Then, as the 48-ft.-high structure was nearly filled to its capacity of 4 million gal., something went wrong. The tank suddenly burst like a balloon, loosing its contents in a matter of seconds. Some 3.8 million gal. of the oil erupted in a 35-ft.-high tidal wave that quickly overflowed the earthen dike meant to contain such spills. In the 7° cold, 860,000 gal. inundated nearby Route 837. The oil then poured through storm sewers into the Monongahela, a once polluted river that over the past ten years has been painstakingly restored to health, and headed for Pittsburgh, 23 miles downstream.

Thus began one of the nation's worst inland oil spills ever. Within 24 hours, 23,000 people in the Pittsburgh area found themselves without tap water. An additional 750,000

were forced to ration their drinking water, 1,200 families were temporarily evacuated, dozens of factories had to shut down, schools were closed and commercial traffic on the river was halted. The oil entered the Ohio River at Pittsburgh's Golden Triangle, and by week's end the scene had been replayed downriver as far as Steubenville, Ohio, where an ice jam slowed the oil's progress. Wheeling, W. Va., was bracing for the onslaught, and contamination was feared along the Ohio all the way to the Mississippi. The Pennsylvania Fish Commission reported numerous dead fish, ducks and geese, caught in the oil, had to be rescued and washed. Said

Ashland Oil Chairman John Hall, who quickly declared his company would comply with federal law by footing the entire cleanup bill: "I expect it will be a multi-million-dollar problem."

While Pittsburgh draws its potable water from the unaffected Allegheny River, some nearby cities and towns on the Monongahela were forced to shut off their river intakes completely. The authorities tried to cope by tapping into the fire hydrants of unpolluted water systems and reopening old wells. Governor Robert Casey ordered out the National Guard to help, and decreed mandatory water conservation with a \$200 fine for violators. Most people took the inconvenience good-naturedly. In North Fayette, 17 miles south of Pittsburgh, residents switched to paper plates, postponed the laundry and washed at the homes of friends whose water supply was unaffected. Funeral Director Tom Somma

used his hearse to deliver bottled water to shut-ins. The local Iron City brewery brought out "party trucks"—in effect, giant beer kegs on wheels—filled with water.

The West Pennsylvania Water Co., which serves 500,000 people, was able to reopen its river intake at Becks Run by midweek, though it had to filter the diluted oil through ten times the usual amount of activated carbon. But other water systems still reported critical shortages. Warned Allegheny County Commissioner Tom Foerster, "We're still a long way from being out of this situation. If people go back to using water, as they usually do, the system will break down."

The cleanup might have been easier on a lake or in the ocean. In that event, the diesel fuel would have stayed on the surface, where it could



Aerial view of collapsed Ashland tank, lower right

the ability of small businesses to exploit a market niche and society in creating open-mindedness about the presence and needs of the disabled.

"I sense a whole new awareness and social sensitivity," says Ms. Pellick. "Ten years ago, we saw basically only cerebral-palsy families. They had to buy their toys through a hospital. Now there's a broadening definition of special needs and a broadening array of special services to serve those needs."

Enough explanations; they're like the boring wallets you get from the mother of distant cousins who got boring wallets from your mother in your name. Let's get to the good stuff,

STOP games, pads and other activities. In addition, Kapable Kids sells the Dycem, a sticky flexible plastic that goes under dishes, cups, games and even the bottoms of babies' shoes. Pellick placed a sheet on the seat of her daughter KALLIE's high chair to prevent sliding.

The Queens-based entrepreneur also employs a variety of custom control pads to replace the minuscule switches found on or under many moving toys.

Imagine the look on some special youngster's face when for the first time she makes a car start, stop and turn with the slightest touch or squeeze.

Then imagine the look on her parents' faces.

Barge Spills Oil Into River in Connecticut

NEW LONDON, Conn., Dec. 21 (AP) — The Coast Guard and environmental officials from three states worked today to contain thousands of gallons of oil leaking from a barge that ran aground on a ledge in the mouth of the Thames River.

The 295-foot barge hit Black Ledge about 5:15 A.M. today, spilling an estimated 15,000 to 19,000 gallons of No. 2 heating oil, Coast Guard officials said.

The unmanned barge was being pulled by a tugboat from New York City when it hit the ledge, the Coast Guard said. Officials said they would not know exactly how much oil was spilled until the hole was patched.

The Coast Guard removed the barge from the ledge this afternoon and had enveloped the hull with booms, inflatable devices used to contain oil spills, a spokesman said.

Environmental officials said it did not appear the spill would pose any serious environmental threats.

The Coast Guard identified the company that owns the barge as Reinauer Transportation Company of New York and said it had hired Clean Harbors of New York to clean up the spill.

REMEMBER THE NEEDIEST!

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FOLLOWING
DOCUMENTS
ARE
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ORIGINAL
COPIES

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 ism... Eve Mass with the family,
 a he drove to the Godsmann house
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 is, he told his partner, "I hate to

gets angry/Altho...
 try.
 "It's one thing if people die in natu-
 ral causes, but when a person is mur-
 dered, you feel like you were robbed
 and the person who did it is out
 there," she said. "I can't go on with
 my life until everything that can be
 done is done."
 As a result, she has become isnat-
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Lottery Numbers

Dec. 23, 1992

New York Numbers — 614

New York Win 4 — 0524

New York Lotto — 1, 4, 13, 23,
 34, 45; supplementary, 17

New York Pick 10 — 1, 5, 9, 14,
 15, 16, 19, 20, 23, 24, 27, 28, 41, 45,
 48, 53, 62, 69, 70, 75

New Jersey Pick 3 — 273

New Jersey Pick 4 — 2290

New Jersey Cash 5 — 19, 21, 26,
 33, 35

Connecticut Daily — 266

Connecticut Play 4 — 5534

Dec. 22, 1992

New York Pick 10 — 5, 10, 13,
 19, 20, 24, 35, 37, 38, 42, 46, 48, 51,
 56, 61, 63, 65, 69, 70, 76

New York Take 5 — 13, 15, 23,
 26, 32

"I find I don't want to socialize as
 much and I find I don't like to be
 around family occasions and holiday
 get-togethers when there are other

Cleanup of Leaking Barge

NEW LONDON, Conn., Dec. 23
 (AP) — Cleanup crews used booms in
 Niantic Bay to soak up some of the
 27,000 gallons of oil that spilled from a
 barge on Monday. The 285-foot un-
 manned barge hit Black Ledge in the
 mouth of the Thames River. Environ-
 mental damage in Long Island Sound
 appeared to be minimal, said a Coast
 Guard spokesman, Lieut. George But-
 ler. The tug's mate, Eugene Trea-
 teau, told investigators that back-
 ground lighting in the harbor caused
 him to lose his sense of direction, the
 Coast Guard reported.

People
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Chronicle

Malcolm-Jamal Warner to spend holiday with
 troops in Somalia ■ For Queen Elizabeth, now
 's a case of the purloined Christmas message.

MALCOLM-JAMAL WARNER had
 planned to celebrate New Year's Eve
 in Los Angeles but was asked by the
 S.O. last week to go to Somalia to
 lead troops there over the holiday. He

at this point I am ambivalent. It's one
 thing to see people starving on televi-
 sion. It's something totally different
 in person. From what I've been told,
 there is nothing you can do to prepare

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Group: Oil Pollution Act won't help in Chesapeake Bay

By DAVID HEINZMANN
Associated Press Writer

BALTIMORE — Federal regulations enacted after the Exxon Valdez oil spill do little to reduce the risk of a disastrous accident on the Chesapeake Bay, environmentalists said Tuesday.

A report issued by the Chesapeake Bay Foundation claims the bay is at a "prime risk for large, damaging oil spills," because most vessels on the bay don't have to meet regulations in the Oil Pollution Act of 1990.

The act requires tanker ships larger than 5,000 gross tons to have double hulls to prevent oil spills, phasing them in by 2015.

But most of the 4 billion gallons of oil transported every year in the Chesapeake is done in barges smaller than 5,000 gross tons, said Ann Powers, vice president and chief counsel for the Chesapeake Bay Foundation.

Also, tugboat captains are not subject to the same federal licensing requirements as oil tanker pilots. Powers said.

The Chesapeake Bay is North America's largest estuary and is home to thousands of species of birds, fish and shellfish, including the blue crab that is the pride of Maryland.

The Chesapeake is far more fragile than Prince William Sound, where the Exxon Valdez spilled 10.8 million gallons of crude oil in 1989, because its marshes are like sponges from which it would be practically impossible to clean large amounts of oil, according to the foundation report.

The report recommends changes in oil shipping regulations, including double hulls for all tank vessels on the bay, stricter training requirements for tugboat pilots, tougher inspection standards for barges and better monitoring of tanks to keep them from overflowing.

CLex107

3-23-94

MAR 29 1994

The Honorable Richard Foster
Alaska State House of Representatives
House Transportation Committee
Room 420 State Capitol
Juneau, AK 99801

Dear Representative Foster:

Please accept this letter as support for HJR 57, which is before your committee tomorrow.

As you know, I have been working on rivers in Alaska since 1963. It is my feeling that the United States Coast Guard needs to re-think their requirements for pilotage regarding tugs towing barges carrying fuel oils, etc. Currently the Coast Guard is studying implementing additional requirements on licenses through regulation rather than by legislation. Additionally, Congress is looking at adopting legislation that would require additional navigation and safety equipment on tugs, which would supplement the stationary navigation aids (buoys, markers, etc.) already in place. However, this would still leave gaps for rivers that are not well marked, yet are experiencing an high level of tug/barge traffic.

Thank you for your consideration of this Resolution

Sincerely,



Captain Ron Sumstad



March 31, 1994

Representatives
Legislature of the State of Alaska

5815 W. Marginal Way S.W.
P.O. Box 24348
Seattle, Washington 98124-4348
(206) 763-4244
Fax (206) 764-5782

RE: House Joint Resolution No. 57
Requesting the Coast Guard to require pilots on domestic tugboats while in inland waters

Dear Sir/Madam :

We have just reviewed the resolution and find items that are of great concern. Keeping the inland waters of Alaska free from spills is a goal that everyone can agree on, however, the resolution treats a complex issue with an over simplistic solution. The tugboat industry working together with the Coast Guard is doing a great deal of work addressing and correcting the specific causes of accidents such as those listed in the resolution.

As written this resolution is serious case of overkill. The operating conditions on the Kuskokwim River vary greatly from the vast majority of the commercial inland waters of Alaska. For instance in the area our company services, Southeast Alaska, the channels are wide, deep, well marked and charted. With the aid of modern navigation technologies including GPS we travel more than 200,000 miles per year without incident. I might add that nearly 100% of the items consumed by the people of Southeast Alaska comes via tug and barge.

Further more the resolution as written makes a serious error assuming that carrying petroleum or hazardous cargoes in the hold of a vessel presents the same risks as when carried containerized on deck. It is almost unheard of to have a spill in a containerized operation, especially one that would be impacted by having a pilot on board.

The scope of the resolution far exceeds what is needed from a practical point of view. Just about every tug and barge moving through Alaska waters is transporting the items you use at home or in the office every day and many of these items fall into the category of Hazardous Cargo or Petroleum Product. A sample of those items would be bleach, matches, lighters, household cleaners, propane and paint. Requiring a pilot on board would not only raise the cost of getting all goods but would no doubt slow transits and harm the already fragile economies of many communities.

We urge that you to not support this misdirected resolution and allow the Coast Guard and the tugboat operators to continue on the course of cost effective solutions to real risks. If you do elect to require Pilots, we urge you restrict the requirements only to vessels that carry petroleum products or hazardous cargo in the holds of barges while excluding barges that carry petroleum products or hazardous cargo on deck.

Sincerely,

Alex McKallor
President

P.O. Box 578
Sitka, Alaska 99835
(907) 747-8825
Fax (907) 747-6453

3295 Tongass
Ketchikan, Alaska 99901
(907) 225-7660
Fax (907) 225-6291

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Fax (907) 674-3315

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Fax (907) 772-9318

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Fax (907) 983-2281

100 Mount Roberts Road
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(907) 586-3750
Fax (907) 463-3298

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Yakutat, Alaska 99889
(907) 784-3392
Fax (907) 784-3302

P.O. Box 707
Craig, Alaska 99921
(907) 826-3419
Fax (907) 826-3918

S B

47



Official Business

Alaska State Legislature

HOUSE OF REPRESENTATIVES

State Capitol
Juneau, AK 99801-1182

HOUSE TRANSPORTATION COMMITTEE
TUESDAY, MARCH 16, 1993
CAPITOL, ROOM 17
5:00 P.M.

SSSB 47 - "AN ACT RELATING TO EQUIPMENT, REGISTRATION, AND IDENTIFICATION OF CUSTOM COLLECTOR VEHICLES; AND PROVIDING FOR AN EFFECTIVE DATE."

I N D E X:

1. SENATE PASSED VERSION: SSSB 47
2. FISCAL NOTE\ANALYSIS, SSSB 4.
3. FACT SHEET, SECTIONAL ANALYSIS, SPONSOR STATEMENT, MISC. BACK-UP INFORMATION.

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO: SB 47

Revision Date: _____ Dept. Affected: Public Safety
 Title: An Act relating to equipment registration BRU: Motor Vehicles
and identification of custom collector vehicles Component: Field Services
 Sponsor: Senator Kelly
 Requestor: Senator Kelly COMPONENT SERIAL NO. 502

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	3.0					
TRAVEL						
CONTRACTUAL	7.9					
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	10.9					

CAPITAL						
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REVENUE FUND SOURCE: GF 1004	10.0	.5	.5	.5	.5	.5
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FINDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	10.9					
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	10.9					

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY 93) impact: \$ _____

ANALYSIS: (Attach a separate page if necessary.)
See Attached

Prepared By: Charles R. Hosack Phone: 269-5559
 Division: Motor Vehicles Date: 1-19-93
 Approved by Commissioner: Richard L. Burton Date: 1/19/93
 Agency: Richard L. Burton, Dept. of Public Safety

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information call the Governor's Legislative Office

Fiscal Note

ANALYSIS

This bill will establish a small number of special plates for a very small group of vehicle restorers. Since this is essentially a private club rather than a normal registration category, the division has no accurate numbers to estimate the number of vehicles that would qualify for this special registration. We believe that the number will be very small. For purposes of this analysis we will estimate that 200 existing vehicles will qualify for the special plates during the first year. Each year thereafter, 10 additional vehicles will be added. Due to this extremely low number, the plates will be maintained centrally in Anchorage where it is assumed that most of the registrations will exist, and the plates will be mailed to applicants residing in other areas of the state. This is much more efficient than trying to stock and account for such a low number of plates at all offices.

The Personal Services costs are for one month's salary and benefits for a MVR III position. This will provide overtime for an existing position to do the administrative work associated with design, ordering, and issuing these registrations the first year. This will avoid having other essential services impacted by the additional duties. The contractual costs are for ordering 900 sets of special request plates at \$8.50 each and for mailing 100 plates at \$2.50 each. Even though the actual usage will be much less than 900 over the life of the program, 900 is usually the minimum order for special design plates without raising the cost per plate to an even higher level.

The revenue is based on 200 registrations at \$50.00 each the first year and 10 registrations at \$50.00 each year thereafter.

FN ANALYSIS - DMU

SSSB-47
Custom Classic Vehicles
Kelly, Halford, Taylor

WHAT IT DOES: Permits owners and drivers of "custom classic" automobiles to meet certain equipment/safety standards, register with DMV, and receive special license plate designating the car as a "custom classic," in order to safely drive the vehicles on public roads.

WHO WANTS IT: Three Alaska custom classic car club enthusiasts have asked for this legislation:

Anchorage: The Midnight Sun Street Rod Association
(more than 100 members)

Fairbanks: The Arctic Wheels (about 50 members)

Kenai / Soldotna: Peninsula Cruisers (about 200 members)

WHAT'S A "CUSTOM CLASSIC" ? It is a vehicle whose body and frame were manufactured before 1949 or a replica whose body and frame were manufactured before 1949 and modified for safe road use..(Sec. 5, pg. 3, lines 1-5.) Custom Classics may also known as Street Rods.

Side note: The date 1949 is used because 1948 was the last year side boards or running boards were manufactured on American automobiles.

VEHICLE SAFETY EQUIPMENT required in Sec. 1 includes: hydraulic service brakes on all wheels, sealed beam or halogen headlights, safety belts for all occupants, turn signals and turn signaling switch, safety glass or lexan, electric or vacuum windshield wiper located in front of the driver, standard or blue-dot tail lights; and a parking brake that operates on at least two wheels on the same axle.

Blue Dot Tail Lights are an artistic expression among classic car enthusiasts. There is a small (about 1/2 inch) blue piece of glass placed in the center of the much larger standard red tail light. When the taillight bulb flashes both the red and blue glass light up and may actually give other motorists a greater awareness that the custom classic vehicle is braking.

Bumpers, Fenders, Hoods: (Sec. 1 (b) provides an exemption to the necessity of equipping a custom classic vehicles with a bumper, fender, or hood. The custom car classic clubs of Alaska estimate there are about 8 vehicles currently in State that are without all three pieces of equipment.

Note: Fenders have often been the immediate citation issued for custom classic owners who have attempted to drive their vehicles. The citation in Anchorage is a violation of Municipal Code 13, AAC 04.265, entitled "Antispray Device."

Regulations requiring bumpers have twice recently been ruled not necessarily a precaution for other vehicle protection or pedestrian safety by the National Highway Traffic Safety Administration (NHTSA) (Fed. Register Vol. 56, No. 38, 2/26/91, and Vol. 40, No. 168, 8/28/84.)

Emissions: Custom Classic vehicles may be subject to IM tests depending on exemptions and requirements at local level. Testimony during Labor & Commerce (Ray Elleven, V.P. Midnight Sun Street Rod) noted that custom vehicles are almost never operated during the long winter months when air quality is at its worst - in fact, most vehicles are housed to protect them from the harsh winters.

Glen Nicolai (Eagle River) testified that most custom classics pass emission control tests because "engines are so carefully maintained."

Elleven also offered that most custom collector vehicles run on PCV valves. Elleven also noted most cars have turbo mufflers, legal in Alaska, for noise control.

Insurance: Mr. Nicolai noted insurance was fairly easy to obtain as the industry grows and because there is such a low record of claims involving custom classic vehicles. Classic owners do not leave their vehicles unattended when out in public for fear of theft, damage, etc.

DMV REGISTRATION: When the department (DMV) is satisfied as to the owner of a vehicle they shall make sure the custom classic has an identification number and so register with the state; the same shall apply for replica of models prior to 1949. (Sec. 2)

SPECIAL PLATES: Upon application DMV may issue special "custom classic" plates to those individuals who meet the requirements in Sec. 1 & 2, and who pay the \$50 fee. (Sec. 3)

LAW ENFORCEMENT IS NEUTRAL: The Department of Public Safety, DMV does not oppose the legislation. According to Mr. Ray Elleven (V.P. Midnight Sun Street Rod Association, 2/18/93) the Anchorage Police Department does not intend to take a position on the bill. In prior years correspondence from APD with custom car owners has always indicated it was a state matter that must be taken up with legislature. There are law enforcement officers who are members of the street rod clubs in Alaska.

OTHER STATES: The Street Rod Marketing Alliance (SRMA) is an advocacy group for an estimated 150,000 plus custom classic enthusiasts in the U.S. They report that:

18 states have legislation defining pre-1949 modified vehicles.

14 states have issues license plates similar to the Custom Collector Plate proposed in SSSB-47.

New Hampshire and Mississippi passed similar legislation in 1992. (SSSB-47 is patterned after New Hampshire's law.)

Similar bills are being introduced this year in Oregon, Washington, and Idaho.

FISCAL NOTE: Using estimates provided by classic car clubs and DPS, it is estimated about 200 custom classics are in existence in the state now and another 50 currently under construction. The Division estimates plate costs for 900 plates (best cost break) at about \$740 and another \$250 to mail 100 sets of plates for first year, total of \$7.9. Personal services (time to administer registration and handling of plates, about 3.0. Total expense: a projected \$10.9.

Revenue: Based on an estimate of 200 cars the first year, at \$50 per vehicle income of \$10,000 could be expected. If registration of new vehicles is greater, income would be more, accordingly.

BILL HISTORY: Senate L&C, 4 Do Pass, Kelly, Lincoln, Rieger, Salo
1 No Rec. Pearce

Senate Finance: 6 Do Pass, Pearce, Frank, Kelly, Rieger,
Kerttula, Sharp

ATTACHMENTS:

Sectional Analysis, Sponsor Statement DPS/Motor Vehicles
"Position Paper", Fiscal Note, Minutes: L&C and SFC, Bill History

SECTIONAL ANALYSIS
SSSB-47
(Kelly and Halford)

An Act relating to equipment, registration, and identification of custom collector vehicles; effective date.

Section 1. (a) Amends AS 28.05 by adding new section mandating specific vehicle equipment largely related to motoring safety.

(b) provides that the department may not require bumpers, hood, or fenders on custom vehicles.

(c) mandates no portion of suspension, steering, or chassis is to touch road surface while vehicle is being driven, even if driven on just four rims.

Section 2. Amends AS 28.10, adding new section providing for registration and vehicle identification number of custom collector vehicles by DMV.

Section 3. Amends AS 28.10.181 (Registration of unique and special vehicles) by adding new subsection permitting DMV to issue special plates for custom collector vehicles.

Section 4. Amends AS 28.10.421 (d) (2) by adding new annual registration fee for special plates for custom collector vehicles, \$50.

Section 5. Amends AS 28.40.100 (a) by adding new paragraph defining custom collector vehicle, recognized as manufactured before 1949.

Section 6. Effective date: January 1, 1994.

Sectional Analysis

SPONSOR STATEMENT SSSB-47 (by Kelly)

An Act relating to equipment, registration, and identification
of custom collector vehicles; effective date: 1/1/94

This bill is in response to the requests of custom collector (more commonly referred to as "street rods") vehicle owners who want the opportunity to display their classic vehicles at fairs, car shows, parades and pleasure driving. Passage of this measure permits custom car collectors, registered and licensed by the state DMV, to drive their classic vehicles without being ticketed by law enforcement agencies. The bill specifies equipment requirements, vehicle registration and identification numbers, and permits specialized plates for vehicles meeting the requirements and definition of a custom collector vehicle.

There are custom collector organizations throughout the U.S. representing more than 150,000 individuals. In Alaska, the Midnight Sun Street Rod Association of Anchorage, the Arctic Wheels of Fairbanks, and the state's largest group, the Peninsula Cruisers of the Kenai/Soldotna area together represent about 300 custom vehicle enthusiasts whose hobby is the restoration and display of custom classic vehicles.

Custom classic vehicles are cars manufactured before 1949, or a replica of a vehicle whose body and frame were manufactured before 1949, and modified for safe road use, (Sec. 5). Often times hundreds of hours and thousands of dollars are expended to restore these classic vehicles. Special insurance is needed and is available in Alaska.

The bill mandates specific vehicle equipment such as hydraulic brakes, safety belts, parking brakes, etc. (Sec. 1) before a custom classic vehicle can be registered, licensed, and driven. It provides for registration and identification with the Department of Motor Vehicles (Sec. 2). and, also provides for the issuance of "special plates" for vehicles registered with DMV as a custom collector, (Sec. 4), for a one-time plate fee of \$50.

FISCAL NOTE: (\$900) The Department of Motor Vehicles / Public Safety estimates income of about \$10,000, based on 200 first year (FY94) registration and licensing requests. The number of registrants could be as high as 250, raising income to about \$12,500. DMV projects expenses of about \$10,900.

Department Position: Public Safety/DMV does not object to this bill.

SPONSOR STATEMENT

LTC MINUTES Pg. 1

CHAIRMAN TIM KELLY CALLED THE LABOR AND COMMERCE COMMITTEE MEETING TO ORDER AT 1:37 P.M.

✓ SENATOR KELLY INTRODUCED SPONSOR SUBSTITUTE FOR SENATE BILL NO. 47 (REGISTRATION/EQUIPMENT OF CUSTOM CARS). HE SAID THE BILL WAS REQUESTED BY THE ANCHORAGE MIDNIGHT SUN STREET ROD ASSOCIATION AND INVITED THE VICE-PRESIDENT OF THE ASSOCIATION, RAY ELLEVER, TO TESTIFY VIA TELECONFERENCE FROM ANCHORAGE.

NUMBER 013

MR. ELLEVER THANKED THE COMMITTEE FOR SUPPORTING LEGISLATION THAT, HE THOUGHT, ADDED TO THEIR QUALITY OF LIFE. HE GAVE BACKGROUND INFORMATION BOTH ON HIMSELF AND THE SPECIALTY OF CUSTOM CARS, OF WHICH THERE ARE ABOUT 150 THOUSAND MODIFIED PRE-49 AUTOMOBILES IN THE COUNTRY. MR. ELLEVER DESCRIBED ALL FACETS OF THE INDUSTRY GENERATED BY THE INTEREST IN MODIFIED VEHICLES. HE OUTLINED THE PROTECTION AFFORDED BY SSSB 47 TO THE DRIVERS AND THEIR CUSTOMIZED VEHICLES IN THE AREAS OF TITLING, LICENSES, REGISTRATION, AND CLUNKER ORDINANCES.

NUMBER 097

SENATOR KELLY QUESTIONED THE MAGIC OF A PRE-49 VEHICLE, AND MR. ELLEVER EXPLAINED 1948 WAS THE LAST YEAR CARS WERE MANUFACTURED WITH RUNNING BOARDS. SENATOR RIEGER ASKED HOW THE LEGISLATION WOULD ALLOW THE CUSTOM COLLECTOR VEHICLES TO STAY ON THE ROAD - LEGALLY.

NUMBER 152

MR. ELLEVER DESCRIBED MEMBERS BEING CITED FOR THE ALTERATION OF CUSTOM VEHICLE HEIGHTS AND MODERN SUSPENSION OR THE REMOVAL OF FENDERS, BUMPERS, AND HOODS. SENATOR RIEGER REFERRED TO REPLICAS AND THE FEDERAL REQUIREMENTS REGARDING BUMPERS. MR. ELLEVER SAID THESE WERE SET BY DATE OF MANUFACTURE AND BUMPER RESTRICTIONS WERE SET ABOUT 1974.

NUMBER 176

SENATOR KELLY POINTED TO THE FIRST SECTION OF THE BILL WHICH OUTLINED 8 MODERN SAFETY FEATURES THAT MUST BE ON THE CUSTOMIZED CAR AND CONSIDERED PART OF A NATIONAL DEFINITION OF A STREET ROD. SENATOR RIEGER WAS ASSURED BY MR. ELLEVER THAT BUMPER REQUIREMENTS FOR REPLICAS OF VEHICLES DESIGNED BEFORE 1949 WOULD BE LEGAL IN 1993. MR. ELLEVER EXPLAINED THERE WERE NOT MANY OLD METAL CARS AROUND, HENCE THE NEW MANUFACTURE OF OLD CARS.

LTC MINUTES Pg. 1

NUMBER 197

L+C

Pg. 2

SENATOR KELLY QUESTIONED THE EMISSION STANDARDS. MR. ELLEVER ANSWERED THE EMISSION STANDARDS CAME ABOUT IN 1968,

AND THEIR CARS ARE PRE-49.

SENATOR KELLY QUERIED HIS AIDE, MAX GIFFORD, ON THE FISCAL NOTES. MR. GIFFORD SUMMARIZED THE FISCAL NOTE AND A NEUTRAL POSITION FROM THE DIVISION OF MOTOR VEHICLES. HE SUGGESTED FURTHER QUESTIONS COULD BE ANSWERED BY JUANITA HENSLEY, FROM THE DIVISION OF MOTOR VEHICLES.

MS HENSLEY, CHIEF OF DRIVER SERVICES, DESCRIBED THE CONCERNS OF THE DEPARTMENT OF PUBLIC SAFETY ON SPECIAL INTEREST PLATES, WHICH MIGHT OPEN THE PROGRAM TO OTHER POTENTIAL INTEREST CLUBS THAT MIGHT WANT PLATES.

NUMBER 240

SENATOR SALO QUESTIONED THE CAR CRUSHER LAWS IN RELATION TO AIR POLLUTION AND THE NUMBER OF CUSTOM CARS THAT MIGHT BE INVOLVED. MR. ELLEVER EXPLAINED MOST OF THE CUSTOM CARS WERE PARKED DURING THE HEAVY POLLUTION WINTER MONTHS AND DRIVEN ABOUT 500 MILES DURING THE YEAR. IN ADDITION, HE SAID MOST OF THE CARS WERE RUNNING PCV VALVES. SENATOR SALO ASKED ABOUT NOISE POLLUTION, AND MR. ELLEVER MAINTAINED MOST OF THE CARS HAVE THE TURBO MUFFLER WHICH IS LEGAL.

NUMBER 264

SENATOR KELLY ASKED ABOUT THE INSURANCE ON THE CUSTOM BUILT VEHICLES, AND HE WAS TOLD GLEN NICOLAI FROM EAGLE WAS GOING TO ADDRESS INSURANCE. MR. NICOLAI EXPLAINED HE WAS A MEMBER OF BOTH STATE AND NATIONAL ASSOCIATIONS, AND HE TRACED THE INCREASE IN AVAILABILITY OF INSURANCE COVERAGE. MR. NICOLAI SAID HIS VEHICLES WERE INSURED BY STATE FARM BUT OTHER INSURANCE CARRIERS WOULD ALSO PROVIDE POLICIES AT REASONABLE RATES BECAUSE OF A LOW INCIDENCE OF CLAIMS.

NUMBER 296

MR. NICOLAI SAID THE ASSOCIATIONS DIDN'T ASK FOR ANY NOISE POLLUTION EXEMPTIONS FOR STREET RODS. AND HE EXPRESSED PRIDE IN THE CLUBS' SAFETY PROGRAMS.

SENATOR KELLY ASKED FOR THE ESTIMATED AVERAGE AGE OF THE CLUB MEMBERS. AND MR. NICOLAI SAID IT RANGED FROM THE 40'S TO THEIR OLDEST MEMBER AT AGE 73, ROSS JARDINE.

SENATOR LINCOLN ASKED FOR CLARIFICATION ON EMISSION CONTROLS IN RELATION TO THE DEFINITION IN SECTION 3 WHICH ALLOWS AN EXEMPTION FOR CUSTOM COLLECTOR VEHICLES WHOSE BODY AND FRAME WERE MANUFACTURED BEFORE 1949. MR. NICOLAI PRAISED THE CUSTOM CARS WHICH WERE ABLE TO PASS EMISSION CONTROLS BECAUSE THE ENGINES WERE SO CAREFULLY MAINTAINED.

NUMBER 357

L+C Minutes Pg. 2

SENATOR KELLY INVITED ROSS JARDINE, THE 73 YEAR OLD CAR BUFF FROM SAND LAKE TO TESTIFY.

LHC
Pg. 3

MR. JARDINE OUTLINED HIS PARTICIPATION IN STREET ROD BUILDING AND RIDING. HE DESCRIBED HIS 1936 FORD AND A 1933 FORD, BOTH OF WHICH ARE INSURED, IN TOP CONDITION, AND WOULD PASS ANY INSPECTION INCLUDING EMISSIONS. MR. JARDINE SAID HE WAS A MEMBER OF THE SAFETY COMMITTEE FOR HIS CLUB, AND HE LISTED ALL OF THE REQUIRED FEATURES ON HIS VEHICLES. HE DESCRIBED AN INCREASE IN CAR BUFF PARTICIPATION IN CHARITY EVENTS.

NUMBER 382

SENATOR KELLY INVITED CHARLES ALVAREZ FROM THE PENINSULA CRUISERS IN SOLDOTNA TO TESTIFY.

MR. ALVAREZ DESCRIBED THE MEMBERSHIP AND ACTIVITIES OF THE PENINSULA CRUISERS AND PITCHED FOR ADDITIONAL MEMBERS. HE PRESENTED HIS SUPPORT FOR THE LEGISLATION AND DESCRIBED THE PEER PRESSURE IN MAINTAINING SAFE AND CLEAN VEHICLES.

NUMBER 397

SENATOR RIEGER MOVED TO PASS SPONSOR SUBSTITUTE FOR SENATE BILL NO. 47 FROM COMMITTEE WITH INDIVIDUAL RECOMMENDATIONS. WITHOUT OBJECTIONS, SO ORDERED.

SENATOR KELLY INTRODUCED THE WORK DRAFT FOR CS FOR SENATE BILL NO. 44 FOR ADDITIONAL CHANGES BY THE COMMITTEE AND ASKED JOSH FINK TO WALK THE COMMITTEE THROUGH THE CHANGES AS ADOPTED IN THE 1/21/93 COMMITTEE MEETING.

NUMBER 425

MR. FINK CAREFULLY NOTED, PAGE BY PAGE, ALL OF THE CHANGES, WITH THE ADDITIONS IN YELLOW IN THE WORK DRAFT AND REVIEWED THE NOTATION REFERENCES IN THE COMMITTEE SUBSTITUTE. HE EXPLAINED THE DRAFTER MIKE ROSS HAS THE DRAFT TO

LHC Minutes Pg. 3

SFC MINUTES

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 47

An Act relating to equipment, registration, and identification of custom collector vehicles; and providing for an effective date.

Co-chair Pearce directed that SSSB 47 be brought on for discussion.

Senator Kelly, sponsor for SSSB 47, commented that the bill was not a significant bill but had to do with improving the quality of life.

End SFC-93 #16, Side 2
Begin SFC-93 #18, Side 1

MAX GIFFORD, legislative assistant to Senator Kelly, testified that SB 47 provided that owners of custom collector vehicles must equip their vehicles with several safety devices, and provided for an exemption for bumpers, hoods and fenders. The owner may register with the Department, pay a \$50 fee and if they qualify, obtain a vehicle identification number and a special license plate. He estimated that there were approximately 200 to 250 custom cars in Alaska. He directed attention to a letter from the Midnight Sun Street Rod Association dated January 25, 1993 (copy on file), in support of SB 47. He explained the fiscal note was in the amount of \$10.9 for plate production and estimated income from the \$50 registration fee to be \$10.0.

Co-chair Pearce invited Juanita Hensley, Chief, and Jay N. Dulany, Director, Division of Motor Vehicles, Department of Public Safety to testify regarding SB 47. JAY DULANY, in answer to Senator Kerttula's question, replied it was estimated that the bill was a break-even cost for the division. Discussion followed between Senators Rieger and Kelly, Max Gifford, and Mr. Dulany regarding safety regulations for older cars.

Senator Kelly MOVED and asked for unanimous consent that SSSB 47 pass from committee with individual recommendations and the attached fiscal note. No objection being raised, SSSB 47 was REPORTED OUT of committee with a fiscal note in the amount of \$10.9 from the Dept. of Public Safety. Co-chairs Pearce and Frank, Senators Kelly, Rieger, Kerttula and Sharp signed the committee report with a "do pass" recommendation. Senator Jacko was absent and did not sign.

Recess 8:25am
Reconvene 9:03am

Alaska Railroad and Railroad Board Overview

Co-chair Pearce invited Mr. Robert S. Hatfield, Jr., President and CEO, Alaska Railroad Corp., Mr. Loren Lounsbury, Chairman of the Board, Alaska Railroad Corp. (ARRC), and Commissioners Paul Fuhs, DOC&ED and Frank Turpin, DOT/PF, members of the Board, to join the

SFO21093.am

SFC MINUTES

SSSB-47 Custom Classics

CURRENT STATUS: 3RD RDC, 2/19 CALCS, 02/17/93

TITLE: "AN ACT RELATING TO EQUIPMENT, REGISTRATION, AND IDENTIFICATION OF CUSTOM COLLECTOR VEHICLES; AND PROVIDING FOR AN EFFECTIVE DATE."

01/15/93	72	(S)	READ THE FIRST TIME - REFERRAL(S)
01/15/93	72	(S)	LABOR & COMMERCE, THEN FINANCE
01/22/93	121	(S)	SPONSOR SUBSTITUTE INTRODUCED-NEW TITLE
01/22/93	122	(S)	LABOR & COMMERCE, FINANCE
01/27/93	169	(S)	L&C RPT 4DP INR
01/27/93	169	(S)	FISCAL NOTE (DPS)
02/10/93	312	(S)	FIN RPT 6DP
02/10/93	312	(S)	PREVIOUS FISCAL NOTE (DPS)
02/17/93	385	(S)	RULES RPT 3 TO CAL AND INR 2/17/93
02/17/93	387	(S)	READ THE SECOND TIME
02/17/93	388	(S)	ADVANCE TO 3RD READING FAILED Y11 N8 E1
02/17/93	388	(S)	THIRD READING 2/19 CALENDAR

Bill History

RECEIVED MAR 0 5 1993

MARCH 3, 1993

Assemblyman Richard Foster
Chair House Transportation Committee
State Capitol, Juneau AK 99801

Dear Assemblyman Foster,

This letter is to show my support for SB 47.

Street Rodding is a event for the whole family. The sport of Street Rodding can lead to many years of family enjoyment.

Sincerely,


Daniel J. Fink

HOUSE COMMITTEE REPORT

(7)

Date Referred: March 10, 1993

FURTHER REFERRALS:

Finance

Date of Committee Action: 3-16-93

The TRANSPORTATION Committee considered:

SSSB 47

SPONSOR SUB. FOR SENATE BILL NO. 47

REGISTRATION/EQUIPMENT OF CUSTOM CARS

"An Act relating to equipment, registration, and identification of custom collector vehicles; and providing for an effective date."

RECOMMENDATIONS: [] the same title
 be replaced with _____ [] a new title

[] have attached amendments(s)

do pass

[] do not pass

[] no recommendations

[] individual recommendations

[] additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(s): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

[] fiscal impact _____

fiscal note(s) (SD) DPS 1-27-93

[] zero fiscal note _____

[] zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Richard D. Stoney</i>	*	<i>Bill Hanks</i>		✓	
<i>John Hanks</i>	*	<i>Joe W.</i>		✓	
<i>Lang Han</i>	✓				
<i>W. Perry</i>	✓				

Richard D. Stoney
 CHAIRMAN'S SIGNATURE

RECEIVED MAR 15 1993

ALASKA PEACE OFFICERS ASSOCIATION



Anchorage Chapter
P. O. Box 103824
Anchorage, AK 99510
Phone _____

March 11, 1993

J

Representative Richard Foster
Alaska State Legislature
State Capitol Building
Juneau, Alaska 99801-1182

Dear Representative Foster,

On behalf of Alaska's Peace Officers we urge you to oppose the "Custom Car Collector Bill," SB 47/HB 74. This legislation, which was introduced on behalf of a small special interest group, is not in the best interest of Alaska's motoring public. Members of the Midnight Sun Car Club want to drive their vehicles without being required to have fenders, bumpers, engine hoods or ground clearance requirements as mandated by current law.

It also creates a special class of drivers who are exempt from equipment laws that all motorists are required to follow.

Attached are the concerns expressed by Anchorage Police Department Officer Dave Rochford, an expert in the field of accident reconstruction who has over 21 years of law enforcement experience.

Sincerely,

John Charbonneau

John Charbonneau, President
Alaska Peace Officers Association
Anchorage Chapter

DAVE RCCHFORD
ANCHORAGE POLICE DEPARTMENT

QUALIFICATIONS:

- a. Police Officer with more than 21 years of law enforcement experience
- b. Investigated over 2000 vehicle accidents
- c. Completed Traffic Accident Reconstruction courses at Traffic Institute of Northwestern University
- d. Member of the National Association of Professional Accident Reconstruction Specialists
- e. Qualified as an expert in Alaska's courts in the area of Traffic Accident Reconstruction

REASONS I OPPOSE SB 47/HB 74 (see attached narrative)

1. Not having fenders, bumpers and engine hoods increases the severity of injury to a pedestrian involved in an accident
2. Without fenders, bumpers, and engine hood a minor fender bender would be a more serious accident
3. Possibility custom car damaged in such a way as to not be able to come to a controlled stop
4. Blue dots on tail lights cause lights to look blue or purple instead of red
5. Vehicles "cruise" the Northern Lights Strip NOT enroute to an event
6. Eliminates the current ground clearance requirements

NARRATIVE

I have been a police officer for 21 years, 10 years in California and 11 years with the Anchorage Police Department. My area of expertise is in traffic enforcement. I have investigated over 2000 traffic accidents as well as having successfully completed traffic accident reconstruction courses through the Traffic Institute of Northwestern University. I am also a member of the National Association of Professional Accident Reconstruction Specialists. Additionally, I have testified in Alaska courts as an expert in the area of traffic accident reconstruction.

The bill, as proposed, would pertain to 1949 or earlier year model cars, OR A REPLICA of one. This means that the car could be entirely new construction as long as the vehicle identification number was from a car from that era.

I have several concerns regarding this bill, mostly dealing with the safety of the motoring public. This bill, if allowed to become law, would remove the requirement that these vehicles be equipped with engine hoods, fenders and bumpers. A car so constructed would be driven with rotating tires exposed. Additionally, the engine, with its parts that are moving or turning as well as being extremely hot, would be exposed. The concern here is that should one of these vehicles become involved in a pedestrian related collision, the injuries to the pedestrian could be substantially greater than with other cars.

A pedestrian struck by a car with fenders is normally bounced away from the vehicle. A broken leg or hip would be expected. Without protective fenders, a pedestrian would be struck directly by the tire and would most likely be pulled under the vehicle. Naturally, the injuries would be critical, if not fatal.

In accidents where the pedestrian strikes the front of the car closer to its center, the pedestrian is either knocked down or "scooped" up over the hood. If the latter occurs the pedestrian then most likely would strike the windshield. The pedestrian would then fall down onto the engine hood and then back to the street in front of the car (presuming the driver is applying the brakes, which is usually the case). Without a hood, the pedestrian would fall onto the engine being injured further by burning or being caught in the fan belts or the engine fan.

In a two vehicle collision involving a vehicle so equipped, there are other dangers. Without protective fenders around the wheels, an axle could be bent or a tie rod broken during an initial collision. This would prevent proper control of the vehicle after the collision, making it difficult or impossible for the driver to bring it to a safe stop. This could result in the vehicle going off the roadway and striking buildings, pedestrians or other vehicles.

These vehicles also pose a safety problem when left parked and unattended. Small children might not know better than to touch the exposed exhaust pipes or other engine components. These vehicles are very "flashy" and attract spectators when parked. It would not be unusual to see children near them.

Besides, the public safety issues, there is the matter of increased monetary losses involving these vehicles. If involved in a collision, instead of replacing a fender or a bumper, it would involve an axle, drive train or engine components. This may not be cause for concern for the owner, provided that the vehicle is insured. But it would be a problem for the driver of the other car, if he is at fault in the accident, and finds himself facing a liability of several thousand dollars for what would have been a relatively minor accident.

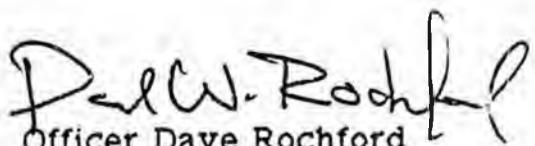
Additionally, I would like to address the "blue dot" tail lights mentioned on line 13 of page one (sec 28.05.106(7)). These are red tail lights with a blue dot in the center. The blue color had a tendency to "washout" the red so that the results that other motorist see a light that is primarily blue or purple. The Code of Federal Regulations requires that tail lights be red, as does the state traffic code.

This is for identification purposes as red has been found to be a color that is easily seen at night and I don't believe that it is in the best interest of safety to change this requirement.

I understand that the intent of the bill is to accommodate the custom collectors who wish to drive their cars to events without the need for trailering. I have, however, personally encountered these vehicles driving all around the Anchorage area during the summer months, none of them were enroute to an event. It is also interesting to note that all of these cars (approximately 5 of them) were, according to the driver-owners, purchased from the same person.

There is one additional area that I would like to address, and some of my fellow officers have stated that they share this concern. By making a law like this, we are creating a special class of people who are exempt from a law that others are expected to obey. I personally would find it difficult to issue a citation to a 1977 Camero that does not have an engine hood, while other cars are allowed to use the streets free from these regulations. It would not be fair and impartial enforcement of the law. The result would be that the current laws would not be enforced because certain vehicles have been allowed to remove (or not install) equipment and others are required to have. The general public also responds unfavorably in matters like this.

There are rumors that Washington State and California had passed similar laws. I checked both states and they have similar laws but still require these cars to have fenders, bumpers and hoods, as well as all other equipment. A copy of the California law is available upon request.



Officer Dave Rochford
Anchorage Police Department
4501 South Bragaw
Anchorage, AK 99507
(907) 786-8500